

Response ID ANON-3AUB-ZFBG-M

Submitted to Tackling money laundering and terrorist financing
Submitted on 2016-09-16 15:25:08

Introduction

1 What is your name and your role/title?

Name:

[REDACTED]

2 What is your email address?

Email:

[REDACTED]

3 Are you responding to this consultation because you are a:

business that does or may have to comply with the AML/CFT Act?

respondent type - other:

4 Is this submission:

on behalf of your business or organisation?

5 Which "Phase Two" sector/s (if any) do you belong to, are associated with or have expertise in?

Legal, Accounting

6 Which "Phase One" sector/s (if any) do you belong to, are associated with or have expertise in?

Phase one FMA other:

Trust and company service providers

Phase one DIA other:

7 Organisation profile

Organisation size:

Medium

New Zealand - Single location (Auckland, Hamilton, Wellington, Christchurch or Dunedin)

Sector-specific issues and questions

Proposal: expanded reporting to the Police financial intelligence unit

23 Should the current requirement to report suspicious transactions be expanded to reporting suspicious activities? Please tell us why or why not.

Reporting-1:

Yes - at present the transaction only method of reporting means that suspicious activity conducted through NZ entities (e.g. NZ foreign trusts) but with assets held outside of NZ cannot be reported successfully via GoAML. It would benefit the law enforcement agencies to receive reports including activity of NZ entities that occurs outside of NZ and may also not be single or specific transaction based.

For example, the settlor of a NZ foreign trust be under investigation in his own country for corruption. But if the trust assets are held offshore and there is no certainty to the amount of assets under investigation then no report to GoAML would currently be accepted, despite clear indications that possible criminal activity has occurred using a NZ entity.