



Australian Government
Australian Transaction Reports
and Analysis Centre

Exemption

Section 248 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*

I, Neil J Jensen PSM, AUSTRAC CEO, pursuant to paragraph 248(1)(a) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (AML/CTF Act)*, hereby exempt the persons described below as "BHP Billiton companies" (each a **BHP Billiton company**), from the following specified provisions of the AML/CTF Act:

- (a) items 6, 7 and 48 of Table 1, subsection 6(2) (each a **specified designated service**).

Conditions

Pursuant to paragraph 248(2)(b) of the AML/CTF Act, the exemption is subject to the following conditions:

1. Each BHP Billiton company must inform the AUSTRAC CEO or delegate of any changes that may affect the exemption and/or conditions imposed by this written instrument within 14 days from when the relevant change occurs.
2. This exemption only applies in respect of specified designated services provided by a BHP Billiton company to other BHP Billiton companies or, in the case of the specified designated service under item 48 of table 1, on account of other BHP Billiton companies as borrower(s).

BHP Billiton companies

This exemption applies to:

- a. BHP Billiton Limited ABN 49 004 028 077 of Level 27, 180 Lonsdale Street, Melbourne, VIC 3000; and
- b. BHP Billiton Plc, registration number 3196209, registered in England and Wales, of Neathouse Place, London SW1V 1BH, UK; and
- c. Each related body corporate within the meaning of the *Corporations Act 2001 (Cth)* of each of BHP Billiton Limited and BHP Billiton Plc from time to time; and
- d. Each subsidiary undertaking within the meaning of the *United Kingdom Companies Act 2006 (2006 c.46)* of each of BHP Billiton Limited and BHP Billiton Plc from time to time.

A handwritten signature in black ink, appearing to read 'Neil J Jensen', written over a dotted line.

Neil J Jensen PSM, AUSTRAC CEO

9/6/2009

Important Notice to person named in this instrument

1. Any request for a change to this instrument must be submitted to the AUSTRAC CEO or approved delegate within 14 days from when the change is sought.
2. Pursuant to subsection 248(3), the person granted the exemption must comply with the conditions set out in the instrument. Failure to comply with those conditions may result:
 - in the revocation of the exemption; and
 - the AUSTRAC CEO making an application to the Federal Court of Australia for a civil penalty order requiring the person to pay a pecuniary penalty in respect of such a breach.
3. It is an offence under sections 136 and 137 of the AML/CTF Act to provide false and misleading information or false documents. If any of the information submitted by the applicant or its representatives is found to be false and misleading, the exemption may be revoked, and action may be initiated against the applicant.
4. The person granted the exemption may request the AUSTRAC CEO at any time to change the exemption.