



## **Declaration**

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

1. Under paragraph 248(1)(b) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (AML/CTF Act)*, I, Neil J Jensen PSM, AUSTRAC CEO hereby declare that sections 84 and 85 of that Act apply in relation to the person specified in paragraph 2 below as if those sections were modified as follows:
  - (1) At the end of paragraph 84(3)(b), omit the words ‘AML/CTF Rules.’ and substitute ‘AML/CTF Rules, except as otherwise prescribed in subsection 84(3A).’
  - (2) Insert immediately after paragraph 84(3)(b), the following new subsection 84(3A):
    - (3A) ‘Despite paragraph 84(3)(b), where Diners Club Pty Limited (**Diners**) provides a designated service covered by items 1, 3, 6 or 7 of table 1 in section 6 to the following customers:
      - (i) the Australian Government Department of Defence; or
      - (ii) the Australian Government Defence Materiel Organisation;(collectively referred to in this subsection as the **Defence Customers**)  
  
it is not required to comply with:
      - (iii) the relevant procedure or procedures in Part B of its standard anti-money laundering and counter-terrorism financing program which implement, or give effect to, subparagraph 4.11.12(5)(b) in the AML/CTF Rules; or
      - (iv) the requirement in subparagraph 4.11.12(5)(b) in the AML/CTF Rules, to the extent that it implements a separate standard anti-money laundering and counter-terrorism financing program in respect to the provision of the above-mentioned designated services to either of the Defence Customers.

- (3) At the end of paragraph 85(3)(b), omit the words ‘AML/CTF Rules.’ and substitute ‘AML/CTF Rules, except as otherwise prescribed in subsection 85(3A).’
- (4) Insert immediately after paragraph 85(3)(b), the following new subsection 85(3A):
- (3A) ‘Despite paragraph 85(3)(b), where Diners provides a designated service covered by items 1, 3, 6 or 7 of table 1 in section 6 to the following customers:
- (i) the Australian Government Department of Defence; or
  - (ii) the Australian Government Defence Materiel Organisation;
- (collectively referred to in this subsection as the *Defence Customers*)
- it is not required to comply with:
- (iii) the relevant procedure or procedures in Part B of its joint anti-money laundering and counter-terrorism financing program which implement, or give effect to, subparagraph 4.11.12(5)(b) in the AML/CTF Rules; or
  - (iv) the requirement in subparagraph 4.11.12(5)(b) in the AML/CTF Rules to the extent that it implements a separate joint anti-money laundering and counter-terrorism financing program in respect to the provision of the above-mentioned designated services to either of the Defence Customers.

2. This instrument applies to the following person only:

- (a) Diners Club Pty Limited ABN 35 004 343 051

  
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Neil J Jensen PSM, AUSTRAC CEO

7 April .....2009

**Important Notice to person named in this declaration**

1. Any request for a change to this declaration must be submitted to the AUSTRAC CEO or approved delegate within 14 days from when the change is sought.
2. 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 declaration may be revoked, and action may be initiated against the applicant.
3. The person granted the declaration may request the AUSTRAC CEO at any time to change the declaration.