

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, Thomas Story, A/AUSTRAC.CEO hereby declare that the definition of 'designated business group' in section 5 of that Act applies in relation to persons specified in paragraph 2 below as if paragraph (d) of that definition were modified as follows:
 - (a) omit 'such conditions (if any) as are specified in the AML/CTF Rules', substitute 'the conditions in paragraph 2.1.1, subparagraphs 2.1.2(1), 2.1.2(2), 2.1.2(3), subparagraph 2.1.2(4) (as modified below) and paragraph 2.1.3 of Chapter 2 of the *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)*:
Each member of the designated business group must be:
 - (i) a reporting entity; or
 - (ii) a company in a foreign country which if it were resident in Australia would be a reporting entity; or
 - (iii) providing a designated service pursuant to a joint venture agreement, to which each member of the group is a party.'
2. This instrument applies to the following persons:
 - (a) Goldman Sachs JBWere Group Holdings Pty Ltd; and
 - (b) Goldman Sachs JBWere Pty Ltd;
(together referred to as the 'Holding Companies'); and
 - (c) any related bodies corporate of the Holding Companies within the meaning of section 50 of the *Corporations Act 2001*, which currently are:
 - (i) Goldman Sachs JBWere Pty Ltd;
 - (ii) Goldman Sachs JBWere Futures Pty Ltd;
 - (iii) Goldman Sachs JBWere Capital Markets Limited;
 - (iv) Invia Custodian Pty Ltd;
 - (v) Goldman Sachs JBWere Investment Management Pty Ltd
 - (vi) Goldman Sachs JBWere Managed Funds Limited;

- (vii) Goldman Sachs JBWere Financial Markets Pty Ltd;
- (viii) Goldman Sachs JBWere Financial Services Pty Ltd;
- (ix) Goldman Sachs JBWere PIA (Management) Pty Ltd;
- (x) Goldman Sachs JBWere (NZ) Limited;
- (xi) Portfolio Custodian Limited;
- (xii) Goldman Sachs JBWere Asset Management (NZ) Limited



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Thomas Story, A/AUSTRAC CEO

09/4/

.....2008

Important Notice to person named in this instrument

1. Any request for a variation to this declaration must be submitted to the AUSTRAC CEO or approved delegate within 14 days from when the variation is sought.
2. It is an offence under sections 136, 137 and 138 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 revoke or vary the declaration.