



Exemption 5 of 2016

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

I, Bradley Brown, acting National Manager, Strategic Intelligence and Policy, of the Australian Transaction Reports and Analysis Centre, pursuant to paragraph 248(1)(a) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (AML/CTF Act)*, and subject to the conditions specified in this instrument, exempt Mitto Pty Ltd ABN 74 601 349 320 of 2/85 Buxton Street, North Adelaide, South Australia 5006 (**Mitto**) from the following specified provisions of the AML/CTF Act:

- (a) Divisions 2 to 7 of Part 2 (other than section 39);

during the relevant period in which Mitto satisfies all of the conditions specified in this instrument.

Conditions

1. That Mitto only provide the designated services set out in items 31 and 32 of table 1 of subsection 6(2) of the AML/CTF Act that:
 - do not involve the provision of a service that involves a threshold transaction as defined by section 43 of the AML/CTF Act; and
 - do not result in an international funds transfer instruction (IFTI) as defined by section 45 of the AML/CTF Act.
2. That if an event occurs that may affect Mitto's compliance with this exemption, including the conditions, Mitto must, in writing, notify the AUSTRAC CEO or delegate:
 - (a). within fourteen days of the event occurring; or
 - (b). within such other period as is authorised in writing by the AUSTRAC CEO or delegate;

otherwise, this exemption ceases to apply until Mitto notifies the AUSTRAC CEO or delegate of the event.

Interpretation

In this instrument:

relevant period means the (date signed 2016) to (12 months later 2017).



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4 April 2016

Bradley Brown

Acting National Manager, Strategic Intelligence and Policy

AUSTRAC

Important Notice to the person named in this instrument

1. Under subsection 248(3) of the AML/CTF Act, a person granted an exemption subject to one or more conditions must comply with the conditions specified in the instrument. Failure to comply with subsection 248(3) is a civil penalty provision and may result in any or all of the following:
 - the exemption ceasing to apply to the person during any period in which the person does not comply with the relevant condition/s;
 - the exemption being revoked;
 - the AUSTRAC CEO applying to the Federal Court of Australia for a civil penalty order requiring the person to pay a pecuniary penalty in respect of the breach.
2. Under sections 136 and 137 of the AML/CTF Act, it is an offence to provide false or misleading information or documents. If any of the information submitted by the applicant or its representatives is found to be false or misleading, the exemption may be revoked and action initiated against the applicant.
3. The person granted the exemption may request the AUSTRAC CEO to revoke or vary the exemption at any time.
4. Any request to vary this exemption must be submitted to the AUSTRAC CEO or approved delegate no later than 14 days before the date the change is requested to commence.

