



Anti-Money Laundering and Counter-Terrorism Financing Act (Exemption—Melbourne Anglican Trust Corporation) Instrument 2023 (No. 10)

I, Daniel Mossop, make the following instrument as a delegate of the AUSTRAC CEO.

Dated 31 May 2023

A handwritten signature in blue ink, appearing to read 'Daniel Mossop', is positioned above the printed name.

Daniel Mossop
National Manager, Reform Policy & Mutual Evaluation Branch
Australian Transaction Reports and Analysis Centre

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1 Name

This instrument is the *Anti-Money Laundering and Counter-Terrorism Financing (Exemption—Melbourne Anglican Trust Corporation) Instrument 2023(No. 10)*.

2 Commencement

This instrument commences on the day after it is signed.

3 Cessation

This instrument ceases to have effect on 31 March 2028.

4 Authority

This instrument is:

- (1) made under paragraph 248(1)(a) of the Act; and
- (2) subject to the conditions in section 8 of this instrument, as authorised under paragraph 248(2)(b) of the Act.

5 Definitions

Note: A number of expressions used in this instrument are defined in section 5 of the Act, including the following:

- (a) customer;
- (b) designated service.

In this instrument:

Act means the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*.

MATC means Melbourne Anglican Trust Corporation in its capacities as trustee of each of the Anglican Development Fund, the Cash Fund, the Yield Fund and the Endowment Fund (ABN 82 862 724 352).

6 Application

This instrument applies to MATC in respect of the provision of designated services described in items 6, 7, 31, 32 and 35 of Table 1 in subsection 6(2) of the Act.

7 Exempted provisions

MATC is exempt from the following provisions of the Act:

- (1) Divisions 2 to 7 of Part 2;
- (2) Division 5 of Part 3;
- (3) Part 7; and
- (4) Part 10

8 Conditions

This instrument is subject to the following conditions:

- (1) This instrument only applies in respect of MATC customers that are:
 - (a) organisations established by or under the authority of the Synod of the Anglican Diocese of Melbourne or another Synod of the Anglican Church of Australia which has adopted the *Financial Protection Canon 1995*; or
 - (b) organisations established by or under the authority of an officer or body accountable to the Synod of the Anglican Diocese of Melbourne or another Synod of the Anglican Church of Australia which has adopted the *Financial Protection Canon 1995*; or
 - (c) a person who:
 - (i) is recognised by MATC as part of the Anglican Church community; and
 - (ii) has been the subject of customer identification and verification in a manner that would satisfy the requirements of Part 4.2, 4.3, 4.4 or 4.6 of the AML/CTF Rules; and
 - (iii) is subject to direction and audit of their financial affairs by an entity listed in (a) or (b).
- (2) MATC must notify the AUSTRAC CEO, in writing, of any event that may affect its ability to comply with this instrument within 14 days of such an event occurring.

Important Notice to the person named in this instrument

1. Under subsection 248(3) of the 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 Act, it is an offence to provide false or misleading information or documents to the AUSTRAC CEO. 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 or extend this exemption must be submitted to the AUSTRAC CEO or an approved delegate no later than 90 days before the date the change is requested to commence.
5. This exemption does not preclude the person from making communications or disclosures that are otherwise permitted by law.