



Anti-Money Laundering and Counter-Terrorism Financing Act (Modification—Cash Converters Designated Business Group) Declaration 2023 (No. 4)

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

Dated 25/07/2023

A handwritten signature in blue ink, appearing to read 'Daniel Mossop', is written over a light blue horizontal line.

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

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1 Name

This instrument is the *Anti-Money Laundering and Counter-Terrorism Financing (Modification—Cash Converters Designated Business Group) Instrument 2023 (No. 4)*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 7 and anything in the instrument not covered elsewhere by this table	The day this instrument is signed.	
2. Schedule 1	The day this instrument is signed.	
3. Schedule 2	The day this instrument is signed.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Cessation

This instrument ceases to have effect on 31 December 2025.

4 Authority

This instrument is made under subsection 248(1)(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) AUSTRAC entrusted person;
- (b) person;
- (c) reporting entity.

In this instrument:

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

Nominated Contact Officer has the meaning given to the term by subparagraph 2.1.3(5) of the *Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1)*.

6 Application

This instrument applies to the following persons:

- (a) Cash Converters Pty Ltd ACN 009 288 804;
- (b) Cash Converters Personal Finance Pty Ltd ACN 110 275 762;
- (c) Cash Converters (Cash Advance) Pty Ltd ACN 127 866 308;
- (d) Cash Converters (Stores) Pty Ltd ACN 127 343 293;
- (e) Green Light Auto Group Pty Limited ACN 131 507 474;
- (f) a person that is related within the meaning of section 50 of the *Corporations Act 2001* to a person listed in subparagraphs 5(e)(i)-(v) of this instrument; or
- (g) a person that is both:
 - i. a reporting entity; and
 - ii. has entered into a written franchise agreement with Cash Converters Pty Ltd ACN 009 288 804.

7 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other Schedule to this instrument has effect according to its terms.

Schedule 1 – Modification

Anti-Money Laundering and Counter-Terrorism Financing Act 2006

1 Definition of ‘designated business group’ in Section 5 of the Act

The definition of ‘designated business group’ in section 5 of the Act applies in relation to persons specified in paragraph 6 of this instrument as if:

- (a) subsection (b) of the definition was modified by:
 - i. *omitting* ‘in accordance with the AML/CTF Rules’; and
 - ii. *substituting with* ‘on the approved form set out in Schedule 2 and provided by the Nominated Contact Officer to AUSTRAC’;
- (b) subsection (d) of the definition was modified by:
 - i. *omitting* ‘such conditions (if any) as are specified in the AML/CTF Rules’; and
 - ii. *substituting with* ‘the conditions in subparagraphs 2.1.2(3) and paragraph 2.1.3(3) of the [Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 \(No. 1\)](#)’; and
- (c) subsection (e) of the definition was modified by:
 - i. *omitting* subsection (e); and
 - ii. *substituting with*:
 - (e) the members of the designated business group are limited to:
 - i. Cash Converters Pty Ltd ACN 009 288 804;
 - ii. Cash Converters Personal Finance Pty Ltd ACN 110 275 762;
 - iii. Cash Converters (Cash Advance) Pty Ltd ACN 127 866 308;
 - iv. Cash Converters (Stores) Pty Ltd ACN 127 343 293;
 - v. Green Light Auto Group Pty Limited ACN 131 507 474;
 - vi. a person that is related within the meaning of section 50 of the *Corporations Act 2001* to a person listed in subparagraphs 5(e)(i)-(v) of this instrument; or
 - vii. a person that is both:
 - a. a reporting entity; and
 - b. has entered into a written franchise agreement with Cash Converters Pty Ltd ACN 009 288 804.

2 Amendment to Section 123 of the Act

Section 123 of the Act applies in relation to persons specified in paragraph 6 of this instrument as if:

- (a) subsection 123(1) of the Act was modified by:

- i. *omitting* ‘A reporting entity must not disclose to a person other than an AUSTRAC entrusted person’; and
 - ii. *substituting with* ‘A reporting entity must not disclose to a person other than an AUSTRAC entrusted person or Cash Converters Pty Ltd ACN 009 288 804’; and
- (b) subsection 123(2) of the Act was modified by:
- i. *omitting* ‘the recipient must not disclose to a person (except an AUSTRAC entrusted person, the person who gave the notice or any other person who has given a notice to the recipient under subsection 49(1) in connection with that report)’; and
 - ii. *substituting with* ‘the recipient must not disclose to a person (except an AUSTRAC entrusted person, Cash Convertors Pty Ltd ACN 009 288 804, the person who gave the notice or any other person who has given a notice to the recipient under subsection 49(1) in connection with that report)’

Schedule 2 — Repeals

Anti-Money Laundering and Counter-Terrorism Financing (Modification—Cash Converters Designated Business Group) Instrument 2021 (No. 2)

1 The whole of the Instrument

Repeal the Instrument

Schedule 3 — Form

Insert after Schedule 1:

Schedule 2 - Cash Converters designated business group form

In accordance with subsection (b) of the definition of ‘designated business group’ under section 5 of the Act (as modified by Instrument x of 2022):

I, _____ [name and title]

on behalf of _____, (the *prospective member*)

hereby elect the prospective member to be a member of the Cash Converters designated business group.

I confirm that the prospective member is:

- (a) Cash Converters Pty Ltd ACN 009 288 804;
- (b) Cash Converters Personal Finance Pty Ltd ACN 110 275 762;
- (c) Cash Converters (Cash Advance) Pty Ltd ACN 127 866 308;
- (d) Cash Converters (Stores) Pty Ltd ACN 127 343 293;
- (e) Green Light Auto Group Pty Limited ACN 131 507 474; or
- (f) a person that is related within the meaning of section 50 of the *Corporations Act 2001* to a person listed in paragraph (a)-(e); or
- (g) a person that is both:
 - i. a reporting entity; and
 - ii. has entered into a written franchise agreement with Cash Converters Pty Ltd ACN 009 288 804.

I confirm that I have the authority to elect the prospective member to be a member of the Cash Converters designated business group.

DATE:

Signed by:

Important Notice to the person named in this instrument

1. 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.
2. The person granted the modification may request the AUSTRAC CEO to revoke or vary the exemption at any time.
3. Any request to vary or extend this modification 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