

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged: Originating Application - Form 15 - Rule 8.01(1)
Court of Filing: FEDERAL COURT OF AUSTRALIA (FCA)
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File Number: NSD1814/2024
File Title: CHIEF EXECUTIVE OFFICER OF THE AUSTRALIAN TRANSACTION
REPORTS AND ANALYSIS CENTRE v ENTAIN GROUP PTY LTD ACN
151 956 768
Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA
Reason for Listing: To Be Advised
Time and date for hearing: To Be Advised
Place: To Be Advised



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 15
Rules 8.01(1), 8.04(1)

ORIGINATING APPLICATION

**FEDERAL COURT OF AUSTRALIA
DISTRICT REGISTRY: NEW SOUTH WALES
DIVISION: COMMERCIAL AND CORPORATIONS**

NO NSD OF 2024

**CHIEF EXECUTIVE OFFICER OF THE
AUSTRALIAN TRANSACTION REPORTS AND
ANALYSIS CENTRE
APPLICANT**

**ENTAIN GROUP PTY LTD ACN 151 956 768
RESPONDENT**

The Applicant applies for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time and place stated below. If you or your lawyer do not attend, then the Court may make orders in your absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or taking any other steps in the proceeding.

TIME AND DATE FOR HEARING:

PLACE: Law Courts Building
Queens Square, Sydney, New South Wales

Date:

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Signed by an officer acting with
the authority of the District Registrar

Filed on behalf of the Applicant, the Chief Executive Officer of
the Australian Transaction Reports and Analysis Centre

File ref: 4067519

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DETAILS OF CLAIM

On the grounds stated in the Concise Statement, the Applicant claims:

The AML/CTF Program contraventions

1. A declaration that Entain Group Pty Ltd (**Entain**) contravened s 81(1) of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) (the **Act**) on each occasion it commenced to provide a designated service to a customer from 16 December 2018 to 16 December 2024 in circumstances where “Part A” of its Standard Anti-Money Laundering and Counter-Terrorism Financing Program (**AML/CTF Program**):
 - (a) did not have the primary purpose of identifying, mitigating and managing the risk that Entain reasonably faced that the provision of designated services at or through a permanent establishment of Entain in Australia might (whether inadvertently or otherwise) involve or facilitate money laundering or terrorism financing as required by s 84(2)(a) and (c) of the Act and the *Anti-Money Laundering and Counter-Terrorism Financing Rules 2007 (No 1)* (Cth) (the **Rules**); and
 - (b) did not comply with the requirements specified in Chapter 8 and Chapter 15 of the Rules, as required by s 84(2)(c) of the Act.
2. A declaration that Entain contravened s 81(1) of the Act on each occasion it commenced to provide a designated service to a customer from 16 December 2018 to 16 December 2024 in circumstances where “Part B” of its AML/CTF Program did not comply with the requirements that were specified in Chapter 4 of the Rules as required by s 84(3)(b) of the Act.

Customer due diligence contraventions

3. A declaration that Entain for periods between 16 December 2018 and 16 December 2024 contravened s 36(1) of the Act by providing designated services to each of the 17 customers listed in Confidential Annexure A in circumstances where it did not monitor each customer in relation to the provision of those designated services:
 - (a) with a view to identifying, mitigating and managing the risk that Entain reasonably faced that the provision of those designated services might (whether inadvertently or otherwise) involve or facilitate money laundering or terrorism financing as required by s 36(1)(a) of the Act; and
 - (b) in accordance with Chapter 8 and Chapter 15 of the Rules as required by s 36(1)(b) of the Act.

Pecuniary penalty

4. An order that Entain pay to the Commonwealth of Australia a pecuniary penalty pursuant to s 175(1) of the Act.

**Other orders**

5. An order that Entain pay the Applicant's costs of and incidental to these proceedings.
6. Such further or other orders as the Court considers appropriate.

APPLICANT'S ADDRESS

The Applicant's address for service is:

Norton Rose Fulbright
Level 5, 60 Martin Place
SYDNEY NSW 2000

Email: sonja.marsic@nortonrosefulbright.com

The Applicant's address is:

Place: Level 23, 323 Castlereagh Street HAYMARKET NSW 2000

SERVICE ON THE RESPONDENT

It is intended to serve this application on the Respondent.

Date: 16 December 2024

A handwritten signature in blue ink, appearing to be 'S. Marsic'.

Signed by Sonja Marsic
Lawyer for the Applicant