

Ministerial Exemptions Under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009

In accordance with section 157(6)(b) of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (“Act”), the Associate Minister of Justice gave notice on 25 July 2018 that he has granted the following exemption from the Act:

Ministerial exemption: The Nelson Enterprise Loan Trust

Exempting the Nelson Enterprise Loan Trust (“NELT”) from the following provisions of the Act:

- a. Sections 10–71 inclusive.

This exemption is made subject to the following condition:

- a. NELT must inform the Ministry of Justice of any changes that may affect the exemption within 14 days of when the change occurs.

The exemption has been made for the following reasons:

- a. NELT is a not-for-profit organisation that accepts deposits from the public to enable it to perform social lending by providing safe credit to a range of small businesses;
- b. NELT limits its lending to businesses which it considers both socially and environmentally responsible;
- c. NELT offers defined and limited services to a targeted group of beneficiaries with robust internal processes to confirm the identity of the applicants and the purpose for which the loans will be used for;
- d. trustees make the final decision on all loan applications and retain control of the use of the funds for lending purposes; and
- e. the obligations imposed on NELT would be disproportionate given the low risk of money laundering or terrorist financing in the circumstances outlined in this exemption.

This exemption comes into force on 23 July 2018.

This exemption will expire on 30 June 2023.

Any person wishing to provide comment on this notice should contact the Terrorism and Law Enforcement Stewardship Team at the Ministry of Justice by emailing amlcft.exemptions@justice.govt.nz.