

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 hereby gives notice that he has granted the following exemption from the Act:

Ministerial exemption: JPMorgan Chase Bank, N.A (New Zealand Branch)

1. As the Associate Minister of Justice, and pursuant to section 157 of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009, I exempt JPMorgan Chase Bank, N.A (New Zealand Branch) ("JPMorgan") from section 56(2) of the Act.
2. This exemption is made subject to the following conditions:
 - a. The Australia-based AML/CFT compliance officer must administer and maintain the AML/CFT programmes of JPMorgan;
 - b. the Australia-based AML/CFT compliance officer must report regularly and fully on all relevant AML/CFT compliance matters to JPMorgan's senior management;
 - c. the JPMorgan staff must have ready access to the Australia-based AML/CFT compliance officer in order to raise and discuss AML/CFT compliance-related matters;
 - d. the Australia-based AML/CFT compliance officer must maintain appropriate qualifications and knowledge, have adequate resources to perform the role, and have full access to all information relevant to the AML/CFT compliance affairs of JPMorgan; and
 - e. JPMorgan must inform the Ministry of Justice of any changes that may affect the exemption within 10 working days.
3. The exemption has been made for the following reasons:
 - a. The risk of money laundering/terrorist financing involved in granting JPMorgan such a specific and narrow exemption is low;
 - b. renewing this exemption would have little to no impact on the prevention, detection, investigation and prosecution of money laundering/terrorist financing offences;
 - c. JPMorgan, in the absence of an exemption, would be subject to an undue regulatory burden;
 - d. renewing this exemption is unlikely to affect third-party reporting entities; and
 - e. but for a technical inconsistency, JPMorgan would be able to rely on a class exemption designed to allow reporting entities within the same designated business group to share a compliance officer.
4. This exemption comes into force on **23 July 2018**.
5. This exemption will expire on **30 June 2023**.

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

Dated this 23rd day of July 2018.

HON AUPITO WILLIAM SIO, Associate Minister of Justice.