

## Key Regulatory Obligations

As someone in the Australia office, you should know that:

- **AUSTRAC** is Australia's financial intelligence agency with responsibility for anti-money laundering and counter-terrorism financing.
- **The Anti-Money Laundering and Counter-Terrorism Financing Act 2006** (AML/CTF Act) covers the financial sector, gambling sector, bullion dealers and other professionals or businesses that provide services covered by the Act
- **AUSTRAC's Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No.1)** (AML/CTF Rules) documents the prescribed operational detail of the AML/CTF regime and has legislative force.

## Protocols

Here are the protocols that must be followed:

- GS has implemented an Australian Anti-Money Laundering and Counter-Terrorism Financing Program (AML/CTF Program).
  - Part A of the AML/CTF program covers identifying, managing and reducing the ML/TF risk faced by a reporting entity, and
  - Part B of the AML/CTF Program covers the customer due diligence procedures.
- Ensure to complete customer due diligence prior to onboarding the clients
- Matters related to financing of terrorism must be reported to AUSTRAC within 24 hours and for any other matters within three business days
- "Tipping off" is strictly prohibited; no disclosure to any person/client that a Suspicious Matter Report may or may not have been lodged with AUSTRAC.

## Risks

Failure to follow these protocols poses the following risks:

- Non-compliance with the AML/CTF Act
- Non-compliance with the AML/CTF Rules
- Non-compliance with Criminal Code Act 1995

## Consequences

The consequences of non-compliance include:

- Under AML/CFT Act, maximum civil penalties for corporations of up to \$21million (per offence)
- "Tipping off" offence, maximum 2 years imprisonment in addition to financial penalty up to \$25,200
- Under Criminal Code Act 1995:
  - Life imprisonment for financing terrorism offences
  - Maximum 25 years imprisonment for dealing with proceeds of crime

## The Bottom Line

**You must immediately escalate any suspicious activity by clients, counterparties or employees to your Financial Crime Compliance contact or business-aligned Compliance contact.**

## Contacts

For any questions or concerns please reach out to [gs-fcc-apac-escalations](#) or reach out to the Australian [Money Laundering Regional Officer \(MLRO\)](#), Steve Sharpe.

## Additional Information

In addition to the material in this training, the Anti-Bribery Group or your regional compliance officers may inform you of particular local laws, rules and regulations that may impose specific anti-bribery / anti-corruption legal or compliance requirements in Australia. If applicable, please become familiar with those requirements.