

Key Regulatory Obligations	Protocols
<p>As someone in the New Zealand office, you should know that:</p> <ul style="list-style-type: none"> <li>■ <a href="#">Financial Markets Authority</a> (“FMA”) is the primary regulator for all GS regulated entities in New Zealand</li> <li>■ Reserve Bank of New Zealand (“RBNZ”) and the Department of Internal Affairs (“DIA”) are two other anti-money laundering (“AML”) regulators</li> <li>■ The NZ Financial Intelligence Unit (“FIU”) within the New Zealand Police Service acts as the financial intelligence unit to collect, analyse and disseminate financial intelligence relating to suspicious transactions/activities, money laundering and the financing of terrorism.</li> <li>■ The Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (“AML/CFT Act”) places obligations on New Zealand’s financial institutions and casinos to detect and deter money laundering and terrorism financing.</li> <li>■ Crimes Act 1961 falls under other AML related legislations</li> </ul>	<p>GS New Zealand has implemented a country-specific <a href="#">Anti-Money Laundering and Countering Financing of Terrorism Programme</a> (“AML/CFT Programme”). Here are the protocols that must be followed:</p> <ul style="list-style-type: none"> <li>■ Documentation of the policies, procedures and controls within AML/CFT program to mitigate and manage risks of products and services being misused to facilitate money laundering or terrorism financing</li> <li>■ Completion of Client due diligence (CDD) procedures before providing any financial services</li> <li>■ Report any suspicious activity by clients, counterparties or employees, including not only clients and counterparties of GS entities, to Compliance immediately.</li> <li>■ “Tipping off” is completely prohibited, one must not disclose to any person, any information that discloses, or is reasonably likely to disclose, the existence of a suspicious activity report.</li> </ul>
Risks	Consequences
<p>While providing financial services, reporting entities in order to mitigate risks, must:</p> <ul style="list-style-type: none"> <li>■ Enroll and/or register business with FMA or any other AML regulator,</li> <li>■ Verify customer identity,</li> <li>■ Keep records,</li> <li>■ Establish and maintain an AML/CFT Program,</li> <li>■ Conduct ongoing customer due diligence (“CDD”), and</li> <li>■ Ensure proper reporting (e.g., suspicious activity, prescribed transactions).</li> </ul>	<p>The consequences of non-compliance under AML/CFT Act include:</p> <ul style="list-style-type: none"> <li>■ Offence involving pecuniary penalties of up to \$2 million (per offence) for a body corporate and up to \$200,000 for an individual</li> <li>■ ‘Tipping off’ offence involves criminal penalty with a maximum of 2 years imprisonment, in addition to pecuniary penalties for offences under the AML/CTF Act of up to \$5 million for a body corporate and up to \$300,000 for an individual</li> <li>■ Offence of ‘dealing with proceeds of crime’ or ‘financing of terrorism’ under the Crimes Act 1961 and being subject to criminal penalty with a maximum of 7 years imprisonment</li> </ul>
The Bottom Line	
<p><b>You must immediately escalate any suspicious activity by clients, counterparties or employees to your Financial Crime Compliance contact or business-aligned Compliance contact.</b></p>	
Contacts	
<p>For any questions or concerns please reach out to <a href="#">gs-fcc-apac-escalations</a> or reach out to the New Zealand <a href="#">Money Laundering Regional Officer (MLRO)</a>, Steve Sharpe.</p>	
Additional Information	
<p>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 New Zealand. If applicable, please become familiar with those requirements.</p>	