

Introduction to AML for clients

We want to advise you of law changes that will apply to lawyers and their clients from 1 July 2018. These laws already apply to banks and financial service providers; and are known as AML (Anti-Money Laundering and Countering Financing of Terrorism Act 2009).

AML has been in place in New Zealand since 2013 and in addition to applying to your relationship with us from 1 July, will apply to your relationship with your accountant from 1 October 2018 and any Real Estate Agent you deal with after 1 January 2019. This reflects New Zealand's commitment to the international initiative to counter the impact that criminal activity has on people and economies within the global community.

From 1 July 2018, lawyers will be required to have measures in place to help them detect money laundering and the financing of terrorism, as it is considered that law firms and the services they offer may be attractive to those engaging in criminal activity.

As a law firm, we need to assess the potential risk we face from money launderers and those financing terrorisms and must identify potentially suspicious activity. To make that assessment, we need to obtain and verify information from existing and potential clients before we are able to perform legal services for them. This is known as "client due diligence".

What will we need from you?

Client due diligence requires us to undertake certain background checks before providing services. We must also take reasonable steps to make sure that the information we receive is correct. We will need to obtain and verify certain information from you. This information includes:

- your full name;
- your date of birth; and
- your address.

To confirm these details, we will need documents that include photo identification like your passport or current driver's licence and also documents that show your address, such as a bank account statement or utility bill.

If you are seeing us about a trust or company, we will need to collect information relating to the trust or company and also the people associated with it (such as directors, shareholders, trustees, and beneficiaries). We will identify these people where possible, but we will be relying on you to help us in identifying all persons for whom we need to carry out due diligence. We will make this as easy as possible by providing you with detailed guidance on what we need.

In some cases, such as where the client is a trust, we will need to ask for information on the source of funds and wealth for a transaction. Again, we will make this as easy as possible by giving you detailed guidance on what we need.

What happens if you cannot provide the required information?

If you are unable to provide the information we require, it is likely that we will not be able to act for you. Even if you have been a client of ours for a long time, we are still required to gather documentation and verify your identity.

If you have any queries or concerns about these new requirements, please don't hesitate to contact us.