

## New Zealand Law Society introductory explanation of why we need to ask you for information

New Zealand has passed a law called the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (“the AML/CFT law” for short). The purpose of the law 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.

Recent changes to the AML/CFT Act mean that from 1 July 2018 lawyers must comply with its requirements. Lawyers must do a number of things to help combat money laundering and terrorist financing, and to help Police bring the criminals who do it to justice. The AML/CFT law does this because the services law firms and other professionals offer may be attractive to those involved in criminal activity.

The law says that law firms and other professionals must assess the risk they may face from the actions of money launderers and people who finance terrorism and must identify potentially suspicious activity.

To make that assessment, lawyers must obtain and verify information from prospective and existing clients about a range of things. This is part of what the AML/CFT law calls “customer due diligence”.

### CUSTOMER DUE DILIGENCE REQUIREMENTS

Customer due diligence requires a law firm to undertake certain background checks before providing services to clients or customers. Lawyers must take reasonable steps to make sure the information they receive from clients is correct, and so they need to ask for documents that show this.

We will need to obtain and verify certain information from you to meet these legal requirements. This information includes:

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

To confirm these details, documents such as your driver’s licence or your birth certificate, and documents that show your address - such as a current bank statement - will be required.

If you are seeing us about company or trust business, we will need information about the company or trust including the people associated with it (such as directors and shareholders, trustees and beneficiaries).

We may also need to ask you for further information. We will need to ask you about the nature and purpose of the proposed work you are asking us to do for you. Information confirming the source of funds for a transaction may also be necessary to meet the legal requirements.

### IF YOU CANNOT PROVIDE THE REQUIRED INFORMATION

If we are not able to obtain the required information from you, it is likely we will not be able to act for you. Because the law applies to everyone, we need to ask for the information even if you have been a client of ours for a long time.

Before we start working for you, we will let you know what information we need, and what documents you need to show us and let us photocopy.

Please contact the lawyer who will be undertaking your work, if you have any queries or concerns.

# Knight Coldicutt Limited

## identity verification requirements

To comply with our obligations under the Anti-Money Laundering and Countering the Financing of Terrorism Act (AML/CFT Act) we are required to collect information on the identity and address of our clients, any person authorised to act on behalf of our client and any Beneficial Owner of our client (ie. any party with a beneficial interest of 25% or more in our client), and to verify this information using relevant identification documents.

The collection and verification of information may vary depending on, amongst other things, client type, country of birth and country of residence. In some instances enhanced due diligence may be required in order to complete the account opening process and ensure our continued compliance with the AML/CFT Act. Identification documents provided must be current at the time of presentation i.e. not expired where an expiry date is applicable to the form of identification.

### CERTIFICATION

All identity documents must be certified by either a Justice of the Peace, a Lawyer, a Notary Public, a New Zealand Chartered Accountant, a New Zealand Police Constable or a Member of Parliament.

Certified documents must include the full name, occupation and an original signature of the certifier and the date of certification. Certification must have been carried out in the three months preceding presentation of the certified documents. The certifier must sight the original documents and make a statement that the documents provided are a true copy and represent the identity of the named individual.

### PROOF OF IDENTITY

For each Individual, Director, Trustee, Executor, Partner, Officer, Authorised Person, Attorney appointed under a Power of Attorney or Beneficial Owner (ie. any party with a beneficial interest of 25% or more in our client), please provide the following documents:

#### Option 1

A certified copy of ONE of the following:

- New Zealand or overseas passport containing your Name, date of birth, photograph and signature.
- New Zealand firearms licence  
*Firearms Licence: If you provide us with a certified copy of a Firearms Licence, please also provide a certified copy of a NZ Driver Licence or card issued by a registered bank showing your name and signature in order for us to verify your signature.*
- A national identity card issued by a foreign government, the United Nations or an agency of the United Nations containing your name, date of birth, photograph and signature.

#### Option 2

(A New Zealand Driver Licence and a second document from the list below) A certified copy of:

- New Zealand driver licence  
AND a certified copy of one of the following:
- New Zealand full birth certificate (plus marriage certificate or other legal document changing your name if applicable);
- Certificate of New Zealand or overseas citizenship;
- A credit card, debit card or eftpos card issued by a New Zealand registered bank that contains your name and signature;
- A bank statement issued by a New Zealand registered bank in the 12 months immediately preceding the date of the application;
- A statement issued to you by a government agency in the 12 months immediately preceding the date of the application e.g. Inland Revenue;
- SuperGold card.

### **For a Minor**

*If photo ID is not available*

- Birth Certificate

### **PROOF OF RESIDENTIAL ADDRESS**

A certified copy of ONE of the following issued within the last three months that includes your name and address:

- Utilities bill;
- Rates bill;
- Bank account statement;
- A statement issued to you by a government agency in the last 12 months immediately preceding the date of the application e.g. Inland Revenue.

### **PROOF OF BANK ACCOUNT**

Please provide:

- IRD Number.

AND a certified copy of ONE of the following:

- A bank encoded deposit slip with pre-printed details of your bank account name and number;
- A copy of a cheque for your bank account;
- A copy of a bank account statement;
- A verification letter or account details from your online banking.

### **PLEASE PROVIDE A CERTIFIED COPY OF ONE OF THE FOLLOWING**

#### **For a Trust**

Documents to verify the trust's structure and arrangements:

- Relevant extracts from the trust deed and subsequent deeds of appointment and amendment;
- Verification of information on an appropriate register in the country of establishment.

#### **For a Company**

Documents to verify the company structure, ownership structure and business of the company:

- Certificate of incorporation;
- Details of directors;
- Financial statements.

#### **For a Partnership**

Documents to verify the partnership arrangement, ownership structure and purpose of the partnership:

- A Partnership Agreement or other formal agreement;
- Certificate of registration;
- Copies of trade registers;
- Bank statements.

#### **For a Club or Society**

Documents to verify the purpose of the club or society and the ownership structure:

- Objects of the club or society;
- Constitution, charter or rules;
- Type of individuals that benefit from the organisation;
- Bank statements;
- Meeting minutes or resolution.