

UNDERSTANDING THE NEW ANTI-MONEY LAUNDERING & COUNTER-TERRORISM FINANCING (AML/CTF) LAWS

WHAT YOU NEED TO KNOW

The Australian Federal Government has introduced strengthened anti-money laundering and counter-terrorism financing (AML/CTF) laws to help detect and prevent financial crime – in particular to disrupt money laundering and the funding of terrorism.

Under these laws, conveyancing professionals are required to collect certain information from clients when providing services, about their identity and source of wealth.

These obligations arise under the AML/CTF Act 2024 (Cth) and apply Australia wide.

Timeline



As a result, you may notice some additional requests for information during the course of your matter.

INFORMATION WE WILL NEED FROM YOU

To meet our regulatory obligations, we will ask you to:

- Verify your identity
- Provide us with information about your source of wealth and the origin of funds used in your transaction
- Confirm whether you are a politically exposed person (PEP) or a relative/associate of a PEP

A politically exposed person is someone who holds a prominent public position (for example in government, the courts, or the military).

We may also need to:

- Use secure third-party data providers to assist with identity verification
- Obtain company or title searches and identification details of directors and shareholders where company entities are involved
- Identify the ultimate beneficial owners of companies, trusts, or partnerships
- Request further information during onboarding or throughout the transaction

We will always explain clearly what is required and why.

HOW YOUR INFORMATION IS HANDLED

Any information collected for AML/CTF purposes will be:

- Used only for compliance purposes
- Stored securely
- Managed in accordance with the Privacy Act 1988 (Cth) and applicable laws

We are required to retain any records collected for AML/CTF purposes for seven years and to report annually to the Australian Transaction Reports and Analysis Centre (AUSTRAC) about how we have met our AML/CTF obligations.

Importantly, the law mandates that we report certain matters, such as any suspected money-laundering to AUSTRAC. The AML/CTF legislation also prohibits us from notifying you if such a report has been made. All conveyancers in Australia who provide designated services under the AML/CTF regime are subject to these same obligations.



Australian Government

AUSTRAC



ONGOING MONITORING

AML/CTF laws require conveyancing practices to keep client information current. From time to time, we may need to request updated details or clarification about your transaction. If further information is required, we will contact you.

COSTS

You will be responsible for the costs associated with the additional due diligence that we are required to undertake in order to comply with our obligations under the AML/CTF laws. These necessary services may attract a fee payable to a third-party that we engage to undertake those checks. For example:

- Electronic identity verification
- Company or title searches of any corporate clients
- Other required due diligence checks

We will disclose applicable costs in accordance with our usual client disclosure practices.

IF INFORMATION CANNOT BE PROVIDED

If we are unable to obtain or verify the information about you required under AML/CTF laws, we may:

- Be unable to commence work for you, or
- Be required to cease acting on your matter

This ensures we remain compliant with our legal and professional obligations.

NEED MORE INFORMATION?

If you have questions about why this information is required, please contact your conveyancer. Members of AIC VIC are committed to maintaining robust AML/CTF compliance programs and ensuring staff receive ongoing training in these obligations. You can also find further guidance on the AUSTRAC website: www.austrac.gov.au/general-public

DISCLAIMER

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