



# Ministry for Police & Emergency Services

Dear Secretariat,

On behalf of the NSW Police Force I wish to tender the following comments to the Inquiry, with apologies for the late submission in email form.

NSW Police Force legal advice indicates that they were not convinced that the provisions of the draft Regulation compromise the mandatory verification of identity requirements under the Anti-Money Laundering and Counter Terrorism Financing Act; nor that the identification procedures imposed by that Act are wholly inconsistent with the draft Regulations.

Furthermore, the concern raised by the ABA is a matter for those institutions to resolve, noting that banking institutions are in a position to impose conditions upon prospective customers to consent to the provision of particulars.

The investigation branches of the NSW Police Force commented that the provisions rely on the production of an ABN at registration as a proof of identity. NSWPF has experience of deficiencies in the proof of identity requirements to obtain an ABN and instances of ABNs being obtained using fictitious identities. (Further information is available on this issue if required).

Consideration should be given, therefore, to a requirement whereby ASIC must conduct its own proof of identity process (such as the 100 points system) during registration.

Thank you for the opportunity to comment. Please do not hesitate to contact me if you have any queries.

Cath

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