

Version
as at 1 June 2024



**Anti-Money Laundering and Countering Financing
of Terrorism (Cross-border Transportation of Cash)
Regulations 2010**
(SR 2010/352)

Rt Hon Sir Peter Blanchard, Administrator of the Government

Order in Council

At Wellington this 4th day of October 2010

Present:

His Excellency the Administrator of the Government in Council

Pursuant to sections 70(a), (b), and (c), 153(c) and (j), and 154(1)(e) of the Anti-Money Laundering and Countering Financing of Terrorism Act 2009, His Excellency the Administrator of the Government makes the following regulations acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) insofar as the regulations, under section 154(1)(e) of that Act, prescribe a threshold value and its application, on the recommendation of the Minister of Justice made after compliance with section 154(2) and (3) of that Act (which impose substantive and procedural preconditions for the making of any such recommendation).

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry of Justice.

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Regulations

1 Title

These regulations are the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Regulations 2010.

2 Commencement

- (1) These regulations come into force on 16 October 2010.
- (2) However, regulations 3, 5, and 6 (as replaced on 16 October 2015) come into force on 16 October 2015.

Regulation 2(2): inserted, on 16 October 2015, by regulation 4 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2015 (LI 2015/236).

3 Expiry

[Revoked]

Regulation 3: revoked, on 18 January 2018, by regulation 4 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2017 (LI 2017/304).

4 Interpretation

In these regulations, unless the context otherwise requires, the **Act** means the Anti-Money Laundering and Countering Financing of Terrorism Act 2009.

5 Threshold value and its application prescribed

- (1) The value \$10,000 is prescribed by this subclause as the only threshold value for the purposes of sections 68 and 69 of the Act.
- (2) The persons, transactions, and financial activities to which that sole prescribed threshold value applies are therefore prescribed by this subclause as all persons, all transactions, and all financial activities.

Regulation 5: replaced, on 16 October 2015, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2015 (LI 2015/236).

Regulation 5(1): amended, on 18 January 2018, by regulation 5 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2017 (LI 2017/304).

6 Prescribed information to be included in cash report

A cash report must contain the information set out in the Schedule.

Regulation 6: replaced, on 9 July 2021, by regulation 4 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

Regulation 6 heading: amended, on 8 August 2022, by regulation 4(1) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Regulation 6: amended, on 8 August 2022, by regulation 4(2) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

7 When cash report must be provided

Accompanied cash

- (1) For the purposes of section 70(d)(i) of the Act, a person must provide a cash report to a Customs officer,—
 - (a) in the case of accompanied cash that the person brings into New Zealand, at the same time as the person presents themselves under section 103(1)(a) or (b) (obligations on persons arriving in New Zealand) of the Immigration Act 2009; or
 - (b) in the case of accompanied cash that the person takes out of New Zealand, at the same time as the person presents themselves under section 119(1)(a) (obligations of persons leaving New Zealand) of the Immigration Act 2009.

Unaccompanied cash

- (2) For the purposes of section 70(d)(ii) of the Act, a person must provide a cash report to a Customs officer,—
 - (a) in the case of unaccompanied cash that the person sends from outside New Zealand, at least 72 hours before the cash is received in New Zealand:

- (b) in the case of unaccompanied cash that the person sends out of New Zealand, at least 72 hours before the cash leaves New Zealand:
 - (c) in the case of unaccompanied cash that is sent to the person from outside New Zealand, at least 72 hours before the person receives the cash in New Zealand.
- (3) *[Revoked]*
- (4) *[Revoked]*

Regulation 7: inserted, on 8 August 2022, by regulation 5 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Regulation 7(2): replaced, on 1 June 2024, by regulation 5 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2023 (SL 2023/157).

Regulation 7(3): revoked, on 1 June 2024, by regulation 5 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2023 (SL 2023/157).

Regulation 7(4): revoked, on 1 June 2024, by regulation 5 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2023 (SL 2023/157).

7 Information cash report must contain prescribed

[Revoked]

Regulation 7: revoked, on 9 July 2021, by regulation 5 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

7A Exemption from providing cash report: cash carried on craft

- (1) The movement of accompanied cash into or out of New Zealand on a craft is exempt from the requirement in section 68(1)(b) of the Act for a cash report in respect of the cash if the cash—
- (a) is being carried on the craft for craft-related purposes; and
 - (b) does not leave the craft while it is in New Zealand territorial waters; and
 - (c) is stored securely on the craft by means of a safe or other secure housing while it is in New Zealand territorial waters.
- (2) In subclause (1), **craft** has the same meaning as in section 5(1) of the Customs and Excise Act 2018.

Regulation 7A: inserted, on 31 July 2023, by regulation 4 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2023 (SL 2023/157).

8 Completion of cash report in cases of incapacity

If a person required to give a cash report (A) is (for example, because of minority or physical or mental disability) incapable of completing it, then it must be completed on A's behalf,—

- (a) if A is competent to manage A's own affairs in relation to A's property, by a person (**B**) authorised by A to act on A's behalf; and
- (b) in every other case, by a person (**B**) responsible for A's personal care and welfare or for property of A that is or includes the cash to which the report relates.

9 Chief executive of New Zealand Customs Service may approve form of cash report

The chief executive of the New Zealand Customs Service may approve the form in which a person must provide a cash report.

Regulation 9: inserted, on 8 August 2022, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Schedule

Cash report

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Schedule: replaced, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

Schedule heading: amended, on 8 August 2022, by regulation 7(1) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

- 1 The following information about the person's (A's) requirement to give a report:
- (a) whether they are moving cash of NZ\$10,000 or more (or foreign equivalent) into New Zealand:
 - (b) whether they are moving cash of NZ\$10,000 or more (or foreign equivalent) out of New Zealand:
 - (c) whether they are receiving cash of NZ\$10,000 or more (or foreign equivalent) from outside New Zealand.

Schedule clause 1: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

- 2 If A is arriving in or departing from New Zealand, the following information:
- (a) the flight or name of ship or craft, and flight number (if applicable):
 - (b) if A is arriving in New Zealand,—
 - (i) their place of arrival in New Zealand; and
 - (ii) their date of arrival; and
 - (iii) the place or places from which A departed to come to New Zealand (transit point or points); and
 - (iv) if not already provided, the place from which A commenced travel:
 - (c) if A is departing from New Zealand,—
 - (i) their place of departure from New Zealand; and
 - (ii) their date of departure; and
 - (iii) the place or places to which they are travelling (transit point or points).

Schedule clause 2: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

Schedule clause 2: amended, on 8 August 2022, by regulation 7(2) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

- 2A If A is not arriving in or departing from New Zealand, the following information in respect of unaccompanied cash:
- (a) in the case of cash moved in cargo,—
 - (i) the flight or name of the ship or craft, and flight number (if applicable):
 - (ii) the New Zealand port of arrival or departure (as applicable):
 - (iii) the overseas place of arrival or departure (as applicable):
 - (iv) the date of import or export (as applicable):
 - (b) in the case of cash moved by mail,—
 - (i) the date on which the cash report is provided to a Customs officer:
 - (ii) the overseas place the cash is moved from or to (as applicable).

Schedule clause 2A: inserted, on 8 August 2022, by regulation 7(3) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

- 3 The following information about A's nationality, travel documents, identity, and residence:
- (a) their country of citizenship:
 - (b) their passport number:
 - (c) whether they are a New Zealand resident:
 - (d) their full name:
 - (e) their date of birth:
 - (f) their gender:
 - (g) their email address:
 - (h) their occupation:
 - (i) if A is resident in New Zealand,—
 - (i) their full address; and
 - (ii) their home, work, and mobile phone numbers:
 - (j) if A is not resident in New Zealand,—
 - (i) their full address; and
 - (ii) their phone number (best contact).

Schedule clause 3: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

- 4 If A is moving or receiving all or some of the threshold amount in cash,—
- (a) the total estimated value of all cash they are moving or receiving in NZD; and
 - (b) for each currency moved or received,—

- (i) the type of currency; and
- (ii) the amount; and
- (iii) the approximate current NZD exchange rate; and
- (iv) the estimated value in NZD; and
- (v) the overseas location (including the location and country) from which, or to which, cash is moved or received.

Schedule clause 4: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

Schedule clause 4: amended, on 8 August 2022, by regulation 7(4) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Schedule clause 4(a): amended, on 8 August 2022, by regulation 7(4) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Schedule clause 4(b): amended, on 8 August 2022, by regulation 7(5) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Schedule clause 4(b)(v): amended, on 8 August 2022, by regulation 7(6) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

- 5 If A is moving or receiving all or some of the threshold amount in bearer negotiable instruments (**BNIs**),—
- (a) the total estimated value of all BNIs they are moving or receiving in NZD; and
 - (b) for each type of BNI moved or received,—
 - (i) the type of BNI; and
 - (ii) the currency the BNI is denoted in; and
 - (iii) the value of the BNI in NZD using the current (approximate) exchange rate; and
 - (iv) the issuer or drawer of the BNI, and the location (including the location and country) of the issuer or drawer; and
 - (v) the payee or beneficiary of the BNI, and the location (including the location and country) of the payee or beneficiary (if specified); and
 - (vi) the overseas location (including the location and country) from which, or to which, the BNI is moved or received.

Schedule clause 5: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

Schedule clause 5: amended, on 8 August 2022, by regulation 7(7) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Schedule clause 5(a): amended, on 8 August 2022, by regulation 7(7) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Schedule clause 5(b): amended, on 8 August 2022, by regulation 7(8) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Schedule clause 5(b)(vi): amended, on 8 August 2022, by regulation 7(9) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

- 6 If A is moving or receiving cash or BNIs (or both) above the threshold amount,—
- (a) where the funds came from; and
 - (b) the reason A is moving the funds into or out of New Zealand or receiving the funds in New Zealand; and
 - (c) what A plans to do with the funds.

Schedule clause 6: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

Schedule clause 6: amended, on 8 August 2022, by regulation 7(10) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

Schedule clause 6(b): replaced, on 8 August 2022, by regulation 7(11) of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226).

- 7 If A is moving cash or BNIs on behalf of a person, business, or organisation, the following information in respect of that person, business, or organisation:
- (a) their full name:
 - (b) their permanent physical address (not PO Box) in New Zealand or in their country of residence or business:
 - (c) their home, work, and mobile phone numbers:
 - (d) whether A is acting on behalf of a financial institution:
 - (e) their business identification number (if applicable):
 - (f) their occupation, business, or main activity:
 - (g) A's relationship to the person, business, or organisation.

Schedule clause 7: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

- 8 If A will deliver cash or BNIs to a person, business, or organisation, the following information in respect of that person, business, or organisation:
- (a) their full name:
 - (b) their permanent physical address (not PO Box) in New Zealand or in their country of residence or business:

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- (c) their home, work, and mobile phone numbers:
- (d) their business identification number (if applicable):
- (e) their occupation, business, or main activity:
- (f) A's relationship to the person, business, or organisation.

Schedule clause 8: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

9 If a person **(B)** is completing the form on A's behalf, the following information about B:

- (a) their full name:
- (b) their permanent physical address (not PO Box) in New Zealand or in their country of residence or business:
- (c) their home, work, and mobile phone numbers:
- (d) their email address:
- (e) their occupation, business, or main activity:
- (f) the reason why B is completing the report on A's behalf:
- (g) the relationship between B and A.

Schedule clause 9: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

10 A declaration by A (or, if B is completing the form on behalf of A, by B) by written or electronic signature, or by electronic attestation, declaration, or affirmation, that they are satisfied that, to the best of their knowledge, all answers are true and correct.

Schedule clause 10: inserted, on 9 July 2021, by regulation 6 of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144).

Rebecca Kitteridge,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 7 October 2010.

Notes

1 *General*

This is a consolidation of the Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Regulations 2010 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2023 (SL 2023/157)

Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2022 (SL 2022/226)

Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2021 (LI 2021/144)

Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2017 (LI 2017/304)

Anti-Money Laundering and Countering Financing of Terrorism (Cross-border Transportation of Cash) Amendment Regulations 2015 (LI 2015/236)