The Law Society
OF NEW SOUTH WALES

New obligations arising under the new Anti-Money Laundering and Counter-Terrorism Financing framework

Information sheet for clients

New client identification requirements

From 1 July 2026, the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (**AML/CTF Act**) will apply to some services provided by lawyers. This will typically be for matters such as conveyancing, establishing or restructuring companies or trusts, or assisting with certain commercial arrangements.

The AML/CTF Act requires lawyers to collect and verify certain information about you (the client). This will generally happen before the lawyer provides you with their services, however it may also occur during the course of your matter.

Information a lawyer may ask you to provide

Generally, your lawyer will ask you to confirm who you are, by asking for your full name, residential address, and date of birth.

Your lawyer will also ask for documents to verify those details, which may include:

- identity documents with your photograph, such as your driver licence or your passport,
- documents without your photograph, such as a birth certificate or citizenship certificate, or
- other documents, such as payslips or bank statements.

Your lawyer may request other information, including:

- why you are seeking the service you have requested,
- whether you, a family member, or a close business associate is, or has been, a member of parliament, a member of a court, or a high-ranking member of a government body, and
- whether the service you have requested involves the handling of physical cash or virtual assets, for example, cryptocurrency, such as Bitcoin.

If you are acting on behalf of someone, you will also be asked to provide evidence of authority, for example, an appointment letter, power of attorney, or other authorisation document.

Your lawyer may require you to provide additional information

Depending on your matter and circumstances, your lawyer may ask you for further information. For example, your lawyer may be required to ask you questions regarding your source of wealth or source of funds, including documentation to verify this information.

Your lawyer will let you know if further information is necessary, and the type of information required.

What if I refuse to provide information?

If you do not provide information required by the AML/CTF Act, your lawyer may be unable to provide you with your requested legal service. If work has commenced, your lawyer may be required to terminate their services.

How much will this cost?

In certain circumstances, your lawyer may pass on disbursements to you, for example, where they:

- use a third party to conduct electronic identity verification,
- conduct verification of company or registry searches to confirm ownership or control, or
- verify identity or authenticate documents for overseas clients, for example, notarisation or other international verification services.

The professional fees charged by your lawyer may include an amount to cover administrative costs resulting from obligations under the AML/CTF Act and other related regulatory frameworks.

If you have any questions about these costs, you can speak with your lawyer. You should also refer to your costs disclosure and costs agreement (if applicable) for more information regarding your rights in relation to legal costs and billing.

Protecting your privacy

Your personal information collected for compliance with the AML/CTF Act will be handled in line with the *Privacy Act 1988* (Cth), which regulates how personal information is used, collected and disclosed.

Your lawyer will provide you with a copy of their privacy policy.

Further information

If you would like to find out more about the new laws, please visit the AUSTRAC website www.austrac.gov.au.

Onboarding form: individual or sole trader

Complete this form to help us meet our obligations under the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (AML/CTF Act)*.

An onboarding form must be completed for each person requesting the service. We may also need to request further information from you.

Section A: Client details

Legal name:	
Is the client known by any other names? If YES, list those names.	☐ Yes ☐ No Other names:
Date of birth:	
Residential address:	
Country of residence:	
Occupation:	
What service are you seeking and why? *For example:* • Conveyancing for the purchase of real estate • Conveyancing for the sale of real estate	
If you're buying a property, are you using a mortgage, loan or other finance from a bank or lender?	☐ Yes ☐ No If YES, Bank/lender name:
If you're buying a property, how are you paying for it? If you are using a mortgage, loan, or other finance from a bank or lender, also indicate how you are paying the deposit. Choose all that apply.	☐ Physical currency (cash) - specify amount to be paid: ☐ Virtual assets - specify amount to be paid: ☐ Electronic transfer ☐ Other (please specify):
Are you or have you been a member of a parliament, high ranking member of a government body, a member of a court or other position listed in Appendix B?	☐ Yes ☐ No If YES, position and role description:

Do you have a family member or a close business associate that is or has been a member of a parliament, high ranking member of a government body, a member of a court or other position listed in Appendix B?	☐ Yes ☐ No If YES, position and role description:

Section B: Sole trader details

Complete this section if you are a sole trader and are requesting services from us for your business's purposes.

Trading name:	
ABN or foreign equivalent (if applicable):	
Address of principal place of business:	
Nature and purpose of the business: *For example, what profession does it operate in, and what services does it provide? If it's not a commercial activity, what is its purpose?*	

Section C: Client representative details

Complete this section if a person is acting on behalf of the client.

Legal name:	
Any other name the client representative is known by:	
Date of birth:	
Residential address:	
Country of residence:	
Occupation:	
Are they a member of a parliament, high ranking member of a government body, a member of a court or other position listed in Appendix B?	☐ Yes ☐ No If YES, position and role description:
Are they regulated under the AML/CTF Act and can they provide evidence of their enrolment with AUSTRAC?	☐ Yes ☐ No Details of enrolment:
Do they have authority to act on behalf of the client in relation to this service?	☐ Yes ☐ No Details of authority to act:

If so, where does the authority to act come from? *For example, a power of attorney, agency agreement, written authorisation from the client.*	

Section D: Identity documents

I have provided the following documents as required by Appendix A:

Requirement	Document provided
Identity documents for the client:	
Identity documents for the client's representative:	
Authority for any client's representative to act:	
If alternative identification is required due to circumstances listed in Appendix A, specify why and which alternative documents were provided:	

Is there any further information you want to provide in relation to the above questions?

Provide details here:

Important information

Our practice must gather information from you to ensure compliance with our anti-money laundering and counter-terrorism financing obligations. We may stop providing services to you if you refuse to provide the information we request, or we decide you are not within our risk appetite.

It is an offence under sections 137 and 140 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (AML/CTF Act) to:

- provide false or misleading information in this form or documents you provide to us
- receive a designated service from us using a false name or anonymously.

By completing and signing this form you confirm that the information provided is correct and accurate. You also consent to your and any representative's identification being verified electronically and to us disclosing your information to third parties to help us meet our obligations under the AML/CTF Act.

Client or client representative name:	
Date:	
Signature:	

Appendix A: Identification documents

You must provide one of the following for yourself and any representative:

- **Option 1:** one primary photographic identification document
- **Option 2:** two primary non-photographic identification documents along with a reference
- **Option 3:** one primary non-photographic identification document and a secondary identification document, along with a reference.

If you are the client's representative, provide the above documents for yourself and your client.

For any of these documents, please provide an original or a reliable copy. This includes physical copies or electronic sources.

Document category	Examples of documents
Primary photographic identification documents	• Australian passport • Australian proof of age card • Australian driver's license • Foreign passport • Foreign identity card
Primary non-photographic identification documents	• Australian birth certificate or birth extract • Australian citizenship certificate • Australian concession card (pensioner concession card, health care card, senior's health card) • Medicare card • Veteran card • Change of name certificate • Marriage certificate • Foreign birth certificate • Foreign citizenship certificate
Secondary identification documents	• Utility notice issued in the last 3 months • Council rates notice issued in the last 3 months • Australian bank statement issued in the last 3 months • Notices issued by a Commonwealth, state, territory or local government body issued in the last 3 months • Income tax assessment notice issued by the Australian Taxation Office (ATO) in the last 12 months • Payslip or letter from employer containing the individual's name issued in the last 3 months

Authority for a representative to act

If you are acting on behalf of the client, evidence of authority to act may include:

- for any general appointment:
  - a letter, agency agreement or other authorisation document from the client establishing

  - written confirmation from a reliable third party such as a legal practitioner, accountant or other professional, that you have authority to act

- written confirmation from your employer that you are authorised to act, if authority to act arises from your employment
- the document granting you power of attorney, if authority to act arises from a power of attorney
- an extract of the legislation giving you authority to act, if authority to act arises from legislation.

Alternative identification

You can prove your identity in alternative ways if you:

- can't get standard identification information or evidence
- can't access standard identification information or evidence due to circumstances beyond your control
- have inconsistent details across their identification documents.

This may be appropriate if you are:

- Aboriginal and Torres Strait Islander
- affected by natural disasters
- affected by family and domestic violence
- experiencing homelessness
- in prison or recently released from prison
- refugees, asylum seekers and recent migrants to Australia
- from culturally and linguistically diverse backgrounds
- intersex, transgender and gender diverse
- living in remote areas
- older Australians
- living in a hospital setting for lengthy periods
- not registered at birth
- raised in institutional or foster care
- experiencing digital exclusion or inaccessibility.

Other documents that can verify your identity could include, but isn't limited to, any of the following:

- a reference from another individual (see requirements below)
- government correspondence, including documents from state or territory corrective services
- confirming your identity with reputable organisations or bodies known to you. For example, Aboriginal and Torres Strait Islander organisations or community health organisations
- a community ID or organisation membership card for Aboriginal and Torres Strait Islander peoples
- recently expired identification
- a self-attestation of your identity.

If you use a reference, the referee must be someone who both:

- holds a position of trust in the community
- has an existing relationship with you. They don't need to have a relationship with you because of their position of trust – for example, the referee may be a teacher, but they don't need to have been your teacher.

Suitable referees may include a:

- school principal, teacher or counsellor
- current or former employer or manager
- medical practitioner (for example, doctor, nurse, midwife, dentist, community health

- minister of religion
- police officer
- financial counsellor, adviser, planner or capability worker
- community leader, such as an Elder
- official from an Aboriginal and Torres Strait Islander organisation, or a board member of a Local Aboriginal Land Council
- legal aid or community lawyer
- Services Australia (Centrelink) staff
- correctional services staff
- manager or warden of a refuge or shelter accommodation or homeless shelter
- manager of an aged care facility or hospital
- an individual who is able to witness a statutory declaration.

The reference could contain the:

- date of the reference
- referee's name, signature, position, contact details and relationship to you
- referee's knowledge of your full name, residential address (if known) and date of birth (actual or approximate)
- approximate period the referee has known you.

If known by the referee, it could also include:

- other addresses where you have recently lived
- other names you have been or are known by
- a recent photo of you
- your circumstances that have resulted in limited access to identification documents
- a brief explanation of the reasons why you have inconsistent details on your identification.

Appendix B: Politically exposed person definition

Below are definitions of different types of politically exposed persons (PEPs).

Consider if you or your representative are a politically exposed person.

Note: Family members and close business associates of persons who hold one of these positions are also considered politically exposed persons.

Foreign PEP

A foreign PEP is an individual who holds or has held a prominent office or position or public function in or for the legislature, executive or judiciary of a foreign country.

This includes an individual who holds or has held any of the following offices or positions:

- head of state or head of government
- member of the executive council of government
- member of a legislature
- minister, deputy minister or equivalent office or position
- judge of a supreme court, constitutional court or other court of general jurisdiction or last resort
- ambassador, high commissioner or charge d'affaires
- high ranking military officer
- head or board member of a government body
- head or board member of a state-owned company or a state-owned bank
- member of a governing body of a political party represented in a legislature.

A foreign PEP is also a family member of an individual listed above or an individual who is known (based on information that's public or readily available) to have:

- joint beneficial ownership of a body corporate or legal arrangement with an individual listed above
- sole beneficial ownership of a body corporate or legal arrangement on behalf or for the benefit of an individual listed above
- any other close business relations with an individual listed above.

Domestic PEP

A domestic PEP is an individual who is in or has been in the following office or position:

- member of the legislature of the Commonwealth or a state or territory
- member of the governing body of a political party represented in the legislature of the Commonwealth or a state or territory
- Governor-General
- governor of a state
- administrator of a territory
- Justice of the High Court
- Judge of the Federal Court of Australia
- Judge of the Supreme Court of a state or territory
- accountable authority, or member of the accountable authority, of a Commonwealth entity within the meaning of the Public Governance, Performance and Accountability Act 2013 (PGPA Act) (for example a Secretary of a Department of State or parliamentary department)
- member of the governing body of a wholly-owned Commonwealth company within the meaning of the PGPA Act
- head (however described) of a department of state or territory, or an agency or authority of a state or territory that has a prominent public function
- head (however described) of a local government council in a state or territory

- the chair of the board, chief executive officer or chief financial officer of a company or other incorporated body that's wholly-owned or majority-owned by a state or territory
- Chief of the Defence Force, Vice Chief of the Defence Force, Chief of Navy, Chief of Army or Chief of Air Force
- officer of the Navy of the rank of Vice Admiral or a higher rank
- officer of the Army of the rank of Lieutenant General or a higher rank
- officer of the Air Force of the rank of Air Marshal or a higher rank
- any of the following offices of the Commonwealth in a foreign country, or to a public international organisation, to which appointments are made by the Governor-General:
  - Ambassador
  - High Commissioner
  - Consul-General
  - Australian representative
  - special representative
  - representative
  - permanent representative
  - Chargé d'Affaires.

A domestic PEP is also a family member of an individual listed above, or an individual who is known (based on information that's public or readily available) to have:

- joint beneficial ownership of a body corporate or legal arrangement with an individual listed above
- sole beneficial ownership of a body corporate or legal arrangement on behalf or for the benefit of an individual listed above
- any other close business relations with an individual listed above.

International organisation PEP

An international organisation PEP is an individual that is entrusted or has been entrusted with a prominent public function, position or office of a public international organisation. This includes a head, deputy head or board member in a public international organisation, such as a United Nations body.

An international organisation PEP is also a family member of one of these individuals, or an individual who is known (based on information that's public or readily available) to have:

- joint beneficial ownership of a body corporate or legal arrangement with an individual entrusted with a prominent public function, position or office of a public international organisation
- sole beneficial ownership of a body corporate or legal arrangement on behalf or for the benefit of an individual entrusted with a prominent public function, position or office of a public international organisation
- any other close business relations with an individual entrusted with a prominent public function, position or office of a public international organisation.

Family members

A family member includes:

- a spouse, de facto partner, or equivalent under any applicable law of a foreign country, of the individual
- a child of the individual
- a spouse or de facto partner, or equivalent under any applicable law of a foreign country, of a child of the individual
- a parent of the individual.