

Onboarding form: trust

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

Kind of trust:	<input type="checkbox"/> Discretionary trust <input type="checkbox"/> Unit trust <input type="checkbox"/> Bare trust <input type="checkbox"/> Testamentary trust/deceased estate <input type="checkbox"/> Other kind of trust – provide details:
Full name of the trust:	
Is the trust known by any other names or acronyms? If YES, list those names.	<input type="checkbox"/> Yes <input type="checkbox"/> No Other names:
Unique identifier (if any): <i>For example, ABN/ACN, ACNC registration number, or foreign equivalents.</i>	
If the trust is registered as a business, list the principal place of business address: <i>This is the main physical location the trust conducts their activities.</i>	
If the trust is registered as a business, list the registered office address (if different to principal place of business or operations):	
Nature of the trust's activities: <i>For example, what is the trust used for, or what is its purpose?</i>	
What powers bind or govern the trust? <i>For example, state and territory legislation which governs the</i>	

<i>functions of a trustee of a trust in that state.</i>	
Is the trust one of, or otherwise controlled by:	<input type="checkbox"/> A government body Specify which body: <input type="checkbox"/> Subject to regulatory oversight by a prudential, insurance or investor protection regulator through registration or licencing requirements. Specify which regulator: Specify the capacity in which they're registered or licenced: Specify any unique licencing or registration number: <input type="checkbox"/> A corporation or association of homeowners in a strata title or community title scheme
What service is the trust seeking and why? <i>For example:</i> <ul style="list-style-type: none"> • <i>setting up a corporate structure</i> • <i>assisting in the purchase of a company</i> 	
Will the service the trust is seeking involve the handling of physical cash or virtual assets? Choose all that apply.	<input type="checkbox"/> Physical currency (cash) - specify amount: <input type="checkbox"/> Virtual assets - specify amount: <input type="checkbox"/> None of the above

Section B: Client representative details

Complete this section about a person acting on behalf of the client. Add an additional table if there is more than one representative.

Legal name:	
Any other name the client representative is known by:	
Date of birth:	
Residential address:	
Country of residence:	
Occupation:	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No If YES, position and role description:
Are you regulated under the AML/CTF Act and can you provide evidence of your enrolment with AUSTRAC?	<input type="checkbox"/> Yes <input type="checkbox"/> No Details of enrolment:
Do you have authority to act on behalf of the client in relation to this service? If so, where does the authority to act come from? <i>For example, a power of attorney, agency agreement, written authorisation from the client.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No Details of authority to act:

Section C: Identity of key position holders and other beneficial owners

Our practice will need information so that we can identify the **individuals** that are the beneficial owners of the trust. These are the individuals who directly or indirectly either:

- own 25% or more of the trust
- control the trust.

Multiple individuals may own or control the trust through an ownership and control structure. For example, other companies or trusts may control or own 25% or more of the trust. Providing information about the trust's ownership and control structure will help us verify the trust's beneficial owners.

Provide information about the following position holders in the table below. This includes whether they are individuals or non-individuals (for example, body corporates, partnerships, unincorporated associations, trusts, government bodies):

Position	Legal names	Other names (including business and trading names)	For individuals, date of birth (DD/MM/YY)	Addresses (including residential, principal place of business, registered address)	Occupations or business activities	For non-individuals, powers that bind or govern them	For individuals, are they or have they been in a position listed in Appendix B?	Identity documents to be provided
Trustees							<input type="checkbox"/> Yes <input type="checkbox"/> No Position: Description of role:	
Appointors, guardians and protectors							<input type="checkbox"/> Yes <input type="checkbox"/> No Position: Description of role:	

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Settlors							<input type="checkbox"/> Yes <input type="checkbox"/> No Position: Description of role:	
Beneficiaries (if fewer than 10 beneficiaries)							<input type="checkbox"/> Yes <input type="checkbox"/> No Position: Description of role:	

If there are any other beneficial owners not covered by the positions above, please provide information about those individuals in the following table. If any of the position holders above are not individuals (for example, a company trustee), provide details of the individual beneficial owners of those position holders in this table. Add more rows if needed:

Relationship to trust	Legal name	Any other names they are known by	Date of birth (DD/MM/YY)	Residential address	Occupation	Are they or have they been in a position listed in Annexure B?	Identity documents to be provided
<i>For example, majority shareholder or director of the trustee company</i>						<input type="checkbox"/> Yes <input type="checkbox"/> No Position: Description of role:	
						<input type="checkbox"/> Yes <input type="checkbox"/> No Position: Description of role:	
						<input type="checkbox"/> Yes <input type="checkbox"/> No Position: Description of role:	

Section D: Identity documents

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

Requirement	Documents provided
Identity documents for the client:	
Identity documents for all persons identified in Section C:	
Identity documents for the client's representative:	
Authority for any client representative to act:	
If client's representative is regulated under the AML/CTF Act, evidence of their enrolment with AUSTRAC:	
If alternative identification is required due to circumstances listed in Appendix A, specify why and which alternative documents were provided:	
<p>Evidence that the trust exists and shows the ownership and control structure of the trust:</p> <p><i>This could be the trust deed (or equivalent instrument), a will or letter of administration.</i></p> <p><i>For foreign trusts, also provide information on the legal framework the trust was established under.</i></p>	

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 identities being verified electronically and to us disclosing your information to third parties to help us meet our obligations under the AML/CTF Act.

Client name:	
Name of person completing this form:	
Date:	
Signature:	

Appendix A: Identification documents

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

Identification documents for trusts

Please provide one or more of the following:

- A copy of the trust deed, or foreign equivalent instrument
- A disclosure certificate that verifies information about the trust
- Letters or documents from the trust's professional services firms
- A copy of recent trustee resolutions
- The memorandum of trust

Identification documents for body corporates, partnerships or unincorporated associations

Please provide one or more of the following:

- A copy of the client's constitution
- A copy of the client's charter
- A copy of the client's rules
- A copy of distribution(s) of member statements
- A copy of the partnership agreements
- Certificate of Incorporation
- Certificate of Good Standing
- Memorandum and articles of association
- Evidence of the source of funds/wealth. For example, bank statement, tax assessment etc.

Identification documents for individuals

Provide one of the following for any representative and persons listed in Section C:

- **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.

Document category	Examples of documents
Primary photographic identification documents	<ul style="list-style-type: none"> • Australian passport • Australian proof of age card • Australian driver's license • Foreign passport • Foreign identity card
Primary non-photographic identification documents	<ul style="list-style-type: none"> • Australian birth certificate or birth extract • Australian citizenship certificate

Document category	Examples of documents
	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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

Evidence of a representative's authority to act may include:

- for any general appointment:
 - a letter, agency agreement or other authorisation document from the client establishing that the representative has authority to act
 - written confirmation from a reliable third party such as a legal practitioner, accountant or other professional, that the representative has authority to act
- written confirmation from their employer that they are authorised to act, if authority to act arises from their employment
- the document granting that person power of attorney, if authority to act arises from a power of attorney
- an extract of the legislation giving the person authority to act, if authority to act arises from legislation

Alternative identification for individuals

An individual can prove their identity in alternative ways if they:

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

This may be appropriate for individuals who 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 the individual's 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 a person's identity with reputable organisations or bodies known to them. 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 client's self-attestation of their identity.

If an individual uses a reference, the referee must be someone who both:

- holds a position of trust in the community
- has an existing relationship with the individual. They don't need to have a relationship with the individual because of their position of trust – for example, the referee may be a teacher, but they don't need to have been the individual's 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 professionals, psychologist)
- 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 the individual
- referee's knowledge of the individual's full name, residential address (if known) and date of birth (actual or approximate)
- approximate period the referee has known the individual.

If known by the referee, it could also include:

- other addresses where the individual has recently lived
- other names the individual has been or is known by
- a recent photo of the individual

- the individual's circumstances that have resulted in limited access to identification documents
- a brief explanation of the reasons why the individual has inconsistent details on their identification.

Appendix B: Politically exposed person definition

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

You must consider if any representative and individuals identified in Section C of the onboarding form 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.