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.

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