

Ministerial Regulation No. 13(B.E. 2554)

Issued under the provisions of the Anti-Money Laundering Act B.E. 2542 (1999)

By virtue of the provisions of Section 4 and Section 18 of the Anti-Money Laundering Act B.E. 2542 (1999), being an Act containing certain provisions in relation to the restriction of rights and liberties of persons, in respect of which Section 29, in conjunction with Section 33, Section 35, Section 36, Section 41 and Section 43 of the Constitution of the Kingdom of Thailand so permit by virtue of law, the Prime Minister hereby issues a Ministerial Regulation as follows;

Article 1 This Ministerial Regulation shall come into force after a lapse of ninety days from the date of its publication in the Government Gazette.

Article 2 (a) of Article 1 (4) of the Ministerial Regulation No. 5, B.E. 2543 (2000), issued under the Anti-Money Laundering Act, B.E. 2542 (1999), shall be revoked and replaced with the following

“(a) A transaction that is conducted through a wire transfer.”

Article 3 The following is added as (7), (8) and (9) of Article 1 of the Ministerial Regulation No. 5, B.E. 2543 (2000), issued under the Anti-Money Laundering Act, B.E. 2542 (1999):

“(7) transactions of a service nature as follows:

(a) Payment on behalf of a customer only where it involves less than seven hundred thousand baht.

(b) Payment on a credit card network

(c) Payment on an EDC network

(d) Payment in transaction switching

(e) Clearing payment.

(f) Settlement payment.

(g) Clearance payment for checks, drafts, money orders, promissory notes and other financial instruments.

(8) transactions conducted via an ATM or CDM except where they are suspicious transactions.

(9) the following transactions which are money transfers or electronic payments except where they are suspicious transactions.

(a) money transfers or electronic payments within a financial institution or a business or profession under Section 16 Paragraph one (9) or between financial institutions or between businesses or professions under Section 16 Paragraph one (9) or between a financial institution and a business or profession under Section 16 Paragraph one (9) only where they are conducted for the benefit of the financial institution or the business(s) or profession(s) under Section 16 Paragraph one (9).

(b) money transfers or electronic payments within a financial institution or a business or profession under Section 16 Paragraph one (9) only where they are conducted for the benefit of the same customer.”

Article 4 The following shall be added as Article 1/1 of the Ministerial Regulation No. 5, B.E. 2543 (2000), issued under the Anti-Money Laundering Act, B.E. 2542 (1999):

“Article 1/1 Where a financial institution has reported a transaction which is a money transfer or electronic payment under Section 13 Paragraph one (1) or (2), it is not required to file a report under Section 16 (9).”

Given on 19 May B.E. 2554 (2011)

(Mr. Abhisit Vejjajiva)

Prime Minister

Rationale: As it is deemed appropriate to amend the list of transactions that should be exempted from reporting to the Anti-Money Laundering Office established in the Ministerial Regulation No. 5, B.E. 2543 (2000) issued under the provisions of the Anti-Money Laundering Act, B.E. 2542 (1999), so that it will include transactions in the forms of wire transfers, electronic payment and payment services, it is, therefore, necessary to issue this Ministerial Regulation.