

Ministerial Regulation

No. 8 (2000)

Issued under the provisions of the Anti-Money Laundering Act, 1999

By virtue of the provisions of Section 4 and paragraph three of Section 48 of the Anti-Money Laundering Act, 1999, being the Act containing some provisions restricting the rights and liberties of an individual, as prescribed by Section 29 in combination with Section 35, Section 37, Section 48 and Section 50 of the Constitution of the Kingdom of Thailand, to be executable by virtue of the provisions of the law, the Prime Minister hereby issues the ministerial regulation as follows:

Clause 1. Upon the Office already receiving the transaction report or information connected with the transactions, an initial examination shall be made, if it turns out that any transaction is under reasonable belief that it may contain the transfer, disposal, removal, concealment or hiding of any property being the property connected with an offense, the Office shall promptly forward the matter to the Transaction Committee for consideration to issue order under Section 48. In this respect, within seven days from the date on which such incident is found.

As for the consideration of the Transaction Committee, if it is deemed that the forwarded matter is insufficient for the consideration to issue order under Section 48, the Transaction Committee may assign the competent official being assigned in writing by the Secretary-General to make additional inspection and file report to notify the Committee.

Clause 2. In case the Transaction Committee deeming that the forwarded matter under Clause 1 may be taken action under Section 48 but still lacking some evidence to make it believable that any property is the property connected with an offense, the Transaction Committee shall undertake to inspect the property or assign the competent official being assigned in writing by the Secretary-General to inspect the property in order to obtain the said evidence.

Clause 3. In case of believable evidence being existed that any property is the property connected with an offense, the Transaction Committee shall promptly forward the matter to the Secretary-General for further action under Section 48.

Clause 4. This Ministerial Regulation shall come into force after a lapse of thirty days from the date of its publication in the Government Gazette onward.

Given this 11th day of September 2000.

Signature

(Mr. Chuan Leekpai)

Prime Minister

Rationale: Whereas paragraph three of Section 48 of the Anti-Money Laundering Act, 1999, provides that the inspection of report and information connected with the transactions shall be in accordance with the rules and procedures prescribed in the ministerial regulation, it is expedient to prescribe the rules and procedures for inspection of report and information connected with the said transactions. It is thus necessary to issue this Ministerial Regulation.