



Ministerial Regulation
Prescribing Rules and Procedures for Considering and Reviewing
the List of Designated Persons
by the Anti-Money Laundering Office and the Transaction Committee
B.E. 2556

Article 1 In this Ministerial Regulation

“Secretary General” means Secretary General of the Anti-Money Laundering Board.

“Competent Officer” means competent officers under the anti-money laundering law.

Article 2 Upon receipt of request or pursuant to examination by the Office, where there is reasonable grounds to suspect that any person is connected with the commission of terrorist act or terrorist financing or acts on behalf of or at the direction of or under the control of such a person, the Office shall propose to the Committee under article 3 for consideration before forwarding the name of that person to the Transaction Committee and the Public Prosecutor, respectively, to file an ex parte petition to the court for designation.

A petition for designation under paragraph one shall contain as many as possible of the following:

(1) where the person is a natural person:

- (a) full name and every other name, if any; and if the names are available in foreign scripts, provide them in those scripts as well;
- (b) title, rank or position;
- (c) occupation;
- (d) sex;
- (e) date of birth;
- (f) place of birth;
- (g) nationality (specify former nationality, if any, and present nationality);
- (h) ID number or, in the case of an alien, passport number or number of alien's paper or number of any other identification paper issued or certified by a trustworthy agency;

(i) housing registration address or address where the person can be contacted.

(2) where the person is a legal person or group of persons:

- (a) full name and every other name, if any; and if the names are available in foreign scripts, provide them in those scripts as well;
- (b) registration number of legal person;
- (c) tax payer number;
- (d) address of head office or branch or place of contact;

(3) any information or evidence leading to reasonable grounds to suspect that the person is connected with the commission of terrorist act or terrorist financing or acts on behalf of or at the direction of or under the control of such a person such as investigative information, arrest warrant or court decision.

(4) any other information deemed useful for considering designating the person.

Article 3 There shall be a committee for considering designation of persons. This shall consist of the Secretary General as chairperson, representative of the National Intelligence Agency, representative of the Office of the National Security Council, representative of Department of International Organizations, representative of Department of

Provincial Administration, representative of Department of Special Investigation, representative of the Royal Thai Police, representative of AMLO and representative of Internal Security Operations Command as members.

The Secretary General shall appoint an AMLO official as member and secretary and not more than two AMLO officials as assistant secretaries.

Article 4 The quorum of meetings of the Committee under article 3 shall consist of at least half the total number of members. Where the chairperson is absent, the meeting shall choose a member to act as chair of the meeting.

Decision by the meeting shall be made by a majority vote. One member shall have one vote. Where there is equal vote on the opposite sides, chair of the meeting shall cast a deciding vote.

Article 5 In the consideration of the Committee under article 3 or the Transaction Committee, as the case may be, where they deem that there is not sufficient information to believe that any person whose name is submitted by the Office is connected with the commission of terrorist act or terrorist financing or acts on behalf of or at the direction of or under the control of such a person, the Committee under article 3 or the Transaction Committee, as the case may be, shall inform the Office to acquire further information.

In taking action to obtain the information under paragraph one, the Secretary General may assign a competent officer to carry out the action.

Article 6 Where there is sufficient information to believe that any person is connected with the commission of terrorist act or terrorist financing or acts on behalf of or at the direction of or under the control of such a person, the Transaction Committee shall direct the Office to take action in accordance with article 2 in a timely manner.

Article 7 After the designation of any person by the court, the Office shall review the name and if it appears that the person has changed his/her behavior, the Office shall propose to the Committee under article 3 for consideration before forwarding the name of that person to the Transaction Committee and the Public Prosecutor, respectively, to file a petition to the court for delisting the person from the designation list without delay.

Given on 5 February B.E. 2556 (2013)

(Miss Yingluck Shinawatra)
Prime Minister