

**Anti- Money Laundering Board Regulation**  
**on the Custody and Management of the Seized or Attached Property**  
**2000**

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By virtue of the provisions of Section 25 (3) and paragraph one of Section 57 of the Anti-Money Laundering Act, 1999, being an Act having certain provisions concerning the restriction of personal rights and liberties whereas Section 29, in combination with Section 35, Section 37, Section 48 and Section 50 of the Constitution of the Kingdom of Thailand, provides that such restriction may be imposed by virtue of the provisions of the law, the Anti Money Laundering Board hereby issues the regulation as follows:

Clause 1. This regulation is called the “Anti-Money Laundering Board Regulation on the Custody and Management of the Seized or Attached Property, 2000”

Clause 2. This regulation shall come into force from the date following its publication in the Government Gazette onward.

Clause 3. The Secretary-General shall take charge hereunder and shall be authorized to issue regulations, notifications or directives for compliance herewith.

In the event of the problems concerning the compliance herewith, the Secretary-General shall forward the matters to the Board for final decision-making.

Chapter 1  
Property Custody Duty

Clause 4. The competent official seizing or attaching the property shall deliver that property and/or available relevant documents to the Director of Property Management Division for custody under the rules and procedure prescribed herein.

In case of the seized or attached property being the immovable property or business, e.g., industry, commerce, agriculture generating revenue from the said business operation, the competent official under paragraph one shall immediately file report to the Secretary-General for prompt instructions.

Clause 5. The Director of Property Management Division is duty bound to keep the seized or attached property for custody.

In the event of necessity and expediency, the Secretary-General may issue an order appointing one or several committees consisting of not less than three civil servants in the Office or may issue an order appointing the Director of Property Management Division to be duty bound to keep any category of property or any particular property for custody.

Clause 6. The person being duty bound to keep the property under Clause 5 for storage is duty bound as follows:

(1) To inspect the properness of the property to be kept for custody or to be delivered.

(2) To prepare the list of property being kept for custody.

(3) To prepare the evidence of property receipt or delivery.

(4) To keep the keys or codes of the property custody places under Clause 7.

(5) To inspect the conditions of the property, e.g., defect and to report the change or the result of inspecting the property conditions as prescribed by the Secretary-General.

(6) To keep the received property for custody in safe places.

(7) To deliver the property to the person specified by the Secretary-General.

Clause 7. The keys or codes shall be kept in separation whereas the Director of Property Management Division and the civil servants with relevant duties from Level 7 or higher and the civil servants with relevant duties from Level 6 or higher in the Property Management Division shall keep one key each.

## Chapter 2

### Property Custody Procedure

Clause 8. In keeping the property for custody, the procedure as follows shall be observed:

(1) Preparing cards or marks attached to that property according to the list of property being kept for custody under Clause 6 (2) to facilitate and simplify the search and reference.

(2) Keeping the property for custody according to the categories, conditions and sizes of the property in the places or rooms which are strong and secure.

Clause 9. If the property to be kept for custody is the immovable property or movable property inconvenient for moving, the person duty bound to keep the property for custody shall undertake actions as follows:

(1) If deemed expedient, the owner or possessor of the property may be arranged to further look after the property if the owner or possessor of the property agrees thereto or

(2) Arranging for other personnel to keep the property for custody, e.g., hiring a keeper to look after the property.

Clause 10. If the property to be kept for custody is the property under paragraph two of Clause 4, the Secretary-General may issue an order appointing a manager or issue an order renting the said immovable property or business by delivering the revenue, in whole or part thereof, to the person duty bound to keep the property for custody within the prescribed period and conditions, for custody in the same manner as the property and upon such undertaking, the matter shall be reported to the Board at the first occasion of the meeting.

Clause 11. If the property to be kept for custody is cash, it shall be deposited with the financial institution as prescribed by the Transaction Committee within the date receiving the property without delay. If the deposit could not be made in time due to the financial institution already closing its business of the day, the deposit shall be made at the first occasion of the financial institution opening its business of the day.

In case of the property to be kept for custody is foreign currency convertible to Thai currency, it shall be exchanged into Thai currency and kept for custody under paragraph one.

Clause 12. If the property to be kept for custody is the gemstone, gold ornament or other similar valuable thing, the person duty bound to keep the property for custody under Clause 5 shall keep the property in safe place as deemed expedient by preparing the list of property being kept for custody under Clause 6 (2) and also having the details on such property as expedient.

### Chapter 3

#### Property Management Procedure

Clause 13. Moving the property out of the property custody place may be made at the prior permission in writing from the Secretary-General.

Clause 14. The person duty bound to keep the property for custody shall promptly file report to the Secretary-General for instructions as deemed expedient upon finding that:

(1) The property is fresh product, easily perishable and, if delay, poses a risk for damages or expenses beyond the valuable part thereof.

(2) The property has the characteristics which may cause filthiness and messiness or foul smell or may cause disturbance or nuisance.

(3) The property is very heavy or inconvenient for moving or very large or requires large space for storage.

(4) The property by its nature may be easily hazardous, e.g., chemicals or inflammable objects.

(5) The property is to be kept for custody in a particular place to preserve its quality or requires special procedure or method of storage.

Clause 15. In the event of the Secretary-General deeming that the property to be kept for custody under Clause 14 is unsuitable for storage or the storage will put too much burden on the authority, the Secretary-General may order the stakeholder to take that property for custody and utilization or that property shall put up for auction or be used for benefits to the authority, in this regard, under the regulation on permitting the stakeholder to take the property for custody and utilization, putting up the property for auction and using the property for benefits to the authority.

Clause 16. The expenses for keeping the property for custody shall be appropriated from the budget as to be prescribed by the Secretary-General under the approval of Ministry of Finance.

Announced this 7th day of September 2000

*Bunyat Bunthatdhan*

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Chairperson

Anti- Money Laundering Board

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