

No.4: Transaction Report Forms

Translation

Ministerial Regulation No. 4 (2000)

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

By virtue of the provisions of Section 4 and Section 17 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

The transaction report forms under Section 13 shall be as follows:

- (1) Form Por Por Ngor.* 1-01, as attached hereto, shall be used as the transaction report form under Section 13 (1);
- (2) Form Por Por Ngor. 1-02, as attached hereto, shall be used as the transaction report form under Section 13 (2);
- (3) Form Por Por Ngor. 1-03, as attached hereto, shall be used as the transaction report form under Section 13 (3).

In case of the financial institutions being life insurance companies under the law governing life insurance or loss insurance companies under the law governing loss insurance, Form Por Por Ngor. 1-04-1, Form Por Por Ngor. 1-04-2 and Form Por Por Ngor. 1-04-3, as attached hereto, shall be used as the transaction report forms instead of the transaction report forms under (1), (2) and (3) respectively.

The financial institutions may use other transaction report forms containing the same information as the foregoing report forms by using electronic media forms instead.

Clause 2

For the transaction report under paragraph one of Section 13, the financial institutions shall file report within the period under the rules and procedure as follows:

- (1) For the transaction report under Section 13 (1) and (2), the financial institutions shall file report by submitting the report forms made between the 1st day and the 15th day and those made between the 16th day to the last day of the month to the Office within seven days from the day following the 15th day and the last day of the month for the month having such transactions.
- (2) For the transaction report under Section 13 (3), the financial institutions shall file report by submitting the report forms to the Office within seven days from the date having the reasonable suspicion.

For the report notifying the facts to the Office under paragraph two of Section 13, the financial institutions shall file report within seven days from the date on which such facts emerge.

Clause 3

The report forms under Clause 1 shall be used as the transaction report forms under Section 14 and the financial institutions shall file report to the Office within seven days from the date having the reasonable belief that the transactions already made without filing report are the transactions to be reported under Section 13.

Clause 4

The copies of the applications to register the rights and juristic acts, as certified to be correct, or the electronic media forms having the information in accordance with the said applications to register the rights and juristic acts shall be used as the report forms for registration of the rights and juristic acts related to the real property under Section 15 (1), (2) and (3).

Clause 5

For the transaction report under Section 15 (1) and (2), the Bangkok land offices, provincial land offices, branch land offices or district land offices shall file report by submitting the copies of the applications for registration of the rights and juristic acts, as certified to be correct, as made between the 1st day until the last day of the month, to the Office within five days from the day following the last day of the month having such transactions.

For the case of the report under Section 15 (3), the copies of the applications for registration of the rights and juristic acts, as certified to be correct, shall be submitted together with the notes describing the reasonable suspicion to the Office within five days from the date having the reasonable suspicion.

Clause 6

Form Por Por Ngor. 1-05, as attached hereto or other form of transaction report containing the same information as the said report form by using the electronic media form, shall be used as the transaction report form under Section 16.

Clause 7

For the transaction report under paragraph one of Section 16, the practitioners, connected with the implementation or advice on the transactions related to the investment or capital movement, shall file report by submitting the report forms to the Office within seven days from the date having the reasonable belief that such transactions are related to the property connected with the offenses or are the transactions under reasonable suspicion.

For the report notifying the facts to the Office under paragraph two of Section 16, the practitioners, connected with the implementation or advice on the transactions related to the investment or capital movement, shall file report within seven days from the date on which such facts emerge.

Clause 8

Delivery of the report forms to the Office under this Ministerial Regulation may be made by either one of the following methods:

- (1) Submission to the officer at the Office;
- (2) Delivery by return registered mail;
- (3) Transmission as electronic data. In this respect, the persons, duty-bound to file report, shall keep the original report forms in custody.

Clause 9

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

Signed by

Mr. Chuan Leekpai

Prime Minister

Rationale: Whereas Section 17 of the Anti-Money Laundering Act, 1999, provides that the report under Section 13, Section 14, Section 15 and Section 16 shall be in accordance with the forms, periods, rules and procedures prescribed in the ministerial regulation, it is expedient to prescribe the forms, periods, rules and procedures of the said report. It is thus necessary to issue this Ministerial Regulation

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