

No.9: Petition to revoke the seizure or attachment of Property

Translation

Ministerial Regulation No. 9 (2000)

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

By virtue of the provisions of Section 4 and paragraph four 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

To revoke the seizure or attachment of property under paragraph four of Section 48, the transactor, whose property is ordered to be seized or attached or the interested person in the property, shall file petition to the Secretary-General together with the evidence showing that the money or property in such transaction is not the property connected with an offense.

Clause 2

Upon the officers of the Office having correctly and completely inspected the petition and evidence, the petition, together with the evidence, and opinion shall be forwarded to the Secretary-General for consideration to submit opinion to the Transaction Committee for consideration to issue order revoking the seizure or attachment of such property.

Clause 3

The petitioner for revocation of the seizure or attachment is entitled to present the explanation or bring along the relevant persons or advisors to join the explanation for the consideration of the petition and evidence shown under Clause 1.

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.

Given this 11th day of September 2000

Signed by Mr. Chuan Leekpai as Prime Minister

Rationale: Whereas paragraph four of Section 48 of the Anti-Money Laundering Act, 1999, provides that the transactor, whose property has been ordered to be seized or attached or the interested person in the property, may present the evidence that the money or property involved in such transaction is not the property connected with an offense such that an order may be issued to revoke the seizure or attachment under the rules and procedures prescribed in the ministerial regulation, it is expedient to prescribe the rules and procedures in presenting the said evidence. It is thus necessary to issue this Ministerial Regulation.

Disclaimer

This translation is intended to help Thais or foreigners to understand Thailand laws and regulations only, not to use as references, because it is only the original Thai version of legislation that carries legal effect. www.ThaiLaws.com, therefore, shall not be held responsible in any way for any damage or otherwise the user may incur as a result of or in connection with any use of this publication for any purposes. It's the responsibility of the user to obtain the correct meaning or interpretation of this publication or any part thereof from Thai version or by making a formal request to the appropriate or related authorities.