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EXTRAORDINARY

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PART II

Statutory Notifications containing Rules and Orders issued by all Ministries and Divisions of the Government of Pakistan and their Attached and Subordinate Offices and the Supreme Court of Pakistan

GOVERNMENT OF PAKISTAN

MINISTRY OF FINANCE AND REVENUE

(Finance Division)

[ADMN. & COORD WING]

NOTIFICATION

Islamabad, the 22nd November, 2008

S.R.O.05 (KE)/2009:

In exercise of powers conferred by section 43 of the Anti-Money Laundering Ordinance, 2007 (XLV of 2007), the Federal Government, in consultation with National Executive Committee, is pleased to make the following rules, namely:-

THE ANTI MONEY LAUNDERING RULES, 2008

- 1. Short title and commencement.**-(1) These Rules may be called the Anti-Money Laundering Rules, 2008, (2) They shall come into force at once.
- 2. Interpretation.**-(1) In these Rules, the expression "Ordinance" means the Anti-Money Laundering Ordinance, 2007.

(31)

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(2) The words and expressions used but not defined herein shall have the same meanings as are assigned to them in the Ordinance.

3 Maintenance of record and material by the investigating agencies.- (1)

The investigating officer shall, during the performance of his functions under the Ordinance, make an inventory of the documents and materials coming into his possession which shall be countersigned by an officer not below the rank of Investigating Officer and who shall along with the Investigating Officer, sign the inventory and seal envelop before its transmission to the head of the investigating agency.

(2) Any document or material coming into the possession of the Investigating Officer during the performance of his functions under the Ordinance, shall be kept, secured and maintained in at least the manner in which the respective investigating agency keeps, secures and maintains such kind of documents and materials, until the conclusion of the case or as otherwise directed by the court.

4. Co-operation of FMU with foreign financial intelligence units and law enforcement agencies.-

Subject to the provisions of the Ordinance, FMU may seek or provide information from or to the foreign financial intelligence units or other authorities performing the functions of financial intelligence or monitoring and law enforcement agencies, on the principles of reciprocity.

5. Management of forfeited properties.-(1) An administrator appointed under section 11 of the Ordinance shall, immediately or as soon as practicable, take possession of the property in relation to which an order has been made under sub-section (6) of section 9 of the Ordinance.

(2) The administrator shall prepare a detail of the particulars such as description, address, condition or inventory of the property according to the nature of property and shall submit the same to the Federal Government within fifteen days of taking possession of the property as provided in sub-rule (1).

(3) Subject to any direction of the Federal Government under sub-section (3) of section 11 of the Ordinance, the administrator shall dispose of the property by auction.

(4) The administrator shall submit all the relevant documents and accounts in respect of the sale of property to the Federal Government within seven days of its disposal.

(5) Until the final disposal of the property, the administrator shall manage the property fairly, prudently in terms of best market practices and without any conflict of interest for the benefit of the Federal Government.

6. Record received from a place outside Pakistan.- If a document of public record or any other record is received from a country outside Pakistan, it

may be presumed to be duly authenticated in terms of section 19 of the Ordinance if it is signed or executed or attested or certified by a diplomatic representative of the relevant country in Pakistan or diplomatic representative of Pakistan in that country or the counterpart of FMU in that country or any other authority designated by that country or by the Federal Government.

[No. F.3(40)Bkg.(R&S)/94-768]

MALIK SHER AFZAL,
Deputy Secretary (Bkg).