

Asset (Money) Laundering Prevention Rules, 2066 (2009)*

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In exercise of the power conferred Section 46 of Asset (Money) Laundering Prevention Act, 2008, the Government of Nepal has formulated the following Rules.

Chapter-1

Preliminary

1. **Short Title and Commencement:** (1) These Rules shall be called as "Asset (Money) Laundering Prevention Rules, 2066 (2009)."
(2) These Rules shall come into force immediately.
2. **Definition:** Unless the subject or context otherwise requires, in this Rules,-
 - (a) "Act" means Asset (Money) Laundering Prevention Act, 2008.
 - (b) "Customer" means individual, firm, company, organization or entity having business relation with the bank, financial institution or non-financial institution.
 - (c) "Technical Committee" means the committee formed pursuant to Rule 5.
 - (d) "Directives" means the Directives issued by the Financial Information Unit pursuant to Rule 7.
 - (e) "Regulatory Body" means the entity or officer authorized by the existing law to regulate any business.
 - (f) "Coordination Committee" means the coordination committee formed pursuant to Section 8 of the Act.
 - (g) "Reporting Institution" means bank, financial institution, non-financial institution and government entity having obligation to report information and particulars to the Financial Information Unit as per the provisions of the Act, Rules and the Directives.

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Chapter-2

Threshold Transaction and Functions of the Coordination Committee and the Technical Committee

3. **Threshold Transaction:** (1) *Nepal Rastra Bank* may, while prescribing the threshold of transaction for the purpose of Section 6 (1) of the Act, prescribe different threshold for different transaction by taking into account the area, subject matter and the nature of the transaction involved.

(2) *Nepal Rastra Bank* may, while prescribing the threshold pursuant to Sub Rule (1), consult the regulatory body.

(3) *Nepal Rastra Bank* shall, while prescribing or amending the threshold pursuant to Sub Rule (1), publish a public notice thereof.

4. **Functions of the Coordination Committee:** (1) The Coordination Committee may, for the purpose of Section 8 of the Act, furnish recommendations to the Government of Nepal on the following matters.

- (a) Prevention of the offence;
- (b) To cause monitoring of the activities made for the prevention of the offence;
- (c) Obtaining the membership of the international organizations working for the prevention of the offence;
- (d) The policy, strategy, plans to be adopted and made by the Government of Nepal and the implementation of the decisions made;
- (e) Implementation of the annual report of the Financial Information Unit on the prevention of the offence;
- (f) Other matters as deemed necessary by the committee.

(2) The coordination committee may, while furnishing recommendations pursuant to Sub-rule (1), furnish the recommendations to the concerned Ministry as per necessity based on the subject matter or straight to the office of the Prime Minister and the Council of Ministers.

5. **Formation of the Technical Committee:** (1) For the purpose of assisting the Financial Information Unit to execute the objective of the Act, there shall be a Technical Committee constituted as follows:

- (a) Chief, the Financial Information Unit - Coordinator
- (b) Representative, the Department - Member
- (c) Representatives, Nepal Rastra Bank
(one from each of the Foreign
Exchange Department and the
Regulation Department) - Members
- (d) Representative, Nepal Police - Member
- (e) Representative, Nepal Securities Board - Member
- (f) Representative, Insurance Board - Member
- (g) Deputy Director, Financial Information
Unit - Member Secretary

(2) The Technical Committee shall assist the Financial Information Unit in the following functions:

- (a) Formulation of measures or strategy necessary for the control of the offence;
- (b) Implementation of the measures or strategy formulated pursuant to (a);
- (c) Promotion of awareness for the control of the offence;
- (d) Performing other functions prescribed by the Coordination Committee.

(3) The coordinator may call the meeting of the Technical Committee as per necessity and the meeting procedure shall be as fixed by the committee itself.

(4) Officials of the concerned authority or any other expert may, as per necessity, be invited to the meeting of the Technical Committee.

Chapter-3
Functions, Duties and Power of the Financial Information Unit

6. **Functions, Duties and Power of the Financial Information Unit**: In addition to the functions, duties and power stated in Section 10 of the Act, the functions, duties and power of the Financial Information Unit shall be as follows:
- (a) Function as a focal point for the prevention of money laundering;
 - (b) Write to the concerned organization to freeze the property for 30 days at maximum if the analysis of the transaction or the information, particulars received from the reporting institution presents reasonable ground to believe that the property involved in the suspicious transaction is likely to be transferred, sold or in any manner transformed or changed unless frozen at once;
 - (c) Install and operate electronic information network for the control of the offence;
 - (d) Receive information from the regulatory body on whether or not the reporting institutions regulated by the concerned regulatory body has acted in accordance with the Act, these Rules and the Directives;
 - (e) Share with the reporting institution and the regulatory body the information received from foreign state or international organizations regarding the individuals and organizations involved in the offence and the states with weak mechanisms for controlling the offence;
 - (f) Sign Memorandum of Understanding with the Financial Information Unit of other country for the purpose of Section 10 (1) (d) of the Act;
 - (g) Obtain, as a Financial Information Unit, membership of international organizations working for the prevention money laundering;
 - (h) Conduct or cause to conduct training, seminar, study, research and make publication and transmission about the offence and its control in coordination with the regulatory body, bank, financial institutions and non-financial institutions so as to promote public awareness;

- (i) Prepare and submit long term action plan to the coordination committee and annual action plan to *Nepal Rastra Bank*;
- (j) Maintain record of the information and particulars relating to the tasks the Financial Information Unit performs;
- (k) Submit annual Financial Information Unit report of performance to the coordination committee and *Nepal Rastra Bank* within three months from the completion of the fiscal year.

7. **Power to Issue Directives:** (1) The Financial Information Unit may, for the purpose of controlling the offence, issue directives from time to time to the reporting institutions on the following matters in a way that does not contradict with the Act and these Rules:

- (a) Customer Identification, Introduction and Acceptance Procedure,
- (b) Identification of Suspicious Transaction,
- (c) Modes of reporting Suspicious Transaction,
- (d) Record of the transaction and business relation, particulars to be mentioned in such records and management and security of the record,
- (e) Vigilance on and control of the transaction and internal inspection,
- (f) Other necessary matters.

(2) It shall be the duty of the employee and official of the concerned institutions to comply with the directives issued by the Financial Information Unit pursuant to Sub-rule (1).

Chapter-4

Obligation of the Regulatory Body, Reporting Institutions and Natural Person

8. **Power to Designate Regulatory Body:** The Government of Nepal may, if there is no regulatory body to regulate any institutions obliged by the Act and these Rules to report to the Financial Information Unit, designate any regulatory body in

consultation with the Coordination Committee to regulate such institution or person.

9. Obligation of Regulatory Body: The regulatory body shall have the following obligation in relation to the prevention of the offence:

- (a) Execute or cause to execute the Act, these Rules and the Directives,
- (b) Issue necessary directives to the institutions it regulates,
- (c) Inspect and supervise whether or not the concerned institutions or person has complied with (a) and (b),
- (d) Provide the Financial Information Unit with the report of the inspection and supervision conducted pursuant to (c).

10. Obligation of the Reporting Institution: In addition to the obligation mentioned in the Act, the reporting institution shall have the following obligation:

- (a) Maintain record of the transaction as prescribed by the Financial Information Unit,
- (b) Update customer profile of the existing customer as prescribed by the Financial Information Unit and submit the record thereof to the FIU within 5 years from the date these Rules come into force,
- (c) Maintain a separate confidential record of the suspicious transaction duly signed by the concerned officer and the chief of the office,
- (d) Designate a high ranking managerial level official as a compliance officer and provide the Financial Information Unit with the name, address and contact number (telephone) of the compliance officer,

Provided that, in case of the government office, the chief of the office or any officer designated by him/her may perform the task of the compliance officer.

11. Obligation of the Compliance Officer: The obligation of the Compliance Officer designated pursuant to Rule 10 (d) shall be as follows:

- (a) Function as focal point to perform tasks in accordance with the Act, these Rules and the Directives,

- (b) Cause to maintain secure record of transaction,
- (c) Provide information about suspicious or other necessary transaction to the Financial Information Unit through letter or electronic means of communication like fax, email,
- (d) Provide information about transaction of the branch offices to the Financial Information Unit in a regular basis.

12. **Obligation of Natural Person:** It shall be the obligation of the concerned natural person to provide information and particular to the Financial Information Unit if such natural person is so required by the Act and the Directives issued in exercise of the power granted by these Rules.

Chapter-5

Complaint, Inquiry and Investigation

13. **Complaint may be lodged through electronic means of communication:** A person lodging complaint with the Department pursuant to Section 13 of the Act may lodge the complaint through electronic means of communication such as fax and email.

14. **Anonymous Complaint may be lodged:** If anyone lodging complaint pursuant to the Act and these Rules wishes to remain anonymous, he/she can request such anonymity and the details like his/her name and address shall not be disclosed.

15. **Format of Complaint Register:** The Department shall register the complaints it receives in a register as prescribed in schedule-1.

16. **Copy of the Evidence may be given:** If the person lodging complaint before the Department as per the Act and these Rules submits any evidence along with the complaint, the Department may give the complainant the attested copy of the evidence submitted.

17. **Appointment of the Investigation Officer:** (1) The Department, while appointing or designating Investigation Officer, shall appoint or designate in a form as prescribed in Schedule-2.

(2) While appointing or designating the Investigation Officer pursuant to

Sub-rule (1), the time period within which the inquiry and investigation are to be completed and the name of the supporting staffs shall be mentioned.

(3) The investigation officer shall, if the investigation is not completed within the time period stipulated pursuant to Sub-rule (2), request the Department with reason for additional period of time.

(4) If an additional period of time is requested as per Sub-rule (3), the Department may, based on the nature of the inquiry and investigation, extend the time not exceeding 35 days at a time for a maximum period of 120 days.

18. **Format of Subpoena (Notice)**: The Department shall, while issuing notice to someone to appear for inquiry or statement or clarification in the course of inquiry or investigation, subpoena the concerned person in a form as specified in Schedule-3.
19. **Format of Arrest Warrant**: The Department or the investigation officer shall, while arresting someone in course of inquiry or investigation, give the concerned person an Arrest Warrant as specified in Schedule-4.
20. **Format of Detention Order**: The Department or the investigation officer shall, if someone needs to be detained in the course of inquiry or investigation, give the concerned person a Detention Order as specified in Schedule-5.
21. **Search and Seizure**: (1) The investigation officer shall, while entering into someone's house or compound for the purpose of search in the course of an inquiry or investigation, give notice of the search and prepare a seizure report of the goods seized, if any.
- (2) For the purpose of Sub Rule (1) the format of search notice shall be as prescribed in Schedule-6 and seizure report in Schedule-7.

(3) The investigation officer shall, if he/she needs to take with him/her the cash, kind or any other goods seized during search conducted as per Sub-rule (1), prepare the receipt (acknowledgement) of his/her taking away of such goods and shall hand the paper over to the official of the bank, financial institution and non-financial institution if the search is conducted in such institution. If the search is

conducted elsewhere, the receipt (acknowledgement) shall be given to the landowner or the owner of the goods or the person taking charge of the goods. If such concerned person is not available or if such person does not accept to receive such receipt (acknowledgement), the investigation officer shall hand it over to the representative of the local body.

(4) If the representative of the local body as mentioned in Sub Rule (3) is not available, the receipt shall be posted in the spot where the seizure report is created and it shall be mentioned in the seizure report.

(5) Posting of the receipt (acknowledgement) as prescribed in Sub-rule (4) shall be deemed as concerned person receiving the acknowledgement.

22. Format of Date: The Department shall, while keeping the suspect a Date Note (*Taarekh Parcha*) create an attendance record as specified in Schedule-8 and issue in a form as specified in Schedule-9.

23. Format of Bail and Guarantee: (1) The Department or the investigation officer shall use the form as specified in Schedule-10 for the purpose of bail or guarantee from the suspects.

(2) The suspect shall sign a document as specified in Schedule-11 if he/she posts the property of his/her ownership as bail or guarantee and other person shall sign a document as specified in Schedule-12 if he/she posts the property of his/her ownership as bail or guarantee for the suspect.

24. Supplementary Statement (Tatimba) Permitted: The investigation officer may, if he/she thinks it necessary in the course of inquiry or investigation to take information about the offence or the accused, take supplementary information or statement from the person having such information.

25. Format of Order to freeze or control property, account or transaction: (1) While taking into control or freezing the property, account or transaction relating to the offence, the Department shall take into control or freeze the same by issuing an order in a format as specified in Schedule-13.

(2) While freezing the property, account or transaction pursuant to Sub-rule

(1), the claim, lien or right over such property, account or transaction may also be frozen.

- 26. Format of Inquiry or Investigation Report:** The investigation officer shall, upon completion of inquiry or investigation, submit the report thereof in a format as specified in Schedule-14.
- 27. Format of Charge-Sheet:** The Department shall, while filing a case, prepare and file a charge-sheet in a format as specified in Schedule-15.
- 28. Termination or postponement of the complaint:** The Department may terminate the following complaints:
- (a) The complaint that is not related to the offence,
 - (b) The complaint that does not require proceeding based on the available evidence,
 - (c) The complaint covering the same content and context which was once terminated without supplying any new evidence.
- 29. Information may be received through the Financial Information Unit:** The Department may, if any information or particular needs to be sought from any institution of a foreign country in course of inquiry or investigation, seek such information or particular through the Financial Information Unit.
- 30. Record of the Freezing and Freed to be kept:** (1) The Department shall, if it receives bail or guarantee from the suspect or on his/her behalf pursuant to Rule 23 or has taken into control or frozen any property, account or transaction pursuant to Rule 25, maintain a record thereof.
- (2) The details including registration number of the complaint, name, family name, address, property, account, transaction and asset of the suspect, date of order issued to control or freeze the property, name of the office that takes into control or freezes the property, date and reference number of the letter written requiring the property to be taken into control or frozen shall be mentioned in the record maintained as per Sub-rule (1).
- (3) The Department shall, if the property taken into control or frozen

pursuant to Sub-rule (1) gets freed, update the record thereof accordingly.

31. **Freezing to be undone and assets to be returned:** (1) The Department shall, if it has frozen in course of investigation any person's property, account, passport or asset guarantee received on his/her behalf, undo the freezing within Thirty days from the date of the decision, if any, is made not to sue such person.

(2) In case the accused gets acquitted from the charges filed under the Act and a decision is made not to make an appeal against the acquittal, the court shall undo the freezing of the account, passport, property, transaction of the suspect within Thirty days from the date the statutory limitation for appeal expires.

32. **Investigation Officer may be changed:** If any investigation officer fails to perform the designated tasks for whatsoever reason or there exists reasonable ground to infer that it is not appropriate to have the investigation officer perform the designated tasks, the Department may appoint or designate another investigation officer in his/her place with explanation of the change.

33. **Expert's Service may be received:** The Department may receive the service of an expert of any discipline if such service is required in the course of inquiry or investigation.

34. **Expenses may be approved:** The chief of the Department may approve the justifiable expenses, devoid of receipt, made by the investigation officer in course of the inquiry or investigation.

Chapter-6

Miscellaneous

35. **Oath to be taken:** The person working as an investigation officer, supporting officer or expert pursuant to the Act and these Rules shall, prior to taking on duties, take an oath before the chief of the Department as prescribed in Schedule-16.

36. **Writing to maintain record:** If the Department files charge or takes any action against any bank, financial institution or non-financial institution or any person, institution, the Department shall inform the concerned institution or regulatory

body of such action.

37. Procedure to impose fine: (1) Where the Financial Information Unit has to impose fine to any bank, financial institution or non-financial institution as per Section 31 of the Act, the concerned bank or institution shall be informed of the activities resulting to fine, grounds and reason for fine and the proposed amount of fine. Such bank or institution shall be given Seven days time to defend itself.

(2) Where the Department has to impose fine to a any person as per Section 12 (2) and 18 (3) of the Act, the concerned person shall be informed of the activities resulting to fine, grounds and reason for fine and the proposed amount of fine. Such a person shall be given Seven days time to defend himself.

(3) The Financial Information Unit or the Department may fine the institution or person if the institution or person fails to submit defense in accordance with Sub-rule (1) or (2) or the submitted defense is not satisfactory or reasonable.

38. Protection of action taken in good faith: No charge or legal proceeding shall be initiated against the officials of the Financial Information Unit and the Department for any acts they perform in accordance with the Act and these Rules in good faith.

39. Confidentiality: (1) The information, particulars and documents received by the Financial Information Unit in accordance with the Act, these Rules or Directive shall remain confidential under Section 3 of Right to Information Act, 2008.

(2) The information, particular and documents as mentioned in Sub-rule (1) shall not be provided to other entity except to the Department, investigation officer or the court.

(3) No information and copy of the documents received by the Department in accordance with the Act and these Rules shall be given to any entity or person except to the concerned investigation officer or the court.

40. Manual: (1) The Financial Information Unit may develop and implement necessary Manual to perform the tasks it is required to perform as per the provisions of the Act and these Rules.

(2) The Department may develop and implement internal Manual to perform the tasks it is required to perform as per the provisions of the Act and these Rules.

(3) The reporting institution may develop and implement internal procedure to perform the tasks it is required to perform as per the provisions of the Act, these Rules and the Directives.

NEPAL LAW COMMISSION

Schedule- 1

(Relating to Rule 15)

Format of Complaint Register

Money Laundering Investigation Department

Complain Register

Registered No.	Date	Name, Surname and Address of the Complainant	Details of the Complaint	Remarks

Schedule- 2

(Relating to Sub-rule (1) of Rule 17)

Format of Complaint Register

Money Laundering Investigation Department

Complain Register

Date:-.....

Subject:- Appointed/Designated to work as an Investigation Officer

Mr./Mrs./Ms

.....

As you have been appointed/designated to perform as an Investigation Officer, pursuant to Section 15 of the Money Laundering Prevention Act, 2064 and Sub-rule (1) of Rule 17 of the Money Laundering Prevention Rules, 2066 (.....) for the investigation and inquiry of the following complaints. You shall conduct the work of investigation and inquiry remaining within the direct supervision and control of the of the Department and submit a Report including your opinion to the Department within.....days. Yours Support Staffs shall be as following:

1. Registered Number of the complaint and synopsis of the complaint:

2. Support Staffs:

<u>SN</u>	<u>Designation</u>	<u>Name, Surname</u>	<u>Office</u>
1.
2.
3.
4.
5.

Signature:

Head of the Department

Schedule-3

(Relating to Rule 18)

Format of the Notice (Subpoena)

Issued by the Money Laundering Investigation Department

Notice

Mr./Mrs./Ms

.....

As this Department has received a complaint (Synopsis of the Complaint) on (Date)..... and in the course of investigation and inquiry, it has become necessary to inquire with you, therefore, you are, hereby, requested to appear before the Department/Tour Station,.....(Place) on.....(Date an Time).

Of the Investigation Officer

Signature:

Name, Surname:

Date:

Schedule-4

(Relating to Rule 19)

Format of Arrest Warrant

Issued by the Money Laundering Investigation Department

.....

An Arrest letter issued in the Name of Mr./Mrs/Ms.....having the age.....of years, resident of.....,Grandson of.....son of.....resident of.....

Whereas, it has become essential to arrest you in the course of investigation and inquiry of an offence relating to money laundering pursuant to Money Laundering Prevention Act, 2064 and Money Laundering Prevention Rules, 2066, therefore, arrest warrant has been issued. You are requested to appear before the Department along with the Police Personnel/Personnel who serves this Arrest warrant. In case it is followed accordingly, it has been ordered to the Police Personnel to arrest and produce you before the Department.

Officer of the Department/Investigation Officer

Signature:

Name, Surname:

Designation:

Date:

Schedule-5

(Relating to Rule 20)

Format of Detention Order

**Detention Order Issued by the
Money Laundering Investigation Department**

Mr./Mrs./Ms

.....

Whereas, the investigation and inquiry of the complaint registered in this Department on.....(date) has to be investigated upon keeping you into Detention/as you were requested (Ordered) of a deposit or guarantee in the course of investigation or inquiry since you could not produce such deposit/guarantee, this detention order has been issued to you pursuant to the Rule 20 of Money Laundering Prevention Rule, 2066 to keep you in the custody, with the provision of *sidha*, from the date.

Of the Investigation Officer

Signature:

Name:

Designation:

Date:

Copy to:-

.....

Concerned Jail Office

Schedule-6

(Relating to Sub-rule (2) Rule 21)

Format of the Search Notice

Notice of the Search

Mr./Mrs./Ms.

.....

Whereas, in thecase to which Government of Nepal is plaintiff and.....is/et.al are/ defendant/s in which.....is a complainant, there is a possibility of being kept or availability of things or materials or documents used in committing the offence or related to the officer in the building, land or place where the accused is living or residing, therefore, this Notice is, hereby, issued in your name, to search the building, land or place.

I, hereby, request for your kind co-operation.

Of the Investigation Officer

Signature:

Name:

Designation:

Date:

Schedule-7

(Relating to Sub-rule (2) Rule 21)

Format of deed of Seizure

Notice of the Search

.....Deed of Seizure of (building, land, place, material, commodity, thing, or from the human body).

1. Brief of the complaint:

.....
.....
.....
.....

2. Details of searching of the personnel to be involved in the search process:

.....
.....
.....
.....

3. Details of the things, commodity, material and details and four boundaries place, land or building:

.....
.....
.....
.....

4. Details of the seized goods and materials in the course of search:

.....
.....
.....
.....

5. Name, Surname, Age, Address and Signature of the Eye witness:

.....
.....
.....

6. Representative of the local body (So far possible):.....

7. Name, Surname, Ag, Address and sign of the person in whose presence deed ... prepared

(a) Police of the Department/Personnel who were engaged in the search of my building, materials, commodities or things, first searched themselves, and search process was done with due respect and no lose or damage of the building or goods has been in this process; I,.....resident of.....owner of building or goods/person responsible, hereby, sign confirming this statement.

(b) Name, Surname, Address and Signature of the Accused (So far possible):-

8. Officer engaged in the search and seizure process:-

Other Police Personnel:

9. Date:-

Time:-

Schedule-8

(Relating to Rule 22)

Format of the Date Record

**Date Record Prepared by the
Money Laundering Investigation Department**

Year.....

Month, Day	Serial Number	Case	Complainant	Name of the Accused	Purpose of the Date	Remarks

Signature:.....

Schedule -9

(Relating to Rule 22)

Format of the Date Note

Issued by Money Laundering Investigation Department/Tour Station.....

Date Note issued in the name of.....

.....Case.....Year.....Number

.....

Versus

For the purpose of.....a date of.....has been so fixed,
you are request to appear before the Department on that day at.....o'clock

Personnel issuing the Date

Signature:

Name, Surname:

Designation:

Date:

Schedule- 10

(Relating to Sub-rule (1) of Rule 23)

Format for a Bail/Guarantee Order

By the complainant of.....versus, Government of Nepal -Plaintiff

...../Defendant

Case:.....

1. Summary of the case
2. Grounds, reasons and Legal Provision for demanding the bail or guarantee
3. Demanded Bail Amount:

By the Order of

Signature:

Name, Surname:

Designation:

Date:

Schedule-11

(Relating to Sub-rule (2) of Rule 23)

A Deed of providing bail/guarantee

To Money Laundering Investigation Department,
.....

Whereas, I acknowledge the order for demanding the bail made on.....(date) by this Department. I shall appear on such place or date as appointed by the Department. I, hereby, agree, to confiscate the bail amount or guarantee or to recover from any other my property if it is not so recovered from the guarantee, in case, I don not so appear pursuant to umber 124 and No. 124A of the General Code (*Muluki Ain*), accordingly.

.....
Signature:

Name, Surname, Address:

Father's Name:

Grandfather's Name:

Contact Address:

Schedule-12

(Relating to Sub-rule (2) of Rule 23)

A Deed of providing guarantee by any other person with regard to bail or guarantee

Whereas, I, hereby, acknowledge the order issued by the Money Laundering Investigation Department in the name of.....Grandson of....., son of.....who is a resident of..... As he/she is unable to make the bail/guarantee on his/her own as demanded by the Department. So I, hereby, agree to make the bail/guarantee the same on his/her behalf. In case, he/ she does not appear before the Department on such a place or date as appointed by the Department, I agree to confiscate the property which I have made available for bail/guarantee and I also do agree to recover from my any other property, the due to be paid by him/her is not recovered from the said property.

.....

Signature

Name, Surname and Address of the Guarantor

Father's Name:

Grandfather's Name

Contact Address:

Schedule-13

(Relating to Sub-rule (2) of Rule 25)

Money Laundering Investigation Department
An Ordering regarding Freezing of Property/Account

Mr./Mrs./Ms

.....

Whereas, in relation to the complaint of.....registered in the Department against the person/organization and based on the evidence collected in the course of investigation of such complaint pursuant to Money Laundering Prevention Act, 2064 and Money Laundering Prevention Rules, 2066, it has become essential to freeze the Property/Account/Transaction so that no one could transfer, pledge, mortgage, sale or distribute or operate by any means; therefore, it is, hereby, requested to freeze the following Property /Account/Transaction until and unless any otherwise order is issued by this Department or Court of law so that no one could transfer, pledge, mortgage, sale, distribute or operate the property; and the same will be communicated to this Department.

Concerned Officer,-

Signature:

Name:

Date:

Copy to:
(Regulatory Authority in case of Organization)

Schedule-14

(Relating to Rule 26)

Format of Investigation and Inquiry Report

1. Name and designation of the Investigation Officer and other Supports Staffs:
2. Complaint Number:
3. Date and Time of Information or Complaint:
4. Name and address of the Complainant:
5. Brief of the Complaint:
6. Date, Time and Place of Crime.....
7. Date, Time and Place of Arrest of a suspect, if any:
8. Name, Surname, Age, Address of the suspect (Put all the names in an order if the number is more than one):
9. Brief of the statement of suspect between the Investigation Officer:
10. Place where materials relating to the offence were found:
11. Detail and description of Money Laundering:
12. Details of means, medium, instrument, machine used in the course or if any commission of offence:
13. Name, Surname, Address of the witness and summary of his/her statement before the Investigation Officer:
- 14.
15. Material Evidence relating to the offence:
16. Analysis of the offence:
17. Grounds to establish the offence:
18. Opinion of the Investigation Officer and Pledge for punishment and reasons thereof:
19. Other essential facts:
20. Chronological arrangements of the documents:

Schedule-15

(Relating to Rule 27)

(Format of the Charge-sheet)

Produced before the.....Court

**To be registered pursuant to Sub-section (2) of Section 22 of
the Money Laundering Prevention Act, 2064**

Charge-Sheet

Number of the year.....

Government of Nepal (Complainant.....) Plaintiff

Versus

1.
2.Defendant
3.

Case:

1. Detail of the case:
 - (1)
 - (2)
 - (3)
2. Law violated by the accused:
3. Charge/and Claim against the accused:
4. Punishment to be imposed to the accused:
5. In case the accused has supported in the course of investigation or inquiry pursuant to Section 44 of the Act; details of the same and proposed remittance in penalty:
6. Evidence:
7. Material evidence and other materials related with the other:
8. Proceeds of crime or other materials having evidential value with the offence:
9. Witness:

Eyewitness:

- (a)
- (b)
- (c)
- (d)

10. Documents so produced:

- (a)
- (b)
- (c)

It is hereby requested to the Court to proceed the case.

On behalf of the Department, the
Investigation Officer

Signature:

Name:

Designation:

Date:

Seal of the Office:

Schedule-16

(Relating to Rule 35)

Oath

I pledge with truth and dedication take oath in the name of God that I will perform the role and duty under the designation ofof the Money Laundering Investigation Department which I deserved by being honest with the existing laws without fear, flattering, prejudice, malice or greed with the honesty and will not disclose any known fact during the discharge of duty on any condition of holding or non-holding post to anyone except so required while abiding law.

Details of the person taking Oath

Name, Surname:

Signature:

Date:

Designation:

Authority Certifying the Oath

Name, Surname:

Signature:

Date:

Designation:

