



LAO PEOPLE'S DEMOCRATIC REPUBLIC  
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

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**Memorandum of Understanding**

**Between**

**Anti- Money Laundering Intelligence Unit, the Bank of Lao PDR**

**And**

**Customs Department, Ministry of Finance**

**For Exchange Information**

April 2015

## **Memorandum of Understanding**

### **Between**

**Anti- Money Laundering Intelligence Unit, the Bank of Lao PDR**

### **And**

**Customs Department, Ministry of Finance**

This memorandum created by two parties between the Anti-Money Laundering Intelligence Unit, the Bank of Lao PDR with office address at Xiengyuen Village, Chanthabouly District, Vientiane Capital, Yoney Road, P.O. Box 19, Telephone: 021 264624, Fax: 021 265320, hereinafter called “AMLIU” and the Customs Department, Ministry of Finance with office address at Hatsady Village, Saysettha District, Vientiane Capital, Lanxang Road, Telephone: 021 223524, hereinafter called “CD”.

#### **Article 1: Purpose**

To enhance cooperation with each other between the AMLIU and the CD in implementing the activities on anti-money laundering and counter financing of terrorism based on the enhancement of the law on anti-money laundering and counter financing of terrorism No. 50/NA, dated 21 July 2014 and the Customs law, issue no. 04/NA, dated 20 December 2011 by defined content, method, confidentiality and responsibilities of the cooperation with each other for systematically which aim to make stable society, orderly in anti-money laundering and counter financing of terrorism.

#### **Article 2: Scope of Cooperation**

This memorandum of understanding made for implementation of rights and duties of the parties on the activities on the anti-money laundering and counter financing of terrorism to be consistency, effortless, effective and efficient according to the defined law, regulations and other legislation which the Lao PDR set out.

#### **Article 3: Cooperation Content**

The parties will cooperate in implementing those following content:

1. Exchange of financial information
2. Content of the request
3. Confidentiality
4. Responsibilities
5. Training.

#### **Article 4: Exchange of Financial Information**

**The CD must provide information to the AMLIU on declare of cash, precious mental, BNIs of the passenger entry-departure of Lao PDR which details as follows:**

- Information on bringing the foreign currencies or Kip as cash, precious metals, bank checks, travel checks, order checks, bond, bank draft, or other BNIs of natural person, legal person or organization who travel entry-departure the Lao PDR exceeded the limit which the Bank of Lao PDR set out from time to time.
- Information of display or declare false information when bringing the foreign currencies or Kip as cash, precious metals, bank checks, travel checks, order checks, bond, bank draft, or other BNIs of natural person, legal person or organization who travel entry-departure the Lao PDR.
- Information on foreign currencies or Kip as cash precious metals, bank checks, travel checks, order checks, bond, bank draft, or other BNIs of natural person, legal person or organization which the CD have information or doubt that they have associated with money laundering and financing of terrorism who travel entry-departure of the Lao PDR.
- Information on seize, freeze and confiscate foreign currencies or Kip as cash precious metals, bank checks, travel checks, order checks, bond, bank draft, or other BNIs of natural person, legal person or organization who violate the law and regulations of the Lao PDR.
- Other information that necessary in implementing the activities of the AMLIU.

**The AMLIU must provide information to the CD as the information to the activities of anti-money laundering and counter financing of terrorism which have details as follows:**

- Information on natural person, legal person or organization both domestic and foreign country that doubt or have footprint that associated with the money laundering and financing of terrorism.
- Information on natural person, legal person or organization who have suspicious transaction activities as money laundering or financing of terrorism.
- Information on natural person, legal person or organization that under the control list of the AMLIU, foreign country and relevant international organization.
- Other information that necessary on the monitoring activities at the Customs border check point on foreign currencies or Kip as cash precious metals, bank checks, travel checks, order checks, bond, bank draft, or other BNIs at the border check point.

## **Article 5: Content of the Request**

The information request of the parties shall be made in writing and sign by the head of AMLIU or the head of CD.

The information request shall be constituted with basic information as follows:

- Purpose of the request
- Reason of the request
- Background and other information related to natural person, legal person and organization that required to help in monitoring the information of the parties
- Other necessary information.

## **Article 6: Confidentiality**

The parties shall maintain confidentiality and collect information carefully in safe location and having recorded all issue, it is strictly prohibited to disclosed to other sectors unless agreed from the parties.

## **Article 7: Responsibilities**

The parties have fair agreement on separate responsibilities of each party as follows:

- After the CD have completed the Customs procedures then shall summary the activities on bringing foreign currencies or Kip as cash precious metals, bank checks, travel checks, order checks, bond, bank draft, or other BNIs that exceeded the limit according to the law and regulations of the Lao PDR set out to the AMLIU to acknowledge for the unit to analysis.
- The CD shall report on the investigation operation result to the AMLIU to acknowledge according to defined in Article 4.
- During waiting time for proceeding the evidence the Customs officer have seized or withhold, suggested that to put on waiting list of the national treasury.
- When receive information, the AMLIU must study and research the form, method or potential of the money laundering and financing to terrorism.

## **Article 8: Training**

The parties agreed to cooperate on training to employee who related to the activities on preventing and anti-corruption, anti-money laundering and counter financing of terrorism and the Customs activities to be basic knowledge to the party effectively.

## **Article 9: Reporting**

The CD shall summary information as defined in the first dash of Article 7 in writing or through electronic means to the AMLIU directly each time.

The CD shall summary on declaration of natural person, legal person or organization who hold valued exceeded the law and regulation defined and must send to the AMLIU every 3 months.

Reporting on the finding, found or doubt in bringing foreign currencies or Kip as cash precious metals, bank checks, travel checks, order checks, bond, bank draft, or other BNIs that did not declare or declared false information that related to the money laundering and financing of terrorism which the officer have seize or withhold shall be reported to the AMLIU within 3 official days.

The parties will host the meeting for discussion, evaluate of the situation on the cooperation, exchange necessary information to ensure the work performance.

## **Article 10: Change and Ended**

Content of this memorandum of understanding, if any party require for change, the parties shall giving notice of purpose or host the meeting for fair discussion then shall be able to change.

This memorandum of understanding will be ended when the parties giving notice of reason and date, time of the cancellation to each party to acknowledge.

**Article 11: Implementation**

The parties is the implementor this memorandum of understanding, based on the law on anti-money laundering and counter financing of terrorism, the Customs law and other relevant laws.

**Article 14: Effectiveness**

This memorandum of understanding is effective from the date of signature.

**The Head of Anti-Money Laundering Information Office**

Dated 11 May 2015

[Signed: Phanthaboun Xayaphet]

**The Head of Customs Department**

Dated 11 May 2015

[signed:]