

THE PREVENTION OF MONEY-LAUNDERING (MANNER OF RECEIVING THE RECORDS AUTHENTICATED OUTSIDE INDIA) RULES, 2005¹

In exercise of the powers conferred by sub-section (1) read with clause (q) of sub-section (2) of section 73 of the Prevention of Money-laundering Act, 2002 (15 of 2003), the Central Government hereby makes the following rules for the manner of receiving the records authenticated outside India, namely:—

1. Short title and commencement.—(1) These rules may be called the Prevention of Money-laundering (Manner of Receiving the Records Authenticated Outside India) Rules, 2005.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Prevention of Money-laundering Act, 2002 (15 of 2003);
- (b) “record” means the record in any form received from any place outside India and authenticated in the manner as specified in these rules;
- (c) “section” means a section of the Act.

(2) All other words and expressions used and not defined in these rules but defined in the Act, shall have the meaning respectively assigned to them in the Act.

3. Manner of authentication of records received from outside India.—

(1) For the purposes of sub-section (2) of section 22 of the Act, any record received from the place outside India shall be deemed to be authenticated if such record is received,—

- (a) from an authority designated under an agreement or treaty entered into by the Central Government with the Government of any country for exchange of information or investigations of cases relating to any offence under the Act, or
- (b) which is purporting to have affixed, impressed or submitted thereon or thereto the seal and signature of any person who is authorised by section 3 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948) to do any notarial acts shall be deemed to be duly authenticated for the purposes of sub-section (2) of section 22 of the Act.

4. Interpretation.—If any question arises relating to the interpretation of these rules, the matter shall be referred to the Central Government and the decision of the Central Government shall be final.

1. *Vide* G.S.R. 448 (E), dated 1st July, 2005, published in the Gazette of India, Extra., Pt. II, Sec. 3(i), dated 1st July, 2005.