
**STATUTORY INSTRUMENTS
SUPPLEMENT No. 24**

24th September, 2018

STATUTORY INSTRUMENTS SUPPLEMENT

to The Uganda Gazette No. 51, Volume CXI, dated 24th September, 2018.

Printed by UPPC, Entebbe, by Order of the Government.

S T A T U T O R Y I N S T R U M E N T S

2018 No. 40.

**THE ANTI-MONEY LAUNDERING (EXCHANGE OF INFORMATION)
REGULATIONS, 2018.**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Interpretation
3. Requests for information

S T A T U T O R Y I N S T R U M E N T S

2018 No. 40.

The Anti – Money Laundering (Exchange of Information) Regulations, 2018

(Under sections 38A and 114 of the Anti-Money Laundering Act, 2013, Act 12 of 2013)

In exercise of the powers conferred upon the Minister by sections 38A and 114 of the Anti-Money Laundering Act, 2013 and upon the advice of the Board of the Financial Intelligence Authority, these Regulations are made this 21st day of September, 2018.

1. Title

These Regulations may be cited as the Anti-Money Laundering (Exchange of Information) Regulations, 2018.

2. Interpretation

In these regulations, unless the context otherwise requires—

“Act” means the Anti-Money Laundering Act, 2013;

“Authority” means the Financial Intelligence Authority;

“competent authority” means investigative, prosecuting, judicial, regulatory or supervisory authorities of the Government of Uganda and includes the Financial Intelligence Authority;

“foreign counterpart” means a body in a country outside Uganda which performs functions similar to those of a competent authority.

3. Requests for information

(1) A request for information may be made to the Authority or a competent authority.

(2) A request for information by a foreign counterpart may be made—

- (a) electronically; though a secured reporting system established by the competent authority;
- (b) electronically by secured mail;
- (c) in writing and submitted by hand or registered post; or
- (d) by facsimile.

(3) The information which a competent authority may share with a foreign counterpart includes—

- (a) information relating to suspected or confirmed money laundering;
- (b) information relating to the financing of terrorism;
- (c) information relating to any criminal activity;

(4) A competent authority shall ensure that every request for information by a foreign counterpart —

- (a) states the reason for the information requested;
- (b) contains sufficient proof to support the request for information including satisfying the requirements of subregulation (2);
- (c) is accompanied with proof that the request is linked to an on-going investigation;
- (d) states the purpose for the information requested; and
- (e) confirm that the request complies with the law of the country establishing the foreign counterpart.

(5) A competent authority shall—

- (a) use the most efficient and secure means to share information with a foreign counterpart;

- (b) establish controls and safeguards to ensure that any information to be shared with a foreign counterpart—
 - (i) is used only by the foreign counterpart requesting for the information; and
 - (ii) is used only for the purpose for which the information is requested;
- (c) ensure that the foreign counterpart maintains appropriate safeguards to keep the information shared confidential.

(6) Where a request to share information is made to the Authority by a foreign counterpart, the Authority may request the relevant competent authority to obtain the information on its behalf for the benefit of the foreign counterpart.

(7) For the purposes of section 38A of the Act, where a request to share information is made to a competent authority by a foreign counterpart, the competent authority shall, subject to the Act, immediately provide the information.

MATIA KASAIJA (MP),
Minister of Finance, Planning & Economic Development.