

Presidential Decree No 164 for 2002
Regarding the Money Laundering Combating Unit

The President of the Republic،

After having perused the Constitution ،

The Banks and Credit Law No 163 for 1957،

Law No 120 for 1975 regarding the Central Bank of Egypt and the Banking System،

The Law regarding Companies Receiving Funds for Investment، promulgated by Law No 146 for 1988،

Law No 205 for 1990 regarding Secrecy of Accounts،

The Capital Market Law promulgated by Law No 95 for 1992،

Law No 38 for 1994 Regulating Dealings in Foreign Currencies،

The Law for Investment Guarantees and Incentives ،promulgated by Law No 8 for 1997،

The Mortgage Law، promulgated by Law No 148 for 2001، and

The Anti-Money Laundering Law، promulgated by Law No 80 for 2002،

following the approval of the Cabinet،

Decreed:

(Article 1)

An independent unit (the Unit) with a special nature for combating money laundering shall be established at the Central Bank of Egypt، and shall assume

the responsibilities prescribed under the Anti-Money Laundering Law No 80 for 2002 as stipulated by this Decree.

(Article 2)

The Unit shall have a Council of Trustees, comprising five members, three in the capacity of their positions, and two experts, as follows:

- 1- Assistant Minister of Justice, to be selected by the Minister (Chairman).
- 2- The senior deputy-governor of the Central Bank of Egypt.
- 3- The Chairman of the Capital Market Authority.
- 4- A representative of Egyptian Banks Federation, to be nominated by the Federation.
- 5- An expert in the financial and banking affairs, to be selected by the Prime Minister.

Formation of such Unit shall be issued by a Decree from the Prime Minister.

(Article 3)

The Unit's Council of Trustees shall be assigned to manage its affairs, lay down its general policy and follow up its implementation, so as to ensure the achievement of its objectives in accordance with the referred to Anti-Money Laundering Law, and shall be specifically in charge of the following:

- 1- Approving the forms necessary for the enforcement of the provisions of the referred to Anti-Money Laundering Law.
- 2- Providing the adequate means for verifying the compliance of the financial institutions with the systems and rules legally established for combating money laundering.
- 3- Ensuring that the Judicial authorities and other entities competent for the enforcement of the provisions of the Anti-Money Laundering Law, have access to the information they require.
- 4- Approving the rules set for exchanging the Unit's available information with foreign counterpart units and international organizations in accordance with international treaties to which Egypt is a party, on the basis of the reciprocity principle.
- 5- Proposing systems and measures for combating money laundering in the country.

(Article 4)

The membership to the Council of Trustees shall be for two years. The Council of Trustees shall convene at the head office of the Central Bank of Egypt in Cairo upon the invitation of its Chairman, at least, once every three months. Its meetings shall be valid with the presence of the majority of its members. Its decisions shall be taken with the absolute majority of the attendants' votes, and in case the votes are equal, the Chairman shall have the casting vote. These decisions shall be enforced with no need for endorsement or ratification.

(Article 5)

The Chairman of the Council of Trustees shall supervise and manage the affairs of the Unit:

- 1- Ensuring that the Unit fully carries out the duties assigned to it.
- 2- Conducting communications and arrangements relevant to the Unit's operations in international forums and exchanging information with competent parties in other countries and international organizations in compliance with the provisions of international treaties.

(Article 6)

The Chairman of the Council of Trustees shall prepare an annual report to be presented to the Board of Directors of the Central Bank of Egypt. The report shall review the activity of the Unit as well as the international developments in the field of combating money laundering and Egypt's stance in this regard. The report and notes of the CBE's Board of Directors shall be submitted to the President of the Republic.

(Article 7)

The Unit's financing shall be provided from the Central Bank of Egypt's budget and any other available private resources, provided that the annual budget of the Central Bank of Egypt shall include the allocation of an appropriate financing for the Unit according to the budget approved by the Council of Trustees.

(Article 8)

Members of the Unit's Council of Trustees and all its personnel are prohibited from disclosing to the client or the beneficiary, or any authorities or entities, other than those responsible for enforcing the provisions of this Law, of any of the procedures of reporting, investigation and examination regarding any financial transactions suspected of involving money laundering or any related information.

(Article 9)

This Decree shall be published in the Official Journal and shall come into force as from the day following its publishing.

Issued at the Presidency of the Republic on 13th Rabea Akhar 1423 H. (24th June 2002 AD).

Hosni Mubarak