

Rwanda

Presidential Order governing the Coordination Council Responsible for Preventing and Fighting Money Laundering, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction

Presidential Order 100 of 2021

Legislation as at 26 August 2021

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Presidential Order governing the Coordination Council Responsible for Preventing and Fighting Money Laundering, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction
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Presidential Order governing the Coordination Council Responsible for Preventing and Fighting Money Laundering, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction Presidential Order 100 of 2021

Published in Official Gazette special on 26 August 2021

Assented to on 26 August 2021

Commenced on 26 August 2021

[This is the version of this document from 26 August 2021.]

We, KAGAME Paul,

President of the Republic;

Pursuant to the Constitution of the Republic of Rwanda of 2003 revised in 2015, especially in Articles 112, 120, 122 and 176;

Pursuant to the Law N° 75/2019 of 29/01/2020 on prevention and punishment of money laundering, financing of terrorism and financing of proliferation of weapons of mass destruction as amended to date, especially in Article 27;

On proposal by the Minister of Finance and Economic Planning;

After consideration and approval by the Cabinet, in its meeting of 11/08/2021;

HAVE ORDERED AND ORDER:

Chapter One General provisions

Article One – Purpose of this Order

This Order determines members of the Coordination Council responsible for preventing and fighting money laundering, financing of terrorism and financing of proliferation of weapons of mass destruction, hereinafter referred to as “Coordination Council”. It also determines its organization and functioning.

Chapter II Organisation of the Coordination Council

Article 2 – Composition of the Coordination Council

The Coordination Council is composed of the following members:

- 1° Minister in charge of Finance, Chairperson;
- 2° Deputy Governor of the National Bank of Rwanda, the Vice-Chairperson;
- 3° Chief Executive Officer of Rwanda Governance Board;

- 4° Executive Director of Capital Market Authority of Rwanda;
- 5° Deputy Prosecutor General;
- 6° Director General of Financial Intelligence Centre;
- 7° Director General of Immigration and Emigration;
- 8° Director General in charge of Criminal Investigation in Rwanda Investigation Bureau;
- 9° Commissioner for Anti-Smuggling and Organized Crimes in Rwanda National Police;
- 10° Commissioner for Customs Services in Rwanda Revenue Authority;
- 11° Registrar General in Rwanda Development Board.

Article 3 – Responsibilities of the Coordination Council

The Coordination Council has the following responsibilities:

- 1° to develop strategies, policies and actions related to preventing and fighting money laundering, financing of terrorism and financing of proliferation of weapons of mass destruction;
- 2° to monitor the implementation of strategies and policies related to preventing and fighting money laundering, financing of terrorism and financing of proliferation of weapons of mass destruction;
- 3° develop measures to strengthen inter-agency collaboration to ease information sharing in preventing and countering money laundering, terrorism financing and financing of proliferation of weapons of mass destruction;
- 4° to coordinate activities and exchange information between its members and other institutions.

Chapter III Functioning of the Coordination Council

Section One – Meeting of the Coordination Council

Article 4 – Convening the meeting of the Coordination Council

The meeting of the Coordination Council is convened and chaired by the Chairperson or the Deputy Chairperson in absence of the Chairperson.

Members of the Coordination Council are invited to its meeting at least fourteen (14) days before the date of the meeting through an invitation letter that contains the agenda accompanied by working documents.

Article 5 – Holding of a meeting of the Coordination Council

The meeting of the Coordination Council is held twice a year and whenever deemed necessary.

The quorum for the meeting of the Coordination Council to be held is at least the absolute majority of members. On the contrary, the meeting is postponed to the date agreed upon by the members present. If the quorum is not met for the second time, the meeting is held regardless of the number of members present.

The members of the Coordination council attend themselves the meeting. No delegation is allowed.

Article 6 – Invitation of a resource person to the meeting of the Coordination Council

The Coordination Council may invite in its meeting a resource person from whom it may seek clarifications or advice on a certain issue on the agenda.

The invitee is allowed neither to participate in the decision making, nor to follow debates on other items on the agenda. He or she only contributes to the discussion on items for which clarifications or advice are sought.

Article 7 – Decision making

The decisions of the Coordination Council are made by consensus. If consensus is not reached, decisions are made by absolute majority of votes of members present. In case of tie, the Chairperson of the meeting has the casting vote.

Article 8 – Submission of decisions of the Coordination Council

The decisions of the Coordination Council are submitted to the Prime Minister within ten (10) working days from the date of the meeting.

Article 9 – Activity report of the Coordination Council

The Coordination Council produces its annual report of activities and submit it to the President of the Republic with a copy to the Prime Minister not later than the second month of the fiscal year following the one reported on.

Section 2 – Technical Committee of the Coordination Council

Article 10 – Composition of the technical Committee

The Technical Committee is composed of technicians from the institutions which provide members to the Coordination Council.

Each institution which provided a member to the Coordination Council appoints a technician to represent it in the Technical Committee.

Article 11 – Responsibilities of the Technical Committee

The Technical Committee has the following responsibilities:

- 1° prepare draft policies and strategies related to the prevention and fighting money laundering, terrorism financing and financing of proliferation of weapons of mass destruction and present them to the Coordination Council;
- 2° prepare measures to strengthen inter-agency collaboration to ease information sharing in preventing and countering money laundering, terrorism financing and financing of proliferation of weapons of mass destruction;
- 3° analyse the issue of money laundering, terrorism financing and financing of proliferation of weapons of mass destruction in Rwanda basing on data and statistics from reports of different institutions at both national and international level and prepare a summary to the Coordination Council for action.
- 4° prepare and analyse the items to be discussed in the meeting of the Coordination Council;

- 5° perform such other duties related to the prevention and countering of money laundering, terrorism financing and financing of proliferation of weapons of mass destruction as the Coordination Council may assign to it.

Article 12 – Meetings of the Technical Committee

The Technical Committee meeting is convened and chaired by the Deputy Director General of the Financial Intelligence Centre quarterly and whenever necessary.

Section 3 – Secretariat of the Coordination Council

Article 13 – Secretariat of the Coordination Council

The Financial Intelligence Centre is responsible for the Coordination Council Secretariat.

The Secretary of the Coordination Council is appointed in accordance with the organizational structure of the Financial Intelligence Centre.

Article 14 – Responsibilities of the Secretariat of Coordination Council

The Coordination Council Secretariat has the following responsibilities:

- 1° prepare meetings of the Coordination Council;
- 2° take minutes of the meetings of the Coordination Council;
- 3° collect data, statistics and quarterly and annual reports, relating to prevention and countering money laundering, terrorism financing and financing of proliferation of weapons of mass destruction and make a summary for members of the Technical Committee for their analysis;
- 4° make a follow up and produce a report on the implementation of resolutions of the Coordination Council;
- 5° prepare and follow up activities of the Technical Committee;
- 6° keep all documents related to the Coordination Council and those of the Technical Committee;
- 7° carry out any other duties that may be given by the Coordination Council or by the Technical Committee related to their duties.

Section 4 – Operating budget

Article 15 – Budget of the Coordination Council

The budget for the Coordination Council is prepared and included in the budget of the Financial Intelligence Centre.

Article 16 – Remuneration and other benefits

Members of the Coordination Council and the Technical Committee do not receive any remuneration, whether by way of honorarium, salary or any other benefits.

Chapter IV

Final provisions

Article 17 – Authorities responsible for the implementation of this Order

The Prime Minister and the Minister of Finance and Economic Planning are entrusted with the implementation of this Order.

Article 18 – Repealing provision

All prior provisions contrary to this Order are repealed.

Article 19 – Commencement

This Order comes into force on the date of its publication in the Official *Gazette* of the Republic of Rwanda.