

Applicability of PMLA on CA/CS/CWA

MINISTRY OF FINANCE (Department of Revenue) NOTIFICATION

New Delhi, the 3rd May, 2023

S.O. 2036(E).— In exercise of the powers conferred by sub-clause (vi) of clause (sa) of sub-section (1) of section 2 of the Prevention of Money-laundering Act, 2002 (15 of 2003), the Central Government hereby notifies that the financial transactions carried out by a relevant person on behalf of his client, in the course of his or her profession, in relation to the following activities-

- i. buying and selling of any immovable property;
- ii. managing of client money, securities or other assets;
- iii. management of bank, savings or securities accounts;
- iv. organisation of contributions for the creation, operation or management of companies;
- v. creation, operation or management of companies, limited liability partnerships or trusts, and buying and selling of business entities,

shall be an activity for the purposes of said sub-section.

Explanation 1.- For the purposes of this notification 'relevant person' includes —

- i. an individual who obtained a certificate of practice under section 6 of the Chartered Accountants Act, 1949 (38 of 1949) and practicing individually or through a firm, in whatever manner it has been constituted;
- ii. an individual who obtained a certificate of practice under section 6 of the Company Secretaries Act, 1980 (56 of 1980) and practicing individually or through a firm, in whatever manner it has been constituted;
- iii. an individual who has obtained a certificate of practice under section 6 of the Cost and Works Accountants Act, 1959 (23 of 1959) and practicing individually or through a firm, in whatever manner it has been constituted.

Explanation 2.- For the purposes of this notification 'firm' shall have the same meaning assigned to it in sub-clause (i) of clause (23) of section 2 of the Income-tax Act, 1961 (43 of 1961).

[F. No. 1,12011/12/2022-ES Cell-DOR]
SHASHANK MISRA, Director (Headquarter)