

法規名稱：AGREEMENT BETWEEN THE REPUBLIC OF CHINA (TAIWAN) AND THE REPUBLIC OF THE MARSHALL ISLANDS CONCERNING COOPERATION IN THE EXCHANGE OF INTELLIGENCE RELATED TO MONEY LAUNDERING

簽訂日期：民國 95 年 04 月 14 日

生效日期：民國 95 年 04 月 14 日

The competent authorities of the Republic of China (Taiwan) (Money Laundering Prevention Center, Investigation Bureau, Ministry of Justice) and the Republic of the Marshall Islands (Banking Commission), hereinafter referred to as "the Authorities", desire, in a spirit of cooperation and mutual interest, to facilitate the investigation and prosecution of persons suspected of money laundering and criminal activity related to money-laundering.

To that end they have reached the following understanding:

- 1.The Authorities will cooperate to assemble, develop and analyze information and documents in their possession concerning financial transactions suspected of being related to money laundering or criminal activities connected with money laundering. To that end, the authorities will exchange spontaneously or upon request any available information that may be relevant to the investigation by the Authorities into financial transactions related to money laundering and the persons or legal entities involved. Any request for information will be accompanied by a brief statement of the underlying facts, the alleged criminal activity involved and the purpose for which the information and documents will be used.
- 2.The information or documents obtained from the respective Authorities will not be disseminated to any third party, nor be used for administrative, prosecutorial or judicial purposes without prior consent of the disclosing Authority. It is understood that information obtained in accordance with this

Agreement shall only be used in connection with investigations related to money laundering originating from specific categories of criminal activity. Predicate offenses for the offense of money laundering are acts that would be considered criminal offenses under both jurisdictions' penal laws.

- 3.The Authorities will not permit the use or release of any information or document obtained from the respective Authorities for purpose other than those stated in this Agreement.
- 4.The information acquired in application of the present Agreement is confidential. It is subject to official secrecy and is protected by at least the same confidentiality as provided by the national legislation of the receiving Authority for similar information from national sources. Notwithstanding, the termination of the Agreement, this provision shall remain in application.
- 5.The Authorities will jointly arrange, consistent with the legislation of their respective countries, for acceptable procedures of communication and will consult each other with the purpose of implementing this Agreement.
- 6.Communication between the Authorities will take place in English.
- 7.A requested Authority may refuse to provide information or documents if:
 - (a) the Authority determines that release of the information or documents requested is outside the scope of that Authority's legal mandate;
 - (b) judicial proceedings have been initiated in the country of the requested Authority in relation to the same acts or omissions alleged to constitute the offence about which the request for information or documents is made.
- 8.The Authorities will ensure that an effective audit trail is maintained in respect of any information supplied under the terms of this Agreement.
- 9.This Agreement may be amended at any time by mutual consent.



10. This Agreement is revocable at any time. The termination will become effective from the date of receipt of the written notification from the other Authority.
11. This Agreement will become effective upon the signature by the Authorities.

Signed at Taipei, on the Fourteenth day of April of 2006, in the English and Chinese languages, both texts being equally authentic,

For the Republic of China
(Taiwan)

For the Republic of
the Marshall Islands

Michael Y. M. Kau
Acting for Minister of Foreign
Affairs

Gerald Zackios
Minister of Foreign Affairs