

法規名稱：MEMORANDUM OF UNDERSTANDING BETWEEN THE ANTI-MONEY LAUNDERING DIVISION, INVESTIGATION BUREAU, MINISTRY OF JUSTICE, REPUBLIC OF CHINA (TAIWAN) AND THE FINANCIAL MONITORING CENTER OF THE CENTRAL BANK OF THE REPUBLIC OF ARMENIA CONCERNING COOPERATION IN THE EXCHANGE OF INTELLIGENCE RELATED TO MONEY LAUNDERING AND TERRORIST FINANCING

簽訂日期：民國 100 年 07 月 12 日

生效日期：民國 100 年 07 月 12 日

The Anti-Money Laundering Division, Investigation Bureau, Ministry of Justice, Republic of China (Taiwan) and the Financial Monitoring Center of the Central Bank of the Republic of Armenia hereafter referred to as “ the Authorities ” , desire, in a spirit of cooperation and mutual interest, and within the spirit of the framework of each Authority ’ s national legislation, to facilitate the investigation and prosecution of persons, proceeds and transactions suspected of money laundering or the financing of terrorism and criminal activities related to money laundering or the financing of terrorism.

To that end they have reached the following understanding:

1. EXCHANGE OF INFORMATION

The Authorities will cooperate on the basis of reciprocity to assemble, develop and analyse information in their possession concerning financial transactions suspected of being related to money laundering and terrorist financing or criminal activities connected with money laundering and terrorist financing. 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, terrorist financing and the persons or companies involved. Any request for information will be justified by a brief statement of the underlying facts.

2. DISCLOSURE OF INFORMATION

- (a) Subject to 2(b), the information obtained from the respective Authorities will not be disseminated to any third party, nor be used for administrative, prosecutorial or judicial purposes without the express prior consent of the disclosing Authority. It is understood that information obtained in accordance with this Memorandum of Understanding(hereafter refer to as MOU) can only be used in justice when related to money laundering or the financing of terrorism and other criminal activities as specified in the national legislation of states of the Authorities.
- (b) If an Authority is subject to legal process or proceedings that would require the disclosure of information it has received from the other Authority, the Authority subject to such process or proceedings will immediately notify and seek the express consent of the other Authority to disclose the information, and if consent has not been provided, reasonable efforts will be taken to ensure that the information will not be disseminated to any third party or that appropriate limitations are placed upon the disclosure.
- (c) If there is a breach of confidentiality the aggrieved Authority shall have the right to resort to the procedures set forth in the Egmont Group standards for resolving disputes.

3. CONFIDENTIALITY

The information acquired in application of this MOU 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 this MOU, this provision shall remain in application.

4. COMMUNICATION PROCEDURES

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 MOU.

5. OFFICIAL LANGUAGE FOR COMMUNICATIONS

Communication between the Authorities shall take place in English. Requests for information will be submitted in writing, through the Egmont Secure Web and, in matters of urgency or for technical reasons, by fax.

6. REFUSAL FOR PROVIDING INFORMATION

The Authorities are under no obligation to give assistance if:

- (a) Provision of such information would be likely to prejudice the sovereignty, security, national interest or other essential interests of the country of the requested Authority.
- (b) The Authority determines that the release of the information or documents requested may unduly prejudice an investigation or judicial proceeding in the country of the Requested Authority.

7. NOTICE

If the Requested Authority is of the opinion that the request cannot be acceded to, the Requested Authority will notify the Requesting Authority in writing.

8. AMENDMENT

This MOU may be amended at any time in writing by mutual consent which shall be arranged as a single protocol, which would be an integral part of this MOU.

9. TERMINATION

This MOU is revocable at any time. The termination will

become effective as from the reception of the written notification from the other Authority.

10. EFFECTIVE DATE

This MOU will become effective upon the signature by the Authorities.

In witness whereof, the undersigned, being duly authorized by their respective competent authorities, have signed this MOU.

Signed in Yerevan, Armenia, on this twelfth of July, 2011, in two copies, in the English language (this English text being the agreed authentic text, and each Authority taking the responsibility for establishing translation in their own language).

Chih-Ping Chang
Director

Daniel Azatyan
Head

For The Anti-Money
Laundering Division,
Investigation Bureau,
Ministry Of Justice,
Republic Of China
(Taiwan)

For The Financial
Monitoring Center Of
The Central Bank Of
The Republic Of
Armenia