

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

簽訂日期：民國 101 年 11 月 06 日

生效日期：民國 101 年 11 月 06 日

The competent authorities of the Republic of China (Taiwan) (The Anti-Money Laundering Division, Investigation Bureau, Ministry of Justice, the designated authority under the Money Laundering Control Act of 1997, with its head office at 74, Zhonghua Rd., Xindian District, New Taipei City) and the Dominican Republic (The National Anti-Money Laundering Committee (CONCLA), National Institution of the Dominican Republic, established under Law No. 72-02 dated June 7, 2002, located at Federico Henriquez y Carvajal Street No. 11, Gazcue, Santo Domingo, National District, Capital of The Dominican Republic), 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 activities related to money laundering and financing of terrorism.

WHEREAS: Transnational money laundering requires international cooperation to cope with it effectively.

WHEREAS: One effective way to combat organized crime is to seize and eliminate the profits derived from criminal economic activity.

WHEREAS: Cooperation among countries is required to combat this activity, in accordance with the domestic laws of each country and the norms of international law.

To that end the Authorities have reached the following understanding:

Article 1

The Authorities shall cooperate to assemble, develop and analyse information in their possession concerning financial transactions suspected of being related to money laundering and financing of terrorism or financial transactions of criminal activities connected with money laundering and financing of terrorism. To that end, the Authorities shall 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, financing of

terrorism and persons or companies involved. Any requests for information will be justified by a brief statement of the underlying facts.

Article 2

The requesting Authority shall provide the requested Authority with the reason for the request to enable the Authority to determine whether the application complies with its domestic laws.

Article 3

The Authorities shall not permit the use or release of any information or document obtained from the respective Authorities for purposes other than those stated in the request. The information or documents obtained from the respective Authorities shall 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 justice when related to money laundering, the financing of terrorism and related crimes.

Article 4

The information acquired in application of this 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.

Article 5

The Authorities are under no obligation to give assistance if judicial proceedings have already been initiated concerning the same facts as the request is related to.

Article 6

The Authorities shall jointly arrange, consistent with the legislation of their respective countries, for acceptable procedures of communication and shall consult each other with the purpose of implementing this Agreement.

Article 7

Communication between the Authorities shall take place in the English language as much as possible.

Article 8

This Agreement shall become effective upon the date of signature by the Authorities and may be amended at any time by mutual

consent in written document. This Agreement is revocable at any time. The termination will become effective 30 days after the reception of the written notification from the other Authority. Notwithstanding the termination of the Agreement, Article 4 shall remain in application.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

Signed in duplicate, on this 6th of November, 2012 at Taipei, in the Chinese, Spanish and English languages, three texts being equally authentic. In case of divergence in the interpretation of this Agreement, the English text shall prevail.

FOR THE
INVESTIGATION
BUREAU, MINISTRY OF
JUSTICE, REPUBLIC OF
CHINA (TAIWAN)

Fu-Lin WANG
Director General

FOR THE NATIONAL
ANTI-MONEY
LAUNDERING
COMMITTEE, THE
DOMINICAN REPUBLIC

Dr. Fidias F. Aristy
President