

法規名稱：AGREEMENT BETWEEN THE ANTI-MONEY LAUNDERING DIVISION, INVESTIGATION BUREAU MINISTRY OF JUSTICE, THE REPUBLIC OF CHINA (TAIWAN) AND THE FINANCIAL INTELLIGENCE UNIT OF ST.VINCENT AND THE GRENADINES CONCERNING THE EXCHANGE OF FINANCIAL INTELLIGENCE RELATED TO MONEY LAUNDERING AND TERRORIST FINANCING

簽訂日期：民國 101 年 12 月 11 日

生效日期：民國 101 年 12 月 11 日

The Anti-Money Laundering Division, Investigation Bureau, Ministry of Justice, the Republic of China (Taiwan) and the Financial Intelligence Unit of St. Vincent and the Grenadines (SVGFIU) (each hereinafter referred to as an “ Authority ” or collectively as “ the Authorities ”)desire, in a spirit of co-operation and mutual interest, and within the framework of each Authority ’ s national legislation, to facilitate the exchange of information in support of the investigation or prosecution of money laundering or terrorist financing.

To that end the Authorities have reached the following understanding:

Objective

- 1、To set out a framework whereby the Authorities, to the fullest extent allowed by the laws of their respective countries, will provide to each other information they have reasonable to suspect would be relevant to the investigation or prosecution of money laundering or terrorist financing.

Information Exchange

- 2、To the extent authorized by the laws of its country, and consistent with its own policies and procedures, each Authority will provide, spontaneously or upon request from the other, any available information that may be relevant to the investigation or prosecution of money laundering or terrorist financing. Information provided to an Authority may only be used for purposes relevant to the investigation or prosecution of money laundering or terrorist financing.

Justification of Request

- 3、A requesting Authority will, to the extent possible, provide a brief statement of the underlying facts justifying any request for information.

Disclosure of Information

- 4(a) Subject to 4(b), a receiving Authority shall not disclose (including disclosure in an administrative, prosecutorial or judicial proceeding) the information (except as set

forth in a request for information) without the express prior consent of the providing Authority.

- 4(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.

Use and Disclosure of Information Contained in a Request

- 5(a) Information contained in a request will only be used for purposes relevant to investigating or prosecuting a money laundering or terrorist financing offence.
- 5(b) The requested Authority may not, without the express prior consent of the requesting Authority, disclose information contained in the request for any purpose other than to obtain information in order to respond to a request.

Notice

6. If an Authority decides not to respond to a request, the Authority that received the request for information will notify the requesting Authority of its decision.

Communication Procedures

7. 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. Communication between the Authorities shall take place in English.

Confidentiality

8. All information exchanged by the Authorities will be subjected to strict controls and safeguards to ensure that the information is used only in an authorized manner and treated in a confidential manner. Exchanged information will be protected by the same confidentiality as provided by the legislation of the country of the receiving Authority for similar information received from domestic sources.

Further Cooperation

9. The Authorities will discuss other avenues of cooperation between them in the prevention, detection and deterrence of money laundering and terrorist financing.

Amendments

10. This Agreement may be amended at any time by mutual consent.

Term and Termination

11. This Agreement will become effective upon the day of signature by the Authorities and be revocable at any time. The termination will become effective as of the receipt by an Authority of the written notification from the other Authority. The terms and conditions of this Agreement dealing with the confidentiality of information received prior to the termination of this Agreement will remain in effect after the termination of this Agreement.

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

Signed in duplicate in the English language, being the agreed authentic language and any necessary translation being the responsibility of the Authority concerned.

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

Chih-Ping Chang
Director

Date : Nov 、 16 、 2012
Place: Taipei

For the Financial
Intelligence Unit of St.
Vincent and the
Grenadines

Grenville Williams
Director

Date : DEC 11, 2012
Place: Kingstown