

## 備忘錄

### 中華民國法務部調查局洗錢防制中心與阿爾巴尼亞反洗錢理事會防制洗錢情報合作交換備忘錄

簽署備忘錄雙方主管機關（以下簡稱雙方）基於互助及互惠精神及促進調查及起訴洗錢及與洗錢有關犯罪活動，達成下列共識：

1. 雙方將合作彙整、發展、分析疑似涉及洗錢之金融交易資訊並將涉及洗錢之金融交易或公司、個人資料，主動提供，或於受請求時提供資料。請求之提出應簡要敘明相關犯罪事實。
2. 取得之資訊或文件不得提供予第三人。未徵得提供方事先同意，不得將取得的資料用於行政、起訴及司法用途。
3. 未經提供資料一方事先同意，接收方不得運用或公開任何情資、文件於本備忘錄規範目的外之用途。
4. 根據本備忘錄取得之情資列為機密資料，接受方應列為官方機密並依其國內法提供與其國內同等資訊至少相同機密等級予以保護。
5. 簽署雙方應在符合其國內相關法令之情形下，共同安排雙方均可接受之溝通程序就備忘錄之執行進行諮商。
6. 雙方溝通儘可能以英語為之。
7. 若請求協助之案件已進入司法程序，則受請求方無義務提供協助。
8. 本備忘錄經簽署雙方同意，得隨時修訂。
9. 本備忘錄隨時可撤銷，締約一方得以書面通知他方後，終止本協定，該終止自收受通知後生效。
10. 本備忘錄將於簽署當日起生效。

中華民國法務部調查局洗錢防制中心  
劉新太 主任  
簽署時間：2004年11月25日  
地點：台北，中華民國

阿爾巴尼亞反洗錢理事會  
Lutfi MINXHOZI 處長  
簽署時間：2004年6月15日  
地點：Tirana, Republic of Albania

MEMORANDUM OF UNDERSTANDING  
BETWEEN MONEY LAUNDERING PREVENTION CENTER, INVESTIGATION  
BUREAU, MINISTRY OF JUSTICE (REPUBLIC OF CHINA)

AND

THE DIRECTORY OF COORDINATION FOR FIGHT AGAINST MONEY  
LAUNDERING IN THE MINISTRY OF FINANCE (REPUBLIC OF ALBANIA)  
CONCERNING COOPERATION IN THE EXCHANGE OF FINANCIAL  
INTELLIGENCE RELATED TO MONEY LAUNDERING

The competent authorities of Republic of Albania (Directory of Coordination For Fight Against Money Laundering) and of Republic of China (Money Laundering Prevention Center, Investigation Bureau, Ministry of Justice), hereafter 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 analyse information 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 companies involved. Any request for information will be justified by a brief statement of the underlying facts.
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.
3. The Authorities will not permit the use or release of any information or document obtained from the respective Authorities for purposes other than those stated in this Memorandum, without the prior consent of the disclosing Authority.
4. The information acquired in application of the present Memorandum 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.

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 Memorandum.

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

7. 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.

8. This Memorandum may be amended at any time by mutual consent.

9. This Memorandum is revocable at any time. The termination will become effective as from the reception of the written notification from the other Authority.

10. This Memorandum will become effective upon the signature by the Authorities.

For: Money Laundering Prevention  
Center

For: Directory of Coordination for  
Fight Against Money Laundering

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Liu Hsin Tai, Director  
Signed in Taipei on November 25, 2004

Lutfi MINXHOZI, Director  
Signed in Tirana on June 15, 2004