

ANTI-MONEY LAUNDERING ANNUAL REPORT, 2011



PREFACE

Anti-money laundering is the means as well as the purpose of investigating serious offences. The new types of financial transaction tools such as internet banking, ATM cards, phone banking, and other electronic payment functions have become popular and convenient. Perpetrators often take advantages of such the new patterns of financial instruments that have the characteristics of no time difference and no boundary to engage in money laundering and terrorist financing. For the purpose of suppressing the above crimes, financial institutions have taken countermeasures including verification of customer identification, retention of transaction records, and enhancing the quality and volumes of Suspicious Transaction Reports (STRs). Moreover, regarding international cooperation, the concerned authorities seize every chance to promote international mutual legal assistance with other countries. Currently, the Anti-Money Laundering Division (AMLD) of the Investigation Bureau, as Taiwan's financial intelligence unit (FIU), is actively involved in the activities of Asia Pacific Group on Money-Laundering (APG) and Egmont Group (EG). The AMLD has also signed agreements or memorandums with 23 foreign counterparts to cooperate in financial information exchange concerning money laundering and terrorist financing. Through the platform of the EG secured web, the AMLD can securely and effectively facilitate information exchange with foreign counterparts against money laundering and terrorist financing.

In 2011, the AMLD received 7,514 Suspicious Transaction Reports (STRs) from financial institutions that is four times more than the volume of STRs received in 2009 and represents a 65% increase on the volume of reports received in 2010. This year, the AMLD began to plan and design the STR online reporting system for the banking sector, which accounts for more than 95% volume of STRs in one year, to resolve the dramatic increase volumes of STRs and the problem of manpower shortage. The system was in-

stalled completely in Mid-December 2011 and successfully passed the test. And on January 1, 2012, it officially began to operate. Filing STRs through the new reporting system can not only accelerate reporting process but also reduce the possibility of errors while compiling reports. Besides , based on the framework of the STR online reporting system, the AMLD is implementing the financial intelligence data management project to improve its operational and analytical intelligence capabilities. It's expected that the new system can enhance the AMLD's ability to verify and cross-match the identities of the entities and individuals in the database to uncover valuable clues of criminal activities and strengthen the effectiveness of this FIU.

This Annual Report is to provide reference for practical operations and researches. Should you spot any errors or would like to make suggestions; we welcome your precious comments.

Investigation Bureau, Ministry of Justice

Director General

September 2012.

ditorial Note

I. Purposes

Financial Action Task Force (FATF) suggested in the 33rd recommendation of the Forty Recommendations amended in February 2012 that "Countries should maintain comprehensive statistics on matters relevant to the effectiveness and efficiency of their AML/CFT (Anti-money laundering and combating terrorism financing) systems. This should include statistics on the STRs received and disseminated; on money laundering and terrorist financing cases investigated, prosecuted and convicted; on property frozen, seized and confiscated; and on mutual legal assistance or other international requests for cooperation." Therefore, this Annual Report includes the statistics and analysis of annual data regarding AML/CFT performed by the domestic financial institutions, law enforcement agencies, the judicial authorities, and other competent authorities.

II. Contents

- A. The annual report consists of the following four parts:
 - 1. Introduction to the Organization.
 - 2. Work Overview (including statistical information and charts).
 - 3. Significant Case Studies.
 - 4. The Major Events of the AMLD in 2011.
- B. The Annual Report is produced on the basis of data related to the work of the AMLD and the Financial Supervisory Commission of the Executive Yuan on AML/CFT, and cases prosecuted by the district prosecutors offices regarding the violation of the Money Laundering Control Act (including deferred prosecutions and petitions for summary judgment).

III. Notes

- (I) The years quoted in this English version of the Annual Report refer to years of Christ. The numbers of STRs, Currency Transaction Reports (CTRs), and International Currency and securities Transportation Reports (ICTRs) are based on the numbers of reports. The prosecutions in district prosecutors offices and judgments at all levels of courts are based on the numbers of cases. The amounts of money are calculated in NTD. Special cases are noted in corresponding figures (tables).
- (II) The percentages referred to herein are rounded off. The round-off may create slight differences between integers and decimals.
- IV. This Annual Report was compiled and printed in a haste. We welcome your precious comments should you spot any errors or would like to make suggestions.







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Part One:

Introduction to the Organization



The lucrative proceeds and wealth originating from serious crimes make it possible for organized crime syndicates to infiltrate all levels of government agencies, legitimate businesses, financial institutions and different parts of the society. The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances concluded in Vienna in 1988 stipulates state parties to constitute laws to penalize money laundering associated with drug trafficking. In 1989's Summit in Paris, the leaders of the states and governments recognized the threat posed to the banking system and to financial institutions, they established the Financial Action Task Force on Money Laundering (FATF) to set out measures to combat money laundering. Immediately in 1990, the FATF 40 Recommendations were released. In 1996, they were amended by the FATF and required that besides drug trafficking, the predicate offences of money laundering should extend to other serious offences. Then in 2001, the FATF issued the Eight Special Recommendations to deal with the issue of terrorist financing. In 2004, the FATF further strengthened the agreed international standards on combating money laundering and terrorist financing - the 40+9 Recommendations. In February 2012, the FATF completed a thorough review of its standards and published the reviewed FATF Recommendations as "International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation".

In response to the global trends to curb the detriment caused by money laundering, the government drafted the Money Laundering Control Act ("MLCA"), which was passed by the Legislative Yuan on October 23, 1996 and took effect on April 23, 1997 upon presidential decree. After more than fifteen years of implementation and practice, the MLCA underwent amendments in 2003, 2006, 2007, 2008, and 2009 respectively to tackle the practical problems encountered for reacting to the requirements of the FATF Recommendations and the practical need in implementation.

In order to prevent criminals from abusing financial institutions as a vehicle for money laundering and to detect major crimes and money-laundering at the point of transactions, anti-money laundering legislations around the world all require financial institutions to file suspicious transaction reports (STRs). Taiwan has the similar reporting mechanism provided in Article 8 of the MLCA. Based on the definition in the related international organizations, an authority which is responsible for receiving and analyzing STRs is called

Financial Intelligence Unit (FIU). In 1997, in accordance with the MLCA, the Investigation Bureau, Ministry of Justice (MJIB) was assigned by the Executive Yuan to receive STRs filed by financial institutions in 1997 and the Money Laundering Prevention Center (MLPC) was established in the same year to act as the Taiwan's FIU. In addition, pursuant to Subparagraph 7, Article 2 of the Organic Act of the MJIB passed by the Legislative Yuan on November 30, 2007 and put into practice on December 19 in the same year upon presidential decree, the MJIB is in charge of "money laundering prevention related matters". And pursuant to Article 3 of the same Act, the MLPC changed the name to the "Anti-Money Laundering Division" (AMLD) and kept on the same functions of Taiwan's FIU. The AMLD currently has 24 staff members. Please refer to Figures A and B regarding the AMLD's organizational structure, mandates and SOP of work. Its budget allocated for 2011 was NTD\$2,230,000 plus.

Pursuant to Article 9 of the Regulations for Department Affairs of Investigation Bureau, Ministry of Justice amended on October 17, 2008, the functions of AMLD are as follows:

- 1.Researching anti-money laundering strategies and providing consultation in the formulation of relevant regulations;
- 2. Receiving, analyzing, processing, and utilizing suspicious transaction reports (STRs) filed by financial institutions;
- 3. Receiving and maintaining currency transaction reports (CTRs) filed by financial institutions and receiving and processing cross-border transportation of cash and bearer negotiable instruments reports (ICTRs) forwarded by customs;
- 4. Assisting other domestic law enforcement partner agencies in matching the AMLD database for investigating money laundering cases and coordinating/contacting with respect to money laundering prevention operation;
- 5. Liaison, planning, coordination and implementation of information exchange, personnel training and cooperation in investigating money laundering cases with foreign counterparts;
- 6. Compilation and publication of annual report on anti-money laundering work and work manuals, and the management of relevant data and information; and
- 7. Other anti-money laundering related matters.



FATF

FATF is a policy-maker for combating money laundering and terrorist financing (AML/CFT). The members of FATF and FATF-style regional bodies (FSRBs) members, ie. Asia-Pacific Group on Money Laundering (APG), conduct self-assessment and mutual evaluations to ensure the effectiveness of implementation of the AML/CFT international standards.

Currently, the FATF has 36 member countries (34 jurisdiction and 2 organizations, i.e. the Gulf Cooperation Council and the European Commission) and 8 associate members (FSRBs) that can fully participate in the General Assembly and working group meetings.

○ Financial Intelligence Unit (FIU)

According to the amended FATF's Recommendation 20, if a financial institution suspects or has reasonable grounds to suspect that funds are the proceeds of a criminal activity, or are related to terrorist financing, it should be required, by law, to report promptly its suspicions to the financial intelligence unit (FIU). Recommendation 29 states that countries should establish a financial intelligence unit (FIU) that serves as a national centre for the receipt and analysis of: (a) suspicious transaction reports; and (b) other information relevant to money laundering, associated predicate offences and terrorist financing, and for the dissemination of the results of that analysis. Egmont Group, an international organization organized by FIUs of different countries, defines FIU as "a central, national agency responsible for receiving, (and as permitted, requesting), analyzing and disseminating to the competent authorities, disclosures of financial information:

- (i) concerning suspected proceeds of crime and potential financing of terrorism, or
- (ii) required by national legislation or regulation, in order to combat money laundering and terrorism financing".

Paragraph 1, Article 8 of the MLCA provides: "For any financial transaction suspected of committing a crime prescribed in Article 11 herein, the financial institutions referred to in this Act shall ascertain the identity of the customer and keep the transaction record, and report the suspicious financial transaction to the Investigation Bureau, Ministry of Justice." Also, Articles 7 and 10 of the same Act provide that if any currency transaction exceeding a certain amount of money, or passengers or service crew on board who cross the border with bulk foreign currency or bearer negotiable securities, the financial institutions or customs shall report or forward subsequently to the MJIB.



Egmont Group

Financial Intelligence Unit (FIU) is an important channel for intelligence exchange among the law enforcement agencies worldwide. The FIUs from many countries made a resolution in a meeting at the Egmont-Arenberg Palace in Brussels Belgium on June 6, 1995 to found the "Egmont Group" for cooperation against money laundering crimes; especially for the scope of intelligence exchange, training, and technology sharing.

Taiwan joined the Egmont Group at the Sixth Annual Meeting in June 1998 with the title of "Anti-Money Laundering Division, Taiwan" (AMLD, Taiwan). So far, the Egmont Group has 127 member countries and provides a secured web for facilitating intelligence exchange among FIUs.

Figure A: AMLD Organizational Chart

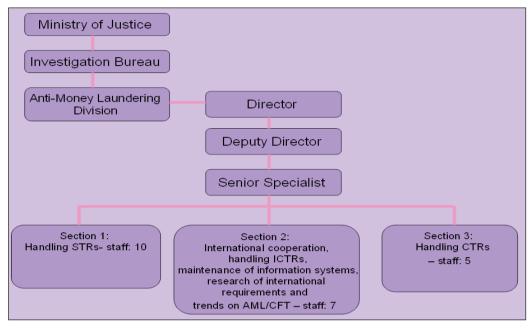
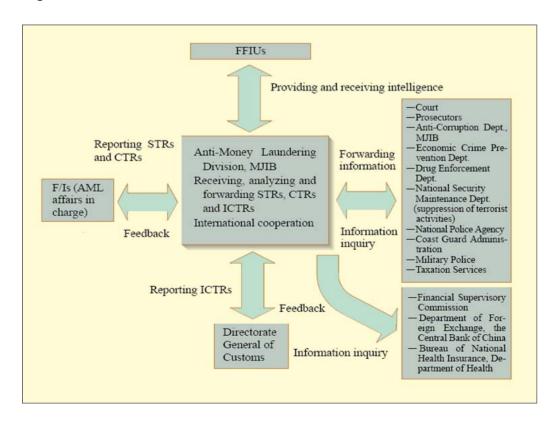
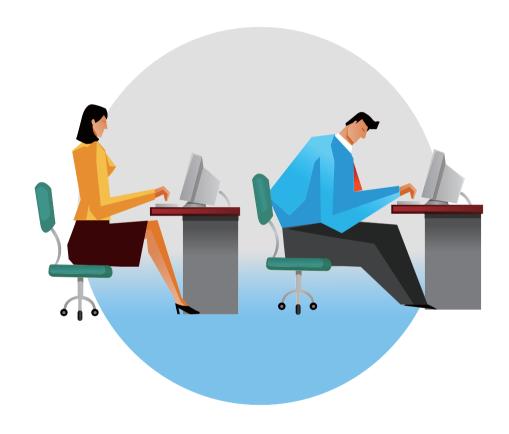


Figure B: SOP Of Work in the AMLD



Part Two:

Work Overview



- I. Strategic Research on AML/CFT
- $\ \, \textbf{II. Processing the STRs Filed by Financial Institutions} \\$
- III. Processing the CTRs Filed by Financial Institutions
- IV. Processing the International Currency and Securities Transportation Reports (ICTRs) Forwarded by Customs
- V. Statistics Regarding Prosecuted Cases under the Money Laundering Control Act
- VI. Training and Public Awareness
- **VII. International Cooperation**



I. Strategic Research on AML/CFT

A. Developing the STR Online Reporting System

The volumes of STRs significantly increase year by year. Particularly in 2011, the AMLD received 7,514 STRs from financial institutions that is four times more than the STRs received in 2009 and represents a 65% increase on the volume of the STRs received in 2010. Therefore in 2011, the AMLD initiated to develop and design the STR online reporting system for the banking sector, which accounts for more than 95% volume of STRs in one year, to resolve the dramatic increase volumes of STRs and the problem of manpower shortage. During the preliminary stage, the AMLD and Information and Communication Security Division of the Investigation Bureau deliberated about the transmission process and platform and the security of network. Meanwhile, the AMLD also designed a new digital reporting format with the accurate definition in each column to enhance practicality and efficiency of reporting process. In addition, two consultative seminars held by the AMLD have provided the significant occasions to consult with banking industry on this issue. After lots of tests and modifications, the STR online reporting system was installed completely in Mid-December 2011 and successfully came into operation in banks and credit cooperative associations on January 1, 2012.

(1) Convening Consultative Seminars of the STR Online Reporting System

The first consultative seminar of the STR online reporting system was convened on February 17, 2011. The Financial Supervisory Commission of the Executive Yuan, the Central Bank, the Ministry of Justice, the National Union of Bankers Association, R.O.C, and representatives of some financial institutions were invited to attend the meeting for discussing the details of the digital reporting format, required columns, and the method of attaching trans-



● The first consultative seminar of the STR online reporting system held by the Investigation Bureau on February 17, 2011

action records while submitting.

The second consultative seminar of the STR online reporting system was convened on August 16, 2011. The Financial Supervisory Commission of the Executive Yuan, the Central Bank, the Ministry of Justice, the National Union of Bankers Association, R.O.C, and representatives of some financial institutions were invited to attend the meeting for understanding the progress of the developing system and confirming the format, columns, and subsequent complementary actions. Then, Taipei Fubon Commercial Bank, Commercial Bank of Cathay Pacific, Citi Bank (Taiwan), Standard Chartered Bank, Taiwan Shin Kong Commercial Bank, Yuanta Commercial Bank, and China Trust Commercial Bank voluntarily participated the test of this system.



● The second consultative seminar of the STR online reporting system held by the Investigation Bureau on August 16, 2011

(2) Installing the Software of the STR Online Reporting System

After confirming that the system had been tested successfully by the 7 banks mentioned above, the personnel of the AMLD and the Information and Communication Security Division of the Investigation Bureau were assigned to installed the software at banks and credit cooperative associations during the period of the late November to the Mid-December 2011. The AMLD got overwhelming response from bank staff regarding the functions and operation of this system and both exchanged opinions on detailed questions and user-friendly operation which provided the AMLD with the reference while programming in the future. So far, the STR online reporting system has worked smoothly. The staff of the AMLD have been trained for being more familiar with this system.

Actually, the CTR online reporting system has carried out for 10 years since the "Currency Transaction above the Applicable Designated Threshold and Suspicious Transactions Reporting Rules" was amended by the Financial Supervisory Commission, Executive Yuan on August 6, 2003. However, in response to the constant changes in the international AML trends and in order to enhance the functions and effectiveness of the domestic AML/CFT regime,



• Installing the STR online reporting system at the bank

the STR reporting mechanism changed from filing in paper to reporting online in the beginning of 2012, which is indeed the milestone of the AML development in Taiwan. Nowadays, on the basis of the framework of the STR online reporting system, the AMLD is developing artificial intelligence filtering system by setting risk parameters, instead of manual selection at present. With such objective evaluation of STRs, it's expected that the new filtering system can improve the analytical performance. And then the AMLD can centralize manpower and time to analyze and filter valuable clues of criminal activities for strengthening the effectiveness of the whole AML/CFT regime.

B. Organizing the Seminar of "Advanced Investigative Strategies in Human Trafficking and Money Laundering Crimes".

Human Trafficking Prevention Act promulgated on January 12, 2009 adopts severely punishment strategies. Thus human smuggling offence is one of the listing predicate offences in Money Laundering Control Act (MLCA). The international organizations on AML/CFT have also organized research projects to study "human trafficking and money laundering" for enhancing the

effectiveness of confiscating the illegal gains of human trafficking, blocking the benefits of the traffickers, and stoping the incentives of the perpetrators.

For the implementation of the anti-human trafficking and the protection of the victims' rights, the Investigation Bureau held the seminar of "Advanced Investigative Strategies in Human Trafficking and Money Laundering Crimes" on January 13, 2011. Ms. Ye-Ting Woo, the Federal Prosecutor of the U.S. Department of Justice, Mr. Chunhui Chang, Prosecutor of Taoyuan District Prosecutors Office, and Ms. Zhifang Bai, the Supervisor of the Rescue Division of Taipei Womens' Rescue Foundation, were invited to give presentations on the topics of human trafficking and money laundering, human trafficking and asset confiscation, the legislation related to human trafficking in Taiwan, and victims protection program and services. In addition to the personnel of the AMLD, Investigation Bureau, the staff of National Immigration Agency of the Ministry of the Interior were invited to attend the conference. All participants were impressed by the presenters who made it easily understand with the commentaries on case studies regarding human trafficking. The seminar was a big success. The participants enthusiastically exchanged opinions and shared valuable experience. It would be helpful for developing the capacity of law enforcement agencies to detect and deter offences of human trafficking.



• The presentation given by Ye-Ting Woo, the Federal Prosecutor of the U.S. Department of Justice

II. Processing the STRs Filed by Financial Institutions

A. The Statistics Regarding STRs

Financial institutions filed 7,514 STRs in 2011. Please refer to Table 01 and Table 02 for The Statistics regarding STRs from financial institutions in 2011 and in the past three years.

Table 01: Statistics Regarding STRs Filed by Financial Institutions

Reporting Entities	No. of Reports
Domestic banks	6,927
Foreign banks	30
Credit cooperative associations	80
Credit department of farmers' association and fishermen' associations	19
Securities brokers	8
Insurance companies	18
Postal service institutions which also handle the money transactions of deposit, transfer and withdrawal	376
Securities investment and trust enterprises	1
Securities depository enterprise	54
Credit card companies	1
	Total: 7.514

Table 02: The Statistics Regarding STRs in the Past Three Years

Years	2009	2010	2011
Total number of reports	1,845	4,536	7,514

B. The Results of STRs Processed by the AMLD

A total of 7,514 STRs were analyzed and disseminated as the breakdown in Table 03.

Table 03: The Statistics Regarding STRs Disseminated by the AMLD After Analysis

Status	No. of Cases
Disseminated to the counterpart divisions of the MJIB	421
Disseminated to the police agency and other competent agencies	370
filed to the AMLD database for reference	6,723
Under analysis	69
	Total:7,514

C. The Distribution of STRs by Region

The distribution of STRs by region in 2011 is as shown in Table 04 and Figure C.

Table 04: Distribution of STRs by Region

Region	No. Of STRs	Region	No. Of STRs
Taipei City	3483	Yunlin County	27
New Taipei City	1140	Chiayi City	71
Keelung City	43	Chiayi County	41
Yilan County	35	Tainan City	370
Taoyuan County	499	Kaohsiung City	681
Hsinchu City	205	Pintung County	75
Hsinchu County	59	Hualien County	25
Miaoli County	37	Taitung County	20
Taichung City	553	Penghu County	11
Changhua County	123	Kinmen County	5
Nantou County	11	Lienjiang County	0
			Total: 7,514

| 1-30 case(s) | 31-50 cases | 51-100 cases | 101-300 cases | Over 300 cas

Graphic C: Distribution Map of STRs by Region in 2011

D. The Distribution of STRs by Month

The distribution of STRs by month in 2011 is as shown in Table 05.

Table 05: STRs Distribution by Month

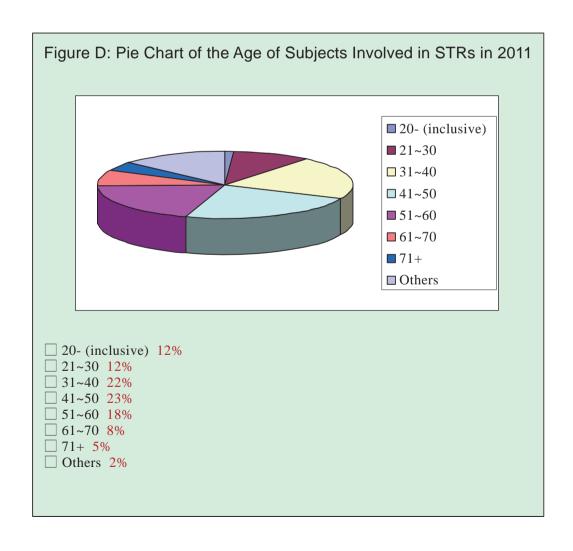
Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	July	Aug.	Sept.	Oct.	Nov.	Dec.
No. Of STRs	472	386	587	761	678	600	504	772	632	689	617	816

E. The Age Distribution of the Subjects Involved in STRs

The age distribution of the subjects involved in STRs in 2011 is depicted in Table 06 and Figure D.

Table 06: Age Distribution of the Subjects Involved in STRs in 2011

Age Group	No. of Persons
20- (inclusive)	91
21~30	744
31~40	1,559
41~50	1,744
51~60	1,452
61~70	581
71+	320
Others	1,017
	Total: 7,514

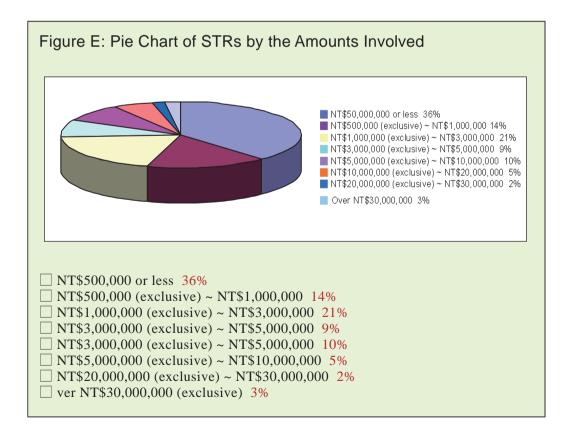


F. The Distribution of STRs by the Value Involved

The distribution of STRs by the Value involved in 2011 is as shown in Table 07 and Figure E.

Table 07: Distribution of STRs by the Value Involved

Amounts	No. of Cases
NT\$500,000 or less	2,886
NT\$500,000 (exclusive) ~ NT\$1,000,000	1,215
NT\$1,000,000 (exclusive) ~ NT\$3,000,000	1,458
NT\$3,000,000 (exclusive) ~ NT\$5,000,000	622
NT\$5,000,000 (exclusive) ~ NT\$10,000,000	643
NT\$10,000,000 (exclusive) ~ NT\$20,000,000	390
NT\$20,000,000 (exclusive) ~ NT\$30,000,000	125
Over NT\$30,000,000 (exclusive)	175
	Total: 7,514



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III. Receiving the CTRs Filed by Financial Institutions

According to Article 7 of the MLCA, for any currency transaction exceeding a certain amount of money, the financial institutions referred to in this Act shall ascertain the identity of customers and keep the transaction records, and submit the currency transaction, the customer's identity and the transaction records to the Investigation Bureau, Ministry of Justice. In addition, based on the Regulations Governing Cash Transaction Reports (CTR) and Suspicious Transaction Reports (STR) by Financial Institutions, "any currency transaction exceeding a certain amount of money" shall mean NT\$500,000 (including the foreign currency equivalent thereof). The term "cash transaction" shall mean cash receipt or payment in a single transaction (including all transactions recorded on cash deposit or withdrawal vouchers for accounting purpose), or the transaction of currency exchange.

A. The Statistics Regarding CTRs

A total of 3,836,756 CTRs were submitted by financial institutions in 2011. The numbers of CTRs in 2011 and in the past three years are as shown in Table 08 and Table 09.

Table 08: Statistics of CTRs

Reporting Entities	No. of Cases
Domestic banks	2,998,457
Foreign banks	31,491
Credit cooperative associations	167,956
Credit department of farmers' association and fishermen' associations	309,480
Postal service institutions which also handle the money transactions of deposit, transfer and withdrawal	317,112
Insurance companies	12,252
Jewelry retail businesses	9
	Total: 3,836,757

Table 09: Statistics of CTRs in the Past These Three Years

Year	2009	2010	2011
Total numbers of cases	2,963,282	3,637,884	3,836,757

B. The Statistics Regarding Matching CTRs database for Law enforcement counterpart agencies.

A total of 82,085 CTRs database Matching were made in 2011 for the MJIB, courts, prosecutors offices and police agencies in accordance with Guidelines for the Operations of the AMLD. Please refer to Table 10.

The AMLD's partner agencies may seek to match their data against CTRs database with a formal request to the AMLD, if they believe it will assist them to identify the individuals or entities involved in their investigations.

Table 10: Statistics Regarding Matching CTRs database for Law enforcement counterpart agencies in the Past Three Years

Year	2009	2010	2011
Total numbers of reports	33,455	68,776	82,085

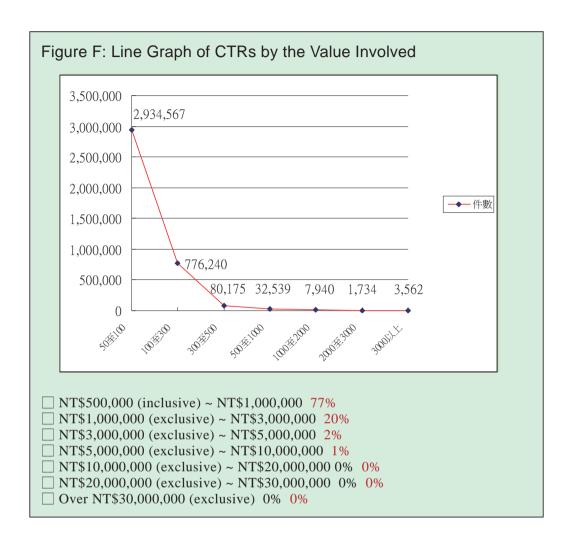
C. The Distribution of CTRs by the Value Involved

The statistics and breakdown of CTRs by the Value involved in 2011 are as shown in Table 11 and Figure F.

Table 11: Distribution of CTRs by the Value Involved

Amounts	eports
NT\$500,000 (inclusive) ~ NT\$1,000,000	2,934,567
NT\$1,000,000 (exclusive) ~ NT\$3,000,000	776,240
NT\$3,000,000 (exclusive) ~ NT\$5,000,000	80,175
NT\$5,000,000 (exclusive) ~ NT\$10,000,000	32,539
NT\$10,000,000 (exclusive) ~ NT\$20,000,000	7,940
NT\$20,000,000 (exclusive) ~ NT\$30,000,000	1,734
Over NT\$30,000,000 (exclusive)	3,562
	Total: 3,836,757

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IV.Processing the International Currency and Securities Transportation Reports (ICTRs) Forwarded by Customs

According to the amended FATF Recommendation 32: "Countries should have measures in place to detect the physical cross-border transportation of currency and bearer negotiable instruments, including through a declaration system and/or disclosure system; countries should ensure that their competent authorities have the legal authority to stop or restrain currency or bearer negotiable instruments that are suspected to be related to terrorist financing, money laundering, or predicate offences, or that are falsely declared or disclosed; countries should ensure that effective, proportionate, and dissuasive sanctions are available to deal with persons who make false declaration(s) or disclosure(s). In case where the currency or bearer negotiable instruments are related to terrorist financing, money laundering, or predicate offences, countries should also adopt measures, including legislative ones consistent with Recommendation 4, which would enable the confiscation of such currency or instruments." In other words, countries are required to take measures to monitor the physical cross-border transportation of currency and bearer negotiable instruments that are suspected to be related to terrorist financing, money laundering, or that are falsely declared.

According to Paragraph 1, Article 10 of the MLCA: "Cross-border passengers or service crew on board of transport with the following items shall make declarations to customs. The customs shall forward subsequently to the Investigation Bureau, Ministry of Justice. 1. Cash of foreign currency with total amount exceeding a certain amount. 2. Negotiable securities with face value exceeding a certain amount." According to Article 4 of the "Regulations for the Declaration of Carrying Foreign Currencies or Securities by Cross-

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Border Passengers or Service Crew on Board of Transport and for the Interagency Report by the Customs", the so-called "a certain amount" means an amount of USD10,000 or the equivalent in foreign currency.

A. The Statistics Regarding Inbound and Outbound IC-TRs Declared at Customs

In 2011, a total of 8,378 reports of ICTRs were declared at customs and the customs forwarded them to the AMLD. The statistics are as shown in Table 12.

Table 12: Statistics Regarding ICTRs forwarded by the Customs

Inbound & Outbound	No. of Reports
Inbound	2,821
Outbound	5,557
Total	8,378

Table 13: Statistics Regarding ICTRs forwarded by Customs in the Past
Three Years

Year	2009	2010	2011
Total number of reports	6,709	7,655	8,378

B. The Distribution of ICTRs by Month

The statistics regarding distribution of ICTRs by month in 2011 are as shown in Table 14.

Table 14: Distribution of ICTRs by Month

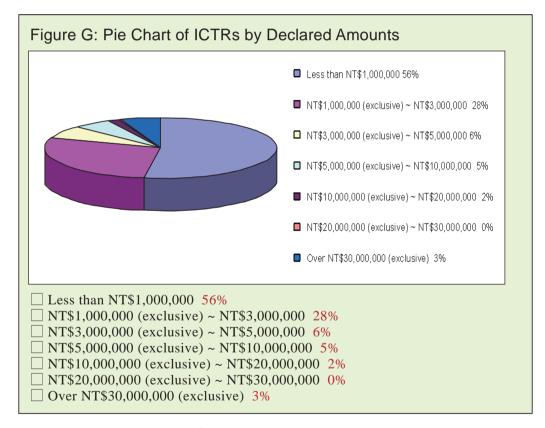
Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.
Cases	719	625	841	689	623	709	661	754	795	732	675	555

C. The Distribution of ICTRs by the Declared Value

The statistics and breakdown of ICTRs by the declared Value in 2011 are as shown in Table 15 and Figure G.

Table 15: Distribution of ICTRs by the Declared Value

Amounts	No. of Reports
Less than NT\$1,000,000	4,365
NT\$1,000,000 (exclusive) ~ NT\$3,000,000	2,367
NT\$3,000,000 (exclusive) ~ NT\$5,000,000	587
NT\$5,000,000 (exclusive) ~ NT\$10,000,000	420
NT\$10,000,000 (exclusive) ~ NT\$20,000,000	151
NT\$20,000,000 (exclusive) ~ NT\$30,000,000	22
Over NT\$30,000,000 (exclusive)	466
	Total: 8,378



D. The Results of ICTRs Processed by the AMLD

Table 16: Statistics Regarding ICTRs Processed by the AMLD

Status	No. of Cases
Forwarded to the counterpart divisions of the Investigation Bureau	0
Filed to FIU database for reference	44
Under analysis	14

V. Statistics Regarding Prosecuted Cases under Money Laundering Control Act

Through accessing to Prosecution Document Database Enquiring System which is maintained by the Ministry of Justice, the AMLD has retrieved 28 cases prosecuted by district prosecutors offices in 2011 under Article 11 of the MLCA, including the cases of deferred prosecutions and petitions for summary judgments. The information, including the types of predicate crime, the proceeds of crime, typologies of money laundering, and profiles of defendants, shall be analyzed in order to establish the statistics regarding money laundering and understand the overview and trends of money laundering in Taiwan in 2011.

A. Offence Types of Money Laundering Cases

The money laundering offence which is only applicable to the property or property interests obtained from "serious offences" referred to in Article 3 of the MLCA generally involves in 5 categories of criminal activities, i.e. corruption, economic crimes, drug trafficking, general criminal cases, and other crimes. Please refer to Table 17 for offence types related to money laundering, predicat offences, and agencies in charge of investigation in 2011.

Table 17: Statistics Regarding Offence Type of Money Laundering and Authorities which are in Charge of Those Cases

Offence Types	Predicate Offences	MJIB	Prosecutors Offices	National Police Agency	Total
General	Fraud	2	1	11	14
criminal crimes	Tendering with cheats	1	0	0	1
General crimes subtotal		3	1	11	15

	Underground remittance	0	0	2	2
	Manipulation of stock price	2	0	0	2
Economic crimes	Nonbanking Entities accepting deposits	1	0	0	1
	Breach of trust	0	1	0	1
Economic c	rime- subtotal	3	1	2	6
	Accepting kickbacks		0	0	1
Corruption	Fraud by authority abuse	4	0	0	4
	Taking bribes by authority abuse	2	0	0	2
Corruption subtotal		7	0	0	7
Total		13	2	13	28

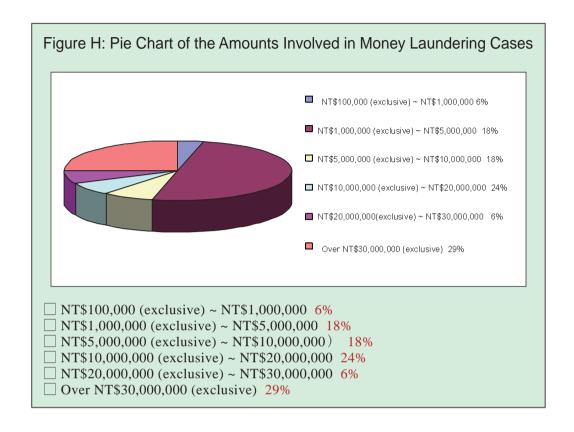
B. The Statistics Regarding the Value Involved in Money Laundering

In 2011, a total amount of laundered money reached NTD 5,980,961,885 from the 28 prosecuted cases. Please see Table 18 and Figure H.

Table 18: Statistics Regarding the Value Involved in Money Laundering Cases

Amounts	Cases
NT\$100,000 (exclusive) ~ NT\$1,000,000	1
NT\$1,000,000 (exclusive) ~ NT\$5,000,000	14
NT\$5,000,000 (exclusive) ~ NT\$10,000,000	2
NT\$10,000,000 (exclusive) ~ NT\$20,000,000	2
NT\$20,000,000 (exclusive) ~ NT\$30,000,000	2
Over NT\$30,000,000 (exclusive)	7
	Total: 28

100



C. The Statistics Regarding Types of Financial Institutions Abused for Money Laundering

Table 19 shows the channels of money laundering in prosecuted cases in 2011. Table 20 shows the methods of money laundering abused by offenders in 2011.

Table 19: Statistics Regarding the Channels of Money Laundering in Prosecuted Cases in 2011

Types of financial institutions	No. of Cases
Banks	27
Real estate brokers	1
	Total: 28

Table 20: Statistics Regarding the Methods of Laundering Illicit Funds in 2011

The Methods of Money Laundering	No. of Cases
Dummy accounts	23
Relatives' accounts	4
Purchase of real estate	1
	Total: 28

D. The Distribution of Money Laundering Cases by Region

In 2011, there were 26 money laundering cases taking place in Taiwan while 2 cases committed in Mainland China. Table 21 and Figure I show the regional distribution of these cases.

Table 21: Distribution of Money Laundering Cases by Region

	•	8	8
Region	Cases	Region	Cases
Taipei City	9	Changhua County	2
New Taipei City	4	Chiayi City	2
Taoyuan County	2	Kaohsiung City	3
Miaoli County	1	Mainland China	2
Taichung City	3		
			Total: 28



E. The Statistics Regarding the Demographics of Defendants Prosecuted under Money Laundering Control Act

In 2011, there were a total of 52 defendants, including 43 males and 9 females, prosecuted under the MLCA. The statistics regarding the prosecuted defendants are as shown in Table 22.

Table 22: Statistics Regarding the Defendants Prosecuted Under the MLCA

Charges	Defendant types	Sex	Person
	Principal offender	Male	30
Paragraph 1, Article 11 of MLCA		Female	7
		Subtotal	37
	Principal offender	Male	9
Paragraph 2, Article 11 of MLCA		Female	2
		Subtotal	11
Paragraph 1, Article 11 of MLCA		Male	4
	Accessory	Subtotal	4
Tot	52		

VI. Training and Public Awareness

A. Public Awareness of AML/CFT

Besides promotion of government infrastructure security and anti-corruption, the field offices of the Investigation Bureau take responsibility for popularizing the concept of anti-money laundering mainly targeting at government agencies, organizations, schools, and private sectors. The MJIB comprehensively introduces the AML/CFT related matters in public activities and occasions with a lively way. It can help people understand the overview of the AML/CFT and further raise the awareness in this regard in Taiwan .



● Taipei City Field Division, MJIB promoted AML to the public at the school anniversary carnival of National Taipei University of Education in 2011.

100



 Kaohsiung City Field Division, MJIB promoted AML to the public at the MIZUNO Marathon

B. AML/CFT Training

According to the amended FATF Recommendation 34: "The competent authorities and SRBs should establish guidelines, and provide feedback, which will assist financial institutions and designated non-financial businesses and professions in applying national measures to combat money laundering and terrorist financing, and, in particular, in detecting and reporting suspicious transactions.", the competent authority shall establish or provide relevant guidelines to financial institutions for reference, as well as timely provide feedback to financial institutions. For helping the staff of financial institutions fully understand the required information concerning AML/CFT, assisting them in improving the quality of STRs, strengthening their understanding of the indicators of suspicious transactions, and enhancing their compliance with the MLCA and other related regulations, the AMLD has assigned the staff to

give AML/CFT presentations upon the financial institution's requests. These trainings covered the topics such as amendments to the MLCA, the reporting obligations of financial institutions, case studies, and typologies on AML/CFT. The presenters shared the professional experience with financial institutions and communicated and discussed the pros and cons of the reported information. By cases studied, the AMLD clarified and classified the patterns of suspicious transactions which involve in crimes, such as underground remittance, stock market manipulation, insider trading, and internet gambling. Such information sharing assists reporting entities to detect and powernt instances of money laundering and other crime by providing real-life examples of how commercial system can be misused by criminals. Furthermore, it is beneficial to the personnel of financial institutions to identify the suspicion easier, and enhance the quality of STRs. The seminars on AML/CFT and participants in 2011 are as shown in Table 23.

Table 23: Statistics Regarding Seminars and Participants Carried out by the AMLD

Types of financial institutions		Subtotal		
		No. of seminars	No. of Participants	
D 1	Domestic banks	26	5,602	
Banks	Foreign banks	13	568	
Credit department of farmers' associations and fishermen' associations		0	0	
Securities investment and trust enterprises		19	932	
Securities brokers		25	1,662	
Futures brokers		6	362	
Postal service institutions which also handle the money transactions of deposit, transfer and withdrawal		4	284	
Insurance companies		39	3,051	
Negotiable instrument finance corporations		2	220	
Total		134	12,681	

C. Statistics Regarding AML/CFT Training Held by the Financial Supervisory Commission and Their Respective Peripheral Units

The statistics regarding AML/CFT training held by the Financial Supervisory Commission, the Executive Yuan and the respective peripheral units in 2011 are as shown in Table 24.

Table 24: Statistics Regarding AML/CFT Training Held by Financial Supervisory Commission and Their Respective Peripheral Units

Organizers	Training courses	No of	No. of
	Workshop for Auditors – Introduction of the Money Laundering Control Act (MLCA)	sessions 2	participants 112
	Workshop for Chief Auditors – Introduction of the MLCA	1	7
	E-Course- General Principle of Deposits and AML Related Regulations	2	67
Taiwan Academy of	E-Course- the MLCA	1	21
Banking and Finance	Advanced Training for Deposit & Remittance personnel- the MLCA and Regulations Governing Suspicious Transaction and Abnormal Deposit Accounts	1	77
	Workshops for International Trends of AML	1	53
	International Symposium for AML	1	74
	Introduction of the MLCA and Case Study	9	908
Taiwan Securities Association	Course for Securities Brokers on Introduc- tion of Self-Discipline and Common Sense of Legal System (Including Personal Infor- mation Protection Act, MLCA, and Criminal Code)	32	3,217
Securities Investment Trust & Consulting Association of the R.O.C.	Introduction of the MLCA and Case Study	30	1,650
Chinese National Futures Association	AML Symposium	3	212
Taiwan Insurance Institute	Introduction of the MLCA and Case Study	2	81
Taiwan Insurance Institute	Money–Laundering Control Act	2	87
Taiwan Insurance Institute	Introduction of the MLCA and Case	6	268
Insurance Brokerage Association of Taiwan	Introduction of the MLCA	5	642
The Insurance Agency Association of the Re- public of China	Introduction of the MLCA	2	495
Total		100	7,971

VII. International cooperation

According to the amended FATF Recommendation 40: "Countries should ensure that their competent authorities can rapidly, constructively and effectively provide the widest range of international cooperation in relation to money laundering, associated predicate offences and terrorist financing. Countries should do so both spontaneously and upon request, and there should be a lawful basis for providing cooperation. Countries should authorize their competent authorities to use the most efficient means to cooperate. Should a competent authority need bilateral or multilateral agreements or arrangements, such as a Memorandum of Understanding (MOU), these should be negotiated and signed in a timely way with the widest range of foreign counterparts." "Competent authorities should use clear channels or mechanisms for the effective transmission and execution of requests for information or other types of assistance. Competent authorities should have clear and efficient processes for the prioritization and timely execution of requests, and for safeguarding the information received."

A. International Information Exchange

Money laundering is often a transnational crime. For the purposes of effectively combating transnational crimes concerning money laundering, terrorist financing, and the financing of proliferation of weapons of mass destruction, countries are required to reach consensus and work closely and together. The AMLD plays the role as the Financial Intelligence Unit (FIU) of Taiwan and shares financial transaction information with a number of foreign FIUs. Exchanging information benefits not only the operational work of the FIUs but also the law enforcement agencies to track the transnational movement of the proceeds of crime.

Table 25: Statistics Regarding the International Information Exchanges in 2011

	Requests from overseas FIUs			Questionnaires and other matters	Total
2011	76 cases (171 reports)	5 cases (14 reports)	7 cases (48 reports)	2 cases (155 reports)	90 cases (388 cases)

B. Participating in International Organizations

A number of international organizations have been formed to support international AML/CFT standards and to examine the extent to which those standards have been adopted around the world. The AMLD is actively engaged with several international AML/CFT groups and organizations including the APG, the Egmont Group of FIUs, and the FATF as the delegate of the APG. Through the AMLD's involvement with those organizations, we ensure that Taiwan's position on money laundering and terrorism financing is represented.

(1) Asia Pacific Group on Money Laundering

The APG is a FATF-Style Regional Body (FSRB) consisting of 41 member jurisdictions and international and regional observers committed to the effective implementation and enforcement of the FATF 40+9 Recommendations on money laundering and terrorist financing.

The AMLD organized official delegation of Chinese Taipei attending the APG annual meeting in Kochi, India, in July 2011, and participated in the Joint FATF-APG Typologies Workshop in Busan, South Korea, in November 2011.

The AMLD also joined Doners and Poviders Group on Technical Assistance and Training in the APG, and sponsored AUD 49,000 in 2011 for primarily funding jurisdictions in Pacific Islands to attend the meetings and trainings held by the APG.

(2)The Egmont Group of FIUs

The Egmont Group is the international body for FIUs and works to improve international cooperation in the exchange of information, training, and outreach. It is made of an international network of 131 FIUs. The AMLD took part in the Egmont Group working Group meetings in Aruba in March 2011, and was also represented at the Egmont Group Plenary and Working Group meetings in Armenia in July 2011.

The AMLD officers participated in the Egmont Group's Outreach Working Group and with the Thailand FIU co-sponsor the Nepal FIU to apply for the membership of Egmont Group. The sponsorship project involved conducting extensive research on Nepal FIU and an assessment visit to Nepal in October 2011 by the AMLD and the Thailand's FIU, and then submitted a comprehensive on-site visit assessment report to the Secretariat of the Egmont Group in December 2011.

(3) Financial Action Task Force (FATF)

The AMLD participated in the FATF Plenary in Paris, France, in February 2011 and Mexico City, Mexico, in June 2011 as the delegate of the APG. The AMLD worked closely with other government agencies, including the Financial Supervisory Commission, the Ministry of Justice, and the Central Bank, to contribute to effective policy outcomes within the FATF recommendations.

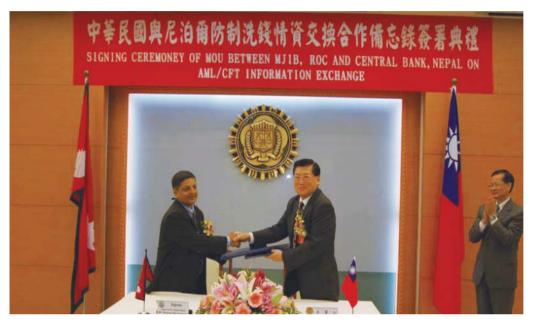
C. Concluding MOUs with foreign FIUs

The AMLD entered into 3 MOUs with FIUs from Nepal, Mongolia, and Armenia in 2011, bringing the total number of international exchange instruments to 23.

D. Delivering Workshop for the Nepal FIU

With the aim of enhancing the capacity of the Nepal FIU to meet international AML/CFT standards, the AMLD hosted a three-day workshop for five participants from the Nepal FIU. This workshop included courses on analysis, typologies, financial investigation, and standards compliance, as well as providing guidance on the operation of the regulated entity, awareness of legislative developments, and the procedures and requirements of applying for the membership of the Egmont Group.

The presenters came from the AMLD, the IT divisions of the MJIB, the Financial Supervisory Commission, and the reporting entity. The attendees were impressed with our highly informative technical assistance program.



● The AMLD signed "Memorandum of Understanding Concerning the Exchange of Information Related to AML/CFT" with the Nepal FIU



■ The Director, Mr. Chih-Ping Chang, of the AMLD presented on AML/CFT workshop for the participants from the Nepal FIU.

Part Three

Significant Case Studies



- I. "Chen" Committed the Offence of Business Embezzlement
- II. "Group D" Violated the Banking Act

I. "Chen" Committed the Offence of Business Embezzlement

A. Disclosure of STRs

The AMLD received a STR from Bank X in July 2011 which described the customer's suspicious behaviors as follows, "Company F purchased gift certificates of NT\$10,569,000 at Branch A of Bank X on July 13, 2011 and then "Chen" cashed it and deposited in her bank account with Branch B of Bank X on the same day."

B. Case Overview

After analyzing, the AMLD found "Chen" was possibly involved in the offence of embezzlement. Then this information was disseminated to the Taipei City Field Division of the MJIB for further investigation.

It was uncovered that Company C engaged in the sale of IT products and "Chen" was the marketing manager of Company C and was mainly in charge of promoting the product. Company C outsourced Company F to be responsible for purchasing incentive goods as bonuses for customers and distributors. "Chen" was the contact person with Company F in this matter. For the purpose of getting benefit illegally, in March 2009 and July 2011, "Chen" ordered Company F to purchase gift certificates with the balance of planned budget which had not been spent in promotional activities. "Chen" made an excuse that she would have the gift certificates forwarded to other distributors on Company F's behalf. But, instead, "Chen" cashed those gift certificates, deposited in her account with Branch B of Bank X and then transferred to her and her spouse's bank accounts with other banks shortly. The amounts of NT\$174,393,000 was used for purchasing a number of real estate, mutual funds, and stocks.

C. The Confiscation of the Illegal Funds

The case was prosecuted by Taiwan Shihlin District Prosecutors Office in February 2012. "Chen" was accused of embezzlement under Paragraph 2, Article 336 of the Criminal Code. During the investigation, the proceeds of crime was seized including Chen's bank accounts with Bank D and Bank E amounted to NT\$32,706,910 and 10 buildings under the names of "Chen" and her spouse for a total of 297.7 Pings (984 square meters).

II. "Group D" Violated the Banking Act

A. Disclosure of STRs

The AMLD received the STRs separately from Bank A and Bank B on January 22, March 18, October 20, and November 2, 2010 which described several customers' suspicious behaviors as follows, "Mr. Chang's account with Bank A has frequently been structured deposits to avoid the transaction reporting threshold of NT\$ 500,000 under the MLCA since January 2010." "Company H frequently structures deposits into Company S's account with Bank B to avoid the transaction reporting threshold of NT\$ 500,000, and then made withdrawals of equivalent amounts at another branch of Bank B." "Customer F had a checking account with Bank C and stated that the account is used for personal daily expense, insurance fee, and tuition payment. However, two checks issued by Customer F of NT\$12,320,000 and NT\$19,500,000 respectively, were presented at other banks on October 25 and 26. These huge amounts of transactions were incommensurate with the purposes of the check account opening statement as above"

B. Case Overview

The AMLD identified that Mr. Chang collected funds from the public and transferred them into Mr. Wang's various bank accounts through online banking service. Then the other members of syndicate withdrew the money or transferred to others' bank accounts in multiple small amounts. In addition, the AMLD found that Mr. Chang and the syndicate were suspected that non-

${f S}$ ignificant Case Studies

banking entities operated the business of deposits taking and violated the Article 29-1 of the Banking Act. This information was disseminated to the Hsinchu City Field Office of the MJIB for further investigation.

It was revealed that Mr. Chang and the syndicate worked for "Group D" and they were directed by the president of "Group D", Mr. Qin. He offered high interest to attract investors and provided incentives, including bonuses, tours, and luxury cars, to the staff who had excellent performance in collecting funds. There were a total of 199 branches of "Group D" established in Taiwan and a number of 21,561 investors with the amounts of NT\$4,759,697,571 invested in "Group D" for high interest. Mr. Qin spent part of the money in the purchase of 411 buildings valued at NT\$1,200,000,000 under the names of Mr. Qin, Mr. Chang, and other members of the syndicate.

C. Confiscation of Illegal Funds

This case was referred to the Taiwan Taipei District Prosecutors Office for prosecution. The AMLD tracked the illegal funds and provided the related information to assist the prosecutor in freezing the money deposited in Mr. Qin's relevant 122 bank accounts amounted to NT\$16,060,128 and seizing 411 buildings valued at NT\$1.2 billion.

Part Four:

The Major Events of the AMLD in 2011.

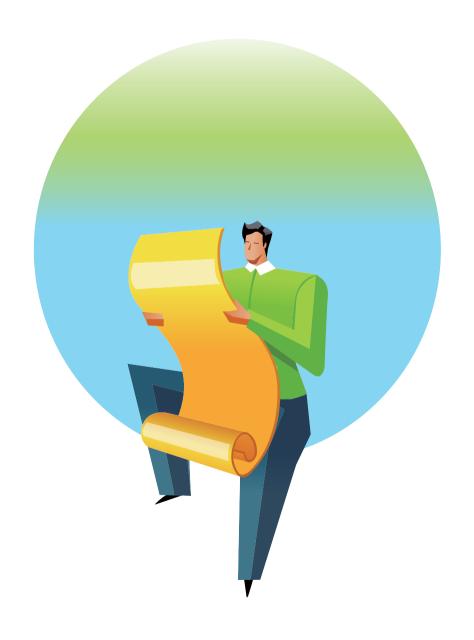


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Date	Major Events		
13/1/2011	The AMLD organized the seminar of "Advanced Investigative Strategies in Human Trafficking and Money Laundering Crimes". Ms. Ye-Ting Woo, the Federal Prosecutor of the U.S. Department of Justice, Mr. Chunhui Chang, Prosecutor of Taoyuan District Prosecutors Office, and Ms. Zhifang Bai, the Supervisor of the Rescue Division of Taipei Women's' Rescue Foundation were invited to give presentations.		
17/2/2011	The first consultative seminar of the STR online reporting system was convened.		
21-25/2/2011	The representatives of the AMLD participated in the second plenary meeting of FATF-XXII in France.		
9/3/2011	The representatives of the AMLD participated in the teleconference of the Steering Group of APG.		
12-19/3/2011	The representatives of the AMLD participated in the Working Group Meeting of the Egmont Group in Aruba.		
28/3/2011	The AMLD signed "Memorandum of Understanding Concerning the Exchange of Information Related to AML/CFT" with the Nepal FIU.		
28-30/3/2011	The AMLD hosted the Workshop on AML/CFT for the participants from the Nepal FIU.		
18-26/6/2011	The representatives of the AMLD participated in the third plenary meeting of FATF-XXII in Mexico.		
8-19/7/2011	The representatives of the AMLD participated in the Working Group Meeting of the Egmont Group in Armenia.		
12/7/2011	The AMLD signed "Memorandum of Understanding Concerning the Exchange of Information Related to AML/CFT" with FIUs from Mongolia and Armenia .		
16-24/7/2011	The representatives of the AMLD participated in the Plenary of APG in India.		
8/8/2011	The AMLD consulted with the National Credit Card Center of R.O.C. regarding the crime derived from the misuse of the payment mechanism of the China UnionPay.		
9-17/8/2011	The AMLD worked with the International Operation Division of the MJIB to host a workshop for the representatives from the Thailand law enforcement agencies.		
15/8/2011	Senior official of Transparency International, Mr. Ren Liao, visited the MJIB and gave a presentation of anti-corruption. The AMLD assigned representatives to attend the event.		

16/8/2011	The second consultative seminar of the STR online reporting system was convened.
2/9/2011	Ms. Colleen Stack, Deputy Director of the Office of Terrorist Financing and Financial Crime of the U.S. Treasury, and Mr. Hank Li from the Economic Section of the AIT visited the AMLD.
8/9/2011	Mr. Kevin Chao, Assistant Manager of the Risk Investigation Section of the National Credit Card Center of R.O.C. was invited to give a presentation on "Introduction of China UnionPay and Case Studies of Misuse and Fraud."
12/10/2011	The Deputy Director of the Economic Crimes Investigation Department of the Ministry of Public Security of Mainland China, Mr. Fong Kao, and other nine members visited the MJIB and the representatives of the AMLD gave a presentation on AML/CFT regime in Taiwan.
11-16/10/2011	The representatives of the AMLD conducted an onsite visit to the Nepal FIU for assisting this FIU to apply for the membership of Egmont Group.
17-21/10/2011	The representatives of the AMLD installed the test version of the STRs online reporting system at Taipei Fubon Commercial Bank, Shin Kong Commercial Bank, Standard Chartered Bank, Citi Bank (Taiwan), Yuanta Commercial Bank, and China Trust Commercial Bank.
3/11/2011	The representatives of the AMLD were invited by the National Credit Card Center of R.O.C. to visit Taiwan Nameplates Company for having an overview of the production process of credit cards.
21/11- 31/12/2011	The staff of the AMLD installed the software of the STRs online reporting system.
30/11/2011	2011 AML/CFT Workshop for Compliance Officers from Banks was held by the AMLD.
5-9/12/2011	The representatives of the AMLD participated in the FATF/APG Joint Typology Workshop in Busan, South Korea.
6-9/12/2011	The representative of the AMLD participated in the 36th Taiwan-Japan Economic and Trade Conference in Tokyo, Japan.
12-16/12/2011	The representatives of the AMLD participated in the forum of the comparison of criminal code and judicial system between the Cross-Strait in Beijing, mainland China, and gave a presentation of "Counter-measures and Investigation of Money Laundering in Taiwan".

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