

ANTI-MONEY LAUNDERING ANNUAL REPORT,2012



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List Price: NTD\$150

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PREFACE

Anti-money laundering and combating of financing terrorist (AML/CFT) are the universal values which require countries to build appropriate financial supervisions, legal frameworks, and law enforcement mechanisms. They also enhance mutual legal assistance and international cooperation. The Anti-Money Laundering Division (AMLD) of the Investigation Bureau, as Taiwan's financial intelligence unit (FIU), has continued to assist the government in her efforts to protect Taiwan from illicit activities of AML/CFT.

AMLD promotes professional standards, intelligently analyzes and disseminates suspicious transactions reports (STRs) received by the AMLD, fosters and strengthens cooperation with local AML/CFT agencies, and upgrades the relevant sectors' awareness and understanding on AML/CFT issues. In addition, the AMLD actively participates in the Asia/ Pacific Group on Money-Laundering (APG) and Egmont Group (EG) activities, and signed agreements or memorandums with other countries to cooperate in exchanging financial information concerning ML/TF. Through the platform of the EG secured web, the AMLD can securely and effectively facilitate information exchange with foreign counterparts for combating ML/TF.

In February 2012, the Financial Action Task Force (FATF), the setter of international standards on AML/CFT, officially announced the "International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation." This consolidated and amended the existing 40 Recommendations on Anti-Money Laundering and 9 Special Recommendations on Combating Terrorist Financing. It also introduced the concepts of prevention, suppression, and disruption of both proliferation of weapons of mass destruction and their financing.

In order to resolve the dramatic increase of STRs and the problem of manpower shortage, the AMLD completed the installation and testing of "STR Online Reporting System" for the banking sector in January 2011 and official-

PREFACE

ly launched it on January 1, 2012. Filing STRs through the new online reporting system can not only accelerate the reporting process, but also protect the data integrity and prevent information leakage. In the meantime, the AMLD is developing an artificial intelligence filtering system which can filter cases with high ML/TF risks through computer parameter settings. The AMLD is now able to zero in on valuable clues of criminal activities which will enhance the effectiveness of this FIU.

Any comment on this Annual Report is welcomed and please do not hesitate to contact us.

Investigation Bureau, Ministry of Justice

Director General

November 2013.

ditorial Note

I. Purposes

The 33rd Recommendation of the FATF 40 Recommendations amended in February 2012 states "Countries should maintain comprehensive statistics on matters relevant to the effectiveness and efficiency of their AML/CFT (antimoney laundering and combating terrorist 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, 2012 integrates the statistics and analysis of the annual data regarding AML/CFT performed by the Taiwan domestic financial institutions (FIs), law enforcement agencies, judicial authorities, and other competent authorities.

II. Contents

- A. The Annual Report, 2012 consists of the following four parts:
 - Introduction to the Organization of Anti-Money Laundering Division (ALMD)
 - 2. Work Overview (including statistical information and charts)
 - 3. Significant Case Studies
 - 4. The Major Events of the AMLD in 2012
- B. The statistics and related information of the Annual Report, 2012 are based on the data collected by the AMLD and cases prosecuted by the Taiwan district prosecutor's offices for violating the Money Laundering Control Act (including deferred prosecutions and petitions for summary judgment).

III. Notes

- A. The years quoted in this Annual Report, 2012 (English version) 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 Taiwan district prosecutor's offices and judgments at all levels of courts are based on the number of cases. The value of money is calculated in New Taiwan Dollar (NTD). Special cases are noted in corresponding figures (charts).
- B. The percentages referred to herein are rounded off. The round-off may create slight differences between integers and decimals.
- IV. This Annual Report, 2012 was compiled and printed in haste. We welcome your precious comments. Should you spot any errors or would like to make suggestions, please have no hesitation to contact us.

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Part One:

Introduction to the Organization of AMLD



- I. Legal Framework
- **II. Corporate Effectiveness**

The lucrative proceeds and wealth originated from serious crimes make it possible for organized crime syndicates to infiltrate all levels of government agencies, legitimate businesses, financial institutes (FIs) and different parts of the society. The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances concluded in Vienna in 1988 (Vienna Convention) requires state parties to constitute laws to penalize money laundering (ML) associated with drug trafficking. In 1989's Summit of G7 in Paris, the leaders of the states recognized the threats exposed to banking system and to FIs, and contributed to the establishment of the Financial Action Task Force (FATF) to set out measures to combat ML. Sequentially, the FATF 40 Recommendations on AML were released in 1990 and amended in 1996 to require the predicate offences of ML should extend to other serious offences besides drug trafficking. Then in 2001, the FATF issued the 8 Special Recommendations on combating of financing terrorist (CFT). In 2004, the FATF further strengthened the agreed international standards on AML/CFT – the 40+9 Recommendations. In February 2012, the FATF completed a thorough review of its standards and published the revised FATF Recommendations as "International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation".

I. Legal Framework

In response to the global trends to curb the detriment caused by ML, the Taiwan's 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. During the past 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 FIs as vehicles for ML and to detect major crimes and ML at the point of transactions, AML legislations

around the world all require FIs 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 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 FIs, 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 "ML prevention related matters". 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 22 staff members. Please refer to Figures A and B regarding the AMLD's organizational structure, mandates and SOP of work. Its budget allocated for 2012 was NTD\$1,990,000 plus.

II. Corporate Effectiveness

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

- 1. Researching AML strategies and providing consultation in the formulation of relevant regulations;
- 2. Receiving, analyzing, processing, and utilizing STRs filed by FIs;
- 3. Receiving and maintaining CTRs filed by FIs and receiving and processing ICTRs forwarded by the customs;
- 4. Assisting other domestic law enforcement partner agencies in matching the AMLD database for investigating ML cases and coordinating/contacting with respect to ML prevention operation;
- 5. Liaison, planning, coordination and implementation of information ex-

- change, personnel training and cooperation in investigating ML cases with foreign counterparts;
- 6. Compilation and publication of Annual Report on AML work and the management of relevant data and information; and
- 7. Other AML related matters



FATF (Financial Action Task Force)

FATF is a policy-maker for 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 technical compliance and 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).

○ FIU (Financial Intelligence Unit,)

According to the amended FATF's Recommendation 20, if a FI suspects or has reasonable grounds to suspect that funds are the proceeds of a criminal activity, or are related to TF, it should be required, by law, to report promptly its suspicions to the FIU. Recommendation 29 states that countries should establish an FIU that serves as a national centre for the receipt and analysis of: (a) STRs; and (b) other information relevant to ML, associated predicate offences and TF, 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 TF, or
- (ii) required by national legislation or regulation, in order to combat ML/TF". Paragraph 1, Article 8 of the MLCA provides: "For any financial transaction suspected of committing a crime prescribed in Article 11 herein, the FIs 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 MJIB." 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 FIs or customs shall report or forward subsequently to the MJIB.

Figure A: The AMLD Organization Chart

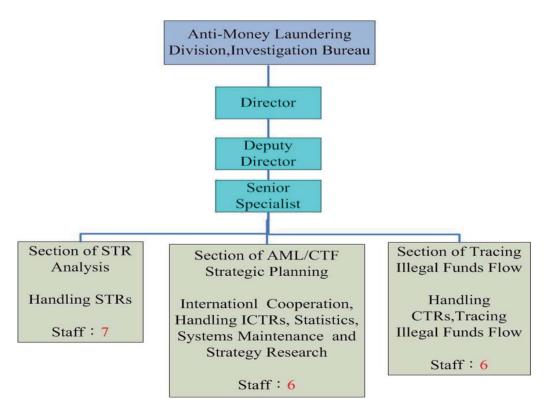
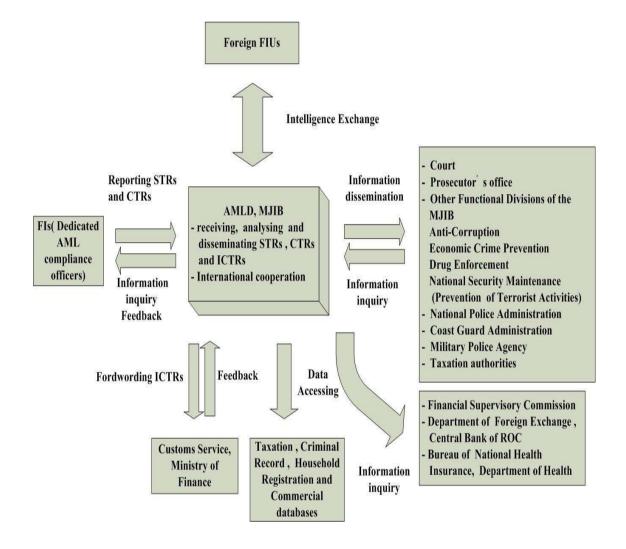


Figure B:The Work SOP of the AMLD



Part Two:

Work Overview



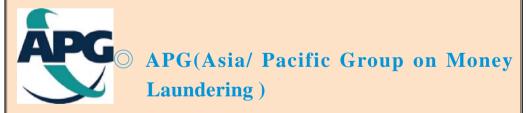
- I. Strategy Research on AML/CFT
- II. Processing the STRs Filed by FIs
- III. Receiving the CTRs Filed by FIs
- IV. Processing the International Currency Transportation Reports (ICTRs) Forwarded by Taiwan Customs
- V. The Statistics of the Prosecuted Cases under the Money Laundering Control Act (MLCA)
- VI. Promoting Public Awareness and Training
- **VII. International Cooperation**



I. Strategic Research on AML/CFT

A. Organizing a Cross-Department Task Force in Response to the APG's 3rd Round Mutual Evaluation

Taiwan is scheduled to accept the APG's 3rd round mutual evaluation (ME) in 2016. In accordance with the conclusion of the 2nd round ME which conducted by the APG in 2007, the designated non-financial businesses and professions (DNFBPs), such as lawyers, certified public accountants, notaries, and real estate brokers, are not yet included into the AML/CFT regime pursuant to Article 5 of the MLCA. Furthermore, there are still some significant gaps in relation to the implementation of the key Recommendations for criminalization and targeted financial sanctions (TFS) on TF. The AMLD suggested the Ministry of Justice (MOJ) to organize a cross-department task force for coordinating action plans to manage the abovementioned deficiencies. It's expected most of the deficiencies can be addressed before the 3rd ME to promote the compliant level of the international AML/CFT standards.



APG was founded in 1997 with the mission of effective implementation, and enforcement of internationally accepted standards against ML/TF, in particular the Forty Recommendations of the FATF. APG also assists member states to establish coordinated domestic systems for reporting and investigating STRs and to develop effective capacities to investigate and prosecute ML/TF offenses. APG currently has 41 member juris-

dictions and is an Associate Member of FATF. Taiwan, in the name nomenclature of Chinese Taipei, is a founding member of APG and able to attend FATF events in the capacity of APG umbrella.

B.The STR Online Reporting System Officially Launched

The volumes of STRs significantly increase year by year. The AMLD received almost 8,000 STRs from FIs in 2011, which was about four times of the STRs received in 2009, and represents a 65% increase on the volume of the STRs received in 2010. In order to address the dramatic volumes increase of STRs and the problem of manpower shortage, the AMLD initiated and developed the STR online reporting system for the banking sector, which accounts for more than 95% volume of STRs in one year. The AMLD also held two consultative seminars, which provide significant occasions to consult with the banking sector. After series of tests and modifications, the STR online reporting system was officially launched in the first day of 2012. And thus the day is also a milestone in the history of the development of AML/CFT in Taiwan. Based on the framework of the STR online reporting system and the Riskbased approach (RBA), the AMLD has been continuously and successfully developing an artificial intelligence filtering system to filter STRs by computer parameter settings instead of manual screening. The AMLD can thus improve the effectiveness of analyzing STRs and efficiently allocate the limited time and resources to deal with the STRs with valuable clues of criminal activities.

C. Promoting FI's Awareness on the New Revised FATF Standards

February 16, 2012, the FATF adopted and officially announced the new revised FATF Recommendations: "the International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation." For coping with the potential impacts to financial sector caused by the new revised international standards in Taiwan, the AMLD invited the APG Executive Secretary, Dr. Gordon Hook and the Executive Officer, Mr. Dietmar Kahles to visit Taiwan from April 15 to 18 of 2012. During the visit, Dr. Gordon Hook delivered an excellent speech to more than 200 prosecutors at the 8th IAP Asia Pacific & Middle East Regional Conference on the topic of the new revised FATF standards and confiscating the proceeds of crime.

In addition, Mr. Dietmar Kahles also gave an impressive presentation on "How the new FATF Standards Affect FIs" in the seminar held by the AMLD in which over 250 participants from banking sector took part. The active discussion revealed the fact that the new standards have become a concern to FIs.



 Director General Wang, Fu-Lin, MJIB, had an interview with Dr. Hook, APG Executive Secretary General

D. Organizing "the Cross Strait Forum on Criminal Law"

The AMLD jointly organized "The Cross Strait Forum on Criminal Law:Current Developments and Prospects" with the Department of Law, Fu-Jen Catholic University from November 19 to 20, 2012. The main purpose of the forum is to provide the scholars and public officers from Taiwan, Mainland China, Hong Kong and Macao on occasion to discuss the topics from various dimensions, such as public policy, legal system and law enforcement, especially to seek practical proposals an AML/CFT. In the forum, the special agents of AMLD, Eu-Chun, Wei and Cheng-Yu, Lian respectively gave presentations on "The Functions and Perspectives of FIU" and "The Prevention of Fraud by using China UnionPay Cards in Taiwan".



 Scholars from Taiwan, Mainland China, Hong Kong and Macao discussed topics on AML/CFT in the forum

E. Organizing the Seminar on ML through the China UnionPay Cards in Taiwan

China UnionPay Cards being available in Taiwan was approved by the Financial Supervisory Commission (FSC) in August, 2009 and withdrawing cash from ATM in June of 2010 (the cash withdrawal limit is NTD 20,000 per time and RMB 10,000 in total per day). The bankcard consumption and cash withdrawal amount is dramatically increasing following the booming of tourists from Mainland China to Taiwan. The total amount of payment by the China UnionPay Cards in 2012 was up to NTD 46.6 billion while the total amount of ATM cash withdrawal was up to NTD 45 billion in the meantime. Thus, the scale of financial transactions by using the China UnionPay Cards in Taiwan was approximately NTD 100 billion. After analyzing the STRs related to China UnionPay Cards filed by FIs in recent years, the AMLD found some fraud gangs have been abusing the Cards as the vehicles of moving proceeds of crime due to the vulnerabilities of AML, which may not only become a new method and trend to launder illegal funds, but also evolve the fraud gangs into transnational crime organizations. For raising awareness among other stakeholders regarding the concern abovementioned, the AMLD hosted two seminars with over 200 participants from the Ministry of Justice, the FSC, the Central Bank, the Joint Credit Information Center, the Banker's Association and representatives from the banking sector.



 Director Chang, Chih-Ping (Jeffrey), AMLD, was chairing the seminar and having discussions with the banking sector experts.

II. Processing the STRs Filed by FIs

A. The Statistics of STRs

Please refer to Table 01 and Table 02 for the Statistics of STRs filed by FIs from 2009 to 2012.

Table 01: The Statistics of STRs Filed by FIs

Reporting Entities	No. of Reports
Domestic Banks	5,579
Foreign Banks	17
Credit Cooperative Associations	78
Credit Department of Farmer & Fishermen Associations	5
Securities Brokers	4
Bills Finance Corporation	1
Insurance Companies	20
Postal Service which handles money transactions of deposit, transfer and withdrawal	403
Securities Investment and Trust Enterprises	4
Securities Depository Enterprises	21
Credit Card Companies	5
	Total: 6,137

Table 02: The Statistics of STRs Files by FIs, 2009-2012

Years	2009	2010	2011	2012
No. of Reports	1,845	4,536	7,514	6,137

B. The Results of STRs Processed by the AMLD

The STRs were analyzed and disseminated for further processing in 2012 in Table 03.

Table 03: The Statistics of STRs Disseminated by the AMLD

Status of STRs	No. of STRs
Disseminated to other functional divisions of the MJIB	421
Disseminated to police agency and other competent agencies	187
Stored in the AMLD database for reference	5,253
Under analysis	276
	Total: 6,137

C. The Distribution of STRs by Region

The distribution of STRs by region in 2012 is shown in Table 04 and Figure C.

Table 04: The STRs Distribution by Region

Region	No. of STRs	Region	No. of STRs
Taipei City	2,884	Yunlin County	26
New Taipei City	1,046	Chiayi City	46
Keelung City	36	Chiayi County	13
Yilan County	48	Tainan City	217
Taoyuan County	494	Kaohsiung City	441
Hsinchu City	160	Pintung County	42
Hsinchu County	66	Hualien County	24
Miaoli County	37	Taitung County	4
Taichung City	430	Penghu County	2
Changhua County	102	Kinmen County	1
Nantou County	18	Lienjiang County	0
			Total: 6,137

1-30 case(s)
31-50 cases
51-100 cases
0 over 301 cases
0 over 301 cases

Figure C: The Map of STRs Distribution by Region

D. The Distribution of STRs by Month

The distribution of STRs by month in 2012 is shown in Table 05.

Table 05: The STRs Distribution by Month

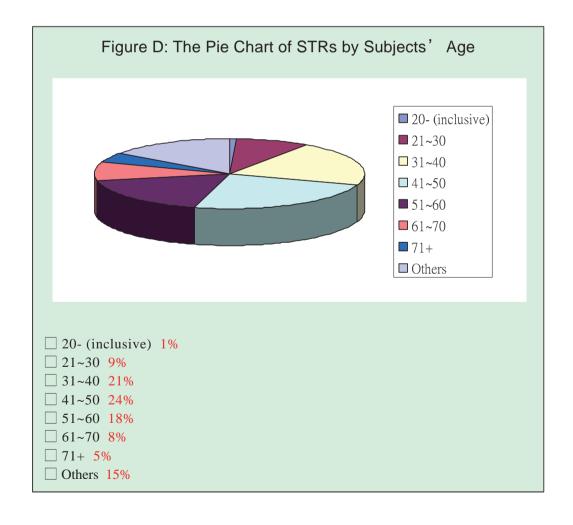
Month									_			
No. Of STRs	647	529	691	586	535	460	531	474	401	401	456	426

E. The STRs Distribution by Subjects' Age

The STRs distribution by subjects' age in 2012 is shown in Table 06 and Figure D.

Table 06: The STRs Distribution by Subjects' Age

Age Group	No. of Persons
20- (inclusive)	54
21~30	542
31~40	1,270
41~50	1,459
51~60	1,097
61~70	511
71+	281
Others	923
	Total: 6,137

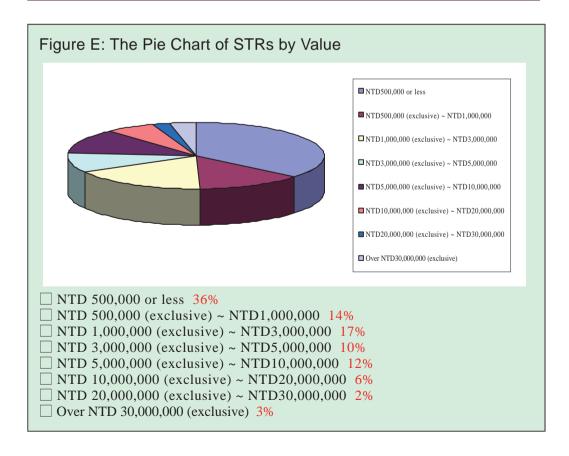


F. The STRs Distribution by Value

The STRs distribution by Value in 2012 is shown in Table 07 and Figure E.

Table 07: The STRs Distribution by Value

Amounts	No. of Cases
NTD 500,000 or less	2,210
NTD 500,000 (exclusive) ~ NTD 1,000,000	817
NTD 1,000,000 (exclusive) ~ NTD 3,000,000	1,063
NTD 3,000,000 (exclusive) ~ NTD 5,000,000	593
NTD 5,000,000 (exclusive) ~ NTD 10,000,000	734
NTD 10,000,000 (exclusive) ~ NTD 20,000,000	377
NTD 20,000,000 (exclusive) ~ NTD 30,000,000	140
Over NTD 30,000,000 (exclusive)	203
	Total: 6,137



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III. Receiving the CTRs Filed by FIs

A. The Statistics of CTRs

Please refer to Table 08 and Table 09 for the statistics of CTRs filed by FIs from 2009 to 2012.

Table 08: The Statistics of CTRs Filed by FIs

Reporting Entities	No. of Cases
Domestic Banks	2,889,956
Foreign Banks	29,632
Credit Cooperative Associations	160,483
Credit Department of Farmers & Fishermen Associations	312,915
Postal Service which handles money transactions of deposit, transfer and withdrawal	321,623
Insurance Companies	11,972
Jewelry Retail Businesses	4
	Total: 3,726,585

Table 09: The Statistics of CTRs Filed by FIs, 2009-2012

Year	2009	2010	2011	2012
No. of Cases	2,963,282	3,637,884	3,836,757	3,726,585

B. The Statistics of Assisting Law Enforcement Agencies in Accessing CTRs Database

In accordance with the Guidelines for the Operations of the AMLD, a total of 120,816 CTRs database searches were made in 2012 on the request of Taiwan courts, prosecutor's office, police agencies, and functional divisions of the MJIB.

Table 10: The Statistics of Accessing CTRs Database, 2009-2012

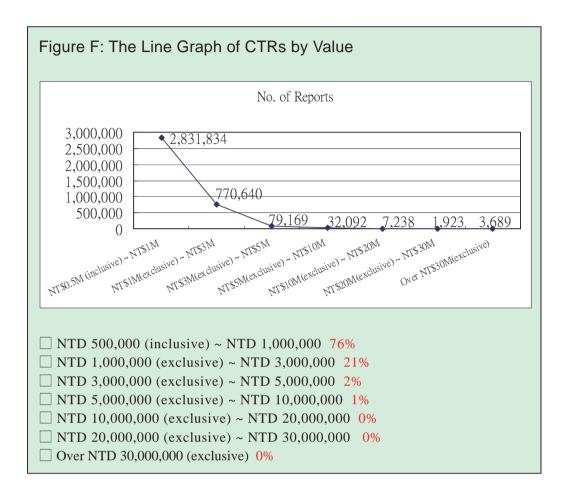
Year	2009	2010	2011	2012
No. of Reports	33,455	68,776	82,085	120,816

C. The Distribution of CTRs by Value

The statistics and breakdown of CTRs by the Value involved in 2012 are shown in Table 11 and Figure F.

Table 11: The CTRs Distribution by Value

Amounts	No. of Reports
NTD 500,000 (inclusive) ~ NTD 1,000,000	2,831,834
NTD 1,000,000 (exclusive) ~ NTD 3,000,000	770,640
NTD 3,000,000 (exclusive) ~ NTD 5,000,000	79,169
NTD 5,000,000 (exclusive) ~ NTD 10,000,000	32,092
NTD 10,000,000 (exclusive) ~ NTD 20,000,000	7,238
NTD 20,000,000 (exclusive) ~ NTD 30,000,000	1,923
Over NTD 30,000,000 (exclusive)	3,689
	Total: 3,726,585



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

A. The Statistics of ICTRs Declared at the Taiwan Customs

A total of 8,726 reports of ICTRs were declared at the Taiwan Customs and forwarded to the AMLD in 2012. The statistics is shown in Table 12.

Table 12: The Statistics of ICTRs Forwarded by the Taiwan Customs

Inbound & Outbound	No. of Reports
Inbound	6,303
Outbound	2,423
Total	8,726

Table 13: The Statistics of ICTRs Forwarded by the Taiwan Customs, 2009-2012

Year	2009	2010	2011	2012
No. of Reports	6,709	7,655	8,378	8,726

B. The Distribution of ICTRs by Month

The statistics of distribution of ICTRs by month in 2012 are shown in Table 14.

Table 14: The ICTRs Distribution by Month

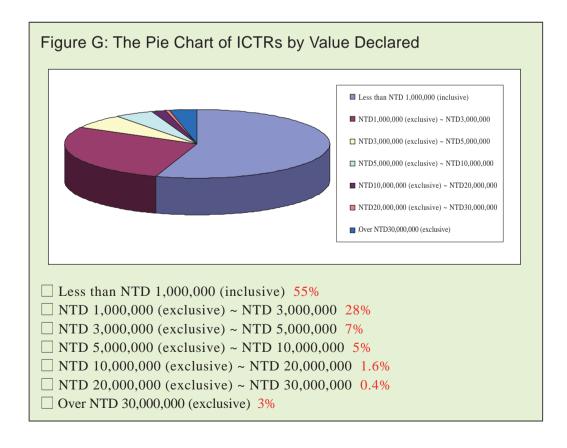
Month	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sept.	Oct.	Nov.	Dec.
Cases	675	632	660	749	745	707	729	720	829	846	707	727

C. The Distribution of ICTRs by Value Declared

The statistics and breakdown of ICTRs by value declared in 2012 are shown in Table 15 and Figure G.

Table 15: The ICTRs Distribution by Value Declared

Amounts	No. of Reports
Less than NTD 1,000,000 (inclusive)	4,801
NTD 1,000,000 (exclusive) ~ NTD3,000,000	2,452
NTD 3,000,000 (exclusive) ~ NTD5,000,000	575
NTD 5,000,000 (exclusive) ~ NTD10,000,000	410
NTD 10,000,000 (exclusive) ~ NTD20,000,000	149
NTD 20,000,000 (exclusive) ~ NTD30,000,000	41
Over NTD 30,000,000 (exclusive)	298
	Total: 8,726



D. The Results of ICTRs Processed by the AMLD

Table 16: The Processing Results of ICTRs by the AMLD

Status	No. of Cases	
Forwarded to the Functional Divisions of the MJIB	1	
Stored in the Database for Reference	8,711	
Under Analysis	14	

V. The Statistics of Prosecuted Cases under the Money Laundering Control Act (MLCA)

Through accessing to the Prosecution Document Database Enquiring System which is maintained by the Ministry of Justice, the AMLD has retrieved 20 cases prosecuted by district prosecutor's offices in 2012 under Article 11 of the MLCA, including deferred prosecutions and petitions for summary judgments. The information retrieved included the types of predicate crime, proceeds of crime, typologies of ML, and profiles of defendants. All these information shall be analyzed in order to build the statistics regarding ML overview and trends in Taiwan in 2012.

A. The Predicate Offence Types of the ML Cases

Table 17: The Statistics of the Predicate Offence Types of the ML Cases and the Competent Authorities in Charge of the Investigation

Offence Types	Predicate Offences	MJIB	Prosecutors Offices	National Police Agency	Total
General Criminal Crimes	Robbery	0	0	1	1
Subtotal		0	0	1	1
	Fraud	1	0	6	7
	Manipulation of Stock Price	3	0	0	3
	Nonbanking Entities Accepting Deposits	2	1	0	3
	Breach of Trust	3	0	0	3

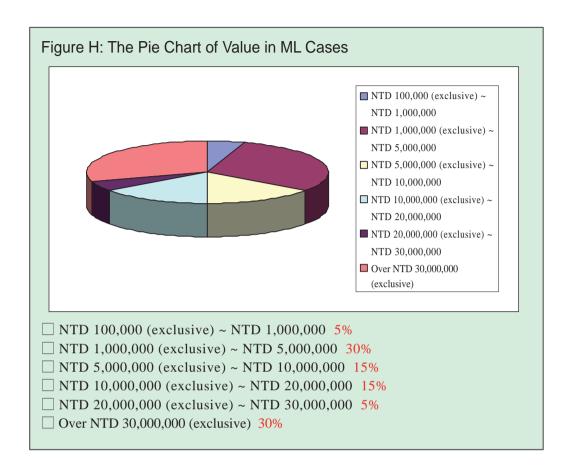
Subtotal		9	1	6	16
Corruption	Accepting Kick- backs	1	0	2	3
Subtotal		1	0	2	3
	10	1	9	20	

B. The Statistics of Value in ML Cases

In 2012, a total of laundered money NTD 1,062,790,225 in the 20 prosecuted cases. Please refer to Table 18 and Figure H.

Table 18: The Statistics of Value in ML Cases

Amounts	Cases
NTD 100,000 (exclusive) ~ NTD 1,000,000	1
NTD 1,000,000 (exclusive) ~ NTD 5,000,000 14	6
NTD 5,000,000 (exclusive) ~ NTD 10,000,000	3
NTD 10,000,000 (exclusive) ~ NTD 20,000,000	3
NTD 20,000,000 (exclusive) ~ NTD 30,000,000	1
Over NTD 30,000,000 (exclusive)	6
	Total: 20



C. The Statistics of ML Channels and Methods

Table 19 shows the channels of ML in prosecuted cases, and Table 20 methods of ML abused by offenders in 2012.

Table 19: The Statistics of ML Channels

Types of FIs	No. of Cases
Banks	20
Other FIs	0
	Total: 20

Table 20: The Statistics of ML Methodss

Methods of ML	No. of Cases
Dummy Accounts	14
Foreign Remittance	1
Bank Safe Boxes	1
Cash Couriers	1
Relatives' Banking Accounts	1
Purchasing Real Estates	1
Purchasing Precious Metals and Jewels	1
	Total: 20

D. The Prosecuted ML Cases Distribution by Region

Table 21: The Prosecuted ML Cases Distribution by Region

Region	Cases	Region	Cases
Taipei City	10	Taichung City	4
New Taipei City	3	Yunlin County	1
Taoyuan County	1	Changhua County	1

Total: 20

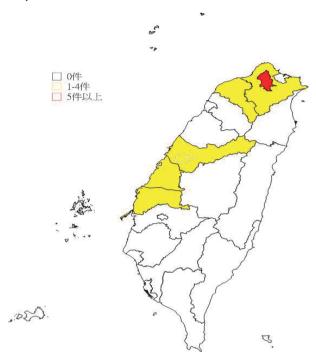


Figure I: The Map of the Prosecuted ML Cases Distribution by Region

E. The Statistics of the Defendants under the MLCA

Table 22: The Statistics of the Defendants Prosecuted under the MLCA

Charges	Defendant Types	Gender	No. of Persons
	ML for a Serious Crime Committed by Defen-	Male	24
Paragraph 1, Article 11 of MLCA		Female	9
	dants Themselves	Subtotal	33
		Male	18
Paragraph 2, Article 11 of MLCA	ML for a Serious Crime Committed by Others	Female	11
		Subtotal	29
Paragraph 4, Article	ML by Legal Entities	Legal Entities	1
II OF WILCA		Subtotal	1
Total			63

VI. Promoting Public Awareness and Training

A. Promoting Public Awareness of AML/CFT

Besides routinely promoting the public awareness campaigns of protecting government infrastructure and anti-corruption, AML/CFT as well a vital part, of which are carried out year-round by the field offices of the MJIB nation-wide. By taking advantage of local activities and public occasions, the field agents introduce and explain directly and enthusiastically to the people what the AML/CFT is and its related matters. With all these efforts, we firmly believe that the awareness will step by step be deep-rooted in Taiwanese people eventually.

B. AML/CFT Capacity BuildingTraining



 Director General Wang, Fu-Lin, MJIB, with the company of agents from the Changhua Field Office (situated in central Taiwan), illustrated what the AML/CFT is and how it works during the Taiwan Lantern Festival 2012. 101

To help the staff of FIs fully understand the requirements concerning AML/CFT, the indicators of suspicious transactions to improve the quality of filing STRs, the compliance with the MLCA and media transmission protocols, the AMLD has been providing training programs with lectures and presentations. These programs, upon FI's requests, cover the topics of the MLCA reporting obligations of FIs, case studies and the emerging trends in AML/CFT. The AMLD instructors have been sharing professional experiences with the participants from FIs and discussing the pros and cons of the reported STRs. With case studies, the patterns of suspicious transactions which were connected with certain crimes, such as underground remittance, stock market manipulation, insider trading, and internet gambling, etc. can thus be further understood and learned as lessons to detect and identify suspicious transactions more easily in the future. The statistics of seminars on AML/CFT and participants in 2012 are shown in Table 23.

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

Types of FIs		Subtotal			
		No. of Seminars	No. of Participants		
Danka	Domestic Banks	41	6,971		
Banks	Foreign Banks	9	347		
Credit Department of Farmers & Fishermen Associations		1	36		
Securities Investment and Trust Enterprises		5	289		
Securities Brokers		39	3,814		
Futures Brokers		3	311		
Postal Service which handles money transactions of deposit, transfer and withdrawal		6	296		
Insurance Companies		Insurance Companies		31	2,323
Negotiable Instrument Finance Corporations		0	0		
Total		135	14,387		

VII. International Cooperation

A. International Information Exchange

ML is generally regarded as a transnational crime. For the purposes of effectively combating transnational crimes concerning ML, TF, and the proliferation of WMD, countries are required to reach consensus and closely work together. The AMLD plays the role as the FIU of Taiwan and shares related information with a number of foreign FIUs. Exchanging information benefits not only the operational work of the FIUs but also the LEAs to track the transnational movement of the proceeds of crime.

Table 24: The Statistics of International Information Exchange

Types	Year	2009	2010	2011	2012
Requests from	Case	39	20	76	37
Overseas FIUs	No. of Reports	N/A	61	171	96
Requests to	Case	8	12	5	15
Overseas FIUs	No. of Reports	N/A	50	14	55
Spontaneous	Case	17	12	7	22
Exchanges	No. of Reports	N/A	34	48	48
Questionnaires	Case	2	5	2	0
and Other Matters	No. of Reports	N/A	186	155	78
Total	Case	66	49	90	74
	No. of Reports	N/A	331	388	277

B. Participating in Related International Organization's Activities

The AMLD has been actively participating in several AML/CFT related international organizations for years, including the APG, the Egmont Group of FIUs, and the FATF under the umbrella of the APG. By building tight connections with these organizations, not only does it help the AMLD develop skills and knowledge of AML/CFT, but also help lead the international community to better understand the efforts dedicated to AML/CFT by the Government of the Republic of China (Taiwan).

(1) Asia Pacific Group on Money Laundering (APG)

The AMLD affiliated with the delegation of Chinese Taipei and attended the APG annual meeting held in Brisbane, Australia, in July 2012, and participated in the APG Typologies and Capacity Building Workshop held in Hanoi, Vietnam, in November 2012. Beyond that, the AMLD also joined the Donor and Provider Group (DAP Group) on Technical Assistance and Training (TA&T) in the APG, and sponsored AUD 51,500 in 2012 for assisting member jurisdictions in Pacific Islands to attend the meetings and trainings held by the APG.

(2) The Egmont Group of FIUs

The AMLD takes the EG activities as a priority at work and assigned representatives to participate in the Egmont Group Working Group meeting held in Manila, the Philippines in January 2012, and the Egmont Group Plenary and Working Group meetings held in Saint Petersburg, Russian Federation in July 2012.

(3) Financial Action Task Force (FATF)

The AMLD participated in the FATF Plenary in Paris, France in February 2012 and Rome, Italy, in June 2012 under the umbrella of the APG. And to meet the FATF standards, the AMLD has been working hard with the Financial Supervisory Commission, the Ministry of Justices, and the Central Bank to contribute to the policies development, which is required to satisfy the FATF recommendations.



Egmont Group

Recognizing the benefits inherent in the development of a FIU network, a group of FIUs met at the Egmont Arenberg Palace in Brussels Belgium in 1995 and decided to found a group for the stimulation of international cooperation. Now known as the Egmont Group of FIUs, these FIUs meet regularly to find ways to cooperate, especially in the areas of information exchanges, training and the sharing of expertise. To date, the Egmont Group has 138 member countries and provides a secured web for facilitating intelligence exchanges among FIUs.

The FIU Taiwan joined the Egmont Group at the 6th Annual Meeting in June 1998 under the title "Anti-Money Laundering Division, Taiwan" (AMLD, Taiwan). Thus far, a total of 25 FIUs around the world have signed agreements/MOUs with the AMLD, Taiwan.

C. Concluding Agreements/MOUs with foreign FIUs

The AMLD entered into 6 MOUs with FIUs, Nigeria, Japan, Fiji, Dominican Republic, Papua New Guinea and St. Vincent and the Grenadines in 2012.



• On behalf of the MJIB, Director General Wang, Fu-Lin, signed "Agreement Concerning the Exchange of Information Related to AML/CFT" with the representative of the Dominican Republic.

Part Three

Significant Case Studies



- I. Illegal Gains from Company's Internal Control Audits Deficiencies
- **II. Health Supplements Fraud**
- III. Ponzi Scheme

I. Illegal Gains from Company's Internal Control Audits Deficiencies

A. Disclosure of STRs

In May 2011, the AMLD received an STR from Bank A indicating that the customer Ms. H usually had deposited or withdrew cash at different counters and intentionally structured each transaction within the reporting threshold of CTR, which exposed an indicator of ML.

B. Case Overview

Mr. L was the President of a listed Company G in Taiwan from May 2003 to June 2011, and Ms. H was his personal secretary at the time and was responsible for arranging his daily schedules, answering telephones and applying business trips and social expenditures for reimbursement. When filing new reimbursement applications, according to the company's policy, Ms. H should provide disbursement vouchers and reimbursement claim sheets along with Mr. L's signature for further accounting and budget cancel verifications.

However, Ms. H took advantage of negligence performed by the company's auditor, who generally failed to confirm the authenticity of the Mr.L's signature and thus induced a criminal intent of benefiting herself by creating bogus reimbursement. From time to time, Ms. H, together with her husband, purchased luxury watches, jewelries, leather goods and expensive household electrical appliances at department stores and boutiques somewhere else purely out of their own interests, of which were all paid by the credit cards held by them respectively. When checking the bills, they willfully and knowingly asked the counter clerks to invoice each transaction with amounts less than NTD 100,000, for evading auditing. And after that, in the name of President L's social expenditures, Ms. H filed reimbursement sheets with these invoices and forged Mr.L's signatures, and asked the company cashiers to remit the money to their personal banking accounts with the Bank A for balancing the purchase expenditures mentioned above. By doing so, Ms. H defrauded the company consecutively of NTD 1.11 million in 2007, NTD 5.46 million in 2008, NTD 13.26 million in 2009, NTD 34.44 million in 2010, and NTD 29.52 million from January to May of 2011.

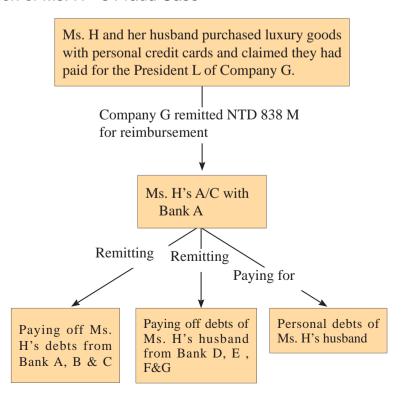
On May 5, 2011, another bogus application for reimbursement of NTD 360 million was made, and this time the money was remitted directly to the President L's personal banking account with the Bank A instead of Mrs. H's due to a "mistake". Immediately afterwards, Ms. H informed the accounting department and asked to remit back the money to her own account with the same Bank A. Because the clear-cut forged signatures shown on paper documents, the matter was therefore exposed and drew the auditors' attention. After a thorough checkup, the accounting department found that President L's social expenditures from January to May of 2011 alone were incredibly high up to NTD 29.52 million. By inquiring President L himself into the whole matters, the story became clear and made it a compelling fraudulent case.

In brief, Ms. H defrauded the company of NTD 838 million by creating fake reimbursement, a case example purely driven by human greed.

C. Indictment

Ms. H and her husband were indicted on charges of forgery, embezzlements and fraud in January 2012, and have been standing trial in court since then.

Illustration of Ms. H's Fraud Case



II. Health Supplements Fraud

A. Disclosure of STRs

The news media reported that the Company X, accused of in health supplements fraud, was under investigation by the MJIB. As an employee with the Bank B read the news, and found at the time that Company X was withdrawing USD 1 million with the certificate of deposit from this bank, alerting the concealing of illegal gains, filed an STR immediately to the AMLD.

B. Case Overview

Mr. R and his wife Ms. J were acting as president and general manager of the Company X respectively. On behalf of the Company X, they, contracting with some food processing factories, produced the so-called "health supplement" but actually adulterated with budget sugar syrup and artificial pigment. To promote the market sales, they abetted and conspired with one of the employees, Mr. C, who had known their true intentions, to forge the certificates of SGS, a leading company of inspection, verification, testing and certification in the world, and to make believe that the health supplement products were free of plasticizers, heavy metals and other toxic substances. These products, attached with forged SGS certificates as guarantee, were sold at a price of NTD 1,000 per bottle through distribution channels on internet, shopping TV and pharmacies. In order to attract customers, Mr. R claimed falsely that these products were all approved by the Food and Drug Administration (FDA) of USA and imported from a Nevada-based Company A, U.S., actually a paper company registered by Ms. J.

In January 2012, the Taipei Field Division, MJIB conducted a joint investigation into the scam with the FDA, Taiwan, and found that illegal profits of the business may reach over NTD 400 million. To make sure the illegal gains could be frozen with greater efficiency, the investigation unit had asked the prosecutor office to issue both search and seizure orders before the actions initiated, and made it possible that the related banking accounts could be si-

multaneously frozen when the places related to this scam was being searched . The seizure actions were a total success, of which an amount of over NTD 60 million were frozen from the business accounts with Company X and personal banking accounts with Mr. R and Ms. J.

When the prosecutor notified and set high bail amounts against them, Ms. J falsely defended that they couldn't afford it since all the assets and banking accounts had been frozen. The prosecutor then agreed to reduce the bail amount to NTD 100 thousand. Unexpectedly, the AMLD received an STR from the Bank B just right in the next morning, revealing that an employee with the Company X was withdrawing USD 1 million (equivalent to NTD 30 million) with an USD certificate of deposit, and without any hesitation, the prosecutor was informed and the proceeds of crime frozen.

C. Confiscation

The criminal proceeds in this case, totaled NTD 90 million (equivalent to USD 30 million), were frozen in the end.

D. Indictment

In March 2012, Mr. R and Ms. J were indicted on charges of fraud, the offence of making false mark or indication on merchandise.

III. Ponzi Scheme

A. Disclosure of STRs

In January 2012, the AMLD received an STR from the Bank A, briefly described as follows: Mr. W, a foreigner, acted as chairman and general manager, the actual person in charge of the Dream Company, and ran the business with two of his associates -- Mr. X and Ms. Y (Mr. X's intimate friend), both with the titles of directors. On two consecutive business days just right before closing, Mr. X, together with the company's accountant Mr. Z, showed up in the Bank A, and tried to withdraw a large amount of cash. However, they were unable to provide convincing answers to the Bank A teller's enquiries about the use of the funds, of which were pursuant to Customer Due Diligence (CDD) practice. And thus, the Bank A filed an STR to the AMLD.

B. Case Overview

The Dream Company and the individuals mentioned above had long been under investigation by the Taipei Field Division, MJIB before the Bank A's STR filed to the AMLD. After initial background checks and business transactions analysis, the AMLD discovered that the company might have been defrauding the investors by using illegal means akin to a Ponzi scheme. By following the procedures, the AMLD forwarded the case to the Taipei Field Division, MJIB for further investigation.

In February 2012, a desperate investor filed a complaint to the local police, describing that the Dream Company had failed to pay him the principal and interest as promised, from which had been all due. The police therefore informed the Bank A and the Dream Company's business accounts were soon flagged as "suspicious accounts". Being alert to the situation, Mr. W fled to Japan on 29 February, 2012. Immediately after that, Mr. X and his intimate friend, Ms. Y attempted to flee the country on March 6 of the same year, but didn't succeed. They were both intercepted and arrested at the Taiwan Taoyuan International Airport, and were taken into custody. And the investigations

later on revealed that the Dream Company had been playing a super big money game, referred as "multi-layer marketing scheme" in Taiwan, which was similar in some ways of the "Ponzi Scheme" in the Western world.

The investors, namely victims, were mostly Taiwanese, of whom falsely believed that their money would be invested in the installation of coin-operated massage chairs in overseas supermarkets and theme parks, and thus a large sum of money in excess of NTD 2.5 billion (equivalent to USD 83.3 million) were wheedled out of their pockets. They claimed that payment of a certain amount of money, for example, NTD 98,000 (USD 3,500) or NTD 318,000 (USD 11,000) for one unit of investment would yield them a monthly return of 30%. The Dream Company stressed that investors would recover their principal and plus the profits more than 3 times of their initial investments within 10 months of investments. In fact, the Dream Company was playing the game of "robbing Peter to pay Paul", in which all the subsequent investors' money were used to pay the previous investors' principal and interests. In other words, the whole game was something like a rolling snowball, of which was growing larger and larger in size, and finally broke apart until when the subsequent investors (i.e. investors at lower levels of the Ponzi Scheme Pyramid) could no longer withstand the weight of the former investors' principal and interests at upper levels.

C. Confiscation

On March 7, 2012, the investigation unit of the Taipei Field Division, MJIB launched raids on the Dream Company's premises, and seized cash amounting to approximately NTD 11 million (equivalent to USD 400,000) and froze bank holdings of about NTD 60 million (USD 2 million). The AMLD helped trace the money flows the next day, and found the illegal flow of funds streaming into the banking accounts with W, X, Y and Z. Immediately after that, the AMLD assisted in freezing the funds, of which amounted to approximately NTD 93 million (USD 3.1 million). During time frames of investigation, the total seizure of illegal funds reached NTD 170 million (USD 5.5 million).

${f S}$ ignificant Case Studies

Moreover, the AMLD found that between August 2010 and February 2012, the Dream Company had remitted over NTD 1 billion (USD 33.3 million) of its illegal gains to overseas branch in Japan, and a remittance of NTD 8.4 million (USD 280,000) was made to a personal banking account maintained by Ms. Y in Malaysia.

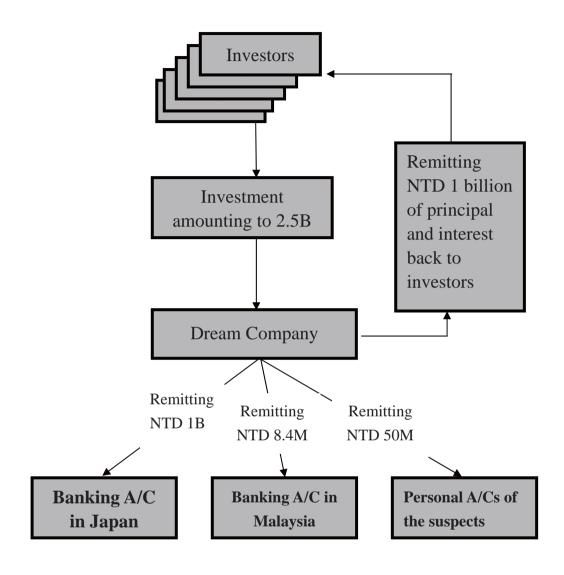
D. Indictment

The Taipei District Prosecutors Office sought an 18-year imprisonment term both for Mr. W, actual person in charge of the Dream Company and Mr. X, director of the company; 16 years for Mr. Y, director of the company, and 6 months for Mr. Z, company's accountant.

E. Internal and International Cooperation

During the investigation, the Bank A had greatly assisted the AMLD in freezing the illegal gains of relevant banking accounts. And after prosecution of the parties accused, the AMLD actively advised the Bank A to offer administrative rewards to the employees who had made great efforts in AML works. And apart from this, the AMLD forwarded the case information to the FIUs of other countries through the Egmont Group's Security Website. The Japanese LEA is currently investigating into the ML crimes on Mr. W who had committed in Taiwan and absconded to Japan with large amounts of money.

The Illustration of the Ponzi Scheme



Significant Case Studies

Part Four:

The Major Events of the AMLD in 2012



Date	Major Events
2012/1/29-2/1	The representatives of the AMLD participated in the workshop of "NPOs and Counter Terrorism" in Kuala Lumpur, Malaysia.
2012/1/29-2/2	The representatives of the AMLD participated in the Working Group Meeting of the Egmont Group in Manila, the Philippines.
2012/2/12-19	The representatives of the AMLD participated in the 2nd Plenary Meeting of FATF-XXIII in Paris, France.
2012/3/6	The representatives of the AMLD visited the Association of East Asian Relations, discussing about the signing of MOU on AML/CFT with Japan.
2012/3/9	The representatives of the AMLD participated in the meeting held by the Ministry of Foreign Affairs, Taiwan, discussing about the US Visa Waiver Program.
2012/3/12-14	The representatives of Japan visited the AMLD to discuss about the issue of signing MOU on AML/CFT.
2012/3/30	The AMLD received the officers from the Interchange Association, Japan.
2012/4/15-18	Dr. Gordon Hook and Mr. Dietmar Kales, Executive Secretary and Executive Officer of the APG, visited the AMLD and the Ministry of Justice, Taiwan.
2012/4/20	51 staffs from the Department of Properties Declaration, Control Yuan, Taiwan, visited the AMLD.
2012/4/30~5/1	The representatives of the AMLD participated in the seminar of mutual legal assistance held by the Ministry of Justice.
2012/5/17	The representatives of the AMLD participated in the meeting held by the FSC, discussing about the AML/CFT guidelines for the insurance brokers and agents.
2012/5/21~5/24	The AMLD hosted a seminar of AML/CFT for investigators from Investigation Bureau.
2012/5/31	The representatives of the AMLD participated in the meeting organized by the Homeland Security Office, Taiwan, discussing about the AML/CFT measures of jewelry stores.
2012/6/13	The US ICE officers visited the AMLD.
2012/6/16~24	The representatives of the AMLD participated in the 3rd Plenary Meeting of FATF-XXIII in Rome, Italy.
2012/7/6-15	The representatives of the AMLD participated in the Plenary and Working Group Meeting of the Egmont Group in Saint Petersburg, Russian Federation.

Date	Major Events
2012/7/11	AIT (American Institute in Taiwan) visited the AMLD.
2012/7/13-22	The representatives of the AMLD participated in the 15th APG Plenary and Working Group Meeting in Brisbane, Australia.
2012/7/17	The representatives of the AMLD participated in the meeting organized by the Ministry of Economic Affairs, discussing on foreign exchange of e-commerce.
2012/8/8	The US Secret Service officers from Hong Kong office visited the AMLD.
2012/9/5	The representatives of the AMLD participated in the cross-department task force, discussing about the issues related to the 3rd round mutual evaluation on AML/CFT.
2012/9/18	The officers from Hong Kong Office, the US Department of Treasury visited the AMLD.
2012/9/20	The representatives of the AMLD participated in the seminar on proceeds of crime confiscation organized by the MOJ, Taiwan.
2012/9/25	The AMLD organized the 1st Seminar on "ML through the China UnionPay Cards in Taiwan".
2012/10/13-21	The representatives of the AMLD participated in the 1st Plenary Meeting of FATF-XXIV in Paris, France.
2012/10/29	The AMLD organized the 2nd Seminar on "ML through the China UnionPay Cards in Taiwan".
2012/11/6	The MJIB signed an agreement on AML/CFT concerning the exchange of information with the Dominican Republic.
2012/11/15	The AIT officers visited the AMLD.
2012/11/18-21	The representatives of the AMLD participated in the seminar on "The ML/TF Risk Assessment of the DNFBPs" organized by APEC in Singapore.
2012/11/18-22	The AMLD hosted "the Cross Strait Forum on Criminal Law" in Taipei, Taiwan.
2012/11/18-24	The representatives of the AMLD participated in the APG Typology and Capacity Building Workshop in Vietnam.
2012/12/2-6	The representatives of the AMLD participated in the New Revised FATF Standards Workshop organized by the APG in Seoul, Korea.
2012/12/5	The representatives of the AMLD participated in the International Seminar on homeland security organized by the Homeland Security Office, Taiwan.
2012/12/11	The officers from Thai FIU visited the AMLD.

Publication Data

Anti-Money Laundering Annual Report. 2013 / Investigation Bureau, Ministry of Justice (MJIB)

ISBN 978-986-03-8745-2 (Paper Bound)

GPN 101202509

- 1. Money Laundering
- 2. Crime Prevention

ANTI-MONEY LAUNDERING ANNUAL REPORT, 2012

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E-Mail: amld@mjib.gov.tw Editor: Chen, Chi-Ming

Printed in Taiwan, Republic of China

ISBN 978-986-03-8745-2 (Paper Bound)

GPN 101202509

List Price: NTD\$150

Republic of 102 year in November publishes