

**MEMORANDUM OF UNDERSTANDING (MOU)
FOR COOPERATION AND COORDINATION IN THE EXCHANGE OF
INFORMATION RELATING TO MONEY LAUNDERING, TERRORIST
FINANCING AND PREDICATE OFFENCES**

WHEREAS with the aim and object to enhance cooperation, coordination and exchange of information to facilitate the timely and effective detection, analysis and probe of cases, transactions and activities relating to money laundering, terrorist financing and predicate offences; and pursuant to the decision of National Task Force on CFT in NACTA, the Agencies defined herein have reached the following understanding:

Article 1

General Principle

The Agencies shall implement the provisions of this MOU in conformity with the applicable laws of Pakistan.

Article 2

Definitions

For the purposes of this MOU, unless the context requires otherwise:

- a) "Agencies" shall mean the agencies who are signatories of this MOU and whose names appear at the end;
- b) "information" shall mean any data, whether or not processed or analyzed, and documents, reports and other communications in any format, whether in electronic or print form, which may be directly or indirectly relevant to money laundering, terrorist financing and predicate offences;
- c) "person" shall include natural and legal persons;
- d) "predicate offences" shall mean the offences listed in the Schedule appended to the Anti-money Laundering Act of 2010;
- e) "Requesting Agency" shall mean the Agency which requests assistance;
- f) "Requested Agency" shall mean the Agency from which assistance is requested.

Article 3

Purpose

3.1 The Agencies will fully cooperate to provide information to each other, either on request or their own initiative, for the detection, prevention and probe of money laundering, terrorist financing and predicate offences.

3.2 The exchange of information shall be performed in accordance with the governing laws and administrative policies and procedures of the Agencies.

Article 4

Scope of Exchange

4.1. The Agencies shall exchange such information that:

- a) is relevant in the detection, analysis and probe of money laundering, terrorism financing and predicate offences;
- b) is in their possession or they may access to; and
- c) they are authorized by law to collect and share.

4.2. The Agencies will share information, based on their respective resources, access and powers, with respect to:

- a) new trends, means or methods of committing money laundering, terrorist financing and predicate offences;
- b) persons or accomplices known or suspected to have committed money laundering, terrorist financing or predicate offences; and
- c) money and other properties suspected to be involved in, used for or proceeds of money laundering, terrorist financing or predicate offences.

Article 5

Request for Information

5.1. Each request for information shall, to the extent possible, be accompanied by:

- (a) statement of relevant facts including background information concerning the suspected crimes, transactions, and activities;

- (b) identification of the suspected persons (i.e., full name, CNIC, parentage, other identification for natural person and full name, NTN, registration details, particulars of owners, sponsors and management along with their identification for the legal person); and
- (c) identification of money and other properties concerning the suspected persons and criminal activities.

5.2. The Requested Agency shall respond to the requests in a timely manner. The Requested Agency shall further use its best efforts to provide interim or partial responses in a timely manner in cases where there may be a delay in providing a full response.

Article 6

Procedures

6.1. All requests and replies shall be communicated to and by the designated focal person of each Agency by email, courier or facsimile.

6.2. Each Agency shall notify the following details of its focal person within a week of coming into force of this MOU:

- a) Name
- b) Designation
- c) Office Address
- d) Office Phone Number
- e) Mobile number
- f) Official Email address
- g) Fax number

6.3. Any change in the details pertaining to the designated focal person shall be notified and communicated to all Agencies within two days of any such change.

Article 7

Use of Information

7.1. The information obtained from the Requested Agency shall be kept strictly confidential and not be shared with any third party by the Requesting Agency except as specified in the request.

7.2. The Requesting Agency shall not permit the use or release of any information obtained from the Requested Agency for purposes other than those stated in this MOU, without the prior written consent of the Requested Agency.

7.3. The Requesting Agency shall safeguard the information received and document the personnel having access to the information received.

7.4. The Requesting Agency shall be responsible for any unauthorized disclosure, leakage or unauthorized breach of information, under the Anti-money Laundering Act, 2010 or other applicable laws, including disclosure by a third party which has received information directly or indirectly from the Requesting Agency.

7.5. Any refusal to provide the prior consent will be appropriately motivated and explained and the Agencies will explore alternative ways to ensure that the information exchanged and used appropriately.

7.6. The Requesting Agency will provide feedback on the use of the information provided by the Requested Agency as well as on the outcome of the detection, analysis and probe conducted by the Requesting Agency.

Article 8

Confidentiality

8.1. The Agencies shall apply, and cause to be applied, strict controls and safeguards to ensure that the information exchanged between them is used only in an authorized manner and treated in a confidential manner.

8.2. The information received in the application of this MOU shall be confidential, subject to official secrecy and protected by the same confidentiality as is provided by the governing legislation of the Requesting Agency for similar information from its internal sources.

Article 9

Limitations

The requests for information may be refused by the Requested Agency, if assistance is contrary to its governing laws, national security or public order. The Requesting Agency shall be informed of the reason for refusal.

Article 10
Amendment

This MOU may be amended or modified at any time through mutual written consent of the Agencies. The amendment or modification shall enter into force in the manner provided in Article 12 of this MOU.

Article 11
Settlement of Disputes

Any difference of opinion or dispute between the Agencies on any matter concerning the application or the interpretation of this MOU shall be amicably settled by them through mutual discussions; and, in the event that the Agencies fail to resolve any difference or dispute within a period of three months, such difference shall be referred to the respective heads of the Agencies for an amicable settlement.

Article 12
Entry into Force, Duration and Termination

12.1. This MOU shall enter into force at once on the date of the last signature of the Agencies and shall remain valid unless terminated.

12.2. The Agencies may terminate this MOU with mutual consent and may replace it with another MOU.


12.3. The conditions specified in Article 8 (Confidentiality) and Article 11 (Settlement of Disputes) of this MOU shall continue to bind the Agencies, notwithstanding the termination thereof.

IN WITNESS WHEREOF, this MOU has been signed at Islamabad by the duly authorized representatives of the Agencies specified herein below,
Dated 9th April, 2019.


Zahir Shah, Director General (Ops)
For the National Accountability Bureau


Brigadier Talha Atraf
For the Military Intelligence

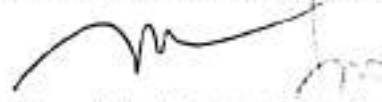

Mohammad Iqbal, Director General (CFT)
For the National Counter Terrorism Authority



Iram M. Amir, Director (I&I) (HQ)
For the Directorate General (I&I) Customs
FBR

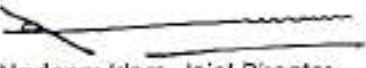

Iqbal Khattak, Director (I&I)
For the Directorate General (I&I) IR-FBR



Lt. Col. Habib Nawaz Khan (Retd)
For the Inter Services Intelligence



Noman Akram, Director
For the Intelligence Bureau


Mazharul-Haq, Director (IN-1/C)
For the Federal Investigation Agency



Adnan Iqbal, Director
For the Financial Monitoring Unit


Nadeem Islam, Joint Director
For the Anti-Narcotics Force


Mr. Sohail Akhtar Ch, SSP (CTD)
For the Counter Terrorism Department
Punjab


Dr. Ayaz Khan, Director (Research)
For the Counter Terrorism Department, KP


Ghulam Mustafa Inza Bhutto SP (Operation)
For the Counter Terrorism Department, Sindh


Mr. Nazeem Ullah Pandrani, SP (CTD)
For the Counter Terrorism Department,
Balochistan