

MEMORANDUM OF UNDERSTANDING

BETWEEN

**MALİYE BAKANLIĞI, MALİ SUÇLARI ARAŞTIRMA KURULU BAŞKANLIĞI
(MASAK) OF THE REPUBLIC OF TÜRKİYE**

AND

**MINISTRY OF FINANCE AND ECONOMY, KOREA FINANCIAL INTELLIGENCE
UNIT (KOFIU) OF THE REPUBLIC OF KOREA**

**CONCERNING COOPERATION IN THE EXCHANGE OF FINANCIAL
INTELLIGENCE RELATED TO MONEY LAUNDERING AND TERRORISM
FINANCING**

Maliye Bakanlığı, Mali Suçları Araştırma Kurulu Başkanlığı (MASAK) of Republic of Türkiye and Ministry of Finance and Economy, Korea Financial Intelligence Unit (KOFIU) of Republic of Korea hereafter referred to as "Authorities" have reached the following understanding to facilitate the exchange of information on money laundering, terrorism financing and related criminal activity, in a spirit of cooperation and mutual interest, on the basis of reciprocity and within the framework of each Authority's domestic legislation.

1 – Purpose

- (1) The Authorities will cooperate by providing to each other, spontaneously or upon request, information which may assist in the analysis, investigation and prosecution of persons suspected of having engaged in money laundering, terrorism financing and related criminal activity.
- (2) The cooperation and exchange of information between the Authorities shall take place in accordance with the domestic legal system.

2 – Justification of a Request

- (1) Each request shall, to the extent allowed by domestic legislation, be accompanied by:
 - (a) A brief statement of the relevant facts known to the requesting Authority,
 - (b) All available subject identifying data,
 - (c) All available information concerning suspected crimes, charges, if any,
 - (d) The reason for the request and the purpose for which the information will be used,

3 – Use of Information

- (1) The information or documents obtained from the respective Authorities will not be disseminated to any third party, nor be used for administrative, prosecutorial or judicial purposes without prior consent of the disclosing Authority.
- (2) The Authorities will not permit the use or release of any information or document obtained from the respective Authorities for purposes other than those stated in this Memorandum, without the prior consent of the disclosing Authority.
- (3) In case of any change in the predicate offences for money laundering, money laundering and terrorism financing offences, the situation shall be notified to the other respective Authority promptly.

4 – Confidentiality

- (1) The information acquired in application of the present Memorandum is confidential. It is subject to official secrecy and is protected by the same confidentiality as provided by the national legislation of the receiving Authority for similar information from national sources.

5 – Refusals

(1) Requests may be refused if assistance would be contrary to the domestic legal system, international agreements or to national security. The requesting Authority shall be informed of the reason for refusal.

6 – Procedures

(1) The Authorities will jointly arrange, consistent with the legislation of their respective countries, for acceptable procedures of communication and will consult each other with the purpose of implementing this Memorandum.

(2) Communication between the Authorities shall take place in English.

7 – Amendments

(1) This Memorandum may be amended at any time by mutual consent. The Authorities will communicate their approval of these amendments by exchange of note and it will take effect on the date of the last notification.

8 – Termination

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

(2) The obligations stipulated in Article 3(1) & 3(2) and Article 4 of this Memorandum of Understanding shall continue to bind the Authorities notwithstanding the termination of the Memorandum of Understanding.

9 – Effective Date

(1) The Authorities will communicate their approval of this Memorandum by exchange of note and it will take effect on the date of the last notification.

This memorandum signed on 18 June 2009 in Ankara and on 24 June 2009 in Seoul as two copies made in English language which are considered original copies.

For Maliye Bakanlığı, Mali Suçları
Araştırma Kurulu Başkanlığı (MASAK) of
Republic of Türkiye

For Ministry of Finance and Economy,
Korea Financial Intelligence Unit (KOFIU)
of Republic of Korea

Adnan ERTÜRK
President

Young Kwa KIM
Commissioner