

## Chinese National #1 (unnamed)

**Case ID:**

ARW-42

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

China

**Position of Public Official(s) (yrs in office):**

Unknown

**Jurisdiction of Asset Recovery:**

Australia

**Jurisdiction of Asset Recovery ? Description:**

Undertaking Recovery Effort, Location of Recovery Effort, Asset Location / Alleged Asset Location

**Asset Recovery End:**

Unknown

**UNCAC Offenses Implicated:**

Art.17

**Money laundering Implicated:**

No

**Legal Basis for Asset Recovery:**

Other

**Basis for Intl Cooperation:**

Unspecified

**Contributing Factors in Asset Recovery:**

Australia - China law enforcement cooperation and establishment of Australia's Equitable Sharing Program (Source: "Equitable Sharing Program," on the website of the Australian Government, Attorney-General's Department, Overview of the Proceeds of Crime Act 2002, accessed at [http://www.ag.gov.au/agd/WWW/ncphome.nsf/Page/POCA\\_funding\\_for\\_Non-Government\\_Agencies.](http://www.ag.gov.au/agd/WWW/ncphome.nsf/Page/POCA_funding_for_Non-Government_Agencies))

**Status of Asset Recovery :**

Completed

**Agreement for Returned Assets:**

No

**Agreement for Returned Assets - Description:**

NA

**Case Summary:**

Citing obligation under the United Nations Convention Against Corruption to share profits of crime where assistance in the recovery of those profits contributes to legal enforcement cooperation, the Australian government made the following payment under its equitable sharing program: AUD \$3,372,807.49 to the Chinese Government for money recovered in Australia by the Australian Federal Police, regarding a matter involving a Chinese national, who was wanted in China for embezzlement and fraud offenses. (Source: "Equitable Sharing Program," on the website of the Australian Government, Attorney-General's Department, Overview of the Proceeds of Crime Act 2002, accessed at [http://www.ag.gov.au/agd/WWW/ncphome.nsf/Page/POCA\\_funding\\_for\\_Non-Gover....](http://www.ag.gov.au/agd/WWW/ncphome.nsf/Page/POCA_funding_for_Non-Gover...))

**Disposition of Criminal Case(s):**

According to the website of Australia's Attorney General on the Equitable Sharing Program under the Proceeds of Crime Act, the Chinese national was "wanted in China for embezzlement and fraud charges." (Source: [http://www.ag.gov.au/agd/WWW/ncphome.nsf/Page/POCA\\_funding\\_for\\_Non-Gover...](http://www.ag.gov.au/agd/WWW/ncphome.nsf/Page/POCA_funding_for_Non-Gover...), last accessed on May 3, 2011.)

**Jurisdiction of Origin: Investigative Agency:**

Unspecified

**Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):**

Unspecified

**Jurisdiction of Origin: Courts Involved:**

Unspecified

**Jurisdiction of Asset Recovery: Investigative Agency:**

Australian Federal Police

**Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):**

Attorney General

**Jurisdiction of Asset Recovery: Courts Involved:**

Unspecified

**Documents:**

<http://>

**Documents:**

<b>Attachment</b>	<b>Size</b>
 Australia_ATTYY_GENL_ESP_May_3_2011.pdf	357.78 KB

**Documents Links:**

**Other Sources:**

"Equitable Sharing Program," on the website of the Australian Government, Attorney-General's Department, Overview of the Proceeds of Crime Act 2002, accessed at [http://www.ag.gov.au/agd/WWW/ncphome.nsf/Page/POCA\\_funding\\_for\\_Non-Gover...](http://www.ag.gov.au/agd/WWW/ncphome.nsf/Page/POCA_funding_for_Non-Gover...)