

Chinese National #2 (unnamed)

Case ID:

ARW-43

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

UNCAC Offenses Implicated:

Art.23

Money laundering Implicated:

Yes

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.)

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 \$4,160,259.81 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 money laundering 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....)

Disposition of Criminal Case(s):

According to the website of the Australia's Attorney General on the Equitable Sharing

Program under the Proceeds of Crime Act, the Chinese government assisted in "the investigation and prosecution of a Chinese national for money laundering offences." (Source: 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:

Unknown

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:

Unknown

Documents:

<http://>

Documents:

Attachment	Size
 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...)