

**MEMORANDUM OF UNDERSTANDING (MOU)**  
**BETWEEN**  
**THE ANTI-MONEY LAUNDERING OFFICE (AMLO)**  
**OF THE KINGDOM OF THAILAND**  
**AND**  
**THE FINANCIAL ANALYSIS UNIT (UAF)**  
**OF THE REPUBLIC OF CHILE**  
  
**CONCERNING CO-OPERATION IN THE EXCHANGE**  
**OF FINANCIAL INTELLIGENCE RELATED TO MONEY LAUNDERING**

The Anti-Money Laundering Office (AMLO) of the Kingdom of Thailand and the Financial Analysis Unit (UAF) of the Republic of Chile, hereinafter referred to as “the Parties” desire, in a spirit of co-operation and mutual interest, to facilitate the investigation and prosecution of persons suspected of money laundering and criminal activity related to money laundering.

To that end they have reached the following understanding:

1. The Parties will cooperate to assemble, develop and analyse information in their possession concerning financial transactions suspected of being related to money laundering or criminal activities connected with money laundering. To that end, the Parties shall exchange spontaneously or upon request any available information that may be relevant to the investigation by the Parties into financial transactions related to money laundering and the persons or companies involved, subject to the laws and regulations in force in the countries of the Parties. Any request for information will be justified by a brief statement of the underlying facts.
2. The information or documents obtained from the respective Parties shall not be disseminated to any third party, nor be used for administrative, prosecutorial or judicial purposes without prior consent of the disclosing Party. It is understood that information obtained in accordance with this MOU can only be used in justice when related to money laundering originating from specific categories of criminal activity, enumerated in Annex I for Thailand and Annex II for Chile. The Parties undertake to keep the annexes up to date in case of change in the relevant national legislation.




3. The Parties shall not permit the use or release of any information or document obtained from the respective Parties for purposes other than those stated in this MOU, without the prior consent of the disclosing Party.
4. The information acquired in application of the present MOU is confidential. It is subject to official secrecy and is protected at least by the same confidentiality as provided by the national legislation of the receiving Party for similar information from national sources. Notwithstanding the termination of the MOU, this provision shall remain in application.
5. The Parties shall jointly arrange, consistent with the legislation of their respective countries, for acceptable procedures of communication and shall consult each other with the purpose of implementing this MOU.
6. Communication between the Parties shall as far as possible take place in English.
7. The Parties are under no obligation to give assistance if judicial proceedings have already been initiated concerning the same facts as the request is related to.
8. This MOU may be amended at any time by mutual agreement between the Parties.
9. This MOU shall enter into force on the date of its signature and shall continue to be in force until terminated by either Party giving six (6) months' prior written notice to the other Party.

Done in duplicate at Seoul, South Korea this 29<sup>th</sup> day of May 2008 in the English language.

FOR THE ANTI-MONEY LAUNDERING  
OFFICE (AMLO)  
OF THE KINGDOM OF THAILAND

FOR THE FINANCIAL ANALYSIS UNIT  
(UAF)  
OF THE REPUBLIC OF CHILE

Police Colonel

  
\_\_\_\_\_  
(Yuthabool Dissamarn)  
Secretary-General

  
\_\_\_\_\_  
Victor Ossa Frugone  
Director

## ANNEX I

For the purposes of the Thai Anti-Money Laundering Act, the origin of the money or property is illicit when originating from a criminal activity related to:

1. narcotics;
2. trafficking in or sex exploitation of children and women in order to gratify the sexual desire of another person;
3. cheating & fraud to the public;
4. misappropriation or cheating and fraud under other commercial banks & financial legislation;
5. malfeasance in office or in judicial office;
6. extortion or blackmail committed by organized criminal association or unlawful secret society;
7. customs evasion;
8. terrorism;
9. gamble



## ANNEX II

### CRIMINAL ACTIVITIES PRECEDENT TO MONEY LAUNDERING IN CHILE

(LAW 19.913 OF DECEMBER 18th, 2003)

It shall be punished the one who:

a) In any way, conceal or disguise the illicit origin of certain property, although knowing that they are, directly or indirectly, the proceeds of criminal acts described in:

Law No. 19,366, which punishes the illicit traffic in narcotic drugs and psychotropic substances;

Law No. 18,314, which sets forth terrorist acts and their sanction;

Law No. 17,798, Section 10, on arms control;

Law No. 18,045, Title XI, on Securities market (to provide false information to Securities and Capital Market Supervisory Agencies, Stock Exchange, or the public; the public bidding of wrongfully registered securities; to act as stockbroker, securities agent or capital market risk advisor, without being registered; to use or provide classified information for own benefit; to use for own benefit third party securities; to hide or destroy security intermediaries accounting records; the diffusion of false information to the market, etc.);

Statutory Decree No. 3 of 1997 issued by the Ministry of Finance, Title XVII, General Banking Act (to provide false information regarding the property or capital conformation of a Bank or present adulterated balance sheets to the Banking Supervisory Institutions; to alter data in balance sheets, accounting books or other documents of an entity subject to supervision by the Banking Supervisory Institutions; to omit to record transactions that may affect the supervised entity's accountability or assets; to obtain loans having provided false or incomplete information regarding identity, assets, or other information for the purpose of obtaining such loans, etc.);

Criminal Code  
paragraphs 4, 5, 6 and 9 of Title V, Book II (malfeasance, embezzlement of public wealth, fraud, bribery, illegal levies, etc)  
Sections 141, 142, 366 quater, 367 and 367 bis (Kidnap, to facilitate or promote infant prostitution, statutory rape or sexual offense, to facilitate or promote the conning in or out of the country of prostitutes, etc.)

b) Acquire, own, hold ore use the said property, for profit, if, at the time of receipt, they had been aware of their illicit origin.

