



CONFIDENTIAL

**MEMORANDUM OF UNDERSTANDING
ON EXCHANGE OF INFORMATION**

AKK - AZBPKNK - KACA
Nr. 01-357/07
Dt. 06.09.2007
PRISHTINË - PRISHTINA

Article 1-Parties

- 1.1 This is a Memorandum of Understanding (The Memorandum) between the Financial Intelligence Centre (the FIC) and the Anti-Corruption Agency (the Agency).
- 1.2 The FIC is the duly appointed authority under UNMIK Regulation No. 2004/2, as amended, to receive, analyze and disseminate sensitive financial information concerning the offences of money laundering and financing of terrorism, and related criminal offences.
- 1.3 The Agency is established in accordance with UNMIK Regulation No. 2005/26 promulgating Law No. 2004/34 and is mandated to undertake measures within the scope of the anti-corruption strategy, particularly in the field of administrative investigation of public corruption; eliminating the causes of corruption; the incompatibility of holding public office and performing profit-making activities for official persons; restrictions regarding the acceptance of gifts in connection with their execution of office; supervision of their assets and those of persons from their domestic relationship; and restrictions regarding contracting entities participating in public tenders conducting business transactions with firms in which the official person or person from his/her domestic relationship is involved.

Article 2-Purpose

- 2.1 The purpose of this Memorandum is to enhance cooperation and coordination in respect of information exchange and inspection activities relating to the detection and investigation of corruption, money laundering and the financing of terrorism.

Article 3-Aim and Scope

- 3.1 This Memorandum sets out the nature and level of cooperation and coordination between the FIC and the Agency and clarifies their expectations and intentions.

- 3.2 The Memorandum establishes procedures, conditions and criteria for facilitating and securing the exchange of information between the FIC and the Agency.
- 3.3 The provisions of the Memorandum respecting the provision of requested information are binding on each Party to the extent reasonable and practicable having regard to its resource constraints.

Article 4-Commencement and Termination

- 4.1 The Memorandum shall be effective from 1 September 2007 until such time that it is terminated or superseded by another memorandum or instrument.
- 4.2 The Memorandum may be terminated by either Party by notice in writing, but may only be amended with the agreement of both Parties.
- 4.3 In the event of termination the procedures, conditions and criteria respecting the use and dissemination of information exchanged under the Agreement continue in force and are binding on the Parties in respect of information obtained by the Parties under the Agreement prior to termination.

Article 5-Undertakings and Exchange of information

- 5.1 The FIC undertakes to give careful consideration to any formal request it makes of another Party to ensure the request is justified. The FIC undertakes to use all materials and information received under this Memorandum for purposes only of intelligence and supervisory activities as authorized by law and consistent with this Memorandum. The Agency undertakes to use all materials and information received under this Memorandum only for purposes having a connection with corruption, money laundering or financing of terrorism and as authorized by law and consistent with this Memorandum.
- 5.2 The FIC undertakes to:
- (a) Submit requests for information to the Agency in a format that shows authorization for the request;
 - (b) Respond to written requests for information from the Agency as provided by this Memorandum;
 - (c) Designate a point of contact for communication between the Parties;
 - (d) Maintain all information received from the Agency in a secure database;

- 5.3 The Agency undertakes to:

- (a) Respond to formal requests for information from the FIC for the purposes of financial analysis and other activities within the authority of the FIC;
- (b) Designate a point of contact for communication between the Parties;
- (c) Maintain all information obtained from the FIC in a secure database;
- (d) Deal with information received from the FIC only in accordance with specific criteria as agreed between the Parties.


Article 6-Conditions

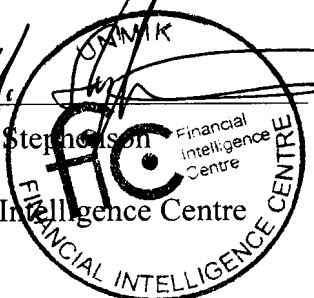
6.1 All information provided by one Party to the other under this Memorandum is confidential and is to be used only for the purposes provided in this Memorandum. No other use or further dissemination of the information may take place without prior consultation with and written authorization of the Party providing the information.

6.2 Requests from either Party will contain a reference number and a date.

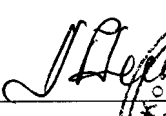
Prishtina, 5 September 2007

For the Financial Intelligence Centre


 Kevin M. Stephenson
 Director
 Financial Intelligence Centre



For the Anti-Corruption Agency


 Hasan Pretimi
 Director
 Anti-Corruption Agency

