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CHAPTER 2. NATIONAL AML/CFT POLICIES AND COORDINATION

第 2 章 國家防制洗錢/打擊資恐政策及協調

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Key Findings and Recommended Actions

重要發現及建議行動

Key Findings

重要發現

- 1) Chinese Taipei generally demonstrated a generally sound understanding of ML/TF risks. The 2018 NRA process was well coordinated and supported by a wide range of public and private sector representatives. The NRA adopted a reasonable methodology and process, but some scope gaps are noted with risks from cross border movement of cash and domestic trusts. The FSC conducted a sectoral risk assessment in 2015 and the FIU has conducted some strategic assessments. Further assessments of risk were undertaken in relation to legal persons and the NPO sector. Generally, FIs and DNFBPs appear to understand their risk as framed in the NRA and use it to inform their own risk assessments.

中華臺北展現出對洗錢/資恐風險普遍良好的瞭解。2018 年國家風險評估程序協調良好並受到廣泛公私部門代表的支持。NRA 採用了合理的方法論和程序，但存在一些範疇落差，包括來自跨境現金移動及國內信託的風險。金管會在 2015 年進行部門風險評估，金融情報中心則進行一些策略評估。有針對法人和非營利組織展開進一步的風險評估。一般而言，金融機構和 DNFBP 瞭解其在 NRA 中所述的風險，並將其資訊用於自己的風險評估。

- 2) Chinese Taipei has not yet issued a national AML/CFT strategy, but authorities have pursued AML/CFT policies and programs in many areas that reflect risk assessment findings. Strong policy coordination has resulted in a significant shift in the culture and priority of AML/CFT efforts.

中華臺北尚未發布國家防制洗錢與打擊資恐策略。但權責機關在許多方面已制定了防制洗錢/打擊資恐政策和計劃以反映風險評估的發現。強力的政策協調使防制洗錢/打擊資恐文化和優先順序產生重大轉變。

- 3) There has been a large increase in the allocation of resources to AML/CFT implementation across all relevant agencies, which has contributed significantly to the shift to risk-based approaches and priority implementation of AML/CFT reforms. Objectives and activities of the competent authorities and SRBs have been adjusted to be largely consistent with the identified ML/TF risks. Operational outcomes and relevant international cooperation approaches reflect a risk based approach by LEAs.

所有相關機關在實施防制洗錢/打擊資恐方面的資源分配已大幅增加，這極有助於轉型採用以風險為基礎的方法和優先執行防制洗錢/打擊資恐改革措施。權責機關和自律機構的目標及活動已經大致調整與辨識出的洗錢/資恐風險一致。實務結果和相關國際合作方法反映執法機關採取以風險為基礎的方法。

- 4) Enhanced measures have been applied for high vulnerability areas, though they may not sufficiently reflect trends in each sector. Mitigating measures for cash transaction risks

(threshold reporting) are positive, but were not applied to higher risks identified in the real estate sector.

針對高度弱點已採用強化措施，雖然該等措施可能未能充分反映每個部門的趨勢。有關現金交易風險的抵減措施（即大額現金申報要求）是正面的，但這些措施並未適用於不動產部門所辨識之高風險情況。

- 5) Coordination at the AML/CFT policy level is very strong, particularly since the creation of the AMLO. The AMLO has supported coordination and cooperation to finalize the NRA, and to adjust policy priorities across sectors and agencies. Policy cooperation and coordination is strong in the area of combating PF. While there are many strengths in operational coordination, some areas require further improvement, including between LEAs and supervisors on emerging ML/TF risks.

防制洗錢/打擊資恐在政策層面的協調非常強，特別是自洗錢防制辦公室成立以來。藉由洗錢防制辦公室支持的協調與合作，使 NRA 得以完成，並進而調整部門和機關間之政策優先順序。政策合作及協調在打擊武擴方面亦強有力。儘管在實務層面的協調具有許多優勢，部分領域仍需進一步改善，包括執法機關和監理機關針對新興洗錢/資恐風險的協調。

- 6) Authorities have worked closely with FI and DNFBP sectors and their associations on the NRA and sharing assessment findings to develop a shared understanding of risk. Significant resources were allocated to deliver programs that have led to FI / DNFBP sectors increased understanding of risk.

中華臺北當局與金融和 DNFBP 部門及其公(協)會等就 NRA 密切合作，並分享評估結果，以便對風險達成共識。大量資源分配至相關計畫，以協助金融和 DNFBP 部門增加對風險的瞭解。

Recommended Actions

建議行動

- a) Finalise and implement a national AML/CFT strategy and updated agency-level strategies.
完成並實施國家層級防制洗錢/打擊資恐策略及更新後的機關層級策略。
- b) The strong coordination structure that was put in place for the ME should be institutionalised to support ongoing priority actions to mitigate ML/TF/PF risk.
為相互評鑑設置強而有力的協調架構應予制度化，以支持持續優先的行動來抵減洗錢/資恐/武擴風險。
- c) Prioritise further comprehensive assessments of risk including: cash economy issues (including scope of the cash economy; cross-border movement of cash); ML risks with underground banking; foreign legal persons and arrangements in Chinese Taipei's offshore sector; organized crime involvement in third party ML; trusts and; emerging TF issues (including global trends on terrorism and TF). Pursue international cooperation to obtain inputs on such assessments.

優先進一步全面評估的風險包括：現金經濟的議題(包括現金經濟的範圍及跨境現金移動); 地下通匯的洗錢風險; 在中華臺北離岸部門的外國法人和法律協議; 涉及第三方洗錢的組織犯罪; 信託; 新興資恐議題 (包括全球恐怖主義及資恐趨勢)。尋求透過國際合作以取得相關資源投入該等評估工作。

d) At a policy level, closer examination should be given to the application of enhanced measures for higher risk scenarios and simplified measures for lower risk (e.g. consider applying threshold transaction reporting obligations to real estate sector)

在政策層面，應加強檢視對高風險情境採取的強化措施，以及低風險情境採取的簡化措施（例如考慮對不動產部門採取交易門檻申報義務）。

e) Continue to enhance operational level cooperation, including between LEAs and supervisors on sharing information on emerging ML/TF risks.

繼續加強實務層面的合作，包括在執法機關和監理機構之間分享有關新興洗錢/資恐風險的資訊。

Immediate Outcome 1 (Risk, Policy and Coordination)

直接成果 1(風險、政策及協調)

Chinese Taipei's understanding of its ML/TF risks

中華臺北對洗錢/資恐風險的瞭解

88. Chinese Taipei is subject to a number of significant ML threats, but few TF threats. The authorities have undertaken a number of assessments of ML/TF risks that support a reasonable understanding of key areas of risk, albeit with some relative strengths and weaknesses amongst the assessments.

中華臺北受到一些重大的洗錢威脅，但很少有資恐威脅。中華臺北當局已對洗錢/資恐風險進行了一些評估，以支持對關鍵風險領域的合理瞭解，儘管評估中存在一些相對優勢和弱點。

89. Chinese Taipei has demonstrated a generally sound understanding of ML/TF risks through the 2017/18 NRA process and other agency-level assessments. A wide range of government agencies and private sector actors participated in the NRA, which was published in May 2018.

中華臺北證明透過 2017/18 的 NRA 流程和其他機關層級的評估，對洗錢/資恐風險有了普遍合理的瞭解。範圍廣泛的政府機關和私部門機構參與 2018 年 5 月發表的國家風險評估。

90. Prior to the NRA, the FSC conducted a sectoral risk assessment (SRA) which looked at a number of vulnerabilities of the financial sector, but only relatively cursory information on threats (sources of proceeds of crime, methods of ML/TF, actors undertaking ML/TF). The SRA was a preliminary basis to commence a number of moves towards a risk-based approach by the FSC, but did not serve as a broad basis to support FI/DNFBPs' risk-based approach.

在 NRA 之前，金管會進行了部門風險評估 (SRA)，該評估檢視金融部門的一些弱點，但只有相對粗略的威脅資訊 (犯罪所得來源，洗錢/資恐方法，參與洗錢/資恐的行為者)。SRA 是金管會開始朝向以風險為基礎方法的一些初步基礎，但並未作為支持金融機構/DNFBP 以風險為基礎方法的廣泛基礎。

91. The NRA methodology focused on the assessment of ML threats and vulnerabilities and included an independent assessment of TF risks. The NRA considered sources of proceeds, ML techniques, vulnerabilities to ML, etc. Sources of data on criminal activities included the number of STRs, cases disclosed by the FIU, cases processed by LEAs, and estimates of predicate offence proceeds. Assessments of TF risks considered both domestic and cross-border risks, domestic and foreign threats,

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and the risks of movement of people and funds through the jurisdiction (including possible transit of foreign terrorist fighters). Close consideration was given to elements of TF risks with foreign workers within the jurisdiction.

NRA 方法論的重點是評估威脅和弱點，包括對資恐風險進行獨立的評估。NRA 考慮了犯罪所得來源，洗錢方法，洗錢的弱點等。關於犯罪活動的資料來源包括可疑交易報告的數量，金融情報中心披露的案件，執法機關處理的案件以及前置犯罪所得的估計數。對資恐風險的評估考慮了國內和跨境風險，國內和國外威脅，以及人員和資金通過司法管轄區的移動風險（包括外國恐怖主義戰士可能過境）。對管轄區內外國移工的資恐風險因素進行了密切關注。

92. A total of 23 ML threat areas (22 predicate offences and third party money laundering) were assessed based on three factors: “actors’ capacity”, “scope of ML activity” and “estimated of proceeds of crime annually”. The NRA classified the threats of ML/TF associated predicate offences into four categories as set out in the table below:

共有總數 23 個洗錢威脅（22 個前置犯罪和第三方洗錢）以下列三個因素進行評估：“參與者的能力”，“洗錢活動的範圍”及“每年估計的犯罪所得”。NRA 將洗錢 / 資恐相關前置犯罪威脅分為四類，如下表所示：

Table 1.1: List of ML/TF threat profiles’ overall ratings according to Chinese Taipei

表 1.1: 依據中華臺北提供之洗錢/資恐威脅全體評等

Low 低	Medium 中	High 高	Very High 非常高
Human Trafficking (migrant smuggling) 人口販運 Sexual exploitation 性剝削 Counterfeiting currency 偽造貨幣 Murder, grievous bodily injury 殺人、重傷害 Robbery 搶奪 Extortion 勒贖 Piracy 海盜 Terrorism (Terrorist Financing) 恐怖主義(資恐)	Illicit arms trafficking 非法販運武器 Illicit trafficking in stolen and other goods 贓物 Theft 竊盜 Kidnapping, illegal restraint 綁架、拘禁等妨礙自由 Environmental crime 環保犯罪 Forgery 偽造文書	Counterfeiting / product piracy, IPR crimes 仿冒 / 盜版、侵害營業秘密	Drug trafficking 毒品販運 Fraud 詐欺 Smuggling 走私 Tax crimes 稅務犯罪 Organised crime 組織犯罪 Securities crime 證券販罪 Corruption / bribery 貪汙 / 賄賂 Third-party ML 第三方洗錢

93. As for ML/TF vulnerabilities, the 2018 NRA assessed FIs and DNFBPs against five risk factors: sector's inherent characteristics; products and services; nature of business relationships; geographic reach, and delivery channels. Sources of data included the number and size of the sector, information on their product and service, geographical locations of clients and service activities.

關於洗錢/資恐弱點，2018 年 NRA 根據下列 5 個風險因素評估金融業和 DNFBP 部門：部門的固有特性；產品與服務；業務關係的本質；地理覆蓋範圍和交付管道。資料來源包括有關部門的家數和規模，產品和服務的資訊，客戶的地理位置和服務活動。

94. The 2018 NRA gave overall vulnerability ratings for 31 sectors of FIs and DNFBPs. Two sectors were rated as very high (Offshore banking units and domestic banks). Twelve sectors were rated as high (Offshore securities units (OSU); branches of foreign banks; the post office; securities firms; offshore insurance units (OIU); jewellery businesses; accountants; lawyers; real estate brokers; credit depts. of agricultural & fisheries associations; ABT; Life insurance companies; securities investment trust enterprises). Twelve sectors were rated as medium and five as low (foreign exchange counters were notable amongst the low ratings). These assessments appear to be generally reasonable.

2018 年 NRA 針對全體 31 個金融業和 DNFBP 部門進行弱點評等。兩個行業被評為非常高（國際金融業務分行和本國銀行）。12 個部門被評為高（國際證券業務分公司（OSU）；外國銀行在臺分行；郵政機構；證券商；國際保險業務分公司（OIU）；銀樓業；會計師；律師；不動產經紀人；農漁會信用部；全國農業金庫；人壽保險公司；證券投資信託事業等。12 個部門被評為中，5 個部門被評為低（外幣收兌處在低度評等中較引人注意）。這些評估通常是合理的。

95. The earlier SRA and the NRA gave some consideration to ML techniques. The SRA noted dummy accounts as the main ML method from 2007 to 2013, accounting for a majority of all cases, followed by offshore remittances (8.8%) and use of relatives' accounts (7.5%). All other methods were below 5%. However, the 2018 NRA did not take into account such ML/TF techniques.

先前的 SRA 和 NRA 均對洗錢方法進行了一些考慮。SRA 發現人頭帳戶是 2007 年至 2013 年的主要洗錢方法，佔所有案例的多數，其次是境外匯款（8.8%）和使用親屬帳戶（7.5%）。至於其他方法均不超過 5%。然而，2018 年 NRA 並未考慮這樣的洗錢/資恐方法。

96. LEAs do not regularly produce written threat assessments of particular crime types. However joint agency sub-committees meet to share information on the risks of certain key crime types as trends change, including analysing crime statistics and sharing key cases. AMLD publishes various ML typologies reports and has produced a small number of high quality strategic analysis products on certain current and emerging risks. These are distributed to government and private sector stakeholders.

執法機關並未定期針對特定犯罪類型進行書面威脅評估；但是當犯罪趨勢變化時，跨機關小組會透過開會分享某些特定關鍵犯罪類型的風險資訊，包括分析犯罪統計數據和分享一些重大案例。調查局洗錢防制處發佈各種洗錢態樣報告，並針對當前和新興的風險製作少量的高品質策略分析報告。這些報告被分送至政府和私部門之利益相關方。

97. While the 2017/18 NRA covers ML risks associated with narcotics, fraud, human trafficking, corruption, tax, smuggling, gambling, more detailed assessments were not available on each crime type. Further assessments of corruption risks are needed to support authorities to follow the proceeds of corruption and bribery (proceeds from domestic and foreign corruption), particularly those that go offshore. A comprehensive understanding of threats of laundering proceeds of foreign offences was not sufficiently demonstrated.

雖然 2017/18 年 NRA 涵蓋與毒品販運，詐欺，人口販運，貪汙，稅務犯罪，走私，賭博等有關的洗錢風險，但對個別犯罪型態仍缺乏更詳細的評估。需要進一步評估貪汙風險，以支持當局追查貪污賄賂的犯罪所得（國內和國外貪汙所得），特別是那些移出境外的貪污賄賂所得。尚未充分證明已全面瞭解外國犯罪所得的洗錢威脅。

98. The NRA included an assessment of legal persons and, to a lesser extent, legal arrangements. A more in-depth assessment of threats and vulnerabilities of legal persons was published in August 2018. The vulnerabilities included the ease of incorporation, professional engagement not being mandatory for company incorporation and no access to company beneficial ownership information. Data sources included companies under investigations, STRs and the geographic reach of legal persons. The NRA did not sufficiently assess the risk of foreign legal persons and arrangements and how they are misused for

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ML or TF or the features of types of legal persons that make them vulnerable for ML or TF. The NRA and sectoral identified all relevant categories of legal persons and gave two ratings of their relative transparency and vulnerability. Non-public limited companies and those limited by shares were rated as having 'higher' vulnerability. Public companies limited by shares, limited partnerships and **non-public unlimited partnerships** were assessed as having 'lower' vulnerability. The NRA included an assessment of TF risks associated with NPOs. The assessment considered six categories of NPOs. The assessment found that TF risks were low overall. However, it identified three categories having some risks (civil associations, national religious foundations and social welfare charity foundations) and three having no or low risks (medical foundations, educational foundations and cultural foundations). ML/TF risk assessment of trusts and NPOs lacked details on risk factors, threats, vulnerabilities and data sources and processes used in assessing their risk.

NRA 包括對法人的評估，以及法律協議(程度較低)。2018 年 8 月再對法人的威脅和弱點發布更深入的評估報告。弱點包括公司註冊過於簡單，沒有強制專業人士參與公司註冊，也無法取得公司實質受益權資訊。評估資料來源包括曾受調查的公司，關於法人的可疑交易報告以及法人的地理範圍。NRA 並未充分評估外國法人和法律協議的風險，以及它們如何被濫用於洗錢或資恐，或者使它們易受洗錢或資恐濫用的法人類型特徵。NRA 和各部門辨識所有相關的法人類別，並對其相對透明度和弱點給出兩個評等。非公開發行之股份有限公司和有限公司被評為具有“較高”的弱點。公開發行之股份有限公司，有限合夥和**非公開發行之無限及兩合公司**被評估為具有“較低”的弱點。NRA 還包括對非營利組織評估資恐風險。評估共考慮六種類型的非營利組織，發現整體資恐風險為低。然而，它辨識三種具有一定風險的類別（人民團體，全國性宗教財團法人和社會福利慈善類財團法人）和三個沒有或風險較低的類別（醫療類財團法人，教育類財團法人和文化類財團法人）。信託和非營利組織的洗錢/資恐風險評估缺乏有關風險因子，威脅，弱點和資料來源，以及評估風險程序的詳細資訊。

99. The NRA considered risks from transnational movement of proceeds of crime. Authorities reasonably considered geographical risks including the main destination and source jurisdictions for illicit proceeds and identified China; Macao, China; Hong Kong, China and the Philippines as the common sources and destinations countries. The British Virgin Island, Samoa and Cayman Island were highlighted, given the threats arising from legal persons formed in those jurisdictions being active in Chinese Taipei's offshore financial sector and the sectors associated risks.

NRA 考慮犯罪所得跨境移動的風險。當局合理考慮犯罪所得主要目的地和來源的地理風險，並辨識出中國大陸；澳門；香港和菲律賓是共同的來源和目的地國家。英屬維爾京群島，薩摩亞和開曼群島也被強調，因為在中華臺北離岸金融部門活躍的法人係於該等司法管轄區成立，還有該等部門相關風險所帶來的威脅。

100. The authorities have not sufficiently considered the nature of risks associated with informal channels and cash. Consideration of cross border BNIs were not included in the NRA. Qualitative and quantitative data were used to assess ML/TF risks in most of the sectors; however, this was not the case in assessing trusts and NPOs. More in depth risk assessment is required of DNFBPs sectoral risks. Further, Chinese Taipei should continue to maintain an understanding of regional and global trends that might change the risk profile of Chinese Taipei for TF (refer to IO. 9).

NRA 沒有充分考慮與非正式管道和現金有關的風險的性質。跨境無記名可轉讓工具不包括在 NRA 中。質化和量化資料被用於評估大多數部門的洗錢/資恐風險；但是，在評估信託和非營利組織時並非如此。DNFBP 部門風險需要更深入的風險評估。此外，中華臺北應繼續瞭解可能改變中華臺北資恐風險狀況的區域和全球趨勢（參見 IO.9）。

101. The NRA did not assess the risk of virtual assets but did note that virtual currencies such as Bitcoins had been used for drug transaction payments that particularly involved marijuana trafficking. Virtual assets are intended to be included in future risk assessments.

NRA 沒有評估虛擬資產的風險，但確實注意到像比特幣這樣的虛擬貨幣已被用於特別像是大麻販運這樣的毒品交易付款。虛擬資產將包含在未來的風險評估中。

102. In the period 2016-18 there was a significant policy focus on AML/CFT reforms, which included the formation of the AMLO as a leading body responsible for organizing, supervising and coordinating Chinese Taipei's AML/CFT efforts. This contrasts to the period of 2007 - 2016 in which there was very little progress with reforms, or implementation of Chinese Taipei's AML/CFT system.

在 2016 - 18 年期間，國家政策高度關注防制洗錢/打擊資恐改革，其中包括成立了洗錢防制辦公室，作為負責組織，監督和協調中華臺北防制洗錢與打擊資恐工作的國家領導機關。這與 2007 年至 2016 年期間形成對比，在該期間，中華臺北的防制洗錢與打擊資恐體系改革或實施進展甚微。

103. Since 2017 Chinese Taipei has given a priority to policy reforms and a move to a risk based approach ahead of the ME, which has involved significant efforts of cooperation and coordination. The NRA sets out some policy directions and there is a clear plan to prepare a national strategy. AMLO and other agencies demonstrated work to prepare to adopt a strategy following the ME.

自 2017 年以來，中華臺北已於相互評鑑之前，將政策改革和採取以風險為基礎的方法置於優先順序，其中包括合作和協調的重大努力。NRA 提出了一些政策方向，並有明確計畫將制定國家策略。洗防辦和其他機關證明準備於相互評鑑後實施國家策略的工作。

104. Authorities demonstrated their agency-level AML/CFT policies and activities that directly reflect risk assessment findings. Chinese Taipei has adopted some strategies and action plans relating to predicate threats, which include elements of AML/CFT. These include New-Generation Anti-Drug Strategy and the Strategic Anti-Drug Action Plans (July 2017); National Integrity Building Action Plan; and the Action Plan for Comprehensive Enforcement of Intellectual Property Rights Protection.

當局證明機關層級的防制洗錢/打擊資恐政策和活動，直接反應風險評估的發現。中華臺北採取一些與前置威脅有關的策略和行動計劃，其中包括防制洗錢的元素：新世代反毒策略和安居緝毒方案（2017 年 7 月）；國家廉政建設行動方案；貫徹保護智慧財產權行動計劃。

105. Sufficient resources and manpower are allocated for AML/CFT policies and activities. Significant additional resources were provided and other resources re-allocated to support priority policies and activities in response to the updated understanding of ML/TF risks.

充足的資源和人力被分配於防制洗錢/打擊資恐政策和活動。因應對 ML / TF 風險的最新瞭解，已提供了大量額外資源，並將其他資源重新分配以支持優先的政策和活動。

Exemptions, enhanced and simplified measures

免除、加強及簡化措施

106. Results of assessments of risk have generally been used to support application of enhanced measures in higher risk scenarios. A risk based approach to the application of simplified measures for lower risk scenarios is generally well supported by available assessments. A reduced range of AML/CFT measures have been applied to foreign exchange counters. FIs and DNFBPs are only required to apply simplified measures to foreign government entities, domestic government-owned enterprises, domestic public companies, and foreign listed companies. However, this does not sufficiently consider PEP risks and other higher risk areas.

風險評估結果一般用於支持高風險情境中採用的強化措施。現有評估通常很好地支持以風險為基礎方法來應用低風險情境的簡化措施。外幣收兌處採用縮小範圍的防制洗錢 / 打擊資恐措施。金融機

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構和 DNFBP 對外國政府實體，國內公營事業，國內公開發行公司和外國上市公司採取簡化措施。但是，這並沒有充分考慮 PEP 風險和其他較高風險的領域。

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107. Taking into account the risks of a cash-based economy, Chinese Taipei has obliged FIs and most DNFBPs to report threshold transactions (CTRs) exceeding NT\$500,000 (USD 16700) to the MJIB. However despite the risks identified in the NRA, CTR obligations were not applied to transactions in the real estate sector.

考慮到現金經濟的風險，中華臺北要求金融機構和大多數 DNFBP 必須向 MJIB 申報超過新臺幣 50 萬元（16,700 美元）的現金交易（大額現金申報）。然而儘管 NRA 辨識出這樣的風險，但這些措施並未適用於不動產部門。

Objectives and activities of competent authorities

權責機關的目標與行動

108. Regulatory and supervisory authorities' demonstrated that their objectives and activities are increasingly consistent with the results of the NRA and other assessments of risk. Supervisors, following the SRA, tended to focus on a sub-set of key threat areas and had not comprehensively adjusted their objectives and activities to take account of the wider set of priority threat areas. Since late 2017, the FSC has adjusted its priorities and activities in response to the NRA process findings. FSC and other supervisors have begun to increase their engagement on risk with AMLD and other LEAs and have increased the focus, frequency, scope and depth of supervision taking into account the updated understanding of risk.

管理和監理機關證明其目標和行動愈來愈符合 NRA 和其他風險評估的結果。在 SRA 之後，監理機關傾向於關注一部分的重大威脅範圍，而沒有全面調整其目標和行動，以考慮更廣泛的優先威脅領域。但自 2017 年底以來，金管會已根據 NRA 流程的發現結果，調整其優先事項和活動。金管會和其他監理機關並已開始與調查局洗錢防制處及其他執法機關聯繫，以增加對風險的投入，並且就其對風險瞭解的更新，增加了監理的重點、頻率、範圍和深度。

109. LEAs and the prosecutors have mostly aligned their investigative priorities to the eight very high threats identified in the ML/TF NRA prior to and since the completion of that assessment.

NRA 風險評估完成之前和之後，執法機關和檢察官已大多將其調查的優先順序與洗錢/資恐國家風險評估辨識的八種非常高風險威脅結合一致。

National coordination and cooperation

國家協調與合作

110. Coordination and cooperation on combating ML, TF and PF is strong overall at both policy and operational levels. There has been a significant shift in the culture of AML/CFT coordination. This area was previously viewed as a responsibility of specific competent authorities, but 'buy-in' has increased with greater awareness and priority evident across more relevant government agencies.

在政策和實務兩個層面上，打擊洗錢、資恐和武擴的協調與合作，整體而言是強有力的。防制洗錢/打擊資恐協調文化發生了重大轉變。此一領域在先前被視為特定權責機關的責任，但近年來認同程度已有增加，包括明顯有更多相關政府機關對此提高意識和優先順序。

111. The EY has placed a strong priority on coordination and cooperation in the preparation of the NRA and for the ME process. The government has allocated significant resources to cooperation and coordination, both within the AMLO and through a wide range of joint agency processes. The establishment of the AMLO as the joint-agency coordination body for the NRA and ME preparation has

seen contributions from different government departments and state owned corporations which has supported a much deeper whole-of-government approach to coordination.

行政院在準備 NRA 和相互評鑑程序方面，強力將國家協調與合作置於優先順位。政府已經在洗錢防制辦公室內部和通過廣泛的跨機關流程，為合作和協調分配了大量資源。作為準備 NRA 和相互評鑑的跨機關協調單位，洗錢防制辦公室的建立得到了不同政府部門和國營事業的協助，這些協助支持了以更深入的政府整體方法進行協調。

112. A wide range of coordination and cooperation meetings and activities were held during the process of ML/TF NRA. Interagency cooperation and coordination meetings are periodically held and operationally on a case by case basis when necessary. For example in 2016, MOJ has collaborated with JY, MAC, MOFA, FSC, MOTC, NCC, CIB, MJIB, NIA, and HPO to establish the "Inter-Agency Platform against Cross-Border Fraud" to improve the effectiveness of combating cross-border fraud. Some competent authorities are responsible for coordinating national efforts relating to specific threats: NPA is coordinating cybercrime investigation; and NSB is responsible for coordinating TF efforts. Following the NRA, interagency communication meetings have been held among competent authorities and have led to increasingly coordinated efforts on most priority threats.

在洗錢/資恐國家風險評估的過程中，舉辦範圍廣泛的協調與合作會議及活動。跨機關的合作和協調會議定期舉行，且於必要時根據個案舉行實務會議。例如，在 2016 年，法務部與司法院，大陸委員會，外交部，金管會，交通部，國家通訊傳播委員會，警政署刑事警察局，法務部調查局，移民署和臺灣高等檢察署合作建立了“打擊跨境電信詐騙跨部會平台”，以改善打擊跨境詐欺的有效性。一些權責機關負責協調與特定威脅有關的努力：警政署正在協調網路犯罪調查；國家安全局負責協調資恐的努力。在 NRA 之後，權責機關間舉行跨機關溝通會議，提昇對優先處理威脅的協調努力。

113. While there are examples of good cooperation leading to strong operational outcomes, the level of cooperation and coordination among LEAs, AMLD and prosecutors needs to be enhanced. Prosecutorial authorities expressed their interest in enhancing cooperation with AMLD in parallel financial investigations and in tracing illegal funds.

雖然有合作良好的例子並帶來強有力的實務結果，但是執法機關、調查局洗錢防制處和檢察官之間的合作與協調程度需要加強。檢察機關表示有意在平行金融調查和追查非法資金方面加強與調查局洗錢防制處的合作。

114. Structures and joint agency cooperation in relation to combating TF operate well at both policy and operational levels. The main CT and CFT coordination mechanism is the Homeland Security Policy Committee of the EY, which was established to formulate CT policies, review laws, approve plans and supervise operations. The members are generally at the level of ministers and heads of departments. The Committee meets at least annually. In addition, coordination meetings for Homeland Security Policy Committee are held every quarter. At the operational level, the Director of OHS organises regular working level meetings for specific issues with relevant agencies.

在政策和執行層面上，與打擊資恐有關的架構和跨機關合作運作良好。主要負責打擊恐怖主義和資恐協調機制的是行政院國土安全政策會報，該會報的成立是為了制定打擊恐怖主義政策，審查法律，批准計劃和監督運作。會報成員通常是部長層級和機關首長。會報每年至少舉行一次會議。此外，每季都會舉行國土安全政策會報業務會議。在執行層面上，國土安全辦公室主任定期與相關機構就特定問題召開工作級會議。

115. The NSB leads the coordination of TF efforts with MOJ, as the competent authority for TF investigations. While Chinese Taipei has generally low TF risks, there have been a number of cases where authorities have closely considered possible TF or terrorism matters and demonstrated good operational level cooperation. In these cases, national security and law enforcement agencies, including the FIU, were shown to coordinate well.

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國家安全局（NSB）負責領導與法務部的資恐協調工作，其中法務部是資恐調查的權責機關。雖然中華臺北的資恐風險普遍較低，但在一些案例中，當局已經密切考慮可能涉嫌資恐或恐怖主義的問題，並在實務上表現出良好的合作。在這些案例中，包括金融情報中心在內的國家安全和執法機關被證明能夠很好地協調。

116. The central authority in charge of CT policy is the OHS which regularly exchanges information with national security, LEAs and administrative agencies through meetings of the EY Homeland Security Policy Committee. The level of information exchange is consistent with the TF risk profile.

負責反恐政策的中央機關是國土安全辦公室（OHS），它透過行政院國土安全政策會報，定期與國家安全機關，執法機關和行政機關交換資訊（參見 IO 9）。資訊交換水準與中華臺北的資恐風險狀況一致。

117. Supervisory authorities demonstrate a degree of cooperation with LEAs and AMLD. However, there is a need for closer cooperation and information sharing to support supervisors to take a deeper approach to risk-based supervision and outreach.

監理機關證明與執法機關和調查局洗錢防制處進行一定程度的合作。但是，彼此間需要更密切的合作和資訊共享，以支持監理機關用更深入的方法進行以風險為基礎的監理和宣導。

118. Inter-agency processes have worked well to support the preparation and implementation of the legal framework and regulated implementation mechanisms for TFS to combat PF. Coordination on combating WMD, including PF, has involved a wider set of stakeholders than earlier AML/CFT coordination work. It is notable that Chinese Taipei has consulted closely with foreign partners and regional bodies when pursuing measures to give effect to UN and FATF obligations to combat the proliferation of WMD and PF. The additional measures to allow for additional PF-related domestic designations and TFS were supported by close coordination and an understanding of vulnerabilities.

中華臺北機關間的合作程序，非常良好地支持準備和實施有關目標性金融制裁(TFS)的法律框架和管理執行機制，以打擊武擴行為。與早期的防制洗錢/打擊資恐協調工作相比，打擊包括武擴在內的大規模毀滅性武器擴散的協調涉及更多利益相關方參與。值得注意的是，中華臺北在尋求措施以落實聯合國和 FATF 打擊大規模毀滅性武器擴散的義務時，已與外國夥伴和區域性機關進行了密切磋商。通過密切協調和對弱點的瞭解，支持以額外的措施來對國內新增與武擴相關的指定名單和執行目標性金融制裁。

Private sector's awareness of risks

私部門的風險認知

119. FIs and DNFBPs, through their sectoral associations and individual firms, were closely involved in the conduct of the NRA and subsequent awareness raising on risk. The authorities included association representatives and senior managers of FIs and DNFBPs in the ML/TF NRA process. Results of risk assessments to related FIs, DNFBPs were shared through seminars, face-to-face meetings, and publication of guidelines.

金融機構和 DNFBP 藉其部門公協會和個別公司的參與，密切涉入 NRA 和後續提高風險認知的活動。當局將金融機構和 DNFBP 的公協會代表及高階管理人員納入洗錢/資恐國家風險評估程序。風險評估結果並以舉辦研討會，面對面會議和出版指引等方式，與相關金融機構和 DNFBP 分享。

120. AMLO played a vital role in the efforts to reach out to private sector and DNFBPs with the aim of raising their awareness on the results of ML/TF NRA. Significant resources (AMLD, FSC, AMLO, etc.) were allocated to help to ensure that respective FIs, DNFBPs and related sectors are aware of the results of risk assessments and increase their understanding of ML/TF risks. There was also widespread coverage of the NRA process and results in media and social media coverage.

洗錢防制辦公室在努力與私部門和 DNFBP 接觸方面發揮了至關重要的作用，目的是要提高它們對洗錢/資恐國家風險評估結果的認識。調查局洗錢防制處、金管會、洗錢防制辦公室等分配了大量資源，以幫助確保個別金融機構，DNFBP 和相關部門瞭解風險評估結果，並增進它們對洗錢/資恐風險的認識。NRA 的流程和結果也在媒體和社群網路受到了廣泛報導。

121. Sectoral associations and private sector representatives demonstrated a reasonable understanding of findings contained in the NRA and an increasing understanding of risk. The private sector had lacked further specific details of key risks. Immediately prior to the ME onsite the FSC, AMLD and LEAs held a number of compliance events with the private sector which included more detailed sharing of information on current and emerging risks.

公(協)會和私部門代表對 NRA 所述的結果表現出合理的瞭解，以及持續增進的風險認識。私部門過去對重大風險領域缺乏進一步具體細節資訊。緊接在現地評鑑之前，金管會、調查局洗錢防制處和執法機關與私部門舉行了一些法遵活動，其中包括與私部門更詳細地分享當前和新興出現的風險。

Overall Conclusion on Immediate Outcome 1

直接成果 1 整體結論

122. Chinese Taipei demonstrated a reasonable assessment and generally sound understanding of ML/TF risks. Overall AML/CFT policies and activities largely seek to address the risks identified in the NRA and other assessments. National co-ordination and co-operation on AML/CFT issues at the policy and operational levels has improved significantly since the last evaluation. This is particularly evident in relation to policy level co-ordination among LEAs, however there are opportunities for deeper operational levels cooperation.

中華臺北展現出對洗錢/資恐風險合理的評估與普遍良好的瞭解。整體而言，防制洗錢/打擊資恐政策和活動主要是為了解決 NRA 和其他評估中辨識的風險。自上一輪評鑑以來，國家防制洗錢/打擊資恐在政策和實務層面的協調及合作已大幅改善，特別在執法機關之間的政策協調方面尤其明顯，然而在實務層面仍有更深入合作的機會。

123. **Chinese Taipei has a substantial level of effectiveness for Immediate Outcome 1.**

中華臺北 IO1 評等為相當有效。