

AGREEMENT
BETWEEN
THE GOVERNMENT OF CANADA
AND
THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
REGARDING THE SHARING OF FORFEITED OR CONFISCATED ASSETS
OR THEIR EQUIVALENT FUNDS

THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND hereinafter referred to as "the Parties",

CONSIDERING the commitment of the Parties to co-operate on the basis of the Treaty between the Government of Canada and the Government of the United Kingdom of Great Britain and Northern Ireland on Mutual Assistance in Criminal Matters, signed at Ottawa on June 22 1988, as amended by the Exchange of Notes signed at London on March 26 1992, as well as on the basis of the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances done at Vienna on December 20, 1988; Recommendations 38 and 39 of the Financial Action Task Force's 40 Recommendations; and Article 28 of The Harare Scheme on Mutual Assistance in Criminal Matters;

DESIRING to improve the effectiveness of law enforcement in both countries in the investigation, prosecution and suppression of crime and in the tracing, freezing, seizure and forfeiture or confiscation of assets related to crime; and

DESIRING also to create a framework for sharing the proceeds of disposition of such assets;

HAVE AGREED as follows:

ARTICLE 1

INTERPRETATION

In this Agreement:

- (a) references to "forfeiture" or "confiscation" shall be taken to be references to any procedure under national law resulting in :
 - (i) in the case of Canada, an order of forfeiture of assets related to crime or an order for the payment of funds equivalent to a forfeiture, made on behalf of Her Majesty the Queen in right of Canada; and