AGREEMENT

BETWEEN

THE GOVERNMENT OF CANADA

AND

THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA

ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

THE GOVERNMENT OF CANADA and THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION OF THE PEOPLE'S REPUBLIC OF CHINA, having been duly authorised by the Central People's Government of the People's Republic of China,

DESIRING to improve the effectiveness of both Parties in the investigation, prosecution and prevention of crime and the confiscation of criminal proceeds;

HAVE AGREED as follows:

ARTICLE 1

SCOPE OF ASSISTANCE

(1)   The Parties shall provide, in accordance with the provisions of this Agreement, mutual assistance in the investigation and prosecution of criminal offences and in proceedings related to criminal offences. Such assistance shall be given by the Requested Party, irrespective of whether the assistance is sought or to be provided by a court or some other authority.

(2)   For the purposes of paragraph (1) of this Article, the term "offences" means, in the case of Canada, offences created by a law of Parliament or by the legislature of a province, and in the case of the Hong Kong Special Administrative Region, offences under Hong Kong law.

(3)   Assistance under this Agreement may be granted in connection with offences against a law related to taxation, customs duties, foreign exchange control or other revenue matters but not in connection with non-criminal proceedings relating thereto.

(4)   Assistance shall include:

(a)   identifying and locating persons and objects;

(b)   service of documents;