

Form used to request mutual legal assistance

In requests made under a Mutual Legal Assistance Treaty (MLAT): the “Central Authority” of the State to which the request is directed; in other cases, to the “Appropriate Authority” of the State whose assistance is requested.

To:

In requests made under a Mutual Legal Assistance Treaty (MLAT): the “Central Authority” of the State making the request; in other cases, the name of the judge or other authority requesting assistance.

From:

Enter the name by which the case is identified in the State making the request.

Reference:

Identify the authority conducting the relevant investigation, trial or proceeding, then summarize briefly the matter under investigation and the assistance requested. For requests made under an MLAT: the “Central Authority” of the State making the request; in other cases, the name of the judge or other authority requesting assistance.

Summary:

The matter at hand and the nature of the case

Enter a brief summary of who is being investigated and the pertinent facts of the case including the persons or companies under investigation, and the crucial evidence or information obtained to date.

The facts:

Describe the exact offences under investigation, including judicial notices, and --if possible-- cite the pertinent portions of the law.

The offenses:

Description of the assistance being requested

Describe in as much detail as possible any documents that are needed and the natural or juridical person from whom they are to be obtained (e.g., for bank documents, provide the name and address of the bank, the name and number of the account, the specific types of documents needed (such as signature card and statements of account) and the time periods for which records are being sought.

Documents needed:

Identify any other person from whom a statement is requested, including where such persons are to be found. Insofar as possible, also provide a list of topics to be dealt with and any specific questions that you wish to have asked. If this list is very long you will need to attach additional sheets.

Testimony required:

Describe in as much detail as possible any other type of assistance needed (e.g., execution of a summons, locating of individuals, transporting persons in custody for purposes of depositions, seize and assist with the confiscation of goods, etc.).

Other assistance necessary:

Purpose of the request for assistance

Describe what it is the evidence or other assistance is intended to prove or demonstrate. In other words, explain why the authorities making the request believe that the evidence or other assistance requested is important, and how it relates to the investigation or proceeding.

Procedure to follow

Describe any other procedures that the authorities of the State whose assistance is requested should follow in obtaining or sending the evidence or other assistance requested, in order to ensure that this evidence or assistance fulfills the purpose for which it was requested. For example, for depositions, describe the manner in which the statement should be taken and recorded (e.g., written summary, full transcription, voice and video recording, under oath) and whether the authorities of the State making the request wish to participate. For documentary evidence, specify any special procedures that must be followed for purposes of certification or authentication.

Sign and date: