

**AGREEMENT BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF
THE REPUBLIC OF TRINIDAD AND TOBAGO REGARDING THE SHARING OF FORFEITED
OR CONFISCATED ASSETS AND EQUIVALENT FUNDS**

THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO, hereinafter referred to as "the Parties";

CONSIDERING the commitment of the Parties to cooperate on the basis of the Treaty On Mutual Legal Assistance in Criminal Matters, which was signed on September 4, 1997, as well as the United Nations Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances of December 20, 1988;

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, confiscation or forfeiture 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:

1. Where one Party (the Assisting Party) has participated in investigations or proceedings resulting in a confiscation or a forfeiture order, or the payment of funds equivalent to a forfeiture in the jurisdiction of the other Party (the Assisted Party), the Assisted Party may, consistent with its domestic law, share with the Assisting Party the net proceeds realised.
2. For the purposes of this Agreement, for Canada "forfeiture or the payment of funds equivalent to a forfeiture" shall mean forfeiture of assets related to crime or the payment of funds equivalent to a forfeiture, either of which order is made on behalf of Her Majesty the Queen in right of Canada; and for the Republic of Trinidad and Tobago, "confiscation order" or "forfeiture order" shall mean any such order made in conformity with the law of Trinidad and Tobago.
3. Amounts to be shared and the proportion of such amounts to be received by the Assisting Party shall be determined in accordance with the law of the Assisted Party.
4. Sharing pursuant to this Agreement shall be between the Government of Canada and the Government of the Republic of Trinidad and Tobago. The Assisted Party shall not place any conditions in respect of the use of amounts paid nor shall it make any payments conditional on the Assisting Party sharing them with any state, government, organization or individual.
5. The Assisting Party may bring any cooperation that led, or is expected to lead, to a confiscation, forfeiture or the payment of funds equivalent to a forfeiture to the attention of the Assisted Party.
6. Shares payable pursuant to Article 1 shall be paid in the currency of the Assisted Party. In cases where Canada is the Assisting Party, payments shall be made to the Receiver General of Canada (Proceeds Account) and sent to the Director of the Seized Property Management Directorate. In cases where the Republic of Trinidad and Tobago is the Assisting Party, payments shall be made to the Comptroller of Accounts for deposit to the Consolidated Fund and sent to the Central Authority of the Republic of Trinidad and Tobago, who is the Attorney General or a person designated by the Attorney General.

7. The channels of communication for all matters concerning the implementation of this Agreement shall be, for Canada, the Director of the Strategic Prosecution Policy Section and, for the Republic of Trinidad and Tobago, the Central Authority.

8. This Agreement shall enter into force upon signature.

9. Either Party may terminate this Agreement, at any time, by giving written notice to the other Party. Termination shall become effective six months after receipt of the notice.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Treaty.

DONE in duplicate at Ottawa, on the 4th day of September, One Thousand Nine Hundred and Ninety-Seven, in the English and French languages, each text being equally authentic.

A. Anne McLellan

FOR THE GOVERNMENT OF CANADA

Ramesh Lawrence Maharaj

FOR THE GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO