

**TREATY BETWEEN AUSTRALIA AND
THE PEOPLE'S REPUBLIC OF CHINA
ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS
(CANBERRA, 3 APRIL 2006)
[2006] ATNIF 9**

Documents tabled on 5 September 2006:

National Interest Analysis [2006] ATNIA 38

with attachment on consultation

Text of the proposed treaty action

and Agreed Minutes

Background information:

People's Republic of China political brief and fact sheet

List of other treaties with the People's Republic of China

**List of treaties between Australia and other countries on mutual assistance
in criminal matters**

NATIONAL INTEREST ANALYSIS: CATEGORY 2 TREATY
SUMMARY PAGE

Treaty between Australia and the People's Republic of China on Mutual Legal Assistance in Criminal Matters (Canberra, 3 April 2006)
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Nature and timing of proposed treaty action

1. It is proposed that Australia enter into a mutual assistance agreement with the People's Republic of China (the Treaty). The Treaty was approved by the Executive Council on 30 March 2006, and signed on 3 April 2006 in Canberra.
2. Article 26 of the Treaty provides that the Treaty shall enter into force 30 days after the date on which the Parties have notified each other in writing that their respective requirements for the entry into force of the Treaty have been complied with. Before that can be done for Australia, regulations need to be made under the *Mutual Assistance in Criminal Matters Act 1987* (Cth) (the MA Act) to implement the Treaty.

Overview and national interest summary

3. The purpose of this Treaty is to better enable Australia and the People's Republic of China to assist each other in the investigation and prosecution of serious crimes including terrorism, drug trafficking, fraud, money laundering and people trafficking. Australia has similar mutual assistance treaties with 24 other countries and is also party to a number of multilateral agreements that impose mutual assistance obligations.
4. The People's Republic of China is an important partner in efforts to combat transnational crime in the Asia-Pacific region. Concluding the Treaty will ensure that Australia can provide timely assistance to and receive timely assistance from the People's Republic of China in accordance with clearly defined and mutually agreed terms.
5. Mutual assistance treaties allow law enforcement agencies to effectively obtain information and evidence needed for the investigation or prosecution of serious crimes. They also facilitate the location, restraint, forfeiture and repatriation of the instruments and proceeds of crime.
6. The Treaty is based on Australia's model treaty on mutual assistance in criminal matters which is based on the provisions of Australia's MA Act.

Reasons for Australia to take the proposed treaty action

7. Mutual assistance in criminal matters is a formal process whereby the Government of one country requests assistance from the Government of another country in relation to a criminal investigation or prosecution. Assistance may also extend to locating, restraining, forfeiting and repatriating the instruments and proceeds of crime.

8. Treaties on mutual assistance in criminal matters are not the only way in which Australia and other countries can assist each other in the investigation or prosecution of serious crime. Assistance based on reciprocity is possible where both parties have mutual assistance laws enabling assistance to be requested and provided in the absence of a treaty. The MA Act enables Australia to obtain and provide assistance from any country on the basis of reciprocity.

9. Treaties have a range of benefits over non-treaty status arrangements based on reciprocity. They provide certainty, impose mutual obligations at international law and institute practical arrangements for requesting and providing mutual assistance.

10. The People's Republic of China is an important partner in efforts to combat transnational crime in the Asia-Pacific region. Concluding the Treaty will ensure that Australia can provide timely assistance to and receive timely assistance from the People's Republic of China in accordance with clearly defined and mutually agreed terms.

Obligations

11. Australia and the People's Republic of China have agreed, in accordance with the Treaty, to grant to each other the widest measure of mutual assistance in connection with investigations, prosecutions and proceedings related to criminal matters (Article 1).

12. Under the Treaty, mutual assistance may include:

- (a) serving documents related to criminal matters (Article 9)
- (b) taking evidence from persons (Article 10)
- (c) obtaining statements of persons (Article 11)
- (d) making arrangements for persons, including persons in custody, to give evidence or to assist in criminal investigations in the Requesting Party (Articles 12, 13 and 14)
- (e) providing publicly available and official documents (Article 15)
- (f) executing requests for the search, seizure and delivery of any documents or materials (Article 18)
- (g) assisting to locate, restrain, forfeit or repatriate the instruments and proceeds of crime (Article 19)
- (h) supplying criminal records (Article 20)
- (i) exchanging information on law (Article 21)
- (j) notifying each other of results of proceedings in criminal matters (Article 22), and

- (k) providing other assistance consistent with the object of the Treaty and the laws of the Requested Party (Article 1(3)(l)).

13. The obligation to provide assistance is qualified by internationally accepted grounds for refusal. These grounds reflect the mandatory and discretionary grounds for refusal set out in subsections 8(1) and 8(2) of the MA Act. Article 4(1) obliges the Requested Party to refuse to provide assistance if:

- (a) the request relates to the prosecution or punishment of a person for an offence that is regarded by the Requested Party as a political offence or an offence which only constitutes a military offence
- (b) the request relates to an offence (or another offence committed by the same act or omission) in respect of which the person to whom the request relates has been finally convicted, acquitted, pardoned or has served or is serving the sentence imposed by the Requested Party
- (c) there are substantial grounds for believing the request has been made for the purpose of prosecuting or punishing a person on account of that person's race, sex, religion, nationality or political opinions or that the person's position may be prejudiced for any of these reasons, or
- (d) the Requested Party is of the opinion that the request, if granted, would prejudice its sovereignty or security.

14. Article 4(2) gives the Requested Party the discretion to refuse assistance if:

- (a) the request relates to acts or omissions which do not constitute an offence under the laws of the Requested Party
- (b) provision of the assistance sought could prejudice an investigation, prosecution or proceeding in the Requested Party
- (c) the request relates to the investigation, prosecution or punishment of a person for an offence in respect of which a penalty may be imposed which may be in conflict with the essential interests of the Requested Party, or
- (d) the Requested Party is of the opinion that the execution of the request would prejudice its national interest or other essential interests.

15. The People's Republic of China retains the death penalty for a wide range of offences including drug trafficking and murder. Section 8(1A) of the MA Act requires that a request for assistance be refused where the provision of assistance may result in the death penalty being imposed, unless the Attorney-General (having regard to the special circumstances of the case) is of the opinion that the assistance should be granted. Section 8(1B) provides that a request for assistance may be refused if the Attorney-General believes that the provision of the assistance may result in the death penalty being imposed and, having taken into consideration the interests of international criminal cooperation, is of the opinion that assistance should not be granted.

16. These provisions of the MA Act are accommodated in the Treaty. Article 4(2) of the Treaty allows Australia to refuse a request that relates to the investigation, prosecution or punishment of a person for an offence, where a penalty for that offence could be in conflict

with the essential interests of Australia. Australia has noted in the Agreed Minutes attached to the Treaty that the imposition of the death penalty may be in conflict with its essential interests. China's acknowledgement of this position is also noted in the Agreed Minutes. Australia can refuse assistance in death penalty cases on the basis of the Agreed Minutes. The Agreed Minutes, while not forming part of the Treaty, are a public statement clarifying the expectations of both parties and under the Vienna Convention on the Law of Treaties, such an instrument can be used to interpret the meaning of treaty provisions.

17. The Parties are required to promptly execute requests for assistance, in accordance with their respective laws (Article 6(1)). The Requested Party may postpone the execution of a request if it would interfere with an ongoing criminal investigation or criminal proceedings (Article 4(3)).

18. In recognition of technological advances and in order to facilitate more efficient methods of obtaining evidence, the Parties may reach agreement to use video link conference to obtain oral testimony in particular situations, to the extent possible as long as it would not violate the laws of either Party (Article 6(3)).

19. The Requested Party shall keep a request for mutual assistance confidential, including its contents, supporting documents and any action taken in accordance with the request, if requested to do so by the Requesting Party (Article 8(1)).

20. If a person is being investigated or prosecuted in the Requesting Party, the Requested Party must provide that person's criminal record to the Requesting Party upon request (Article 20).

Costs

21. The Requested Party will assume all ordinary costs of fulfilling a request for assistance (Article 24(2)). The Requesting Party shall bear the expenses associated with conveying a person to travel to, stay in and leave from the Requesting party, fees of experts and the costs of translation and interpretation (Article 24(2)). The Parties are to consult if, during the course of executing a request, it becomes apparent that expenses of an extraordinary nature will be necessary to fulfil the request and subject to such consultation, the Requesting Party shall bear the expenses of an extraordinary nature (Article 24(2)(c)).

22. Article 3 states that the Commonwealth Attorney-General's Department in Canberra will be the designated Central Authority for Australia for the purposes of making and receiving requests. The Ministry of Justice for the People's Republic of China will be designated Central Authority for the purposes of making and receiving requests. Expenses incurred in making and receiving requests for mutual assistance will be met from existing Departmental funds.

Implementation

23. Australia has 24 bilateral treaties on the provision of mutual assistance in criminal matters. In accordance with s7 of the MA Act, these treaties have been implemented uniformly by the passage of regulations following their conclusion. The terms of the Treaty with the People's Republic of China are standard terms consistent with the MA Act. The Treaty will be implemented by way of regulation in accordance with the MA Act.

Regulation Impact Statement

24. The Office of Regulation Review (Productivity Commission) has been consulted and confirms that a Regulation Impact Statement is not required.

Future treaty action

25. Article 27 of the Treaty allows the Treaty to be amended at any time by written agreement between the Parties (Article 27). Where an amendment is agreed, the Parties must notify each other by diplomatic note that all necessary steps have been taken in accordance with their domestic law for entry into force of the amendments (Article 26(1)). The amendments will enter into force on the thirtieth day from the date of the later diplomatic note.

26. Future treaty action by way of amendment would be subject to Australia's domestic treaty process, including tabling and consideration by the Joint Standing Committee on Treaties (JSCOT).

Withdrawal or denunciation

27. Either party may terminate the Treaty by written notice through diplomatic channels, at any time (Article 28(1)). The Treaty will cease to be in force on the one hundred and eightieth day after the day on which notice is given. Termination of the Treaty will not prejudice the rights and obligations arising from or based on the Treaty. Further, termination will not prejudice the completion of any requests made pursuant to this Treaty before or up to the date of the termination.

28. Withdrawal by Australia from the Treaty would involve the same steps that are required under Australia's domestic treaty process, including tabling in Parliament, consultation and consideration by JSCOT.

Contact details

International Crime Branch
Criminal Justice Division
Attorney-General's Department.

CONSULTATION

Treaty between Australia and the People's Republic of China on Mutual Legal Assistance in Criminal Matters (Canberra, 3 April 2006) [2006] ATNIF 9

1. As part of the consultation process, information about the negotiation of this treaty was forwarded to relevant State and Territory Government agencies. In addition, information was forwarded to the Australian Federal Police and the Commonwealth Department of Public Prosecution for comment. Consultation took place prior to the Treaty being tabled and the Commonwealth-State/Territory Standing Committee on Treaties (SCOT) meeting which was scheduled for 27 September 2006.
2. Negotiations with China about the Treaty were not in the public domain hence no consultation was conducted outside of the Australian Government sector on the issue. In this regard, the Treaty will operate within the existing legislative framework set out in the Commonwealth's MA Act and is based on the model mutual assistance in criminal matters treaty previously used by the Australian Government.

POLITICAL BRIEF ON THE PEOPLE'S REPUBLIC OF CHINA

1. The Australian Government pursues constructive relations with China on the basis of mutual respect and recognition both of our shared interests and our differences. China's importance to Australia has grown with China's increasing economic, political and strategic weight in the Asia-Pacific region and the global economy. Close ties have been cemented recently by a series of high level visits, including by Prime Minister Howard to China in June 2006 and May 2005, Premier Wen Jiabao to Australia in April 2006 and President Hu Jintao to Australia in October 2003. Central to Australia's approach to the relationship with China is the set of bilateral dialogues which have been established to advance cooperation while managing differences. Our dialogues cover aid, trade and economic cooperation, resources, defence, regional security and disarmament, human rights and consular matters.

2. Sensitive issues which require careful management include Taiwan and human rights. Australia adheres to a one-China policy, which means we do not recognise Taiwan as a country. But we support unofficial contacts with Taiwan, to promote our legitimate economic, trade and cultural interests there. Australia has consistently said cross-straits differences should be managed peacefully through dialogue. Our approach to human rights in China is constructive and based on dialogue rather than public confrontation. The annual Australia-China Human Rights Dialogue is an important forum for frank exchanges on human rights and for identifying areas where Australia can help China implement international human rights standards.

3. Australia enjoys strong and wide-ranging economic complementarities with China. The Trade and Economic Framework (TEF) signed in October 2003 provides a basis for the further development of the trade and economic relationship over the next decade. The TEF included a commitment by both Governments to undertake a joint Free Trade Agreement (FTA) feasibility study, which was completed in March 2005. On 18 April 2005, Prime Minister Howard and Premier Wen Jiabao of China agreed that Australia and China would commence negotiations on a FTA. Five rounds of negotiations have been held so far, the latest one taking place in Beijing from 22 to 24 May 2006. There will be an exchange of offers on goods (including agriculture) at the next round, scheduled for 4 to 7 September 2006.

4. China is Australia's second-largest merchandise trading partner and second largest merchandise export market. Total trade (including services) grew to \$41 billion in 2005, up from \$32 billion in 2004. Total exports grew to \$18.4 billion in 2005 – 42 per cent higher than the previous year. Resources (minerals and fuels) exports account for just over 60 per cent of merchandise exports to China. Australia is a competitive and highly reliable supplier of a wide range of resources. The commencement of LNG shipments from the North West Shelf to the Dapeng terminal in Guangdong in June 2006 has added a new dimension to this partnership, and will boost export earnings by up to \$25 billion over 25 years.

5. The Chinese community in Australia plays an important part of our people-to-people links with China, and high growth in education and tourism has bolstered these links. The latest census (2001) recorded 142,720 China-born persons in Australia an increase of 29 per cent from the 1996 census. Chinese (including regional dialects) is now the second most widely spoken language in Australia.

FACT SHEET



CHINA

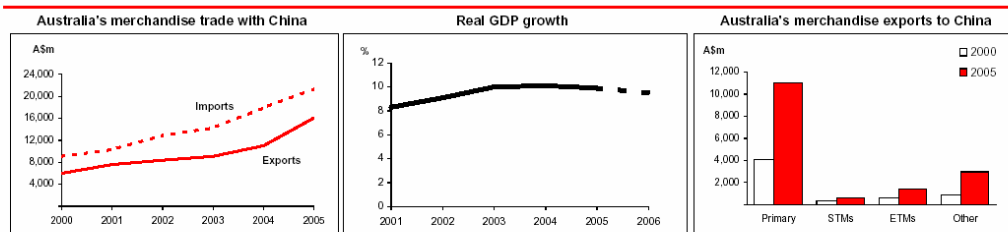
Fact Sheet

General information:

Fact sheets are updated biannually; May and September

Capital:	Beijing	Head of State:	
Surface area:	9,561 thousand sq km	Head of Government:	H.E. President Mr Hu Jintao
Official language:	Mandarin		
Population:	1,307.4 million (2005)		
Exchange rate:	A\$1 = 6.0427 Yuan (Jan 2006)		

<i>Recent economic indicators:</i>	2001	2002	2003	2004	2005(a)	2006(b)
GDP (US\$bn) (current prices):	1,324.8	1,453.8	1,641.0	1,931.6	2,224.8	2,529.6
GDP PPP (US\$bn) (c):	5,933.4	6,586.4	7,392.2	8,352.8	9,412.4	10,518.2
GDP per capita (US\$):	1,038	1,132	1,270	1,486	1,703	1,926
GDP per capita (US\$) (c):	4,649	5,127	5,720	6,425	7,204	8,010
Real GDP growth (% change YOY):	8.3	9.1	10.0	10.1	9.9	9.5
Current account balance (US\$m):	17,405	35,422	45,875	68,659	158,616	173,296
Current account balance (% GDP):	1.3	2.4	2.8	3.6	7.1	6.9
Goods & services exports (% GDP):	22.6	25.1	29.6	34.0	36.8	40.3
Inflation (% change YOY):	0.7	-0.8	1.2	3.9	1.8	2.0



Australia's trade relationship with China:

Australian merchandise trade with China, 2005:		Total share:	Rank:	Growth (yoy):
Exports to China (A\$m):	16,054	11.6%	2nd	45.8%
Imports from China (A\$m):	21,347	13.7%	2nd	19.1%
Total trade (exports + imports) (A\$m):	37,401	12.7%	2nd	29.3%

Major Australian merch. exports, 2005 (A\$m):		Major Australian merch. imports, 2005 (A\$m):	
Iron ore	5,721	Clothing	3,055
Wool	1,327	Computers	2,406
Copper ores	628	Toys, games & sporting goods	1,095
Coal	531	Telecommunications equipment	1,073

Australia's trade in services with China, 2005:		Total share:
Exports of services to China (A\$m):	2,494	6.7%
Imports of services from China (A\$m):	1,177	3.1%

Major Australian service exports, 2005 (A\$m):		Major Australian service imports, 2005 (A\$m):	
Education-related travel	1,653	Transportation	430
Personal travel excl. education	310	Personal travel excl. education	362

China's global merchandise trade relationships:

China's principal export destinations, 2005:		China's principal import sources, 2005:	
1 United States	21.4%	1 Japan	15.2%
2 Hong Kong	16.3%	2 Republic of Korea	11.6%
3 Japan	11.0%	3 Taiwan	11.3%
14 Australia	1.5%	9 Australia	2.4%

Compiled by the Market Information and Analysis Section, DFAT, using the latest data from the ABS, the IMF and various international sources.

(a) All recent data subject to revision; (b) IMF/IEU forecast figures; (c) PPP is purchasing power parity.

Other bilateral treaties with the People's Republic of China

- Exchange of Notes constituting an Agreement between the United Kingdom and China annexed to a Treaty relating to Chinese Customs, Tariff etc
[1929] ATS 2
- Trade Agreement between the Government of Australia and the Government of the People's Republic of China
[1973] ATS 21
- Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the People's Republic of China concerning the Registration of Trademarks
[1974] ATS 24
- Agreement (with Annexes) between the Government of Australia and the Government of the People's Republic of China concerning "The Exhibition of Archaeological Finds of the People's Republic of China"
[1976] ATS 13
- Exchange of Notes constituting an Agreement amending the Agreement concerning the Exhibition of Archaeological Finds of the People's Republic of China of 23 June 1976 ([1976] ATS 13)
[1977] ATS 32
- Exchange of Notes between Australia and the People's Republic of China constituting an Agreement concerning the Establishment of Consulates-General
[1978] ATS 18
- Agreement between the Government of Australia and the Government of the People's Republic of China on Cooperation in Science and Technology
[1980] ATS 14
- Agreement on Cultural Cooperation between the Government of Australia and the Government of the People's Republic of China
[1981] ATS 11
- Protocol on Economic Cooperation with the Government of the People's Republic of China
[1981] ATS 20
- Agreement between the Government of Australia and the government of the People's Republic of China on a Program of Technical Co-operation for Development
[1981] ATS 21
- Agreement between Australia and the People's Republic of China on the Reciprocal Exchange of Sites for Construction of Diplomatic Compounds
[1982] ATS 12

- Agreement between the Government of Australia and the Government of the People's Republic of China on Agricultural Co-operation
[1984] ATS 14
- Agreement between the Government of Australia and the Government of the People's Republic of China Relating to Civil Air Transport
[1984] ATS 20
THIS TREATY WILL BE SUPERCEDED WHEN THE NEW TREATY
[2004] ATNIF 2 ENTERS INTO FORCE
- Protocol between the Government of Australia and the Government of the People's Republic of China on a Program of Cooperation in Agricultural Research for Development
[1984] ATS 23
- Agreement on Economic and Technical Co-operation in the Iron and Steel Industry between the Government of Australia and the Government of the People's Republic of China
[1984] ATS 28
- Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the People's Republic of China on the Establishment of additional Consulates-General in their Respective Countries
[1985] ATS 9
- Agreement between the Government of Australia and the Government of the Republic of the People's Republic of China for the Avoidance of Double Taxation of Income and Revenues Derived by Air Transport Enterprises and International Air Transport
[1986] ATS 31
- Exchange of Notes constituting an Agreement between the Government of Australia and the Government of the People's Republic of China. to amend the Trade Agreement of 24 July 1973
[1986] ATS 33
- Agreement between Australia and the People's Republic of China on the Reciprocal Encouragement and Protection of Investments
[1988] ATS 14
- Agreement between the Government of Australia and the Government of the People's Republic of China for the Protection of Migratory Birds and their Environment (CAMBA)
[1988] ATS 22
and Amendments to Annexes agreed on 26 May 2006, not yet in force
- Agreement between the Government of Australia and the Government of the People's Republic of China for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income
[1990] ATS 45

- Exchange of Notes constituting an agreement to amend article 3 of the Agreement between the Government of Australia and the Government of the People's Republic of China on a Program of Technical Co-operation for Development of 2 October 1981
[1990] ATS 47
- Agreement concerning the Maintenance of the Consulate-General of Australia in the Hong Kong Special Administrative Region of the People's Republic of China
[1997] ATS 7
- Agreement between the Government of Australia and the Government of The People's Republic of China concerning the Continuation of Consular Functions by Australia in the Macau Special administrative Region of the People's Republic of China
[1999] ATS 33
- Agreement on Consular Relations between Australia and the People's Republic of China
[2000] ATS 26
- Agreement between the Government of Australia and the Government of the People's Republic of China relating to Air Services
[2004] ATNIF 2
- Agreement between the Government of Australia and the Government of the People's Republic of China on the Transfer of Nuclear Material
[2006] ATNIF 7
- Agreement between the Government of Australia and the Government of the People's Republic of China for Cooperation in the Peaceful Uses of Nuclear Energy
[2006] ATNIF 8

AUSTRALIAN BILATERAL MUTUAL ASSISTANCE AGREEMENTS

KEY	<i>Domestic legislation or regulation (Country name)</i>	
	Treaty name done at [place], on [date signed by Australia].	[Date entered into force]
1.	<i>Mutual Assistance in Criminal Matters (Argentine Republic) Regulations</i>	3/01/1993
	Treaty between the Government of Australia and the Government of the Argentine Republic on Mutual Assistance in Criminal Matters done on 30/08/1990 [1993] ATS 6	15/02/1990
2.	<i>Mutual Assistance in Criminal Matters (Republic of Austria) Regulations</i>	1/12/1990
	Treaty between Australia and the Government of the Republic of Austria on Mutual Assistance in Criminal Matters done on 20/10/1988 [1990] ATS 36	1/12/1990
3.	<i>Mutual Assistance in Criminal Matters (Canada) Regulations</i>	14/03/1990
	Treaty between the Government of Australia and the Government of Canada on Mutual Assistance in Criminal Matters done on 19/06/1989 [1990] ATS 11	14/03/1990
4.	<i>Mutual Assistance in Criminal Matters (Republic of Ecuador) Regulations</i>	28/12/1997
	Treaty between the Government of Australia and the Government of the Republic of Ecuador on Mutual Assistance in Criminal Matters done on 16/12/1993 [1997] ATS 27	28/12/1997
5.	<i>Mutual Assistance in Criminal Matters (Finland) Regulations</i>	30/04/1994
	Treaty between Australia and Finland on Mutual Assistance in Criminal Matters done on 22/07/1992 [1994] ATS 12	30/04/1994
6.	<i>Mutual Assistance in Criminal Matters (French Republic) Regulations</i>	01/05/1994
	Treaty between the Government of Australia and the Government of the French Republic on Mutual Assistance in Criminal Matters done on 14/01/1993 [1994] ATS 11	01/05/1994

7.	<i>Mutual Assistance in Criminal Matters (Greece) Regulations 2004</i>	16/01/2005
	Treaty between Australia and the Hellenic Republic on Mutual Assistance in Criminal Matters done on 4/07/2002 [2005] ATS 4	16/01/2005
8.	<i>Mutual Assistance in Criminal Matters (Hong Kong) Regulations 1999</i>	06/11/1999
	Agreement between the Government of Australia and the Government of Hong Kong concerning Mutual Legal Assistance in Criminal Matters done on 23/09/1996 [1999] ATS 20	06/11/1999
9.	<i>Mutual Assistance in Criminal Matters (Republic of Hungary) Regulations</i>	25/04/1997
	Treaty between Australia and the Republic of Hungary on Mutual Assistance in Criminal Matters done on 25/10/1995 [1997] ATS 14	25/04/1997
10.	<i>Mutual Assistance in Criminal Matters (Republic of Indonesia) Regulations 1999</i>	17/07/1999
	Treaty between Australia and the Republic of Indonesia on Mutual Assistance in Criminal Matters done on 27/10/1995 [1999] ATS 10	17/07/1999
11.	<i>Mutual Assistance in Criminal Matters (State of Israel) Regulations</i>	23/09/1995
	Treaty between the Government of Australia and the Government of the State of Israel on Mutual Legal Assistance in Criminal Matters done on 24/08/1994 [1995] ATS 25	23/09/1995
12.	<i>Mutual Assistance in Criminal Matters (Republic of Italy) Regulations</i>	1/04/1994
	Treaty on Mutual Assistance in Criminal Matters between Australia and the Republic of Italy done on 28/10/1988 [1994] ATS 5	1/04/1994
13.	<i>Mutual Assistance in Criminal Matters (Republic of Korea) Regulations</i>	19/12/1993
	Treaty between Australia and the Republic of Korea on Mutual Assistance in Criminal Matters done on 25/08/1992 [1993] ATS 34	19/12/1993
14.	<i>Mutual Assistance in Criminal Matters (Grand Duchy of Luxembourg) Regulations</i>	15/05/1994
	Treaty between Australia and the Grand Duchy of Luxembourg on Mutual Assistance in Criminal Matters [1994] ATS 14	15/05/1994

15.	<i>Mutual Assistance in Criminal Matters (United Mexican States) Regulations</i>	30/06/1992
	Treaty between Australia and the United Mexican States on Mutual Legal Assistance in Criminal Matters done on 6/05/1991 [1992] ATS 31	30/06/1992
16.	<i>Mutual Assistance in Criminal Matters (Monaco) Regulations 2001</i>	4/10/2001
	Treaty between the Government of Australia and the Government of His Serene Highness the Prince of Monaco on Mutual Assistance in Criminal Matters done on 13/09/1999 [2001] ATS 14	4/10/2001
17.	<i>Mutual Assistance in Criminal Matters (Kingdom of the Netherlands) Regulations</i>	01/06/1991
	Treaty between Australia and the Kingdom of the Netherlands on Mutual Assistance in Criminal Matters done on 26/10/1988 [1991] ATS 20	1/06/1991
18.	<i>Mutual Assistance in Criminal Matters (Republic of the Philippines) Regulations</i>	19/12/1993
	Treaty between Australia and the Republic of the Philippines on Mutual Assistance in Criminal Matters done on 28/04/1988 [1993] ATS 37	19/12/1993
19.	<i>Mutual Assistance in Criminal Matters (Republic of Portugal) Regulations</i>	17/10/1993
	Treaty between Australia and the Republic of Portugal on Mutual Assistance in Criminal Matters done on 4/07/1989 [1994] ATS 25	17/10/1993
20.	<i>Mutual Assistance in Criminal Matters (Spain) Regulations</i>	31/01/1991
	Treaty on Mutual Assistance in Criminal Matters between Australia and the Kingdom of Spain 3/07/1989 [1991] ATS 6	31/01/1991
21.	<i>Mutual Assistance in Criminal Matters (Sweden) Regulations 2001</i>	1/12/2001
	Treaty between Australia and Sweden on Mutual Assistance in Criminal Matters done on 18/12/1998 [2001] ATS 16	1/12/2001
22.	<i>Mutual Assistance in Criminal Matters (Switzerland) Regulations</i>	31/07/1994
	Treaty between Australia and Switzerland on Mutual Assistance in Criminal Matters done on 25/11/1991 [1994] ATS 7	31/07/1994

23.	<i>Mutual Assistance in Criminal Matters (United Kingdom) Regulations 1999</i>	10/05/2000
	Agreement between the Government of Australia and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the investigation, restraint and confiscation of the proceeds and instruments of crime done on 6/02/1997 [2000] ATS 15	10/05/2000
24.	<i>Mutual Assistance in Criminal Matters (United Kingdom) Regulations</i>	05/02/1997
	Treaty between the Government of Australia and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the investigation of drug trafficking and confiscation of the proceeds of drug trafficking done on 3/08/1988 [1990] ATS 33	05/02/1997
	Exchange of Letters between the Attorney-General's Department and the Home Office dated 11/02/1995 and 18/05/1995	18/05/1995
25.	<i>Mutual Assistance in Criminal Matters (United States of America) Regulations 1999 (includes both Treaty and Exchange of Notes)</i>	10/10/1999
	Treaty between the Government of Australia and the Government of the United States of America on Mutual Assistance in Criminal Matters done on 30/04/1997 [1999] ATS 19	10/10/1999
	Exchange of Notes dated 30/4/97 [1999] ATS 19	10/10/1999
26.	<i>Mutual Assistance in Criminal Matters (Malaysia)</i>	Not yet in force
	Treaty between the Government of Australia and the Government of Malaysia on Mutual Assistance in Criminal Matters done on 15/11/05 [2005] ATNIF 33	Not yet in force
	Exchange of Notes between the Government of Australia and the Government of Malaysia on the Treaty on Mutual Assistance in Criminal Matters dated 7/12/05 [2005] ATNIF 33	Not yet in force