

No. 18617

**UNITED STATES OF AMERICA
and
JAMAICA**

Agreement on procedures for mutual assistance in connection with matters relating to the Jamaica Nutrition Holdings Ltd., its holding company, State Trading Corporation, and its associated companies. Signed at Washington on 30 March 1979

Authentic text: English.

Registered by the United States of America on 18 April 1980.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAMAÏQUE**

Accord relatif aux modalités régissant l'assistance mutuelle en ce qui concerne l'affaire mettant en cause la Jamaica Nutrition Holdings Ltd., sa société holding, la State Trading Corporation, et les sociétés de son groupe. Signé à Washington le 30 mars 1979

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 18 avril 1980.

AGREEMENT¹ ON PROCEDURES FOR MUTUAL ASSISTANCE BETWEEN
THE UNITED STATES DEPARTMENT OF JUSTICE AND THE MIN-
ISTRY OF NATIONAL SECURITY OF JAMAICA IN CONNECTION
WITH MATTERS RELATING TO THE JAMAICA NUTRITION HOLD-
INGS LTD., ITS HOLDING COMPANY, STATE TRADING CORPO-
RATION AND ITS ASSOCIATED COMPANIES

The United States Department of Justice and the Ministry of National Security of Jamaica, hereinafter referred to as "the parties", confirm the following procedures in regard to mutual assistance to be rendered to agencies with law enforcement responsibilities in their respective countries with respect to alleged illicit acts pertaining to commercial activities with the U.S.A. of Jamaica Nutrition Holdings Ltd., its holding company, State Trading Corporation Ltd., and its Associated Companies (the Companies):

1. All requests for assistance shall be communicated directly between the parties.
2. Upon request, the parties shall use their best efforts to make available to each other relevant and material information, such as statements, depositions, affidavits, documents, business records, correspondence or other materials, available to them concerning alleged illicit acts pertaining to the commercial activities with the U.S.A. of the Companies.
3. Such information shall be used exclusively for purposes of investigation conducted by agencies with law enforcement responsibilities and in ensuing legal proceedings, criminal, civil and administrative.
4. Except as provided in paragraph 5, all such information made available by the parties pursuant to these procedures, and all correspondence between the parties relating to such information and to the implementation of these procedures, shall be kept confidential and shall not be disclosed to third parties or to government agencies having no law enforcement responsibilities. Disclosure to other agencies having law enforcement responsibilities shall be conditioned on the recipient agency's acceptance of the terms set forth herein.

In the event of breach of confidentiality, the other party may discontinue cooperation under these procedures.

5. Information made available pursuant to these procedures may be used freely in ensuing legal proceedings, criminal, civil and administrative, in the requesting state in which an agency of the requesting state having law enforcement responsibilities is a party, and the parties shall use their best efforts to furnish the information for purposes of such legal proceedings in such form as to render it admissible pursuant to the rules of evidence in existence in the requesting state, including, but not limited to, certifications, authentications, and such other assistance as may be necessary to provide the foundation for the admissibility of evidence.

6. The parties shall give advance notice prior to the institution of legal proceedings, criminal, civil and administrative, in which information made available pursuant to these procedures is intended to be used.

7. The parties shall use their best efforts to assist in the expeditious execution of letters rogatory issued by the judicial authorities of their respective countries in connection

¹ Came into force on 30 March 1979 by signature.

with legal proceedings, criminal, civil and administrative, which may ensue in their respective countries.

8. The assistance to be rendered to a requesting state shall not be required to extend to such acts by the authorities of the requested state as might result in the immunization of any person from prosecution in the requested state.

9. All actions to be taken by a requested state will be performed subject to all limitations imposed by its domestic law. Execution of a request for assistance may be postponed or denied if execution would interfere with ongoing investigations or legal proceedings, criminal, civil and administrative, in the requested state.

10. Nothing contained herein shall limit the rights of the parties to utilize for any purpose information which is obtained by the parties independent of these procedures.

11. The mutual assistance to be rendered by the parties pursuant to these procedures is designed solely for the benefit of their respective agencies having law enforcement responsibilities and is not intended or designed to benefit third parties, or to affect the admissibility of evidence under the laws of either the United States of America or Jamaica.

DONE at Washington, D.C., this 30th day of March, 1979.

For the Ministry of National Security
of Jamaica:

[Signed]

ALFRED A. RATTRAY
Ambassador of Jamaica

For the United States
Department of Justice:

[Signed]

ROBERT L. KEUCH
Deputy Assistant Attorney General