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MEMORANDUM OF UNDERSTANDING

With respect to co-operation, assistance and sharing of information
through e- RaLIS, (e-Registration & Licensing Information System)

BETWEEN

ANTI-CORRUPTION COMMISSION

AND

**ROAD SAFETY AND TRANSPORT AUTHORITY, MINISTRY
OF INFORMATION AND COMMUNICATIONS**

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PREAMBLE

One of the three pronged strategies and a core activity of the ACC is the investigation of corruption cases. By the nature of inter-dependence of the organizations, the need for the inter-active communication and partnership between the agencies is of paramount importance in successfully and collectively concluding a case. However, inter-active communication calls for creation of enabling environment through institutionalization of systems.

While the mandates of the agencies may be different, the practical functioning calls for closer cooperation and coordination. This can be further streamlined with mutual understanding on the norms to be followed while sharing these responsibilities/information between the agencies.

Therefore, to ease the difficulties of coordination and systematize a harmonious working relationship, the ACC and the RSTA hereby subscribe to this "MEMORANDUM OF UNDERSTANDING". This understanding should in no way be perceived as undermining each other's functions. On the contrary, it is to underpin the importance of continuing efforts at establishing cooperation and coordination among agencies

WHEREAS the Anti-Corruption Commission (ACC) and the Road Safety and Transport Authority (RSTA), the Parties to this Memorandum of Understanding (the Parties), having separate responsibilities within the Constitution and each Party recognizing the other's independence in performing their respective functions and duties;

WHEREAS the ACC established by the Royal Decree issued on 31 December 2005 and has the constitutional mandate under the Anti-Corruption Act 2011 (ACA) to investigate all allegations of corrupt practices, whether reported or otherwise and pursuant to section 9 of the ACA, the ACC may, as it deems fit, work in cooperation with the RSTA.

WHEREAS, the RSTA established under the Road Safety and Transport Act, 1999 (RST Act) entrusted with the primary responsibility to manage the delivery of objects and functions of RST Act.

WHEREAS the Parties, without prejudice to each other's institutional independence, statutory rights and obligations under respective legislation, having unconditionally recognized the need to establish a guiding framework of collaboration to underpin an effective functional relationship between the ACC and the RSTA in relation to investigation of corruption offences through clear and effective communication;

THEREFORE, the Parties agree as follows:

1. PURPOSE OF THE MEMORANDUM OF UNDERSTANDING AND GOVERNING PRINCIPLES

1.1 The purpose of this Memorandum of Understanding (MOU) is:

- a) Set out a framework of cooperation, assistance and exchange of information between the ACC and the RSTA (the Parties) in fulfilling their mandates effectively and efficiently.
- b) To provide online access to e- RaLIS, (e- Registration & Licensing Information System) by RSTA to ACC. However, such access shall be subject to viewing only, and does not include attorney to edit or make changes to the system.
- c) There shall be no hindrance caused to RSTA as a consequence of the use of e-RaLIS system by ACC. Any ambiguities found related to e-RaLIS shall be referred to RSTA for further clarification and understanding by ACC.

1.2 Undertake to disseminate this MOU throughout their respective organizations so that all relevant staffs are aware of the principles it establishes and the resolve of the Parties to achieve its purpose.

2. DESIGNATED OFFICIALS

1. The following officials will have overall administrative responsibility for the implementation of this MOU.

2.1 The ICT Officer, ACC and the ICT Officer, RSTA shall have the overall administrative responsibility for the implementation of this MOU.

2.2 The ICT Officer of ACC as the Focal Person shall have the only access to e-RaLIS system and shall be fully responsible in administering the system. The Case Team Coordinator/leader in writing must make a request and thereby the Focal Person shall disseminate the required information as required by the team within two working days after the request has been made.

3. CONFIDENTIALITY AND SECURITY OF INFORMATION

- 3.1 Subject to the provisions of this MOU, the ACA, the RST Act, and any other applicable Act of Parliament, the information shared between the Parties under the terms of this MOU shall be treated as confidential, and shall be protected from further disclosure. The shared information shall be used only for the specific purpose for which it is provided, and shall not be passed on to any third party without the written consent of the Party from whom it originated.

4. AMENDMENT

- 4.1 This MOU may be amended at any time with the consent of the Parties. Such amendments may be effected by an exchange of letters between the ACC Chairperson and the Secretary of MOIC.

5. EFFECTIVE DATE AND TERMINATION

- 5.1 This MOU shall come into effect on the 6th day of the August month of the year 2013.
- 5.2 Either of the Parties may terminate this MOU upon one month written notice to the other Party. Such notice shall be given by either the ACC Chairperson or the MOIC Secretary.

6. NATURE OF THE MOU

- 6.1 This MOU is an administrative understanding between the Parties. It is not intended to be legally binding or enforceable before the courts, nor is it designed to alter the pre-existing obligations, responsibilities, duties, or entitlements of either Party as may be defined by statute, regulation, or otherwise.

IN WITNESS THEREOF, this MOU was signed in duplicate, each copy being equally authentic.

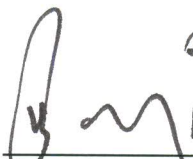
FOR THE ACC



The Chairperson
Dasho Neten Zangmo

DATE: 06/08/13

FOR THE RSTA



Secretary
Dasho Kinley Dorji

DATE: 6/8/13