



臺灣臺北地方法院檢察署新聞稿

Taipei District Prosecutors Office Press Release

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聯絡人:張介欽襄閱主任檢察官

電話:(02) 23146881

**臺灣臺北地方法院檢察署偵辦兆豐國際商業銀行
疑似涉嫌不法案件，本署偵辦情形，簡要說明如
下：**

本署於昨(22)日因民眾告發暨臺灣高等法院檢察署檢察長之指示，已針對兆豐國際商業銀行(下稱兆豐銀行)紐約分行涉嫌違反美國「反洗錢法」遭裁罰1.8億美元，疑似涉有不法等情，完成分案程序，本署刑檢察長特別跨組指派檢肅黑金專組陳主任檢察官佳秀及楊檢察官展庚、駐金管會陳檢察官宗豪、具財經專長之周主任檢察官士榆、具美國紐約州律師資格之王檢察官珮儒共同組成辦案團隊偵辦本案，並立即研擬偵查作為及同時在當日晚間多次聯繫兆豐金融控股股份有限公司前董事長蔡○才到案說明。

上開偵辦團隊業於今日上午十時許，分別前往金管會、財政部、兆豐銀行及兆豐金融控股股份有限公司(下

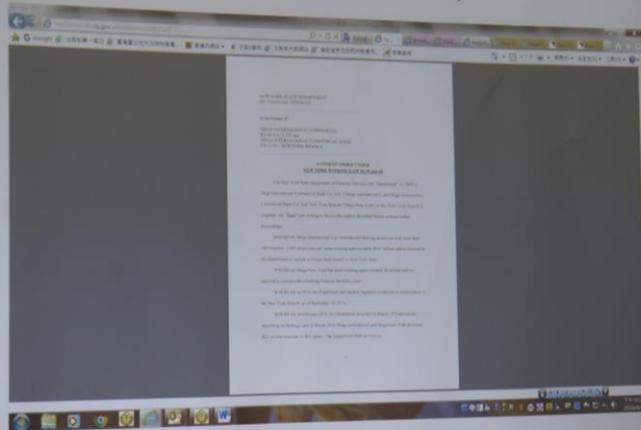
稱兆豐金控)調取本案之相關資料，王檢察官珮儒則自紐約州金融服務管理局(DFS)及相關之國際網站蒐集與本案有關之資訊，加以研析判讀，包括DFS 2016年8月19日新聞稿(Press Release)及協商命令(Consent Order)等(如附件)初步判讀結果認為：兆豐銀行紐約分行遭裁罰的基礎事實分別為內控缺失、未能有效解釋紐約分行與兆豐銀行巴拿馬分行間之可疑交易、未能實施適切的實地查核、不適切的風險評估政策及程序、臺灣總行欠缺謹慎監督及紐約分行針對DFS審查報告提出令人不安及不屑一顧之回應等理由，截至目前本案是否確有不法行為，尚待查證。另兆豐金控前蔡姓董事長亦以被告身分於今日下午2時30分許到庭應訊，查明有無違法洗錢防制法、金控法及銀行法之情事，至下午6時10分訊問完畢後由檢察官告知請回，並限制出境、出海及小三通，並賡續於同日6時30分以證人身分傳訊兆豐金控現任徐姓董事長到案說明。

本署將秉持部長所強調團隊辦案之精神，協同各相關單位齊力合作，賡續進行本案，積極深入調查，儘速釐清本案之相關案情。

兆豐國際商業銀行紐約分行遭紐約 州金融服務管理局 (DFS) 裁罰事件

臺灣臺北地方法院檢察署

2016年8月19日 協商命令 (Consent Order)



DFS 發布 2016 年 8 月 19 日新聞稿

Department of Financial Services

Press Release

DFS FORCES BANK L&A REVIEW AND REGULATORY ACTION TO PROTECT CONSUMERS

On August 19, 2016, the Department of Financial Services (DFS) announced that it has issued a final order requiring the State Street Bank (SSB) to undergo a comprehensive review of its lending practices and to implement corrective measures to protect consumers. The order also requires SSB to pay a civil penalty of \$100,000 for its failure to comply with the Equal Credit Opportunity Act (ECOA) and the Fair Housing Act (FHA).

DFS Commissioner Benjamin Lawsky said, "This order is a strong message to all financial institutions that we will not tolerate discriminatory lending practices. We are committed to ensuring that all consumers are treated fairly and that the financial system remains safe and sound. We will continue to work closely with the Federal Reserve and other regulators to address these issues and protect consumers from unfair practices."

The order requires SSB to:

- Conduct a comprehensive review of its lending practices, including its underwriting, pricing, and servicing practices, to identify any discriminatory practices.
- Implement corrective measures to address any identified discriminatory practices, including revising its underwriting and pricing practices, and providing training to its employees.
- Pay a civil penalty of \$100,000 for its failure to comply with the ECOA and the FHA.

The order also requires SSB to submit a report to DFS detailing the results of its review and the corrective measures it has implemented. DFS will continue to monitor SSB's compliance with the order and may take further action if necessary.

<http://www.dfs.ny.gov/about/press/pr1608191.htm>