



GUERNSEY STATUTORY INSTRUMENT

2011 No. 23

**The Disclosure (Bailiwick of Guernsey) (Amendment)
Regulations, 2011**

<i>Made</i>	<i>13th June, 2011</i>
<i>Coming into operation</i>	<i>13th June, 2011</i>
<i>Laid before the States</i>	<i>, 2011</i>

THE HOME DEPARTMENT, in exercise of the powers conferred on it by section 11 of the Disclosure (Bailiwick of Guernsey) Law, 2007^a and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of the Principal Regulations.

1. The Principal Regulations are amended as follows.
2. For regulation 1 of the Principal Regulations, substitute -

"Form and manner of disclosure.

1. (1) Save when paragraph (2) applies, a person shall make a disclosure to a prescribed police officer under section 1, 2 or 3 of the Disclosure (Bailiwick of Guernsey) Law, 2007 (the "**Law of 2007**") by using the online reporting facility available on the website of the Financial Investigation Unit.

^a Order in Council No. XVI of 2007; amended by Ordinance No. XXXIX of 2008, Ordinance No. XIV of 2010 and Ordinance No. XIX of 2010.

(2) Subject to the consent of an authorised officer, a person may make a disclosure to a prescribed police officer under section 1, 2 or 3 of the Law of 2007 -

- (a) by using the form set out in the Schedule to these Regulations ("**the Form**"), and
- (b) in compliance with the requirements indicated upon the Form.

(3) A completed Form, together with any accompanying information shall be -

- (a) delivered by post, or hand, to the addressee,
- (b) transmitted by electronic mail to the electronic address, or
- (c) sent by facsimile transmission to the telephone number,

indicated upon the Form.

(4) Any information entered upon, or accompanying, the Form shall appear, or be supplied, in a legible format."

3. In regulation 5 of the Principal Regulations, immediately before the definition of "**Financial Intelligence Service**" insert -

"**authorised officer**" means the head of the Financial Investigation Unit or other member of the Financial Investigation Unit of the rank of Senior Investigation Officer or above,".

4. For the Schedule to the Principal Regulations substitute -

"SCHEDULE

Regulations 1 and 5

FORM OF DISCLOSURE

DISCLOSURE FORM

STRICTLY PRIVATE AND CONFIDENTIAL

Please submit to:	
The Guernsey Border Agency, Financial Investigation Unit: Financial Intelligence Service, Ozanne Hall, Mignot Plateau, Cornet Street, St Peter Port, GY1 1LF	
Tel: 714081 Fax: 710466 E-mail: fiu@gba.gov.gg	
Disclosing Organisation:	
Reporting MLRO:	
Tel:	Email:

Your reference		
FIS reference		
Date		Consent request? Yes/No

1. MAIN DISCLOSURE SUBJECT

Individual

Title	
Full name <i>(please include former and other names)</i>	
Gender	
Date of birth /Alias date of	

Birth	
Estimated age	
Place of Birth	
Town of Birth	
Nationality(ies)	
Occupation	
Employer	
Address(es) including postal codes	
Country of Residence	
Contact details, e.g. telephone, fax, email	
Passport number(s) and dates	
Passport issuing country(ies)	
Other identification numbers and dates, e.g. national identity card, driving licence etc. <i>(please specify type)</i>	
Any other relevant information	

and/or Organisation

Type of Organisation i.e. company, trust, non-profit organisation or other	
Name <i>(please include former and other names)</i>	
Legal registration / identification number	
Address(es) including postal codes	
Contact details, e.g. telephone, fax, email	
Place of Incorporation / date	
Country registered / established	
Date registered / established	
Any other relevant information	
<i>(Trust)</i> Country of Administration Country Settled	
<i>(non-profit organisation)</i> Area of Benefit Area of Operation	

2. ASSOCIATED SUBJECTS (including organisation officials)

Official Type	
Title	
Full name <i>(please include former and other names)</i>	
Date of birth	
Address(es) including postal codes	

For further associated subjects, please copy the formats used above

3. RELEVANT ACCOUNTS

Account Name	
Account Holder(s)	
Financial Institution/ SWIFT/BIC address	
Account / product type, e.g. investment, company etc.	
Account number and sort code	
Date account opened	
Date account closed	
Account balance / value	
Balance / value date	

For additional accounts or products, please copy the format used above.

4. RELEVANT TRANSACTIONS

Transaction date	
Transaction amount	
Transaction type / method	
Transaction parties <i>(please use person / organisation format as above where more detailed information is available)</i>	
Was the transaction carried out?	

For additional transactions, please copy the format used above.

5. CLIENT RELATIONSHIP

Current status of relationship	
Date relationship commenced	
Date relationship ended	

6. REASONS FOR SUSPICION

Please give full account of circumstances and grounds for suspicion

This disclosure is made under the <i>(please delete as appropriate)</i>	Terrorism and Crime (Bailiwick of Guernsey) Law, 2002
	Disclosure (Bailiwick of Guernsey) Law, 2007

7. DETAILS OF ANY REQUEST FOR CONSENT

Please specify the act or transaction for which consent is sought

8. ADDITIONAL INFORMATION (including explanation of any attachments)

NB - Please also provide as much information and documentation as possible to demonstrate why suspicion has been raised and to enable the FIS to fully understand the purpose and intended nature of the business relationship, e.g. copy identification and account opening documents, account statements, contract notes, minutes, correspondence, structure charts, transcripts, etc.

Interpretation.

5. (1) In these Regulations, unless the context requires otherwise, "the Principal Regulations" means the Disclosure (Bailiwick of Guernsey)

Regulations, 2007^b, and other expressions have the same meanings as in the Disclosure (Bailiwick of Guernsey) Law, 2007.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations.

(3) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation and commencement.

6. These Regulations may be cited as the Disclosure (Bailiwick of Guernsey) (Amendment) Regulations, 2011, and shall come into force on the 13th June, 2011.

Dated this 13th day of June, 2011



DEPUTY G H MAHY

Minister of the States Home Department

For and on behalf of the Department

EXPLANATORY NOTE

^b G.S.I. No. 34 of 2007, as amended by G.S.I. No.50 of 2010.

^c Ordres en Conseil Vol. XIII, p. 355.

(This note is not part of the Regulations)

These Regulations amend the Disclosure (Bailiwick of Guernsey) Regulations, 2007 as amended ("the 2007 Regulations").

In particular they provide that as from the coming into force of the Regulations, disclosures under section 1, 2 or 3 of the Disclosure (Bailiwick of Guernsey) Law, 2007 should be made using the online reporting facility available on the website of the Financial Investigation Unit. They also amend the form of disclosure set out in the Schedule to the 2007 Regulations and provide for disclosures to be made by means of that form with the consent of an authorised officer. An authorised officer is defined as the head of the Financial Investigation Unit or other member of the Financial Investigation Unit of the rank of Senior Investigation Officer or above.

These Regulations come into force on the 13th June 2011.