

GUERNSEY STATUTORY INSTRUMENT

2010 No. 114

**The Criminal Justice (Proceeds of Crime) (Legal Professionals,  
Accountants and Estate Agents)  
(Bailiwick of Guernsey) (Amendment) Regulations, 2010**

<i>Made</i>	<i>22<sup>nd</sup> February, 2010</i>
<i>Coming into operation</i>	<i>22<sup>nd</sup> February, 2010</i>
<i>Laid before the States</i>	<i>2010</i>

**THE POLICY COUNCIL**, in exercise of the powers conferred upon it by sections 49A and 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999<sup>a</sup>, hereby makes the following Regulations:-

**Amendment of regulation 5 of the Principal Regulations.**

1. In regulation 5(1)(b)(ii) of the Principal Regulations immediately after the word "notices", insert ", instructions".

**Amendment of regulation 15 of the Principal Regulations.**

2. In regulation 15 of the Principal Regulations –

- (a) in paragraph (d)(i) for the words "that it has, complied with the requirements of -" substitute, "that the policies, procedures and controls it has implemented or adopted for the purposes of forestalling, preventing and detecting money laundering and terrorist financing, comply with the requirements of -", and

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<sup>a</sup> Order in Council No. VIII of 1999, as amended by Order in Council No. II of 2005 and No. XV of 2007, Ordinance No. XXVIII of 1999, No. XII of 2002, No. XXXIII of 2003 and No. XLVII of 2007; G.S.I. No. 27 of 2002, G.S.I. No. 33 of 2007 and G.S.I. No. 48 of 2008; and certain sections of the Law are modified in their application to external confiscation orders by Ordinance No. XXXIII of 1999.

- (b) in paragraph (d)(i)(C) for the words " any instructions, or notice," substitute, "any notices, instructions or warnings".

**Interpretation.**

3. (1) In these Regulations, "**the Principal Regulations**" means the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) Regulations, 2008<sup>b</sup>.

(2) The Interpretation (Guernsey) Law, 1948<sup>c</sup> applies to the interpretation of these Regulations.

**Citation.**

4. These Regulations may be cited as the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) (Amendment) Regulations, 2010.

**Commencement.**

5. These Regulations come into force on the 22<sup>nd</sup> February 2010.

Dated this 22<sup>nd</sup> day of February, 2010



DEPUTY L.S.TROTT

Chief Minister

For and on behalf of the Policy Council

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EXPLANATORY NOTE

*(This note is not part of the Regulations)*

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<sup>b</sup> G.S.I. Nos. 49 and 72 of 2008 and No. 31 of 2009.

<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

These Regulations are made under the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 and amend the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) Regulations, 2008. The amendments clarify the requirements of prescribed businesses to adopt and implement policies, procedures and controls for the purposes of forestalling, preventing and detecting money laundering and terrorist financing, which take account of and are consistent with instructions issued by the Guernsey Financial Services Commission.