

GUERNSEY STATUTORY INSTRUMENT

2008 No. 77

**The Forfeiture of Money, etc in Civil Proceedings  
(Designation of Countries)  
(Bailiwick of Guernsey) Regulations, 2008**

<i>Made</i>	<i>8<sup>th</sup> December, 2008</i>
<i>Coming into operation</i>	<i>8<sup>th</sup> December, 2008</i>
<i>Laid before the States</i>	<i>, 2008</i>

**THE HOME DEPARTMENT**, in exercise of the powers conferred on it by section 53 of the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007<sup>a</sup> and all other powers enabling it in that behalf, and after consultation with the Policy and Finance Committee of the States of Alderney and the General Purposes and Advisory Committee of the Chief Pleas of Sark, hereby makes the following Regulations:-

**Designation of countries.**

1. The following countries -
  - (a) England and Wales,
  - (b) Scotland, and

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<sup>a</sup> No. XVII of 2008; amended by the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007 (Amendment) Ordinance, 2008.

- (c) Northern Ireland,

are designated for the purposes of the Law.

**Designation of persons, bodies or authorities.**

2. The following are designated as persons, bodies or authorities in the countries designated by regulation 1 on whose behalf any action under the Law may be taken -

- (a) in relation to England and Wales -
  - (i) the Serious Organised Crime Agency,
  - (ii) the Director of Public Prosecutions,
  - (iii) the Director of Revenue and Customs Prosecutions, and
  - (iv) the Director of the Serious Fraud Office,
- (b) in relation to Scotland, the Scottish Ministers,
- (c) in relation to Northern Ireland -
  - (i) the Serious Organised Crime Agency,
  - (ii) the Director of the Serious Fraud Office, and
  - (iii) the Director of Public Prosecutions for Northern Ireland,

- (d) an interim receiver appointed by the High Court in England and Wales or Northern Ireland acting in the exercise of the functions authorised or required under the provisions of an interim receiving order granted under section 246 of the Proceeds of Crime Act 2002, and
- (e) an interim administrator appointed by the High Court of Session in Scotland acting in the exercise of the functions authorised or required under the provisions of an interim administration order granted under section 256 of the Proceeds of Crime Act 2002.

**Interpretation.**

3. (1) In these Regulations "**the Law**" means the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007.

(2) Words and phrases in these Regulations have the same meanings as in the Law.

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

(4) 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.

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<sup>b</sup>

Ordres en Conseil Vol. XIII, p. 355.

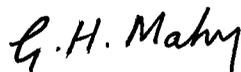
**Citation.**

4. These Regulations may be cited as the Forfeiture of Money, etc in Civil Proceedings (Designation of Countries) (Bailiwick of Guernsey) Regulations, 2008.

**Commencement.**

5. These Regulations shall come into force on the 8<sup>th</sup> December, 2008.

Dated this 8<sup>th</sup> day of December, 2008



Deputy G. H. Mahy

Minister of the States Home Department

For and on behalf of the Department

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EXPLANATORY NOTE

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

These Regulations designate, for the purposes of the Forfeiture of Money, etc in Civil Proceedings (Bailiwick of Guernsey) Law, 2007 -

- (a) England and Wales, Scotland and Northern Ireland as countries which appear to the Home Department to have legislation or law in force corresponding to the provisions of Part III of that Law relating to the forfeiture in civil proceedings of monies which are the proceeds of unlawful conduct or intended for use in unlawful conduct, and

- (b) the persons, bodies or authorities in those countries on whose behalf any action under that Law may be taken.