

Island of



Guernsey

Ordinance of the States

XXXVI
2010

Made28th July, 2010

Coming into Operation28th July, 2010

The Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 3) Ordinance, 2010

The Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 3) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by sections 18(8) and 81A of and paragraph 10(1) of Schedule 2 to the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002^b and all other powers enabling them in that behalf, hereby order:-

Amendment of the Law.

1. The Law is amended as follows.
2. In section 7 -
 - (a) in subsection (1)(a) immediately after "property", insert "(including, for the avoidance of doubt, any interest, dividend or other form of income or accrued value deriving directly, or indirectly, from that money or other property)",
 - (b) in subsection (2)(a) immediately after "commission", insert "and, for the avoidance of doubt, any interest, dividend or other form of income or accrued value

^a Article V of Billet d'État No. XVII of 2010.

^b Order in Council No. XVI of 2002; amended by Order in Council No. XIII of 2006 and by Recueil d'Ordonnances Tome XXIX, p. 406 and Tome XXXII, p. 648 and the Terrorism and Crime (Bailiwick of Guernsey) (Amendment) Ordinance, 2010 and the Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010 .

deriving directly, or indirectly, from the proceeds".

3. In section 40 -

- (a) for subsections (2)(a) and (4)(a), substitute in each case -

"(a) discloses to any other person information or any other matter about, or relating to, that knowledge or suspicion, or",

- (b) for subsection (5), substitute the following subsections -

"(5) Nothing in subsection (2) or (4) makes it an offence for any person to disclose any information or other matter, or interfere with any material, if the disclosure or interference is for any of the purposes set out in subsection (5A).

- (5A) The purposes are -

- (a) the prevention, detection, investigation or prosecution of criminal offences, whether in the Bailiwick or elsewhere,

- (b) the prevention, detection or investigation of conduct for which penalties other than criminal penalties are provided under the law of any part of the Bailiwick or of any country or territory outside the Bailiwick,

- (c) the carrying out -
 - (i) by the Commission, or
 - (ii) by a body in another country or territory which carries out any similar function to the Commission,

of its functions,
- (d) the carrying out of any functions of any intelligence service, or
- (e) the carrying out of any function which appears to the Home Department to be a function of a public nature and which it designates as such by order."

4. In section 79(1) immediately after the definition of "**information**", insert the following definition -

"**intelligence service**" has the same meaning as in section 67 of the Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003,".

5. In section 80 of the Law immediately after the entry relating to "**Information**", insert -

"Intelligence service Section 79".

6. Immediately after paragraph 10 of Schedule 2, insert the following paragraph -

"Designation of all countries on 28th July, 2010.

10A. (1) With effect on and from the 28th July, 2010 any country or territory not already designated under paragraph 10 (including any country or territory which comes into existence after that date) is designated for the purposes of this Law and any Ordinance or subordinate legislation made under this Law.

(2) Without prejudice to the generality of subparagraph (1), a country or territory which is designated under that subparagraph is a designated country for the purposes of the Terrorism and Crime (Enforcement of External Orders) (Bailiwick of Guernsey) Ordinance, 2007."

Interpretation.

7. (1) In this Ordinance, "**the Law**" means the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002.

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

Extent.

8. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation.

9. This Ordinance may be cited as the Terrorism and Crime (Bailiwick

of Guernsey) (Amendment) (No. 3) Ordinance, 2010.

Commencement.

- 10.** This Ordinance shall come into force on the 28th July, 2010.

K.H. TOUGH,
Her Majesty's Greffier.

**Copies may be purchased from
Her Majesty's Greffier, Royal Court House, Guernsey.**

PRICE £2.00

Printed by Image Group, Caslon Court, Pitronnerie Road, St Peter Port, Guernsey GY1 3NE