

Island of



Guernsey

Ordinance of the States

XVII
2014

Made 28th May, 2014

Coming into Operation 28th May, 2014

The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2014

The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2014

THE STATES, in pursuance of their Resolution of the 15th May, 2014^a, and in exercise of the powers conferred on them by sections 35 and 53A of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999^b and all other powers enabling them in that behalf, hereby order:-

Amendment of section 41 of the Law.

1. In section 41 of the Law -

- (a) immediately after subsection (4), insert the following subsection -

"(4A) Subsections (1) to (3) do not apply to a disclosure made -

^a Article IX of Billet d'État No. IX of 2014 (Volume 2).

^b Ordres en Conseil Vol. XXXIX, p. 137; Order in Council No. II of 2005; No. XV of 2007 and No. XI of 2011; Recueil d'Ordonnances Tome XXVIII, p. 266; Tome XXIX, pp. 112 and 406; Tome XXXII, p. 666; Ordinance No. XXXVII of 2008 and Nos. XVI and XXXIV of 2010; G.S.I. No. 27 of 2002; G.S.I. No. 33 of 2007, G.S.I. No. 48 of 2008; G.S.I. No. 12 of 2010 and G.S.I. No. 14 of 2013 and certain sections of the Law are modified in their application to external confiscation orders by Recueil d'Ordonnances Tome XXVIII, p. 274 and Tome XXIX, p. 586.

- (a) by the client of a professional legal adviser to that adviser in connection with the seeking of legal advice, or
 - (b) to any person -
 - (i) in contemplation of legal proceedings, and
 - (ii) for the purposes of those proceedings.",
- (b) in sub-section (5), for the words "Subsection (4) does" substitute "Subsections (4) and 4(A) do".

Amendment of section 49(6) of the Law.

2. In section 49(6) of the Law, in the definition of "money laundering", immediately after "Terrorist Asset Freezing (Bailiwick of Guernsey) Law, 2011,", insert "or section 1(2) of the Afghanistan (Restrictive Measures) (Guernsey) Ordinance, 2011, section 1(2) of the Afghanistan (Restrictive Measures) (Alderney) Ordinance, 2011, section 1(2) of the Afghanistan (Restrictive Measures) (Sark) Ordinance, 2011, section 1(2) of the Al-Qaida (Restrictive Measures) (Guernsey) Ordinance, 2013, section 1(2) of the Al-Qaida (Restrictive Measures) (Alderney) Ordinance, 2013 or section 1(2) of the Al-Qaida (Restrictive Measures) (Sark) Ordinance, 2013".

Amendment of section 49A(6) of the Law.

3. In section 49A(6) of the Law, in the definition of "money laundering", immediately after "Terrorist Asset Freezing (Bailiwick of Guernsey) Law, 2011,", insert "or section 1(2) of the Afghanistan (Restrictive Measures) (Guernsey) Ordinance, 2011, section 1(2) of the Afghanistan (Restrictive Measures)

(Alderney) Ordinance, 2011, section 1(2) of the Afghanistan (Restrictive Measures) (Sark) Ordinance, 2011, section 1(2) of the Al-Qaida (Restrictive Measures) (Guernsey) Ordinance, 2013, section 1(2) of the Al-Qaida (Restrictive Measures) (Alderney) Ordinance, 2013 or section 1(2) of the Al-Qaida (Restrictive Measures) (Sark) Ordinance, 2013".

Interpretation.

4. In this Ordinance, "**the Law**" means the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999.

Extent.

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

Citation.

6. This Ordinance may be cited as the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2014.

Commencement.

7. This Ordinance shall come into force on the 28th May, 2014.

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