

PROJET DE LOI

ENTITLED

The Money Laundering (Disclosure of Information) (Guernsey) Law, 1995 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

©States of Guernsey

* No. IV of 1995 (Ordres en Conseil Vol. XXXVI, p. 111). See also the Police Force (Guernsey) Law, 1986 (Ordres en Conseil Vol. XXIX, p. 207). This Law was repealed by the Disclosure (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010 (No. XIV of 2010).

PROJET DE LOI

ENTITLED

The Money Laundering (Disclosure of Information) (Guernsey) Law, 1995

ARRANGEMENT OF SECTIONS

1. No liability for reporting suspicions as to source of monies.
2. Officers to whom disclosure may be made.
3. Interpretation.
4. Citation.

PROJET DE LOI

ENTITLED

The Money Laundering (Disclosure of Information) (Guernsey) Law, 1995

THE STATES, in pursuance of their Resolution of the 22nd day of February, 1995^a, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Islands of Guernsey, Herm and Jethou.

No liability for reporting suspicions as to source of monies.

1. No obligation of secrecy or confidence or other restriction on the disclosure of information to which any person may be subject, whether arising by statute, contract or otherwise, shall be regarded as being contravened by reason of the disclosure by that person or by any of his officers, servants or agents to an officer described in section 2 of –

- (a) any reasonable suspicion or belief that any money or other property is, or is derived from or represents, the proceeds of criminal activity,
- (b) any information or document relating to –
 - (i) any such money or property,

^a Billet d'État No. III of 1995.

- (ii) any transaction concerning it,
 - (iii) the parties to any such transaction,
- (c) any fact or matter upon which any such suspicion or belief is based.

Officers to whom disclosure may be made.

2. The officers referred to in section 1 are –
- (a) Her Majesty's Procureur or Comptroller,
 - (b) any member of the salaried police force of the Island of Guernsey,
 - (c) any officer of customs and excise within the meaning of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972, as amended^b,
 - (d) any officer or servant of the Guernsey Financial Services Commission authorised by the Commission to receive disclosures for the purposes of this Law,
 - (e) such other person or class or description of persons as the States may by Ordinance specify.

NOTE

^b Ordres en Conseil Vol. XXIII, p. 573; and No. XIII of 1991.

In accordance with the provisions of the Police Force (Guernsey) Law, 1986, section 2(2), with effect from 19th August, 1986, the reference herein to a member of the salaried police force of the Island of Guernsey shall include a reference to a member of a force present in the Island by virtue of an agreement made under section 1 of the 1986 Law.

Interpretation.

3. In this Law –

"criminal activity" means any activity which constitutes a criminal offence under the law of Guernsey or which would constitute such an offence if it were to take place in Guernsey,

"person" includes any body of persons incorporated with or without limited liability in any part of the world, and any unincorporated body of persons.

Citation.

4. This Law may be cited as the Money Laundering (Disclosure of Information) (Guernsey) Law, 1995.

NOTE

The Law received Royal Sanction on 11th April, 1995 and was registered on the Records of the Island of Guernsey and came into force on 11th July, 1995.
