

Island of



Guernsey

Ordinance of the States

XVIII
2017

Made 21st June, 2017

The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2017

**The Criminal Justice (Proceeds of Crime)
(Bailiwick of Guernsey) (Amendment)
Ordinance, 2017**

THE STATES, in pursuance of their Resolution of the 16th February, 2017^a, and in exercise of the powers conferred on them by sections 53A and 54 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 the Proceeds of Crime Law.

1. After section 49D of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 ("the Law"), insert the following section -

"Compliance with beneficial ownership obligations.

.49DA. (1) The Committee may by regulation prescribe supervisory authorities in respect of the duties and requirements to be complied with under the Beneficial Ownership Laws, and other enactments relating to the beneficial ownership of legal persons, by regulated persons within the meaning of the Beneficial Ownership Laws.

^a Article IV of Billet d'État No. V of 2017.

^b Order in Council No. VIII of 1999; amended by No. I of 2000; No. II of 2005; No. XV of 2007; No. XIII of 2010; No. XI of 2011; Recueil d'Ordonnances Tome XXVIII, p. 266; Ordinance No. XII of 2002; No. XXXIII of 2003; No. XLVII of 2007; No. XXXVII of 2008; Nos. XVI and XXXIV of 2010; No. XVII of 2014; No. IX of 2016; G.S.I. No. 56 of 1999; G.S.I. Nos. 4 and 27 of 2002; G.S.I. No. 33 of 2007; G.S.I. Nos. 48 and 73 of 2008; G.S.I. No. 12 of 2010; G.S.I. No. 14 of 2013; and G.S.I. No. 45 of 2016.

(2) The Committee may by regulation direct that the provisions of this Law specified in subsection (3) shall extend, subject to such exceptions, adaptations and modifications as may be specified in the regulations -

(a) to regulated persons within the meaning of the Beneficial Ownership Laws, and

(b) to compliance with the provisions of the Beneficial Ownership Laws.

(3) The specified provisions are sections 49B and 49C and any other provision of this Law so far as necessary for the purpose of giving effect to those sections as extended under subsection (2)."

2. In section 51(1) of the Law, after the definition of "Bailiwick company" insert the following definition -

"Beneficial Ownership Laws" means the Beneficial Ownership of Legal Persons (Guernsey) Law, 2017 and the Beneficial Ownership of Legal Persons (Alderney) Law, 2017,".

3. In section 52 of the Law, after the reference to "Bailiwick company" insert the following expression -

"Beneficial Ownership Laws" (section 51(1)),".

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, 2017.

Commencement.

7. This Ordinance shall come into force on the day appointed by regulations made by the States of Guernsey Policy and Resources Committee, and regulations made under this section may appoint different dates for different provisions of this Ordinance and for different purposes.

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