

GUERNSEY STATUTORY INSTRUMENT

2022 No. 107

**The Terrorism and Crime (Bailiwick of Guernsey)
(Amendment) Regulations, 2022**

<i>Made</i>	<i>20th December, 2022</i>
<i>Coming into operation</i>	<i>21st December, 2022</i>
<i>Laid before the States</i>	<i>, 2023</i>

THE COMMITTEE FOR HOME AFFAIRS, in exercise of the powers conferred on it by sections 15C, 15D and 82 of the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002^a, section 20 of the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016^b, and all other powers enabling it in that behalf, hereby makes the following Regulations: -

Amendment of the 2007 Regulations.

1. (1) The Terrorism and Crime (Bailiwick of Guernsey) Regulations, 2007^c are amended as follows.

^a Order in Council No. XVI of 2002; this enactment has been amended.

^b Order in Council No. V of 2018; this enactment has been amended.

^c G.S.I. No. 36 of 2007; this enactment has been amended.

(2) In regulation 1(1), for "Financial Investigation Unit" substitute "Financial Intelligence Unit".

(3) In regulation 2(4), after subparagraph (a) insert -

"(aa) the Head of the Financial Intelligence Unit, or such person as the Head of the Financial Intelligence Unit may authorise for this purpose,

(ab) the Director of the Economic and Financial Crime Bureau, or such person as the Director of the Economic and Financial Crime Bureau may authorise for this purpose,".

(4) In regulation 5, the definitions of Financial Intelligence Service, Financial Investigation Unit and prescribed police officer are revoked.

(5) In the Schedule, for -

(a) "Financial Investigation Unit", and

(b) "FIS", wherever it appears,

substitute "FIU".

(6) After the words "prescribed police officer", wherever they appear, insert "or another FIU officer".

Amendment of 2019 Regulations.

2. (1) The Terrorism and Crime (Bailiwick of Guernsey) (Information) Regulations, 2019^d are amended as follows.

(2) After the words "prescribed police officer", wherever they appear, insert "or another FIU officer".

Amendment of 2002 Law.

3. (1) The Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 is amended as follows.

(2) In section 79 -

(a) in the appropriate place, insert –

""**another FIU officer**" means a member of the Financial Intelligence Unit who is not a police officer,"
and

(b) the definition of Economic Crime Division is deleted.

(3) After the words "prescribed police officer", wherever they appear other than in section 79, insert "or another FIU officer".

Citation and commencement.

4. These Regulations may be cited as the Terrorism and Crime

^d G.S.I. No.80 of 2019; this enactment has been amended.

(Bailiwick of Guernsey) (Amendment) Regulations, 2022, and shall come into force on 21st December, 2022.

Dated this 20th day of December, 2022



ROBERT PROW

President of the Committee for Home Affairs

For and on behalf of the Committee

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Terrorism and Crime (Bailiwick of Guernsey) Regulations, 2007 and the Terrorism and Crime (Bailiwick of Guernsey) (Information) Regulations, 2019, which govern the powers of the Financial Intelligence Unit to obtain information. The effect of the amendments is to enable these powers to be exercised by members of the Financial Intelligence Unit who are not police officers or customs officers, to enable members of the Economic and Financial Crime Bureau to have access to additional information in certain circumstances and to make some minor revisions to reflect the change of name from the Financial Intelligence Service to the Financial Intelligence Unit. These Regulations also make some consequential amendments to the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002, to enable reports of suspicion to be made to members of the Financial Intelligence Unit who are not police officers or customs officers, and to update the interpretation provisions. These Regulations come into force on 21st December, 2022.