

**The Regulation of Investigatory Powers (Prescription of  
Offices, Ranks and Positions) (Amendment)  
Regulations, 2023**

<i>Made</i>	<i>20<sup>th</sup> March, 2023</i>
<i>Coming into operation</i>	<i>20<sup>th</sup> March, 2023</i>
<i>Laid before the States</i>	<i>, 2023</i>

**THE STATES OF GUERNSEY COMMITTEE FOR HOME AFFAIRS**, in exercise of the powers conferred on it by sections 20(2), 25, 28(1), 36(4), 41 and 65 of the Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003<sup>a</sup>, section 20(c)(iv) of the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016<sup>b</sup>, and all other powers enabling it in that behalf, hereby makes the following Regulations:-

**Amendment of RIPL.**

1. (1) The Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003 is amended as follows.

(2) In section 29(6) -

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<sup>a</sup> Order in Council No. XXX of 2003; this enactment has been amended.

<sup>b</sup> Order in Council No. V of 2016; this enactment has been amended.

- (a) at the end of paragraph (b) insert "or",
  - (b) paragraph (ba) is repealed, and
  - (c) in paragraph (c), for "(a), (b) or (c)" substitute "(a) or (b)".
- (3) After section 32, insert -

*"Economic and Financial Crime Bureau Authorisations*

**Economic and Financial Crime Bureau: references to authorisations.**

**32A.** The provisions of sections 27 to 32 apply to the Economic and Financial Crime Bureau as if references to -

- (a) "the Island Police Force", "police" or "same force" include references to the Economic and Financial Crime Bureau,
- (b) "the Chief Officer of the Island Police Force" include references to the Director of the Economic and Financial Crime Bureau, and
- (c) a "member "or "officer" of the Island Police Force include references to a member or officer of the Economic and Financial Crime Bureau."

- (4) After section 38, insert -

**"Interpretation: Financial Intelligence Unit.**

**38A.** For the purposes of the following sections only (including as those sections apply to the Economic and Financial Crime Bureau by virtue of section 32A) the Economic and Financial Crime Bureau and the Financial

Intelligence Unit are to be treated as parts of the same public authority -

- (a) section 20(2)(b),
- (b) section 25(1),
- (c) section 27(1), and
- (d) section 28(1)(a)."

(5) In section 54(1), after paragraph (c) insert -

"(ca) every person employed by or for the purposes of the Economic and Financial Crime Bureau,".

(6) In section 56(6), after paragraph (d) insert -

"(e) the Economic and Financial Crime Bureau,".

(7) In Schedule 1, in item 2, after "Customs and Excise" insert "(which for the avoidance of doubt includes the Immigration & Nationality Division)".

**Amendment of the 2004 Regulations.**

2. (1) The Schedule to the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Regulations, 2004<sup>c</sup> is amended as follows.

(2) In Part I, at the end of the table insert -

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<sup>c</sup> G.S.I. No. 22 of 2004.

The Director of the Economic and Financial Crime Bureau	Economic and Financial Crime Bureau	The Head of the FIU (Itemised Billing)
		Deputy Head of Operations (Subscriber Checks) FIU Operations Manager (Subscriber Checks)

”.

(3) In Part II, at the end of the table insert -

”

The Director of the Economic and Financial Crime Bureau	The Head of the FIU	Deputy Head of Operations or FIU Operations Manager
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”.

(4) In Part III, in the table -

(a) in the column headed (2), for "Head of Law Enforcement" substitute "Deputy Chief Officer",

(b) for "Deputy Head of Law Enforcement" substitute "Surveyor", and

(c) at the end of the table insert -

”

Economic and Financial Crime Bureau	Head of Operations	The Head of the FIU
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”.

(5) In Part IV, in the table –

(a) for "*The Constable or the Vingtenier?*" substitute "The Constable or the Vingtenier", and

(b) at the end of the table insert –

”

Economic and Financial Crime Bureau	The Head of the FIU
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**Citation and commencement.**

3. These Regulations may be cited as the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) (Amendment) Regulations, 2023 and shall come into force on the day they are made.

Dated this 20<sup>th</sup> day of March, 2023



R. PROW

President of the Committee for Home Affairs

For and on behalf of the Committee

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EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make amendments to the Regulation of Investigatory Powers

(Bailiwick of Guernsey) Law, 2003 ("the Law") that reflect the establishment of the Economic and Financial Crime Bureau. They also amend the Schedule to the Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Regulations, 2004, which Schedule prescribes offices, ranks and positions for the purposes of sections 20(2), 25(1), 28(1) and 41(2) of the Law, under which individuals holding such offices, ranks or positions as are prescribed may grant or may be authorised to grant authorisations and notices for the purposes of the Law.

These Regulations come into force on the 20<sup>th</sup> day of March, 2023, which is the day they are made.