

# **The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2025**

THE POLICY & RESOURCES COMMITTEE, in exercise of the powers conferred on them by Article 66A of the Reform (Guernsey) Law, 1948<sup>a</sup>, and in exercise of the powers conferred on the States by sections 53A and 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999<sup>b</sup>, and all other powers enabling them in that behalf, hereby order:-

## **Amendment of the Proceeds of Crime Law.**

1. (1) The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 is amended as follows.

(2) In subsection (3)(c) of section 48O (Seized Assets Fund), after "asset sharing agreement" insert ", asset return agreement, asset sharing arrangement or asset return arrangement".

(3) At the end of subsection (4) of section 48O insert "(Seized Assets Fund)".

(4) In subsection (3) of section 48P (Seized Assets Management Board), after "Schedule 12" insert "(Seized Assets Management Board)".

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<sup>a</sup> Ordres en Conseil Vol. XIII, p.288; this enactment has been amended.

<sup>b</sup> Ordres en Conseil Vol. XXXIX, p. 137; this enactment has been amended.

(5) In subsection (1) of section 48S (interpretation), in the appropriate alphabetical order insert –

""**asset return agreement**"" means an agreement between the States of Guernsey and the government of a jurisdiction outside the Bailiwick for the return of seized assets, or the proceeds of disposition of seized assets,"

""**asset return arrangement**"" means an arrangement (however described) entered into by His Majesty's Procureur and an overseas authority for the return of seized assets, or the proceeds of disposition of seized assets,"

""**asset sharing arrangement**"" means an arrangement (however described) entered into by His Majesty's Procureur and an overseas authority in respect of the reciprocal sharing of seized assets or the proceeds of disposition of seized assets,"  
and

""**overseas authority**"" means –

- (a) a court or tribunal of a country outside the Bailiwick,
- (b) the government of a country outside the Bailiwick, or
- (c) any other authority recognised by the government of, or under the laws of, a

country outside the Bailiwick as the appropriate authority for the entering into of asset sharing arrangements and asset return arrangements,".

(6) In subsection (1) of section 48S, in paragraph (b) of the definition of "seized assets", for "definition of "asset sharing agreement"" substitute "definitions of "asset sharing agreement", "asset return agreement", "asset return arrangement" and "asset sharing arrangement"".

(7) In subsection (2) of section 48S, at the end of paragraph (g) delete "and", at the end of paragraph (h) for "." substitute ", and", and after paragraph (h) insert –

"(i) the Forfeiture of Assets in Civil Proceedings (Bailiwick of Guernsey) Law, 2023.".

(8) In Schedule 11, before paragraph 1 insert the heading "SEIZED ASSETS FUND", and in Schedule 12, before paragraph 1 insert the heading "SEIZED ASSETS MANAGEMENT BOARD".

**Extent.**

2. This Ordinance has effect throughout the Bailiwick.

**Citation.**

3. This Ordinance may be cited as the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2025.