

BILLET D'ÉTAT No. XVII, 2010

28th July 2010

	<i>Page</i>
The Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008 (Amendment) Ordinance, 2010	1
The Financial Services Commission (Site Visits) (Bailiwick of Guernsey) (Amendment) Ordinance, 2010	4
The Insurance Business (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010	10
The Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010	12
The Post Office (Bailiwick of Guernsey) (Amendment) Ordinance, 2010	15
The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) (No.2) Ordinance, 2010	18
The Drug Trafficking (Bailiwick of Guernsey) (Amendment) (No.2) Ordinance, 2010	22
The Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 3) Ordinance, 2010	26
The Disclosure (Bailiwick of Guernsey) (Amendment) (No. 3) Ordinance, 2010	31
The Criminal Justice (International Co-operation) (Bailiwick of Guernsey) (Amendment) Ordinance, 2010	34

The Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008 (Amendment) Ordinance, 2010

THE STATES, in exercise of the power conferred on them by section 11(1) of the Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008^a and all other powers enabling them in that behalf, and in pursuance of their Resolution of the 28th July, 2010^b, hereby order:-

Amendment of Schedule 2 of the Law.

1. After paragraph 6 of Schedule 2 to the Law insert the following paragraph -

"Administrative penalties.

7. (1) The Registrar may, in his discretion, impose upon a non profit organisation the penalties detailed in this paragraph.

(2) The Registrar may impose upon a non profit organisation the penalties specified in the Penalties Table below which shall be payable to the Registrar by the non profit organisation upon or in relation to the event, circumstance or matter specified in the Table, and where the penalty refers to a period of a month or more, the amount of the fine shall be cumulative and it shall be calculated in accordance with subparagraph (3).

^a Order in Council No. XXVI of 2008; amended by Order in Council No. III of 2010 and by Ordinances Nos. XLIX and XXXVI of 2008.

^b Article ** of Billet d'État No. ** of 2010.

Penalties Table

<u>Event, circumstance or matter</u>	<u>Penalty</u>
Failure to register in accordance with Schedule 1 paragraph 2	£500
Failure to renew registration in accordance with Schedule 1 paragraph 5 -	
(i) First calendar month or part thereof,	£20
(ii) Second calendar month or part thereof,	£40
(iii) Each subsequent calendar month or part thereof.	£80
Failure to file annual financial statements in accordance with Schedule 1 paragraph 8 -	
(i) First calendar month or part thereof,	£20
(ii) Second calendar month or part thereof,	£40
(iii) Each subsequent calendar month or part thereof.	£80
Failure to respond to request for information made under s.1C(1) or Schedule 1 paragraph 9 -	
(i) First calendar month or part thereof,	£0
(ii) Second calendar month or part thereof,	£0
(iii) Each subsequent calendar month or part thereof.	£10

(3) A financial penalty, imposed in accordance with subparagraph (2), is payable in respect of each month or part of a month between the date by which the non profit organisation should have renewed registration, filed annual financial statements or (as the case may be) responded to the request for information and the date when it in fact did so ("**the period of default**").

(4) Any penalty imposed under this paragraph is without prejudice to any other power, penalty, sanction or remedy (criminal, civil or administrative) provided for by or under this Law.

(5) The Penalties Table may be amended by regulations of the Department.

(6) For the purpose of this paragraph "**month**" means calendar month calculated from the beginning of the first day of the period of default (and for the avoidance of doubt if a month starts at the end of a month of the calendar which contains more days than the next month of the calendar, the month expires at the end of that next month of the calendar)."

Interpretation.

2. In this Ordinance "**the Law**" means the Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008, as amended.

Citation.

3. This Ordinance may be cited as the Charities and Non Profit Organisations (Registration) (Guernsey) Law, 2008 (Amendment) Ordinance, 2010.

Commencement.

4. This Ordinance shall come into force on the 28th July, 2010.

The Financial Services Commission (Site Visits) (Bailiwick of Guernsey) (Amendment) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by section 21C of the Financial Services Commission (Bailiwick of Guernsey) Law, 1987^b, as amended, and all other powers enabling them in that behalf, hereby order:-

Amendment of Site Visits Ordinance.

1. The Financial Services Commission (Site Visits) (Bailiwick of Guernsey) Ordinance, 2008^c is amended as follows.

2. In section 1(1) for the words following "the provisions of the regulatory Laws" substitute "or any Ordinance, regulation, order, rule, code, instruction, guidance, principle, condition, requirement or direction under them or the Transfer of Funds Ordinances or any regulation, order, rule, instruction or guidance under them".

3. In sections 2, 3 and 5 after "licensee" wherever appearing insert "or associated party thereof".

4. In section 5(c) for "regulatory Laws" substitute "provisions referred

^a Article ** of Billet d'État No. ** of 2010.

^b Ordres en Conseil Vol. XXX, p. 243; amended by No. XX of 1991; No. XIII of 1994; No. II of 1997; No. II of 1998; No's. XVII and XXI of 2002; No's. III and XXII of 2003; the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII); and the Financial Services Commission (Bailiwick of Guernsey) (Amendment) Ordinance, 2005 (No. XXXIV).

^c Ordinance No. II of 2008.

to in section 1(1)".

5. In section 6(2)(b) for "whether the licensee has complied with any of the regulatory Laws" substitute "whether the licensee or associated party thereof has complied with any of the provisions referred to in section 1(1)".

6. In section 6(2)(d)(i) -

(a) after "licensee" insert "or associated party thereof",
and

(b) for "regulatory Laws" substitute "provisions referred to in section 1(1)".

7. After section 7(2) insert the following subsection -

"(3) Where a person claims a lien on a document, its production under -

(a) section 1, 2, 3 or 5, or

(b) a warrant granted under section 6,

is without prejudice to his lien."

8. After section 9(2) insert the following subsection -

"(3) A person -

(a) to whose premises a site visit under section 1,

2 or 3 has been or is to be made or who knows or has reasonable grounds to suspect that the Commission has requested or is likely to request that arrangements for such a site visit be made, or

- (b) to whom a request or requirement under section 1, 2, 3 or 5 has been made or who knows or has reasonable grounds to suspect that such a request or requirement is likely to be made to him,

and who falsifies, conceals, destroys, removes or otherwise disposes of, or causes or permits to be falsified, concealed, destroyed, removed or otherwise disposed of, documents which he knows or has reasonable grounds to suspect -

- (i) would be inspected or requested during such a site visit or are or would be relevant thereto, or
- (ii) are or would be specified in such a request or requirement,

is, unless he proves that he had no intention of concealing from the Commission or, as the case may be, from the persons carrying out such a site visit or making such a request or requirement, facts disclosed by the documents, guilty of an offence and liable -

- (A) on summary conviction, to

imprisonment for a term not exceeding 6 months, or to a fine not exceeding level 5 on the uniform scale, or to both,

- (B) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or to a fine, or to both."

9. In section 11(1) -

- (a) for the definition of "associated party" substitute the following-

"**associated party**", in relation to any person, has the meaning given by Schedule 5 to the Insurance Business (Bailiwick of Guernsey) Law, 2002; provided always that the Commission may by regulation amend this definition,"

- (b) after the definition of "associated party" insert the following definition -

"**Bailiff**" means the Bailiff or Deputy-Bailiff, or a Judge of the Royal Court, Lieutenant-Bailiff or Juge Délégué, and includes -

- (a) where the warrant is to be executed in Alderney, the Chairman of the Court of Alderney or, if he is unavailable, a Jurat thereof,
- (b) where the warrant is to be executed in Sark, the

Seneschal or his deputy, ",

- (c) in the definition of "regulatory Laws" the words "but does not include the Insurance Business (Bailiwick of Guernsey) Law, 2002 and the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002, and" are repealed, and
- (d) after the definition of "servant" insert the following definition-

"Transfer of Funds Ordinances" means the Transfer of Funds (Guernsey) Ordinance, 2007, the Transfer of Funds (Alderney) Ordinance, 2007 and the Transfer of Funds (Sark) Ordinance, 2007."

Interpretation.

10. (1) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

(2) The Interpretation (Guernsey) Law, 1948^d applies to the interpretation of this Law throughout the Bailiwick of Guernsey.

Citation.

11. This Ordinance may be cited as the Financial Services Commission (Site Visits) (Bailiwick of Guernsey) (Amendment) Ordinance, 2010.

^d Ordres en Conseil Vol. XIII, p. 355.

Extent.

12. This Ordinance has effect throughout the Bailiwick.

Commencement.

13. This Ordinance shall come into force on the 28th July, 2010.

The Insurance Business (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by section 85 of the Insurance Business (Bailiwick of Guernsey) Law, 2002, as amended^b, and all other powers enabling them in that behalf, hereby order:-

Amendment of the Insurance Business (Bailiwick of Guernsey) Law, 2002.

1. The Insurance Business (Bailiwick of Guernsey) Law, 2002, as amended, is further amended as follows.

2. In section 38(3) for "67" substitute "68".
3. In section 53(2)(b) for "67" substitute "68".
4. Section 67 is repealed.
5. In section 73(1)(a), (2)(a) and (3)(a) the expression "67," is repealed.
6. In section 74 -
 - (a) paragraph (a) is repealed,
 - (b) item (A) is repealed, and

^a Article ** of Billet d'État No. ** of 2010.

^b No. XXI of 2002; amended by Recueil d'Ordonnances Tome XXIX, p.406; Ordinance No's. XII and LI of 2008; Ordinance No. VIII of 2010; and Guernsey Statutory Instrument No. 33 of 2004 and No. 4 of 2008.

(c) for the words "such a site visit, inquiry or investigation" substitute "such an inquiry or investigation".

7. In section 80(k) for "67" substitute "68".

Extent.

8. This Ordinance has effect throughout the Bailiwick.

Citation.

9. This Ordinance may be cited as the Insurance Business (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010.

Commencement.

10. This Ordinance shall come into force on the 28th July, 2010.

**The Insurance Managers and Insurance Intermediaries
(Bailiwick of Guernsey) (Amendment) (No. 2)
Ordinance, 2010**

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by section 62 of the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002, as amended^b, and all other powers enabling them in that behalf, hereby order:-

Amendment of the Insurance Managers and Insurance Intermediaries Law.

1. The Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002, as amended, is further amended as follows.

2. Section 44 is repealed.

3. In section 50(1)(a), (2)(a) and (3)(a) the expression "44," is repealed.

4. In section 51 -
 - (a) paragraph (a) is repealed, and

 - (b) item (A) is repealed.

5. In section 57(k) for "44" substitute "45".

^a Article ** of Billet d'État No. ** of 2010.

^b No. XXII of 2002; amended by Recueil d'Ordonnances Tome XXIX, p.406; Ordinance No. XIII of 2008; No. IX of 2010; and Guernsey Statutory Instrument No. 2 of 2008.

6. In section 65 for subsections (1) and (2) substitute -

"(1) A person guilty of an offence under section 5(5), 7(5), 11(5), 13(3), 16(6), 19(4), 20(3), 21(5), 21(6), 22(8), 25(3), 26(5), 28(2), 33(3), 35(3)(a), 38, 58(7), 61(8) or 64(2) is liable -

(a) on conviction on indictment, to a fine,

(b) on summary conviction, to a fine not exceeding level 5 on the uniform scale.

(2) A person guilty of an offence under any other provision of this Law is liable -

(a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both,

(b) on summary conviction, to imprisonment for a term not exceeding three months, or to a fine not exceeding level 5 on the uniform scale, or to both."

Extent.

7. This Ordinance has effect throughout the Bailiwick.

Citation.

8. This Ordinance may be cited as the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance,

2010.

Commencement.

9. This Ordinance shall come into force on the 28th July, 2010.

The Post Office (Bailiwick of Guernsey) (Amendment) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by section 48(1) of the Post Office (Bailiwick of Guernsey) Law, 2001, as amended^b and all other powers enabling them in that behalf, hereby order:-

Amendment of Law.

1. The Post Office (Bailiwick of Guernsey) Law, 2001, as amended, is further amended as follows.

2. After section 37(2)(a) insert the following paragraph -

"(aa) specifying the meaning of the expression "goods" for the purposes of this section and section 38, and for the avoidance of doubt the definition may include anything contained in a postal packet, including (without limitation) cash within the meaning for the time being given by the Cash Controls (Bailiwick of Guernsey) Law, 2007,".

3. In section 37(2)(b) after "such packets" insert "and such goods".

4. In section 37(2)(e) after "observance" insert ", implementation,

^a Article ** of Billet d'État No. ** of 2010.

^b Order in Council No. XV of 2001; amended by Ordinance No. XXXIV of 2001; Order in Council No. XXX of 2003; and Ordinance No. XXXIII of 2003.

administration and enforcement".

5. In section 37(2)(f) for "punishing any contravention of the regulations" substitute "the creation, trial (summarily or on indictment) and punishment of offences".

6. In section 45(1) -

(a) after the definition of "Court" insert the following definition -

"customs and excise Laws" means those provisions of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972 and any other enactment for the time being in force relating to customs or, as the case may be, excise,"

(b) after the definition of "dominant position" insert the following definition -

"enactments in relation to taxes, duties and impôts" includes, for the avoidance of doubt, the customs and excise Laws, and related expressions shall be construed accordingly,".

Citation.

7. This Ordinance may be cited as the Post Office (Bailiwick of Guernsey) (Amendment) Ordinance, 2010.

Commencement.

8. This Ordinance shall come into force on the 28th July, 2010.

The Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July 2010^a, and in exercise of the powers conferred on them by sections 35 and 53A 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 Law.

1. (1) The Law is amended in accordance with the following subsections.

(2) In section 2(3) for "(whether before or after the commencement of this Law) obtained property", substitute "(whether before or after the commencement of this Law and whether directly or indirectly) acquired or obtained property (including, for the avoidance of doubt, any interest, dividend or other form of income or accrued value deriving directly, or indirectly, from that property)".

(3) Immediately after section 35, insert the following section -

^a Article ** of Billet d'État No. * of 2010.

^b Ordres en Conseil Vol. XXXIX, p. 137; amended by Order in Council No. II of 2005 and No. XV of 2007; Recueil d'Ordonnances Tome XXVIII, p. 266; Tome XXIX, pp. 112 and 406; Tome XXXII, p. 666; Ordinance No. XXXVII of 2008 and the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) Ordinance, 2010; G.S.I. No. 27 of 2002; G.S.I. No. 33 of 2007, G.S.I. No. 48 of 2008 and G.S.I. No. 12 of 2010 and certain sections of the Law are modified in their application to external confiscation orders by Recueil d'Ordonnances Tome XXVIII, p. 274.

"Designation of all countries on 28th July 2010.

35A. (1) With effect on and from the 28th July 2010 any country which is not already a designated country under section 35(1) (including any country which comes into existence after that date) is designated for the purposes of this Law and any Ordinance or subordinate legislation made under this Law.

(2) Without prejudice to the generality of subsection (1), a country which is designated under that subsection is a designated country for the purposes of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Enforcement of Overseas Confiscation Orders) Ordinance, 1999."

(4) In section 41 of the Law -

(a) for subsections (1)(b), (2)(b) and (3)(b), substitute -

"(b) he discloses to any other person information or any other matter about, or relating to, that knowledge or suspicion."

(b) immediately after subsection (3), insert the following subsections -

"(3A) Nothing in subsections (1) to (3) makes it an offence for any person to disclose any information or other matter if the disclosure is for any of the purposes set out in subsection (3B).

(3B) The purposes are -

- (a) the prevention, detection, investigation or prosecution of criminal offences, whether in the Bailiwick or elsewhere,
 - (b) the prevention, detection or investigation of conduct for which penalties other than criminal penalties are provided under the law of any part of the Bailiwick or of any country outside the Bailiwick,
 - (c) the carrying out -
 - (i) by the Commission, or
 - (ii) by a body in another country which carries out any similar function to the Commission,of its functions,
 - (d) the carrying out of any functions of any intelligence service, or
 - (e) the carrying out of any function which appears to the Home Department to be a function of a public nature and which it designates as such by order.", and
- (c) subsection (6) is repealed.

(5) In section 51(1) of the Law immediately after the definition of "**Home Department**", insert the following definition -

"**intelligence service**" has the same meaning as in section 67 of the Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003,".

(6) In section 52 of the Law immediately after the entry relating to "**instituted**", insert "**intelligence service**" (section 51(1)),".

Interpretation.

2. (1) In this Ordinance, "**the Law**" means the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Extent.

3. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation.

4. This Ordinance may be cited as the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010.

Commencement.

5. This Ordinance shall come into force on the 28th July 2010.

The Drug Trafficking (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by sections 35 and 71A of the Drug Trafficking (Bailiwick of Guernsey) Law, 2000^b and all other powers enabling them in that behalf, hereby order:-

Amendment of the Law.

1. (1) The Law is amended in accordance with the following subsections.

(2) In section 2(3) for "(whether before or after the coming into force of this Law) received any payment or other reward", substitute "(whether before or after the coming into force of this Law and whether directly or indirectly) acquired or received any payment or other reward (including, for the avoidance of doubt, any interest, dividend or other form of income or accrued value deriving directly, or indirectly, from that payment or reward)".

(3) Immediately after section 35, insert the following section -

"Designation of all countries on 28th July 2010.

35A. (1) With effect on and from the 28th July 2010 any country or territory which is not already designated under section 35(1) (including

^a Article ** of Billet d'État No. ** of 2010.

^b Ordres en Conseil Vol. XL, p. 131; Order in Council No. II of 2005; Nos. XVI and XVII of 2007; No. XVII of 2008; Recueil d'Ordonnances Tome XXIX, p. 406; Ordinance No. XXXVIII of 2008 and the Terrorism and Crime (Bailiwick of Guernsey) (Amendment) Ordinance, 2010.

any country or territory which comes into existence after that date) is designated for the purposes of this Law and any Ordinance or subordinate legislation made under this Law.

(2) Without prejudice to the generality of subsection (1), a country or territory which is designated under that subsection is a designated country for the purposes of the Drug Trafficking (Bailiwick of Guernsey) (Designated Countries and Territories) Ordinance, 2000."

(4) In section 61 of the Law -

(a) for subsections (1)(b), (2)(b) and (3)(b), substitute in each case -

"(b) he discloses to any other person information or any other matter about, or relating to, that knowledge or suspicion.",

(b) immediately after subsection (3), insert the following subsections -

"(3A) Nothing in subsections (1) to (3) makes it an offence for any person to disclose any information or other matter if the disclosure is for any of the purposes set out in subsection (3B).

(3B) The purposes are -

(a) the prevention, detection, investigation or prosecution of criminal offences, whether in the Bailiwick or elsewhere,

(b) the prevention, detection or investigation of conduct for which penalties other than criminal penalties are provided under the law of any part of the Bailiwick or of any country or territory outside the Bailiwick,

(c) the carrying out -

(i) by the Commission, or

(ii) by a body in another country or territory which carries out any similar function to the Commission,

of its functions,

(d) the carrying out of any functions of any intelligence service, or

(e) the carrying out of any function which appears to the Home Department to be a function of a public nature and which it designates as such by order.", and

(c) subsection (6) is repealed.

(5) In section 69(1) of the Law immediately after the definition of "**Her Majesty's Procureur**", insert the following definition -

"**intelligence service**" has the same meaning as in section 67 of the Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003,".

(6) In section 70 of the Law immediately after the entry relating to "**instituted**", insert "**intelligence service**" (section 69(1)),".

Interpretation.

2. (1) In this Ordinance, "**the Law**" means the Drug Trafficking (Bailiwick of Guernsey) Law, 2000.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Extent.

3. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation.

4. This Ordinance may be cited as the Drug Trafficking (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010.

Commencement.

5. This Ordinance shall come into force on the 28th July, 2010.

The Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 3) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by sections 18(8) and 81A and paragraph 10(1) of Schedule 2 to the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002^b and all other powers enabling them in that behalf, hereby order:-

Amendment of the Law.

1. The Law is amended as follows.

2. In section 7 -
 - (a) in subsection (1)(a) immediately after "property", insert "(including, for the avoidance of doubt, any interest, dividend or other form of income or accrued value deriving directly, or indirectly, from that money or other property)",

 - (b) in subsection (2)(a) immediately after "commission", insert "and, for the avoidance of doubt, any interest, dividend or other form of income or accrued value

^a Article ** of Billet d'État No. ** of 2010.

^b Order in Council No. XVI of 2002; amended by Order in Council No. XIII of 2006 and by Recueil d'Ordonnances Tome XXIX, p. 406 and Tome XXXII, p. 648 and the Terrorism and Crime (Bailiwick of Guernsey) (Amendment) Ordinance, 2010 and the Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010 .

deriving directly, or indirectly, from the proceeds".

3. In section 40 -

- (a) for subsections (2)(a) and (4)(a), substitute in each case -

"(a) discloses to any other person information or any other matter about, or relating to, that knowledge or suspicion, or",

- (b) for subsection (5), substitute the following subsections -

"(5) Nothing in subsection (2) or (4) makes it an offence for any person to disclose any information or other matter, or interfere with any material, if the disclosure or interference is for any of the purposes set out in subsection (5A).

- (5A) The purposes are -

- (a) the prevention, detection, investigation or prosecution of criminal offences, whether in the Bailiwick or elsewhere,
- (b) the prevention, detection or investigation of conduct for which penalties other than criminal penalties are provided under the law of any part of the Bailiwick or of any country or territory outside the Bailiwick,

- (c) the carrying out -
 - (i) by the Commission, or
 - (ii) by a body in another country or territory which carries out any similar function to the Commission,

of its functions,
- (d) the carrying out of any functions of any intelligence service, or
- (e) the carrying out of any function which appears to the Home Department to be a function of a public nature and which it designates as such by order."

4. In section 79(1) immediately after the definition of "**information**", insert the following definition -

"**intelligence service**" has the same meaning as in section 67 of the Regulation of Investigatory Powers (Bailiwick of Guernsey) Law, 2003,".

5. In section 80 of the Law immediately after the entry relating to "**Information**", insert -

"Intelligence service Section 79".

6. Immediately after paragraph 10 of Schedule 2, insert the following paragraph -

"Designation of all countries on 28th July 2010.

10A. (1) With effect on and from the 28th July 2010 any country or territory not already designated under paragraph 10 (including any country or territory which comes into existence after that date) is designated for the purposes of this Law and any Ordinance or subordinate legislation made under this Law.

(2) Without prejudice to the generality of subparagraph (1), a country or territory which is designated under that subparagraph is a designated country for the purposes of the Terrorism and Crime (Enforcement of External Orders) (Bailiwick of Guernsey) Ordinance, 2007."

Interpretation.

7. (1) In this Ordinance, "**the Law**" means the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Extent.

8. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation.

9. This Ordinance may be cited as the Terrorism and Crime (Bailiwick

of Guernsey) (Amendment) (No. 3) Ordinance, 2010.

Commencement.

- 10.** This Ordinance shall come into force on the 28th July, 2010.

The Disclosure (Bailiwick of Guernsey) (Amendment) (No. 3) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by section 14 of the Disclosure (Bailiwick of Guernsey) Law, 2007^b and all other powers enabling them in that behalf, hereby order:-

Amendment of the Law.

1. Section 4 of the Disclosure (Bailiwick of Guernsey) Law, 2007, as amended, is further amended as follows -

(a) for subsection (1)(b), substitute -

"(b) he discloses to any other person information or any other matter about, or relating to, that knowledge or suspicion.", and

(b) immediately after subsection (1), insert the following subsections -

"(1A) Nothing in subsection (1) makes it an offence for any person to disclose any information or matter if the disclosure is for any of the purposes set out in subsection (1B).

^a Article ** of Billet d'État No. ** of 2010.

^b Order in Council No. XVI of 2007; amended by Ordinance No. XXXIX of 2008, the Disclosure (Bailiwick of Guernsey) (Amendment) Ordinance, 2010 and the Disclosure (Bailiwick of Guernsey) (Amendment) (No.2) Ordinance, 2010.

(1B) The purposes are -

- (a) the prevention, detection, investigation or prosecution of criminal offences, whether in the Bailiwick or elsewhere,
- (b) the prevention, detection, or investigation of conduct for which penalties other than criminal penalties are provided under the law of any part of the Bailiwick or of any country outside the Bailiwick,
- (c) the carrying out -
 - (i) by the Commission, or
 - (ii) by a body in another country which carries out similar functions to the Commission,of its functions,
- (d) the carrying out of any functions of any intelligence service, or
- (e) the carrying out of any function which appears to the Home Department to be a function of a public nature and which it designates as such by order.", and

(c) subsection 4 is repealed.

Extent.

2. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation.

3. This Ordinance may be cited as the Disclosure (Bailiwick of Guernsey) (Amendment) (No. 3) Ordinance, 2010.

Commencement.

4. This Ordinance shall come into force on the 28th July, 2010.

The Criminal Justice (International Co-operation) (Bailiwick of Guernsey) (Amendment) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 28th July, 2010^a, and in exercise of the powers conferred on them by sections 8 and 9A of the Criminal Justice (International Co-operation) (Bailiwick of Guernsey) Law, 2010^b and all other powers enabling them in that behalf, hereby order:-

Amendment of the Law.

1. Immediately after section 8 of the Law, insert the following section -

"Designation of all countries on 28th July 2010.

8A. (1) With effect on and from the 28th July 2010 any country or territory outside the Bailiwick which is not already designated under section 8 (including any country or territory which comes into existence after that date) is designated for the purposes of this Law and any Ordinance or subordinate legislation made under this Law.

(2) Without prejudice to the generality of subsection (1), a country or territory which is designated under that subsection is a designated country for the purposes of the Criminal Justice (International Co-operation) (Enforcement of Overseas Forfeiture Orders) (Bailiwick of Guernsey) Ordinance, 2007."

^a Article ** of Billet d'État No. ** of 2010.

^b Order in Council No. VII of 2001; No. IX of 2008.

Amendment of the 2007 Ordinance.

2. In section 31(1)(a) of the 2007 Ordinance -

(a) omit "and" at the end of subparagraph (ii), and

(b) immediately after subparagraph (iii), insert -

"and

(iv) for the avoidance of doubt, any interest, dividend or other form of income or accrued value deriving directly, or indirectly, from any property,".

Interpretation.

3. (1) In this Ordinance -

"**the Law**" means the Criminal Justice (International Co-operation) (Bailiwick of Guernsey) Law, 2010, and

"**the 2007 Ordinance**" means the Criminal Justice (International Co-operation) (Enforcement of Overseas Forfeiture Orders) (Bailiwick of Guernsey) Ordinance, 2007.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Extent.

4. This Ordinance has effect throughout the Bailiwick of Guernsey.

Citation.

5. This Ordinance may be cited as the Criminal Justice (International Co-operation) (Bailiwick of Guernsey) (Amendment) Ordinance, 2010.

Commencement.

6. This Ordinance shall come into force on the 28th July, 2010.