



BILLET D'ÉTAT

WEDNESDAY, 30th JUNE 2010

XVI
2010

Statutory Instruments laid before the States

The Criminal Justice (Proceeds of Crime) (Financial Services Businesses) (Bailiwick of Guernsey) (Amendment) (No. 2) Regulations, 2010, p. 961

The Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) (Amendment) (No. 2) Regulations, 2010, p. 962

The Post Office (Postal Packets) (Amendment) Regulations, 2010, p. 963

B I L L E T D ' É T A T

TO THE MEMBERS OF THE STATES OF THE ISLAND OF GUERNSEY

I have the honour to inform you that a Meeting of the States of Deliberation will be held at **THE ROYAL COURT HOUSE**, on **WEDNESDAY, the 30th JUNE, 2010**, immediately after the meeting already convened for that day.

G. R. ROWLAND
Bailiff and Presiding Officer

The Royal Court House
Guernsey
25 June 2010

STATUTORY INSTRUMENTS LAID BEFORE THE STATES

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (FINANCIAL SERVICES BUSINESSES) (BAILIWICK OF GUERNSEY) (AMENDMENT) (NO. 2) REGULATIONS, 2010

In pursuance of section 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999, the Criminal Justice (Proceeds of Crime) (Financial Services Businesses) (Bailiwick of Guernsey) (Amendment) (No. 2) Regulations, 2010, made by the Policy Council on 21st June, 2010, are laid before the States.

EXPLANATORY NOTE

These Regulations amend the Criminal Justice (Proceeds of Crime) (Financial Services Businesses) (Bailiwick of Guernsey) Regulations, 2007 ("the 2007 Regulations").

Regulations 1 to 4 make amendments to regulations 6, 10, 14 and 15 respectively of the 2007 Regulations. The amendments refine obligations upon financial services businesses under the 2007 Regulations concerning the measures they must put in place and the actions they must take for the purposes of forestalling, preventing or detecting money laundering and terrorist financing.

Regulation 5 inserts a new provision (Part IIIB, regulation 15F) into the 2007 Regulations designating the Guernsey Financial Services Commission as supervisory authority with responsibility for monitoring and enforcing compliance by financial services businesses with regulations and other measures made or issued under the Criminal Justice (Proceeds of Crime) Law, 1999, or any other enactment, for the purpose of forestalling, preventing or detecting money laundering and terrorist financing. The inserted Part also designates the Commission as the competent authority to register financial service businesses under Part IIIA of the 2007 Regulations and under section 2 of the Registration of Non-Regulated Financial Services Businesses (Bailiwick of Guernsey) Law, 2008.

Regulation 6 amends the definitions of "Financial Intelligence Service" and "relevant enactments" by, in the latter case, revoking the references to the Money Laundering (Disclosure of Information) (Guernsey) Law, 1995, the Money Laundering (Disclosure of Information) (Alderney) Law, 1998 and the Money Laundering (Disclosure of Information) (Sark) Law, 2001 all of which were repealed on 28th April, 2010 by the Disclosure (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010.

With the exception of regulation 2(b), these Regulations come into force on 21st June 2010. Regulation 2(b) (which amends regulation 10 of the 2007 Regulations dealing with introducers of business) comes into force on 30th July 2010.

THE CRIMINAL JUSTICE (PROCEEDS OF CRIME) (LEGAL PROFESSIONALS, ACCOUNTANTS AND ESTATE AGENTS) (BAILIWICK OF GUERNSEY) (AMENDMENT) (NO. 2) REGULATIONS, 2010

In pursuance of Section 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999, the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) (Amendment) (No. 2) Regulations, 2010, made by the Policy Council on 21st June, 2010, are laid before the States.

EXPLANATORY NOTE

These Regulations are made under the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 and amend the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) Regulations, 2008 ("the 2008 Regulations").

Regulations 1 and 2 make amendments to regulations 10 and 14 respectively of the 2008 Regulations. The amendments refine obligations upon prescribed businesses (i.e. lawyers, accountants and estate agents) under the 2008 Regulations concerning the measures they must put in place and the actions they must take for the purposes of forestalling, preventing or detecting money laundering and terrorist financing.

Regulation 3 inserts a new provision (Part IIIA, regulation 15A) into the 2008 Regulations designating the Guernsey Financial Services Commission as supervisory authority with responsibility for monitoring and enforcing compliance by prescribed businesses with regulations and other measures made or issued under the Criminal Justice (Proceeds of Crime) Law, 1999, or any other enactment, for the purpose of forestalling, preventing or detecting money laundering and terrorist financing. The inserted Part also formally designates the Commission as the competent authority to register prescribed businesses under Part IV of the 2008 Regulations.

Regulation 4 amends the definitions of "Financial Intelligence Service" and "relevant enactments" by, in the latter case, revoking the references to the Money Laundering (Disclosure of Information) (Guernsey) Law, 1995, the Money Laundering (Disclosure of Information) (Alderney) Law, 1998 and the Money Laundering (Disclosure of Information) (Sark) Law, 2001 all of which were repealed on 28th April, 2010 by the Disclosure (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010.

With the exception of regulation 1(b), these Regulations come into force on 21st June 2010. Regulation 1(b) (which amends regulation 10 of the 2008 Regulations dealing with introducers of business) comes into force on 30th July 2010.

**THE POST OFFICE (POSTAL PACKETS)
(AMENDMENT) REGULATIONS, 2010**

In pursuance of section 37 (3) of the Post Office (Bailiwick of Guernsey) Law, 2001, the Post Office (Postal Packets) (Amendment) Regulations, 2010, made by the Home Department on 21st June, 2010, are laid before the States.

EXPLANATORY NOTE

These Regulations further amend the Post Office (Postal Packets) Ordinance, 1973 by extending the ambit of the Ordinance to postal packets containing cash, providing criminal sanctions for contraventions of the Ordinance and applying relevant provisions of the customs and excise Laws (including provisions as to forfeiture) to such contraventions, and making other consequential amendments.