

GUERNSEY STATUTORY INSTRUMENT

2008 No. 72

**The Criminal Justice (Proceeds of Crime) (Legal Professionals,  
Accountants and Estate Agents)  
(Bailiwick of Guernsey) (Amendment) Regulations, 2008**

*Made* 24<sup>th</sup> November, 2008  
*Coming into operation* 1<sup>st</sup> December, 2008  
*Laid before the States* , 2009

**THE POLICY COUNCIL**, in exercise of the powers conferred upon it by sections 49A and 54 of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999<sup>a</sup>, hereby makes the following Regulations:-

**Amendment of regulation 21 of Principal Regulations.**

1. In the Principal Regulations, for regulation 21(2)(a) substitute -

"(a) a statement of -

- (i) the legal name and any trading names of the business, and
- (ii) its principal place of business and any other business addresses in the Bailiwick, and".

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<sup>a</sup> Order in Council No. VIII of 1999, as amended by Order in Council No. II of 2005 and No. XV of 2007, Ordinance No. XXVIII of 1999, No. XII of 2002, No. XXXIII of 2003 and No. XLVII of 2007; G.S.I. No. 27 of 2002, G.S.I. No. 33 of 2007 and G.S.I. No. 48 of 2008; and certain sections of the Law are modified in their application to external confiscation orders by Ordinance No. XXXIII of 1999.

**Amendment of regulation 26 of Principal Regulations.**

2. In the Principal Regulations, for regulation 26(1)(b) substitute –

"(b) which is a registered prescribed business, or whilst under an obligation to register in accordance with regulation 16 is not so registered, and which contravenes, or fails to comply with any other provision of these Regulations,".

**Amendment of regulation 30 of Principal Regulations.**

3. In the definition of "client" in regulation 30 of the Principal Regulations, immediately after the words (in the last line of the definition) "seeking to establish or has established the business relationship" insert "and provided that in the case of the prescribed business of estate agency, a client also includes a person or legal arrangement who wishes to acquire an interest in, or in respect of, real property".

**Interpretation.**

4. (1) In these Regulations, "the Principal Regulations" means the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) Regulations, 2008<sup>b</sup>.

(2) The Interpretation (Guernsey) Law, 1948<sup>c</sup> applies to the interpretation of these Regulations.

**Citation.**

5. These Regulations may be cited as the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) (Amendment) Regulations, 2008.

**Commencement.**

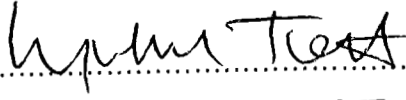
6. These Regulations come into force on the 1<sup>st</sup> December, 2008.

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<sup>b</sup> G.S.I. No. 49 of 2008

<sup>c</sup> Ordres en Conseil Vol. XIII, p. 355.

Dated this 24<sup>th</sup> day of November 2008

A handwritten signature in black ink, appearing to read "L.S. Trott", is written over a horizontal dotted line.

DEPUTY L.S.TROTT

Chief Minister

For and on behalf of the Policy Council

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## EXPLANATORY NOTE

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

These Regulations are made under the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 and amend the definition of "client" for the purposes of the Criminal Justice (Proceeds of Crime) (Legal Professionals, Accountants and Estate Agents) (Bailiwick of Guernsey) Regulations, 2008. The amended definition includes as clients of estate agents persons wishing to acquire an interest in property.