

GUERNSEY STATUTORY INSTRUMENT

2013 No.

**The Criminal Justice (Proceeds of Crime) (Bailiwick of  
Guernsey) Law, 1999 (Amendment of Schedules 1 and 2)  
Regulations, 2013**

<i>Made</i>	<i>25<sup>th</sup> March, 2013</i>
<i>Coming into operation</i>	<i>28<sup>th</sup> March, 2013</i>
<i>Laid before the States</i>	<i>, 2013</i>

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

**Amendment of Schedule 1 to the Law of 1999.**

1. In Schedule 1 to the Law of 1999 -

- (a) in paragraph 1, for "19" substitute "18A",
- (b) immediately after paragraph 18, insert -

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<sup>a</sup> Ordres en Conseil Vol. XXXIX, p. 137, as amended by Order in Council No. II of 2005, No. XV of 2007 and No. XIII of 2010, Tome XXVIII, p. 266, Tome XXIX, p. 112, Tome XXXII, p. 666, Ordinance No. XXXVII of 2008, Ordinance Nos. XVI and XXXIV of 2010, G.S.I. No. 27 of 2002, G.S.I. No. 33 of 2007, G.S.I. Nos. 48 and 73 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 Ordinance XXXIII of 1999 (Tome XXVIII, p. 274).

"18A. Otherwise investing, administering or managing funds or money on behalf of other persons.",

(c) for paragraph 22, substitute -

"22. Carrying on "long term business" as defined in the Insurance Business (Bailiwick of Guernsey) Law, 2002, carrying on business as an "insurance intermediary" in respect of "long term business", both phrases as defined in the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002 or acting as an insurance manager under the authority of a licence under the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002,"

(d) paragraph 23A is repealed,

(e) in paragraph 24 -

(i) in subparagraph (1), for "19" substitute "18A",  
and

(ii) in subparagraph (2)(b), for "18" substitute  
"18A",

(f) in paragraph 25(a), for "23A" substitute "23", and

(g) in paragraph 29 -

(i) for "18" substitute "18A", and

(ii) in subparagraph (h), for "23A" substitute "23".

**Amendment of Schedule 2 to the Law of 1999.**

2. In Schedule 2 to the Law of 1999 in paragraph 5(a), omit "(including for the avoidance of doubt a leasehold interest)".

**Interpretation.**

3. (1) In these Regulations "**the Law of 1999**" means the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999.

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

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

**Citation.**

4. These Regulations may be cited as the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999 (Amendment of Schedules 1 and 2) Regulations, 2013.

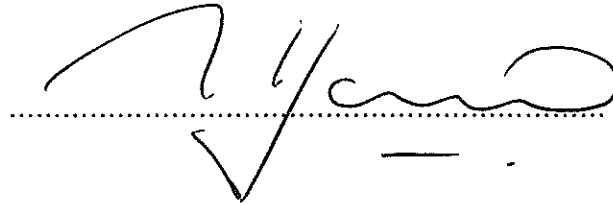
**Commencement.**

5. These Regulations shall come into force on the 28<sup>th</sup> March, 2013.

Dated this 25<sup>th</sup> day of March, 2013

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



DEPUTY P. A. HARWOOD

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 amend Schedules 1 and 2 to the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999.

In particular, they amend paragraph 22 of Schedule 1 to the 1999 Law (which prescribes those businesses, the carrying on of which constitutes financial services business for the purposes of the Law) by substituting the description of "insurance business" with new descriptions of businesses as defined in, or with reference to, the Insurance Business (Bailiwick of Guernsey) Law, 2002 and the Insurance Managers and Insurance Intermediaries (Bailiwick of Guernsey) Law, 2002.

The Regulations also amend the definition of the business of legal and accountancy services set out in paragraph 5 of Schedule 2 to the 1999 Law in order to exclude the business of lawyer, notary or other independent legal professional when they prepare for or carry out transactions for a client in relation to the acquisition or disposal of a leasehold interest in real property.

These Regulations come into force on 28<sup>th</sup> March, 2013.