

GUERNSEY STATUTORY INSTRUMENT

2010 No.

**The Disclosure (Bailiwick of Guernsey) (Amendment)
Regulations, 2010**

<i>Made</i>	<i>17th May, 2010</i>
<i>Coming into operation</i>	<i>17th May, 2010</i>
<i>Laid before the States</i>	<i>, 2010</i>

THE HOME DEPARTMENT, in exercise of the powers conferred on it by section 11 of the Disclosure (Bailiwick of Guernsey) Law, 2007^a and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of the Principal Regulations.

1. The Principal Regulations are amended as follows.
2. In regulation 1(1), 2(1) and 2(2) of the Principal Regulations for "police officer", substitute "prescribed police officer".
3. In regulation 2(3)(b) of the Principal Regulations for "other police officer", substitute "prescribed police officer".
4. In regulation 5(1) of the Principal Regulations –

^a 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.

- (a) for the definition of "**Financial Intelligence Service**", substitute -

""**Financial Intelligence Service**" means the division of the Financial Investigation Unit, comprising those police officers and other persons assigned to the division for the purpose of the receipt, analysis and dissemination within the Bailiwick, and elsewhere, of disclosures under Part I of the Law of 2007, which are more commonly known or referred to as suspicious transaction reports or suspicious activity reports,"

- (b) immediately after the definition of "**Financial Intelligence Service**", as substituted by subparagraph (a), insert -

"" **Financial Investigation Unit**" means that branch of the Customs and Immigration Service responsible for the investigation of financial and economic crime," and

- (c) immediately after the definition of "**Law of 2007**", insert -

""**prescribed police officer**" means a police officer who is a member of the Financial Intelligence Service,".

5. In the Schedule to the Principal Regulations -

- (a) for "Hospital Lane, St Peter Port, Guernsey, GY1 2QN", substitute "Ozanne Hall, Mignot Plateau, Cornet Street, St. Peter Port, Guernsey, GY1 1LF", and

(b) for "director@guernseyfis.org", substitute
"fiu@gba.gov.gg".

Interpretation.

6. (1) In these Regulations, "the Principal Regulations" means the Disclosure (Bailiwick of Guernsey) Regulations, 2007^b.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations.

(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 and commencement.

7. These Regulations may be cited as the Disclosure (Bailiwick of Guernsey) (Amendment) Regulations, 2010 and shall come into force on the 17th May, 2010.

Dated this 17th day of May, 2010

^b G.S.I. No. 34 of 2007.

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

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DEPUTY G H MAHY

Minister of the States Home Department

For and on behalf of the Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Disclosure (Bailiwick of Guernsey) Regulations, 2007.

In particular they provide that as from the coming into force of the Regulations, disclosures under section 1, 2 or 3 of the Disclosure (Bailiwick of Guernsey) Law, 2007 must be made to a prescribed police officer. A prescribed police officer means a police officer or customs officer who is a member of the Financial Intelligence Service.

These Regulations come into force on 17 May 2010.