

The Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010

THE STATES, in pursuance of their Resolution of the 25th March, 2010^a, and in exercise of the powers conferred on them by section 81A of 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 sections 12, 15 and 15A of the Law for "police officer", wherever appearing, substitute "prescribed police officer".

3. Immediately after section 15A of the Law, insert the following section -

"Disclosure under section 12(10), 15(13) or 15A(8).

15AA. (1) Disclosure under section 12(10), 15(13) or 15A(8) includes disclosure of -

- (a) any information or document relating to the knowledge, suspicion or reasonable grounds

^a Article XII of Billet d'État No. VI 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.

for suspicion that the person in respect of whom the disclosure is made is engaged in terrorist financing, and

- (b) any fact or matter upon which such knowledge, suspicion or reasonable grounds for suspicion is based.

(2) For the purposes of subsection (1), "**information or document**" includes any information or document relating to -

- (a) any money or property,
- (b) any transaction concerning such money or property, and
- (c) the parties to any such transaction."

4. In section 40(5) of the Law, for "(2) or (4)" substitute "(2)(a)(i), (2)(b), (4)(a)(i) or (4)(b)".

5. In section 79(1) of the Law, insert the following definitions in the appropriate places -

"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 section 12, 15 or 15A, which are more commonly known or referred to as suspicious transaction reports or suspicious

activity reports,"

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

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

Interpretation.

6. In this Ordinance, "**the Law**" means the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002, as amended.

Extent.

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

Citation.

8. This Ordinance may be cited as the Terrorism and Crime (Bailiwick of Guernsey) (Amendment) (No. 2) Ordinance, 2010.

Commencement.

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