

Projet de Loi
entitled

The Money Laundering (Disclosure of Information)
(Alderney) Law, 1998

THE STATES, in pursuance of their Resolution of the 6th day of May, 1998, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Alderney.

No liability for reporting suspicions as to source of monies.

1. No obligation of secrecy or confidence or other restriction on the disclosure of information to which any person may be subject, whether arising by statute, contract or otherwise, shall be regarded as being contravened by reason of the disclosure by that person or by any of his officers, servants or agents to an officer described in section 2 of-

- (a) any reasonable suspicion or belief that any money or other property is, or is derived from or represents, the proceeds of criminal activity;
- (b) any information or document relating to-
 - (i) any such money or property;
 - (ii) any transaction concerning it;
 - (iii) the parties to any such transaction;
- (c) any fact or matter upon which any such suspicion or belief is based.

Officers to whom disclosure may be made.

2. The officers referred to in section 1 are-

- (a) Her Majesty's Procureur or Comptroller;
- (b) any member of the salaried police force of the Island of Guernsey;
- (c) any officer of customs and excise within the meaning of the Customs and Excise (General Provisions) (Bailiwick of Guernsey) Law, 1972, as amended¹;
- (d) any officer or servant of the Guernsey Financial Services Commission authorised by the Commission to receive disclosures for the purposes of this Law;
- (e) such other person or class or description of persons as the States may by Ordinance specify.

Interpretation.

3. In this Law -

"criminal activity" means any activity which constitutes a criminal offence under the law of Alderney or which would constitute such an offence if it were to take place in Alderney;

"person" includes any body of persons incorporated with or without limited liability in any part of the world, and any unincorporated body of persons.

Citation.

4. This Law may be cited as the Money Laundering (Disclosure of Information) (Alderney) Law, 1998.

1991.

Ordres en Conseil Vol. XXIII, p.573; and No. XIII of