

Economic and International Affairs Scrutiny Panel
By email

9th June 2025

Dear chair,

Draft Proceeds of Crime (Jersey) Amendment Regulations 202-

Thank you for your recent letter requesting further information on the previous amendments to Article 34 of the Proceeds of Crime (Jersey) Law 1999.

I have set out the answers to your five specific points below.

• Background to the amendments

The amendments to Article 34 of the Proceeds of Crime (Jersey) Law 1999 ("POCL") were made as consequential amendments pursuant to the Draft Proceeds of Crime (Financial Intelligence) (Amendment) (Jersey) Regulations 2022 ("the Regulations").

The principal purpose of the Regulations was to clearly define the status, role, and function of Jersey's Financial Intelligence Unit ("FIU") in order to demonstrate clear technical compliance with the Financial Action Task Force Recommendation 29.

Of particular relevance to Article 34 of the POCL is that all provisions concerning the involvement of the Attorney General were removed, as having to obtain the consent of the Attorney General before disclosing information impeded the independence and autonomy required of the FIU.

• If there was any reason to remove the Minister as a receiver of information from the FIU

Prior to the Amendments, Article 34(1)(b)(iv) of the POCL provided that:

"Article 33 does not prohibit the disclosure of information – for other purposes in Jersey; to any person who is for the time being authorized by the Attorney General to obtain the information".

Pursuant to this provision, the Minister was authorised by the Attorney General to obtain the information. However, as a result of the removal of Article 34(1)(b)(iv) in 2022, there was no longer provision to authorise third parties, including the Minister, to obtain the information. There was never an intention to prevent the Minister from being authorised to obtain the information.


• The relevant proposition or order that made the amendments

The relevant proposition was P.32/2022, which was adopted unanimously by the States Assembly on 31 March 2022.

- If any further subsequent unintended implications have been highlighted to you requiring further amendments in the future

No further unintended implications requiring further amendments have been highlighted to me.

Yours sincerely,



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Minister for External Relations

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