

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5166 GIBRALTAR Thursday 8th August 2024

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LEGAL NOTICE NO. 156 OF 2024

## PROCEEDS OF CRIME ACT 2015

### PROCEEDS OF CRIME ACT 2015 (EXTERNAL REQUESTS AND ORDERS) (AMENDMENT) ORDER 2024

In the exercise of powers conferred on it by sections 184(1) and (2), 184ZA(2), and 184A of the Proceeds of Crime Act 2015, and all other enabling powers, and for the purposes of implementing, in part, into the Laws of Gibraltar, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime signed in Strasbourg on the 8<sup>th</sup> November 1990 and the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism signed on the 16<sup>th</sup> May 2005 in Warsaw, the Government has made this Order-

#### **Title.**

1. This Order may be cited as the Proceeds of Crime Act 2015 (External Requests and Orders) (Amendment) Order 2024.

#### **Commencement.**

2. This Order shall come into operation on the day of publication.

#### **Amendment to the Proceeds of Crime Act 2015 (External Requests and Orders) Order 2019.**

3.(1) The Proceeds of Crime Act 2015 (External Requests and Orders) Order 2019 is amended as follows.

(2) Insert after Article 116-

#### *“Convention requests*

#### **Requests under the Strasbourg Convention or Warsaw Convention.**

117.(1) A request-

- (a) received by the Central Authority under the Warsaw Convention or Strasbourg Convention; or
- (b) sent by the Central Authority under the Warsaw Convention or Strasbourg Convention,

must comply with the provisions of the Proceeds of Crime Act 2015 (External Requests and Orders) Order 2024.

(2) For the purposes of this Article-

“Strasbourg Convention” means the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime signed in Strasbourg on the 8th November 1990”;

“Warsaw Convention” means the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism signed on the 16<sup>th</sup> May 2005 in Warsaw.”.

Dated: 8<sup>th</sup> August 2024.

N. FEETHAM KC,  
Minister with responsibility for Justice,  
For the Government.

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### **EXPLANATORY MEMORANDUM**

This Order implements, in part, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime signed in Strasbourg on the 8<sup>th</sup> November 1990 and the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism signed on the 16<sup>th</sup> May 2005 in Warsaw.