

Jersey Law 22/1997

**INVESTIGATION OF FRAUD (AMENDMENT) (JERSEY) LAW
1997**

A LAW to amend the Investigation of Fraud (Jersey) Law 1991,
sanctioned by Order of Her Majesty in Council of the

20th day of MAY 1997

(Registered on the 13th day of June 1997)

STATES OF JERSEY

The 18th day of February 1997

THE STATES, subject to the sanction of Her Most Excellent
Majesty in Council, have adopted the following Law –

ARTICLE 1

In Article 2 of the Investigation of Fraud (Jersey) Law 1991¹
(hereinafter referred to as the “principal Law”) for paragraph (10) there
shall be substituted the following paragraphs –

“(10) Subject to paragraph (10A), the Attorney General
may authorise any Crown Advocate or any designated person to
exercise on his behalf all or any of the powers conferred on him
under or by virtue of this Article, but no such authority shall be
granted except for the purpose of investigating the affairs, or any
aspect of the affairs, of the person specified in the authority.

(10A) No designated person shall be authorised to –

¹ Volume 1990–1991, page 420.

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- (a) give a notice under paragraph (2) or (3);
- (b) make an application under paragraph (4);
- (c) authorise any person or persons for the purposes of paragraph (6); or
- (d) authorise the making of any requirement for the purposes of paragraph (9).

(10B) For the purposes of paragraphs (10) and (10A), “designated person” means –

- (a) any police officer;
- (b) any member of the Law Officers’ Department other than a Crown Advocate; and
- (c) where the investigation is undertaken by the Attorney General at the request of a person or body outside the Bailiwick investigating the suspected offence in question, any person nominated by that person or body.”.

ARTICLE 2

In Article 3 of the principal Law² –

- (a) in paragraph (1), for the words “a Crown Advocate” there shall be substituted the words “any person”;
- (b) for paragraph (3) there shall be substituted the following paragraphs –

“(3) Subject to paragraph (1) and to any provision of an agreement for the supply of information which

² Volume 1990–1991, page 422.

restricts the disclosure of the information supplied, information obtained by the Attorney General or any person duly authorised under paragraph (10) of Article 2 may be disclosed –

- (a) to any person or body for the purposes of any investigation of an offence or prosecution in the Bailiwick or elsewhere; and
- (b) to any competent authority.

(4) The following are competent authorities for the purposes of paragraph (3) –

- (a) an inspector appointed under Article 128 of the Companies (Jersey) Law 1991;
- (b) any person or body having supervisory, regulatory or disciplinary functions in relation to financial services, any profession or any area of commercial activity;
- (c) any person having under the law of any country or territory outside the Bailiwick functions corresponding to any of the functions of an inspector referred to in sub-paragraph (a); and
- (d) any person or body having under the law of any country or territory outside the Bailiwick functions corresponding to any of the functions mentioned in sub-paragraph (b).”.

ARTICLE 3

This Law may be cited as the Investigation of Fraud (Amendment) (Jersey) Law 1997.

C.M. NEWCOMBE

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Deputy Greffier of the States.