

Statutory Document No. 2018/0170



Financial Intelligence Unit Act 2016

FINANCIAL INTELLIGENCE UNIT (TRANSFER OF PROPERTY, RIGHTS AND LIABILITIES) ORDER 2018

Approved by Tynwald: 17 July 2018

Coming into Operation: 1 August 2018

The Department of Home Affairs makes the following Order under paragraph 1 of Schedule 2 of the Financial Intelligence Unit Act 2016.

1 Title

This Order is the Financial Intelligence Unit (Transfer of Property, Rights and Liabilities) Order 2018.

2 Commencement

If approved by Tynwald, this Order comes into operation on 1 August 2018.¹

3 Interpretation

In this Order –

“**the Act**” means the Financial Intelligence Unit Act 2016; and

“**the FCU**” means the Financial Crime Unit of the Isle of Man Constabulary and includes the DHA and the police force in respect of their respective property, rights and liabilities in relation to the Financial Crime Unit of the Isle of Man Constabulary.

4 Transfer of Property, Rights and Liabilities

The Chief Constable must transfer to the Financial Intelligence Unit the documents, information and evidence specified in the Schedule that is in his possession or control.

¹Tynwald approval required under paragraph 1(3) of Schedule 2 to the Financial Intelligence Unit Act 2016.

MADE 19 JUNE 2018

W M MALARKEY
Minister for Home Affairs

SCHEDULE

**DOCUMENTS, INFORMATION AND EVIDENCE TO BE TRANSFERRED TO
THE FINANCIAL INTELLIGENCE UNIT**

[Regulation 4]

The Chief Constable must transfer –

- (a) protected and authorised disclosures made to a constable or a customs officer under Part 3 of the Proceeds of Crime Act 2008;
- (b) disclosures made to a constable or a person authorised for the purposes of the relevant section by the Attorney General under Part III of the Anti-Terrorism and Crime Act 2003;
- (c) requests for information;
- (d) requests for intelligence;
- (e) information and intelligence received via the Egmont Secure Web;
- (f) all FIN-NET (Financial Crime Information Network) referrals;
- (g) all international letters of request received from the Attorney General's Chambers; and
- (h) any correspondence, file notes and other material collated in relation to the items specified in paragraphs (a) to (g) above,

sent, received or created (as appropriate) by the FCU between 31 July 2012 and 21 April 2016.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the transfer of the properties, rights and liabilities sent, received or created by the Financial Crime Unit of the Isle of Man Constabulary before it ceased to exist, as detailed in the Schedule to the order during the period between 31 July 2012 and 21 April 2016.