

ANGUILLA

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| (1) Evidence (Proceedings in Other Jurisdictions) (Anguilla) Order 1986 (UK S.I. 218 of 1986) | (1) | Extends the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to Anguilla subject to exceptions, adaptations and modifications.

Permits the court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance available is only examination of witnesses or production of documents. |
| (2) Criminal Justice (International Co-operation) (Anguilla) Order 1994 | (2) | Extends with modifications, the criminal Justice (international Co-operation) Act 1990 (UK) to Anguilla. Provides for mutual service of proceedings, evidence and transfer of prisoner witnesses to assist in investigating offences involving dangerous drugs. |
| (3) Mutual Legal Assistance (United States of America) Ordinance 1990 | (3) | Gives effect to the Treaty between the UK and the USA concerning the Cayman Islands as extended to Anguilla by the 1990 Exchange of Notes. |
| (4) Criminal Justice (International Co-operation) Act 2000 (No. 14 of 2000) | (4) | Enables Anguilla to co-operate with other countries in the investigation and prosecution of crime and implements the Vienna Convention on Narcotic Drugs and Psychotropic Substances.

The range of assistance that may be given and received are: service or process, provision of evidence, transfer of prisoners to give evidence, search and seizure, enforcement of forfeiture orders and the seizure and detention of cash imported into Anguilla in excess of \$10,000 or other sum prescribed by the Governor, and which is reasonably suspected of being the proceeds of drug trafficking or other criminal conduct.

Schedule 1 of the Act the procedures to be followed in the Anguillan Courts when obtaining evidence for use overseas. |
| (5) Proceeds of Criminal Conduct Act 2000 (No. 14 of 2000) | (5) | Provides inter alia, for the registration of external confiscation orders from designated countries |
| (6) Drugs Trafficking Offences Act 2000 (Chapter 4 of the Interim Revised Statutes of Anguilla 2000) | (6) | Provides for the enforcement and registration of external confiscation orders from designated countries |
| (7) Drugs Trafficking Offences Act (Designated Countries and Territories) Order | (7) | Designates: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Azerbaijan, The Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bermuda, Bhutan, Bolivia, Bosnia & Herzegovina, Brazil, British Virgin Islands, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Cayman Islands, Chad, Chile, China, Columbia, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, |

Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, England and Wales, Ethiopia, European Community, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Gibraltar, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hong Kong, Hungary, India, Indonesia, Iran, Ireland, Isle of man, Israel, Italy, Jamaica, Japan, Jersey, Jordan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Luxembourg, Macedonia, Former Yugoslav Republic of , Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Moldova, Monaco, Montserrat, Morocco, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Northern Ireland, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Russian Foundation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, , Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Turks and Caicos Island, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Yugoslavia, (Serbia and Montenegro), Zaire, Zambia, Zimbabwe.

Also provides for procedural matters necessary for the enforcement of external confiscation orders., such as proof of orders and judgement of the court of the requesting country, certificate as to appropriate authority of designated country etc.

Repeals the Drug Trafficking Offences Ordinance 1998 (Designated Countries and Territories) Order 1992

ANTIGUA AND BARBUDA

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| (1) | Money Laundering (Prevention) Act 1996 (No. 9 of 1996) Part V | (1) | Makes provision for judicial co-operation with competent authorities of other countries in matters concerning money laundering offences |
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AUSTRALIA

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| (1) | Mutual Assistance in Criminal Matters Act 1987 (Act No. 85 of 1987 as amended) | (1) | Permits the granting of assistance requiring the use of powers of compulsion to all Commonwealth countries and foreign states without prior designation of countries to which assistance may be granted. |
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The Act provides for the grant of assistance in relation to the proceeds of crimes.

The Act provides that, where a request relates to prosecution or punishment of a person charged with or convicted of an offence which is punishable by the death penalty, the request must be refused unless there are special circumstances. Where the request relates to an investigation in which charges have not been laid but the death penalty could be imposed, the Attorney-General has a broader discretion to refuse the request. In practice, Australia has, since 1993, generally refused assistance where the offence to which the request relates is punishable by the death penalty in the absence of an assurance from the requesting state that the penalty will not be sought or carried out. It will continue to follow this policy.

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| (2) | Mutual Assistance in Criminal Matters Regulations (SR 1988 No. 126 as amended) | (2) | Deal with procedural aspects of the mutual assistance in criminal matters process, such as witness summons, expenses, administration of oaths etc. and prescribe statutory forms. |
| (3) | Mutual Assistance in Criminal Matters (United Kingdom) Regulations 1999 (SR 1999 No. 2) | (3) | Provide that the Act applies to the United Kingdom subject to the Australia-United Kingdom Agreement concerning the Investigation, Restraint and Confiscation of the Proceeds and Instruments of Crime. In relation to matters not covered by the Agreement, the Act applies to the United Kingdom without qualification |
| (4) | Various Regulations which apply the Act to certain non-Commonwealth countries with which Australia has general bilateral mutual assistance treaties. | (4) | Apply the Act to: Argentina, Austria, Ecuador, Finland, France, Hong Kong, Hungary, Indonesia, Israel, Italy, Republic of Korea, Luxembourg, Mexico, Netherlands, Philippines, Portugal, Spain, Switzerland and the United States of America |
| (5) | Mutual Assistance in Criminal Matters (Canada) Regulations (SR 1990 No. 22) | (5) | Apply the Act to Canada subject to the treaty between Australia and Canada which deals with mutual assistance in criminal matters |
| (6) | Mutual Assistance in Criminal Matters (Traffic in Narcotic Drugs and Psychotropic Substances) Regulations (SR 1992 No. 401 as amended) | (6) | Provides that the Act applies subject to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances to parties to the Convention for the purpose of giving effect to the mutual assistance provisions in the Convention. |
| (7) | Mutual Assistance in Criminal Matters (Money Laundering Convention) Regulations (SR 1996 No. 248) | (7) | Provides that the Act applies subject to the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime to parties to the Convention for the purposes of giving effect to the international co-operation provisions of the Convention. |
| (8) | Proceeds of Crime Act 1987 (Act No. 87 of 1987 as amended) | (8) | Complements the Mutual Assistance in Criminal Matters Act 1987. Permits the registration and enforcement of foreign confiscation and pecuniary penalty orders, search and seizure of tainted property in relation to foreign offences, |

- registration of foreign restraining orders and the use of information gathering powers in relation to foreign offences
- (9) Financial Transaction Reports Act 1988 (Act No. 64 of 1988 as amended) (9) Gives the Attorney-General access to financial transaction report information for the purpose of dealing with a request made by a foreign country.
- (10) Foreign Evidence Act 1994 (No. 59) (10) Establishes rules for the admission in Australian courts of evidence obtained overseas.
- (11) Foreign Evidence (Foreign Material - Criminal and Related Civil Proceedings) Regulations (SR 1994 No. 333) (11) Prescribe the types of related civil proceedings, in respect of each State or Territory (of Australia) to which Part 3 of the Foreign Evidence Act 1994 (Act No. 59) (Use of Foreign Material in Criminal and Related Civil Proceedings) applies

BAHAMAS

- (1) Mutual Legal Assistance (Criminal Matters) Act 1988 (No. 2 of 1988). (1) Provides for the implementation of treaties for Mutual Legal Assistance in Criminal Matters. A treaty between the Commonwealth of the Bahamas and the United States of America on Mutual Assistance in Criminal Matters executed by the government of the Bahamas on 12 June 1987 is in the schedule.
- (2) Mutual Legal Assistance (Criminal Matters) Act, 1988 (Amendment of Schedule) Order 1990 (Subsidiary Legislation No. 54 of 1990) (2) Adds Canada and the United Kingdom to the Schedule to the Act. The agreement between the Bahamas and the UK relates only to drug trafficking and narcotics offences.
- (3) Tracing and Forfeiture of Proceeds of Drug Trafficking Act 1986, (Act No. 3 of 1986) s.21 (3) Permits the registration and enforcement of specified orders made by courts outside the Bahamas for the purpose of recovering payments or other rewards received in connection with drug trafficking offences or their value. Specified orders are those to which the section applies by order of the Attorney-General.
- (4) Tracing and Forfeiture of Proceeds of Drug Trafficking Act (Designated Countries and Territories) Order 1990 (Subsidiary Legislation No. 55 of 1990) (4) Designates the United Kingdom of Great Britain and Northern Ireland
- (5) Evidence Act 1996 (Act No 4 of 1996) (5) Section 179 of this Act states that the courts have power to take evidence in relation to criminal proceedings pending before foreign tribunals.
- (6) Money Laundering (Proceeds of Crime) Act 1996 (Act No. 8 of 1996) (6) This legislation facilitates the confiscation of the proceeds of crime in circumstances where the illegal activity was conducted in a jurisdiction other than The Bahamas but the proceeds of that activity have been located in The Bahamas.

BARBADOS

- (1) Mutual Assistance in Criminal Matters Act 1992. (1) Permits Barbados to make and respond to mutual assistance requests. The Act applies to all

Commonwealth countries and to foreign states with which treaties have been concluded. The application of the Act in relation to a particular Commonwealth country may be specified as being subject to such conditions, exceptions or qualifications.

The Act provides for the grant of assistance in relation to the proceeds of serious offences.

No Regulations have been made under the Mutual Assistance in Criminal Matters Act 1993

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| (2) | Proceeds of Crime Act 1990 | (2) | S.67 permits the application of the section to external confiscation orders being made by court for the purpose of recovering proceeds of crime. Where the section has been applied, external confiscation and forfeiture orders may be registered and enforced in Barbados. Proceeds of crime are defined as proceeds of scheduled offences being drug trafficking and money laundering offences. |
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BERMUDA

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| (1) | Proceeds of Crime Act 1997 (No. 34 of 1997) | (1) | Permits the registration and enforcement of external orders being made by courts in designated countries for the purpose of recovering benefits from drug trafficking or crimes which, if committed in Bermuda, would be triable on indictment, or the value of such benefits |
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BOTSWANA

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| (1) | Mutual Assistance in Criminal Matters Act, 1990 (No. 20 of 1990). | (1) | Permits the provision of assistance to countries to which the Act applies being countries with which Botswana has an arrangement for mutual assistance in criminal matters. (As at February 1996 the Act had not been applied to any country). |
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The Act provides for the grant of assistance in relation to the proceeds of serious offences

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| (2) | Proceeds of Serious Crime Act 1990 (No. 19 of 1990) | (2) | Applies the provisions of this Act to any order registered under the Mutual Assistance in Criminal Matters Act 1990 by a country to which that Act applies. Also applies the search warrant and production order provisions of this Act to requests transmitted under the Mutual Assistance in Criminal Matters Act. |
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| (3) | The Proceeds of Serious Crime (Amendment) Act (No 13 of 2000) | (3) | Amends the 1990 Proceeds of Serious Crime Act in order to strengthen section 15 which deals with the concealment and disposal of proceeds of serious crime. The meanings of “concealing” and “disposing” of money or property, have been expanded. It also creates a presumption of knowledge in matters relating to possession, concealment, disposal or importation into Botswana, of money or other property which may reasonably be suspected of being the proceeds of a serious crime unless, of course, the contrary is proved; and |
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Inserts a new section 16A in the Act. The purpose of the section is to ensure that “designated bodies” such as banks, building societies, registered stockbrokers and other like bodies do not enter into business transactions which permit or facilitate the commission of a serious offence under the Act. The type of business transactions which the designated

bodies may conduct are set out in a new Schedule which the Minister may amend as appropriate following consultations with the Directorate on Corruption and Economic Crime and the Regulatory Authority designated under the Collective Investment Undertakings Act (No 20 of 1999)

BRITISH VIRGIN ISLANDS

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| (1) | Banks and Trust Companies Act, 1990
Company Management Act, 1990 | (1) | These Acts make gateway provisions for justifiable disclosure. They restrict disclosure of information relating to a licensee, save where the disclosure is made, inter alia, "on request by a high ranking officer of a competent authority in an international organization recognized by the Governor, or a high ranking officer of the law enforcement authority in a country or jurisdiction approved by the Governor, for the purpose of legal assistance in the investigation of any criminal activity". Evidence gathered in respect of a business entity licensed under the Acts may upon request be disclosed to an international organization or law enforcement agency to facilitate a criminal investigation |
| (2) | Proceeds of Criminal Conduct Act, 1997 | (2) | Like the Drug Trafficking Offences Act, 1992, this Act enables a police officer to apply to the court for an order requiring the production of material in respect of any indictable offence other than a drug trafficking offence. Provides for the confiscation of the proceeds of criminal conduct in all indictable offences (save drug trafficking which is dealt with under the Drug Trafficking Offences Act). |
| (3) | Proceeds of Criminal Conduct (Designated Countries and Territories) Order, 1999 | (3) | This Order designates the countries and territories to which the Proceeds of Criminal Conduct Act, 1997, applies. |
| (4) | Drug Trafficking Offences (Designated Countries and Territories) Order, 1996 | (4) | This Order designates the countries and territories to which the Drug Trafficking Offences Act applies. It also provides for the registration by the BVI High Court of an external confiscation order made by a court in a designated country. |
| (5) | Criminal Justice (International Cooperation) (Enforcement of Overseas Forfeiture Orders) Order, 1996 | (5) | Gives full effect to the Criminal Justice (International Cooperation) Act. Includes provisions dealing, inter alia, with external forfeiture orders, restraint orders, the disposal of forfeited property, the registration of external forfeiture orders. |
| (6) | Evidence (Proceedings in Foreign Jurisdictions) Act | (6) | The local enabling legislation in relation to the Convention on the Taking of Evidence Abroad in Civil or Commercial Matters (The Hague Convention, 18 th March, 1970). Provides for the High Court to make orders for the obtaining of evidence in the British Virgin Islands including orders for the examination of witnesses and the |

detention of property.

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| (7) | Financial Services (International Co-operation) Act, 2000 | (7) | The Act is designed to provide assistance to foreign regulatory authorities to obtain information in respect of persons in the British Virgin Islands in relation to any regulatory functions. The Director of Financial Services is empowered to provide the necessary assistance in certain circumstances. The Director's powers include requiring the production of documents and the provision of other information with respect to any matter relevant to any inquiry to which a request relates. The Director may (where necessary) apply to a Magistrate for a compliance order or for a person to be examined on oath. |
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CANADA

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| (1) | Mutual Legal Assistance in Criminal Matters Act 1988. Chapter M-13.6 (R.S. 1985 c.30) (As amended :S.C. 2000, c. 18, s. 97 – 128) | (1) | Provides for the implementation of treaties for mutual legal assistance in criminal matters.

Canada has bilateral mutual legal assistance treaties with the United Kingdom, Australia and the Bahamas. Canada also has mutual legal assistance treaties with the following non-Commonwealth countries: Austria, China, France, Hellenic Republic, Hungary, India, Israel, Italy, Korea, Mexico, Netherlands, Norway, Peru, Poland, Portugal, Romania, Spain, Switzerland, Thailand, Ukraine and the United States.

The term "Agreements" for mutual assistance in criminal matters includes multilateral instruments that contain a provision respecting legal assistance in criminal matters. |
| (2) | Evidence Act | (2) | Provides that witnesses can be compelled to appear and testify at the request of a foreign tribunal. Operates only in cases where a criminal matter is pending before a foreign court of justice and when the foreign court has made an order requiring the testimony |
| 3) | Forfeited Property Sharing Regulations, 1994 | (3) | Permits Canada to share the proceeds of certain crimes with foreign states with which Canada has entered into an agreement under the Seized Property Management Act |

CAYMAN ISLANDS

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| (1) | The Evidence (Proceedings in Other Jurisdictions) (Cayman Islands) Order 1978 (UK S.I. 1890 of 1978) | (1) | Extends ss. 1 to 3 and 5 to 10 and Schedule 2 to the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to the Cayman Islands subject to exceptions, adaptations and modifications.

Permits the Grand Court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance available is only examination of witnesses or production of documents. |
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| 2) | Mutual Legal Assistance (United States of America) Law 1986 (Law 16 of 1986) | (2) | Gives effect to the terms of a treaty between the USA and the UK (including the Cayman Islands) relating to mutual assistance in criminal matters. |
| (3) | Proceeds of Criminal Conduct Law, (2000 Revision) | (3) | Consolidates all the amendments to the Proceeds of Criminal Conduct Law 1996 |
| (4) | Misuse of Drugs (International Co-operation Law | (4) | Permits the registration and enforcement of confiscation orders made in designated countries in respect of indictable offences other than drug trafficking or tax offences. (Currently UK and USA)
Permits the granting of legal assistance to all states parties to the 1988 Convention in drug related investigations and prosecutions |

CYPRUS

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| (1) | Foreign Tribunal Evidence Law (Cap. 12: 1908) | (1) | Permits the Supreme Court to respond to commissions rogatoires and letters of request from foreign courts |
| (2) | Confiscation of Proceeds of Trafficking of Narcotic Drugs and Psychotropic substances Law of 1992 (Law No. 39(1) of 1992) | (2) | Permits the making of regulations applying s.22 to any order of a foreign court being an order of a description specified in the regulations and which is made for the purposes of recovering payments or other rewards received in connection with drug trafficking. Such orders (restraint and confiscation orders) may be registered and enforced in Cyprus. |

NOTE: Cyprus has bilateral agreements with the following non-Commonwealth countries: USA, Italy, Greece, Russia, China, Israel, Rumania, Lebanon, Poland, Egypt, Syria, Hungary, Slovakia, Czechia. Negotiations are taking place with the following non-Commonwealth countries: USA, Russia, Jordan, Latvia, China.

CYPRUS (SOVEREIGN BASE AREAS OF AKROTIRI AND DHEKLI)

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| (1) | Evidence (Proceedings in Other Jurisdictions) (Sovereign Base Areas of Akrotiri and Dheklia) Order 1987 (UK S.I. 1920 of 1978 | (1) | Extends the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to the Cayman Islands subject to exceptions, adaptations and modifications.

Permits the court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance available is only examination of witnesses or production of documents. |
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DOMINICA

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| (1) | Mutual Assistance in Criminal Matters Act 1990 | (1) | Permits Dominica to make and respond to mutual assistance requests. The Act applies to all Commonwealth countries and to foreign states with which treaties have been concluded. The application of the Act in relation to a particular Commonwealth country may be specified as |
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being subject to such conditions, exceptions or qualifications.

The Act provides for the grant of assistance in relation to the proceeds of serious offences.

No orders have been made specifying conditions, exceptions or qualifications to the application of the Act to Commonwealth countries have been made.

The Act has not been applied to any foreign countries under s.30.

- (2) Evidence (Proceedings in Other Jurisdictions) Act 1987 (No. 3 of 1987)

S.6 allows the High Court to receive applications for orders for evidence to be obtained in Dominica provided that the application is made by or on behalf of a foreign court or tribunal before which proceedings have been instituted. Order which may be granted relate to examination of witnesses and the production of documents

- (3) Money Laundering (Prevention) Act, 2000

Section 27 of that Act provides for co-operation between the Courts in Dominica and the Courts of foreign Countries on matters concerning money laundering offences.

Section 28 stipulates that money laundering is an extraditable offence

FALKLAND ISLANDS

- (1) Evidence (Proceedings in Other Jurisdictions) (Falkland Islands and Dependencies) Order 1978 (UK S.I. 1891 of 1978)

Extends the provisions of the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to the Falkland Islands and South Georgia and the South Sandwich Islands (since 1985 a separate Territory), subject to modifications.

Permits the court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance is only available for examination of witnesses or production of documents. Remains in force but is almost entirely superseded by (2) below.

- (2) Criminal Justice (Amendment) Ordinance 1991 (sections 3,6,7,9 and 10)

Makes provision corresponding with sections 1,3,5,7 and 9 of the United Kingdom Criminal Justice (International Co-operation) Act 1990.

Section 3 enables overseas criminal process to be served in the Falkland Islands.

Under section 6 evidence (including documents) may be obtained in the Falkland Islands for use in overseas criminal proceedings if the Governor is satisfied:

- (a) that an offence has been committed in the requesting country or that there are reasonable grounds for suspecting that

such an offence has been committed;

- (b) proceedings in respect of that offence have been commenced in the requesting country or that an investigation into that offence is being carried out in the requesting country;
- (c) that the requesting country is a Commonwealth country or the request is made pursuant to a treaty to which the UK is a party and which extends to the Falkland Islands; and
- (d) that the conduct constituting the offence would constitute an offence of the same or a similar nature if it had been committed in the Falkland Islands.

Section 7 makes provision for the temporary transfer to an overseas country, for the purpose of giving evidence or assisting in an investigation there, of a person serving a custodial sentence in the Falkland Islands.

Section 9 enables powers of entry, search and seizure available in respect of offences in the Falkland Islands to be used in the investigation of an overseas offence, subject to the detailed provisions of the section.

Section 10 empowers the Governor to make Orders enabling forfeiture order made by courts in designated overseas countries to be enforced in the Falkland Islands.

FIJI

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| (1) | Mutual Assistance in Criminal Matters Act, 1997 | (1) | Permits Fiji to make and respond to mutual assistance requests. The Act applies to any foreign country with which Fiji has an arrangement or a reciprocal agreement.

Permits the registration and enforcement of external forfeiture, confiscation and restraining orders.

The Act provides for the grant of assistance in relation to the proceeds of serious offences. |
| (2) | Proceeds of Crime Act, 1997 | (2) | Complements the Mutual Assistance in Criminal Matters Act, 1997. Provides for the registration and enforcement of foreign forfeiture, confiscation and restraining orders and for search for and seizure of property related to foreign serious offences. Action under the Mutual Assistance in Criminal Matters Act is a necessary pre-requisite for the operation of this Act. |

GAMBIA

- (1) Drug Control Act 1993 (No. 1 of 1993) Part XIII (1)

Permits the Gambia to render assistance to a foreign government or authority which undertakes in writing to render similar assistance to the Government of the Gambia if any request is made to that effect.

The assistance available under the Act is available in "drug related matters" which include investigations, inquiries, trials or other proceedings in any foreign country under any law relating directly or indirectly to prohibited or controlled drugs or to property derived from any activity relating to prohibited or controlled drugs.

Available assistance includes service of process, transmission of information, examination of witnesses, search, seizure and transfer of prisoner witnesses

GHANA

- (1) Narcotic Drugs (Control, Enforcement and Sanctions) Law 1990 (1)

Part VI of the Act permits Ghana to render assistance to a foreign government or authority.

The assistance available under the Act is available in "drug related matters" which include investigations, inquiries, trials or other proceedings in any foreign country under any law relating directly or indirectly to prohibited or controlled drugs or to property derived from any activity relating to prohibited or controlled drugs.

Available assistance includes service of process, transmission of information, examination of witnesses, search, seizure, interception of communications, exercise of investigative powers and transfer of prisoner witnesses

GIBRALTAR

- (1) Evidence (Proceedings in other Jurisdictions) (Gibraltar) Order 1978 (S.I. 1978 No. 1892: Gibraltar Legal Notice 17 of 1979) (1)

Extends the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to Gibraltar subject to exceptions, adaptations and modifications.

Permits the court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance available is only examination of witnesses or production of documents

GUERNSEY

- (1) Evidence (Proceedings in other Jurisdictions) (Guernsey) Order 1980 (S.I. No. 1956 of 1980) (1)

Extends the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to Guernsey subject to exceptions, adaptations and modifications.

Permits the court to assist in obtaining evidence for criminal proceedings which have been

instituted in overseas courts. Assistance available is only examination of witnesses or production of documents.

GUERNSEY

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| (1) | Evidence (Proceedings in other Jurisdictions) (Guernsey) Order 1980 (S.I. No. 1956 of 1980) | (1) | Extends the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to Guernsey subject to exceptions, adaptations and modifications. |
| (2) | The Criminal Justice (Fraud Investigation) (Bailiwick of Guernsey) Law 1991 (No. III of 1991) | | Permits the court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance available is only examination of witnesses or production of documents. |
| (3) | <i>Criminal Justice (Int'l Co-op) Act???)</i> | | |
| (4) | Financial Services Commission (Bailiwick of Guernsey) Law 1987, (Ordre en Conseil Vol. XXX, p.243)) | | |
| (5) | Banking Supervision (Bailiwick of Guernsey) Law 1994, s. 44 (No. VIII of 1994) | | |
| (6) | Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law 1999 (No. VII of 1999) | (6) | Deals with the proceeds of crimes that are not from drugs trafficking. Section 1 defines "Criminal Conduct" as any conduct other than drug trafficking which constitutes an offence in Guernsey triable by indictment or would have constituted an offence had it been committed in Guernsey. |
| | | | Provides for the assessment and confiscation of the proceeds of crime and the making of restraint orders. |
| | | | Concealment or transfer of proceeds of criminal conduct are criminalized. The Act defines property widely to include money and all other property, real or personal, immovable or movable, including things in action and other intangible or incorporeal property. The Act applies to property also situated outside of Guernsey |
| (7) | Drug Trafficking (Bailiwick of Guernsey) Law 2000 (No. VII of 2000) | (7) | This Act provides for the criminalisation of drug trafficking, confiscation and realisation of the proceeds of drug trafficking and restraint orders thereof. |
| | | | In respect of mutual assistance, it implements the Vienna Convention in Part II. There is provision for the mutual service of process and mutual provision of evidence. Upon receipt of a request from a Convention country, the Bailiff may upon an application by a police officer, issue a warrant |

for the search of premises occupied or controlled by a person suspected of a drug trafficking offence, and the seizure of any relevant evidence therein. The Act also provides for the enforcement of external forfeiture orders issued by a UK Court or the courts of any Convention country.

Also provides for the registration and enforcement of confiscation orders issued by the courts of certain designated countries.

Schedule 3 to the Law sets out the procedure applicable by the Court when taking evidence in the Bailiwick for use overseas.

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| (8) | The Drug Trafficking (Bailiwick of Guernsey) Law (Enforcement of External Confiscation Orders) Ordinance, 2000 | (8) | This Ordinance was made in implementation of the provisions of section 49 of the Law. It details the procedure to be followed in making restraint orders, for the registration and enforcement of external forfeiture orders and disposal of forfeited property |
| (9) | The Drug Trafficking (Bailiwick of Guernsey) Law (Designated Countries and Territories) Ordinance, 2000 | (9) | Designates the following countries for the purposes of registration and enforcement of external confiscation orders: Afghanistan, Algeria, Anguilla, Antigua and Barbuda, Armenia, Australia, Azerbaijan, The Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bermuda, Bhutan, Bolivia, Bosnia & Herzegovina, Brazil, British Virgin Islands, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Cayman Islands, Chad, Chile, China, Columbia, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Gibraltar, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hong Kong, India, Iran, Ireland, Isle of man, Italy, Jamaica, Japan, Jersey, Jordan, Kenya, Kyrgyzstan, Latvia, Lesotho, Lithuania, Luxembourg, Macedonia, Former Yugoslav Republic of , Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Moldova, Monaco, Montserrat, Morocco, Myanmar, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Turks and Caicos Island, Uganda, Ukraine, United Kingdom, United Arab Emirates, United Mexican States, United States of America, |

Uruguay, Uzbekistan, Venezuela, Yemen, Yugoslavia, Federal Republic of, Zambia, Zimbabwe.

Schedule 2 modifies certain provisions of the Drug Trafficking Law, one modification of which is the deletion of all the Schedules in the Law. There is also an Appendix that sets out for each country, the point at which proceedings are instituted in respect of drug trafficking offences.

- (10) The Criminal Justice (International Co-operation) (Bailiwick of Guernsey) Law 2001

GUYANA

- (1) Narcotic Drugs and Psychotropic Substances (Control) Act 1988 (1) Permits Guyana to enter into arrangements with other countries for:
- (a) the enforcement of Guyanese drug forfeiture orders in drug cases and for the restraint of assets in cases under investigation in Guyana; and
 - (b) recovery and handing over of property located in Guyana which has been confiscated or forfeited by another country in relation to a drug offence.

ISLE OF MAN

- (1) Criminal Justice Act 1991 (An Act of Tynwald) (1) Permits the Court on application of the Attorney-General to obtain evidence for criminal proceedings which have been instituted in overseas courts or where an investigation is being carried on overseas.

Assistance available is normally examination of witnesses or production of documents. There is a power for the Court to grant warrants for the search and seizure of evidence concerning serious offences.

- (2) Drug Trafficking Act 1996 (An Act of Tynwald) (2) Permits the making of regulations applying the Act to external confiscation orders and to proceedings which have been or are to be instituted in the designated country and may result in an external confiscation order being made. External confiscation orders are orders made by a court in a designated country for the purpose of recovering payment or other rewards in connection with drug trafficking or their value.

- (3) Drug Trafficking (Designated Countries and Territories) Order 1999 (3) Designates: Afghanistan, Algeria, Anguilla, Antigua and Barbuda, Argentina, Armenia, Austria, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bermuda, Benin, Bhutan, Bolivia, Botswana, Bosnia-Herzegovina, Brazil, British Virgin Islands, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde,

Cayman Islands, Chad, Chile, China, Colombia, Costa Rica, Cote d'Ivoire, Croatia, Cyprus, Cuba, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, England and Wales, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Germany, Ghana, Gambia, Gibraltar, Greece, Grenada, Guatemala, Guernsey, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hong Kong, Hungary, India, Iran, Ireland, Italy, Jamaica, Japan, Jersey, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Lithuania, Luxembourg, Former Yugoslav Republic of Macedonia, Madagascar, Malaysia, Malawi, Mali, Malta, Mauritania, Moldova, Monaco, Montserrat, Morocco, Myanmar, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Northern Ireland, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Russian Federation, St Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Scotland, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Turks and Caicos Islands, Uganda, Ukraine, United Arab Emirates, United Mexican States, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Federal Republic of Yugoslavia, Zambia, Zimbabwe.

(4) Criminal Justice Act 1990 (An Act of Tynwald)

Permits the making of Orders applying the Act to external confiscation orders and to proceedings which have been or are to be instituted in the designated country and may result in an external confiscation order. External Confiscation Orders are orders made by a court in a designated country for the purposes of recovering property or the value of property or of depriving a person of a pecuniary advantage obtained as a result of or in connection with a crime other than drug trafficking.

Permits the Attorney-General to give assistance in cases concerning serious or complex fraud wherever committed. The Attorney-General has the power to require the production of documents and may obtain a court warrant to search premises and seize documents for the purposes of the investigation.

Permits the making of an order enabling the enforcement in the Isle of Man of the Orders of courts of designated countries for the forfeiture, destruction or disposal of instrumentalities of crime.

(5) Orders under the Criminal Justice Act

(5) Designate, for the purposes of the confiscation provisions of the Act, Bulgaria, Canada, England

- 1990 and Wales, Finland, India, Italy, Lithuania, Netherlands, Nigeria, Northern Ireland, Norway, Romania, Scotland, Sweden, Switzerland, Thailand, United Mexican States, United States of America.
- (6) Criminal Justice Act 1990 (6)
(designated Countries and Territories) Order 1999 Designates the following list of countries: Antigua and Barbuda, Australia, Austria, Belgium, Columbia, Cyprus, Czech Republic, Denmark, Federal Republic of Germany, France, Hong Kong Special Administrative Region, Iceland, Ireland, Portugal, Slovenia, Spain, Trinidad and Tobago, Ukraine.
- (7) Orders under the Criminal Justice Act 1991 (7) Designate, for purposes of the forfeiture provisions of the Act in respect of drug trafficking offences: Afghanistan, Algeria, Anguilla, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bermuda, Bhutan, Bolivia, Botswana, Bosnia-Herzegovina, Brazil, British Virgin Islands, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Cameroon, Canada, Cape Verde, Cayman Islands, Chad, Chile, China, Colombia, Costa Rica, Cote d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, England and Wales, Ethiopia, federal republic of Germany, Fiji, Finland, France, Gambia, Ghana, Gibraltar, Greece, Grenada, Guatemala, Guernsey, Guinea, Guinea Bissau, Guyana, Haiti, Honduras, Hong Kong, Hungary, India, Iran, Ireland, Italy, Jamaica, Japan, Jersey, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lesotho, Lithuania, Luxembourg, Former Yugoslav Republic of Macedonia, Madagascar, Malawi, Mali, Malta, Mauritania, Moldova, Monaco, Montserrat, Morocco, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Northern Ireland, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Scotland, Sierra Leone, Senegal, Seychelles, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Turks and Caicos Islands, Uganda, Ukraine, United Arab Emirates, United Mexican States, United Republic Of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Yemen, Federal Republic of Yugoslavia, Zambia and Zimbabwe.

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| (8) | Orders under the Criminal Justice Act 1991 | (8) | Designate, for the purposes of the forfeiture provisions of the Act in respect of offences other than drug trafficking: Antigua and Barbuda, Australia, Austria, Bulgaria, Canada, Columbia, Cyprus, Czech Republic, Denmark, England and Wales, Finland, France, India, Ireland, Italy, Lithuania, Netherlands, Nigeria, Northern Ireland, Norway, Romania, Scotland, Sweden, Switzerland, Thailand, Ukraine, United Mexican States, United States of America. |
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JAMAICA

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| (1) | Mutual Assistance (Criminal Matters) Act, 1995 (Act 5 of 1995 which entered into force on 14 July 1995 pursuant to the Mutual Assistance (Criminal Matters) Act 1995 (Appointed Day) Notice (LN 79 of 1995) | (1) | Permits Jamaica to make and respond to mutual assistance requests. The Act applies to designated Commonwealth countries and to foreign states with which relevant treaties have been concluded. .

The Act provides for the grant of assistance in relation to the proceeds of prescribed offences being offences related to dangerous drugs. |
| (2) | Mutual Assistance (Criminal Matters)(Amendments) Act 1996 (No. 28 of 1996) | (2) | Amends the definition of “prescribed offence” under the 1995 Act to include money laundering, thereby allowing mutual assistance in criminal matters to be made available in respect of money laundering cases |

JERSEY

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| (1) | Evidence (Proceedings in Other Jurisdictions) (Jersey) Order 1983 | (1) | Extends the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to Jersey subject to exceptions, adaptations and modifications.

Permits the Royal Court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance available is only examination of witnesses or production of documents. |
| (2) | Drug Trafficking Offences (Jersey) Law 1988 | (2) | Permits the making of regulations applying the Law to external confiscation orders and to proceedings which have been or are to be instituted in a designated country or may result in an external confiscation order being made. External confiscation orders are orders made by a court in a designated country for the purpose of recovering payment or other rewards in connexion with drug trafficking or their value. Also permits production orders and search warrants to be issued in connection with investigations into drug trafficking offences wherever committed. |
| (3) | Investigation of Fraud (Jersey) Law 1991 | (3) | Enables the investigation of affairs, or any aspect of the affairs, in Jersey of any person where it |

appears to the Attorney-General that there is a suspected offence of serious or complex fraud committed anywhere.

There are powers enabling the Attorney-General to require the answering of questions and provision of information and to obtain search warrants for documents.

Information obtained which is subject to secrecy obligations imposed by an enactment may only be disclosed for purposes of prosecutions in Jersey or elsewhere. Other information may only be disclosed for the purposes of investigation or prosecution of offences in Jersey or elsewhere or to any company inspector or any body having supervisory, regulatory or disciplinary functions in relation to financial services, any profession or any area of commercial activity. Such disclosures may be further limited to purposes specified under an agreement as to disclosure.

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| (4) | Drug Offences (International Co-operation) Jersey) Law 1996 | (4) | Permits the Attorney-General to nominate a court or the Viscount of the Royal Court to obtain evidence in connection with drug trafficking offences, wherever committed. Also enables Regulations to be made for the enforcement of overseas forfeiture orders. |
| (5) | Prevention of Terrorism (Jersey) Law 1996 | (5) | Enables production orders and search warrants to be issued in connection with investigations into terrorist activities or funds derived from or intended for terrorist activities wherever committed. |

KENYA

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| (1) | Fugitive Criminals Surrender Ordinance (Cap. 77, Laws R.E. 1962) | (1) | Provides for the taking of evidence by a magistrate or justice of the peace of Kenya for the purposes of any criminal matter pending in any court or tribunal in any foreign state. |
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- The Ordinance also continues in force the UK Foreign Tribunals Evidence Act 1856.

LESOTHO

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| (1) | Criminal Procedure and Evidence Act 1981 (No. 7 of 1981) | (1) | Section 211 allows courts in Lesotho to issue commissions to authorised persons to take evidence outside Lesotho for the purposes of any trial, preparatory examination or other criminal proceeding. |
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MALAWI

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| (1) | Mutual Assistance in Criminal Matters Act, 1991 (No. 24 of 1991) | (1) | Permits Malawi to make and respond to mutual assistance requests. The Act applies to all Commonwealth countries. The application of the Act in relation to a particular Commonwealth country may be specified as being subject to such |
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conditions, exceptions or qualifications.

The Act provides for the grant of assistance in relation to the proceeds of serious offences.

Although the long title of the Act refers to facilitating mutual assistance relations with non-Commonwealth countries there are no substantive provisions in the Act which permit this.

MALAYSIA

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| (1) Dangerous Drugs (Forfeiture of Property) Act 1988 (Act No. 340), Part VII | (1) Permits Malaysia to render assistance to a foreign government or authority. The assistance available under the Act is available in "drug related matters" which include investigations, inquiries, trials or other proceedings in any foreign country under any law relating directly or indirectly to prohibited or controlled drugs or to property derived from any activity relating to prohibited or controlled drugs. |
| (2) Extradition Act 1992 | (2) Provides for the taking of evidence in Malaysia for the purpose of any <u>extradition</u> matter pending in any court or tribunal in any country. |

Available assistance includes service of process, provision of information and records and results of investigations in Malaysia, examination of witnesses, search, seizure, interception of communications and transfer of prisoner witnesses.

NOTE: The proposed legislation relating to the Harare Scheme is in the process of completion.

MALTA

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| (1) Criminal Code, S.649 | (1) Permits the examination of witnesses in connection with offences cognizable by courts outside Malta. |
| (2) The Dangerous Drugs Ordinance (Cap. 101) as amended by Act XVI of 1996 | (2) Allows for the issue of investigation, attachment and freezing orders in connection with drug trafficking offences cognizable by courts outside Malta. It also provides for a procedure to enable the enforcement in Malta of confiscation orders made by a court outside Malta. |
| (3) The Medical and Kindred Professions Ordinance (Cap. 31) as amended by Act II of 1998 | (3) Provides the same forms of assistance as provided in the Dangerous Drugs Ordinance but with respect to drugs specifically falling under the Ordinance |
| (4) The Prevention of Money Laundering Act 1994 as amended by Act II of 1998 | (4) Provides for the same forms of assistance as provided in the Dangerous Drugs Ordinance but with respect to offences of money laundering as |

defined in the Act and cognizable by courts outside Malta.

NOTE: Assistance to other countries in criminal matters may also be granted in an informal manner where there is no particular legislation which regulates such assistance.

MAURITIUS

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| (1) | Letters of Request Rules 1985 (GN 95/85) | (1) | Permits a judge, upon ex parte application by the Attorney-General or other authorised person, to respond to letters of request issued in relation to criminal matters pending before courts or tribunals of another state. The assistance which can be provided is the taking of evidence or the service of process. |
| (2) | Economic Crime and Anti-Money Laundering Act 2000 | (2) | Part VI provides for mutual assistance in relation to Money Laundering or Economic offences. It deals with the authentication of documents, obtaining from and giving of evidence to foreign states, and assets sharing. |

MONTserrat

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| (1) | The Mutual Legal Assistance Criminal Matters (United States of America) Ordinance, 1991 (No. 1 of 1991) | (1) | Extends to Montserrat the Mutual Legal Assistance Treaty between the UK and the US concerning the Cayman Islands. Gives effect to that treaty in Montserrat. |
| (2) | Criminal Justice (International Co-operation) Ordinance 1991 | 2) | Provides for mutual assistance in the service of documents; provision of evidence; transfer of prisoners for purposes of giving evidence or assisting in investigations; search and seizure and the enforcement of forfeiture orders.

The Ordinance also contains provisions that implement the Vienna Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic substances |
| (3) | The Criminal Justice (International Co-operation) Seizure and Detention of Cash Order 1992 | (3) | Sets the sum of US \$10,000 or its equivalent as the amount prescribed under section 23 of the Criminal Justice (International Co-operation Ordinance 1991. That section allows a customs or police officer to detain any cash in excess of an amount to be stated by Order. |
| (4) | The Criminal Justice (International Co-operation) Ordinance 1991 (Enforcement of Overseas Forfeiture Orders) Order 1992 (No. 40 of 1992 as amended by S.R.O No. 70 of 1993) | (4) | Provides for the enforcement of external forfeiture and disposal orders of property tainted by drug trafficking.

Allows for the issuance of Restraints Orders upon application by a designated country. |

Designates the following countries and indicates

the stage at which proceedings are deemed to have been commenced for purposes of mutual assistance: England and Wales, Northern Ireland, Scotland, United States of America, Hong Kong,

- (5) Criminal Justice (International Co-operation) Ordinance 1991 (Enforcement of Overseas Orders) Order 1995 (as amended) (5)

Designates the following countries and indicates the stages at which proceedings may be deemed to have been instituted for purposes of mutual assistance: Afghanistan, Algeria, Anguilla, Antigua and Barbuda, Argentina, Armenia, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Bermuda, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, British Virgin Islands, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Cayman Islands, Chad, Chile, China, Colombia, Costa Rica, Cote d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, England and Wales, Fiji, Finland, France, Germany, Ghana, Gibraltar, Italy, Japan, Jersey, Jordan, Kenya, Kyrgyzstan, Latvia, Lesotho, Luxembourg, Macedonia, Mexico, Moldova, Monaco, Myanmar, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Qatar, Romania, Russian Federation, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Saudi Arabia, Scotland, Northern Ireland, Senegal, Seychelles, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Switzerland, Togo, Trinidad, Tunisia, Turks and Caicos Islands, Uganda, Ukraine, United Arab Emirates, Mexico, United States of America, Uruguay, Uzbekistan, Venezuela, Yugoslavia, Federal Republic of, Zambia, Zimbabwe.

Schedule 2 lists the same countries as above for purposes of drug trafficking and sets out the Appropriate Authority from whom requests can be entertained

- (6) Exchange of Information Act 1999 (No. 17 of 1999) (6)

Permits the disclosure of information to a foreign regulatory authority for the purpose of enabling it to exercise its regulatory functions. The assistance sought must not relate to the imposition, calculation or collection of taxes. The Director of the Financial Services Centre handles all requests under the Act.

Repeals the Exchange of Information Act 1997

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| (7) | Proceeds of Crime Act 1999 (Act No. 20 of 1999) | (7) | Empowers the Governor to designate countries and territories from and to whom requests for assistance in the enforcement of external confiscation orders may be made. |
| | | | Permits the registration of external confiscation orders from designated countries |
| (8) | Proceeds of Crime (Designated Countries and Territories) Order 2000 (No. 59 of 2000) | (8) | Lists the appropriate authorities from whom requests for assistance may be received, and states that in the case of countries in respect of which no authority is mentioned, a certificate from the Governor to the effect that the authority specified therein is the appropriate authority will be sufficient. |
| | | | Designates the same countries and territories as in the Criminal Justice (International Co-operation) Ordinance 1991 (Enforcement of Overseas Orders) Order 1995 |

NAMIBIA

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| (1) | Foreign Courts Evidence Act, 1995 (No. 2 of 1995) | (1) | Provides for obtaining of evidence of persons in Namibia by courts of law outside Namibia where proceedings are pending. Allows for the endorsement of subpoena issued by proper officers of a competent court in South Africa. |
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NEW ZEALAND

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| (1) | Mutual Assistance in Criminal Matters Act 1992 | (1) | Provides a legal framework under which New Zealand can make and receive requests for a wide range of assistance in investigating and prosecuting crimes and in issuing and enforcing orders. Part 2 of the Act allows New Zealand to make requests for assistance to any other country. (Whether assistance is granted will depend on the requirements of the domestic law of individual countries.) |
| | | | Part 3 of the Act, which deals with requests to New Zealand, was amended in 1998 to expand the range of circumstance in which New Zealand can allow requests for assistance. Part 3 now permits requests for assistance from any prescribed foreign country, any convention country (subject to certain limitations) and any other foreign country on an ad hoc basis (also subject to certain limitations). For the purposes of the 1992 Act, 'Convention country' means any foreign country that is a party to a convention specified in Schedule 1 to the Act |
| (2) | Proceeds of Crime Amendment Act 1992 | (2) | Complements the Mutual Assistance in Criminal Matters Act 1992 by enabling the enforcement of registered foreign forfeiture orders, the issue of search warrant in relation to foreign offences and |

the issue of restraining orders in respect of foreign offences. The Act also permits the use of information gathering powers in relation to foreign serious offences including foreign drug dealing offences.

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| (3) | Evidence Act 1908, ss48-48F | (3) | Permits a High Court Judge to order the examination of witnesses before any person named in the order. |
| (4) | Mutual Assistance in Criminal Matters Regulations 1993 | (4) | Deals with the issue of summons, registration of foreign orders with witness expenses. The regulations also prescribe forms for the purpose of the 1992 Act. |
| (5) | <p>The following Regulations prescribe individual countries under Part 3 of the 1992 Act:</p> <ul style="list-style-type: none"> • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Australia) Regulations 1993 • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Fiji) Regulations 1999 • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Hong Kong Special Administrative Region of the People's Republic of China) Regulations 1999 • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Niue) Regulations 1996 • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (Republic of Korea) Regulations 2000 • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (United Kingdom) Regulations 1999 • Mutual Assistance in Criminal Matters (Prescribed Foreign Country) (United States of America) Regulations 1998 | | <ul style="list-style-type: none"> • Prescribes Australia • Prescribes Fiji • Prescribes Hong Kong • Prescribes Niue • Prescribes Republic of Korea • Prescribes the United Kingdom • Prescribes the United States |
| (6) | The International Crimes and International Criminal Court Act 2000 | (6) | Implements in New Zealand law provisions of the Rome Statue of the International Criminal Court. Part 9 of the Act contains provisions relating to the surrender of persons to the International Criminal Court and those relating to the provision of other forms of assistance primarily during the investigation and trial. |

PAPUA NEW GUINEA

- (1) Extradition Act 1975 (Act No. 59 of 1975, as amended by Act No. 17 of 1984) (1) Section 25 provides for the taking of evidence for the purposes of a criminal matter pending in a designated Commonwealth Country or a foreign state with which Papua New Guinea has an extradition treaty.
- Designated Commonwealth countries are Australia, Bahamas, Bangladesh, Barbados, Belize, Botswana, Canada, Cyprus, Dominica, Fiji, The Gambia, Ghana, Guyana, India, Jamaica, Kenya, Kiribati, Lesotho, Malawi, Malaysia, Malta, Mauritius, Nauru, New Zealand, Nigeria, Seychelles, Sierra Leone, Singapore, Solomon Islands, Sri Lanka, Swaziland, Tanzania, Tonga, Trinidad and Tobago, Tuvalu, Uganda, United Kingdom, Western Samoa, Zambia and Zimbabwe.
- Treaty States are Austria, Belgium, Chile, Czechoslovakia, Ecuador, Greece, Guatemala, Hungary, Iceland, Iraq, Luxembourg, Monaco, Nicaragua, Paraguay, Poland, Portugal, Switzerland, United States of America, Uruguay and Yugoslavia.
- Section 25A provides for the taking of evidence for the purposes of extradition.

ST LUCIA

- (1) Proceeds of Crime Act 1993. (1) Permits the application of the Act to external forfeiture or confiscation orders made in designated countries being countries which are states parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.
- (2) Mutual Assistance in Criminal Matters Act 1996 (No. 10 of 1996) (2) Makes provision with respect to the scheme relating to mutual assistance in criminal matters within the Commonwealth and facilitates the operation of that scheme in Saint Lucia. The Act makes provision for requests by Saint Lucia to other Commonwealth Countries and vice versa.
- (3) Money Laundering Prevention Act 1999 (No. 36 of 1999) (3) Makes it mandatory for the Money Laundering Prevention Authority to co-operate with a court or other competent authority of a requesting State by taking appropriate measures under the Act and within the limits of the requesting State's legal system.
- The Court or the Money Laundering Authority in Saint Lucia which receives a request from a court of competent authority from a requesting State to freeze, seize or forfeit under the Act, property or a thing connected to a money laundering offence, shall take appropriate measures.

ST VINCENT AND THE GRENADINES

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| (1) | Mutual Assistance in Criminal Matters Act 1993 | (1) | <p>Permits St Vincent and the Grenadines to make and respond to mutual assistance requests. The Act applies to all Commonwealth countries and to foreign states with which treaties have been concluded. The application of the Act in relation to a particular Commonwealth country may be specified as being subject to such conditions, exceptions or qualifications.</p> <p>The Act provides for the grant of assistance in relation to the proceeds of serious offences.</p> |
| (2) | Drug Trafficking Offences Act 1993 | (2) | <p>Permits the application of the Act to external confiscation orders (in respect of drug trafficking offences, as defined) and to proceedings which have been or are to be instituted in designated countries. External confiscation orders may be registered and enforced</p> |
| (3) | Proceeds of Crime Act 1997 | (3) | <p>Provides for the registration and enforcement in St Vincent and the Grenadines of external forfeiture orders and external confiscation orders in respect of the proceeds of offences under the Drug Trafficking Offences Act 1993 and scheduled offences (money laundering, organised fraud and the possession of property derived from scheduled offences) where the requesting country is a state party to the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.</p> |

SEYCHELLES

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| (1) | Mutual Assistance in Criminal Matters Act, 1995 (Act No. 7 of 1995). | (1) | <p>The Act applies, subject to such limitation, condition, exemption and qualification as may be specified by regulations, to all Commonwealth countries; to foreign countries with which there is a treaty for bilateral mutual assistance in criminal matters between Seychelles and the foreign country, or for the purpose of giving effect to an international treaty of which Seychelles and the foreign country are parties; and any other foreign country specified by regulations.</p> |
| (2) | Criminal Procedure Amendment Act 1995 (Act No. 15 of 1995) | (2) | <p>Allows a court, upon application in accordance with a written law which makes provision for mutual assistance in criminal matters between the Seychelles and any other country or jurisdiction, to make an order applying the forfeiture of proceeds of crimes provisions of the Criminal Procedure Act to the foreign order.</p> |

SINGAPORE

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| (1) | Extradition Act 1968 (Cap. 103, 1985 Revision Ed.) as amended by Act No. 35 of 1993. | (1) | Permits the taking of evidence in criminal matters for Commonwealth countries and foreign states. |
| (2) | Drug Trafficking (Confiscation of Benefits) Act. (Cap. 84A, Laws R.E. 1993) | (2) | Permits the registration and enforcement of foreign confiscation orders being orders made by courts in designated countries for the purpose of recovering payments or other rewards received in connection with drug trafficking or their value. Allows applications to be made for production orders and search warrants in respect of foreign offences. |
| (3) | Corruption, Drug Trafficking and Other Serious Crimes (Confiscation of Benefits) Act, Cap 65A | (3) | Provides for the confiscation of benefits derived from corruption, drug trafficking and other serious crimes and for purposes connected therewith. |
| (4) | Mutual Assistance in Criminal Matters Act 2000 | (4) | Provides for the rendering of formal and informal assistance to foreign countries in relation to criminal matters.

Permits the registration and enforcement of foreign confiscation orders.

Allows applications to be made for production orders and search warrants in respect of foreign offences.

Permits the taking of evidence in criminal matters. |
| (5) | US-Singapore Drug Designation Agreement | (5) | Provides for mutual legal assistance in relation to drug-related offences. |
| (6) | Banking Act, Futures Trading Act, Insurance Act, Securities Industry Act | (6) | Amendments were made to these Acts to provide for the rendering of assistance to foreign regulatory authorities. |

SOUTH AFRICA

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| (1) | International Co-operation in Criminal Matters Act, 1996 (No. 75 of 1996) | (1) | Permits South Africa to make and respond to mutual assistance requests.

Provides for the granting of assistance in obtaining evidence, execution of foreign sentences (recovery of fines and compensatory orders), enforcement of foreign confiscation orders and enforcement of foreign restraint orders.

Provides for the endorsement of subpoena issued by proper officers of a competent court in a country listed in Schedule I. The countries listed are Lesotho, Swaziland, Botswana, Malawi, Namibia and Zimbabwe. It also provides for compelled attendance of witnesses in court proceedings in these listed countries. |
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SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS

- (1) Evidence (Proceedings in Other Jurisdictions) (Falkland Islands and Dependencies) Order 1978 (UK S.I. 1891 of 1978) (1) Extends the provisions of the UK Evidence (Proceedings in Other Jurisdictions) Act 1975 to South Georgia and the South Sandwich Islands (since 1985 a separate Territory), subject to modifications.
- Permits the court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance is only available for examination of witnesses or production of documents. Remains in force but is almost entirely superseded by (2) below.
- (2) Criminal Justice (Amendment) Ordinance 1991 (sections 3,6,7,9 and 10) (2) Makes provision corresponding with sections 1,3,5,7 and 9 of the United Kingdom Criminal Justice (International Co-operation) Act 1990.
- Section 3 enables overseas criminal process to be served in South Georgia and the South Sandwich Islands.
- Under section 6 evidence (including documents) may be obtained in South Georgia and the South Sandwich Islands for use in overseas criminal proceedings if the Governor is satisfied:
- (a) that an offence has been committed in the requesting country or that there are reasonable grounds for suspecting that such an offence has been committed;
 - (b) proceedings in respect of that offence have been commenced in the requesting country or that an investigation into that offence is being carried out in the requesting country;
 - (c) that the requesting country is a Commonwealth country or the request is made pursuant to a treaty to which the UK is a party and which extends to South Georgia and the South Sandwich Islands; and
 - (d) that the conduct constituting the offence would constitute an offence of the same or a similar nature if it had been committed in South Georgia and the South Sandwich Islands.
- Section 7 makes provision for the temporary transfer to an overseas country, for the purpose of giving evidence or assisting in an investigation there, of a person serving a custodial sentence in South Georgia and the South Sandwich Islands.
- Section 9 enables powers of entry, search and seizure available in respect of offences in South Georgia and the South Sandwich Islands to be used in the investigation of an overseas offence,

subject to the detailed provisions of the section.

Section 10 empowers the Governor to make Orders enabling forfeiture order made by courts in designated overseas countries to be enforced in South Georgia and the South Sandwich Islands.

SRI LANKA

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| (1) | Foreign Tribunals Evidence Act 1956 | (1) | Provides for recording evidence in connection with, inter alia, criminal matters pending before a court or tribunal in a foreign country. |
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TANZANIA

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| (1) | Mutual Assistance in Criminal Matters Act 1991 (Act No. 24 of 1991). | (1) | Permits Tanzania to make and respond to mutual assistance requests. The Act applies to all Commonwealth countries and to foreign states with which treaties have been concluded. The application of the Act in relation to a particular Commonwealth country may be specified as being subject to such conditions, exceptions or qualifications. |
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The Act provides for the grant of assistance in relation to the proceeds of serious offences.

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| (2) | Proceeds of Crime Act 1991 | (2) | Complements the Mutual Assistance in Criminal Matters Act 1991. Provides for the registration and enforcement of foreign restraining, confiscation and pecuniary penalty orders, search and seizure and the exercise of information gathering powers in relation to foreign offences. |
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| (3) | Extradition Act 1965 | (3) | S.25 permits the testimony of any witness to be obtained in relation to any criminal matter pending in any court or tribunal in any other country in like manner as it may be obtained in relation to any civil matter under any rules of court or any enactment for the time being in force. |
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S. 26 permits a magistrate to be required to take evidence for the purpose of any criminal matter pending in any court or tribunal in any other country.

TONGA

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| (1) | Mutual Assistance in Criminal Matters Act 2000 | (1) | Provides for international cooperation to be given and received by Tonga in investigation, prosecutions and related proceedings concerning serious offences against the laws of Tonga or of foreign states. |
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| (2) | Foreign Evidence Act 2000 | (2) | Provides for the manner and form in which evidence obtained from outside Tonga may be admissible in proceedings in Tonga. |
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- (3) Money Laundering and Proceeds of Crime Act 2000 (3) Enables the unlawful proceeds of serious crimes including drug trafficking to be identified, traced, frozen, seized and eventually confiscated; establishes a transaction reporting authority, and requires financial institutions and cash dealers to take measures to help combat money laundering.

TRINIDAD AND TOBAGO

- (1) Mutual Legal Assistance in Criminal Matters Act, No. 39 of 1997 (1) Provides for the rendering of mutual assistance between Trinidad and Tobago and other countries in accordance with the 1986 Harare Scheme. Trinidad and Tobago has signed MLA Treaties/Agreements with (1) United States of America, (2) Canada and (3) United Kingdom.
- The Act also provides for a Central Authority, which will be responsible for the execution and transmission of requests in accordance with the Act. The function of the Central Authority will include *inter alia*: obtaining evidence or statements from persons, effecting the service of documents, executing searches and seizures, tracing property, confiscation of property linked with crime.
- (2) The Dangerous Drugs (Amendment) Act, (No. 44 of 2000) (2) This Act does the following:
- (i) Increases the penalties on conviction on indictment for the following offences: possession of or trafficking in a dangerous drug; trafficking in a substance held out to be a dangerous drug and trafficking on or near a school.
 - (ii) Changes the quantities of dangerous drugs to be deemed to be for the purpose of trafficking.
 - (iii) Creates a new offence concerning the manufacture, possession, transportation and supply of precursor chemicals knowing or suspecting that the chemical is to be used in the production of a dangerous drug.
 - (iv) Introduces the element of knowledge to the offence of enclosing a dangerous drug with a letter or package sent by post or courier. It increases the penalties for the offence.
 - (v) Introduces the liability of imprisonment for non-payment of a fine.
 - (vi) Deals with a person's knowledge with regards to drugs found in their possession, in their premises or vehicle in that it will be deemed to have been concealed with the owner's knowledge until proven otherwise. This also covers drugs found on ships or aircraft where it shall be presumed that the drugs were concealed with the knowledge of the master of the ship until proven otherwise
 - (vii) Evidence given by a senior police or customs officer that a device was used for the preparation or consumption of a dangerous drug is sufficient

evidence of the fact unless proven otherwise.

- (viii) It also provides for the analysis of drug seizures, requiring only ten percent of the seizure to be analysed, if that ten percent is a dangerous drug it then allows the assumption that the remainder of the seizure is also the dangerous drug.

(3) The Proceeds of Crime Act, 2000

- (3) This Act provides for the confiscation and forfeiture of the money acquired from the commission of criminal offences, punishment of persons who are found guilty of laundering that money and makes it mandatory for financial institutions and persons engaged in a relevant business activity to keep and retain records relating to financial activity and to disclose all suspicious transactions.

Part I of the Act provides for the confiscation, seizure and forfeiture of the proceeds of specified offences.

The standard of proof required to determine any question arising as to whether a person has benefited from an offence or the amount to be recovered is that applicable in Civil Proceedings.

The Act also provides for restraint and charging orders. The former prevents the disposal of realisable property before the confiscation order is made. The purpose of the latter is to secure the payment of money under a confiscation order which has not been satisfied. The Court may also empower a receiver to expedite matters in relation to a confiscation order.

Under the Act, the Court can enforce a confiscation order made in another country where that order is registered locally.

Provision is also made for the seizure of cash of a prescribed sum at a port by a customs officer or police officer of the rank of Sergeant or higher if it is suspected that the money directly or indirectly represents a person's proceeds of, or is intended for use in the commission of a specified offence.

Part II of the Act makes provision for the offence of money laundering. A person can commit the offence substantively or by having certain dealings with the proceeds of the specified offence. For example, when a person assists another to retain or control the other person's proceeds of the specified offence that person is guilty of money laundering.

A person commits the offence of money laundering by acquiring or using property or having possession of it knowing that it represents another person's proceeds of a specified offence.

It is also an offence under this part of the Act where a person knows or suspects that an investigation into money laundering is being conducted or is about to be conducted and that person discloses that fact or other relevant information in a manner that is likely to prejudice such investigation.

The Act also requires all financial institutions to keep and retain records relating to financial activities in accordance with Regulations made under the Bill. A draft of the Financial Obligations Regulations is attached.

- (4) The Financial Obligations (4) These Regulations are made by the President under section 44(2) of the Proceeds of Crime Act.

They require financial institutions which in the course of a transaction receives money in the amount of ten thousand dollars or more to keep and retain a large cash transaction record that contains certain specified information. A person who in the course of relevant business activity receives money in the amount of fifty thousand dollars or more is also required to keep such records. Relevant business activity is specified in the First Schedule to the Proceeds of Crime Act. Financial institutions are also required to keep and retain additional records under regulation 5.

Certain specified records are also required to be kept and retained by financial and other institutions.

TURKS AND CAICOS ISLANDS

- (1) Evidence (Proceedings in Other (1) Extends the UK Evidence (Proceedings in Other Jurisdictions) (Turks and Caicos Islands) Order 1987 (UK S.I. No. 1266 of 1987) Jurisdictions) Act 1975 to the Turks and Caicos Islands subject to exceptions, adaptations and modifications.

Permits the court to assist in obtaining evidence for criminal proceedings which have been instituted in overseas courts. Assistance available is only examination of witnesses or production of documents.

- (2) Narcotic Drugs (Evidence)(United (2) Provides for the obtaining of evidence required to investigations and proceedings in the United States of America) Ordinance 1986 as amended by the Narcotic Drugs (Evidence) United States of America) Amendment Ordinance 1986 States of America in pursuant of obligations under the Single Convention on Narcotic Drugs 1961 and its 1972 Protocol.

- (3) Criminal Justice (International Co- (3) Implements the Vienna Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances; specifically provides for seizure, detention and forfeiture of the proceeds of drug trafficking.

Provides for the giving of and receiving of mutual

assistance in the investigation and prosecution of drug cases

UNITED KINGDOM

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| (1) | Criminal Justice (International Co-operation) Act 1990 (1990 C.5) | (1) | Enables the United Kingdom to co-operate with other countries in criminal proceedings and investigations. Permits the provision of assistance to serve process, take evidence and in relation to search and seizure. |
| | | | Allows the registration and enforcement of forfeiture orders made in designated countries and made in respect of drug trafficking offences and other serious offences. |
| (2) | Criminal Justice Act 1988 (c.33) | (2) | Allows for the enforcement of restraint and confiscation orders made in designated countries in respect of serious criminal offences other than drug trafficking. |
| (3) | Drug Trafficking Act 1994 (1994, c.37) | (3) | Allows for the enforcement of restraint and confiscation orders made in designated countries in respect of drug trafficking offences. |

VANUATU

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| (1) | Mutual Assistance in Criminal Matters Act No. 52 of 1989. | (1) | Permits Vanuatu to make and respond to mutual assistance requests. The Act applies to all Commonwealth countries and to foreign states with which treaties have been concluded. The application of the Act in relation to a particular Commonwealth country may be specified as being subject to such conditions, exceptions or qualifications. |
| | | | The Act provides for the grant of assistance in relation to the proceeds of serious offences. |
| (2) | The Serious Offences (Confiscation of Proceeds) Act (No. 50 of 1989) | (2) | Complements the Mutual Assistance in Criminal Matters Act 1989. Permits the registration and enforcement of external confiscation and restraining orders made in respect of serious offences being foreign offences the maximum penalty for which is death or imprisonment for not less than three years. |
| (3) | Financial Transactions Reporting Act No. 33 of 2000 | (3) | The purpose of this Act is to provide a number of measures to address money laundering in Vanuatu. This is achieved by imposing strict reporting and record keeping obligations on financial institutions. These obligations include verification of the identity of customers in a number of situations, such as when accounts are opened, certain transactions are conducted or where money laundering transactions are suspected; and reporting suspicious transactions. |

Institutions that fail to comply with the requirements of the Act are liable to severe fines and imprisonment in the case of individuals.

- (4) Financial Institutions Act No. 2 of 1999 (4)

This Act provides for the regulation of the business of banking in Vanuatu, and for the licensing and supervision of financial institutions carrying on banking business in Vanuatu.

Under section 53(1), in certain situations, a director or officer of a financial institution licensed under this Act must not make or authorise, or permit to be made, any transactions. One such situation is if the director or officer doubts, or has reason to doubt, the authenticity of documents and the truth of statements material to the transaction. Another is if he or she knows or has reason to suspect that any of the funds involved in the transaction have been obtained by any person as the direct or indirect result of illegal activity within or outside Vanuatu. The third situation provided for in this section relates to the case of a suspicious or suspect transaction, and where the director or officer does not take all reasonable steps to establish the true identity of the persons concerned in the transaction.

Any individual who contravenes this section is liable to a severe fine or imprisonment, or both.

ZAMBIA

- (1) The Mutual Legal Assistance in Criminal Matters Act, 1993 (No. 19 of 1993) (1)

Permits the provision of assistance to countries specified in order made under the Act being countries with which Zambia has treaties for mutual legal assistance in criminal matters.

- (2) Dangerous Drugs (Forfeiture of Property Act) 1998, Part VII (2)

Permits the provision by Zambia of assistance to a foreign government or authority in a drug related matter. Drug related matter means investigation, inquiry, trial or other proceeding under a law relating directly or indirectly to dangerous drugs or to any property used for or derived from any activity relating to dangerous drugs. Assistance includes provision of information (including documents), service of process, taking of evidence, search, seizure, interception of communications, transfer of prisoner witnesses, provision of results of investigations and exercise of investigative powers.

- (3) Narcotic Drugs and Psychotropic Substances Act 1993 (3)

S.47 provides that, subject to inconsistencies between the Acts, the Mutual Legal Assistance in Criminal Matters Act 1993 applies to offences under this Act.

ZIMBABWE

- (1) Criminal Matters (Mutual Assistance) Act 1990 [Chapter 9:06] (2) Permits Zimbabwe to provide and obtain mutual assistance in criminal matters in relation to Commonwealth countries and other foreign countries which can provide reciprocity.
- Evidence can be taken in Zimbabwe for criminal proceedings in any country whether or not the Act applies to that country. Documents or other articles relating to criminal proceedings in any country can also be produced in Zimbabwe, whether or not the Act applies to that country. These are the only two forms of assistance of a compulsory nature which can be provided in the absence of designation.
- (2) Serious Offences (Confiscation of Profits) Act 1990 [Chapter 9:17] (2) Complements the Criminal Matters (Mutual Assistance) Act 1990. The Act provides for the confiscation of the proceeds of crime and permits the registration and enforcement of foreign restraint, forfeiture and pecuniary penalty orders and the use of information gathering powers in relation to foreign offences. It also permits the search and seizure of tainted property in relation to foreign offences.