

PRESS RELEASE

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Proceeds of Crime Act 2015

Today the Minister with responsibility for Justice commenced the Proceeds of Crime Act 2015 in its entirety.

This Act consolidates current legislation on money laundering in Gibraltar and creates a single regime dealing with the recovery of money from drugs offences in the same manner as the recovery of money from other criminal conduct. It also introduces a new procedure enabling the seizure and confiscation of assets arising from any criminal conduct, even where no criminal proceedings are brought against anyone, in a manner similar to those regimes that exist in other jurisdictions such as the United Kingdom.

Commenting on the commencement of the legislation the Minister for Justice Gilbert Licudi QC said:

“Early in this Government’s first term I made a commitment to Parliament to consider the introduction of legislation to enable the seizure and confiscation of assets arising from criminal conduct, even where no criminal proceedings are brought against anyone.

The Act commenced today does just that providing for a new ‘recovery order’, based on the civil, balance of probabilities standard of the burden of proof, to enable the recovery of property which is, or represents, ‘property obtained through “unlawful conduct”, regardless of whether it has been proven that an individual has committed a crime.

The new recovery proceedings will provide an essential tool to law enforcement agencies to recover the proceeds of crime”.