



ANGUILLA

**CRIMINAL JUSTICE (INTERNATIONAL
CO-OPERATION) (ANGUILLA) (AMENDMENT) ACT, 2023**

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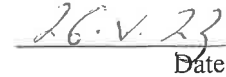
**CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) (ANGUILLA)
(AMENDMENT) ACT, 2023**

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I Assent


Dileeni Daniel-Selvaratnam
Governor
Date

ANGUILLA

NO. 8/2023

**CRIMINAL JUSTICE (INTERNATIONAL CO-OPERATION) (ANGUILLA)
(AMENDMENT) ACT, 2023**

[Gazette Dated: 26th May, 2023] [Commencement: Assent under section 57 of the Constitution]

An Act to amend the Criminal Justice (International Co-Operation) (Anguilla) Act, R.S.A. c. C145 to require the confidentiality of information exchanged for the purposes of criminal proceedings or criminal investigations.

ENACTED by the Legislature of Anguilla

Interpretation

1. In this Act, “the principal Act” means the Criminal Justice (International Co-Operation) (Anguilla) Act, R.S.A. c. C145.

Insertion of new section 18A to 18D

2. The principal Act is amended by inserting the following new sections after section 18—

“Restriction of Confidential Relationships Act

18A. Sections 2 and 3 of the Confidential Relationships Act R.S.A. c. C85, shall be deemed not to apply to confidential information given by any person in conformity with an order or notice issued in pursuance of a request under this Act, to facilitate the exchange of information or information otherwise provided to the Governor for the purpose of criminal proceedings or criminal investigations.

Confidentiality with regard to a request

18B. (1) The particulars of and all matters relating to a request shall be treated as confidential.

(2) A person who, in relation to a request—

- (a) is notified of that request;
- (b) is required to take any action;
- (c) produces a document or supplies information;

(d) gives evidence; or

(e) complies with a search warrant;

shall not disclose the fact of the receipt of the request or any of the particulars required or documents produced or information supplied, except to his legal representative and any other person that the competent authority may authorise in writing.

(3) The legal representative of a person to whom subsection (2) applies shall be bound by the professional rules of confidentiality and privilege as it relates to confidentiality as set out in the any law governing the legal profession and the practice of law.

Confidentiality of information

18C. Information provided to or received by the Governor for the facilitation of the exchange of information or otherwise for purpose of criminal proceedings or criminal investigations shall be kept confidential.

Offence for breach of confidentiality

18D. A person who divulges information to any person, other than his legal representative, contrary to sections 18B and 18C commits an offence and is liable—

- (a) summary conviction, to a fine of not exceeding \$50,000 or to imprisonment for a term not exceeding 3 years, or both; and
- (b) conviction on indictment, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 5 years, or both.”.

Citation

3. This Act may be cited as the Criminal Justice (International Co-Operation) (Anguilla) (Amendment) Act, 2023.



Barbara Webster-Bourne
Speaker

Passed by the House of Assembly this 23rd day of May, 2023.



Lenox J. Proctor
Clerk of the House of Assembly