

**COMMONWEALTH OF DOMINICA****ARRANGEMENT OF SECTIONS**

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**COMMONWEALTH OF DOMINICA**

ACT NO. 3 OF 2016

*I Assent***CHARLES A. SAVARIN***President*8<sup>th</sup> July, 2016**AN ACT TO AMEND THE PROCEEDS OF CRIME  
ACT, CHAPTER 12:29.***(Gazetted 14<sup>th</sup> July, 2016.)*BE IT ENACTED by the Parliament of the Commonwealth of  
Dominica as follows:**1.** This Act may be cited as the –

Short title.

**PROCEEDS OF CRIME  
(AMENDMENT) ACT, 2016.**

Interpretation.  
Chap. 12:29.

**2.** In this Act the Proceeds of Crime Act is referred to as “the Act”.

Amendment of  
section 23B of the Act.

**3.** Section 23B of the Act is amended in subsection (6) by deleting the word “one” and substituting the word “three”.

Amendment of section  
59L of the Act.

**4.** Section 59L of the Act is amended -

- (a) in subsection (1) by inserting the words “, by the way of claim form,” after the word “may”;
- (b) in subsection (2) by deleting the words “an application” and substituting the words “a claim form”;
- (c) in subsection (3) by deleting the word “application” where it first appears and substituting the words “claim form”.

Insertion of new section  
63A of the Act.

**5.** The Act is amended by inserting the following new section 63A after the heading “PART V MISCELLANEOUS”-

“Seizure and  
detention of  
cash on import  
or export.

**63A.** (1) A customs officer or a police officer may seize and, in accordance with this Part, detain any cash which is being imported into or exported from Dominica if its amount is not less than ten thousand dollars and he has reasonable grounds for suspecting that it is recoverable cash.

(2) On informing a person of the provisions of subsection (1) a customs officer or a police officer may require the person to sign a declaration as to the amount of cash being imported into or exported from Dominica.

(3) For the purposes of section 66, if the person who is importing or exporting the cash signs a declaration under subsection (2) that is untrue in any

mentioned particular, the Magistrate shall receive this untrue declaration as *prima facie* evidence of the matter mentioned in section 66(3)(a).

(4) In this section “export” in relation to cash, includes its being brought to any place in Dominica for the purpose of being exported.”.

**6.** Section 66(1) of the Act is amended by inserting the words “section 63A or” after the word “under”. Amendment of section 66 of the Act.

**7.** Section 67(1) and (2) of the Act are amended by inserting the words “section 63A or” after the word “under”. Amendment of section 67 of the Act.

**8.** Section 68 (1) and (2) are amended by inserting the words “section 63A or” after the word “under”. Amendment of section 68 of the Act.

**9.** Section 68E of the Act is amended by deleting the figure “64” and substituting the figure “63A”. Amendment of section 68E of the Act.

**10.** Section 68F(1) of the Act is amended by - Amendment of section 68F of the Act.

(a) deleting the figure “64” and substituting the figure “63A”;

(b) inserting the following definition after the definition of “cash”:

“customs officer” has the definition assigned in section 2 of the Customs Act 2010;”

Act No.20 of  
2010.

(c) inserting the following definition after the definition of “recoverable cash” -

““recoverable property” has the meaning assigned in section 59A;”.

Amendment of section 69  
of the Act.

**11.** Section 69 of the Act is amended by inserting the words “of the House” after the word “resolution”.

Passed in the House of Assembly this 27<sup>th</sup> day of June, 2016.

**MR. DANIEL JAMES**  
*Clerk of the House of Assembly (Ag.)*

**DOMINICA**

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