

**COMMONWEALTH OF DOMINICA**

ACT NO. 10 OF 2010

*I assent***N.J.O LIVERPOOL**  
*President*13<sup>th</sup> May, 2010.AN ACT TO AMEND THE PROCEEDS OF CRIME ACT,  
CHAP 12: 29(Gazetted 20<sup>th</sup> May, 2010)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 2010.**

Interpretation

**2.** In this Act the Proceeds of Crime Act Chap 12:29 is referred to as “the Act.”

Amendment of section 2

**3.** Section 2 of the Act is amended by

(a) inserting a definition of “financial institution” between the terms ‘the court’ and forfeiture order’ as follows:

“financial institution” means any person whose regular occupation or business is the carrying on of any activity listed in the Schedule II;”

(b) deleting the word “the” appearing immediately before the word “Schedule” in the definition of the term “scheduled offences” and inserting the figure “I” immediately after the word “Schedule.”

Deletion of Schedule and  
insertion of new  
Schedule

**4.** The Schedule, “List of Offences” is hereby repealed and replaced as “Schedule I” list of offences and a new schedule, Schedule II is inserted as follows:

### “SCHEDULE I

#### *List of offences*

Ch. 40:07.

**1.** Possession of controlled drugs for the purpose of supply contrary to section 7(3) of the Drugs (Prevention of Misuse) Act.

Ch. 40:07.

**2.** Trafficking in controlled drugs contrary to section 16 of the Drugs (Prevention of Misuse) Act.

Ch. 40:07.

**3.** Assisting another to retain the benefit of drug trafficking contrary to section 17 of the Drugs (Prevention of Misuse) Act.

**4.** Money Laundering

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5. Abduction
  6. Blackmail
  7. Corruption
  8. Counterfeiting
  9. Drug trafficking
  10. Drug trafficking offence
  11. Extortion
  12. Firearms trafficking
  13. Forgery
  14. Fraud
  15. Illegal deposit taking
  16. Prostitution
  17. Robbery
  18. Terrorism
  19. Financing of Terrorism
  20. Stealing
  21. Trafficking in persons

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**SCHEDULE II****ACTIVITIES OF FINANCIAL INSTITUTIONS**

1. "Banking business" and "financial business" as defined in the Banking Act.(No 16 of 2005);
2. "Banking business" as defined in the Offshore Banking Act;
3. Venture risk capital;
4. Money transmission services;
5. Issuing and administering means of payments (e.g. credit cards, travellers' cheques and bankers' drafts);
6. Guarantees and commitments;
7. Trading for own account of customers in-
  - (a) money market instruments(e.g. cheques, bills, certificates of deposits, commercial paper, etc);
  - (b) foreign exchange;
  - (c) financial and commodity-based derivative instruments(e.g. options, interests rate and foreign exchange instruments etc);
  - (d) transferable or negotiable instruments;
8. Money Broking;
9. Money Lending and Pawning;
10. Money Exchange (e.g. casa de cambio);

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11. Mutual Funds;
  12. Credit Unions;
  13. Building Societies;
  14. Trust Business;
  15. Insurance Business;
  16. Securities Exchange.”

Passed in the House of Assembly this 29<sup>th</sup> day of April, 2010.

**MARIA ROLLE (MISS)**  
*Clerk of the House of Assembly (Ag.)*

**DOMINICA**

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