



Bill Essentials

The Miscellaneous Provisions (Mutual Assistance in Criminal Matters, Proceeds of Crime, Financial Intelligence Unit of Trinidad and Tobago, Customs and Exchange Control) Bill, 2017

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BACKGROUND

1. **The Miscellaneous Provisions (Mutual Assistance in Criminal Matters, Proceeds of Crime, Financial Intelligence Unit of Trinidad and Tobago, Customs and Exchange Control) Bill, 2017** (“the Bill”) was first introduced by the Honourable Faris Al-Rawi, Attorney General and Minister of Legal Affairs on January 13, 2017.

PURPOSE OF THE BILL

2. The Bill seeks to amend a number of pieces of legislation:
 - The Mutual Assistance in Criminal Matters Act, Chap. 11:24;
 - The Proceeds of Crime Act, Chap. 11:27;
 - The Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01;
 - The Customs Act, Chap. 78:01;
 - The Exchange Control Act, Chap. 79:50; and
 - The Exchange Control (Import and Export) Order, 1993.

TYPE OF BILL-OMNIBUS BILL

3. The Bill can be classified as an omnibus bill; that is, a bill consisting of a number of related but separate parts which seek to amend and/or repeal one or several existing Acts and/or to enact one or several new Acts. An omnibus bill has “one basic principle or purpose which ties together all the proposed enactments and thereby renders the Bill intelligible for parliamentary purposes”. One of the reasons cited for introducing an omnibus bill is to bring together in a single bill all the legislative amendments resulting from a policy decision to facilitate parliamentary debate.¹

KEY FEATURES OF THE BILL**THE MUTUAL ASSISTANCE IN CRIMINAL MATTERS ACT, CHAP 11:24****BACKGROUND**

4. This Act makes provision regarding the scheme relating to mutual assistance in criminal matters within the Commonwealth and facilitates its operation in Trinidad and Tobago. It also makes provision concerning mutual assistance in criminal matters between Trinidad and Tobago and countries other than Commonwealth countries.
5. Mutual assistance is the process countries use to obtain government-to-government assistance in criminal investigations and prosecutions. Mutual assistance can also be used to identify and recover the proceeds of crime.
6. The Act designates a central authority, the Attorney General, who may delegate his functions under the Act to any public officer or legal officer employed in the Ministry of the Attorney General and Legal Affairs.
7. The functions of the Attorney General have been delegated to a Central Authority Unit within the Ministry of the Attorney General. All requests for extradition and mutual assistance made to and by Trinidad and Tobago are coordinated by the Central Authority Unit. The Unit helps foreign and domestic authorities obtain persons sought for prosecutions or to serve sentence or to obtain evidence for use in criminal cases. The Unit only deals with requests for assistance in criminal cases

¹ Glossary of Parliamentary Terms-omnibus bill- <http://www.ttparliament.org/about.php?mid=42#O>

and is also responsible for the sharing of confiscated, forfeited or seized assets with other countries, and the negotiation of mutual legal assistance agreements, international cooperation agreements and treaties with other countries².

AMENDMENTS

8. **Clause 2** of the Bill proposes to remove one of the many powers granted to the Central Authority by deleting **Section 22 (2)(k)** of the Act which empowers the Authority to refuse a request that relates to a criminal offence under the tax laws of a Commonwealth country. **Section 22 (2)(k)** states that a request for assistance under the Act duly made by a Commonwealth country shall be refused if, in the opinion of the Central Authority:

“the request relates to a criminal offence under the tax laws of a Commonwealth country, save that the assistance may be granted if the offence is committed by way of an intentionally incorrect statement, whether oral or written, or by way of an intentional failure to declare income derived from any other offence covered by the Inter-American Convention on Mutual Assistance in Criminal Matters”

THE PROCEEDS OF CRIME ACT, CHAP. 11:27

BACKGROUND

9. This Act establishes the procedure for the confiscation of the proceeds of certain offences. The Act now also contains provisions relating to the criminal offence of money laundering which were added in 2014 by **The Miscellaneous Provisions (Proceeds of Crime, Anti-Terrorism and Financial Intelligence Unit of Trinidad and Tobago) Act, 2014**.
10. **Section 44 (1)** of the Proceeds of Crime Act establishes the offence of Money Laundering, **Section 44 (2)** of makes the offence an indictable offence and **Section 45** defines the offence of Money Laundering as when a person knows or has reasonable grounds to suspect that property is criminal property and he:
- i. Engages directly or indirectly, in a transaction that involves that criminal property; or
 - ii. Receives, possesses, conceals, disposes of, disguises, transfers, brings into, or sends out of Trinidad and Tobago, that criminal property; or
 - iii. Converts, transfers or removes from Trinidad and Tobago that criminal property.

² Ministry of The Attorney General Departmental Information- <http://www.ag.gov.tt/About-Us/Departments/Central-Authority>

11. A person who commits the offence of Money Laundering is liable on conviction on indictment to a fine of twenty-five million dollars (\$25,000,000.00) and to imprisonment for fifteen (15) years under **Section 53 (1)** of the Act.

AMENDMENTS

12. **Clause 3** of the Bill proposes to simplify the prosecution of the offence of Money laundering in two steps:
- i. By no longer making it just an indictable offence and thereby deleting **Section 44 (2)**; and
 - ii. By making the offence triable on both summary conviction and on indictment. Therefore, the existing penalties for money laundering in **Section 53 (1)** shall be deleted and substituted with new wording which will provide that a person who commits the offence of money laundering shall be liable on summary conviction to a fine of twenty-five million dollars (\$25,000,000.00) and to imprisonment for fifteen years (15) or on conviction on indictment he shall be liable to a fine of fifty million dollars (\$50,000,000.00) and to imprisonment for thirty years.

THE FINANCIAL INTELLIGENCE UNIT OF TRINIDAD AND TOBAGO ACT, CHAP. 72:01

BACKGROUND

13. This Act establishes the Financial Intelligence Unit of Trinidad and Tobago (FIU) and further, it implements the recommendations of the Financial Action Task Force on money laundering and the financing of terrorism³.
14. The FIU is the primary institution responsible for the collection of financial intelligence and information and the analysis, dissemination and exchange of such financial intelligence and information among law enforcement authorities, financial institutions and listed businesses in Trinidad and Tobago and internationally. The FIU receives suspicious transaction and suspicious activity reports from financial institutions and further exercises the functions given to it under the **Proceeds of Crime Act Chap. 11:27** and the **Anti-Terrorism Act Chap. 12:07**.

³ The Financial Action Task Force (FATF) was established in 1989, by a Group of Seven (G-7) Summit held in Paris. The FATF is an international standard-setter in the fight against terrorist financing and money laundering and its main responsibility is to ensure global action to combat money laundering and terrorist financing is undertaken- <http://www.anti-moneylaundering.org/FATF.aspx>

AMENDMENTS

15. In carrying out its functions the FIU must engage in the exchange of financial intelligence and information with members of the Egmont Group or with Foreign Financial Intelligence Units in accordance with **Section 8 (3) (e)** of the FIU Act. **Clause 4** of the Bill proposes to change the definition of Egmont Group found in **Section 2** of the Act which currently states:

“Egmont Group means that group of Financial Intelligence Units which subscribe to the Egmont Principles for Information Exchange and Financial Intelligence for Money Laundering cases.”

16. The substituted definition will, upon amendment, provide that the Egmont Group means that group of Financial Intelligence Units which subscribe to the Egmont Group Statement of Purpose and its Principles for Information Exchange between Financial Intelligence Units for money laundering and terrorism financing cases.

17. **Section 8 (3)** of the Act provides the details of certain functions assigned to the FIU. **Clause 4** of the Bill further proposes to amend this section, specifically in **Subparagraphs (c) (ii)** and **(f)** by broadening these provisions and thereby further empowering the FIU. These amendments are:

The Financial Intelligence Unit of Trinidad and Tobago Act	The Mutual Assistance in Criminal Matters Bill
<p>Section 8(c) (ii) provides that the FIU shall collect information as required for tactical analysis in order to generate activity patterns, investigative leads and identify possible future behavior.</p>	<p>Clause 4 of the Bill proposes that Section 8(c) (ii) be amended so that the FIU shall collect information as required for tactical analysis in order to generate activity patterns, <i>trends and typologies</i>, investigative leads and identify possible future behavior.</p>
<p>Section 8(f) provides that FIU may disseminate financial intelligence and information to local and foreign authorities and affiliates within the intelligence community.</p>	<p>Clause 4 of the Bill proposes that Section 8(f) be amended so that the FIU may on <i>its own motion or upon request</i> disseminate financial intelligence and information to local and foreign authorities and affiliates within the intelligence community.</p>

18. **Section 17** of the Act sets out what and the manner in which the FIU shall publish in the *Gazette* and in newspapers. **Clause 4** proposes to amend this section as follows:

The Financial Intelligence Unit of Trinidad and Tobago Act	The Mutual Assistance in Criminal Matters Bill
<p>Section 17 (1)(a)(i) provides that the FIU shall publish as frequently as is necessary, by Notices in the <i>Gazette</i> and in at least two</p>	<p>Clause 4 of the Bill proposes to amend this so that it reads: the FIU shall publish as frequently as is necessary, by Notices in the <i>Gazette</i> and in at least two</p>

<p>newspapers in daily circulation in Trinidad and Tobago, a list of the countries identified by the Financial Action Task Force, as noncompliant or not sufficiently compliant with its recommendations</p>	<p>newspapers in daily circulation in Trinidad and Tobago, a list of the countries identified by the Financial Action Task Force, <i>as jurisdictions that have strategic anti-money laundering and counter financing of terrorism deficiencies.</i></p>
	<p>A new Subsection (3) and (4) shall be inserted after Subsection (2) of Section 17:</p> <p>(3) The FIU may, where it deems necessary, publish by Notice in the <i>Gazette</i> and in at least two newspapers in daily circulation in Trinidad and Tobago, a list of the countries identified by an FSRB as having strategic anti-money laundering and terrorist financing deficiencies.</p> <p>(4) For the purposes of this section, “FSRB” means a FATF-style regional body established to effectively develop, promote and implement the Recommendations and policies of the Financial Action Task Force in order to combat money laundering, terrorist financing and proliferation financing.</p>

19. **Section 18G** of the Act sets out the powers of the FIU in carrying out its function under **Section 18F** of the Act. **Clause 4** of the Bill proposes to amend **Section 18G** by adding to the existing powers. Five new subsections, (2A) to (2E) will be inserted after **Subsection (2)** which will provide that:

- i. (2A) The FIU may require any person to provide to it any documents, information or explanation on any information in order to secure compliance with the written laws listed under section 18F;
- ii. (2B) A warrant under **subsection (2)** may include the requirement to provide a police officer with any information or any explanation on any information in accordance with **subsection (1)(b)**;
- iii. (2C) Without prejudice to any other written law, a person commits an offence and is liable on summary conviction to a fine of ten thousand dollars (\$10,000.00) and to imprisonment for twelve months (12) who—
 - (a) Wilfully obstructs a police officer in the exercise of his powers or the performance of his duties under this section;

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- (b) Wilfully fails to comply with any requirement properly made to him by any such police officer; or
- (c) Without reasonable excuse, fails to give such police officer any other assistance which he may reasonably require to be given for the purpose of exercising his powers or performing his duties under this section.
- iv. (2D) A person who, when required to give information to a police officer in the exercise of his powers or the performance of his duties under this section, knowingly gives false or misleading information to any such police officer is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for twelve months.
- v. (2E) Nothing in this section shall be construed as requiring any person to give any information which may incriminate him.

20. **Section 27** of the Act provides that the Minister may make Regulations necessary for carrying out or for giving effect to the Act and those Regulations shall be subject to the Negative Resolution of Parliament. Clause 4 of the Bill will add two new subsections after **subsection (2)** of **Section 27** which will:

- i. Provide that a person who commits an offence under the regulations made by the Minister may be liable on conviction on indictment notwithstanding **Section 63** of the **Interpretation Act Chap 3:01**; and
- ii. Set out the liability of a person who contravenes the Regulations made by the Minister and thereby committing an offence. Liability on summary conviction shall be a fine of five hundred thousand dollars (\$500,000.00) and a further fine of twenty-five thousand dollars (\$25,000.00) for each day that the offence continues. Liability on conviction on indictment shall be a fine of one million dollars (\$1,000,000.00) and a further fine of fifty thousand dollars (\$50,000.00) for each day that the offence continues.

21. **Clause 4** of the Bill also seeks to amend the Financial Intelligence Unit Regulations, 2011 made by the Minister under **Section 27** of the Act. Six amendments have been set out:

- i. Within regulation 19(1), allow the Director of the FIU to disseminate financial intelligence to local authorities and enforcement agencies on his own motion or upon request;
- ii. Within regulation 26(1)(d)(ii), allow the FIU to provide financial institutions, listed businesses and other public or private bodies with reports on the current techniques, methods and trends or typologies and examples of financing of terrorism cases;
- iii. Within regulation 28(1), provide that the form for the registration of a supervised entity shall be approved by the FIU;

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- iv. Within regulations 29 and 29A, shorten the time period for notifying the FIU of a change in registered office of a supervised entity or of a change in Directors, Owners, Partners or Compliance officers respectively, from six months to thirty days; and
- v. Within the Schedule to the Regulations which contains a prescribed form, permit the FIU to develop its own forms and thereby make changes when required.

THE CUSTOMS ACT, CHAP. 78:01

BACKGROUND

22. This Act contains Two Hundred and Eighty-One (281) Sections and Nine Schedules (9) in relation to customs in Trinidad and Tobago.

AMENDMENTS

23. **Clause 5** of the Bill sets out to delete the current definition of “Waters in Trinidad and Tobago” contained in **Section 2** of the Act which states:

“Waters of Trinidad and Tobago means any waters within a space contained within an imaginary line drawn parallel to the shores or outer reefs of Trinidad and Tobago which appear above the surface at low water mark at ordinary spring tides and distant 22.2 kilometres”.

The definition will be substituted with one that defines “Waters of Trinidad and Tobago” as the territorial sea in accordance with **Section 3** of the **Territorial Sea Act Chap. 1:51** which states that the territorial sea of Trinidad and Tobago comprises those areas of the sea having as their inner limits the base-lines (defined in **section 5**) and as their outer limits, a line measured seaward from that baseline, every point of which is distant twelve nautical miles from the nearest point of the baseline so, however, that where the outer limits of the territorial sea of Trinidad and Tobago intersect foreign territorial waters the outer limits thereof shall be resolved through agreements or other means recognised by international law.

24. **Section 23** of the **Customs Act** deals with the value of goods imported. **Section 23 (2A)** states that the Comptroller may, within one year from the date of entry of imported goods, adjust the value accepted by an Officer at the date of entry where he discovers that the value accepted by the Officer was incorrect based on new information concerning the goods or for any other reason. **Clause 5** of the Bill proposes to amend this section so that it empowers the comptroller of customs to adjust the value of goods accepted by an officer, within six years (6) years from the date of entry of the goods via notice in writing to the importer.

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25. **Clause 5** of the Bill is set to further amend **Section 23** by the addition of a new subsection after **Subsection (2A)**. The new Subsection (2B) will give the Comptroller of Customs the power to refuse entry or delivery of subsequent shipments of an importer, where an adjustment is made to the value of his goods and he has not paid the adjustment and fails to commence proceedings before the Appeal Board within six (6) months from the date of notification.
26. **Section 45 (1)** of the **Customs Act** lists the goods which are prohibited from being imported. Arms and ammunition, except with the written permission of the Commissioner of Police are prohibited under **Subsection 45(1) (c)**. This subsection will be deleted by **Clause 5** of the Bill and substituted with a more detailed provision to include firearms, ammunition, bullet-proof vests and firearm accessories inclusive of lasers, lights, holsters, scopes and tools for the purposes of maintaining a firearm (except with the written permission of the Commissioner of Police).
27. Further to the amendment of **Section 45 (1)(c)**, a new Section (1A) will be inserted to specify that firearm accessories shall not apply to the holder of a firearm users licence under the **Firearms Act Chap. 16:01**.
28. **Clause 5** of the Bill proposes several amendments to **Section 228** of the **Customs Act** which includes making it an offence for an importer or exporter to fail to provide certain documents required under the Act or to subscribe to a declaration as required by the Act. The amendments are detailed below:

The Customs Act	The Mutual Assistance in Criminal Matters Bill
<p>Section 228(1) provides that an importer or exporter of goods or a person having an interest in the importation or exportation of such goods shall, on the written request made by an Officer, within three years— (a) of the date of importation or exportation of the goods; or (b) of the date of delivery of an entry relating to the goods to the proper Officer, produce for the inspection of the Officer such documents relating to the goods as may be required within three months or such longer period as the officer may require not exceeding six months from the date of the written request.</p>	<p>Clause 5 of the Bill will amend this section so that it reads: an importer or exporter of goods or a person having an interest in the importation or exportation of such goods shall, on the written request made by an Officer, within six years— (a) of the date of importation or exportation of the goods; or (b) of the date of delivery of an entry relating to the goods to the proper Officer, produce for the inspection of the Officer such documents relating to the goods as may be required within thirty days or such longer period as the officer may require not exceeding three months from the date he received the written request.</p>

<p>Section 228(4) provides that where an importer, an exporter, or a person having an interest in the importation or exportation of goods, neglects or refuses to provide the information or documents required under subsection (1) or to subscribe to a declaration as required under subsection (3), the Comptroller may— (a) refuse entry or delivery of such goods; (b) prevent the shipment of such goods; (c) allow entry, delivery or shipment of the goods on such terms and conditions and upon the payment of such deposit as the Comptroller may determine.</p>	<p>Clause 5 of the Bill will amend this section so that it reads: Where an importer, an exporter, or a person having an interest in the importation or exportation of goods <i>fails</i> to provide the information or documents required under subsection (1) or to subscribe to a declaration as required under subsection (3), <i>he commits an offence and is liable on summary conviction to a fine of one hundred and twenty-five thousand dollars.</i></p>
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29. **Clause 5** of the Bill will insert a new section 259A after **Section 259** of the **Customs Act**, which will contain 4 subsections. This new section will empower the Minister to declare by Order that a treaty entered into between Trinidad and Tobago and another territory in relation to the provision of mutual assistance between or amongst Customs Administrations shall have the force of law in Trinidad and Tobago with limitations, conditions, exceptions or qualifications as required, and only where the treaty provides for the determination by either party to the Treaty. The new section will also provide definitions for “Customs Administration” and “Treaty” for ease of interpretation.
30. Another new section will be inserted into the **Customs Act** by **Clause 5** of the Bill. The new Section 274A to be inserted after **Section 274** will contain six subsections and will in essence, require every importer, exporter, agent, customs broker, customs clerk, warehouse-keeper or operator of a port, transit shed or sufferance wharf, conducting transactions under the Act or any other Customs law, to keep or cause to be kept all books, records, documents and any other information relating to the transaction for certain periods of time from the date the goods entered or were exported, and to make such documents available to an Officer upon a written request. An offence is also created within this new section where a person can be liable on summary conviction to a fine of one hundred and twenty-five thousand dollars (\$125,000.00) for failure to comply with the section.

THE EXCHANGE CONTROL ACT, CHAP. 79:50

BACKGROUND

31. This Act provides for the administration of a system of exchange control and matters incidental thereto.

AMENDMENTS

32. **Clause 6** of the Bill proposes to introduce a new definition into **Section 2** of the Exchange Control Act (hereinafter referred to as “the Act”), which defines “bearer negotiable instrument” as monetary instruments in bearer form such as travellers’ cheques; negotiable instruments including cheques, promissory notes and money orders that are either in bearer form, endorsed without restriction, made out to a fictitious payee, or otherwise in such form that title thereto passes upon delivery; incomplete instruments including travellers’ cheques, cheques, promissory notes and money orders signed but with the payee’s name omitted.

33. A new paragraph (c) will be inserted after **Section 22(1)(b)** of the Act which would prohibit the importation of any bearer negotiable instrument except with the permission of the Central Bank.

THE EXCHANGE CONTROL (IMPORT AND EXPORT) ORDER, 1993

BACKGROUND

34. This Order is made By the Minister under **Section 38** of the **Exchange Control Act** via Legal Notice No. 58 of 1993.

35. The order provides for either absolute or conditional exemptions to provisions of the **Exchange Control Act** and any regulations made by the Minister under the Act.

AMENDMENTS

36. **Clause 6** of the Bill proposes to insert four new sub clauses into the Order after Clause 3 (4) exempting the following in relation to **Section 22(1)(c)** of the Act:

- i. The importation into Trinidad and Tobago of bearer negotiable instruments brought in on the person or in the baggage of a traveller to the extent of TT\$20,000.00 currency in value;
- ii. The importation into Trinidad and Tobago of bearer negotiable instruments brought in on the person or in the baggage of a traveller to the extent of US\$5,000.00 currency in value;

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- iii. The importation into Trinidad and Tobago of bearer negotiable instruments brought in on the person or in the baggage of a traveller amounting to more than TT\$20,000.00 currency in value in respect of which a declaration is made to the Comptroller under the Customs Act; and
- iv. The importation into Trinidad and Tobago of bearer negotiable instruments brought in on the person or in the baggage of a traveller amounting to more than US\$5,000.00 currency in value in respect of which a declaration is made to the Comptroller under the Customs Act.

37. **Clause 6** of the Bill also proposes to insert two sub clauses into the Order after Clause 4(2) exempting the following in relation to **Section 23(1)(e)** of the Act:

- i. The exportation from Trinidad and Tobago by any traveller on his person or in his baggage of bearer negotiable instruments as follows which are to the extent of TT\$20,000.00 currency in value or amounting to more than TT\$20,000.00 currency in value in respect of which a declaration is made to the Comptroller under the Customs Act.
- ii. The exportation from Trinidad and Tobago by any traveller on his person or in his baggage of bearer negotiable instruments which are to the extent of US\$5,000.00 currency in value or amounting to more than US\$5,000.00 currency in value, in respect of which a declaration is made to the Comptroller under the Customs Act.

38. Clause 5 of the Order will also be amended by **Clause 6** of the Bill to provide for bearer negotiable instruments expressed other than in Trinidad and Tobago or United States currency in value to be calculated at a rate determined by the Central Bank on the day on which they are to be imported or exported and where the rate is not readily ascertainable, at a rate to be determined by the Central Bank.

COMPARATIVE LEGISLATION IN OTHER JURISDICTIONS

Name of Country and Act	Similarities with the Bill	Differences with the Bill
The Mutual Assistance in Criminal Matters Act		
<p>Australia - Mutual Assistance in Criminal Matters Act 1987</p>	<ul style="list-style-type: none"> ▪ The Attorney General may refuse a request for assistance under certain circumstances listed in Section 8 of the Australian Act, however, the section does not list requests for assistance in relation to tax laws. 	<ul style="list-style-type: none"> ▪ Instead of just being excluded from refusal as the Bill provides for, Assistance in criminal matters relating to tax laws are worded within the provisions of the Australian Act since the object of the Act is to regulate the provision of assistance in criminal matters when a request is made and “Criminal Matters” is defined under Section 3 as including matters relating to revenue including taxation and customs duties.
The Proceeds of Crime Act		
<p>United Kingdom - Proceeds of Crime Act 2002</p>	<ul style="list-style-type: none"> ▪ The offence of money laundering is a triable either way offence, i.e. It is triable both on summary conviction and conviction on indictment. 	<ul style="list-style-type: none"> ▪ The offence of Money Laundering as detailed in Sections 237, 238 and 239 of the UK Act (which would be the equivalent of that found in Section 45 of the Trinidadian Act) is triable: 1. On summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to

		both OR 2. On conviction on indictment, to imprisonment for a term not exceeding 14 years or to a fine or to both.
The Financial Intelligence Unit of Trinidad and Tobago Act		
Grenada - Financial Intelligence Unit Act 2012	<ul style="list-style-type: none"> The FIU has the power to collect, request, receive, process, analyse and interpret information relating to financial crimes, transaction reports and any other reports made to or received by the Unit under this Act or any other enactment and <u>trends and typologies</u> for the combating of financial crimes (among other powers) under Section 6 of the Grenadian Act. 	<ul style="list-style-type: none"> The Egmont Group is not mentioned nor defined within the Act though Grenada is a Member. <p>The FIU does not have the power to disseminate financial intelligence and information to local and foreign authorities on its own motion or upon request. Instead, the director of the FIU under the Section 6(2)(e) of the Grenadian Act must first consider it necessary to the investigation of a financial institution to disseminate such information.</p>
The Customs Act		
Jamaica – Customs Act	<ul style="list-style-type: none"> In determining the value of goods, Section 19(8) of the Jamaican Act states that The Commissioner may, within two years from the date of entry of imported goods, adjust the value accepted by an Officer at the date of entry of such goods, where he discovers that the value accepted by the Officer was incorrect- (a) based on new information concerning the goods; or (b) for any other reason. 	<ul style="list-style-type: none"> Section 223 (1) of the Jamaican Act which would be the equivalent of Section 228(1) of the Trinidadian Act is more detailed but still resembles the current provision more than the proposed amendments by the bill especially in relation to the penalty upon not producing the documents requested.
The Exchange Control Act		

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<p>New Zealand - Anti-Money Laundering and Countering Financing of Terrorism Act 2009</p>	<ul style="list-style-type: none"> ▪ Defines “Bearer Negotiable Instrument” 	<ul style="list-style-type: none"> ▪ Defines “Bearer Negotiable Instrument” as (a) a bill of exchange; or (b) a cheque; or (c) a promissory note; or (d) a bearer bond; or (e) a traveler’s cheque; or (f) a money order, postal order, or similar order; or (g) any other instrument prescribed by regulations.
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LEGISLATION MENTIONED IN THE BILL

- **The Mutual Assistance in Criminal Matters Act, Chap. 11:24**
http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/11.24.pdf
- **The Proceeds of Crime Act, Chap. 11:27**
http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/11.27.pdf
- **The Miscellaneous Provisions (Proceeds of Crime, Anti-Terrorism and Financial Intelligence Unit of Trinidad and Tobago) Act, 2014**
<https://www.fiu.gov.tt/content/Miscellaneous%20Provision%20POCA%20ATA%20and%20FIUTT%20Act%20No%2015%20of%202014.pdf>
- **The Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01**
http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical_List/lawspdfs/72.01.pdf
- **Financial Intelligence Unit Regulations, 2011**
<https://www.fiu.gov.tt/content/FIU%20Regulations%202011.pdf>
- **The Customs Act, Chap. 78:01**
http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical_List/lawspdfs/78.01.pdf
- **Territorial Sea Act Chap. 1:51**
http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical_List/lawspdfs/1.51.pdf
- **Firearms Act Chap. 16:01**
http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical_List/lawspdfs/16.01.pdf
- **The Exchange Control Act, Chap. 79:50**
http://rgd.legalaffairs.gov.tt/Laws2/Alphabetical_List/lawspdfs/79.50.pdf

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- **The Exchange Control (Import and Export) Order, 1993**
https://www.google.tt/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=0ahUKEwi_vorF6d3RAhUJxlQKHd71CPAQFggqMAM&url=http%3A%2F%2Flaws.gov.tt%2Fttdll-web%2Frevision%2Fdownload%2F5784%3Ftype%3Damendment&usg=AFQjCNG6ue4Y83ceSye7EfwXtBxRQ0Ly6A

LEGISLATION IN OTHER JURISDICTIONS

- **Australia - Mutual Assistance in Criminal Matters Act 1987**
http://www.austlii.edu.au/cgi-bin/download.cgi/au/legis/cth/consol_act/maicma1987384
- **United Kingdom - Proceeds of Crime Act 2002**
http://www.legislation.gov.uk/ukpga/2002/29/pdfs/ukpga_20020029_en.pdf
- **Grenada - Financial Intelligence Unit Act 2012**
http://www.gov.gd/egov/pdf/ncodc/docs/financial_intelligence_unit_act_14_%202012.pdf
- **Jamaica – Customs Act**
<http://moj.gov.jm/sites/default/files/laws/Customs%20Act.pdf>



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Kindly note that this information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual.