
LAWS OF SAINT VINCENT AND THE GRENADINES
REVISED EDITION

PROCEEDS OF CRIME ACT

CHAPTER 180

**Act No.
12 of 1997**

[Repealed by the Proceeds of Crime and Money Laundering (Prevention) Act, No. 39 of 2001,
save for the sections contained herein.]

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CHAPTER 180**PROCEEDS OF CRIME ACT**

ARRANGEMENT OF SECTIONS

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Offences

SECTION

- 59. Money laundering.
- 60. Possession of property derived from unlawful activity.
- 61. Organised fraud.

CHAPTER 180**PROCEEDS OF CRIME ACT**

[Act No. 12 of 1997 repealed by the Proceeds of Crime and Money Laundering (Prevention) Act, No. 39 of 2001, save for the sections contained herein.]

PART IV

*Offences***59. Money laundering**

- (1) In this section, “**transaction**” includes the receiving or making of a gift.
- (2) A person who, after the commencement of this Act, engages in money laundering commits an indictable offence and is liable on conviction to—
 - (a) a fine not exceeding five hundred thousand dollars or imprisonment for a period not exceeding twenty years, or both such fine and imprisonment; or
 - (b) a fine not exceeding one million dollars in the case of a body corporate.
- (3) A person shall be taken to engage in money laundering where—
 - (a) the person engages, directly or indirectly, in a transaction that involves money or other property that is the proceeds of crime; or
 - (b) the person receives, possesses, conceals, disposes of, or brings into Saint Vincent and the Grenadines money or other property that is the proceeds of crime,

and the person knows or ought reasonably to know, that the money or other property is derived, obtained or realised, directly or indirectly from some form of unlawful activity.

60. Possession of property derived from unlawful activity

(1) A person who, after the commencement of this Act, receives, possesses, conceals, disposes of, or brings into Saint Vincent and the Grenadines any money or other property that he knows or ought reasonably to know to be the proceeds of crime commits an indictable offence and is liable on conviction to—

- (a) a fine not exceeding two hundred and fifty thousand dollars or imprisonment for a period not exceeding five years, or to both such fine and imprisonment; or
- (b) a fine not exceeding five hundred thousand dollars in the case of a body corporate.

(2) It is a defence to a charge for an offence against this section, if the person satisfies the Court that he did not know or had no reasonable grounds for knowing that the property referred to in the charge was derived or realised, directly or indirectly, from some form of unlawful activity.

61. Organised fraud

(1) A person who engages in organised fraud commits an indictable offence and is liable on conviction to—

- (a) a fine not exceeding five hundred thousand dollars or imprisonment for a period not exceeding twenty-five years, or to both such fine and imprisonment; or
- (b) a fine of one million dollars in the case of a body corporate.

(2) A person shall be deemed to engage in organised fraud if he engages, after the commencement of this Act, in acts or omissions—

- (a) that constitute three or more public fraud offences; and
- (b) from which he derives benefit.

(3) Where a person is charged with organised fraud under subsection (1) in relation to a number of public fraud offences and the jury is not satisfied that the person is guilty of the offence of organised fraud but is satisfied that the person is guilty of one or more of the public fraud offences, the jury shall acquit the person of the offence of organised fraud and shall find the person guilty of the public fraud offence or offences and that person shall be punishable accordingly.

(4) In this section, “**public fraud offence**” means an offence of fraud committed by a public officer under Chapter V of the Criminal Code.

[Chapter 171.]

CHAPTER 180
PROCEEDS OF CRIME ACT
SUBSIDIARY LEGISLATION

No Subsidiary Legislation
