

Australian Capital Territory

**Confiscation of Criminal Assets – approval of form –
inquiry notice 2003**

Approved form AF2003 — 7

made under the

Confiscation of Criminal Assets Act 2003, s 259 (Approved forms)

I approve the attached inquiry notice form.

Jon Stanhope MLA
Attorney-General
14 August 2003

Inquiry Notice under Confiscation of Criminal Assets Act 2003 — section 146

NOTICE TO PROVIDE STATED INFORMATION

TO: *[Insert name and address of Financial Institution (By its Proper Officer)]*

Under section 145 of the *Confiscation of Criminal Assets Act 2003*, you are required to provide the information specified in the schedule in the form and manner stated in the schedule to:

(insert name of police officer/s)

This notice is a non-disclosable information order under the Act

The Confiscation of Criminal Assets Act 2003, division 12.6 creates various offences in relation to non-compliance with, or the disclosure of, an inquiry notice. Division 12.6 also sets out the circumstances in which the existence or operation of an inquiry notice may be disclosed to a person and the protection given to a financial institution if information is given under an inquiry notice in relation to a money laundering offence.

A copy of Division 12.6 of the *Confiscation of Criminal Assets Act 2003* is attached.

SCHEDULE

1. *[Delete those items not required. Do not ask for more information than is reasonably required for the conduct of the relevant investigation]*

- Details of any account or safety deposit box held with the institution in the name(s) (insert name/s)
Including:
 - signatories to each account
 - account opening application
 - the present balance of each account
 - account statements for each account for the period to (*insert relevant period in relation to the investigation*)
 - details of any related account or accounts, including the names of those who hold those accounts
- Details of any account or safety deposit box held with the institution to which the following person is a signatory: (insert name/s)
 - including account opening applications
- Details of account number (insert A/C number/s) or safety deposit box number (insert safety box number) including:
 - signatories to the account
 - the present balance of the account
 - account statements for the period to (*insert relevant period in relation to the investigation*)

- details of any related account or accounts, including the names of those who hold those accounts
- Details of any transaction (other than in relation to an account) conducted, or proposed to be conducted, by or with the institution (including whether a transaction has been conducted) in the name(s) of [insert names]:

- *[Insert description of any other information required]*

.....

2. *[Insert how the information should be provided]*

eg:

The information requested is to be provided to the abovementioned officer/s, by delivering them to/making available for collection/forwarding by facsimile as soon as practicable:

.....

This Notice is given by:

(insert name and rank of Commander or higher)

(signature)

being a person authorised to give this Notice for the purposes of Division 12.1 of the *Confiscation of Criminal Assets Act 2003*,

and who is satisfied that the information to which this notice relates is relevant to deciding whether:

an application could be made for an order under the *Confiscation of Criminal Assets Act 2003*, (including for another order under this part) a corresponding law order, or a search warrant under part 13 (Search warrants) in relation to anyone

a proceeding could be begun against anyone for an offence against the *Confiscation of Criminal Assets Act 2003* or a corresponding law or for a money laundering offence.

Date:

Contact Details Authorised Officer: *[Insert telephone number & address]*

Record of Service – Inquiry Notice

A copy / the original Division 12.1 Notice No was served upon:

[Insert name and address of Financial Institution]

.....
.....
.....
.....

- by * delivering same personally to
 * forwarding by post
 * forwarding by facsimile
 * forwarding electronically
 * other

on[date] at[time]

Signature:
Name:
Rank: