



**An Bille um Cheartas Coiriúil (Sciúradh Airgid agus
Maoiniú Sceimhlitheoireachta) (Leasú)
(An Ghníomhaireacht um Choireacht Trasteorann), 2019
Criminal Justice (Money Laundering and Terrorist
Financing) (Amendment) (Cross Border Crime Agency)
Bill 2019**

*Meabhrán Mínitheach
Explanatory Memorandum*



**AN BILLE UM CHEARTAS COIRIÚIL (SCIÚRADH AIRGID
AGUS MAOINIÚ SCEIMHLITHEOIREACHTA) (LEASÚ)
(AN GHNÍOMHAIREACHT UM CHOIREACHT
TRASTEORANN), 2019**

**CRIMINAL JUSTICE (MONEY LAUNDERING AND TERRORIST
FINANCING) (AMENDMENT) (CROSS BORDER CRIME
AGENCY) BILL 2019**

EXPLANATORY MEMORANDUM

General

The purpose of the Bill is to establish on a statutory basis a Cross Border Crime Agency. The agency will draw from specified security, taxation and environmental authorities from both the Republic of Ireland and Northern Ireland. Its remit will cover organised criminal activity in the border region and fuel smuggling. The bill covers the establishment of an Agency composed of a Director General and 8 officers drawn from specific authorities.

Provisions

Section 1 sets out definitions under the Bill.

Section 2 establishes a Cross Border Agency, establishes a Director General and details the eight designated officers of the Agency. 4 officers are appointed by the Minister for Justice:

- an Officer from the Environmental Protection Agency;
- an Officer from the Office of the Revenue Commissioners;
- a Chief Superintendent nominated by the Garda Commissioner,
- an officer from the Criminal Assets Bureau

Another 4 are appointed on the recommendation of the Minister for Justice for Northern Ireland or Secretary of state for Northern Ireland if the Northern Executive is not in place:

- an Officer from the Northern Ireland Environmental Protection Agency;
- an Officer from Northern Ireland's Revenue Commissioners;
- a Chief Superintendent from the Police Service of Northern Ireland;
- an officer from the National Crime Agency

This section also outlines the details of the terms of employment of the Director General of the Agency.

This section specifies the functions of the Agency. It details its remit over organised criminal activity, illicit trade, human trafficking and fuel

smuggling in the border region. The section also empowers the agency to receive relevant information from the police force in the Republic of Ireland and Northern Ireland.

This section also details the requirement to publish an annual report and lay it before the Oireachtas. It also specifies a requirement for the Director General to appear before the relevant Oireachtas committee when requested.

This section also amends the Defamation Act 2009 to protect the Agency's report from defamation proceedings in certain circumstances.

Section 3 outlines citations of relevant acts.

Deputy Brendan Smith

Nollaig, 2019.

