



Mr. Leo Bollins
Clerk to the Joint Committee on Rural and Community Development
Houses of the Oireachtas
Leinster House
Kildare Street
Dublin 2
D02 XR20

Your Ref: RCD-i-061

Our Ref: DJE-SG-00076-2019

Re: “Abandoned Safety Deposit Boxes, and the Law”.

Dear Mr. Bollins,

I refer to your letter of 26 February, 2019 to the Secretary General of this Department, Mr. Aidan O’Driscoll, regarding an invitation to a meeting of the Joint Committee on Rural and Community Development at 10:30 a.m. on Wednesday 06 March 2019 with regard to “Abandoned Safety Deposit Boxes, and the Law.”

As previously outlined in our reply to you dated 19 November, 2018 there is no direct connection between this Department and the law on safekeeping deposits in bank accounts. As your previous correspondence dated 6 November, 2018 notes the Dormant Accounts legislation comes within the remit of the Minister for Rural and Community Development and most recent Dormant Accounts Amendment Act 2012 was sponsored by the-then Minister for Environment, Community and Local Government rather than this Department. While there is a tentative link with civil liability legislation in that Part 3, Chapter 1 of the Civil Liability and Courts Act 2004 deals specifically with dormant accounts of the funds of suitors of the High Court and how those funds should be applied, there is no reference to safe deposit boxes etc.

It would appear that what’s in contemplation is that deposits, whether of money or other valuables, which could not be associated with a living person, would be forfeited to the State. In such a scenario, the only person benefitting from the property in

question will be the State. There seems to be no scope for money laundering to follow from such a process. Also in relation to money laundering and obligations on the banking system to report suspicious transactions to the Garda Síochána, these are matters which are appropriate to the Central Bank and the Department of Finance who we note from your correspondence are invited to attend the meeting on 6 March.

One suggestion is that consideration might be given to a requirement for whoever is cataloguing and valuing the forfeited goods to share the catalogue with the Gardaí so that they may check against them their lists of stolen property and follow up as appropriate.

If the Joint Committee wishes to clarify any further aspects relating to the above and/or to this Department as it progresses with its work in this area, we will be happy to respond to any further issues or queries raised by you.

Based on the above we do not feel it is necessary for a representative of the Department to attend a meeting of the Committee on this topic.

Yours sincerely,

Crónan Goodman
Private Secretary to the Secretary General

28 February, 2019



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Clerk to the Joint Committee on Rural and Community Development
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Kildare Street
Dublin 2
D02 XR20

**Re: Consultation on the law relating to Abandoned
Safekeeping Deposits in Banks etc.**

Dear Mr. Bollins,

I refer to your letter of 6th November, 2018 to the Secretary General of this Department, Mr Aidan O'Driscoll, regarding the law in relation to abandoned safekeeping deposits in banks.

There is no direct connection between this Department and the law on safekeeping deposits in bank accounts. As the Committee's letter notes the Dormant Accounts legislation comes within the remit of the Minister for Rural and Community Development and most recent Dormant Accounts Amendment Act 2012 was sponsored by the-then Minister for Environment, Community and Local Government rather than this Department. While there is a tentative link with civil liability legislation in that Part 3, Chapter 1 of the Civil Liability and Courts Act 2004 deals specifically with dormant accounts of the funds of suitors of the High Court and how those funds should be applied, there is no reference to safe deposit boxes etc.

It would appear that what's in contemplation is that deposits, whether of money or other valuables, which could not be associated with a living person, would be forfeited to the State. In such a scenario, the only person benefitting from the property in question will be the State. There seems to be no scope for money laundering to follow from such a process. Also in relation to money laundering and obligations on the banking system to report suspicious transactions to the Garda Síochána, these are matters which are appropriate to the Central Bank and the Department of Finance.

One suggestion is that consideration might be given to a requirement for whoever is cataloguing and valuing the forfeited goods to share the catalogue with the Gardaí so that they may check against them their lists of stolen property and follow up as appropriate.

If the Joint Committee wishes to clarify any further aspects relating to the above and/or to this Department as it progresses with its work in this area, we will be happy to respond to any further issues or queries raised by you.

Yours sincerely,

Crónan Goodman
Private Secretary to the Secretary General

19 November, 2018