

CFATF



GAFIC

# CARIBBEAN FINANCIAL ACTION TASK FORCE

## Update on Antigua and Barbuda's Follow-up Status

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## **UPDATE ON ANTIGUA AND BARBUDA'S FOLLOW-UP STATUS**

### **Introduction**

1. Based on Antigua and Barbuda's 6<sup>th</sup> follow-up report, Antigua and Barbuda's Core and Key Recommendations that were rated 'PC' or 'NC' were addressed. It was recommended and Plenary agreed that Antigua and Barbuda would remain in regular one year follow-up and report to the May 2015 Plenary. The report also noted that given the start of the 4<sup>th</sup> Round and the need to have Members exit the 3<sup>rd</sup> round follow-up process that it was hoped that Antigua and Barbuda would consider submitting an application to exit the follow-up process by November 2014.
2. In June 2014, the Secretariat in consultation with the CFATF ICRG Co-Chair notified Members about the recently (May 2014 Plenary) approved requirements to exit the 3<sup>rd</sup> round follow-up report; the application process and the date to submit the exit report. The date given was September 24<sup>th</sup> 2014.
3. Antigua and Barbuda submitted an application to exit the 3<sup>rd</sup> round follow-up process on September 13, 2014. At that time, applications to exit the process had already been submitted by two other Member countries - (Jamaica and St. Kitts and Nevis). Due to time constraints in the preparation of the other exit reports and other tasks such as the Trinidad and Tobago Mutual Evaluation, the exit report for Antigua and Barbuda could not be prepared.
4. Antigua and Barbuda's application is based on compliance with the Core and Key Recommendations rated 'PC' or 'NC' having achieved at least a level of an 'LC'. The exit report, which will review and analyse the deficiencies associated with the relevant Recommendations will determine whether this standard is achieved.

### **Summary of progress made by Antigua and Barbuda since May 2014.**

5. Section 14(2) of the Proceeds of Crime (Amendment) Act, 2014 inserts a new section 7 which defines a Scheduled offence as "Any indictable or triable either way offence in Antigua and Barbuda for which a person has benefitted, as defined in section 19 of this Act". Scheduled offences are those on which restraint and confiscation orders may be obtained. Additionally, the Maritime Piracy Act, 2013 was passed and gazetted. Both these measures positively affect compliance with R. 1. Regarding R. 3, Antigua and Barbuda have noted that since 2007, the ONDCP



has obtained in excess of 100 production orders; approximately seventy-eight (78) freeze order and sixteen (16) confiscation orders. Further in 2014, eight (8) freeze orders have been obtained and there have been six (6) cash forfeitures. The Authorities also indicated that the 2014 POCA amendment mentioned earlier introduced civil recovery of criminal assets at section 12 of the Act. With regard to R. 26, the ONDCP has published its 2011-2013 Annual Reports on the ONDCP website. On the issue of NPOs (SR. VIII), Antigua and Barbuda have indicated that the provisions for controlling NPOs will be inserted into the Friendly Societies Act and the Companies Act. The Authorities have also indicated that in 2014 there has been the forfeiture of cash seized from an international cash courier and in June 2014, there has been a large seizure of cash from a person entering the country. The matter is currently under investigation.

### **Conclusion**

6. The 7<sup>th</sup> follow-up report for Antigua and Barbuda, which will represent its application report for exiting the 3<sup>rd</sup> round follow-up process will be prepared for the May 2015 Plenary.