

(3) The notice period referred to in subsection (2) and section 99 is the period of seven days (exclusive of Saturdays, Sundays and public general holidays), starting with the first day after the person makes the disclosure.

(4) References in subsection (2) and sections 99 and 100 to a prohibited act are references to an act prohibited by section 92 or 93.

92.—(1) Subject to subsection (4), a person commits an offence if that person—

Concealing,
etc., criminal
property

- (a) engages in a transaction that involves criminal property;
- (b) conceals, disguises, disposes of or brings into Jamaica any such property; or
- (c) converts, transfers or removes any such property from Jamaica,

and the person knows or has reasonable grounds to believe, at the time he does any act referred to in paragraphs (a), (b) or (c), that the property is criminal property.

(2) Subject to subsection (4), a person commits an offence if that person enters into or becomes concerned in an arrangement that the person knows or has reasonable grounds to believe facilitates (by whatever means) the acquisition, retention, use or control of criminal property by or on behalf of another person.

(3) For the purposes of this section, concealing or disguising property includes concealing or disguising the nature of the property, its source, location, disposition, movement or ownership or any rights with respect to the property.

(4) A person does not commit an offence under subsection (1) or (2) if—

- (a) before doing any act described in subsection (1) or (2), the person makes an authorized disclosure and has the appropriate consent to act;
- (b) the person—
 - (i) intended to make such a disclosure before doing the act and has a reasonable excuse for not doing so; and

(ii) does make such a disclosure on his own initiative as soon as is reasonably practicable after doing the act; or

(c) the person acts in good faith in the exercise of a function relating to the enforcement of any provision of this Act or of any other enactment relating to criminal conduct or benefit from criminal conduct.

Acquisition,
use and
possession of
criminal
property.

93.—(1) Subject to subsections (2) and (3), a person commits an offence if that person acquires, uses or has possession of criminal property and the person knows or has reasonable grounds to believe that the property is criminal property.

(2) A person does not commit an offence under subsection (1) if—

(a) before doing any act described in subsection (1), the person makes an authorized disclosure and receives the appropriate consent to act;

(b) the person—

(i) intended to make such a disclosure but has a reasonable excuse for not doing so; and

(ii) make such a disclosure on his own initiative as soon as is reasonably practicable after doing the act;

(c) the person acquired, used or had possession of the property *bona fide* and without notice that the property is criminal property; or

(d) the person acts in good faith in the exercise of a function relating to the enforcement of any provision of this Act or of any other enactment relating to criminal conduct or benefit from criminal conduct.

(3) An attorney-at-law shall not be taken to engage in money laundering to the extent that he receives *bona fide* fees for legal representation.