



Treaty Series No. 30 (2004)

# Exchange of Notes

between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Canada to extend the Agreement regarding the Sharing of Forfeited or Confiscated Assets or their Equivalent Funds signed at London on 21 February 2001 to Anguilla, the British Virgin Islands, the Cayman Islands, Gibraltar, Montserrat and the Turks and Caicos Islands

Ottawa, 22 January and 27 February 2003

[The Exchange of Notes entered into force on 27 February 2003]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
August 2004*

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**EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
AND THE GOVERNMENT OF CANADA TO EXTEND THE  
AGREEMENT REGARDING THE SHARING OF FORFEITED OR  
CONFISCATED ASSETS OR THEIR EQUIVALENT FUNDS SIGNED AT  
LONDON ON 21 FEBRUARY 2001<sup>1</sup> TO ANGUILLA, THE BRITISH  
VIRGIN ISLANDS, THE CAYMAN ISLANDS, GIBRALTAR,  
MONTSERRAT AND THE TURKS AND CAICOS ISLANDS**

*The British High Commissioner at Ottawa to the Minister of Foreign Affairs of  
Canada*

*Ottawa  
22 January 2003*

**Note No: 6/2003**

Your Excellency,

I have the honour to refer to the Agreement between the Government of the United Kingdom and the Government of Canada Regarding the Sharing of Forfeited or Confiscated Assets or their Equivalent Funds ("the Agreement"), signed in London on 21 February 2001, and to inform you that the Governments of Anguilla, the British Virgin Islands, the Cayman Islands, Gibraltar, Montserrat and the Turks and Caicos Islands have confirmed that they wish the provisions of the Agreement to be applicable to their Territory. In accordance with Article 8 of the Agreement, I have the honour to propose that the Agreement be extended to Anguilla, the British Virgin Islands, the Cayman Islands, Gibraltar, Montserrat and the Turks and Caicos Islands, subject to the following modifications: -

(1) In Articles 1(a)(ii), 5(2)(b) and 7(b), the references to the United Kingdom of Great Britain and Northern Ireland shall be replaced by "Anguilla" in the case of Anguilla, "the British Virgin Islands" in the case of the British Virgin Islands, "the Cayman Islands" in the case of the Cayman Islands, "Gibraltar" in the case of Gibraltar, "Montserrat" in the case of Montserrat and "the Turks and Caicos Islands" in the case of the Turks and Caicos Islands.

(2) The recipient for the purposes of Article 5(2)(b) shall be:

For Anguilla: The Accountant General

For the British Virgin Islands: The Accountant General

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<sup>1</sup> Treaty Series No. 28 (2001) Cm 5180

For the Cayman Islands: The Attorney General

For Gibraltar: The Attorney General

For Montserrat: The Government of Montserrat

For the Turks and Caicos Islands: The Attorney General

(3) The central authority for the purposes of communications referred to in Article 7(b) shall be:

For Anguilla: The Attorney General

For the British Virgin Islands: The Attorney General

For the Cayman Islands: The Attorney General

For Gibraltar: The Attorney General

For Montserrat: The Attorney General

For the Turks and Caicos Islands: The Attorney General

The extension of the Agreement to Anguilla, the British Virgin Islands, the Cayman Islands, Gibraltar, Montserrat and the Turks and Caicos Islands shall not imply that the Treaty on Mutual Assistance in Criminal Matters referred to in the first preambular paragraph of the Agreement is in force in any of those Territories to which it has not been specifically extended in accordance with the provisions of the said Treaty, nor shall it operate so as to inhibit alternative bilateral arrangements for such mutual assistance.

If this proposal is acceptable to the Government of Canada, I have the honour to propose that this Note and your reply to that effect shall constitute an Agreement between our two Governments which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

**ANDREW BURNS**

**No. 2**

*The Minister of Foreign Affairs of Canada to the British High Commissioner at  
Ottawa*

*Ottawa  
27 February 2003*

Your Excellency,

I have the honour to acknowledge, with thanks, the receipt of your Note No. 6/2003 dated January 22, 2003, which reads as follows:

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**[As in No. 1]**

I have the honour to inform your Excellency that the foregoing proposal is acceptable to the Government of Canada and agree that your Note and this reply shall constitute an agreement between our two Governments which shall enter into force on this day's date.

Accept, Excellency, the assurances of my highest consideration.

**W GRAHAM**







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