



**CRIMINAL
ASSETS
BUREAU**

Criminal Assets Bureau – Property Investigations.

Detective Superintendent Gearóid Begley



What is the Criminal Assets Bureau?

Criminal Assets Bureau

- Body corporate with the power to sue and be sued ... acquire, hold and dispose of assets
- Multi-agency body with officers seconded from other State Agencies
- Operates a Non Conviction Based Asset Forfeiture model on a civil standard of proof

Criminal Assets Bureau



- Bureau Officers
 - An Garda Siochana
 - Revenue [Customs and Tax]
 - Department of Social Protection
- Bureau Staff
 - Department of Justice and Equality

Established by the Criminal Assets Bureau Act 1996

Objectives

- the identification of the assets, wherever situated, of persons which derive or are suspected to derive, directly or indirectly, from criminal activity
- the taking of appropriate action under the law to deprive or to deny those persons of the assets or the benefit of such assets, in whole or in part

Relevant Legislation

- Criminal Assets Bureau Act 1996 as amended
- Proceeds of Crime Act 1996 as amended
- Revenue and Customs Legislation
- Social Welfare Legislation

Points to Note

- CAB is not part of An Garda Siochana
- Non Police Bureau Officers and Staff enjoy anonymity under the Criminal Assets Bureau Act
- Criminal Offence to identify officers, staff or their families

How would Property Services Providers come in contact with C.A.B.?

In circumstances where Auctioneers, Estate Agents, Letting Agents and Management Agents have involvement with a property that is under investigation by C.A.B. or where an order of the High Court has been obtained under the Proceeds of Crime Act

What to expect if C.A.B. are investigating a property you have a professional interest in.

- Data Protection request - *letter requesting voluntary disclosure of information under section 41b of the Data Protection Act 2018.*
- Order to make material available under section 14A of the C.A.B. Act 1996 as amended – *Order from District Court to provide information (7 days)*
- Search Warrant under section 14 of the C.A.B. Act 1996 as amended – *Warrant of the District Court, power of entry with force, search & seize, power of arrest for obstruction.*

How to make the process as easy as possible for you

- Bureau Officers will provide you with a copy of the order
- The Bureau Officers will tell you what information they require
- Bureau only wants to take possession of relevant information
- Your client file & client ledger in many cases will contain all the information being sought
- The warrant holder will have the authority to remove all records, which includes I.T. systems (therefore it is in your interest to identify the relevant material)

Money Laundering and Terrorist Financing Act

- Provide awareness training to staff – *obligations under the Act*
- Due diligence checks on client(s) – *background, authentication of documentation supplied, local knowledge etc. Non –residents, enhanced due diligence, Politically Exposed Persons (PEPS)*
- Proper records of all contacts (Meetings, telephone calls, e-mails)
- Identify and highlight to staff how your business can be exposed to money laundering
- Obligations to report Suspicious Transactions (S.T.R.'s). *Nominate one person who will have responsibility for making STR's. Common sense, no limits, if in doubt report.*



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