

IN THE SUPREME COURT OF SEYCHELLES

In the matter of Section 27 of the Anti-Money Laundering Act 2006 as amended by the Anti-Money Laundering (Amendment) Act 2008

AND

In the matter of an application for a Restraint Order and Appointment of Receiver in relation to property held by Stephen Scholes (A1)

EX PARTE

NOTICE OF MOTION

For application for a restraint order and appointment of receiver

Criminal Side No. 46 of 2009

Mr. Govinden, the Attorney General for the Applicant

ORDER

Gaswaga, J

Upon hearing the Attorney General herein the Court is satisfied that the application is meritorious and should be granted. Accordingly, a restraint order pursuant to Section 27 of the Anti-Money Laundering Act 2006 as amended by the Anti-Money Laundering (Amendment) Act 2008 (“the Act”) prohibiting Mr. Stephen Scholes of Calle Santo Domingo, 27 Vilaflor 38613 Tenerife, Spain against whom criminal proceedings have been instituted or such other person, whether with or without notice of this order, from dealing with the whole or any part of the property set out below:

“The amount standing to credit in account number 7669264 in the name of Guardian Environmental Holdings Ltd at Barclays Bank (Seychelles) Ltd, P.O. Box 167, Victoria, Mahe, Seychelles, namely USD 896, 381.12 together with any interest that might accrue thereon.”

Further, pursuant to Section 27(7) of the Act, Liam Hogan, Deputy Director of FIU is hereby appointed Receiver of all the said property on the following terms:

- (a) To take possession of the property forming the subject of these proceedings forthwith. Accordingly, Barclays Bank is hereby ordered to immediately handover the property (money) referred to, which is in its coffers as described above to the Receiver.
- (b) To place the proceeds of the bank account listed as described above in an interest bearing bank account pending further order of the Court.
- (c) That the Receiver be entitled to appoint agents or counsel, or any other person considered by him to be necessary, and pay the costs and expenses of same and his own costs and expenses as they shall arise from time to time out of the funds he shall receive under this order.
- (d) That the Receiver shall report by affidavit filed in this matter as the Court may from time to time direct.
- (e) To pay out all or part of the said money as this Court shall from time to time direct.

This order, which should immediately be communicated to Stephen Scholes of the above address, being the person directly affected hereof, shall stay in force until completion of these proceedings unless discharged or otherwise ordered by the Court.

I so order.

D. GASWAGA

JUDGE

Dated this 11th day of November, 2009.