

**IN THE SUPREME COURT OF SEYCHELLES**

**Civil Side: MA 199/2014**

**(arising in MC 35/2013)**

**[2014] SCSC 199**

---

**IN THE MATTER OF AN APPLICATION BY**

**THE FINANCIAL INTELLIGENCE UNIT**

**Ex-Parte Application in *Ciro Hernandez,***

***Marcela Martinez and Sebastian Elichiry***

---

Heard: 17 July 2014

Counsel: Mr. Esparon for applicant

Delivered: 17 July 2014

---

**ORDER ON APPLICATION**

---

Karunakaran J

**[1]** This is an application filed by the Financial Intelligence Unit (FIU) seeking an order pursuant to Section 10(7) of the Anti-Money Laundering Act 2006 as amended by the Anti-Money Laundering Act of 2008 and 2011, hereinafter referred to as “the Acts”, for the extension of the directions issued by the FIU under Section 10(4) of the Act on the 25<sup>th</sup> January 2013, 1<sup>st</sup> February 2013 and the 15<sup>th</sup> February 2013, which direction was

subsequently extended by the Court on the 20<sup>th</sup> of January 2014 for a further period of 180 days.

**[2]** This order relates to three properties namely;-

**(i)** The property in relation to the accounts held in the name of Marcela Martinez namely, USD account no: 300000009753 and Euro account no: 300000009761;

**(ii)** The property in relation to the account held in the name of Ciro Hernandez namely, USD account no: 300000005987; and

**(iii)** The property in relation to the account in the name of Sebastian Elichiry.

**[3]** For the avoidance of doubt all the said three properties are held in account with BMI Offshore Bank Seychelles Limited.

**[4]** On the strength of the affidavit filed by Liam Hogan of the Financial Intelligence Unit, I am satisfied of the following;-

**(i)** that there are reasonable grounds to suspect that all three properties mentions in this order represents the proceeds of criminal conduct including an offence of money laundering, or may be related to money or property that is or represents the benefit from criminal conduct;

**(ii)** there are reasonable grounds to suspect that the service or transaction will constitute or assist in the commission of criminal conduct including an offence of money laundering; and

**(iii)** the investigation by the FIU and by other law enforcement agency is still in progress.

**[5]** In the circumstances, I find that the request made by the FIU for the extension of the directions for a further period of 180 days is just and necessary in this matter. Accordingly I hereby extend the directions issued by the FIU and the subsequent order of

extension made by the Court on the 20<sup>th</sup> January 2014 for a further period of 180 days with effect from the 19<sup>th</sup> of July 2014.

**[6]** This order relates to all three said properties hereinbefore mentioned.

**[7]** Orders made accordingly.

Signed, dated and delivered at Ile du Port on 17 July 2014

D Karunakaran  
Judge of the Supreme Court