

I assent,



SAMUEL WEYMOUTH TAPLEY SEATON
Governor-General

30th December, 2015.

SAINT CHRISTOPHER AND NEVIS

No. 10 of 2015

AN ACT to amend the Anti-Terrorism Act, Cap. 4.02.

[Published 31st December 2015, Official Gazette No. 64 of 2015.]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the National Assembly of Saint Christopher and Nevis and by the authority of the same as follows:

1. Short title.

This Act may be cited as the Anti-Terrorism (Amendment) Act, 2015.

2. Interpretation.

In this Act,

“Act” means the Anti-Terrorism Act, Cap. 4.02.

3. Amendment of section 2.

The Act is amended in section 2 by

- (a) inserting immediately after the definition of the term “act” the following new definition:
 - “ “ANF” means the Al-Nusrah Front”;
- (b) inserting immediately after the definition of the term “interest” the following new definition:
 - “ “ISIL” means the Islamic State in Iraq and Levant”;
 - “ISIS means the Islamic State of Iraq and Syria”
- (c) inserting in the definition of “terrorist activity” immediately after paragraph (b), the following new paragraph (c):
 - “ (c) recruiting, organising, transporting or equipping of individuals who travel to a State other than their State of residence or nationality for the purpose of the perpetration, planning, or preparation of, or

participation in, terrorist acts or the providing or receiving of terrorist training, and the financing of their travel and of their activities.”;

- (d) inserting immediately after the definition of “terrorist property” the following new definition as follows:

“ “terrorist purposes” means a goal or objective that is aimed at the promotion, advancement, furtherance or carrying out of a terrorist act, terrorist activity or the financing of terrorism;”.

4. Amendment of section 12.

Section 12 of the Act is amended in subsection (4) by inserting immediately after paragraph (d) thereof, the following new paragraph (e):

“ (e) wilfully provides or collects, by any means, directly or indirectly, funds, with the intention that the funds should be used, or in the knowledge that they are to be used, in order to finance the travel of individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training;”.

5. Amendment of section 46.

Section 46 of the Act is amended by

- (a) replacing subsection (1) thereof as follows

“ (1) Where the Director of Public Prosecutions has reasonable grounds to believe that an offence has been committed or is about to be committed under this Act, the Director of Public Prosecutions shall, without delay and subject to subsection (2), apply to the Court for an order freezing the funds in the possession of any person concerned with the commission of the offence or the preparation or facilitation to commit the offence.

- (b) inserting a new subsection (2) as follows and renumbering accordingly,

“ (2) Subject to subsection (4) the Court may, where it is satisfied on the application of the Director of Public Prosecutions that

- (a) a person has been charged or is about to be charged with an offence under this Act; or
- (b) a request has been made by a competent authority of a foreign State in accordance with section 103, in respect of a person
 - (i) about whom there are reasonable grounds for believing that the person has committed an offence specified in this Act;
 - (ii) who has been charged or is about to be charged with an offence specified in this Act; or

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(iii) who has been identified as being a member of Al-Qaida, ANF, the Taliban, ISIS, ISIL or any other terrorist group designated by the United Nations Sanctions Committees and so recognised by Order of the Minister pursuant to section 3;

(c) a person has been identified as being a member of Al-Qaida, the Taliban, ISIS, ISIL or any other terrorist group designated by the United Nations Sanctions Committees

make an order freezing the funds in the possession of or under the control of that person.”.

(c) In the existing subsection (2) by replacing the expression “may be made” with the expression “shall be made”.

6. Amendment of Act.

The Act is amended generally as follows:

- (a) by replacing the expression “one hundred thousand” wherever it occurs with the expression “five hundred thousand”;
- (b) by replacing the expression “one hundred and fifty thousand” wherever it occurs with the expression “seven hundred and fifty thousand”;
- (c) by replacing the expression “two hundred and fifty thousand” wherever it occurs with the expression “one million”;
- (d) by replacing the expression “five hundred thousand” wherever it occurs with the expression “two million.”.

FRANKLIN BRAND
Speaker

Passed by the National Assembly this 11th day of December, 2015.

JOSÉ LLOYD
Clerk of the National Assembly