

House of Representatives

Supplementary Order Paper

Thursday, 25 October 2007

Terrorism Suppression Amendment Bill

Proposed amendments

Rt Hon Winston Peters, in committee, to move the following amendments:

Clause 4: new section 3(c)

To omit “Afghanistan” (line 18 on page 4) and substitute “Al-Qaida and the Taliban”.

Clause 5

To omit “(1)” in the first place that it appears in line 20 on page 4.

To insert the following definition above the definition of **Afghanistan Sanctions Resolutions** (above line 23 on page 4):

“**Al-Qaida** means the Al-Qaida organisation

To omit from the definition of **Afghanistan Sanctions Resolutions** “**Afghanistan**” (line 23 on page 4) and substitute “**Al-Qaida and the Taliban**”.

To insert the following definition after the definition of **Afghanistan Sanctions Resolutions** (after line 28 on page 4):

“**Al-Qaida entity**, for a measure that is set out, or referred to, in 1 or more Al-Qaida and the Taliban Sanctions Resolutions, and that is provided for in this Act, means Al-Qaida, or an entity that is not Al-Qaida but is designated, by or under those resolutions, as an entity that is—

“(a) associated with Usama bin Laden; and

“(b) an entity to which that measure is to be applied

To insert the following definitions after the definition of **Resolution 1390** (after line 8 on page 6):

“**Taliban** means the Afghan faction known as the Taliban, which also calls itself the Islamic Emirate of Afghanistan

“**Taliban entity**, for a measure that is set out, or referred to, in 1 or more Al-Qaida and the Taliban Sanctions Resolutions, and that is provided for in this Act, means an entity that—

- “(a) is not Usama bin Laden, an Al-Qaida entity, or the Taliban; but
- “(b) is designated, by or under those resolutions, as an entity to which that measure is to be applied

To omit the definition of **United Nations listed terrorist entity** (lines 9 to 11 on page 6) and substitute the following definition:

“**United Nations listed terrorist entity** means an entity that is—

- “(a) Usama bin Laden; or
- “(b) an Al-Qaida entity; or
- “(c) the Taliban; or
- “(d) a Taliban entity” .

Clause 40

To add the following subclause as *subclause (2)* (after 22 on page 16):

- (2) Section 75 is consequentially repealed.

New headings and clauses 46A and 46B

To insert the following headings and clauses after *clause 46* (after line 15 on page 17):

Amendments to Charities Act 2005

46A Essential requirements

- (1) This section amends the Charities Act 2005.
- (2) Section 13(5)(a) is amended—
 - (a) by omitting “designated under section 20 or section 22” and substituting “a designated terrorist entity as defined in section 4(1)”; and
 - (b) by omitting “as a terrorist entity or an associated entity”.
- (3) Section 13(5)(b) is amended by omitting “7 to 13D” and substituting “**6A to 13E**”.

Amendment to Crimes Act 1961

46B Interpretation

- (1) This section amends the Crimes Act 1961.
 - (2) The definition of **terrorist offence** in section 312A(1) is amended by omitting “7, 8, 9, 10, 12, 13, and 13A” and substituting “**6A to 13E**”.
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Explanatory note

This Supplementary Order Paper sets out technical and drafting amendments to the Terrorism Suppression Amendment Bill. The Afghanistan Sanctions Resolutions are renamed, more accurately, as the Al-Qaida and the Taliban Sanctions Resolutions. The definition of United Nations listed terrorist entity is also updated, including by the insertion of definitions of Al-Qaida, Al-Qaida entity, the Taliban, and Taliban entity. This updating ensures that the Bill contains the substance of the definition of specified entity in, and so need no longer refer to, the United Nations Sanctions (Afghanistan) Regulations 2001 (which currently are proposed to be similarly updated and replaced). The other amendments make drafting improvements or correct drafting errors (for example, by ensuring section 75 of the principal Act is consequentially repealed, and making consequential amendments to the Charities Act 2005 and Crimes Act 1961).
