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Bill No. 33 Anti-Terrorism (Amendment) (No. 2) Bill 2015

THE ANTI – TERRORISM (AMENDMENT) (No. 2) BILL, 2015

MEMORANDUM

1. Object of the Bill

The object of this Bill is to further amend the definitions of “terrorism” and “acts of terrorism” to include the revised international aspects envisaged by the United Nations Convention Against Terrorism; and for related purposes.

2. Defects in the existing law

Uganda amended the Anti-Terrorism law in June, 2015 to address the Financial Action Task Force (FATF) recommendations on terrorism and terrorism financing. The Bill seeks to further amend the Anti-Terrorism Act, 2002 to provide for a revised suite of measures which are specifically designed to strengthen and improve Uganda’s counter-terrorism legislative framework to comply with Uganda’s international obligations and respond to terrorism threats.

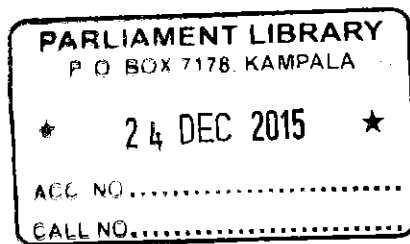
3. Provisions of the Bill

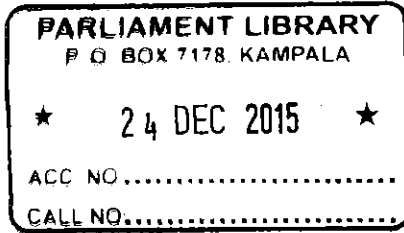
Clause 1 seeks to amend section 7 of Act to expand the definition of an ‘act of terrorism’ to include travelling outside Uganda, for the purpose of perpetrating, planning, or preparation of, or participation in, act of terrorist, or providing or receiving terrorist training, whether against Uganda or any other state.

Clause 2 seeks to amend section 9(1) of the Act on terrorism financing to criminalise the financing of individual terrorists.

Finally, clause 3 provides for an amendment of section 32A of the Act to specify the matters the Minister may regulate including matters relating to giving effect to United Nations Security Council Resolutions.

AKOL ROSE OKULLU (MP),
Minister of Internal Affairs.





A BILL for an Act

ENTITLED

**THE ANTI – TERRORISM (AMENDMENT) (NO. 2)
ACT, 2015.**

An Act to amend the Anti – Terrorism Act, 2002, to further amend the definitions of “terrorism” and “acts of terrorism” to include the revised international aspects envisaged by the United Nations Convention against terrorism; and for related purposes.

BE IT ENACTED by Parliament as follows—

1. Amendment of section 7 of the Anti – Terrorism Act, 2002.
Section 7 of the Anti – Terrorism Act, 2002, in this Act referred to as the “principal Act”, is amended in subsection (2) by inserting immediately after paragraph (y), the following—

“(z) travels outside Uganda, for the purpose of perpetrating, planning, or preparation of, or participation in, terrorist acts, or providing or receiving terrorist training, whether against Uganda or any other state.”

2. Amendment of section 9A of the principal Act.
Section 9A of the principal Act is amended by substituting for subsection (1) the following—

“(1) A person commits an offence, who willingly collects or provides funds, directly or indirectly, by any means, with the intention that such funds will be used, in full or in part, by—

- (a) a person, individual terrorist or terrorist organisation, to carry out a terrorist act;
- (b) a person to travel outside Uganda, for the purpose of perpetrating, planning, or preparation of, or participation in, or carrying out, a terrorist act, or providing or receiving terrorist training, whether against Uganda or any other state.”

3. Amendment of section 32A of the principal Act.

Section 32A of the principal Act is amended by—

- (a) by redesignating the current section as subsection (1);
- (b) by inserting immediately after subsection (1), the following—

“(2) Without prejudice to subsection (1), the Minister may make regulations—

- (a) to generally give effect to United Nations Security Council Resolutions;
- (b) to designate an individual, subject to constitutional restrictions, as a terrorist in accordance with United Nations Security Council Resolutions;
- (c) to prescribe a penalty in respect of any contravention of the regulations including—

- (i) a fine not exceeding two hundred and fifty currency points or imprisonment not exceeding five years or both;
- (ii) a higher penalty for subsequent or repeated offences;
- (iii) additional penalties for continuing offences;
- (iv) directing the court convicting an offender to order the forfeiture or seizure of anything used in the commission of the offence.

(3) Regulations made under this section shall be laid before Parliament within fourteen days after being published in the *Gazette* and may be annulled by Parliament by resolution within twenty four days after being laid, but any annulment under this subsection shall not affect the previous operation of the instrument.”

