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No. 1 of 2014

ANTI-TERRORISM (AMENDMENT) ACT, 2014

AN ACT TO AMEND THE ANTI-TERRORISM ACT TO EXTEND THE EIGHTEEN MONTH PERIOD FOR THE EXPIRATION OF A FREEZING ORDER AND TO GIVE EFFECT TO OUR OBLIGATIONS UNDER THE UNITED NATIONS CHARTER AND PURSUANT TO "THE PALERMO CONVENTION" AND FOR CONNECTED PURPOSES

[Date of Assent-1st May, 2014]

Enacted by the Parliament of The Bahamas

1. Short title and commencement.

- (1) This Act which amends the Anti-Terrorism Act (*Ch. 107*) may be cited as the Anti-Terrorism (Amendment) Act, 2014.
- (2) This Act shall come into force on such date as the Minister may appoint by Notice published in the *Gazette*.

2. Amendment of section 2 of the principal Act.

Section 2 of the principal Act is amended by the insertion, in the appropriate alphabetical position, of the following —

“United Nations Convention Against Transnational Organized Crime” means the United Nations Convention Against Transnational Organized Crime adopted by the United Nations General Assembly on the 15th November 2000; signed in December, 2000 at Palermo, Italy; entered into force on the 29th September, 2003; deposited with the Secretary General of the United Nations; and signed by The Bahamas on the 9th April, 2001;”

3. Amendment of section 3 of the principal Act.

Section 3 of the principal Act is amended by the following —

- (a) in subsection (1) by the insertion, immediately after the words “A person” of the words “or terrorist entity”;
- (b) in subsection (2) by the insertion, immediately after the words “A person” of the words “or terrorist entity”;
- (c) by the insertion, immediately after subsection (2) of the following as a new subsection (3) —

“(3) A terrorist entity acting with a common purpose who in or outside of The Bahamas —

- (a) commits the offence of terrorism by any means, directly or indirectly, unlawfully and wilfully;
- (b) participates as an accomplice in the offence of terrorism or the financing of terrorism as set forth in subsection (1) and (2) above;
- (c) organises or directs others to commit the offence of terrorism or the financing of terrorism; or
- (d) contributes to the commission of the offence of terrorism or the financing of terrorism by a group of persons acting with a common purpose where the contribution is made intentionally and with the aim of furthering the terrorist acts or the financing of terrorism with the knowledge of the intention of the group to commit the terrorist acts or the financing of terrorism;

is guilty of the offence of terrorism and on conviction on information where death ensues and where that act would have constituted the offence of murder or treason, prior to the commencement of this Act, shall be sentenced to death or in any other case, is liable to imprisonment for life.”.

4. Amendment of section 9 of the principal Act.

Section 9(6) of the principal Act is amended by the deletion of subsection (6) and the substitution therefor of the following —

- “(6) A freezing order granted by the Court under subsection (1) shall cease to have effect at the end of the period of two years commencing on the date that order was granted.”.