

BILL

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THE COUNTER TERRORISM ACT, 2024

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No.



2024

Sierra Leone

A BILL ENTITLED

The Counter Terrorism Act, 2024

Short title.

Being an Act to provide for the establishment of the National Counter-Terrorism Coordination Committee, to provide for offences of terrorism and terrorism related matters, to provide for enforcement measures on terrorist funds and other assets, to provide for the prohibition of financial support to terrorism and to provide for other related matters.

[

] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

PART I—PRELIMINARY

Interpretation. 1. In this Act, unless the context otherwise requires -

"Centre" means the Counter-Terrorism Fusion Centre established under section 8;

"Central Intelligence and Security Agency" means the Central Intelligence and Security Agency referred to in section 14 of the National Security and Central Intelligence Act, 2023 (Act No. 2 of 2023);

"chemical, biological, radiological and nuclear weapon" means nuclear, radiological, biological and chemical agents including materials from nuclear fission or fusion, or other radioactive materials with the potential to affect human health;

"Committee" means the National Counter-Terrorism Committee established under section 2;

"court" means the High Court of Sierra Leone;

"Director-General" means the Director-General of Central Intelligence and Security Agency appointed under subsection (1) of section 18 of the National Security and Central Intelligence Act, 2023;

"explosive substance" means an explosive or incendiary substance or material that is designed, or has the capability, to cause death, serious bodily injury or substantial material damage;

"Financial Intelligence Unit" means the Financial Intelligence Unit established under subsection (1) of section 2 of the Anti-Money Laundering and Combating of Financing of Terrorism Act, 2012 (Act No. 2 of 2012);

"fixed platform" means an artificial island, installation

or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes;

"funds" mean assets of every kind, whether tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to, or interest in, such assets, including, bank credits, travellers cheques, bank cheques, money orders, shares, securities, bonds, drafts and letters of credit, and interest, dividends or other income on or value accruing from or generated by such funds or other assets;

"harmful substance" means a weapon or device that is designed, or has the capability, to cause death, serious bodily injury or substantial material damage through the release, dissemination or impact of toxic chemicals, biological agents, toxins, similar substances, or radioactive material;

"internationally protected person" includes -

- (a) a Head of State or member of a collegial body performing the functions of a Head of State, Head of Government, or Minister responsible for Foreign Affairs, whenever such person is in a foreign state, and includes a member of his family accompanying him;
- (b) a representative or official of a State, or official or other agent of an international organisation of an intergovernmental character, who, at the time when and in the place where, a crime against him, his official premises, private accommodation or means of transport is committed, is entitled under

international law, to special protection from attack on his person, freedom or dignity as well as on his family forming part of his household;

"Minister" means the Minister responsible for internal affairs;

"National Security Council" means the National Security Council established under section 2 of the National Security and Central Intelligence Act, 2023;

"proceeds of crime" means funds or property, tangible or intangible, derived from or obtained, directly or indirectly, through the commission of a terrorism offence or an unlawful conduct;

"public place" means those parts of a building, land, street, waterway or other location that are accessible or open to members of the public, whether continuously, periodically or occasionally, and encompasses commercial, business, cultural, historical, educational, religious, governmental, entertainment, recreational or similar place that is accessible or open to the public;

"radioactive material" means material containing unstable atoms that emits ionizing radiation as it decays;

"serious injury" means serious bodily and psychological injury;

"ship" means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles or any other floating craft;

"Sierra Leone Police" means the Sierra Leone Police

Force established under section 155 of the Constitution of Sierra Leone, 1991, that is primarily responsible for law enforcement and crime investigation throughout Sierra Leone;

"terrorist" means a person who commits or attempts to commit, a terrorist act or who participates in or facilitates the commission of a terrorist act or conspires to do so;

"terrorist act" means the use, threatened use or attempted use of unlawful force or violence against one or more persons or property, calculated to intimidate or coerce a government, an agency of government, a civilian population or section thereof into doing or refraining from an act or course of conduct in furtherance of a political, social, ideological, religious, or economic objective;

"terrorist group" means a structured group or organisation of more than 2 persons, established over a period of time and acting in concert to commit terrorist acts;

"terrorist property" means the property of a terrorist or any other property consisting of funds belonging to or under the control of a terrorist or a terrorist group and matters not whether the funds or other property are intended to be used to finance or otherwise assist the commission of a terrorist act;

"Transnational Organised Crime Unit" means the Transnational Organised Crime Unit referred to in Section 6 of the National Security and Central Intelligence Act, 2023;

"The Republic of Sierra Leone Armed Forces" means

the armed forces of Sierra Leone, responsible for the territorial security of Sierra Leone's border and defending the national interests of Sierra Leone.

PART II - THE NATIONAL COUNTER-TERRORISM COMMITTEE

National
Counter-
Terrorism
Committee.

2. There shall be a National Counter-Terrorism Committee under the supervision of the National Security Council, consisting of the Vice President as Chairman and the following other members-

- (a) The Minister responsible for internal affairs as Deputy Chairman;
- (b) The Chief Minister;
- (c) The Minister responsible for defence;
- (d) The Minister responsible for foreign affairs and international cooperation;
- (e) The Minister responsible for finance;
- (f) The Minister responsible for information and civic education;
- (g) The Minister responsible for local government and community affairs;
- (h) The Attorney-General and Minister of Justice;
- (i) The National Security Coordinator;
- (j) The Chief of Defence Staff;
- (k) The Inspector-General, Sierra Leone Police;
- (l) The Director-General, Central Intelligence

and Security Agency;

- (m) The Governor, Bank of Sierra Leone;
- (n) The Chief of Staff, Office of National Security who shall serve as Secretary to the Committee.

3. The object for which the Committee is established is to advise the National Security Council on -

Functions of
Committee.

- (a) policy matters related to terrorism;
- (b) recommendations of the National Counter-Terrorism Coordination Committee, including recommendations for the approval of the financial estimates of the Centre.

4. The Committee shall have the power to -

Powers of
Committee.

- (a) request and obtain information, where it considers it necessary, from any person or authority, for the purpose of discharging its obligations under this Act;
- (b) co-opt any person to attend and participate in its deliberations on any matter but such person shall not vote on any issue for the decision by the Committee.

PART III - THE NATIONAL COUNTER-TERRORISM COORDINATION COMMITTEE

5. (1) There shall be a National Counter-Terrorism Coordination Committee under the supervision of the National Counter-Terrorism Committee, consisting of the National Security Coordinator as Chairman and the following other members-

National
Counter-
Terrorism
Coordination
Committee.

- (a) The Director General, Ministry of Foreign

Affairs and International Cooperation;

- (b) The Director General, Ministry of Defence;
- (c) The Permanent Secretary, Ministry of Internal Affairs;
- (d) The Permanent Secretary, Ministry of Information and Civic Education;
- (e) The Permanent Secretary, Ministry of Social Welfare;
- (f) The Director General, Sierra Leone Correctional Service;
- (g) The Chief Fire Officer, National Fire Force;
- (h) The Chief Immigration Officer, Immigration Department;
- (i) The Director of Operations, Sierra Leone Police;
- (j) The Commander Joint Force, Republic of Sierra Leone Armed Forces;
- (k) The Assistant Chief of Defence Staff, Operations and Planning;
- (l) The Director, Financial Intelligence Unit;
- (m) The Director-General, Central Intelligence and Security Agency;
- (n) The Director-General, National Disaster Management Agency;

- (o) The Director of Public Prosecution;
- (p) The Director-General, Sierra Leone Civil Aviation Authority;
- (q) The Chief of Staff, Office of National Security;
- (r) The Director, Serious Organised Crime and Counterterrorism Directorate, Office of National Security who shall serve as Secretary to the Committee.

6. (1) The National Counter-Terrorism Coordination Committee shall be responsible for -

Functions of
National
Counter-
Terrorism
Coordination
Committee.

- (a) the coordination, management and supervision of the Counter-Terrorism Fusion Centre under section 8, in a manner that will ensure that the Centre performs its functions effectively and efficiently;
- (b) the development of counter-terrorism proposals and assessment for the consideration of the Committee;
- (c) coordination of international assistance in matters related to counter-terrorism;
- (d) counteract terrorist propaganda on the internet;
- (e) promote dialogue and co-operation on counter-terrorism issues among State authorities, the private sector (business community and industry), civil society and the media;

- (f) enforce the United Nations Security Council Resolution 1540 (2004) on non-proliferation of weapons of mass destruction;
- (g) strengthening travel security at border controls including airport, seaport and land borders;
- (h) promote and protect human rights and fundamental freedoms in the implementation of counter-terrorism measures;
- (i) evaluating the financial estimates of the Centre and make recommendations to the Committee; and
- (j) performing all other tasks incidental or ancillary to the discharge of its functions under this Act.

Powers of
National
Counter-
Terrorism
Coordination
Committee.

7. The National Counter-Terrorism Coordination Committee shall have the power to -

- (a) issue directives to the Centre;
- (b) request and obtain information from the centre or from any person or authority, where it considers it necessary, for the purpose of discharging its obligations under this Act.

PART IV- THE COUNTER-TERRORISM FUSION CENTRE

Terrorism
Counter-
Fusion
Centre.

8. (1) There shall be a Counter-Terrorism Fusion Centre which shall be a specialised unit of highly trained personnel from various security and intelligence agencies in Sierra Leone, necessary for carrying out the functions of the Committee.

(2) The Centre shall -

- (a) comprise -
 - (i) the Counter-Terrorism Intelligence Division; and
 - (ii) the Counter-Terrorism Operations Division;
- (b) be headed by the Director-General of the Central Intelligence and Security Agency; and
- (c) for the purpose of providing support to the National Counter-Terrorism Coordination Committee, undertake such activities as may be necessary for -
 - (i) the prevention of terrorist acts;
 - (ii) the protection of citizens from acts of terrorism;
 - (iii) the restoration and reconstruction of terrorism affected communities; and
 - (iv) the pursuit of terrorists.

9. (1) The Counter-Terrorism Intelligence Division under subparagraph (i) of paragraph (a) of subsection (2) of section 8 shall be headed by the Chief of Operations, Central Intelligence and Security Agency and be responsible to -

Counter-Terrorism Intelligence Division.

- (a) coordinate the collection, collation and analysis of terrorism related information;
- (b) maintain the database on terrorism related information;

-
- (c) coordinate with counter-terrorism liaison officers and provide access to institutional records;
 - (d) track proceeds of crime, funds or assets that may be intended to finance terrorist, terrorist groups or entities and terrorist related activities;
 - (e) monitor proscribed persons, groups or entities;
 - (f) track the incidence of terrorist financing through unlawful exploitation of mineral resources and other corrupt practices;
 - (g) liaise with the Directorate responsible for protective security in the Office of National Security to ensure that all protective security measures are fully implemented;
 - (h) carry out regular vulnerability assessment on critical national infrastructure and develop mechanisms to protect them from terrorist attack;
 - (i) counteract terrorism, including violent extremism and radicalism;
 - (j) suppress and prevent the financing of terrorism;
 - (k) perform such other acts that may be incidental or ancillary to the discharge of its functions under this Act.

(2) The Counter-Terrorism Intelligence Division shall consist of such personnel as may be necessary to provide support to the National Counter-Terrorism Coordination Committee in carrying out its functions under this Act, including -

(a) intelligence and assessment officers appointed from -

(i) the Central Intelligence and Security Agency;

(ii) the Integrated Intelligence Service of the Sierra Leone Police, the Forces Intelligence and Security Unit of the Republic of Sierra Leone Armed Forces and the Office of National Security;

(b) financial intelligence analysts from the Financial Intelligence Unit;

(c) protective security officers from the Sierra Leone Police, the Republic of Sierra Leone Armed Forces and the Office of National Security.

10. (1) The Counter-Terrorism Operations Division under subparagraph (ii) of paragraph (b) of subsection (2) of section 8 shall be headed by the Director of Operations, Sierra Leone Police and shall be responsible to -

Counter-Terrorism
Operations
Division.

(a) coordinate and execute counter-terrorism operations;

(b) ensure the prompt deployment of resources for operational purposes;

- (c) coordinate input required from other agencies through their respective counter-terrorism liaison officers.
- (d) enforce anti-terrorism laws;

(2) The Counter-Terrorism Operations Division shall consist of such personnel as may be necessary to support to the National Counter-Terrorism Coordination Committee in carrying out its functions under this Act, including -

- (a) Ordinance Disposal Experts of the Republic of Sierra Leone Armed Forces;
- (b) a joint law enforcement unit comprising members of the Sierra Leone Police and the Republic of Sierra Leone Armed Forces, that uses specialised or military equipment and tactics, nominated by the Inspector-General of Police and Chief of Defence Staff respectively;
- (c) an investigation team from the Transnational Organised Crime Unit, nominated by the Inspector General of Police on the advice of the Chairman, Management Board, Transnational Organised Crime Unit;
- (d) a Law Officer from the Office of the Attorney-General and Minister of Justice nominated by the Attorney General and Minister of Justice.

Counter-
terrorism
liaison
officers.

11. (1) There shall be, at least one, counter-terrorism liaison officer, appointed by the respective heads of the following ministries, departments and agencies, who shall serve as focal person for the Counter-Terrorism Fusion Centre -

-
- (a) Ministry of Foreign Affairs and International Co-operation;
 - (b) Ministry of Social Welfare;
 - (c) Immigration Department; Ministry of Internal Affairs;
 - (d) Customs Department, National Revenue Authority;
 - (e) Sierra Leone Ports Authority, Ministry of Transport and Aviation;
 - (f) Sierra Leone Civil Aviation Authority, Ministry of Transport and Aviation;
 - (g) Sierra Leone Road Safety Authority, Ministry of Transport and Aviation;
 - (h) Sierra Leone Airports Authority, Ministry of Transport and Aviation;
 - (i) Ministry of Health;
 - (j) Sierra Leone Maritime Administration, Ministry of Transport and Aviation;
 - (k) National Fire Force;
 - (l) National Central Bureau, Sierra Leone;
 - (m) Sierra Leone Commission on Arms;
 - (n) National Ambulance and Emergency Services.

(2) A focal person appointed under subsection (1) shall be required to subscribe to the Oath of Secrecy administered by the Office of National Security, in the presence of the head of his ministry, department or agency.

PART V—OFFENCES OF TERRORISM AND RELATED
MATTERS

Terrorist
act.

12. (1) A person shall not engage in a terrorist act.

(2) A terrorist act is committed when an act of violence or threat of violence -

(a) is used -

(i) in furtherance of a political, ideological, economic or religious cause;

(ii) for the benefit of a proscribed person, group or organisation; or

(iii) to put the public or a section of the public in fear;

(b) causes serious bodily harm to a person;

(c) causes serious damage to property;

(d) endangers a person's life;

(e) creates a serious risk to the health or safety of the public;

(f) involves the use of firearms or explosives;

(g) releases into the environment or exposes the public to -

- (i) dangerous, hazardous, radioactive or harmful substance;
- (ii) toxic chemicals; or
- (iv) microbial or other biological agents or toxins; and
- (h) is prejudicial to national security or public safety or designed or intended to disrupt -
 - (i) a computer system or the provision of services directly related to transportation or communications;
 - (ii) banking or financial services;
 - (iii) utilities;
 - (iv) other essential services; or
- (i) is designed or intended to cause damage to essential infrastructure.

(3) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 30 years.

13. (1) A person shall not recruit another person to be a member of a terrorist group or to participate in the commission of a terrorist act. Recruitment into terrorism or terrorist group.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person who -

- (a) organises, directs others, attempts or conspires; or
- (b) participates as an accomplice to a person committing or attempting,

to commit an offence under subsection (1), is liable, on conviction, to a term of imprisonment not less than 30 years.

Directing.

14. (1) A person shall not direct, at any level, the activities of a person, group or organisation which is concerned in the commission of an act of terrorism.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to imprisonment for life.

Violence
against
safety of
civil
aviation.

15. (1) A person shall not -

- (a) commit an act of violence against a person on board an aircraft in flight in a manner that is likely to endanger the safety of the aircraft;
- (b) destroy an aircraft in service; or
- (c) cause damage to an aircraft in a manner likely to render it incapable of flight or endanger safety in flight;
- (d) place or cause to be placed on an aircraft in service, by any means whatsoever, a device or a substance which is likely to destroy the aircraft or cause damage to the aircraft in a manner likely to render it incapable of flight, or endanger safety in flight;
- (e) destroy air navigation facilities or interfere with their operation in a manner likely to endanger safety in flight;

- (f) communicate information which he knows to be false in a manner likely to endanger safety in flight;
- (g) commit or threaten to commit an offence under paragraphs (a), (b), (c), (d), (e) or (f) for the purpose of compelling a physical or juristic person to do or refrain from doing an act;
- (h) organise or direct another person to commit, attempt to commit, conspire to commit or participate as an accomplice to a person committing or attempting to commit an offence under this section,

(2) A person who -

- (a) contravenes or attempts;
- (b) organises or directs others, conspires, participates as an accomplice,

to contravene subsection (1) commits an offence and is liable on conviction to imprisonment for a term of not less than 30 years.

16. (1) A person shall not -

Violence
against safety
at airport.

- (a) use a device, substance or weapon that is likely to endanger the safety at an airport;
- (a) commit an act of violence against a person at an airport in a manner that is likely to cause serious injury or death; or
- (c) destroy or seriously damage the facilities of an airport or aircraft not in service located in an airport or disrupt the services of an airport;

- (d) commit or threaten to commit an offence under paragraphs (a), (b) or (c) for the purpose of compelling a physical or juristic person to do or refrain from doing an act; or
- (e) organises or directs another person to commit, attempt to commit, conspire to commit or participate as an accomplice to a person committing or attempting to commit an offence under this section.

(2) A person who -

- (a) contravenes or attempts;
- (b) organises or directs others, conspires, participates as an accomplice,

to contravene subsection (1) commits an offence and is liable on conviction to imprisonment for a term of not less than 30 years.

Violence
against
safety
of ship
and fixed
platform.

17. (1) A person shall not -

- (a) seize or exercise control of a ship or a fixed platform -
 - (i) by force, threat or other form of intimidation; or
 - (ii) without lawful authority;
- (b) commit an act of violence against a person on board a ship or a fixed platform in a manner likely to endanger safety of the ship or a fixed platform;
- (c) destroy a ship or a fixed platform or damage a ship or a fixed platform or its cargo in a manner that endangers or is likely to endanger safety in navigation;

- (d) place or cause to be placed on a ship or a fixed platform, by any means whatsoever, a device or substance that is likely to destroy or damage the ship or a fixed platform or its cargo that endangers or is likely to endanger safety in navigation;
- (e) destroy or seriously damage maritime navigational facilities or seriously interfere with their operation in a manner which is likely to endanger safety in navigation; or
- (f) communicate information which he knows or has reasonable grounds to suspect to be false thereby endangering safety in navigation;
- (g) injure or cause the death of a person as a result of the commission of an offence under paragraph (a), (b), (c), (d), (e) or (f);
- (h) commit or threaten to commit an offence under paragraphs (a), (b), (c), (d), (e) or (f) for the purpose of compelling a physical or juristic person to do or refrain from doing an act; or
- (i) organises or directs another person to commit, attempt to commit, conspire to commit or participate as an accomplice to a person committing or attempting to commit an offence under this section.

(2) A person who -

- (a) contravenes or attempts;
- (b) organises or directs others, conspires, participates as an accomplice,

to contravene subsection (1) commits an offence and is liable on conviction to imprisonment for life.

Harbouring.

18. (1) A person shall not, knowingly, harbour or conceal another person that -

(a) has committed, is planning or likely to commit a terrorist act; or

(b) is a member of a terrorist group.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 7 years.

Preventing,
hindering,
etc.

19. (1) A person shall not prevent, hinder or interfere with the apprehension of a person, knowing or having reason to believe that the person -

(a) has committed, is planning or likely to commit a terrorist act; or

(b) is a member of a terrorist group.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 7 years.

Hostage
taking.

20. (1) A person shall not seize, detain or threaten to kill, injure or continue the detention of another person, in order to compel the government, an international organisation, a natural or juristic person, or a group of persons, to do or abstain from doing an act as an explicit or implicit condition for the release of the person seized, detained or threatened.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person who -

- (a) threatens a physical or juristic person to do an act under subsection (1);
- (b) organises or directs others, attempts, conspires or participates as an accomplice to commit an act under subsections (1),

commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

21. (1) A person shall not, with intent to provide *Publication.* encouragement or other inducement for the instigation, preparation or commission of an act of terrorism -

- (a) distribute or circulate a publication;
- (b) give, sell or lend a publication;
- (c) offer a publication for sale or loan;
- (d) provide a service to others that enables them to obtain, read, listen to or look at a publication, or to acquire it by means of a gift, sale or loan;
- (e) transmit the contents of a publication electronically or otherwise.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 25 years.

22. (1) A person shall not distribute, share or disseminate *Distributing materials* by means of the internet to unauthorised persons knowing *materials over the internet.* or having grounds to suspect that such materials are linked to a terrorist, terrorist group, terrorist entity.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment not exceeding 15 years or a fine of not less than 20 million Leones or to both fine and imprisonment.

Use and discharge of chemical, biological, radiological and nuclear weapons from ship or fixed platform.

23. (1) A person shall not use against or discharge from, a ship or a fixed platform, -

- (a) an explosive, radioactive material or chemical, biological, radiological and nuclear weapons;
- (b) discharge oil, liquefied natural gas or other hazardous or noxious substance, in such quantity or concentration which causes or is likely to cause death or serious injury or damage.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person shall not transport on board of a ship -

- (a) an explosive or radioactive material knowing or having reasonable grounds to suspect that it is intended to be used to cause, or constitutes a threat to cause death or serious injury or damage;
- (b) a chemical, biological, radiological and nuclear weapon, knowing it to be a chemical, biological, radiological and nuclear weapon;

- (c) a source of material, special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, knowing or having reasonable grounds to suspect that it is intended to be used in a nuclear explosive activity or in any other nuclear activity without approval given by a competent authority; or
- (d) an equipment, material, software or related technology that significantly contributes to the design, manufacture or delivery of a chemical, biological, radiological and nuclear weapon, with the intention that it will be used for such purpose.

(4) A person who contravenes subsection (3) commits an offence and is liable, on conviction, to imprisonment for life.

(5) A person who -

- (a) threatens a physical or juristic person to do an act under subsections (1) and (3);
- (b) organises or directs others, attempts, conspires or participates as an accomplice to commit an act under subsections (1) and (3),

commits an offence and is liable, on conviction, to imprisonment for life.

24. (1) A person shall not transport another person, knowing or having reasonable grounds to suspect that the person being transported has committed an offence under this Act, intending to assist the person to evade criminal prosecution. Transportation of offender.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment of not less than 10 years.

(3) A person who -

(a) organises, directs others, attempts or conspires to commit; or

(b) participates as an accomplice to a person committing or attempting to commit,

an offence commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

Violence
against
internationally
protected
persons.

25. (1) A person shall not -

(a) murder, kidnap or carry out an attack upon another person or liberty of a diplomat, member of an international organisation or other internationally protected person; or

(b) carry out a violent attack upon the official premises, the private accommodation or the means of transport of an internationally protected person in a manner which is likely to endanger the life or liberty of the protected person.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to imprisonment for life.

(3) A person who -

(a) organises, directs others, attempts or conspires to commit; or

- (b) participates as an accomplice to a person committing or attempting to commit, an offence commits an offence and is liable, on conviction, to imprisonment for life.

26. (1) A person shall not deliver, place, discharge or detonate an explosive or other lethal device in a place of public use, a government facility, a public transportation system or an infrastructural facility with the intent to cause death, serious bodily injury, extensive destruction of such a place, facility or system or economic loss. Explosives or other lethal devices.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment of not less than 30 years.

(3) A person who -

- (a) organises, directs others, attempts or conspires to commit; or
- (b) participates as an accomplice to a person committing or attempting to commit,

commits an offence commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

27. (1) A person shall not, without lawful authority, -

- (a) receive, possess, transfer, alter, or dispose of a radioactive or nuclear material;
- (b) possess a device with intent to cause death, serious bodily harm or substantial damage to property or to the environment;

Handling of radioactive material without authority.

- (c) use fraudulent or unlawful means to obtain a radioactive or nuclear material;
- (d) carry, send or move radioactive material into and out of Sierra Leone without approval of the competent authority;
- (e) demand a radioactive or nuclear material or device by threat, use of force or by any other form of intimidation.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person who -

- (a) organises, directs others, attempts or conspires to commit; or
- (b) participates as an accomplice to a person committing or attempting to commit,

commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

Use of
radioactive
material
with intent.

28. (1) A person shall not make, use or disperse a radioactive or nuclear or device, with intent to cause death, serious bodily harm or substantial material damage to property or to the environment.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person who -

- (a) organises, directs others, attempts or conspires to commit; or
- (b) participates as an accomplice to a person committing or attempting to commit,

an offence commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

29. (1) A person shall not cause, conspire or enable another person to-
Causing, explosion, making or possessing explosive substance.

- (a) cause an explosion;
- (b) make or have an explosive substance in his possession or under his control, that is likely to endanger life, cause serious injury or damage to property.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to imprisonment for life.

(3) A person commits an offence under paragraph (a) of subsection (1), whether an explosion does or does not take place or an injury to a person or damage to property is actually caused or not.

30. (1) A person shall not -

- (a) use noxious substance to -

Use of noxious substances.

- (i) influence the Government of Sierra Leone; or
- (ii) intimidate the public;

- (b) make a threat that he or another person will administer a noxious substance; or
- (c) induce a person to believe that administering of a noxious substance on him is imminent.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 15 years.

Hoax.

31. (1) A person shall not, with the intention of inducing another person to believe that there is likely to be noxious substance at a particular place -

- (a) send a substance or other thing from one place to another place; or
- (b) communicate information which he knows or believes to be false,

and thereby endangers human life or creates a serious risk to human health.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 7 years.

Obstruction
of inspection
and search.

32. (1) A person shall not -

- (a) refuse access to premises;
- (b) fail to submit to a search lawfully conducted under this Act;
- (c) assault, obstruct, hinder or delay a search lawfully conducted under this Act;

- (d) fail to comply with a lawful demand of the head of the Centre or any person acting under his authority in the discharge of a duty under this Act;
- (e) refuse or neglect to give information required under this Act;
- (f) give information which he knows or has reasonable grounds to suspect to be false; or
- (g) fail to produce, conceal or attempt to conceal property liable to seizure under this Act.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 15 years.

33. (1) A person shall not supply or offer to supply weapons to a terrorist, a member of a terrorist group or terrorist entity to participate in the commission of a terrorist act.

Supply of weapons to terrorist, terrorist group or entity.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person who -

- (a) organises, directs others, attempts or conspires; or
- (b) participates as an accomplice to a person committing or attempting,

to commit an offence under subsection (1), is liable, on conviction, to a term of imprisonment not less than 30 years.

Planning
and preparing
terrorist act.

34. (1) A person shall not make plans or preparations for the purpose of committing a terrorist act.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person who -

(a) organises, directs others, attempts or conspires; or

(b) participates as an accomplice to a person committing or attempting,

to commit an offence under subsection (1), is liable, on conviction, to a term imprisonment not less than 30 years.

Incitement
of terrorist
act
prohibited.

35. (1) A person shall not -

(a) incite the commission of a terrorist act;

(b) incite the membership of a terrorist or proscribed group;

(c) solicit property for the benefit of a terrorist group or for the commission of a terrorist act;

(d) incite another person, while in Sierra Leone, to commit an act of terrorism wholly or partly outside Sierra Leone.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment not less than 10 years.

36. (1) A person shall not encourage or induce the commission, of, preparation or instigation of an act of terrorism.

Encouragement, inducement of commission, etc., of terrorism prohibited.

(2) A person encourages or induce the commission, preparation or instigation of acts of terrorism if he publishes a statement or causes another person to publish such statement, -

(a) with the intent that; or

(b) recklessly; oblivious as to whether,

members of the public shall be directly or indirectly encouraged or otherwise induced by the statement to commit, prepare or instigate acts of terrorism.

(3) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 7 years.

37. (1) A person shall not distribute, or otherwise make a message available to another person, the public, or a section of the public with intent to incite the commission of a terrorist act.

Incitement to terrorism.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person who -

(a) organises, directs others, attempts or conspires; or

(b) participates as an accomplice to a person committing or attempting,

to commit an offence under subsection (1), is liable, on conviction, to a term of imprisonment not less than 30 years.

Support for
foreign
terrorist.

38. (1) A person shall not -

- (a) recruit, organise, transport or equip; or
- (b) receive, train, finance, harbour or provide any support whatsoever to,

an individual or group of persons who travel to Sierra Leone or out of Sierra Leone for the purpose of perpetration, planning or preparation of, or participation in, terrorist activity.

(2) A person who contravenes subsection (1) commits an offence and is liable, on conviction, to a term of imprisonment not less than 30 years.

(3) A person who -

- (a) organises, directs others, attempts or conspires; or
- (b) participates as an accomplice to a person committing or attempting,

to commit an offence under subsection (1), is liable, on conviction, to a term of imprisonment not less than 30 years.

PART VI - PROHIBITION OF SUPPORT OF PROSCRIBED ORGANISATIONS

Membership
to a
proscribed
organisation
prohibited.

39. (1) A person shall not belong or profess to belong of a proscribed organisation.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 7 years.

Support of
proscribed
organisation
prohibited.

40. (1) A person shall not -

- (a) support a proscribed organisation;
- (b) invite support for a proscribed organisation;
- (c) further the activities of a proscribed organisation;
- (d) arrange, manage or assist in arranging or managing a meeting with a proscribed organisation or a member of a proscribed organisation;
- (e) participate at a meeting of a proscribed organisation

(2) A person shall not, in a public place, wear -

- (a) an item of clothing; or
- (b) carry or display an article,

in such a way or in such circumstances as to arouse reasonable suspicion that he is a member or supporter of a proscribed organisation.

(3) A person who contravenes subsection (1) or (2) commits an offence and is liable on conviction to a term of imprisonment of not less than 5 years.

41. (1) A person is under a duty to disclose to the police all relevant information in his possession, as soon as is reasonably practicable, if information questioned by the police in relation to a terrorism related investigation.

Duty to
disclose
information
to police.

(2) A person who fails, refuses or neglects to the police, information required by subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 5 years.

Possession of arms and ammunitions for purpose of terrorism prohibited.

42. (1) A person shall not have in his possession or under his control arms and ammunitions for a purpose that is connected with the commission, preparation or instigation of an act of terrorism.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to imprisonment for life.

Entry into Sierra Leone for the purpose of terrorism prohibited.

43. (1) A person shall not enter or remain in Sierra Leone for purpose of terrorism.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 10 years.

PART VII - PROHIBITION OF FINANCIAL SUPPORT TO TERRORISM

Financial support for terrorism prohibited.

44. (1) A person shall not directly or indirectly provide or make available financial or other related service to be used -

(a) in whole or in part to commit or facilitate the commission of a terrorist act;

(b) to benefit a person who is committing or facilitating the commission of a terrorist act.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment not exceeding 10 years.

Fund raising for terrorism prohibited.

45. (1) A person shall not -

(a) invite another person to provide money or other property;

(b) receive money or other property;

(c) provide money or other property to a person, group or body, to be used for the purposes of terrorism.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 15 years.

46. (1) A person shall not enter into or become interested in an arrangement as a result of which money or other property is made available or is to be made available to another to be used for the purposes of funding terrorism. Funding of terrorism prohibited.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 15 years.

47. (1) A person shall not enter into or become interested in an arrangement which facilitates - Concealment, etc., of terrorist property prohibited.

(a) concealment;

(b) retention or control;

(c) removal from the jurisdiction; or transfer to nominees, of terrorist property.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 15 years.

48. (1) A person shall not -

(a) use money or other property;

(b) possess money or other property, for the purpose of terrorism. Use and possession of money or other property for terrorism prohibited.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a term of imprisonment of not less than 15 years.

Indictment
preferred
without
previous
committal
for trial.

49. An indictment relating to an offence under this Act shall be preferred without a previous committal for trial, and it shall in all respects be deemed to have been preferred pursuant to subsection (1) of section 136 of previous the Criminal Procedure Act, 1965 (Act No.32 of 1965) and shall be committal proceeded with accordingly.

PART VIII - PREVENTIVE AND ANCILLARY MEASURES

Prevention
of terrorism.

50. The head of the Centre shall be responsible for the carrying out of counter-terrorism activities and shall take measures necessary to prevent-

- (a) the formation of terrorist groups;
- (b) the movement of foreign terrorist fighters into Sierra Leone;
- (c) the commission of a terrorist act or any act or conduct incidental or ancillary thereto.

Designation
of terrorist.

51. (1) The Attorney-General may, upon the advice of the Head of Centre, apply to the High Court by ex-parte originating notice of motion, for an Order declaring a person, group or entity, that is reasonably suspected to be linked to a terrorist, terrorist group or entity, as a designated person, group, or entity.

(2) A person shall not be deemed to be linked to terrorism unless on evidence raising reasonable suspicion that, in or outside Sierra Leone he may have committed a terrorist act, become a member of a terrorist group or entity, provided support whatsoever to a terrorist, terrorist group or entity, aided, abetted, counselled a person, group or entity committing or having committed a terrorist act.

(3) An order under subsection (1), if granted by the High Court -

- (a) shall be served within 24 hours of issue thereof, to -
 - (i) the person, group or entity named in the order;
 - (ii) the head of the Centre; and
 - (iii) members of the Committee.
 - (b) shall be operative for a period not exceeding 6 months;
 - (c) may be extended by the High Court, on -
 - (i) an application made by the Attorney-General; and
 - (ii) evidence that a terrorism investigation against the designated person, group or entity has commenced.
 - (d) may be revoked within 30 days after the date of the order on -
 - (i) an application of the designated person, group or entity to the High Court for the revocation of an order; and
 - (ii) evidence that there are reasonable grounds for the revocation.
- (4) The Attorney-General shall, within 6 months of the granting of an order under subsection (1), proffer a charge of terrorism or terrorism-related offence against a designated person, group or entity named in the order or indicate an intention to do so.

Freezing
of assets of
designated
person,
group or
entity.

52. (1) The head of the Centre shall, upon receipt of a list of designated person, group or entity designated a terrorist or terrorist group or entity under section 50, -

- (a) cause, by order in writing, the funds or other assets of such listed designated person, group or entity to be frozen instantaneously;
- (b) direct that no funds or other assets shall be made available, directly or indirectly, to or for the benefit of the designated person, group or entity; and
- (c) immediately inform members of the Committee and the Central Intelligence and Security Agency.

(2) Funds or other assets that may be frozen by the head of the Centre under subsection (1) include, funds or other assets -

- (a) wholly or jointly owned or controlled, directly or indirectly, by a designated person, group or entity; and
- (b) derived or generated from funds or other assets owned or controlled directly or indirectly by a designated person, a terrorist, a person who finances a terrorist, terrorist group or entity.

(3) Where funds or other assets are owned, held or controlled within the jurisdiction of Sierra Leone, such funds or other assets shall be frozen upon establishing, beyond doubt, that a designated person, group or entity is the owner, controller or beneficiary of the funds or other assets.

(4) In determining whether the funds or other assets are to be frozen under subsection (3), the fact that such funds are held in the name of a third party shall be immaterial and shall be frozen as if they are held or controlled by the designated person, group or entity.

(5) An order to freeze the funds or other assets of a designated person, group or entity shall -

- (a) take effect without prior notice to the designated person, group or entity;
- (b) be carried out without delay upon having reasonable grounds to suspect that the person, group or entity is a designated terrorist.

(6) Funds or other assets of a designated person, group or entity frozen under this Act shall be recorded against the names of the owner or controller thereof for proper management.

53. (1) The head of the Centre or a person acting under his authority shall be responsible for executing the process of freezing international terrorist assets in compliance with this Act and Sierra Leone's obligations under Security Council Resolutions and regional member states of the Economic Community of West African States.

Freezing of international terrorist funds.

(2) The Director General of the Central Intelligence and Security Agency shall, in coordination with the Committee, supervisory authorities and competent authorities, collate, update and review the list of designated persons issued by the United Nations, regional member states of the Economic Community of West African States or the Government of Sierra Leone.

(3) The Director-General of the Central Intelligence and Security Agency shall, upon receipt of a designated list of persons, groups or entities from the United Nations, regional member states of the Economic Community of West African States or Government of Sierra Leone, immediately take all necessary measures to disseminate such list to financial institutions, non-financial businesses and professions, members of the Committee, supervisory authorities and other relevant competent authorities.

(4) Where the identity of a person, group or entity on the United Nations, regional member states of the Economic Community of West African States or Government of Sierra Leone is established beyond doubt, the funds and other assets of that designated person, group or entity shall be frozen and shall be prevented from conducting any financial transaction.

Seizure
and
restraint
vessel.

54. The Attorney-General may, by way of ex-parte originating notice of motion, apply to the High Court, for an order of seizure or restraint of a vessel where there are reasonable grounds to suspect that there is property in the vessel -

- (1) that has been used or intended to be used for the commission of a terrorist act; or
- (2) belonging to a terrorist, terrorist group or entity;
- (3) suspected to be affiliated to a terrorist, terrorist group or entity or designated as such under section 51.

interception
of
communications.

55. (1) The head of the Centre or a person acting under his authority may, upon reasonable suspicion that an offence under this Act has been committed or may be committed, if necessary, action is not taken, intercept communications for the purpose of obtaining evidence containing a threat posed by a person, group or entity connected with the communications.

(2) The head of the Centre or a person acting under his authority may, for the purpose of the interception of communications under subsection (1), issue directives -

(a) requiring a communications service provider to intercept and retain a specified communication or communications of a specified description received or transmitted or about to be received or transmitted by the service provider;

(b) authorising an officer of the Centre to -

(i) intercept or listen to a conversation transmitted or about to be transmitted by a communications service provider; or

(ii) enter premises and install on the premises a device for the interception and retention of specified communications or communications of a specified description and to remove and retain the device.

(3) Notwithstanding any provision to the contrary, contained in any other law, information contained in a communication which is intercepted and retained -

(a) under subsection (2); or

(b) in a foreign state in accordance with the law of the foreign state and certified by a Judge of that foreign state to have been intercepted, shall be admissible, in proceedings for an offence under this Act, as evidence of the truth of its contents.

Prevention
of entry and
order of
removal of
persons.

56. (1) Where the Chief Immigration Officer or a person acting under his authority has reasonable grounds to suspect that a person in or about to enter the territory of Sierra Leone or any part thereof has been involved or is likely to be involved in the commission of a terrorist act, he -

- (a) shall refuse an endorsement or authority to permit that person to enter the territory of Sierra Leone or any part thereof;
- (b) may, in writing, order that the person be deported to his country of origin and handed over to the criminal investigation department of that country.

(2) A person with respect to whom an order under subsection (2) is made shall be deemed to be a prohibited immigrant and shall be detained in a manner directed by the Chief Immigration Officer or a person acting under his authority and placed on an aircraft or vessel leaving Sierra Leone.

Information
relating to
passengers
on aircraft
or vessel.

57. (1) The operator of an aircraft or the master of a vessel arriving in or departing from Sierra Leone shall provide the Chief Immigration Officer or a person acting under his authority, information relating to persons on board, or expected to be on board the aircraft or vessel.

(2) The Chief Immigration Officer or a person acting under his authority -

- (a) shall provide to a law enforcement agency or competent authority in Sierra Leone;
- (b) may provide to a competent authority in a foreign state,

information relating to persons arriving in or departing from Sierra Leone either upon request or spontaneously for the purpose of intelligence gathering on or investigation of terrorism or terrorism-related offences.

(3) For the purpose of subsection (2), competent authority include the Attorney-General, the Director General of the Central Intelligence and Security Agency, the National Security Co-ordinator, the Chairman, Management Board, Transnational Organised Crime Unit, the Inspector General of Police, the Director of the Financial intelligence Unit, a law enforcement agency and a person exercising powers on behalf of these authorities.

(4) A request by a competent authority in foreign state under subsection (2) shall -

- (a) confirm that the gathering of intelligence is in relation to the investigation or prosecution of suspected terrorism, terrorism-related activity or the conviction of a person or entity of terrorism or terrorism-related activity;
- (b) state the grounds on which a person or entity is being investigated or prosecuted for terrorism or terrorism-related activity;
- (c) give particulars sufficient to identify the person or entity against whom an investigation, prosecution or any process contemplated;
- (d) give particulars sufficient to identify a reporting entity or other person believed to have information, documents or material of assistance to the investigation or prosecution;

- (e) request the competent authority to whom the request is addressed to obtain from a person or entity, information, documents or material of assistance to the investigation or prosecution;
- (f) specify the manner in which and to whom information, documents or materials obtained is to be produced; and
- (g) contain any other information or particulars as may assist the execution of the request.

PART IX- MUTUAL LEGAL ASSISTANCE AND EXTRADITION

Request
from foreign
state.

58. (1) Where a request for assistance in the investigation or prosecution of terrorism or terrorism-related offences is made by a foreign state, the head of the Centre shall, after consultation with the Chairman of the Committee, execute the request or inform the foreign state making the request of the reason for refusing or delaying the execution of the request.

(2) The head of the Centre or a person acting under his authority may, for the purpose of executing a request under subsection (1) -

- (a) enter premises belonging to, or in the possession or control of, a person suspected of being connected with an offence to which the request relates, to search the premises for information relevant to the execution of the request.
- (b) break open the premises and forcibly enter for the purpose of conducting the search and may stop, search and detain a person in the premises suspected of being connected with an offence to which the request relates.

59. (1) The Attorney-General and Minister of Justice may refuse to comply with a request from a requesting state if- Attorney-General may refuse request.

- (a) the action sought by the request is in conflict with the Constitution of Sierra Leone;
- (b) the execution of the request is likely to prejudice national interest; or
- (c) under the law of the requesting state the grounds for refusing to comply with a request is not based on constitutionality or national interest in accordance with paragraphs (a) or (b) respectively.

60. The Head of Centre may issue to a foreign state a request accompanied by an order directed to a person resident in the foreign state to deliver himself or document or a material in his possession or under his control to the jurisdiction of the Court or the Jurisdiction of the Court of the foreign state for the purpose of giving evidence in a proceeding or obtaining an order directed to that person on the same terms as in the order accompanying the request. Request by order to person resident in foreign state.

61. The Head of Centre may request mutual assistance from a foreign country for the investigation or prosecution of an unlawful activity or act of terrorism or for the making or execution of an order or direction under this Act in respect of these offences, if the investigation, prosecution, making, or execution is a criminal matter under this Act. Request without order.

62. (1) An extradition order may be granted for terrorism and terrorism related activities. Extradition.

(2) A request for extradition of an offender shall be subject to the Extradition Act, 1974 (Act No.11 of 1974) and shall apply to a jurisdiction that is a member of the United Nations irrespective of whether there is an extradition treaty or not and irrespective of whether a state is a member of the Commonwealth of nations.

(3) An extradition request under subsection (1) shall not be applicable in the case of an ineligible or sanctioned country or territory.

(4) Where dual criminality shall be required for extradition, that requirement shall be deemed to be satisfied regardless of whether both countries place the offence within the same category of offences, or denominate the offence by the same terminology, provided that both countries criminalize the conduct underlying the offence.

PART X - ENFORCEMENT MEASURES ON TERRORIST PROPERTY

Search of
property.

63. (1) A Judge or Magistrate who is satisfied by information on oath that there is reasonable ground for believing that there is in a building, vessel, vehicle, receptacle or place -

- (a) anything upon or in respect of which an offence under this Act has been or is suspected have been committed;
- (b) anything which there is reasonable ground for believing will afford evidence as to the commission of such offence,

may, issue a warrant under his hand authorising head of the Centre or any person acting under his authority to enter and search such building, vessel, vehicle, receptacle or place named in the warrant and if necessary, by force.

(2) A warrant to enter and search under subsection (1), shall authorise the head of the Centre or any person acting under his authority to-

- (a) search of the building, vessel, vehicle, receptacle or place named in the warrant and every person found therein and if anything searched for is found, to seize the same and arrest the occupier or owner of the building, vessel, vehicle, receptacle or place; and
- (b) where the building, vessel, vehicle, receptacle or place is closed, to demand from any person residing in or being in charge of the building, vessel, vehicle, receptacle or place to allow him free entry thereto and afford all reasonable facilities for a search therein.

64. (1) Where the head of the Centre or any person acting under his authority has reasonable grounds to believe that a property has been or may be used to commit an offence under this Act, he may seize the property. Seizure of property.

(2) The Attorney-General may, in relation of property seized under subsection (1), make an application by way of an ex-parte notice of motion, to a Judge, for a retention order of the seized property within 10 days after the seizure of the property.

(3) A Judge to whom an application is made under subsection (2), shall make a retention order in respect of the property referred to in the application where he has reasonable grounds to believe that the property has been or may be used to commit an offence under this Act.

(4) A retention order made under subsection (2), shall be valid for a period of 3 months and may be renewed by the court for a further period and no more until the investigations have been concluded.

(5) A Judge may release the property in respect of which a retention order is made under subsection (2), if -

- (a) there is no longer reasonable ground to suspect that the property has been or will be used to commit an offence under this Act;
- (b) proceedings for the property do not commence in court in respect of an offence under this Act within the period of 6 months after the date of the detention order.

Destruction
of property.

65. A court may order the destruction of property seized under section 54 if satisfied that it is dangerous to retain the property or the property has little or no financial or other value.

Restraint
orders.

66. (1) The Attorney-General may make an application to the court by way of an ex-parte notice of motion for a restraint order where there are reasonable grounds to believe that there is property in a premise or in a vessel in respect of which a forfeiture order may be made.

(2) A Judge may, on an application for a restraint order under subsection (1), issue -

- (a) a warrant authorising a police officer to search the premises or vessel for the property and seize the property and any other property which the police officer reasonably believes may be forfeited;
- (b) a restraint order prohibiting a person from disposing of or otherwise dealing with an interest in that property other than as may be specified in the order.

67. (1) Where a person is convicted for a terrorist offence under this Act, the court shall order that, property - Order of forfeiture.

(a) which was used for, or in connection with; or

(b) obtained as proceeds from;

the commission of that offence be forfeited to the state.

(2) The Court shall, before making the order of forfeiture under subsection (1), give notice to the person who appears to have an interest in the property for the opportunity to be heard.

(3) Property forfeited to the state under subsection (1), shall vest in the state either -

(a) at the expiration of an appeal period against the order; or

(b) on the final determination of the appeal made against the order.

68. (1) The Attorney-General may make an application to the court by way of an ex-parte notice of motion for a forfeiture order in respect of terrorist property. Application for forfeiture order.

(2) The Court may, upon hearing an application under subsection (1), direct that notice be served on the interested party and the Attorney-General shall give notice of the application to the respondent in the manner directed by the Court.

(3) The Court shall, if satisfied on the balance of probabilities that the property which is the subject of the application is terrorist property, order that the property be forfeited to the State or to be disposed of as it may direct.

(4) The Court shall, where it refuses an application for a forfeiture order under subsection (1), make an order that the property is not subject to a forfeiture order.

Interested parties.

69. (1) The Court may, in an action relating to forfeiture order require notice to be given to a person who appears to have an interest in terrorist property and that person shall be added as a respondent to the application.

(2) The Court shall, where it is satisfied that the person added as a respondent to the application -

- (a) has an interest in the property which is the subject of the application;
- (a) has exercised reasonable care to ensure that
 - (i) the property is not from the proceeds of a terrorist act;
 - (ii) would not be used to commit or facilitate the commission of a terrorist act; or
 - (iii) would not be used by a terrorist group; and
 - (iv) is not a member of a terrorist group;

order that the interest of that person is not affected by the forfeiture order.

Appeals.

70. (1) A person who claims an interest in property that has been forfeited and has not been given notice under subsection (2) of section 67 may make an application to the Court of Appeal to vary or set aside the forfeiture order not later than 60 days after the day on which the forfeiture order was made.

(2) Property restrained pending the determination of an appeal against a forfeiture order shall continue to be in that state until the outcome of the appeal is determined.

PART XI—MISCELLANEOUS

71. The Minister may, by statutory instrument, make Regulations. regulations to carry into effect the provisions of this Act.

MEMORANDUM OF OBJECTS AND REASONS

The purpose of this Bill is to provide for the establishment of a National Counter-Terrorism Committee, to provide for the establishment of a Counter-Terrorism Coordination Committee, to provide for the creation of offences of terrorism and related matters, to provide for the enforcement measures on the terrorist property, to provide for the prohibition of financial support to terrorism and to provide for other related matters.

The Bill is divided into 11 parts -

Part I - provides for the interpretation of certain terms and expressions in the Bill.

PART II- provides for the establishment of the National Counter-Terrorism Committee.

PART III- provides for a National Counter-Terrorism Coordination Committee.

PART IV- provides for the Counter-Terrorism Fusion Centre.

PART V - makes provision for offences of Terrorism and related matters.

PART VI - makes provision for the prohibition of support of proscribed organisation.

PART VII - provides for prohibition of financial support to Terrorism.

PART VIII - provides for Preventive and Ancillary Measures.

PART IX- provides for Mutual Legal Assistance and Extradition.

PART X- provides for Enforcement Measures on Terrorist Property.

PART XI- MISCELLANEOUS - makes provision for the minister to make Regulations to carry into effect the provisions of this Act.

Made this day of , 2024

MOHAMED LAMIN TARAWALLEY
Attorney-General and Minister of Justice.

FREETOWN,
SIERRA LEONE.