

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4644 of 19 December, 2019

LEGAL NOTICE NO. OF 243 2019.

TERRORISM ACT 2018

TERRORISM ACT 2018 (AMENDMENT NO.2) REGULATIONS 2019

In the exercise of powers conferred on her by section 152 (1) (e) and (f) of the Terrorism Act 2018, and all other enabling powers, and for the purposes of implementing, in part, into the Laws of Gibraltar, the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999 concluded in New York, the Minister with responsibility for Justice has made these Regulations-

Title.

1. These Regulations may be cited as the Terrorism Act 2018 (Amendment No.2) Regulations 2019.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendment of the Terrorism Act 2018.

3.(1) The Terrorism Act 2018 is amended as follows.

..(2) Insert the following section after section 151-

“Application to ships registered in Gibraltar.

151A.(1) Any act or omission taking place on board a ship registered in Gibraltar, which act or omission if taking place in Gibraltar, would constitute an offence under this Act shall constitute that offence.

(2) For the purpose of conferring jurisdiction, any offence under this Act committed on board a ship registered in Gibraltar, shall be deemed to have been committed in Gibraltar wherever the person who is the offender may be for the time being.”.

(3) Insert the following section after section 140A-

“Application of the Mutual Legal Assistance (International) Act 2005.

140B.(1) The Mutual Legal Assistance (International) Act 2005 shall apply to offences under this Act in relation to requests for assistance in criminal proceedings –

received in Gibraltar and made by a State;

from Gibraltar for assistance in a State outside Gibraltar,

as if that State is a party to an agreement with the Government of mutual legal assistance in criminal matters based on the principle of reciprocity and is included in Schedule 2 of that Act, or in such other case as permitted under that Act.

(2) The words “State” and “criminal proceedings” in paragraph (1) shall have the same meanings as in section 2 of the Mutual Legal Assistance (International) Act 2005.”.

(4) In section 151 after (1) (b) delete “if the offence is committed for its benefit”.

Dated 19th December 2019.

S J SACRAMENTO,
Minister with responsibility for Justice.

EXPLANATORY MEMORANDUM

These Regulations provide, in part, for the International Convention for the Suppression of the Financing of Terrorism 1999, in particular: Articles 5, 7 (1) (b), 10 (2), 12, 14 and 16.