

**THE ANTI-TERRORISM AND PROLIFERATION  
BILL, 2018**

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MEMORANDUM

The objects of this Bill are to—

- (a) prevent and prohibit the carrying out and terrorism financing and proliferation activities;
- (b) provide for measures for the detection and prevention of terrorism and proliferation activities;
- (c) provide for the continued existence of the National Anti-Terrorism Centre and redefine its functions;
- (d) provide for the offences of proliferation and proliferation financing;
- (e) domesticate the international conventions and treaties on anti-terrorism and proliferation;
- (f) repeal the Anti-Terrorism Act, 2007; and
- (g) provide for matters, connected with, or incidental to the foregoing.

L. KALALUKA,  
*Attorney-General*

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ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

*Section*

1. Short title
2. Interpretation
3. Jurisdiction of High Court
4. Non-application of section 26(2) of Penal Code Cap. 87

PART II

THE NATIONAL ANTI-TERRORISM CENTRE

5. Establishment of National Anti-terrorism Centre
6. Functions of centre
7. National Anti-Terrorism Committee
8. Functions of committee
9. Sub-committees
10. Delegation of functions of Committee
11. Director and other staff
12. Anti-terrorism officers and authorised officers
13. Powers of anti-terrorism officers
14. Entry by anti-terrorism officer or other authorised persons
15. Duty to provide information to anti-terrorism, officer and unauthorised officer
16. Oath of allegiance and declarations
17. Prohibition of publication of information to unauthorised persons
18. Duty of reporting

PART III

TERRORIST AND PROLIFERATION OFFICES

19. Prohibition of terrorism
20. Prohibition of financing of terrorism
21. Prohibition of proliferation

22. Prohibition of proliferation financing
23. Weapons, terrorism and proliferation training
24. Directing terrorist organisation or proliferation related entity
25. Possession of article for terrorist or proliferation purposes
26. Collection of information for terrorist or proliferation purposes
27. Incitement of offences
28. Aiding, abetting, conspiracy, etc of terrorist act or proliferation
29. False reporting
30. Harboursing, concealing, etc of terrorist act, proliferation or proliferation financing
31. Attempts to commit an act of terrorism, terrorism financing proliferation or proliferation financing etc
32. Fundraising and other support
33. Use and possession of property for terrorism and proliferation
34. Assisting retention or control of terrorist funds
35. Support services for terrorism or proliferation
36. Disclosure of information relating to offence
37. Terrorism or proliferation property or related property
38. Causing damage to public place, facility etc
39. Parallel civil or administrative proceedings

PART IV

DECLARED TERRORIST ORGANISATION OR PROLIFERATION RELATED ENTITY

40. Declared terrorist organisation or proliferation related entity
41. Membership
42. Support and meetings

PART V

RESTRICTIVE MEASURES AND SANCTIONS IN RELATION TO DEIGNATED OR NATIONALITY LISTED PERSONS

43. Freezing of assets of nationally listed persons
44. Prohibition on dealing with funds and economic resources

45. Making funds or financial services available to designated or nationally listed person or entity prohibited
46. Prohibition on making funds or financial services available for benefit of designated or nationally listed person, terrorist organisations or proliferation related entity
47. Prohibition on making economic resources available to designated or nationally listed person, terrorist organisations or proliferation related entity
48. Prohibition of procuring, supplying, provision, import or export of weapons, arms and related materials, sanctioned items and technical advice, services, assistance and training
49. Prohibition of travel by designated or nationally listed person or terrorist organisation or proliferation related entity
50. Prohibition of transit by designated, listed or nationally listed person or entities
51. Permitted transit
52. Exceptions
53. Circumventing prohibitions

PART VI

INVESTIGATIONS

54. Detention orders
55. Powers of investigation
56. Powers of investigation in cases of urgency
57. Power to intercept communication and admissibility of intercepted communications
58. Power to gather information
59. Power to obtain financial information
60. Disclosure of information
61. Special investigative techniques

PART VII

EXCLUSION ORDERS

62. Making and effect of exclusion orders
63. Offences in connection with exclusion orders

**PART VIII**

**MUTUAL ASSISTANCE EXTRADITION AND OTHER FORMS OF  
COOPERATION**

- 64. Exchange of information
- 65. Other requests from foreign States
- 66. Requests to foreign States
- 67. Form of request
- 68. Counter-terrorism convention as basis of extradition

**PART IX**

**GENERAL PROVISIONS**

- 69. Establishment of victims of Terrorism Fund
- 70. Regulations
- 71. Offences by principal officer of shareholders of body corporate  
or unincorporated body
- 72. Rules of court
- 73. Offences to be cognisable
- 74. Repeal of Act No. 21 of 2006

**FIRST SCHEDULE**

**SECOND SCHEDULE**