

**ARRANGEMENT OF CLAUSES**

1. Short title
2. Interpretation
3. Amendment of section 14B of the principal Act
4. Insertion of new sections in the principal Act
5. Amendment of section 27A of the principal Act





GRENADA

**ACT NO. 30 OF 2015****I assent,**

CÉCILE E. F. LA GRENADE

*Governor-General.**28th August, 2015.*

AN ACT to amend the Terrorism Act No. 16 of 2012.

*[ 4th September, 2015 ].*

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Grenada, and by the authority of the same as follows—

**1.** This Act may be cited as the—

Short title.

**TERRORISM (AMENDMENT) ACT, 2015**

**2.** In this Act—

Interpretation.

“principal Act” means the Terrorism Act No. 16 of 2012.

**3.** Section 14B of the principal Act is amended in subsection (7) by deleting the word “may” after the word “Attorney General” and substituting therefor with the word “shall”.

Amendment of section 14B of the principal Act.

Insertion of new sections in the principal Act.

4. The principal Act is amended by inserting after section 15 the following new sections—

**“15A Recruiting for a terrorist organisation**

(1) A person commits an offence if he or she solicits or recruits a person to join or become a member of a terrorist organization.

(2) A person who commits an offence under this section is liable—

(a) on summary conviction to a fine not exceeding fifty thousand dollars, or to imprisonment for five years, or both; and

(b) on conviction on indictment, to a fine not exceeding one hundred thousand dollars, or to imprisonment for twenty years, or both.

**15B Membership in a terrorist organisation**

(1) A person commits an offence if he or she joins or becomes a member of a terrorist organisation or participates in the activities of a terrorist organization.

(2) A person who commits an offence under this section is liable—

(a) on summary conviction to a fine not exceeding fifty thousand dollars, or to imprisonment for five years, or both; and

- (b) on conviction on indictment, to a fine not exceeding one hundred thousand dollars, or to imprisonment for twenty years, or both.

### **15C Encouragement of terrorism**

(1) This section applies to a statement that is likely to be understood by some or all of the members of the public to whom it is published as a direct or indirect encouragement or other inducement to them for the commission, preparation or instigation of acts of terrorism.

(2) A person commits an offence if—

- (a) he or she publishes a statement to which this section applies or causes another to publish such a statement; and
- (b) at the time he or she publishes it or causes it to be published, he or she—
  - (i) intends members of the public to be directly or indirectly encouraged or otherwise induced by the statement to commit, prepare or instigate acts of terrorism; and
  - (ii) is reckless as to whether members of the public will be directly or indirectly encouraged or otherwise induced by the statement to commit, prepare or instigate such acts or offences.

(3) For the purposes of this section, the statements that are likely to be understood by members of the public as indirectly encouraging the commission, preparation or instigation of acts of terrorism include every statement which—

- (a) glorifies the commission or preparation (whether in the past, in the future or generally) of such acts or offences; and
- (b) is a statement from which those members of the public could reasonably be expected to infer that what is being glorified is being glorified as conduct that should be emulated by them in existing circumstances.

(4) For the purposes of this section the questions how a statement is likely to be understood and what members of the public could reasonably be expected to infer from it must be determined having regard both—

- (a) to the contents of the statement as a whole; and
- (b) to the circumstances and manner of its publication.

(5) It is irrelevant for the purposes of subsections (1) to (3)—

- (a) whether anything mentioned in those subsections relates to the commission, preparation or instigation of one or more particular acts of terrorism or acts of

terrorism of a particular description or of acts of terrorism offences generally; and,

- (b) whether any person is in fact encouraged or induced by the statement to commit, prepare or instigate any such act or offence.

(6) A person who commits an offence under this section is liable—

- (a) on summary conviction to a fine not exceeding fifty thousand dollars, or to imprisonment for five years, or both; and
- (b) on conviction on indictment, to a fine not exceeding one hundred thousand dollars, or to imprisonment for twenty years, or both.

### **15D Dissemination of terrorist publication**

(1) For the purposes of this section “publication” means an article, record, or document that contains any information to be read, listened to or watched.

(2) A person commits an offence if he or she—

- (a) creates a terrorist publication;
- (b) distributes or circulate a terrorist publication;
- (c) gives, sells or lends a terrorist publication;

- (d) offer a terrorist publication for sale or a loan;
- (e) provides a service to others that enable a person to obtain, read, listen to or look at a terrorist publication, or to acquire it by means of a gift, sale or loan;
- (f) transmits the contents of a terrorist publication electronically; or
- (g) has such terrorist publication in his or her possession to its becoming the subject of conduct falling within paragraphs (a) to (f).

(3) For the purposes of this section a publication is a terrorist publication, if information contained in it is likely—

- (a) to be understood, by some or all of the persons to whom it is or may become available as a consequence of that conduct, as a direct or indirect encouragement or other inducement to them to the commission, preparation or instigation of acts of terrorism; or
- (b) to be useful in the commission or preparation of such acts and to be understood, by some or all of those persons, as contained in the publication, or made available to them, wholly or mainly for the purpose of being so useful to them.

(4) For the purposes of this section information that is likely to be understood by a person as indirectly encouraging the commission or preparation or instigation of acts of terrorism includes any information which—

- (a) glorifies the commission or preparation (whether in the past, in the future or generally) of such acts; and
- (b) is matter from which that person could reasonably be expected to infer that what is being glorified is being glorified as conduct that should be emulated by him or her in existing circumstances.

(5) For the purposes of this section the question whether a publication is a terrorist publication in relation to particular conduct must be determined—

- (a) as at the time of that conduct; and
- (b) having regard both to the contents of the publication as a whole and to the circumstances in which that conduct occurs.

(6) A person who commits an offence under this section is liable—

- (a) on summary conviction to a fine not exceeding fifty thousand dollars, or to imprisonment for five years, or both; and

- 
- (b) on conviction on indictment, to a fine not exceeding one hundred thousand dollars, or to imprisonment for twenty years, or both.

(7) For the purposes of this section it is also irrelevant, in relation to information contained in any publication whether any person—

- (a) is in fact encouraged or induced by that matter to commit, prepare or instigate acts of terrorism; or
- (b) in fact makes use of it in the commission or preparation of such acts.”.

Amendment of section 27A of the principal Act.

5. Section 27A of the principal Act is amended in subparagraph (b)(i) of sub-section (1) by deleting “3 or 4” and substituting therefor “22A”.

---

Passed by the House of Representatives this 19th day of June, 2015.

WILLAN THOMPSON  
*Clerk to the House of Representatives.*

---

Passed by the Senate this 9th day of July, 2015.

WILLAN THOMPSON  
*Clerk to the Senate.*

---

GRENADA

PRINTED BY THE GOVERNMENT PRINTER, AT THE GOVERNMENT  
PRINTING OFFICE, ST. GEORGE'S

4/9/2015