CONVENTION ON THE SUPPRESSION OF TERRORIST FINANCING (AMENDMENT) ACT, No. 3 OF 2013

[Certified on 12th February, 2013]

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L.D.—O. 30/2012.

AN ACT TO AMEND THE CONVENTION ON THE SUPPRESSION OF TERRORIST FINANCING ACT, NO. 25 OF 2005.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:—

1. This Act may be cited as the Convention on the Suppression of Terrorist Financing (Amendment) Act, No. 3 of 2013.

2. Section 3 of the Convention on the Suppression of Terrorist Financing Act, No. 25 of 2005 (hereinafter referred to as the “principal enactment”) is hereby amended as follows:—

(1) by the repeal of subsection (2A) thereof and the substitution therefor of the following:—

“(2A) Any person who unlawfully and willfully by any direct or indirect means provides or conspires to provide, material support or resources to any terrorist, terrorists or a terrorist organization shall be guilty of an offence under this Act.”;

(2) in subsection (3) thereof by the substitution for the words and figures “specified in subsection (1) or subsection (2) of this section” of the words and figures “specified in subsection (1), subsection (2) or subsection (2A) of this section”; and

(3) in subsection (4) thereof by the substitution for the words and figures “under subsection (1) or subsection (2) of this section.”, of the words and figures “under subsection (1), subsection (2) or subsection (2A) of this section.”.

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3. Section 4f of the principal enactment is hereby amended in subsection (3) thereof by the substitution for the words “order him to pay a such value fine within such period as may be specified by Court.” of the words “order him to pay such value as a fine within such period as may be specified by Court.”.

4. Section 5 of the principal enactment is hereby amended in subsection (3) thereof by the substitution for the words and figures “for an offence under subsection (1) or subsection (2) of section 3, that” of the words and figures “for an offence under subsection (1), subsection (2) or subsection (2A) of section 3, that”.

5. Section 16A of the principal enactment is hereby amended as follows:—

(1) by the insertion immediately after the definition of the expression “person” of the following new definition:—

““terrorist” means any person who—

(a) directly or indirectly and willfully commits or attempts to commit a terrorist act;

(b) participates as an accomplice in committing a terrorist act;

(c) organizes, directs or aids or abets the commission of a terrorist act; or

(d) contributes to the commission of a terrorist act by a group of persons acting with a common purpose where the contribution is made intentionally and with the aim of furthering the terrorist act or with the knowledge of the intention of the group to commit a terrorist act;”;

Amendment of section 4f of the principal enactment.

Amendment of section 5 of the principal enactment.

Amendment of section 16A of the principal enactment.
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(2) by the repeal of the definition of the expression “terrorist act” and the substitution therefor of the following:—

“terrorist act” means—

(a) an act which constitutes an offence within the scope of or within the definition of any one of the Treaties specified in Schedule I to this Act;

(b) any other act intended to cause death or serious bodily injury, to civilians or to any other person not taking an active part in the hostilities, in a situation of armed conflict or otherwise and the purpose of such act, by its nature or context is to intimidate a population, or to compel a government or an international organization, to do or to abstain from doing any act; or

(c) the use or threat of action—

(i) which is designed to influence the government or to intimidate the public or a section of the public; and

(ii) which is made for the purpose of advancing a political, religious or ideological purpose,

and such action,

(aa) involves serious violence against a person;

(bb) involves serious damage to property;

(cc) endangers the life of another person, other than the person committing the action;
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(dd) creates a serious risk to health or safety of the public or a section of the public; or

(ee) is designed seriously to interfere with or seriously to disrupt an electronic system.”.

In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.
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