

2004-2005

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

Anti-Terrorism Bill 2005

No. , 2005

(Attorney-General)

**A Bill for an Act to amend the law relating to
terrorist acts, and for other purposes**

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1 **A Bill for an Act to amend the law relating to**
2 **terrorist acts, and for other purposes**

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act may be cited as the *Anti-Terrorism Act 2005*.

6 **2 Commencement**

7 (1) Each provision of this Act specified in column 1 of the table
8 commences, or is taken to have commenced, in accordance with
9 column 2 of the table. Any other statement in column 2 has effect
10 according to its terms.

11

Commencement information

Column 1	Column 2	Column 3
Provision(s)	Commencement	Date/Details
1. Sections 1 to 4 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	
2. Schedule 1	The day after this Act receives the Royal Assent.	

1 Note: This table relates only to the provisions of this Act as originally
2 passed by the Parliament and assented to. It will not be expanded to
3 deal with provisions inserted in this Act after assent.

4 (2) Column 3 of the table contains additional information that is not
5 part of this Act. Information in this column may be added to or
6 edited in any published version of this Act.

7 **3 Schedule(s)**

8 Each Act that is specified in a Schedule to this Act is amended or
9 repealed as set out in the applicable items in the Schedule
10 concerned, and any other item in a Schedule to this Act has effect
11 according to its terms.

12 **4 Review of anti-terrorism laws**

13 (1) The Council of Australian Governments agreed on 27 September
14 2005 that the Council would, after 5 years, review the operation of
15 the amendments made by Schedule 1.

16 (2) If a copy of the report in relation to the review is given to the
17 Attorney-General, the Attorney-General must cause a copy of the
18 report to be laid before each House of Parliament within 15 sitting
19 days after the Attorney-General receives the copy of the report.

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Schedule 1—Amendments to terrorism offences

Criminal Code Act 1995

1 Subsection 101.2(3) of the *Criminal Code*

Repeal the subsection, substitute:

- (3) A person commits an offence under this section even if:
 - (a) a terrorist act does not occur; or
 - (b) the training is not connected with preparation for, the engagement of a person in, or assistance in a specific terrorist act; or
 - (c) the training is connected with preparation for, the engagement of a person in, or assistance in more than one terrorist act.

2 Subsection 101.4(3) of the *Criminal Code*

Repeal the subsection, substitute:

- (3) A person commits an offence under subsection (1) or (2) even if:
 - (a) a terrorist act does not occur; or
 - (b) the thing is not connected with preparation for, the engagement of a person in, or assistance in a specific terrorist act; or
 - (c) the thing is connected with preparation for, the engagement of a person in, or assistance in more than one terrorist act.

3 Subsection 101.5(3) of the *Criminal Code*

Repeal the subsection, substitute:

- (3) A person commits an offence under subsection (1) or (2) even if:
 - (a) a terrorist act does not occur; or
 - (b) the document is not connected with preparation for, the engagement of a person in, or assistance in a specific terrorist act; or

- 1 (c) the document is connected with preparation for, the
2 engagement of a person in, or assistance in more than one
3 terrorist act.

4 **4 Subsection 101.6(2) of the *Criminal Code***

5 Repeal the subsection, substitute:

- 6 (2) A person commits an offence under subsection (1) even if:
7 (a) a terrorist act does not occur; or
8 (b) the person's act is not done in preparation for, or planning, a
9 specific terrorist act; or
10 (c) the person's act is done in preparation for, or planning, more
11 than one terrorist act.

12 **5 Subsection 103.1(2) of the *Criminal Code***

13 Repeal the subsection, substitute:

- 14 (2) A person commits an offence under subsection (1) even if:
15 (a) a terrorist act does not occur; or
16 (b) the funds will not be used to facilitate or engage in a specific
17 terrorist act; or
18 (c) the funds will be used to facilitate or engage in more than one
19 terrorist act.