

No. 13 of 2023

**VIRGIN ISLANDS
COUNTER-TERRORISM (AMENDMENT) ACT, 2023
ARRANGEMENT OF SECTIONS**

SECTION

1. Short title and commencement
2. Section 2 amended
3. Section 8 amended
4. Section 60 amended
5. Schedule 4 amended

No. 13 of 2023

**Counter-Terrorism (Amendment)
Act, 2023**

**Virgin
Islands**

I ASSENT
(Sgd.) John Rankin CMG,
Governor.
20th March, 2023

VIRGIN ISLANDS

No. 13 of 2023

**AN ACT TO AMEND THE COUNTER-TERRORISM ACT, NO. 33 OF 2021, AND
FOR OTHER MATTERS CONNECTED THEREWITH.**

[Gazetted 21st March, 2023]

ENACTED by the Legislature of the Virgin Islands as follows:

Short title and commencement

1. (1) This Act may be cited as the Counter-Terrorism (Amendment) Act, 2023.

(2) This Act shall come into force on such date as the Governor may, by Proclamation published in the *Gazette*, appoint.

Section 2 amended

2. Section 2 of the Counter Terrorism Act, No. 33 of 2021 (hereinafter referred to as the “principal Act”) is amended by inserting after the definition of “Director of Public Prosecutions”, the following definition:

“ “economic resources” means assets, whether from a legitimate or illegitimate source, tangible or intangible, movable or immovable, which includes natural resources, dividends and income accruing from assets, as well as any other assets which are not funds but which potentially may be used to obtain funds, goods or services;”.

Section 8 amended

3. Section 8 of the principal Act is amended:

(a) in subsection (1)

(i) by deleting the opening paragraph and substituting the following opening paragraph:

“A person who, directly or indirectly, unlawfully and wilfully, provides or collects funds or economic resources”;

- (ii) by deleting the word “or” at the end of paragraph (a);
 - (ii) by deleting the comma at the end of paragraph (b) and substituting the word “; or”; and
 - (iii) by inserting after paragraph (b), the following paragraph:

“(c) intending that they be used, or knowing that they are to be used, in full or in part, to finance the travel of a person to a country or territory other than that person’s country or territory of residence or nationality for the purpose of preparing, planning, or preparation of, or participating in terrorist acts or providing or receiving terrorist training.”;
- (b) by inserting after subsection (1), the following subsection:
- “(1A) A person commits an offence if he or she
 - (a) attempts to commit an offence under subsection (1);
 - (b) promotes or participates as an accomplice in an offence or an attempt to commit an offence under subsection (1);
 - (c) organises or directs others to commit or attempt to commit an offence under subsection (1); or
 - (d) contributes to the commission or attempt to commit an offence under subsection (1) by an individual or group of persons acting with a common purpose, where the contribution is made intentionally
 - (i) with the aim of furthering the activity or purpose of the individual or group to commit an offence under subsection (1); or
 - (ii) with the knowledge of the intention of the individual or group to commit an offence under subsection (1).”;
 - (c) in subsection (2), in the opening paragraph, by inserting after the words “subsection (1)”, the words “or (1A)”; and
 - (d) in subsection (3)
 - (i) by deleting the opening paragraph and substituting the following opening paragraph:

“The offences under subsections (1) and (1A) are committed irrespective of whether”; and
 - (ii) in paragraphs (a) and (b), by inserting after the word “funds” wherever they appear, the words “or economic resources”.

Section 60 amended

- 4.** Section 60 of the principal Act is amended, by inserting after subsection (4), the following subsection:

“(4A) A person does not commit an offence under subsection (4) if the disclosure of information was made in accordance with information sharing obligations under a financial group’s group-wide programmes against money laundering and terrorist financing as prescribed in section 53A of the Anti-money Laundering and Terrorist Financing Code of Practice, Revised Edition 2020.”.

Schedule 4 amended

5. Schedule 4 of the principal Act is amended:

(a) in paragraph 1, by deleting the definition of “economic resources” and substituting the following definition:

“economic resources” has the meaning under section 2(1) of this Act”;

(b) in paragraph 12(1), by deleting the words “as soon as is reasonably practicable” and substituting the word “immediately”.

Passed by the House of Assembly this 10th day of March, 2023.

(Sgd.) Corine N. George-Massicote,
Speaker.

(Sgd.) Phyllis Evans,
Clerk of the House of Assembly.