



Anti-Terrorism Act 2005

No. 127, 2005

**An Act to amend the law relating to terrorist acts,
and for other purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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An Act to amend the law relating to terrorist acts, and for other purposes

[Assented to 3 November 2005]

The Parliament of Australia enacts:

1 Short title

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

2 Commencement

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

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.	3 November 2005
2. Schedule 1	The day after this Act receives the Royal Assent.	4 November 2005

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

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

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

4 Review of anti-terrorism laws

- (1) The Council of Australian Governments agreed on 27 September 2005 that the Council would, after 5 years, review the operation of the amendments made by Schedule 1.
- (2) If a copy of the report in relation to the review is given to the Attorney-General, the Attorney-General must cause a copy of the report to be laid before each House of Parliament within 15 sitting days after the Attorney-General receives the copy of the report.

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

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

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

Repeal the subsection, substitute:

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

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

Repeal the subsection, substitute:

- (2) A person commits an offence under subsection (1) even if:
 - (a) a terrorist act does not occur; or
 - (b) the funds will not be used to facilitate or engage in a specific terrorist act; or
 - (c) the funds will be used to facilitate or engage in more than one terrorist act.
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*[Minister's second reading speech made in—
House of Representatives on 2 November 2005
Senate on 3 November 2005]*

(174/05)
