

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
41ST CONSTITUTION REGULAR SESSION, 2020



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

COUNTER-TERRORISM (AMENDMENT) ACT, 2020

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COUNTER-TERRORISM (AMENDMENT) ACT, 2020

AN ACT to amend Title 15, Chapter 1 of the Marshall Islands Revised Code to coordinate with the adoption of the United Nations Sanctions Act, 2020.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

§101. Short title.

This Act may be cited as the Counter-Terrorism (Amendment) Act, 2020.

§102. Amendments.

- (1) Section 103 of the Republic of the Marshall Islands Counter-Terrorism Act, 2002 is hereby amended as follows:

§103. Purpose

The purpose of this Act is to implement ways for the prevention, repression and elimination of terrorism, for international cooperation to combat threats to international peace and security caused by terrorist acts, and for related matters.

- (2) Section 122(2) and (3) of the Republic of the Marshall Islands Counter-Terrorism Act, 2002 are hereby amended as follows:

§122. Seizure and detention of suspicious funds.

...

- (2) Funds of, or intended for, any terrorist or terrorist organizations shall be frozen, seized, and in accordance with this section detained without delay, where there is probable cause to believe that the

individual involved is a terrorist or the entity involved is a terrorist organization.

- (3) Funds detained under subsection (1) or (2) shall not be detained for more than 7 days after seizure, unless a judge of the High Court grants an order of continued detention for a period not exceeding 3 months from the date of seizure, upon being satisfied that:
 - (a) there is probable cause to believe that the funds were derived from terrorism are intended by any person for use in the commission of a terrorism offense or for a terrorist act, or are otherwise funds of, or intended for, any terrorist or terrorist organization; and
 - (b) the continued detention is justified while:
 - (i) the origin or derivation, intent, or destination of the funds is further investigated; or
 - (ii) consideration is given to the institution in the Marshall Islands or elsewhere of criminal proceedings against any person for an offense with which the funds are connected;

provided, however, upon request by the person from whom the funds were seized and detained, the court shall grant a hearing before entering an order of continued detention.

...

§103. **Effective Date.**

This Bill, and all Acts contained herein, shall take effect in accordance with the Constitution and the Rules of Procedures of the Nitijela.

CERTIFICATE

I hereby certify:

1. That Nitijela Bill No: 06ND1 was passed by the Nitijela of the Republic of the Marshall Islands on the 20th day of March 2020; and

2. That I am satisfied that Nitijela Bill No: 06ND1 was passed in accordance with the relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of Procedures of the Nitijela.

I hereby place my signature before the Clerk this 09th day of April 2020.

Attest:



Hon. Kenneth A. Kedi
Speaker
Nitijela of the Marshall Islands



Morean S. Watak
Clerk
Nitijela of the Marshall Islands

