

I assent.

(L.S.)

**MARIE LOUISE
COLEIRO PRECA
President**

20th February, 2015

ACT No. III of 2015

AN ACT to amend various laws relating to the prevention of money laundering and the funding of terrorism.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same as follows:-

1. The short title of this Act is the Various Laws (Prevention of Money Laundering and Funding of Terrorism) (Amendment) Act, 2015. Short title.

PART I

Amendments to the Prevention of Money Laundering Act

2. This Part amends the Prevention of Money Laundering Act and it shall be read and construed as one with the Prevention of Money Laundering Act, hereinafter in this Part referred to as "the principal Act". Amendment of the Prevention of Money Laundering Act. Cap. 373.

3. Article 2 of the principal Act shall be amended as follows: Amendment of article 2 of the principal Act.

(a) immediately after the definition "criminal activity" there shall be added the following new definitions:

"EEA State" means a State which is a contracting party to the agreement on the European Economic Area signed at Oporto on the 2 May, 1992 as amended by the Protocol signed at Brussels on the 17 March, 1993 and as may be amended by any

subsequent Acts;

"funding of terrorism" means the conduct described in articles 328B and 328F to 328I, both inclusive, of the Criminal Code;

"Member State" means a Member State of the European Union and includes an EEA State;"; and

(b) for the definition "property" there shall be substituted the following:

" "property" means property and assets of every kind, nature and description, whether movable or immovable, whether corporeal or incorporeal, tangible or intangible, legal documents or instruments evidencing title to, or interest in, such property or assets and, without derogation from the generality of the foregoing, shall include -

(a) any currency, whether or not the same is legal tender in Malta, bills, securities, bonds, negotiable instruments or any instrument capable of being negotiable including one payable to bearer or endorsed payable to bearer whether expressed in euro or any other foreign currency;

(b) cash or currency deposits or accounts with any bank, credit or other institution as may be prescribed which carries or has carried on business in Malta;

(c) cash or items of value including but not limited to works of art or jewellery or precious metals; and

(d) land or any interest therein;".

Amendment of article 3 of the principal Act.

4. Article 3 of the principal Act shall be amended as follows:

(a) in paragraph (a) of sub-article (2A) thereof, for the words "Every person charged with an offence against this Act" there shall be substituted the words "Every person charged with an offence of money laundering under this Act";

(b) in paragraph (c) of sub-article (2A) thereof, for the words "shall be competent to try all offences against this Act" there shall be substituted the words "shall be competent to try offences of money laundering under this Act", and for the words "in accordance with the provisions of sub-article (1)" there shall be substituted the words "in accordance with the provisions of this sub-article";

(c) in paragraph (c) of sub-article (5) thereof, for the words "a relevant offence" there shall be substituted the words "an offence of money laundering under this Act"; and

(d) for sub-article (7) thereof there shall be substituted the following:

"(7) The provisions of article 248E(4) and Title IV of Part III of Book Second of the Criminal Code, and those of article 22(3A)(b), (d) and (7) of the Dangerous Drugs Ordinance shall apply *mutatis mutandis* to the offence of money laundering under this Act."

5. Article 4 of the principal Act shall be amended as follows:

Amendment of article 4 of the principal Act.

(a) in sub-article (9) thereof, the words "not below the rank of inspector" shall be deleted; and

(b) for sub-article (11) thereof there shall be substituted the following:

"(11) An attachment order shall, unless it is revoked earlier by the Attorney General by notice in writing served on the suspect and on the garnishee in the manner provided for in sub-article (9), cease to be operative on the expiration of forty-five days from the date on which it is made; and the court may, upon application of the Attorney General, and where it is satisfied that sufficient grounds exist, extend the validity of the attachment order for another forty-five days. The court shall not make another attachment order with respect to that suspect unless it is satisfied that substantially new information with regards to the offence mentioned in article 3 is available:

Provided that the period of validity as established in this sub-article shall be held in abeyance for such time as the suspect is away from these Islands and the Attorney General informs of this fact the garnishee by notice in writing served in the manner provided for in sub-article (9).".

Amendment of article 5 of the principal Act.

6. Immediately after sub-article (6) of article 5 of the principal Act, there shall be added the following new sub-articles:

"(7) Where the court does not proceed forthwith to make an order as required under sub-article (1), the court shall forthwith make a temporary freezing order having the same effect as an order made under this article, which temporary order shall remain in force until such time as the court makes the order required by the said article.

(8) Where for any reason whatsoever the court denies a request made by the prosecution for an order under sub-article (1), the Attorney General may, within three working days from the date of the court's decision, apply to the Criminal Court to make the required order and the provisions of this article shall apply *mutatis mutandis* to the order made by the Criminal Court under this sub-article as if it were an order made by the court under sub-article (1). The temporary freezing order made under sub-article (7) shall remain in force until the Criminal Court determines the application.

(9) The person charged may, within three working days from the date of the making of the order under sub-article (7), apply to the Criminal Court for the revocation of the order provided that the order shall remain in force unless revoked by the Criminal Court.".

Addition of new article 11A to the principal Act.

7. Immediately after article 11 of the principal Act there shall be added the following new article:

"Registrar to conduct inquiries

11A. (1) Where the court makes any order as is referred to in article 5, it shall order the Registrar to conduct inquiries to trace and ascertain the whereabouts of any moneys or other property, due or pertaining to or under the control of the person charged or accused or convicted, as the case may be.

(2) Whosoever is required by the Registrar to provide information for the purpose of sub-article (1) shall comply with the demand within thirty days from the day of receipt of the demand.

(3) The demand made by the Registrar and any reply thereupon in terms of this article, may be made by electronic mail."

8. Article 12 of the principal Act shall be amended as follows: Amendment of article 12 of the principal Act.

(a) sub-article (3) thereof shall be renumbered as sub-article (4);

(b) immediately after sub-article (2) thereof, there shall be added the following new sub-article:

"(3) The Minister, acting on the advice of the Unit, may make regulations to transpose, implement and give effect to the provisions and requirements of directives, regulations and any other legislative instruments of the European Union requiring transposition and, or implementation, as they may be amended from time to time, including any implementing measures that have been or may be issued thereunder."; and

(c) in sub-article (4) thereof, as renumbered, for the words "forty-six thousand and five hundred and eighty-seven euro and forty-seven cents (€46,587.47)" there shall be substituted the words "one hundred and fifty thousand euro (€150,000)".

9. Immediately after article 13 of the principal Act, there shall be added the following new article: Addition of new article 13A to the principal Act.

"Publication of penalties.

13A. (1) Any administrative penalty which may be imposed by the Unit in terms of rules and regulations made under article 12 shall be subject to publication where the amount of that administrative penalty is equivalent to or exceeds one thousand five hundred euro (€1,500), whether such penalty is imposed in respect of one or more contraventions.

(2) The publication referred to under sub-article (1) shall be made by the Unit in such medium and in such manner, including by electronic means, as established by policies and procedures established by the Board of Governors referred to in article 18, from time to time."

Amendment of article 16 of the principal Act.

10. Sub-article (1) of article 16 of the principal Act shall be amended as follows:

(a) in paragraph (a) thereof, for the words "to receive reports of transactions suspected to involve money laundering or funding of terrorism" there shall be substituted the words "to receive reports of transactions or activities suspected to involve money laundering or funding of terrorism or property that may have derived directly or indirectly from, or constitutes the proceeds of, criminal activity";

(b) in paragraph (b) thereof, for the words "having considered the suspicious transaction report" there shall be substituted the words "having considered the report received under paragraph (a)", and for the words "the Unit also has reasonable grounds to suspect that the transaction is suspicious and could involve money laundering or funding of terrorism" there shall be substituted the words "the Unit also has reasonable grounds to suspect that the transaction or activity is suspicious and could involve money laundering or funding of terrorism or property that may have derived directly or indirectly from, or constitutes the proceeds of, criminal activity";

(c) in paragraph (e) thereof, for the word "investigation", wherever it occurs, there shall be substituted the word "analysis", and for the words "suspicious transaction report;" there shall be substituted the words "report received by the Unit under paragraph (a);";

(d) in paragraph (g) thereof, immediately after the word "detection," there shall be added the word "analysis,";

(e) in paragraph (k) thereof, for the words "or to investigations regarding financial transactions related to money laundering or funding of terrorism and the natural or legal persons involved" there shall be substituted the words "or to investigations regarding financial transactions or activities related to money laundering or the underlying criminal activity,

or funding of terrorism and the natural or legal persons involved"; and

(f) in paragraph (l) thereof, for the words "which it suspects involves money laundering or funding of terrorism" there shall be substituted the words "which it suspects involves money laundering or the underlying criminal activity, or funding of terrorism".

11. In sub-article (4) of article 24 of the principal Act for the words "suspicious transaction reports" there shall be substituted the words "reports received by the Unit under article 16(1)(a)".

Amendment of article 24 of the principal Act.

12. Sub-article (2) of article 26 of the principal Act shall be amended as follows:

Amendment of article 26 of the principal Act.

(a) for the words "If the Unit so considers necessary it may" there shall be substituted the words "In carrying out its responsibilities under sub-article (1) the Unit may";

(b) in paragraph (a) thereof, for the words "such information or documents relating to that subject person's internal procedures for compliance" there shall be substituted the words "such information or documents as may be required in order to establish compliance";

(c) in paragraph (b) thereof, for the words "the performance of its functions under this Act." there shall be substituted the words "the performance of its functions under this Act;" and

(d) immediately after paragraph (b) thereof, there shall be added the following new paragraph:

"(c) carry out on-site examinations on subject persons with the aim of establishing compliance with the provisions of this Act and any regulations made thereunder."

13. For article 28 of the principal Act, there shall be substituted the following:

Substitution of article 28 of the principal Act.

"Delay of execution of a suspicious transaction.

28. (1) Where the Unit is informed by a subject person that a transaction to be carried out is suspected or known to be related to money laundering or the funding of terrorism, or to involve property that may have derived directly or indirectly from, or constitutes the proceeds of, criminal activity, or where, on the basis of information in its possession, including upon a request by a foreign body, authority or agency which is considered to have functions equivalent or analogous to those of the Unit, the Unit knows or suspects that a transaction to be carried out by a subject person is related to money laundering or the funding of terrorism, or involves property that is derived from or constitutes the proceeds of criminal activity, the Unit may, where it considers such action necessary, oppose the execution of the transaction and a notification of such opposition shall be made to the subject person concerned by any written means:

Provided that where the Unit opposes the execution of the transaction following receipt of information from the subject person, the notification of such opposition shall be made to the subject person by not later than one working day following the day on which the information was received by the Unit and the subject person shall, within such period, not carry out the transaction in question.

(2) The opposition by the Unit shall suspend the execution of the transaction for a period of one working day following the day of the notification by the Unit referred to in sub-article (1), unless the Unit shall, by any written means, authorise earlier the execution of the transaction.

(3) The Unit may, at its discretion, extend the period referred to in sub-article (2) by a further working day where this is considered to be necessary by the Unit and such extension shall be notified to the subject person before the lapse of the period referred to in sub-article (2).

(4) The obligation not to execute a transaction suspended by the Unit for the period of time referred to in sub-article (2) or the extended period referred to in sub-article (3) shall prevail over any legal or contractual obligation to which a subject person may be subject.

(5) Where the Unit does not oppose the execution of the transaction as provided in sub-article (1), the subject person concerned may proceed with the execution of the transaction upon the lapse of the period referred to therein and where a notification of opposition has been made to the subject person in accordance with sub-article (1), the subject person concerned may proceed with the execution of the transaction upon the lapse of the period referred to in sub-article (2) or the extended period referred to in sub-article (3), as the case may be, unless in the meantime an attachment order has been served on the subject person.

(6) Where the Unit receives a request from a foreign body, authority or agency referred to in sub-article (1), it shall acknowledge receipt of that request and shall subsequently notify such foreign body, authority or agency of the decision whether the execution of the transaction subject to the request has been opposed or otherwise."

14. In article 29 of the principal Act for the words "may be linked to money laundering or funding of terrorism" there shall be substituted the words "may be linked to money laundering, or funding of terrorism or may involve property that may have derived directly or indirectly from, or constitutes the proceeds of, criminal activity"; and for the words "benefiting from the suspected money laundering or funding of terrorism" there shall be substituted the words "involved in the suspected money laundering or the underlying

Amendment of
article 29 of the
principal Act.

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criminal activity, or funding of terrorism,".

Amendment of
article 30 of the
principal Act.

15. Article 30 of the principal Act shall be amended as follows:

(a) in sub-article (1) thereof, for the words "any transaction suspected to involve money laundering or funding of terrorism the Unit may demand" there shall be substituted the words "any transaction suspected to involve money laundering, funding of terrorism or property that may have derived directly or indirectly from, or constitutes the proceeds of, criminal activity, the Unit may demand", and for the words "any transaction suspected to involve money laundering or funding of terrorism as well as from any other subject person," there shall be substituted the words "any transaction suspected to involve money laundering, funding of terrorism or property that may have derived directly or indirectly from, or constitutes the proceeds of, criminal activity, as well as from any other subject person,"; and

(b) immediately after sub-article (2) thereof, there shall be added the following new sub-article:

"(3) Any information which the Unit demands in pursuance of sub-article (1) shall be provided in a timely manner and within such time period as the Unit may direct, or as may be established by regulations made under this Act."

Amendment of
article 30A of
the principal
Act.

16. In sub-article (2) of article 30A of the principal Act, for the words "The provisions of article 30(2)" there shall be substituted the words "The provisions of sub-articles (2) and (3) of article 30".

Amendment of
article 30B of
the principal
Act.

17. In sub-article (2) of article 30B of the principal Act and in the proviso thereto, for the word "investigation", wherever it occurs, there shall be substituted the word "analysis".

Addition of new
article 30C to
the principal
Act.

18. Immediately after article 30B of the principal Act, there shall be added the following new article:

"Power of Unit to issue directives.

30C. The Unit may, in order to combat money laundering and the funding of terrorism, to ensure compliance by subject persons with their obligations under this Act and any regulation made thereunder, and to prevent the financial and other systems from being used for criminal purposes, issue directives in writing requiring any subject person to do or to refrain from doing any act, and such directives shall be complied with within the time and in the manner stipulated therein."

19. For article 31 of the principal Act there shall be substituted the following:

Substitution of article 31 of the principal Act.

"Transmission of information to police for investigation.

31. (1) Where, following an analysis of a report received by the Unit under article 16(1)(a) and of any other information relevant to that report, the Unit is of the opinion that a reasonable suspicion of money laundering or funding of terrorism or a reasonable suspicion that property may have derived directly or indirectly from, or constitutes the proceeds of criminal activity subsists, an analytical report drawn up as is referred to under article 16(1)(a) shall be transmitted to the Police for further investigation.

(2) The provisions of sub-article (1) shall also apply *mutatis mutandis* to any knowledge or suspicion of money laundering or the underlying criminal activity, or funding of terrorism, which the Unit may have gathered or formed from information in its possession without having received any report as is referred to under sub-article (1).

(3) Where the Unit transmits information to the Police in pursuance of the provisions of sub-articles (1) and (2) and a subject person over which another authority or agency has supervisory or regulatory functions is involved, the Unit shall inform the said authority or agency of actions taken.

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(4) Where the Unit transmits information to the Police in pursuance of sub-articles (1) and (2) it shall thereafter transmit to the Police any further relevant information in respect of the knowledge or suspicion communicated to the Police as aforesaid."

Amendment of article 32 of the principal Act.

20. In article 32 of the principal Act, immediately after the words "at the request of the subject person" there shall be added the words "or on its own motion".

Amendment of article 33 of the principal Act.

21. In article 33 of the principal Act, for the words "that an investigation is being carried out by the Unit" there shall be substituted the words "that an analysis is being carried out by the Unit".

Amendment of article 35 of the principal Act.

22. For paragraph (a) of article 35 of the principal Act, there shall be substituted the following:

"(a) fees payable to the Unit in respect of its supervisory functions and other services rendered by it;"

PART II

Amendments to the Criminal Code

Amendment of the Criminal Code. Cap. 9.

23. This Part amends the Criminal Code and it shall be read and construed as one with the Criminal Code, hereinafter in this Part referred to as "the Code".

Amendment of article 328A of the Code.

24. Article 328A of the Code shall be amended as follows:

(a) for the marginal note thereof there shall be substituted the following:

"Acts of terrorism and terrorist activities."; and

(b) immediately after sub-article (3) thereof there shall be added the following new sub-article:

"(4) For the purposes of this sub-title, "terrorist activities" means any of the following acts, whenever or wherever carried out:

(a) an act of terrorism as defined in sub-article (1);

(b) the unlawful seizure or the exercise of control of an aircraft in flight, by the use of force or

threat thereof, or by any other form of intimidation;

(c) the unlawful and intentional commission of any of the following acts:

(i) an act of violence against a person on board an aircraft in flight, which is likely to endanger the safety of that aircraft;

(ii) the destruction of an aircraft in service or the causing of damage to such an aircraft, which renders it incapable of flight or which is likely to endanger its safety in flight;

(iii) the placing or the causing to be placed on an aircraft in service, by any means whatsoever, of a device or substance which is likely to destroy that aircraft, or to cause damage to it which renders it incapable of flight or which is likely to endanger its safety in flight;

(iv) the destruction or the damaging of air navigation facilities, or the interference with their operation, where such an act is likely to endanger the safety of an aircraft in flight;

(v) the communication of information which is known to be false, thereby endangering the safety of an aircraft in flight;

(d) the intentional commission of any of the following acts:

(i) the taking away of the life or liberty of, or the causing of bodily harm to, an internationally protected person;

(ii) the carrying out of a violent attack upon the official premises, the private accommodation or the means of transport of an internationally protected person likely to endanger his person or liberty;

(iii) a threat to commit any of the acts mentioned in sub-paragraphs (i) and (ii);

(e) the seizure or detention and the threat to take away the life, to cause bodily harm or to continue to detain another person (the "hostage") in order to compel a State, an international intergovernmental organisation, a natural or juridical person or a group of persons, to do or to abstain from doing any act as an explicit or implicit condition for the release of the hostage;

(f) the unlawful and intentional commission of any of the following acts, using any device, substance or weapon:

(i) the performance of an act of violence against any person at an airport serving international civil aviation, which causes or is likely to cause serious injury or death, where any such act endangers or is likely to endanger safety at that airport; or

(ii) the destruction or the serious damaging of the facilities of an airport serving international civil aviation or an aircraft not in service located thereon, or the disruption of the services of such an airport, where any such act endangers or is likely to endanger safety at that airport;

(g) an attempt to perform any of the acts referred to in paragraphs (b) to (f) or the participation as an accomplice in the performance or attempt thereof;

(h) the intentional commission of any of the following acts:

(i) the receipt, possession, use, transfer, alteration, disposal or dispersal of nuclear material, without lawful authority, which causes or is likely to cause death or serious injury to any person or substantial damage to property;

(ii) the theft or fraudulent obtaining of nuclear material;

(iii) the demand for nuclear material by threat or use of force, or by any other

form of intimidation;

(iv) the threat to use nuclear material to cause death or serious injury to any person or substantial damage to property, or the threat to commit theft of nuclear material in order to compel a natural or legal person, international organisation or State to do or to refrain from doing any act;

(v) an attempt to commit any of the acts mentioned in sub-paragraphs (i) and (ii) or the participation as an accomplice in any of the acts mentioned in sub-paragraphs (i) to (iv) or any attempt thereof;

(i) the unlawful and intentional commission of any of the following acts:

(i) the unlawful seizure or the exercise of control over a ship or fixed platform by the use of force or threat thereof, or by any other form of intimidation;

(ii) the performance of an act of violence against a person on board a ship or a fixed platform, which is likely to endanger the safe navigation of that ship or the safety of that fixed platform;

(iii) the destruction of a ship or a fixed platform or the causing of damage to a ship or its cargo, or a fixed platform which is likely to endanger the safe navigation of that ship, or the safety of that fixed platform;

(iv) the placing or the causing to be placed on a ship, by any means whatsoever, a device or substance which is likely to destroy that ship or to cause damage to such ship or to its cargo, which endangers or is likely to endanger the safe navigation of that ship;

(v) the placing or the causing to be placed on a fixed platform, by any means whatsoever, a device or substance which is likely to destroy that fixed platform or likely to endanger its safety;

(vi) the destruction or the causing of serious damage to maritime navigational facilities or the serious interference with their operation, where such act is likely to endanger the safe navigation of a ship;

(vii) the communication of information which is known to be false, thereby endangering the safe navigation of a ship;

(viii) the causing of bodily harm or the taking away of the life of a person in connection with the commission or attempted commission of any of the acts mentioned in sub-paragraphs (i) to (vii);

(j) an attempt to commit any of the acts referred to in paragraph (i), the participation as an accomplice in the commission thereof or the abetting in the commission of such acts perpetrated by another person;

(k) the use of threats aimed at compelling a person to do or to refrain from doing any act referred to in subparagraphs (ii), (iii) and (vi) of paragraph (i), where such a threat is likely to endanger the safe navigation of the ship or the safety of the fixed platform;

(l) the unlawful and intentional delivery, placing, discharge or detonation of an explosive or other lethal device in, into or against a place of public use, a State or government facility, a public transportation system or an infrastructure facility with the intent to cause death or serious bodily harm, or with the intent to cause extensive destruction of such a place, facility or system, where the destruction results in or is likely to result in major economic loss;

(m) an attempt to commit any of the acts mentioned in paragraph (l) or the participation as an accomplice in the performance or attempt thereof;

(n) the organisation or direction of others to commit or to attempt to commit the acts mentioned in paragraph (l);

(o) the contribution in any way to the commission of any of the acts mentioned in paragraph (l) or to the attempt thereof by a group of persons acting with a common purpose, where such contribution is intentional and is either made with the intent to further the general criminal activity or purpose of the group or in the knowledge of the intention of the group to commit any of the acts mentioned in paragraph (l);

(p) any act intended to cause death or serious bodily harm to a civilian, or to any other person not taking an active part in the hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organisation to do or to abstain from doing any act."

25. Article 328B of the Code shall be amended as follows:

Amendment of
article 328B of
the Code.

(a) in sub-article (1) thereof, for the words "to commit terrorist offences." there shall be substituted the words "to commit terrorist activities."; and

(b) for sub-article (3) thereof there shall be substituted the following:

"(3) Whosoever promotes, constitutes, organises, directs, supplies information or materials to, or by any means, directly or indirectly, collects, receives, provides or invites another person to provide money or other property for, or otherwise finances a terrorist group knowing that such participation, involvement or financing will contribute towards the activities, whether criminal or otherwise, of the terrorist group shall be liable -

(a) where the said participation or involvement consists in directing the terrorist group, to the punishment of imprisonment not exceeding thirty years:

Provided that where the activity of the terrorist group consists only of the acts mentioned in article 328A(2)(j) the punishment shall be that of

imprisonment for a period not exceeding eight years;

(b) in any other case, to the punishment of imprisonment not exceeding eight years."

Amendment of article 328C of the Code.

26. In sub-article (3) of article 328C of the Code, for the words "an offence mentioned in article sub-article (2)", there shall be substituted the words "an offence mentioned in sub-article (2)".

Amendment of article 328E of the Code.

27. Sub-article (1) of article 328E of the Code shall be amended as follows:

(a) in paragraph (a) thereof, for the words "to be used for the purposes of terrorism" there shall be substituted the words "to be used for the purposes of terrorist activities.";

(b) in paragraph (b) thereof, for the words "acts of terrorism" there shall be substituted the words "terrorist activities"; and

(c) in paragraph (c) thereof, for the words "carried out for the purposes of terrorism" there shall be substituted the words "carried out for the purposes of terrorist activities".

Amendment of article 328F of the Code.

28. For sub-article (1) of article 328F of the Code there shall be substituted the following:

"(1) Whosoever by any means, directly or indirectly, collects, receives, provides or invites another person to provide, money or other property or otherwise provides finance intending it to be used, or which he has reasonable cause to suspect that it may be used, in full or in part, for the purposes of terrorist activities or knowing that it will contribute towards the activities, whether criminal or otherwise, of any person involved in terrorist activities shall, on conviction, and unless the fact constitutes a more serious offence under any other provision of this Code or of any other law, be liable to the punishment of imprisonment for a term not exceeding four years or to a fine (*multa*) not exceeding eleven thousand and six hundred and forty-six euro and eighty-seven cents (€11,646.87) or to both such fine and imprisonment."

Amendment of article 328G of the Code.

29. Article 328G of the Code shall be amended as follows:

(a) in sub-article (1) thereof, for the words "Whosoever uses money or other property for the purposes of terrorism shall" there shall be substituted the words "Whosoever uses money or other property for the purposes of terrorist activities

shall"; and

(b) in sub-article (2) thereof, for the words "having reasonable cause to suspect that it may be used, for the purposes of terrorism shall" there shall be substituted the words "having reasonable cause to suspect that it may be used, for the purposes of terrorist activities shall".

30. In paragraph (b) of article 328H of the Code, for the words "may be used for the purposes of terrorism" there shall be substituted the words "may be used for the purposes of terrorist activities".

Amendment of article 328H of the Code.

31. Article 328L of the Code shall be amended as follows:

Amendment of article 328L of the Code.

(a) in paragraph (b) of sub-article (2) thereof, for the words "for the purposes of terrorism" there shall be substituted the words "for the purposes of terrorist activities"; and

(b) in paragraph (b) of sub-article (3) thereof, for the words "for the purposes of terrorism" there shall be substituted the words "for the purposes of terrorist activities".

PART III

Amendments to the Professional Secrecy Act

32. In paragraph (a) of article 6B of the Professional Secrecy Act the words "a breach of duty;" shall be substituted with the words "a breach of duty, or by the Security Service established by the Security Service Act;".

Amendment of the Professional Secrecy Act. Cap. 377

Passed by the House of Representatives at Sitting No. 238 of the 11th February, 2015.

ANĠLU FARRUGIA
Speaker

RAYMOND SCICLUNA
Clerk of the House of Representatives

