

EXPLANATORY MEMORANDUM

Minute No. _____ of 2016 – Attorney-General

Subject: *Criminal Code Act 1995*

- *Criminal Code (Terrorist Organisation—Abu Sayyaf Group) Regulation 2016*
- *Criminal Code (Terrorist Organisation—Al-Qa'ida) Regulation 2016*
- *Criminal Code (Terrorist Organisation—Al-Qa'ida in the Lands of the Islamic Maghreb) Regulation 2016*
- *Criminal Code (Terrorist Organisation—Jabhat al-Nusra) Regulation 2016*
- *Criminal Code (Terrorist Organisation—Jamiat ul-Ansar) Regulation 2016*
- *Criminal Code (Terrorist Organisation—Jemaah Islamiyah) Regulation 2016*

Section 5 of the *Criminal Code Act 1995* (the Act) provides that the Governor-General may make regulations prescribing matters required or permitted by the Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to the Act. The Schedule to the Act sets out the Code (the *Criminal Code*).

Division 102 of the *Criminal Code* sets out the offences in relation to terrorist organisations, which are: directing the activities of a terrorist organisation; being a member of a terrorist organisation; recruiting persons to a terrorist organisation; providing training to, receiving training from, or participating in training with, a terrorist organisation; getting funds to, from or for a terrorist organisation; providing support to a terrorist organisation; and, associating with a terrorist organisation.

Offences in Division 102 of the *Criminal Code* apply to conduct (or the results of such conduct) constituting the alleged offence whether or not the conduct (or the result) occurs in Australia.

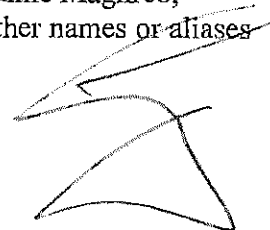
A 'terrorist organisation' is defined in subsection 102.1(1) of the *Criminal Code* as:

- an organisation directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act (paragraph 102.1(1)(a)); or
- an organisation specified by regulations (paragraph 102.1(1)(b)).

Subsection 102.1(20) of the *Criminal Code* provides that a reference to the doing of a terrorist act includes a reference to the doing of a terrorist act, even if a terrorist act does not occur; a reference to the doing of a specific terrorist act; and a reference to the doing of more than one terrorist act.

The purpose of the proposed Regulations is to specify Abu Sayyaf Group, al-Qa'ida, al-Qa'ida in the Lands of the Islamic Maghreb, Jabhat al-Nusra, Jamiat ul-Ansar and Jemaah Islamiyah for the purposes of paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*.

Abu Sayyaf Group, al-Qa'ida, al-Qa'ida in the Lands of the Islamic Maghreb, Jabhat al-Nusra, Jamiat ul-Ansar and Jemaah Islamiyah have other names or aliases



by which they are known. These other names or aliases are separately listed in section 5 of the Regulations.

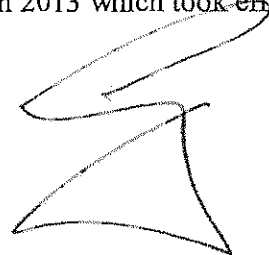
Pursuant to subsection 102.1(3) of the *Criminal Code*, regulations for the purposes of paragraph (b) of the definition of 'terrorist organisation' cease to have effect on the third anniversary of the day on which they take effect. The proposed Regulations would ensure that Abu Sayyaf Group, al-Qa'ida, al-Qa'ida in the Lands of the Islamic Maghreb, Jabhat al-Nusra, Jamiat ul-Ansar and Jemaah Islamiyah are listed as terrorist organisations for a further three years.

The proposed Regulations would enable the offence provisions in Division 102 of the *Criminal Code* to continue to apply to persons in relation to Abu Sayyaf Group, al-Qa'ida, al-Qa'ida in the Lands of the Islamic Maghreb, Jabhat al-Nusra, Jamiat ul-Ansar and Jemaah Islamiyah. Details of the proposed Regulations are set out in Attachments A, B, C, D, E and F respectively.

Abu Sayyaf Group was initially listed as a terrorist organisation by Criminal Code Amendment Regulations 2002 (No. 4) which took effect on 14 November 2002. The organisation was re-listed as a terrorist organisation by Criminal Code Amendment Regulations 2004 (No. 4) which took effect on 5 November 2004, Criminal Code Amendment Regulations 2006 (No. 4) which took effect on 5 November 2006, Criminal Code Amendment Regulations 2008 (No. 4) which took effect on 1 November 2008, Criminal Code Amendment Regulations 2010 (No. 6) which took effect on 29 October 2010, and again by the Criminal Code (Terrorist Organisation—Abu Sayyaf Group) Regulation 2013 which took effect on 12 July 2013.

Al-Qa'ida was initially listed as a terrorist organisation by Criminal Code Amendment Regulations 2002 (No. 2) which took effect on 21 October 2002. The organisation was re-listed by Criminal Code Amendment Regulations 2004 (No. 2) which took effect on 1 September 2004, Criminal Code Amendment Regulations 2006 (No. 2) which took effect on 26 August 2006, Criminal Code Amendment Regulations 2008 (No. 1) which took effect on 9 August 2008, Criminal Code Amendment Regulations 2010 (No. 1) which took effect on 22 July 2010, and again by Criminal Code (Terrorist Organisation—Al-Qa'ida) Regulation 2013 which took effect on 12 July 2013.

Al-Qa'ida in the Lands of the Islamic Maghreb was initially listed as a terrorist organisation under its former name of Salafist Group for Call and Combat by Criminal Code Amendment Regulations 2002 (No. 7) which took effect on 14 November 2002, Criminal Code Amendment Regulations 2004 (No. 7) which took effect on 5 November 2004, and again by Criminal Code Amendment Regulations 2006 (No. 7) which took effect on 3 November 2006. Following a change of name, the organisation was re-listed under its new name, Al-Qa'ida in the Lands of the Islamic Maghreb, by Criminal Code Amendment Regulations 2008 (No. 3) which took effect on 9 August 2008. It was re-listed as Al-Qa'ida in the Islamic Maghreb by Criminal Code Amendment Regulations 2010 (No. 3) which took effect on 22 July 2010, and was last re-listed by Criminal Code (Terrorist Organisation—Al-Qa'ida in the Lands of the Islamic Maghreb) Regulation 2013 which took effect on 12 July 2013.



Jabhat al-Nusra was initially listed as a terrorist organisation by Criminal Code (Terrorist Organisation—Jabhat al-Nusra) Regulation 2013 which took effect on 29 June 2013.

Jamiat ul-Ansar was initially listed as a terrorist organisation under its previous name, Harakat ul-Mujahideen, by Criminal Code Amendment Regulations 2002 (No. 5) which took effect on 14 November 2002. The organisation was re-listed under the name of Jamiat ul-Ansar by Criminal Code Amendment Regulations 2004 (No. 5) which took effect on 5 November 2004, Criminal Code Amendment Regulations 2006 (No. 5) which took effect on 3 November 2006, Criminal Code Amendment Regulations 2008 (No. 6) which took effect on 1 November 2008, Criminal Code Amendment Regulations 2010 (No. 5) which took effect on 29 October 2010, and again by the Criminal Code (Terrorist Organisation—Jamiat ul-Ansar) Regulation 2013 which took effect on 12 July 2013.

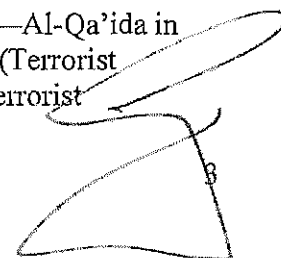
Jemaah Islamiyah was initially listed as a terrorist organisation by Criminal Code Amendment Regulations 2002 (No. 3) which took effect on 27 October 2002. It was re-listed by Criminal Code Amendment Regulations 2004 (No. 3) which took effect on 1 September 2004, Criminal Code Amendment Regulations 2006 (No. 3) which took effect on 26 August 2006, Criminal Code Amendment Regulations 2008 (No. 2) which took effect on 9 August 2008, Criminal Code Amendment Regulations 2010 (No. 2) which took effect on 22 July 2010, and again by Criminal Code (Terrorist Organisation—Jemaah Islamiyah) Regulation 2013 which took effect on 12 July 2013.

Subsection 102.1(2) of the Criminal Code provides that before the Governor-General makes a regulation specifying an organisation for the purposes of paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*, the Minister must be satisfied on reasonable grounds that the organisation is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act, or advocates the doing of a terrorist act.¹

In determining whether the Minister is satisfied on reasonable grounds that the organisation is directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act, or advocates the doing of a terrorist act, the Minister takes into consideration an unclassified Statement of Reasons prepared by the Australian Security Intelligence Organisation in consultation with the Department of Foreign Affairs and Trade, as well as advice from the Australian Government Solicitor. Where necessary and appropriate, the Minister also takes into consideration classified information provided by the Australian Security Intelligence Organisation.

Subsection 102.1(2A) of the *Criminal Code* provides that the Minister must arrange for the Leader of the Opposition in the House of Representatives to be briefed in relation to the proposed Regulations.²

The proposed Regulations would also repeal Criminal Code (Terrorist Organisation—Abu Sayyaf Group) Regulation 2013, Criminal Code (Terrorist Organisation—Al-Qa'ida) Regulation 2013, Criminal Code (Terrorist Organisation—Al-Qa'ida in the Lands of the Islamic Maghreb) Regulation 2013, Criminal Code (Terrorist Organisation—Jabhat al-Nusra) Regulation 2013, Criminal Code (Terrorist

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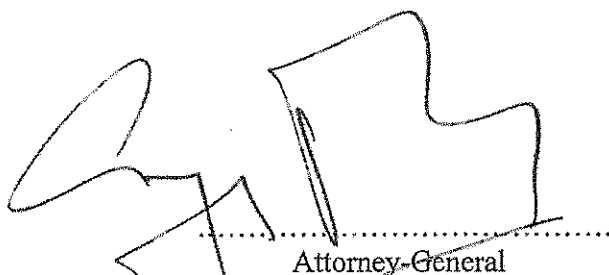
Organisation—Jamiat ul-Ansar) Regulation 2013 and Criminal Code (Terrorist Organisation—Jemaah Islamiyah) Regulation 2013 which specify Abu Sayyaf Group, al-Qa'ida, al-Qa'ida in the Lands of the Islamic Maghreb, Jabhat al-Nusra, Jamiat ul-Ansar and Jemaah Islamiyah, respectively, for the purposes of paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*. The existing Criminal Code (Terrorist Organisation—Jabhat al-Nusra) 2013 will cease to have effect on 29 June 2016. The other existing Regulations will cease to have effect on 12 July 2016. The repeal of Regulations would ensure there is no duplication if the new Regulations are made before the current Regulations cease.

The proposed Regulations would be legislative instruments for the purposes of the *Legislative Instruments Act 2003*. The proposed Regulations would commence on 28 June 2016.

The Minute recommends that the Regulations be made in the form proposed.

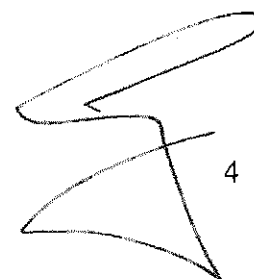
¹ In accordance with subsection 102.1(2) of the *Criminal Code*, I am satisfied on reasonable grounds that Abu Sayyaf Group, al-Qa'ida, al-Qa'ida in the Lands of the Islamic Maghreb, Jabhat al-Nusra, Jamiat ul-Ansar and Jemaah Islamiyah are directly or indirectly engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act, or advocate the doing of a terrorist act.

² In accordance with subsection 102.1(2A) of the *Criminal Code*, I have offered the Leader of the Opposition in the House of Representatives a briefing in relation to the proposed Regulations.



Attorney-General

Authority: Section 5 of the *Criminal Code Act 1995*



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ATTACHMENT A

Details of the Criminal Code (Terrorist Organisation—Abu Sayyaf Group) Regulation 2016

Section 1 – Name

This section would provide that the title of the Regulation is the *Criminal Code (Terrorist Organisation—Abu Sayyaf Group) Regulation 2016*.

Section 2 – Commencement

This section would provide for the commencement of each paragraph in the instrument, as set out in the table.

Subsection (1) would provide that each provision in the instrument specified in column 1 of the table commences in accordance with column 2 of the table, and that any other statement in column 2 has effect according to its terms. Columns 1 and 2 would provide that the Regulation commences on 28 June 2016.

The note to subsection (1) would clarify that the table only relates to the provisions of this instrument as originally made, and that it will not be amended to deal with any later amendments to the instrument.

Subsection (2) would provide that information in column 3 of the table is not part of the instrument. It is designed to assist readers, and may be updated or changed in any published version of this Regulation. Column 3 clarifies that the instrument would commence on 28 June 2016.

Section 3 – Authority

This section would provide that the Regulation is made under the *Criminal Code Act 1995*.

Section 4 – Schedules

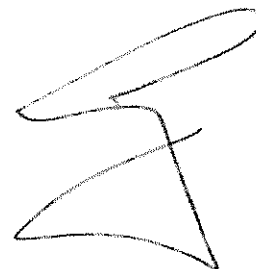
This section would provide that the instrument specified in Schedule 1 is repealed as set out in Schedule 1.

Section 5 – Terrorist organisation—Abu Sayyaf Group

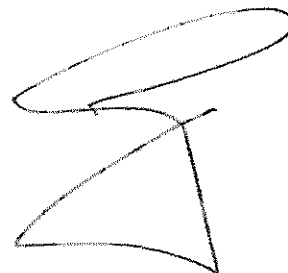
Subsection (1) would provide that for paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*, the organisation known as Abu Sayyaf Group is specified.

Subsection (2) would provide that Abu Sayyaf Group is also known by the following names:

- (a) Abou Sayaf Armed Band;
- (b) Abou Sayyef Group;
- (c) Abu Sayaff Group;
- (d) Al-Harakat Al-Aslamiya;



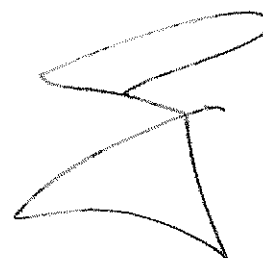
- (e) Al-Harakat Al-Islamiyya;
- (f) Al-Harakat-ul Al-Islamiyya;
- (g) Al-Harakatul-Islamia; and
- (h) Mujahideen Commando Freedom Fighters.

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Schedule 1—Repeals

Schedule 1 would provide that *Criminal Code (Terrorist Organisation—Abu Sayyaf Group) Regulation 2013* is repealed.

The *Criminal Code (Terrorist Organisation—Abu Sayyaf Group) Regulation 2013* specifies Abu Sayyaf Group as a terrorist organisation for the purposes of paragraph (b) of the definition of ‘terrorist organisation’ in subsection 102.1(1) of the *Criminal Code*. The proposed clause would ensure there is no duplication where the new Regulation is made before the current Regulation ceases to have effect.



ATTACHMENT B

Details of the Criminal Code (Terrorist Organisation—Al-Qa'ida) Regulation 2016

Section 1 – Name

This section would provide that the title of the Regulation is the *Criminal Code (Terrorist Organisation—Al-Qa'ida) Regulation 2016*.

Section 2 – Commencement

This section would provide for the commencement of each paragraph in the instrument, as set out in the table.

Subsection (1) would provide that each provision in the instrument specified in column 1 of the table commences in accordance with column 2 of the table, and that any other statement in column 2 has effect according to its terms. Columns 1 and 2 would provide that the Regulation commences on 28 June 2016.

The note to subsection (1) would clarify that the table only relates to the provisions of this instrument as originally made, and that it will not be amended to deal with any later amendments to the instrument.

Subsection (2) would provide that information in column 3 of the table is not part of the instrument. It is designed to assist readers, and may be updated or changed in any published version of this Regulation. Column 3 clarifies that the instrument would commence on 28 June 2016.

Section 3 – Authority

This section would provide that the Regulation is made under the *Criminal Code Act 1995*.

Section 4 – Schedules

This section would provide that the instrument specified in Schedule 1 is repealed as set out in Schedule 1.

Section 5 – Terrorist organisation—Al-Qa'ida

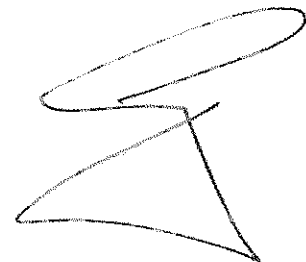
Subsection (1) would provide that for paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*, the organisation known as Al-Qa'ida is specified.

Subsection (2) would provide that Al-Qa'ida is also known by the following names:

- (a) Al-Jihad al-Qaeda;
- (b) Al Qaeda;
- (c) Al-Qaeda;
- (d) Al-Qaida;
- (e) The Base;



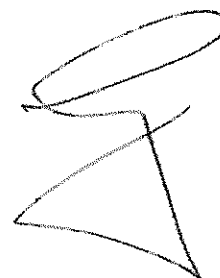
- (f) The Group for the Preservation of the Holy Sites;
- (g) International Front for Fighting Jews and Crusaders;
- (h) Islamic Army;
- (i) The Islamic Army for the Liberation of Holy Places;
- (j) Islamic Army for the Liberation of Holy Sites;
- (k) Islamic Salvation Foundation;
- (l) The Jihad Group;
- (m) New Jihad;
- (n) Usama Bin Laden Network;
- (o) Usama Bin Laden Organisation;
- (p) The World Islamic Front for Jihad against Jews and Crusaders; and
- (q) AQ.

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Schedule 1—Repeals

Schedule 1 would provide that *Criminal Code (Terrorist Organisation—Al-Qa'ida) Regulation 2013* is repealed.

The *Criminal Code (Terrorist Organisation—Al-Qa'ida) Regulation 2013* specifies Al-Qa'ida as a terrorist organisation for the purposes of paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*. The proposed clause would ensure there is no duplication where the new Regulation is made before the current Regulation ceases to have effect.



ATTACHMENT C

Details of the Criminal Code (Terrorist Organisation—Al-Qa'ida in the Lands of the Islamic Maghreb) Regulation 2016

Section 1 – Name

This section would provide that the title of the Regulation is the *Criminal Code (Terrorist Organisation—Al-Qa'ida in the Lands of the Islamic Maghreb) Regulation 2016*.

Section 2 – Commencement

This section would provide for the commencement of each paragraph in the instrument, as set out in the table.

Subsection (1) would provide that each provision in the instrument specified in column 1 of the table commences in accordance with column 2 of the table, and that any other statement in column 2 has effect according to its terms. Columns 1 and 2 would provide that the Regulation commences on 28 June 2016.

The note to subsection (1) would clarify that the table only relates to the provisions of this instrument as originally made, and that it will not be amended to deal with any later amendments to the instrument.

Subsection (2) would provide that information in column 3 of the table is not part of the instrument. It is designed to assist readers, and may be updated or changed in any published version of this Regulation. Column 3 clarifies that the instrument would commence on 28 June 2016.

Section 3 – Authority

This section would provide that the Regulation is made under the *Criminal Code Act 1995*.

Section 4 – Schedules

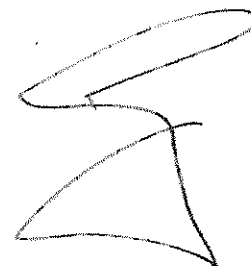
This section would provide that the instrument specified in Schedule 1 is repealed as set out in Schedule 1.

Section 5 – Terrorist organisation—Al-Qa'ida in the Lands of the Islamic Maghreb

Subsection (1) would provide that for paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*, the organisation known as Al-Qa'ida in the Lands of the Islamic Maghreb is specified.

Subsection (2) would provide that Al-Qa'ida in the Lands of the Islamic Maghreb is also known by the following names:

- (a) Al Qaida au Maghreb Islamique;
- (b) Al-Qa'ida in the Islamic Maghreb;
- (c) Al Qa'ida Organisation in the Lands of the Islamic Maghreb;



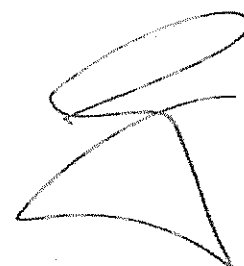
- (d) AQIM;
- (e) Le Groupe Salafiste Pour La Predication et Le Combat;
- (f) Salafist Group for Call and Combat;
- (g) Salafist Group for Preaching and Combat; and
- (h) Tanzim al-Qaida fi bilad al-Maghreb al-Islamiya.

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Schedule 1—Repeals

Schedule 1 would provide that *Criminal Code (Terrorist Organisation—Al-Qa'ida in the Lands of the Islamic Maghreb) Regulation 2013* is repealed.

The *Criminal Code (Terrorist Organisation—Al-Qa'ida in the Lands of the Islamic Maghreb) Regulation 2013* specifies Al-Qa'ida in the Lands of the Islamic Maghreb as a terrorist organisation for the purposes of paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*. The proposed clause would ensure there is no duplication where the new Regulation is made before the current Regulation ceases to have effect.

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ATTACHMENT D

Details of the Criminal Code (Terrorist Organisation—Jabhat al-Nusra) Regulation 2016

Section 1 – Name

This section would provide that the title of the Regulation is the *Criminal Code (Terrorist Organisation—Jabhat al-Nusra) Regulation 2016*.

Section 2 – Commencement

This section would provide for the commencement of each paragraph in the instrument, as set out in the table.

Subsection (1) would provide that each provision in the instrument specified in column 1 of the table commences in accordance with column 2 of the table, and that any other statement in column 2 has effect according to its terms. Columns 1 and 2 would provide that the Regulation commences on 28 June 2016.

The note to subsection (1) would clarify that the table only relates to the provisions of this instrument as originally made, and that it will not be amended to deal with any later amendments to the instrument.

Subsection (2) would provide that information in column 3 of the table is not part of the instrument. It is designed to assist readers, and may be updated or changed in any published version of this Regulation. Column 3 clarifies that the instrument would commence on 28 June 2016.

Section 3 – Authority

This section would provide that the Regulation is made under the *Criminal Code Act 1995*.

Section 4 – Schedules

This section would provide that the instrument specified in Schedule 1 is repealed as set out in Schedule 1.

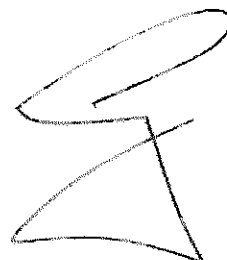
Section 5 – Terrorist organisation—Jabhat al-Nusra

Subsection (1) would provide that for paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*, the organisation known as Jabhat al-Nusra is specified.

Subsection (2) would provide that Jabhat al-Nusra is also known by the following names:

- (a) Al-Nusra Front;
- (b) Al-Nusrah Front;
- (c) Al-Nusrah Front for the People of the Levant;
- (d) Jabhat al-Nusra li-Ahl al-Sham Min Mujahideen al-Sham fi Sahat al-Jihad;
- (e) Jabhat al-Nusrah;

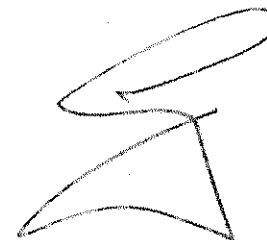
- (f) Jabhet al-Nusra;
- (g) Support Front for the People of Syria from the Mujahideen of Syria in the Places of Jihad; and
- (h) The Victory Front.

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Schedule 1—Repeals

Schedule 1 would provide that *Criminal Code (Terrorist Organisation—Jabhat al-Nusra) Regulation 2013* is repealed.

The *Criminal Code (Terrorist Organisation—Jabhat al-Nusra) Regulation 2013* specifies Jabhat al-Nusra as a terrorist organisation for the purposes of paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*. The proposed clause would ensure there is no duplication where the new Regulation is made before the current Regulation ceases to have effect.



ATTACHMENT E

Details of the Criminal Code (Terrorist Organisation—Jamiat ul-Ansar) Regulation 2016

Section 1 – Name

This section would provide that the title of the Regulation is the *Criminal Code (Terrorist Organisation—Jamiat ul-Ansar) Regulation 2016*.

Section 2 – Commencement

This section would provide for the commencement of each paragraph in the instrument, as set out in the table.

Subsection (1) would provide that each provision in the instrument specified in column 1 of the table commences in accordance with column 2 of the table, and that any other statement in column 2 has effect according to its terms. Columns 1 and 2 would provide that the Regulation commences on 28 June 2016.

The note to subsection (1) would clarify that the table only relates to the provisions of this instrument as originally made, and that it will not be amended to deal with any later amendments to the instrument.

Subsection (2) would provide that information in column 3 of the table is not part of the instrument. It is designed to assist readers, and may be updated or changed in any published version of this Regulation. Column 3 clarifies that the instrument would commence on 28 June 2016.

Section 3 – Authority

This section would provide that the Regulation is made under the *Criminal Code Act 1995*.

Section 4 – Schedules

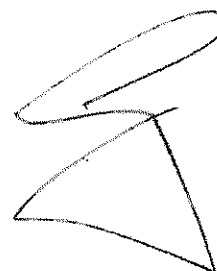
This section would provide that the instrument specified in Schedule 1 is repealed as set out in Schedule 1.

Section 5 – Terrorist organisation—Jamiat ul-Ansar

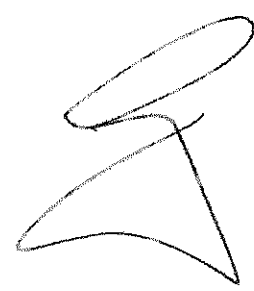
Subsection (1) would provide that for paragraph (b) of the definition of ‘terrorist organisation’ in subsection 102.1(1) of the *Criminal Code*, the organisation known as Jamiat ul-Ansar is specified.

Subsection (2) would provide that Jamiat ul-Ansar is also known by the following names:

- (a) Al-Faran;
- (b) Al-Hadid;
- (c) Al-Hadith;
- (d) Harakat ul-Ansar;
- (e) Harakat ul-Mujahideen;



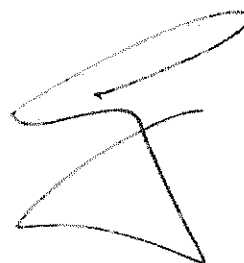
- (f) Harakat ul-Mujahidin;
- (g) HuM; and
- (h) JuA.

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Schedule 1—Repeals

Schedule 1 would provide that *Criminal Code (Terrorist Organisation—Jamiat ul-Ansar) Regulation 2013* is repealed.

The *Criminal Code (Terrorist Organisation—Jamiat ul-Ansar) Regulation 2013* specifies Jamiat ul-Ansar as a terrorist organisation for the purposes of paragraph (b) of the definition of ‘terrorist organisation’ in subsection 102.1(1) of the *Criminal Code*. The proposed clause would ensure there is no duplication where the new Regulation is made before the current Regulation ceases to have effect.

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ATTACHMENT F

Details of the Criminal Code (Terrorist Organisation—Jemaah Islamiyah) Regulation 2016

Section 1 – Name

This section would provide that the title of the Regulation is the *Criminal Code (Terrorist Organisation—Jemaah Islamiyah) Regulation 2016*.

Section 2 – Commencement

This section would provide for the commencement of each paragraph in the instrument, as set out in the table.

Subsection (1) would provide that each provision in the instrument specified in column 1 of the table commences in accordance with column 2 of the table, and that any other statement in column 2 has effect according to its terms. Columns 1 and 2 would provide that the Regulation commences on 28 June 2016.

The note to subsection (1) would clarify that the table only relates to the provisions of this instrument as originally made, and that it will not be amended to deal with any later amendments to the instrument.

Subsection (2) would provide that information in column 3 of the table is not part of the instrument. It is designed to assist readers, and may be updated or changed in any published version of this Regulation. Column 3 clarifies that the instrument would commence on 28 June 2016.

Section 3 – Authority

This section would provide that the Regulation is made under the *Criminal Code Act 1995*.

Section 4 – Schedules

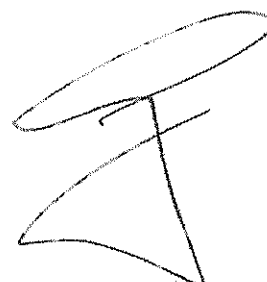
This section would provide that the instrument specified in Schedule 1 is repealed as set out in Schedule 1.

Section 5 – Terrorist organisation—Jemaah Islamiyah

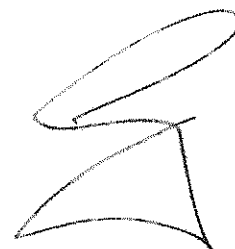
Subsection (1) would provide that for paragraph (b) of the definition of 'terrorist organisation' in subsection 102.1(1) of the *Criminal Code*, the organisation known as Jemaah Islamiyah is specified.

Subsection (2) would provide that Jemaah Islamiyah is also known by the following names:

- (a) Al-Jama'ah Al-Islamiyah;
- (b) Jamaah Islamiyah;
- (c) Jama'ah Islamiyah;
- (d) Jemaa Islamiya;



- (e) Jema'a Islamiya;
- (f) Jemaa Islamiyah;
- (g) Jema'a Islamiyya;
- (h) Jemaa Islamiyya;
- (i) Jemaa Islamiyyah;
- (j) Jemaah Islamiyah;
- (k) Jemaah Islamiya;
- (l) Jeemah Islamiyah;
- (m) Jema'ah Islamiyah;
- (n) Jemaah Islamiyyah;
- (o) Jema'ah Islamiyyah; and
- (p) JI.



Schedule 1—Repeals

Schedule 1 would provide that *Criminal Code (Terrorist Organisation—Jemaah Islamiyah) Regulation 2013* is repealed.

The *Criminal Code (Terrorist Organisation—Jemaah Islamiyah) Regulation 2013* specifies Jemaah Islamiyah as a terrorist organisation for the purposes of paragraph (b) of the definition of ‘terrorist organisation’ in subsection 102.1(1) of the *Criminal Code*. The proposed clause would ensure there is no duplication where the new Regulation is made before the current Regulation ceases to have effect.

A handwritten signature in black ink, consisting of a large, stylized letter 'S' with a horizontal line extending to the right, and a vertical line extending downwards from the center of the 'S'.