
First published in the *Government Gazette*, Electronic Edition, on 19th September 2013 at 5:00 pm.

No. S 604

TERRORISM (SUPPRESSION OF FINANCING) ACT (CHAPTER 325)

TERRORISM (SUPPRESSION OF FINANCING) (GENERAL EXEMPTION) ORDER 2013

ARRANGEMENT OF PARAGRAPHS

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In exercise of the powers conferred by section 7(1) of the Terrorism (Suppression of Financing) Act, the Minister for Home Affairs hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Terrorism (Suppression of Financing) (General Exemption) Order 2013 and shall come into operation on 23rd September 2013.

Definitions

2. In this Order —

“basic expense” includes payment for foodstuff, rent, mortgage, medicine, medical treatment, any tax, insurance premium and public utility charge, as well as payment of any reasonable professional fee such as a fee associated with the provision of a legal service;

“Director” means the Director of the Internal Security Department of the Ministry of Home Affairs;

“terrorist” means any person who —

- (a) commits, or attempts to commit, any terrorist act; or
- (b) participates in or facilitates the commission of any terrorist act,

and includes a person mentioned only in paragraph 1A of the First Schedule to the Act, but excludes a person mentioned in paragraph 1, or in both paragraphs 1 and 1A, of that Schedule.

[S 536/2017 wef 28/09/2017]

Exemption for making available funds for basic expenses

3.—(1) A person is exempted from sections 4(b) and 6 of the Act (as applicable) in respect of any activity or transaction undertaken for the purpose of making available funds to meet any basic expense of a terrorist or a member of his family.

(2) The exemption is subject to the condition that the exempt person must have obtained a notice of exemption from the Director in respect of that activity or transaction.

Exemption for use of funds for basic expenses

4.—(1) A terrorist, any member of his family, and any person acting on the terrorist or his family member’s behalf are exempted from section 6 of the Act when using —

- (a) any funds owned or controlled by or on behalf of the terrorist; or
- (b) funds derived or generated from property owned or controlled, directly or indirectly, by the terrorist,

to meet any basic expense of the terrorist or a member of his family.

(2) The exemption is subject to all of the following conditions:

- (a) the exempt person must have obtained a notice of exemption from the Director in respect of that use;

- (b) the funds must not be used for any other purpose, or remitted or given to another person, except with the written permission of the Director;
- (c) on the request of the Director, the exempt person must, within such time as the Director may specify, provide such evidence as the Director may reasonably require on the manner of use of the funds.

Made this 19th day of September 2013.

[MHA 112/2/0106; AG/LLRD/SL/325/2010/3 Vol. 1]