

House of Representatives

Supplementary Order Paper

Wednesday, 11 December 2019

Terrorism Suppression (Control Orders) Bill

Proposed amendments

Hon Mark Mitchell, in Committee, to move the following amendments:

In *clause 6*, replace *subclause (1)* (page 4, line 25 to page 5, line 3) with:

- (1) A **relevant person** is a person who is 18 years old or older,—
 - (a) who is or may be coming to New Zealand or has arrived in New Zealand, and who before their arrival in New Zealand—
 - (i) engaged in terrorism-related activities (see **section 7(1)**) in a foreign country; or
 - (ii) travelled, or attempted to travel, to a foreign country to engage in terrorism-related activities in a foreign country; or
 - (iii) was convicted in a foreign country of an offence because of conduct that is or includes engaging in terrorism-related activities in a foreign country; or
 - (iv) was deported from, had a visa cancelled by, or had any passport, citizenship, or nationality revoked by, a foreign country for reasons that are or include a security risk related to conduct that is or includes engaging in terrorism-related activities in a foreign country; or
 - (v) is or was the subject of any control order regime, or other analogous supervisory regime, in a foreign country, because of conduct that is or includes engaging in terrorism-related activities in a foreign country; or

- (b) who has been convicted in New Zealand of an offence relating to a terrorist act (as defined in section 5 of the Terrorism Suppression Act 2002).

In *clause 6(3)*, replace “**subsection (1)(c)**” (page 5, line 6) with “**subsection (1)(a)(iii)**”.

Explanatory note

This Supplementary Order Paper amends the Terrorism Suppression (Control Orders) Bill by amending *clause 6* to ensure control orders will capture those convicted of a terrorist offence in New Zealand.

The Bill as introduced does not consider those convicted of a terrorism-related offence in New Zealand as a relevant person to which a control order will apply. National recommends a new provision is inserted into this Bill to include that a relevant person on whom a control order is to be imposed is a person who has been convicted in New Zealand of an offence relating to a terrorist act. This amendment would make the legislation align with the Australian version. The Government has assured the Opposition that a similar change is coming with a second tranche of anti-terrorism laws; however, we believe this cannot wait, and there is no harm in having it in the legislation now.