

*Legal Supplement Part C to the "Trinidad and Tobago Gazette", Vol. 55,
No. 34, 17th March, 2016*

No. 5 of 2016

First Session Eleventh Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to amend the Strategic Services Agency Act,
Chap. 15:06, to expand the functions of the
Strategic Services Agency

THE STRATEGIC SERVICES AGENCY (AMENDMENT)
BILL, 2016

Explanatory Notes

(These notes form no part of the Bill but are intended only to indicate its general purport)

The purpose of the Strategic Services Agency (Amendment) Bill, 2016 is to amend the Strategic Services Agency Act, Chap. 15:06 (hereinafter referred to as “the Act”) to expand the remit of the Strategic Services Agency (hereinafter referred to as the “SSA”) to include broader law enforcement coordination and intelligence functions.

Clause 1 of the Bill contains the title of the Act for which this is the Bill.

Clause 2 of the Bill would provide for the coming into force of the Act on the date fixed by the President by Proclamation.

Clause 3 of the Bill would amend section 2 of the Act to delete the definition of “drug trafficking”, and to provide for the definition of “serious crime” as well as other expressions used in the Bill.

Clause 4 of the Bill seeks to amend section 6(1) and (2) of the Act to expand the functions of the SSA. By clause 4, the SSA would be empowered and charged with the responsibility to deal with matters relating to the prevention of serious crime, including, *inter alia*, aspects relating to its detection and prevention [*proposed* 6(1)(a)], coordination of crime prevention operations [6(1)(a)], the development of strategic intelligence [6(1)(b)], policy formulation advice [6(1)(d)], deepening of domestic and international cooperation [(6)(1)(l)], information sharing [6(2)(b)], negotiating foreign technical assistance [6(2)(e)], capacity building through specialised training [6(2)(f)] and facilitating international cooperation [6(2)(g)].

Clause 5 of the Bill would amend section 9 of the Act to provide for the funds and resources of the SSA to include moneys received by the SSA as a result of the contribution by Trinidad and Tobago to any international endeavour to forfeit the assets of persons involved in serious crime, as well as donations and gifts to the Government of Trinidad and Tobago from other governments and regional and international bodies to assist in crime prevention.

THE STRATEGIC SERVICES AGENCY (AMENDMENT)
BILL, 2016

Arrangement of Clauses

Clause

1. Short title
2. Commencement and interpretation
3. Section 2 amended
4. Section 6 amended
5. Section 9 amended

BILL

AN ACT to amend the Strategic Services Agency Act,
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Strategic Services Agency

[, 2016]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:

1. This Act may be cited as the Strategic Services Short title
Agency (Amendment) Act, 2016.

Commencement and
interpretation

2. (1) This Act comes into force on such date as is fixed by the President by Proclamation.

Chap. 15:06

(2) In this Act, “the Act” means the Strategic Services Agency Act.

Section 2 amended

3. Section 2 of the Act is amended by—

(a) deleting the definition of “drug trafficking”;
and

(b) inserting in the appropriate alphabetical sequence, the following definitions:

Chap. 16:01

“ammunition” has the same meaning assigned to that expression in section 2 of the Firearms Act;

“crime prevention” means combating serious crime;

“firearms” has the same meaning assigned to that expression in section 2 of the Firearms Act;

“serious crime” includes offences related to homicide, treason, terrorist acts, terrorist financing, hijacking, kidnapping, trafficking in persons, trafficking in children, gangs, illicit trafficking in narcotic drugs, psychotropic substances and precursor chemicals, dangerous drugs, corruption, money laundering, smuggling, terrorist acts, terrorist financing, arms and ammunition, chemical, biological and nuclear weapons and weapons of mass destruction, cybercrime, transnational crime or any offence which carries a penalty of not less than five years’ imprisonment;

“prohibited weapon” has the same meaning assigned to that expression in section 2 of the Firearms Act;

“trafficking in children” has the same meaning assigned to that expression in section 3 of the Trafficking in Persons Act;

Chap. 12:10

“trafficking in persons” has the same meaning assigned to that expression in section 3 of the Trafficking in Persons Act; ”.

4. Section 6 of the Act is amended—

Section 6
amended

(a) in subsection (1)—

- (i) in paragraph (a), by deleting the words “illicit traffic in narcotic drugs, psychotropic substances and precursor chemicals” and substituting the words “serious crime”, and by deleting the words “suppression of illicit drug trafficking and drug-related matters” and substituting the words “suppression of serious crime”;
- (ii) in paragraph (b), by deleting the words “counter narcotics matters” and substituting the words “serious crime”;
- (iii) in paragraph (c), by deleting the words “drug interdiction strategy” and substituting the words “crime prevention strategies”, and by deleting the words “agreed strategy” and substituting the words “agreed strategies”;

- (iv) in paragraph *(d)*, by deleting the words “counter drug trafficking” and substituting the words “crime prevention”;
 - (v) in paragraph *(e)*, by deleting the word “appropriate”;
 - (vi) in paragraph *(f)*, by deleting the word “appropriate” where it occurs for the second time;
 - (vii) in paragraph *(g)*, by deleting the words “drug-related”;
 - (viii) in paragraph *(h)*, by deleting the words “the drug trade” and substituting the words “serious crime”;
 - (ix) in paragraph *(j)*, by deleting the words “drug-related”; and
 - (x) in paragraph *(l)*, by deleting the words, “domestic and overseas Services” and substituting the words “the Services and the corresponding Services of other countries”, and by deleting the words “organised drug-related crime and major criminals in the drug trade” and substituting the words “serious crime”; and
- (b)* in subsection (2)—
- (i) in paragraph *(a)*, by deleting the words “particularly serious or complex and drug-related cases” and substituting the words “cases of serious crime”;

- (ii) in paragraph (b), by deleting the words “the drugs legislation” and substituting the words “laws pertaining to serious crime”, and by deleting the word “appropriate”;
- (iii) in paragraph (d), by deleting the words “a dangerous drugs supply-reduction programme” and substituting the words “crime prevention programmes”;
- (iv) in paragraph (e), by deleting the words “the dangerous drugs supply-reduction programme” and substituting the words “crime prevention programmes”;
- (v) in paragraph (f), by deleting the words “specialised staff in action against drug trafficking” and substituting the words “staff of the Services in crime prevention”;
- (vi) in paragraph (g)(i), by deleting the words “illicit traffic in dangerous drugs” and substituting the words “serious crime”;
- (vii) in paragraph (g)(ii), by deleting the words “international drug trafficking” and substituting the words “serious crime”;
- (viii) in paragraph (g)(ii)A., by inserting after the word “movements”, the words “, assets”, and by deleting the words “drug traffickers” and substituting the words “persons involved in serious crime”;

- (ix) in paragraph (g)(ii)B., by deleting the words “current or projected drug trafficking transactions” and substituting the words “transactions related to serious crime”;
- (x) in paragraph (g)(ii)C., by deleting the words “international drug trafficking” and substituting the words “serious crime”;
- (xi) in paragraph (g)(ii)D., by deleting all the words after the words “dangerous drugs” and substituting the words “precursor chemicals, weapons of mass destruction, prohibited weapons, firearms, arms and ammunition as well as equipment, material and instrumentalities used in serious crime, and”;
- (xii) by inserting after paragraph (g)(ii)D., the following sub-subparagraph:
 - “E. the movement of persons involved in trafficking in persons and trafficking in children;”;
- (xiii) by deleting paragraph (h) and substituting the following paragraph:
 - “(h) maintain databases of persons involved in serious crime;” and
- (xiv) in paragraph (j), by deleting the word “services” and substituting the word “Services”.

No. 5 of 2016

FIRST SESSION

ELEVENTH PARLIAMENT

REPUBLIC OF

TRINIDAD AND TOBAGO

BILL

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Received and read the

First time.....

Second time.....

Third time.....