

Guaranteeing Equal Enforcement of the Terms of Service Act 2025 (GEETSA)

Whereas The recent Supreme Court Decision made this necessary,

Whereas SimDemocracys Courts can enforce Terms of Service,

Believing Swift action is sometimes necessary,

Recognizing Ivy Cactus helped tremendously with this law.

It is hereby passed into law:

Subdivision 1 — The GEETSA

§1. The Counter-Terrorism and Security Act of 2023 is repealed in its entirety.

§2. The following Act shall be passed into Law under the name of “Guaranteeing Equal Enforcement of the Terms of Service Act of 2025 (GEETSA)”:

Part 1: Introductory

Article 1: Types of Crime

§1. There shall be three kinds of crimes (acts unlawful under either SimDemocracy Law or any relevant platforms Terms of Services) recognised under this Act.

§1.1 Ordinary Crimes shall be those crimes that are a violation of either SimDemocracy Law and/or a non-egregious violation of any relevant platforms Terms of Service.

§1.2 Terrorism shall be any crime that violates any relevant platforms Terms of Service egregiously.

§1.2.1. The violation shall be egregious if the offender repeatedly violated the ToS in a very short amount of time or if the violation is highly intense. In particular continued criminal harassment, continued or serious doxxing, continued Hate Speech and significant raiding shall be considered egregious.

§1.3 State-threatening Terrorism shall be any terrorism for which holding any Trial would violate any platforms relevant Terms of Service or any real life law. In particular any content that displays sexualised images of persons under the age of 18 and posting gore images shall be considered state-threatening Terrorism.

Article 2: Competent authority

§1. In this Act, a competent authority shall refer to any person or public body with the requisite permissions in the relevant jurisdictions involved.

Article 3: Jurisdiction

§1. The jurisdictions covered under this Act include the SimDemocracy subreddit and its associated Discord server, as well as any other forum under SimDemocracy jurisdiction as defined in Law.

Part 2: Counter-Terrorism Powers

Article 4: Guiding Principles

§1. Competent authorities shall choose to either charge an act as an ordinary crime or punish it as terrorism or as state-threatening terrorism, respecting the definitions laid out in this Act.

§2. If charged as an ordinary crime, this Act shall not apply to proceedings regarding the charge or punishment.

Article 5: Counter-terrorism powers

§1. Competent authorities shall have the power to preliminarily mute or ban any person who commits terrorism or state-threatening terrorism.

§2. A competent authority that has exercised a power under this Article must seek mandatory judicial review under Article 7 of this Act.

Article 6: Emergency counter-terrorism powers

§1. Where an Emergency Counter-Terrorism Powers Order (ECTPO) allows for it, competent authorities shall have the power to mute or ban any person who commits terrorism within the specifications of that order.

§2. Where an ECTPO allows for it, competent authorities shall have the power to utilise or modify automated moderation tools within the specifications of that order.

Part 3: Judicial Oversight

Article 7: Mandatory Trial for Terrorism

§1. Any person summarily banned for terrorism must receive a trial before an Inferior Court as if they were charged with an ordinary crime.

§2. During said trial the following limitations to due process and the Right to a Fair Hearing shall apply:

§2.1. There shall be no ability to declare a mistrial by the presiding judge in a way that would result in there being no trial, unless the accused has proven their innocence.

§2.2. All provisions containing a duty for the prosecution or the court to respect certain time frames shall be unenforceable and instead, if violated, grant the accused the right to monetary compensation.

§2.3. The trial must happen within one (1) month from the act or the accused is to be released.

§2.4. The accused must be banned during the proceedings.

§2.5. If the Court finds the accused to have violated any relevant platforms Terms of Service egregiously, the minimum sentence regardless of other SimDem Laws, like statutory defenses, shall be a mute of three (3) months.

§3. The accused and the competent authority shall have the right to appeal the Inferior Courts decision as if it was a criminal proceeding.

Article 8: Proceedings for state-threatening Terrorism

§1. After banning a person for state-threatening terrorism, an Inferior Court must either certify or deny certification within one (1) week of the mute or ban, and therefore decide whether the person involved has committed state-threatening terrorism.

§1.1 Certifications shall be made in the following process:

§1.1.1. The competent authority requests certification and does so by either providing evidence or, where doing so would violate any relevant platforms Terms of Service or real life law, by swearing that they have in fact witnessed state-threatening terrorism under this act. Should the competent authority be found to have perjured themselves under this subsection, they shall be charged for perjury under this subsection, with the maximum sentence being a ban of up to one (1) year or, in egregious cases, of up to an unlimited ban, as well as removal from all public offices in both cases.

§1.1.2. The Court must then make the decision whether the act constitutes state-threatening terrorism and certify only if it does.

§1.1.3. The Court must then inform the accused of their rights under this Act. It may do so in a public announcement in a channel that is accessible to all citizens where the announcement is noticeable.

§2. The requirement of an Inferior Court judge to recuse shall be suspended where:

§2.1. At least one Inferior Court judge has recused from providing mandatory certification, and

§2.2. No other eligible Inferior Court judge is available to provide mandatory certification before the one (1) week deadline.

§3. Where no mandatory certification has been made by the Inferior Court after three (3) days of the mute or ban, any Supreme Court shall have the power to provide mandatory certification on the Inferior Court's behalf.

§4. If a mandatory certification is denied or where no mandatory certification was provided within the one (1) week deadline, the person involved must receive the same Rights as a person suppressed for committing terrorism.

§5. The decision of the Inferior Court may be appealed by the competent authority or the accused to the Supreme Court. On appeal, the only reason for overturning the former decision in the accused's favor shall be that they in fact did not violate Terms of Service. The solemn affirmation as prescribed in §1.1.1. shall be admissible as evidence. The Supreme Court shall not hold any hearing in a way that would further the harm done by the act in question. The accused must remain banned during the trial.

§5.1. The right of appeal shall not be considered extinguished merely because a Supreme Court Justice made the decision under §3 of this Article.

Article 9: Emergency Counter-Terrorism Powers

Order

§1. A competent authority shall have the power to request an Emergency Counter-Terrorism Powers Order (ECTPO) from the Inferior Court. For an ECTPO state-threatening-terrorism shall justify it the same way terrorism does.

§2. A competent authority can, if it so requires, request that the ECTPO have retroactive effect.

§2.1. No ECTPO can have a retroactive effect beyond forty-eight (48) hours of the time when the ECTPO request was made.

§2.2. Unless otherwise stated by the competent authority, an ECTPO request that cites a terrorist attack as a reason shall be construed as a request for it to have retroactive effect from the time of when the terrorist attack began or forty-eight (48) hours before the time when the request was made (whichever is later).

§2.3 A terrorist attack shall be a large amount of (state-threatening-)terrorism happening in a short amount of time, making it appear as if the attacks are organised.

§2.3. Unless otherwise stated by the competent court, a decision to grant in full, in part, or with modifications an ECTPO with a construed retroactive request under §2.2, or with an explicitly stated retroactive request, shall be deemed to have granted the request for retroactive effect in full.

§2.4. All mutes and bans made under Article 4 of this Act that would have otherwise been covered by the authority of the retroactive ECTPO shall instead be considered as mutes and bans made under the ECTPO's authority.

§3. A competent authority making an ECTPO request under this Article shall specify:

§3.1. What emergency powers it is requesting,

§3.2. The duration of the emergency powers in question (including whether it has retroactive effect), and

§3.3. The reasons for requesting the emergency powers. Valid reasons shall include:

§3.3.1. Evidence of a terrorist attack or the immediacy thereof

§3.3.2 Evidence of Terrorism by a large but unorganised group or the immediacy thereof.

§3.3.3. Evidence of any other event that could reasonably be perceived as threatening SimDemocracy and warranting quick action or the immediacy thereof.

§4. The emergency powers requested under an ECTPO may include:

§4.1. The power to mute and ban, and

§4.2. The power to utilise or modify automated moderation tools.

§5. When a request for an ECTPO has been made, the Inferior Court must, as soon as reasonably practicable, make one the following decisions:

§5.1. Grant the requested ECTPO in full,

§5.2. Grant the requested ECTPO in part or with some other modification, or

§5.3. Deny issuing an ECTPO.

§6. Where no decision over an ECTPO request has been made within a reasonably practicable time, the Supreme Court shall have the power to make a decision under §6 of this Article on the Inferior Court's behalf.

§7. Where a competent court makes a decision under §5., a competent authority and the accused shall have the right to the proceedings under Article 10.

§8.1. The right to the proceedings under Article 10 shall not be considered extinguished merely because the Supreme Court made the decision under §5 of this Article.

Article 10: Proceedings under ECTPO

§1. If an ECTPO has been granted for terrorism, Article 7 shall apply. The proceeding shall be held jointly for all accused. No more than three (3) attorneys may speak in Court.

§2. If an ECTPO has been granted for state-threatening terrorism, Article 8 shall apply. The proceeding shall be held jointly for all accused.

§3. If the group affected by the ECTPO consists of five (5) accounts or more, all statutes stipulating time frames for actions by the Courts or by the competent authority shall be double their usual amount.

Part 4: Miscellaneous Provisions

Article 11: Amendments to the Executive Act 2023

§1. Insert Article 6, §6.3 to the Executive Act 2023 with:

"The power under this section shall only be considered exercised if it does not fall under a power granted by the Guaranteeing Equal Enforcement of the Terms of Service Act 2025 (GEETSA)."

Article 12: Interpretation and severability

§1. So far as it is possible to do so, the courts shall have a duty to interpret and give effect to this Act in a way which is compatible with the Constitution and any relevant platforms Terms of Service.

§1.1. If it is absolutely necessary to do so, this duty shall empower the Supreme Court to go beyond ordinary statutory interpretation and to read in and read out words (i.e. add, remove, or substitute words) into the statute while respecting general legislative intent.

§1.2. If, nevertheless, it is still not possible to interpret and give effect to a section or subsection of this Act even with the powers under §1.1, the courts shall have the power to strike out specific sections and subsections of this Act.

§2. The term "right of appeal" used in this Act shall not be interpreted as denying the Supreme Court its constitutional discretionary powers to hear an appeal.

§3. All Laws formerly referencing the Counter-Terrorism and Security Act 2023 shall be considered to reference the aforementioned Act.

Subdivision 2 — Constitutional Amendment

§1. The foregoing Act and sections shall only be passed into Law if the following constitutional amendment to Article 18 of The Constitution is ratified (changes underlined):

§2.3. Under exceptional circumstances affecting public safety, a pre-emptive mute or ban may be applied before a trial.

§2.3.1. The Right to a Fair Hearing of one banned under this section may be limited only when doing so is absolutely necessary to prevent a violation of any relevant platforms Terms of Service.

§2.4. The lawful suppression, arrest, detention, muting, or ban of a person for the purposes of enforcing the Reddit and Discord Terms of Service and other constitutional obligations of the state, where other avenues would impose an unreasonable burden because there is no way of doing so without violating any relevant platforms ToS.

§2.4.1. After the issuing of such a suppression, a competent court must certify within a reasonable timespan if that suppression is in accordance with this article. If such certification is not received, the ban must be handled under §2.3.

§2.4.2. An appeal into whether a violation was exceptional or egregious enough to warrant action under this section may occur in absentia.

§2.4.3. No burden may be placed on members of the state to proactively contact users banned under this section.
