

# Counter-Terrorism and Security (Amendment) Act

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**Senate of SimDemocracy**

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An Act to amend the Counter-Terrorism and Security Act.

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## Article 1: Amendments

**§1.1** In Article 6, §5, insert the following new subsection:

**§5.2.** If a competent authority exercises its right to appeal, the appeal must be adjudicated by a different judge at the inferior courts (if the approving body was the Inferior Court), or at the Supreme Court (if the approving body was the Supreme Court).

**§5.3.** The competent authority may apply to the court to which it is appealing for a Temporary Restriction Order, which shall pause the effect of the original certification and the 48-hour time limit in this Article until a verdict on the appeal. If this order is granted, persons named in the certification request as terrorists may be re-banned, if they were unbanned following original certification.

**§5.3.1.** The Court handling the appeal must grant the Temporary Restriction order if the appeal has a high likelihood of success.

**§5.3.2.** This Order may be granted by:

- (a) Any Judge of the Inferior Court, if the appeal is to the inferior court.
- (b) Any Justice of the Supreme Court, if the appeal is to the Supreme Court.

**§5.4.** The appeal under this section may be used to argue the legal reasoning in the certification, or to adduce new evidence, if such evidence could not have been obtained during the original certification

request.

**§5.5.** The competent authority must provide a notice of appeal to the judge or justice performing the original certification, and the judge or justice must issue a summary of their legal reasoning for their certification as soon as possible, and a full verdict within 48 hours if such a notice is provided.

**§5.6.** If no verdict is issued within 48 hours, and no summary of legal reasoning was issued within a reasonable time, the Court handling the appeal must re-assess the original certification request and issue certification.

**§5.6.1** Such a certification may be appealed under this section.

**§5.7.** Where a verdict on the original certification request is provided, the appeal would be based on the original certification request, its certification and the submissions by the competent authority for both the original certification request and the appeal.

**§5.8.** Certification must be issued within a reasonable time after the appeal, or within 48 hours if a Temporary Restriction Order has not been granted for the case.

**§1.2** In Article 6, §3, change the text “Supreme Court” to “any Justice of the Supreme Court”.

**§1.2** In Article 3, §2, append the text “and by extension, Direct Messages.”

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*Signed,*

**Senator Fede**