

CHAPTER 324

THE PERJURY ACT

Arrangement of Sections

Section

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3. Wilful and corrupt oath or affirmation, or wilful and corrupt omission to state the truth, punishable as perjury.
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PERJURY

(21st April, 1873.)

5/1873.
S.R.O. 2211956.

1. This Act may be cited as the Perjury Act. Short title.
2. Any person who commits perjury, or subornation of perjury, shall be guilty of a misdemeanour, and shall be liable to be imprisoned, with or without hard labour, for any term not exceeding seven years; and also to pay such fine (if any) as the Court may impose; and also, if so required by the Court, to find sureties to keep the peace and to be Punishment of perjury and subornation of perjury.

of good behaviour, for such further period as the Court may direct.

Wilful and corrupt oath or affirmation, or wilful and corrupt omission to state the truth, punishable as perjury.

3. In every case in which by any Act or law, now or hereafter to be in force in Antigua and Barbuda, it is required or authorized that facts, matters, or things be verified, or otherwise assured or ascertained by or upon the oath, affirmation, declaration, or affidavit of some or any person, if any person, having, in any such case, taken or made any oath, affirmation or declaration, so required or authorized, knowingly, wilfully and corruptly, upon such oath, affirmation or declaration, deposes, swears to, or makes any false statement as to any such fact, matter or thing; or if any person, knowingly, wilfully and corruptly, upon oath or affirmation, affirms, declares, or deposes to the truth of any statement for so verifying, assuring, or ascertaining any such fact, matter, or thing, or purporting so to do, or knowingly, wilfully, and corruptly takes, makes, signs, or subscribes any such affirmation, declaration, or affidavit as to any such fact, matter, or thing, such statement, affidavit, affirmation or declaration being untrue in the whole or any part thereof, or knowingly, wilfully, or corruptly omits from any such affidavit, affirmation or declaration, sworn or made under the provisions of any such Act or law, any matter which, by the provisions of such Act or law, is required to be stated in such affidavit, affirmation or declaration, such person shall be deemed to be guilty of wilful and corrupt perjury, and be punished accordingly:

Provided that nothing herein contained shall affect any case amounting to perjury at the common law, or the case of any offence in respect of which other or special provision is made by any Act or law.

False affidavit made out of Antigua and Barbuda.

4. Any person who wilfully and corruptly makes any false affidavit, affirmation, or declaration, out of Antigua and Barbuda, before any functionary authorized to take the same for the purpose of being used in Antigua and Barbuda, shall be deemed guilty of perjury in like manner as if such false affidavit, affirmation, or declaration had been made in Antigua and Barbuda, before competent authority; and such person may be dealt with, tried, indicted, and, if convicted, be sentenced, and the offence may be laid and charged to have been committed in Antigua and Barbuda.

5. Any person knowingly, wilfully and corruptly making any affirmation, affidavit, or declaration required by any fire, life, or marine insurance company, authorized by law to do business in Antigua and Barbuda, claiming to be entitled to any insurance money in respect of any loss of property or life insured or assured therein, or on behalf of any person making such claim, containing any false statement of fact, matter, or thing in regard to such loss of property or life shall be guilty of wilful and corrupt perjury.

False affidavit or declaration in respect to fire, life, or marine Insurances.

6. It shall be lawful for any Judge of the Supreme Court, or for any Judge of any Court of Record, or any commissioner before whom any enquiry or trial is held, and which he is by law required, or authorized, to hold, in case it appears to him that any person has been guilty of wilful and corrupt perjury in any evidence given, or in any affidavit, affirmation, declaration, deposition, examination, answer, or other proceedings, made or taken before him, to direct such person to be prosecuted for perjury, in case there appears to such Judge or commissioner a reasonable cause for such prosecution, and to commit such person, so directed to be prosecuted, until the next term, sitting, or session of any Court having power to try for perjury in the jurisdiction within which such perjury was committed, or to permit such person to enter into a recognizance with one, or more, sufficient surety, or sureties, conditioned for the appearance of such person at such next term or session, and that he will then surrender and take his trial, and not depart the Court without leave, and to require any person such Judge may think fit to enter into a recognizance conditioned to prosecute, or give evidence against, such person so directed to be prosecuted as aforesaid.

Court may direct person guilty of perjury to be tried therefor.

7. All evidence and proof whatsoever, whether given or made orally, or by or in any affidavit, affirmation, declaration, examination, or deposition, shall be deemed and taken to be material with respect to the liability of any person to be proceeded against and punished for wilful and corrupt perjury, or for subornation of perjury.

All evidence in the course of a cause to be deemed material.

Certificate of the Registrar sufficient evidence of the trial.

8. A certificate containing the substance and effect only (omitting the formal part) of the indictment and trial for any felony or misdemeanour, purporting to be signed by the Registrar, Clerk of the Court, or other officer having the custody of the records of the Court whereat the indictment was tried, or among which such indictment has been filed, or by the deputy of such Registrar, clerk, or other officer, shall, upon trial of an indictment for perjury, or subornation of perjury, be sufficient evidence of the trial of such indictment for felony, or misdemeanour, without proof of the signature, or official character, of the person appearing to have signed the same.
