

CHAPTER 439

THE TREASON ACT

Arrangement of Sections

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TREASON

AN ACT with respect to treason.

(27th December, 1984.)

17/1984.

1. This Act may be cited as the Treason Act. **Short title.**
2. Everyone commits high treason who in Antigua and Barbuda, **High Treason.**
 - (a) kills or attempts to kill Her Majesty, The Governor-General or any person performing the functions of Governor-General under the Constitution;
 - (b) does any bodily harm to any person referred to in paragraph (a) tending to death or destruction;

(c) levies war against Antigua and Barbuda or does any act preparatory thereto; or

(d) assists an enemy at war with Antigua and Barbuda, or any armed forces against whom Her Majesty's Forces raised in Antigua and Barbuda are engaged in hostilities whether or not a state of war exists between Antigua and Barbuda and the country whose forces they are.

Treason.

3. Everyone commits treason who, in Antigua and Barbuda—

(a) uses force or violence for the purpose of overthrowing the Government of Antigua and Barbuda;

(b) without lawful authority communicates or makes available to an agent of a state other than Antigua and Barbuda, military or scientific information, or any sketch, plan, model, articles, note or document of a military or scientific character that he knows or ought to know can be used by that state for a purpose prejudicial to the safety or defence of Antigua and Barbuda;

(c) instigates any person who is not a citizen of Antigua and Barbuda to make an armed invasion into Antigua and Barbuda;

(d) conspires with any person to commit high treason or to do anything mentioned in paragraph (a);

(e) forms an intention to do anything that is high treason or that is mentioned in paragraph (a) and manifests that intention by an overt act; or

(f) conspires with any person to do anything mentioned in paragraph (b) or forms an intention to do anything mentioned in paragraph (b) and manifests that intention by an overt act.

Citizen of Antigua and Barbuda.

4. Notwithstanding section 2 or 3, a citizen of Antigua and Barbuda or a person who owes allegiance to Her Majesty in right of Antigua and Barbuda—

(a) commits high treason if while, in or out of Antigua and Barbuda, he does anything mentioned in section 2; or

(b) commits treason if, while in or out of Antigua and Barbuda, he does anything mentioned in section 3.

5. Everyone commits misprision of treason who, **Misprision.** knowing that another person has committed high treason or treason, fails to report that fact to the Governor-General, the Director of Public Prosecutions, a member of the Police Force or some other person in authority.

6. Where it is treason to conspire with any person, **Overt act.** the act of conspiring is an overt act of treason.

7. Everyone who commits high treason is guilty of an offence triable on indictment and on conviction shall be sentenced to death. **Punishment for High treason.**

8. Everyone who commits treason is guilty of an offence triable on indictment and liable— **Punishment for treason.**

(a) to be sentenced to imprisonment for life if he is guilty of an offence under paragraph (a), (c), (d), or (e) of section 3; or

(b) to be sentenced to imprisonment for life if he is guilty of an offence under paragraph (b) or (f) of section 3 while a state of war exists between Antigua and Barbuda and another country; or

(c) to be sentenced to imprisonment for ten years if he is guilty of an offence under paragraph (b) or (f) of section 3 while no state of war exists between Antigua and Barbuda and another country.

9. Everyone who commits misprision of treason is guilty of an offence triable on indictment and is liable to be sentenced to imprisonment for 7 years. **Punishment for misprision.**

10. No person may be convicted of high treason, treason or misprision of treason upon the evidence of only one witness, unless the evidence of the witness is corroborated in a material particular by evidence that implicates the accused. **Corroboration.**

U.K. Acts 25 Edw.
3 Stat 5C 2 and 11
Henry 7 C.1.

11. The Treason Acts, 1351 and 1495, and any other enactment of the United Kingdom Parliament relating to treason cease to have effect in Antigua and Barbuda.
