

LAWS OF DOMINICA

TREASON ACT

CHAPTER 10:01

Act
2 of 1984
Amended by
12 of 1990

Current Authorised Pages

<i>Pages</i>	<i>Authorised</i>
<i>(inclusive)</i>	<i>by L.R.O.</i>
<i>1- 5</i>	<i>1/1991</i>

**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

CHAPTER 10:01**TREASON ACT****ARRANGEMENT OF SECTIONS****SECTION**

1. Short title.
 2. Treason.
 3. Offences akin to treason.
 4. Misprision of treason.
 5. Procedure.
 6. Evidence.
 7. Detention without bail.
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CHAPTER 10:01

TREASON ACT

2 of 1984. **AN ACT relating to treason and misprision of treason.**

Commencement. [22nd March 1984]

Short title. 1. This Act may be cited as the –
TREASON ACT.

Treason. 2. A person owing allegiance to the Commonwealth of Dominica who, whether in Dominica or elsewhere –

(a) forms an intention to levy war against the State or to overthrow the Government or the Constitution of Dominica by force of arms and manifests such intention by any overt act;

(b) adheres to the enemies of the State by giving them aid or comfort,

is guilty of treason and liable on conviction to death by hanging.

Offences akin to treason.

3. (1) Any person who forms an intention to effect any of the following purposes, that is to say –

(a) to levy war within the Commonwealth of Dominica in order by force of arms to depose from his office the President or any member of the Cabinet or any Judge of the Supreme Court or in order by force of arms or constraint to compel the Government of the Commonwealth of Dominica to change its measures or counsels, or in order to put any force or constraint upon or in order to intimidate or overawe Parliament;

(b) to induce any alien with force of arms to invade the Commonwealth of Dominica,

and manifests such intention by an overt act is liable on conviction to imprisonment for life.

(2) Nothing in this section shall lessen the force of or in any manner affect anything enacted in section 2.

4. (1) Any person who knows of the commission by any person of any treason and does not forthwith report the same to a Judge or Magistrate or to a Gazetted Officer of the Police Service is guilty of misprision of treason, and being convicted thereof shall suffer such punishment by way of imprisonment and fine as the Court shall award.

Misprision of
treason.
[12 of 1990].

(2) It shall be a defence to a charge under this section that there was no Judge, Magistrate or Gazetted Police Officer available within a reasonable distance and that the person charged had reported the said treason to the most senior police officer available at the nearest police station or in the district of such station.

5. When any person is indicted for treason or misprision of treason, a copy of the indictment and a list of the witnesses that shall be produced at the trial for proving the indictment, mentioning their names, professions and places of abode, shall be delivered to the person so indicted not less than ten days before the trial.

Procedure.

6. No person shall be indicted or tried for or convicted of treason or misprision of treason but upon the oath of two lawful witnesses, either both of them to the same overt act, or one of them to one overt act and the other of them to another overt act of the same treason, unless such person, willing and without violence, in open Court, confesses the same.

Evidence.

7. Notwithstanding the provisions of any other written law to the contrary, a person charged with an offence under this Act shall not be admitted to bail.

Detention without
bail.
