



ST. CHRISTOPHER AND NEVIS

CHAPTER 19.12

RIOT ACT

Revised Edition

showing the law as at 31 December 2002

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This edition contains a consolidation of the following laws—

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Act 23 of 1897 ... in force 30th December 1897

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CHAPTER 19.12

RIOT ACT

AN ACT TO PROHIBIT RIOTING AND UNLAWFUL ASSEMBLY; TO PROVIDE FOR PENALTIES IN RESPECT OF THE CONTRAVENTION OF THE PROHIBITION; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Riot Act.

Punishment for riot.

2. Any person who is convicted of the misdemeanour of riot shall be liable to be imprisoned with or without hard labour, for a term not exceeding three years, either in addition to or *in lieu* of any punishment, other than imprisonment, which may be inflicted upon any such offenders by the common law.

Punishment for unlawful assembly.

3. Any person who is convicted of the misdemeanour of unlawful assembly shall be liable to be imprisoned with or without hard labour, for a term not exceeding two years, either in addition to or *in lieu* of any punishment other than imprisonment, which may be inflicted upon any such offenders by the common law.

Unlawful assembly after proclamation.

4. If any persons to the number of twelve or more, being unlawfully, riotously and tumultuously assembled together to the disturbance of the public peace and being required or commanded by any District Magistrate, or by any Justice of the Peace of or for the State, by proclamation to be made in the form hereinafter directed, to disperse themselves and peaceably to depart to their habitations or to their lawful business, shall to the number of twelve or more, notwithstanding such proclamation made, unlawfully, riotously and tumultuously remain or continue together for the space of one hour or more after such request or command made by proclamation, then all and singular the persons so remaining or continuing together to the number of twelve or more after such request or command made by proclamation commit a felony and, on conviction, shall be liable to be imprisoned, with or without hard labour, for a term not exceeding five years.

(Amended by Act 6 of 1976)

Form and order of proclamation.

5. The order and form of the proclamation that shall be made by the authority of this Act shall be as follows, that is to say, the Magistrate or Justice of the Peace authorised by this Act to make proclamation shall, among the rioters or as near to them as he or she can safely come, with a loud voice command or cause to be commanded silence to be, while proclamation is making, and after that shall openly and with a loud voice make or cause to be made proclamation in these words, or like in effect:

“I command all persons, being assembled, immediately to disperse themselves and peaceably to depart to their habitations or to their lawful business, upon the pains contained in the Riot Act.”:

and every District Magistrate and every Justice of the Peace as aforesaid are hereby authorised, empowered and required, on notice or knowledge of any such unlawful, riotous and tumultuous assembly, to repair to the place where such

unlawful, riotous and tumultuous assembly shall be, of persons to the number of twelve or more, and there to make or cause to be made proclamation in manner aforesaid.

(Amended by Act 6 of 1976)

Apprehension of persons unlawfully assembled after proclamation.

6. If such persons so unlawfully, riotously and tumultuously assembled, or twelve or more of them, after proclamation made in manner aforesaid shall continue together and not disperse themselves within one hour, then it shall and may be lawful to and for, every District Magistrate and every such Justice of the Peace as aforesaid and to and for every police officer, constable and other peace officer of the State, and to and for every such other person as shall be commanded to be assisting unto any such Magistrate or Justice of the Peace as aforesaid who are hereby authorised and empowered to command all the Crown's subjects of age and ability to be assisting to them therein; to seize and apprehend, and they are hereby required to seize and apprehend such persons so unlawfully, riotously and tumultuously continuing together after proclamation made as aforesaid and forthwith to carry the persons so apprehended before a District Magistrate or before one or more Justice or Justices of the Peace of or for the State, in order to their being proceeded against for such their offences according to law; and if the persons so unlawfully, riotously and tumultuously assembled or any of them shall happen to be killed, maimed or hurt in the dispersing, seizing or apprehending or endeavouring to disperse, seize or apprehend them by reason of their resisting the person or persons so dispersing, seizing or apprehending or endeavouring to disperse, seize or apprehend them, then every such Magistrate, Justice of the Peace, police officer, constable or other peace officer and all and singular persons being aiding or assisting to them or any of them shall be free, discharged and indemnified, as well against the Crown, as against all other persons of, for or concerning the killing, maiming or hurting of any such persons so unlawfully, riotously and tumultuously assembled as shall happen to be so killed, maimed or hurt as aforesaid.

Obstruction of reading of proclamation.

7. If any person shall with force and arms wilfully and knowingly oppose or obstruct or in any manner wilfully and knowingly let, hinder or hurt any person who shall begin to proclaim or go to proclaim according to the proclamation hereby directed to be made, whereby such proclamation shall not be made, the person so offending commit a felony and, on conviction, shall be liable to be imprisoned with, or without hard labour, for a term not exceeding five years; and all and singular the persons so unlawfully, riotously and tumultuously assembled together to the number of twelve or more as aforesaid to whom proclamation should or ought to have been made, if the same had not been hindered as aforesaid, shall likewise in case they or any of them to the number of twelve or more shall continue together and not disperse themselves within one hour after such let or hinderance so made, having knowledge of such let or hinderance so made, commit a felony and, on conviction, be liable to be imprisoned with or without hard labour for a term not exceeding five years.

Limitation of prosecutions.

8. No person shall be prosecuted by virtue of this Act for any offence against the same, unless such prosecution shall be commenced within twelve months after the offence committed.