

RIOT ACT

CHAPTER 11:05

Act

15 of 1842

Amended by

6 of 1844

7 of 1879

14 of 1939

136/1976

45 of 1979

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

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RIOT ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 11:05

RIOT ACT

1950 Ed.
Ch. 4 No. 7.
15 of 1842.

An Act relating to riots and unlawful and tumultuous assemblies.

Commencement.

[22ND JULY 1844]

Short title.

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

Interpretation.

2. In this Act, the expressions “affray”, “unlawful assembly”, “rout” and “riot” have the same meanings as they had according to the law in force in England on 30th August 1962.

Affray.

3. Any person who takes part in an affray is liable to a fine of two thousand dollars and to imprisonment for two years.

Unlawful assembly and rout.

4. Any person who takes part in an unlawful assembly or in a rout is liable to a fine of two thousand dollars and to imprisonment for one year.

Riot.

5. Any person who takes part in a riot is liable to a fine of four thousand dollars and to imprisonment for two years.

Taking part in armed riot, etc.

6. Any person who takes part in an unlawful assembly, rout or riot, knowing that anyone taking part therein is or is intended to be armed with any weapon of offence, is liable to a fine of eight thousand dollars and to imprisonment for three years.

Being armed and taking part in riot, etc.

7. Any person who, being armed with any weapon of offence, takes part in any unlawful assembly, rout or riot is liable to imprisonment for five years.

Supervision by Police.

8. Where any person is convicted before the High Court of any offence involving the taking part in a riot, the Court may, if it thinks fit, in addition to any other punishment authorised by this Act, order that the offender shall, from and after the expiration of his term of imprisonment, be subject to Police supervision under the Prevention of Crimes Act for any term not exceeding seven years.

Ch. 10:01.

9. Where any person charged with any offence punishable under this Act is brought before a Magistrate for examination, the Magistrate may, with the consent of the person charged, deal summarily with the charge in the manner provided by section 100 of the Summary Courts Act.

Power to convict summarily.

Ch. 4:20.

10. Where 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 one or more Magistrates, by Proclamation of the President, in the form directed below, to disperse themselves, and peaceably to depart to their homes or to their lawful business, 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 after such command or request made by Proclamation, then such continuing together to the number of twelve or more, after such command or request made by Proclamation, shall be adjudged an offence and every person so offending shall be adjudged an offender and is liable to imprisonment for four years.

Twelve persons or more unlawfully assembled, and not dispersing after being commanded by a Magistrate, by Proclamation, to be adjudged offenders. [45 of 1979].

11. The order and form of any Proclamation made under this Act shall be as follows, that is to say, the Magistrate shall, among the said rioters, or as near to them as he can safely come, with a loud voice command, or cause to be commanded, silence to be kept while the Proclamation is being made, and after that shall openly and with a loud voice make or cause to be made a Proclamation in the following words or words of like effect:

How Proclamation to be made. [136/1976].

His Excellency the President charges and commands all persons being assembled, to disperse themselves, and peacefully to depart to their houses or to their lawful business upon the pains contained in statute in such case provided.
By Command of the President.

And all such Magistrates, within the limits of their respective jurisdictions, are hereby authorised, empowered and required, on notice or knowledge of any such unlawful, riotous and tumultuous assembly, to resort to the place of such unlawful, riotous and tumultuous assembly of persons to the number of twelve or more, and there to make or cause to be made Proclamation in manner mentioned above.

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Persons so assembled, and not dispersing within one hour, to be seized.

12. Where such persons so unlawfully, riotously and tumultuously assembled, or twelve or more of them, after Proclamation made in manner mentioned above, continue together and do not disperse themselves within one hour, then every Magistrate having jurisdiction where such assembly is, and all such other persons as are commanded to assist any such Magistrate (who is hereby authorised and empowered to command all persons of age and ability to assist him therein) may seize and apprehend, and they are hereby required to seize and apprehend, such persons so unlawfully, riotously and tumultuously continuing together after the making of such Proclamation mentioned above and forthwith to carry the persons so apprehended before the Magistrate of the district or place where such persons were so apprehended, in order to their being proceeded against for such their offences according to law; and where such 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 persons so dispersing, seizing or apprehending, or so endeavouring to disperse, seize or apprehend them, then every such Magistrate and all persons aiding or assisting him shall be free and discharged and indemnified, as well against the State as against all and every other person or persons, of, for or concerning the killing, maiming or hurting of any such person or persons so unlawfully, riotously and tumultuously assembled, as shall happen to be so killed, maimed or hurt as mentioned above.

Opposing the making of such Proclamation.

13. Any person who with force and arms wilfully and knowingly opposes, obstructs or in any manner wilfully and knowingly lets, hinders or hurts any person who begins or goes to make the Proclamation hereby directed to be made, whereby such Proclamation is not made, is liable to imprisonment for four years; and any person or persons so being unlawfully, riotously and tumultuously assembled together to the number of twelve or more, to whom Proclamation should or ought to have been made if the same had not been so hindered, are likewise, where they or any of them, to the number of twelve or more, continue together and do not disperse themselves within one hour after such let or hindrance so made, having knowledge of such let or hindrance so made, is liable to imprisonment for four years.

14. No person shall be prosecuted for any of the offences in sections 10 and 13 unless the prosecution is commenced within twelve months after the offence was committed. Limitation.

15. All Magistrates and Justices shall respectively be Magistrates for the purposes and within the terms and meaning of sections 10, 11, and 12. Magistrates under this Act. [45 of 1979].

16. (1) Any person found committing any offence made punishable by sections 3, 4, 5, 6 and 7 may be apprehended without warrant by any Justice or constable. Arrest. [45 of 1979].

(2) Any person apprehended under this section shall be taken as soon as conveniently may be before a Justice to be dealt with according to law.