

CHAPTER 122 GENOCIDE ACT

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ACT

Act No. 37 of 1972

ARRANGEMENT OF SECTIONS

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CHAPTER 122 GENOCIDE ACT

An Act to give effect to the convention approved by the General Assembly of the United Nations on 9th December, 1948, concerning the prevention and punishment of the crime of genocide.

[Act No. 37 of 1972.]

[25th November, 1972.]

1. Short title

This Act may be cited as the Genocide Act.

2. Offence of genocide

(1) A person commits the offence of genocide who, with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such—

- (a) kills members of the group;
- (b) causes serious bodily or mental harm to members of the group;
- (c) deliberately inflicts on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) imposes measures intended to prevent births within the group; or
- (e) forcibly transfers children of the group to another group.

(2) Proceedings for an offence of genocide shall not be instituted except by or with the consent of the Attorney-General.

3. Punishment

A person guilty of the offence of genocide shall, on conviction on indictment—

- (a) if the offence consists of the killing of members of the group, be sentenced to imprisonment for life;

(b) in every other case be liable to imprisonment for fourteen years.

4. Extradition and related matters

(1) There shall be deemed to be included—

- (a) in the list of extradition crimes contained in Schedule I to the Extradition Act, 1870, of England; and
- (b) among the descriptions of offences listed in the Schedule to the Fugitive Offenders Act, 1870,

the offence of genocide and (so far as not so included by virtue of either of those Acts) an attempt, a conspiracy, and a direct and public incitement, to commit genocide.

(2) For the purposes of the Acts mentioned in subsection (1) and the Extradition Act, 1873, of England, no offence which, if committed in Grenada, would be punishable as an offence of genocide or as an attempt, conspiracy or incitement to commit genocide, shall be regarded as an offence of a political character, and no proceedings in respect of such an offence shall be regarded as a criminal matter of a political character.

(3) It shall not be an objection to any proceedings taken against a person by virtue of subsection (1) that under the law in force at the time when and in the place where he or she is alleged to have committed the act of which he or she is accused, or of which he or she was convicted, he or she could not have been punished therefor.

CHAPTER 122 GENOCIDE ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
