

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER B45

BIOLOGICAL WEAPONS ACT

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BIOLOGICAL WEAPONS ACT

Restriction on development, etc., of biological agents and toxins and biological weapons

1. (1) No person shall develop, produce, stockpile, acquire or retain—

(a) any biological agent or toxin of a type and in a quantity that has no justification for prophylactic, protective or other peaceful purposes; or

(b) any weapon, equipment or means of delivery designed to use biological agents or toxins for hostile purposes or in armed conflict.

(2) In this section—

"biological agent" means any microbial or other biological agent;

"toxin" means any toxin, whatever its origin or method of production.

(3) Any person contravening this section is guilty of an offence and shall, on conviction on indictment, be liable to imprisonment for life.

Prosecution of offences

2. (1) Proceedings for an offence under section 1 shall not be instituted except by or with the consent of the Attorney General.

(2) Subsection (1) shall not prevent the issue or execution of a warrant for the arrest for any person in respect of an offence, or the remanding in custody or on bail of any person charged with an offence.

Offences by bodies corporate

3. Where an offence under section 1 which is committed by a body corporate is proved to have been committed with the consent and connivance of, or to be attributable to any negligence on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate is guilty of that offence and is liable to be proceeded against and punished accordingly.

Powers to search and obtain evidence

4. (1) If the Magistrate or a justice of the peace is satisfied by information on oath that there is reasonable ground for suspecting that an offence under section 1 has been, or is about to be, committed, he may grant a search warrant authorising a police officer named therein—

(a) to enter, at any time within 1 month from the date of the warrant, any premises or place named therein, if necessary by force, and to search the premises or place and every person found therein;

(b) to inspect any document found in the premises or place or in the possession of any person found therein, and to take copies of, or seize or detain any such documents;

(c) to inspect, seize and detain any equipment so found; and

(d) to inspect, sample, seize and detain any substance so found.

(2) A warrant issued under subsection (1) authorising a police officer to take the steps mentioned in that subsection may also authorise any person named in the warrant to accompany the police officer and assist him in taking any of those steps.

Citation

5. This Act may be cited as the Biological Weapons Act, Revised Statutes of Anguilla, Chapter B45.