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**CHAPTER 200****THE HIJACKING ACT**

## Arrangement of Sections

## Section

1. Short title.
2. Hijacking.
3. Violence against passengers or crew.
4. Extradition.
5. Aircraft operated by joint or international organisation.
4. Prosecution of offences.

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**HIJACKING**

(3rd December, 1975.)

2111975.  
(S.R.O. 4611981).

**1.** This Act may be cited as the Hijacking Act. **Short title.**

**2.** (1) Subject to subsection (2), a person on board an aircraft in flight who unlawfully, by the use of force or by threats of any kind, seizes the aircraft or exercises control of it commits the offence of hijacking, whatever his nationality, whatever the country or territory in which the aircraft is registered and whether the aircraft is in Antigua and Barbuda or elsewhere. **Hijacking.**

(2) If—

(a) The aircraft is used in customs or police service; or

(b) both the place of take-off and the place of landing are in the country or territory, including the territorial waters, in which the aircraft is registered, subsection (1) shall not apply unless—

- (i) the person seizing or exercising control of the aircraft is a citizen of Antigua and Barbuda;
- (ii) his act is committed within Antigua and Barbuda; or
- (iii) the aircraft is registered in Antigua and Barbuda or is used in the Police service of Antigua and Barbuda.

(3) A person who—

(a) commits the offence of hijacking; or

(b) in Antigua and Barbuda induces or assists the commission elsewhere of an act which would be the offence of hijacking but for subsection (2),

shall be liable on conviction on indictment to imprisonment for ten years.

(4) For the purposes of this section the period during which an aircraft is in flight shall be deemed to include any period from the moment when all its external doors are closed following embarkation until the moment when any such door is opened for disembarkation, and, in the case of a forced landing, any period until the competent authorities take over responsibility for the aircraft and for persons and property on board.

Violence against  
passengers or  
crew.

**3.** Where a person of whatever nationality does on board any aircraft wherever registered and while outside Antigua and Barbuda any act which, if done in Antigua and Barbuda would constitute the offence of murder, attempted murder, manslaughter, culpable homicide or assault or an offence under section 20, 22, 23, 24, 25, 30 or 31 of the Offences Against the Person Act, this act shall constitute that offence if it is done in connection with the offence of hijacking committed or attempted by such person on board that aircraft.

**4.** There shall be deemed to be included— **Extradition.**

(a) in the list of crimes contained in Schedule 1 to the Extradition Act, 1870 of the United Kingdom insofar as such Act is applied to Antigua and Barbuda by section 2 of the Extradition Act; and **Cap. 164.**

(b) among the description of offences set out in Part I of the Schedule of the Fugitive Offenders Act. **Cap. 185.**  
any offence under this Act and any attempt to commit such an offence.

**5.** If the Governor-General, by Order, declares— **Aircraft operated international organisation.**  
(a) that any two or more States named in the order have established an organisation or agency which operates aircraft; and

(b) that one of those States has been designated as exercising, for aircraft so operated, the powers of the State of registration,  
the State declared under paragraph (b) shall be deemed for the purposes of this Act to be the State in which any aircraft so operated is registered; but, in relation to such an aircraft, section 1 (2) (b) shall have effect as if it referred to the territory of any one of the States named in the order.

**6.** Proceedings for an offence under this Act shall not be instituted except by or with the written consent of the Director of Public Prosecutions. **Prosecution of Offences.**

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