



Incitement to Disaffection Act 1934

1934 CHAPTER 56 24 and 25 Geo 5

3 Provisions as to punishment of offences.

- (1) A person guilty of an offence under this Act shall be liable, on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding two hundred pounds, or on summary conviction to imprisonment for a term not exceeding four months or to a fine not exceeding twenty pounds, or (whether on conviction on indictment or on summary conviction) to both such imprisonment and fine.
- (2) No prosecution in England under this Act shall take place without the consent of the Director of Public Prosecutions.
- (3) Where a prosecution under this Act is being carried on by the Director of Public Prosecutions, a court of summary jurisdiction shall not deal with the case summarily without the consent of the Director.
- (4) Where any person is convicted of an offence under this Act, the court dealing with the case may order any documents connected with the offence to be destroyed or dealt with in such other manner as may be specified in the order, but no documents shall be destroyed before the expiration of the period within which an appeal may be lodged, and if an appeal is lodged no document shall be destroyed until after the appeal has been heard and decided.

Modifications etc. (not altering text)

C1 S. 3(2) explained by [Criminal Jurisdiction Act 1975 \(c. 59\), s. 12](#)

Changes to legislation:

There are currently no known outstanding effects for the Incitement to Disaffection Act 1934, Section 3.