

Seychelles

Control of Supplies and Services Act Act 11 of 1958

Legislation as at 30 June 2012

FRBR URI: /akn/sc/act/1958/11/eng@2012-06-30

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PDF created on 21 February 2024 at 19:36.

Collection last checked for updates: 30 June 2014.

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Control of Supplies and Services Act
Contents

1. Short title 1

2. President in Council may make orders 1

3. Control of legislature over delegated powers 2

4. Power on requisition 2

5. Inquiries 2

6. Grant, revocation or suspension of licence, etc. 2

7. Fees for licence, etc. 2

8. Offences by corporation 2

9. Interpretation 3

Seychelles

Control of Supplies and Services Act

Act 11 of 1958

Commenced on 9 December 1958

[This is the version of this document as it was at 30 June 2012 to 9 October 2022.]

[Act 11 of 1958; Act [14 of 1972](#); S.I. 95 of 1975; S.I. 72 of 1976]

1. Short title

This Act may be cited as the Control of Supplies and Services Act.

2. President in Council may make orders

- (1) If satisfied that it is necessary or expedient for the purposes of maintaining, controlling and regulating supplies and services to secure a sufficiency of those essential to the well-being of the community, or their equitable distribution or their availability at fair prices, or facilitating the adjustment of industry and commerce to the requirements of the community, or for controlling and regulating the economy and financial situation of Seychelles, the President may, by order provide—
 - (a) for regulating or prohibiting the production, manufacture, treatment, keeping, storage, movement, transport, distribution, disposal, supply, sale (either by wholesale, or retail or both), purchase, acquisition, export, import, use, consumption of, or other dealing in, or measures to be taken in relation to, any article or articles of any description and in particular for controlling the prices at which any such article or articles may be sold;
 - (b) for regulating the carrying on of any undertaking engaged in essential work and, in particular, for controlling and charges which may be made by the undertakers in respect of the doing of any work by them;
 - (c) for requiring persons carrying on or employed in connection with, any trade or business specified in the order to produce to such person as may be so specified any books, accounts or other documents relating to that trade or business, and for requiring any persons to furnish to such person as may be specified in the order, such estimates or returns as the President may require;
 - (d) for the requisitioning of any article or articles;
 - (e) for any incidental and supplementary matters for which the President thinks it expedient for the purposes of the order to provide, including, in particular, the entering and inspection of premises to which the order relates, by persons authorised in that behalf by the President, with a view to securing compliance with the order, and may make such other provision as may appear to him necessary for the effectual exercise of the powers given by this Act.
- (2) An order under this section may—
 - (a) prohibit the doing of anything regulated by the order except under the authority of a licence granted by such person as may be specified in the order;
 - (b) be made so as to apply generally or so as to apply to any particular locality, or to any particular supplies of any article or to any particular undertaking and either to the whole or to any part of the undertaking or to any particular producer, manufacturer, dealer of person;
 - (c) authorise any person or any class of persons or authority to perform such functions and to issue such orders and directions as may be specified in the order;
 - (d) contain such direction as appear to the President be necessary or expedient;

- (e) create offences for breaches thereof and provide that such offences be punishable by fine or imprisonment or by both such fine and imprisonment, any fine and any term of imprisonment prescribed not to exceed Rs 5,000/- and two years respectively.

3. Control of legislature over delegated powers

Sections 63 and 64 of the Interpretation and General Provisions Act shall apply to any of this Act subject to the modifications that the reference to the prior three months in section 64(2) of that Act shall be read and construed as if it would be reference to a period of six months.

4. Power on requisition

Where any article is requisitioned under the powers given by this Act or any order made thereunder, the person or authority requisitioning the article or articles may, in his absolute discretion, use or deal with, or authorise the use of or dealing with the article or articles for such purpose and in such manner as he thinks expedient in the public interest and may also hold, sell or otherwise dispose of the article or articles as if he were the owner thereof.

5. Inquiries

- (1) If the President in any special case is satisfied that before exercising any of the powers given by this Act, it is desirable that an inquiry should be held into any matter, he may direct the holding of such inquiry into the matter by such person or persons and at such place as he may determine.
- (2) Any person or persons so appointed shall have power to summon witnesses, to take evidence on oath and to administer an oath for the purpose.
- (3) Any person so summoned shall be bound to obey the summons served upon him.
- (4) Any person who refuses or fails, without sufficient cause, to comply with such summons or who refuses to be sworn or affirmed or to make a solemn declaration as the case may be, or to reply to a question, or to answer fully and satisfactorily to the best of his knowledge and belief any question lawfully put to him, or to produce any books or documents, shall be guilty of an offence, and shall on conviction be liable to imprisonment not exceeding a term of two years and to a fine not exceeding Rs.1,000:

Provided that no such person shall be obliged to answer any questions which may tend to incriminate him or render him liable to any forfeiture or penalty.

6. Grant, revocation or suspension of licence, etc.

The authority or person empowered to grant any licence, permit or permission for the purposes of any order made under this Act, may, in his absolute discretion, refuse to grant it and may, at any time revoke or suspend such licence, permit or permission.

7. Fees for licence, etc.

There may be charged in respect of the grant, renewal or issue of any licence, permit, or other document for the purposes of any order under this Act, such fee as the President may by order determine.

8. Offences by corporation

Where a person convicted of an offence against any order made under this Act is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate shall be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge, or that he exercised all due diligence to prevent the commission of the offence.

9. Interpretation

In this Act unless the context otherwise requires—

"**article**" includes animals, animal products, fish, fish products, foodstuffs for animal or human consumption or both, household furniture and utensils, meat, substances, vegetables and vehicles.

"**undertaking**" means any public utility undertaking.