

Seychelles

Preservation of Public Security Act Act 1 of 1965

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Preservation of Public Security Act
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Seychelles

Preservation of Public Security Act Act 1 of 1965

Commenced on 1 November 1965

[This is the version of this document at 30 June 2012 and includes any amendments published up to 30 June 2014.]

[Act 1/1965; S.I. 95/1976; S.I. 72/1976; Act 23/1976]

1. Short title

This Act may be cited as the Preservation of Public Security Act.

2. Interpretation

In this Act—

"**public security**" includes the securing of the safety of persons and property, the maintenance of supplies and services essential to the life of the community, the prevention and suppression of violence, intimidation, disorder and crime, the prevention and suppression of mutiny, rebellion and concerted defiance of and disobedience to the law and lawful authority, and the maintenance of the administration of justice.

3. Public security regulations

- (1) If at any time the President is satisfied that it is necessary for the preservation of public security so to do, he may, by notice in the *Gazette*^{*}, declare that the provisions of subsections (2) and (3) of this section shall come into operation and thereupon those provisions shall come into operation accordingly; and they shall continue in operation until the President, by further notice in the *Gazette*, directs that they shall cease to have effect, whereupon they shall cease to have effect except as respects things previously done or omitted to be done.
- (2) Subject to the provisions of subsection (3), the President may for the preservation of public security, by regulation—
 - (a) make provision for the prohibition of the publication and dissemination of matter prejudicial to public security, and, to the extent necessary for that purpose, for the regulation and control of the production of publications;
 - (b) make provision for the prohibition, restriction and control of assemblies;
 - (c) make provision for the prohibition, restriction and control of the residence, movement and transport of persons, the possession, acquisition, use and transport of movable property, and the entry to, egress from, occupation and use of immovable property;
 - (d) make provision for the regulation and control of food and liquor supplies, medical supplies, clothing supplies, fuel and lubricant supplies, chemical supplies, supplies of arms, ammunition and explosives, hospitals, health, medical and nursing services, conservancy and sanitation services, water and electricity services, fire services, posts and telecommunications services, wireless and broadcasting services, road transport services, port, dock and harbour services, air and meteorological services, and the production, manufacture, importation, exportation and bulk, wholesale and retail distribution of such supplies and distribution and performance of such services;

^{*} G.N. 216/1974 published in the *Gazette* No. 40 of 17th June, 1974

- (e) make provision for, and authorise the doing of, such other things as appear to him to be required by the exigencies of the situation of Seychelles.
- (3) Regulations made under this section shall not make provision for any of the matters set out in subsection (2) of [section 4](#).
- (4) The coming into operation of subsection (2) of [section 4](#) shall not cause the provisions of subsections (2) and (3) of this section to cease to have effect.

4. Special public security regulations

- (1) If at any time the President is satisfied that the public situation in Seychelles is so grave that the exercise of the powers conferred by [section 3](#) is inadequate to ensure the preservation of public security, he may by notice in the *Gazette** declare that the provisions of subsection (2) of this section shall come into operation, and thereupon those provisions shall come into operation accordingly; and they shall continue in operation until the President by a further notice in the *Gazette* directs that they shall cease to have effect, whereupon they shall cease to have effect except as respects things previously done or omitted to be done.
- (2) The President may, for the preservation of public security, make regulations to provide, so far as appears to him to be required by the exigencies of the situation in Seychelles, for—
 - (a) the detention of persons;
 - (b) requiring persons to do work and render services.

5. Incidental and supplementary provisions in regulations

Regulations made under [section 3](#) or [section 4](#) may—

- (a) make provision for the payment of compensation and remuneration to persons affected by the regulations.
- (b) make provision for the apprehension and trial of persons offending against the regulations, and, notwithstanding the provisions of section 68 of the Interpretation and General Provisions Act, for such penalties as the President may think fit for offences thereunder;
- (c) make provision for suspending the operation of, or for amending any written law;
- (d) make provision for empowering such authorities and persons as may be specified in the regulations to make orders and rules for any of the purposes for which such regulations may be made;
- (e) make provision for the delegation and transfer of powers and duties conferred and imposed by or under the regulations;
- (f) contain such other incidental and supplementary provisions as appear to the President to be necessary or desirable for the purposes of such regulations:

Provided that nothing in the foregoing provisions of this section or in the provisions of [section 3](#) or [section 4](#) shall authorise the making of any regulations providing for the trial of persons by military courts.

6. Application and effect of regulations

- (1) Any regulations made under this Act may be made to apply to the whole of Seychelles or to any part thereof, and to any person or class of persons or to the public generally.
- (2) Any regulations made under this Act, and any order or rule made under such regulation, shall have effect notwithstanding anything inconsistent therewith contained in any written law and to the

extent of any such inconsistency any such written law as aforesaid shall have no effect so long as such regulation, order or rule shall remain in force.

7. Proof of documents

Every document purporting to be a regulation, order, rule, licence, permit, certificate, direction, authority, or other document made, granted or issued by the President or any other authority or person in pursuance of this Act or any regulation made under this Act or any order or rule made under any such regulation, and purporting to be signed by or on behalf of the President or such other authority or person, shall be received in evidence, and shall, until the contrary is proved, be deemed to have been made, granted or issued by the President or that authority or person