

Seychelles

Constitution of the Republic of Seychelles

Supreme Court (Interception of Correspondence or Other Means of Communication) Rules

Statutory Instrument 52 of 1993

Legislation as at 1 June 2020

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Supreme Court (Interception of Correspondence or Other Means of Communication) Rules
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Seychelles

Constitution of the Republic of Seychelles

Supreme Court (Interception of Correspondence or Other Means of Communication) Rules

Statutory Instrument 52 of 1993

Commenced on 9 August 1993

[This is the version of this document at 1 June 2020.]

1.

These Rules may be cited as the Supreme Court (Interception of Correspondence or Other Means of Communication) Rules.

2.

An application for interception of correspondence or other means of communication of a person shall be made to a Judge in Chambers.

3.

The application under rule 2 shall be made by way of petition accompanied by an affidavit in support of it.

4.

An application under rule 2 may be made by a police officer not below the rank of an Assistant Superintendent of Police or any person authorised under any written law to open, delay or intercept any correspondence or other means of communication hereafter referred to as an "authorised person".

5.

The affidavit in support of the application shall disclose sufficient material to satisfy the Judge that it is necessary or desirable for the purpose of any investigation that any correspondence or means of communication of a person specified in the affidavit should be intercepted.

6.

Where a Judge is satisfied on the material disclosed in the affidavit that it is necessary or desirable to intercept any correspondence or other means of communication of a person, the Judge shall by warrant authorise a police officer not below the rank of an Assistant Superintendent of Police or an authorised person and named in the warrant to intercept the correspondence or other means of communication specified in the warrant in the manner and within the time stated therein.

7.

(1) A warrant under rule 6 shall be sufficient authority for the police officer or authorised person named in the warrant to intercept the correspondence or other means of communication of a person in the manner and within the time specified therein and any person having the custody or control of such correspondence or other means of communication shall render all facilities to the person named in the warrant for the execution of the warrant.

- (2) The police officer or authorised person named in the warrant may take copies or extracts of the correspondence or other means of communication specified in the warrant and shall not use it for any purpose other than the investigation in respect of which the application is made under rule 2.

8.

Any person who fails to render facilities as required under rule 7(1) for the execution of a warrant issued under rule 6 or contravenes rule 7(2) is guilty of an offence and is liable on conviction to imprisonment of one year and to a fine of R5000.

9.

The warrant under rule 6 shall be in the Form in the Schedule.

Schedule

Supreme Court (Interception of Correspondence or Other Means of Communication) Rules

Warrant (Rule 6)

To ¹ _____

Where-as I am satisfied that it is necessary or desirable that _____² in the custody or control of _____³ should be intercepted by _____⁴ during the period of 5 days commencing on the date of this warrant.

⁵

This is to authorise you to intercept the correspondence or means of communication specified above in the manner and within the time stated herein.

You are further authorised to execute this warrant at any hour of the day.

GIVEN under my hand and the Seal of the Supreme Court this _____ day of, _____ 199 _____

1

name of person to whom the warrant is addressed to.

2

describe the correspondence or other means of communication.

3

state the name or designation of the person who has the custody or control of the correspondence or other means of communication.

4

state the manner in which the warrant is to be executed.

5

state the period of the warrant.