

Seychelles

Public Officers (Protection) Act Act 24 of 1976

Legislation as at 30 June 2012

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Seychelles

Public Officers (Protection) Act

Act 24 of 1976

Commenced on 8 September 1976

[This is the version of this document as it was at 30 June 2012 to 2 April 2017.]

1. Short title

This Act may be cited as the Public Officers (Protection) Act.

2. Meaning of public officer

In this Act "public officer" has the meaning ascribed thereto in the Interpretation and General Provisions Act.

3. Period of limitation

No action to enforce any claim in respect of—

- (a) any act done or omitted to be done by a public officer in the execution of his office;
- (b) any act done or omitted to be done by any person in the lawful performance of a public duty; or
- (c) any act done or omitted to be done by a person lawfully acting in aid of, or lawfully giving assistance to, a person referred to in paragraph (a) or (b),

shall be entertained by a court unless the action is commenced not later than six months after the claim arose.

4. Limitation on damages

Where, in an action to enforce a claim in respect of an act or omission referred to in [section 3](#), the court certifies on the record that the public officer or person concerned acted or, as the case may be, omitted to act, upon reasonable or probable cause, the plaintiff is not entitled to more than nominal damages or to any costs of the action.

5. Protection of persons exercising judicial functions

- (1) No action shall be brought against any person exercising judicial functions and in respect of any matter within his jurisdiction unless it is expressly alleged that he acted maliciously and without reasonable and probable cause and the burden of proving that he so acted rests with the plaintiff in the action.
- (2) In any action brought against any person exercising judicial functions in respect of any matter over which he had no jurisdiction or in which he exceeded the jurisdiction conferred on him, it shall be a good defence if the person proves that he did not act maliciously and without reasonable or probable cause.

6. Penalty for obstructing certain persons

Any person who, by force, hinders or obstructs—

- (a) a public officer in the performance of his duty;

- (b) any person lawfully acting in aid of, or lawfully giving assistance to, a person referred to in paragraph (a) or (b).

is guilty of an offence and liable on conviction to a fine not exceeding ten thousand rupees or to imprisonment for a term not exceeding two years, or both.