

## Seychelles Archives Ordinance 1964

### SEYCHELLES

#### **Ordinance No. 27 of 1964**

An Ordinance to establish the Seychelles Archives and to provide for matters incidental thereto and connected therewith.

ENACTED by the Legislature of the Colony of Seychelles.

1. This Ordinance may be cited as the Seychelles Archives Ordinance, 1964.
2. In this Ordinance, unless the context otherwise requires –
  - “Committee of Trustees” means the Committee of Trustees established in terms of section 5 of this Ordinance.
  - “Curator” means the officer in charge of the Seychelles Archives appointed in terms of section 4 of this Ordinance.
  - “Government” means the Government of Seychelles.
  - “local authority” means a Local Board of Health constituted under the Public Health Ordinance, 1959 or a District Council constituted under the District Councils Ordinance. (Chapter 131).
  - “prescribed” means prescribed by regulations made under this Ordinance.
  - “public archives” means –
    - (a) All records which –
      - (i) are more than thirty years old; and
      - (ii) are specified by the Records Committee as being of enduring of historical value; and
      - (iii) are in the custody of or are transferred to the Seychelles Archives.
    - (b) Any printed Government publication in the custody of or transferred to the Seychelles Archives.
    - (c) Any document, book or other material acquired for the Seychelles Archives by the Curator in terms of paragraph (g) of section 4 of this Ordinance.
    - (d) Any document, other than records, having enduring of historical value which may be deposited temporarily or permanently in the Seychelles Archives.

“records” means records or documents belonging to

any Government department or to any local authority which.

- (a) are in the custody of such Government department or local authority; or
- (b) are in the custody of or are transferred to the Seychelles Archives.

“Records Committee” means the Records Committee established in terms of section 5 of this Ordinance.

“Seychelles Archives” means the Seychelles Archives established in terms of section 3 of this Ordinance.

3. There is hereby established the Seychelles Archives wherein shall be preserved and stored public archives and such records as may be in its custody or transferred to it.
4. The Governor shall appoint a Curator of the Seychelles Archives who:
  - (a) Shall direct, manage and control the Seychelles Archives;
  - (b) Shall at the request of a Government department or of a local authority, examine any records in the custody of such department or local authority and shall advise such department or local authority as to the care and custody thereof;
  - (c) shall ensure the physical protection, storage and arrangement of all public archives and of any records in the custody of the Seychelles Archives;
  - (d) shall accept and store any records which are transferred to the Seychelles Archives;
  - (e) May, if in his opinion it is necessary for their better preservation, bind or repair any public archives and any records which are in the custody of the Seychelles Archives;
  - (f) May, subject to the terms and conditions, if any, on which they were acquired, reproduce or publish any public archives the reproduction or publication of which Government has, with the consent of the owner thereof, authorized;
  - (g) May, subject to the approval of Government, acquire by purchase, donation, bequest or otherwise any document, book or other material

which in the opinion of the Curator is or is likely to be of historical value, or otherwise of public interest;

- (h) May pay for any document, book or material purchased as in paragraph (g) and for the transcribing, binding and repairing thereof as well as of any public archives and records which are in the custody of the Seychelles Archives if in his opinion this is necessary for their better preservation;
- (i) May, subject to the consent of the Committee of Trustees, lend items from the Seychelles Archives to other institutions.

**5.** There is hereby established –

- (a) a Committee of Trustees which shall consist of three or more persons appointed by the Governor to advise the Curator on matters of general policy concerning the Seychelles Archives, and to ensure their safety in the event of the death, resignation or removal of the Curator pending the appointment of a successor;
- (b) a Records Committee which shall consist of the Curator and of such other persons as may be appointed by the Governor one of whom shall be chosen from the members of the Committee of Trustees. The Records Committee shall make recommendations to Government as to:-
  - (i) the retention or destruction of records,
  - (ii) the transfer of records to the Seychelles Archives;
  - (iii) the classification of records for any of the purposes mentioned in paragraphs (i) and (ii);  
and
  - (iv) any other matters which may be prescribed; and shall specify those records which in its opinion are of enduring or historical value.

**6.** Any person may inspect public archives during such hours as may be fixed by the Curator subject to such conditions or limitations as may be prescribed or as may be imposed by the person from whom they were acquired.

**7.** (1) No person may reproduce the whole or any part of the contents of any public archives or records which are in the custody of the Seychelles Archives, other than those which

may be prescribed, without the written permission Government and when such permission has been granted only in strict compliance with any conditions or limitations which Government may impose.

- (2) Any person who contravenes the provisions of subsection (1) of this section or contravenes or fails to comply with any conditions or limitations therein referred to shall be guilty of an offence and liable to a fine not exceeding five hundred rupees.
- 8.**
  - (1) The publisher of every newspaper, periodical, book or bound pamphlet printed in Seychelles shall, as soon as may be after such newspaper, periodical, book or bound pamphlet is published, deliver one copy direct or by post to the Curator free of charge.
  - (2) Any person who fails to comply with the provisions of subsection (1) of this section shall be guilty of an offence and liable to a fine not exceeding five hundred rupees.
- 9.** Any person may deposit either temporarily or permanently in the Seychelles Archives any private document provided the Curator considers such document to be of sufficient archival value.
- 10.** The Curator may deliver copies, replicas or extracts authenticated by him of public archives.
- 11.**
  - (i) The Governor in Executive Council may make regulations generally for the purpose of carrying out or giving effect to the objects and provisions of this Ordinance.

- (2) In particular and without prejudice to the generality of the foregoing provision such regulations may provide for –
- (a) the care and management of the Seychelles Archives;
  - (b) the steps to be taken for the examination, disposal or destruction of any records which are not of sufficient value to justify their preservation;
  - (c) the transfer of any records from the custody of any Government department of local authority to the Seychelles Archives;
  - (d) the conditions under which persons may deposit private documents in the Seychelles Archives;
  - (e) the fees to be paid for making searches, for making, use of public archives and for obtaining copies of public archives or replicas thereof;
  - (f) the publication of any public archives;
  - (g) the preservation and protection of public archives and records in the Seychelles Archives and the conduct of visitors thereto; and
  - (h) anything requiring to be prescribed under this Ordinance.
- (3) Such regulations may provide that contravention of or failure to comply with any such regulation shall be an offence and may prescribe the maximum penalties for such offences, in any case the maximum not to exceed a fine of rupees five hundred and a period of six months imprisonment.

Passed by the Legislative Council at a meeting held on the 23<sup>rd</sup> day of October, 1964.

Published by command of His Excellency the Governor in Gazette No. 55 of the 9<sup>th</sup> day of November, 1964.

G.P. LLOYD,  
Colonial Secretary.