

**CRIMINAL OFFENCES (STANDARD SCALE OF FINES)
BILL, 2021**

(Bill No. 20 of 2021)

EXPLANATORY STATEMENT

The object of this Bill is to introduce a standard scale of fines for offences against any written law. The standard scale contains 7 levels with corresponding fines. This Bill proposes that the standard scale of fines can be altered by the President by way of Regulations, thus providing a simple and quick means for keeping the level of fines in step with changes in the value of the Seychellois Rupee, if the need arises.

Currently, many of the monetary fines in the laws of Seychelles are archaic. These monetary fines have become archaic for a number of reasons including the passage of time, inflation and the devaluation of the Seychellois Rupee. For instance, under the Public Health (Market) Regulations, 1975, currently the monetary penalty for selling poisonous or dangerous fish in a market is a fine not exceeding SCR 100. Irrefutably, the value of SCR 100 in 1975 is not the same in 2021. Indubitably, these archaic monetary fines hamstring the courts in imposing proportionate monetary fines to the gravity of the crime committed by a person.

Clause 4 of this Bill seeks to immediately remedy some of the challenges caused by these archaic monetary fines by substituting those fines specified in the written law with the level on the standard scale of the amount for which corresponds to the specified amount of the fine until the written law is amended. For instance, if a person sells poisonous or dangerous fish in a market, that person will be liable to a fine not exceeding SCR 10, 000 because the current fine of SCR 100 under the Public Health (Market) Regulations, 1975, becomes a level 1 fine on the standard scale of fines.

Also, the Bill will have a cost saving effect in the future because the Government of Seychelles will not need to reprint some written laws merely because the monetary fines have been affected by the passage of time, inflation or any devaluation or revaluation of the Seychellois Rupee.

All monetary fines will be regulated by this proposed law unless another law states otherwise.

Dated this 31st day of May, 2021.

**FRANK D.R. ALLY
ATTORNEY-GENERAL**

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ARRANGEMENT OF SECTIONS

Sections

1. Short title
 2. Standard scale of fines
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- Schedule 1 - The Standard Scale

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REPUBLIC OF SEYCHELLES

A BILL

FOR

AN ACT to make provision for a standard scale of fines for offences against any written law.

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Criminal Offences (Standard Scale of Fines) Act, 2021.

Standard scale of fines

2.(1) There shall be a standard scale of fines for offences which shall be known as the “standard scale”.

(2) The standard scale is set out in Schedule 1.

(3) The President may by regulation amend the standard scale set out in Schedule 1.

Construction of enactments

3.(1) Where any written law provides or confers a power to provide that a person convicted of an offence shall be liable on conviction to a fine by reference to a specified level on the standard scale, that reference shall be construed as a reference to the standard scale for the time being in force.

(2) Subsection (1) shall not extend to include a default fine, a fixed fine or a daily fine that is imposed under written law in respect of the commission of an offence.

Transitional provision

4.(1) Notwithstanding any law, with regard to any written law in operation before the commencement of this Act, the amount of any monetary fine specified in that written law shall be substituted by the level on the standard scale the amount for which corresponds to the specified amount of the fine until the written law is amended.

(2) Subsection (1) shall not apply to legal proceedings instituted against a person before the commencement of this Act.

SCHEDULE 1
(Section 2(2))

THE STANDARD SCALE

First Column	Second Column
Level on the scale	Amount of fine
1	A fine not exceeding SCR 10, 000
2	A fine not exceeding SCR 25, 000
3	A fine not exceeding SCR 50, 000
4	A fine not exceeding SCR 125, 000
5	A fine not exceeding SCR 250, 000
6	A fine not exceeding SCR 500, 000
7	A fine not exceeding SCR 1, 000, 000