

eSwatini

Evidence (State Interest) Order, 1976

Act 22 of 1976

Legislation as at 1 December 1998

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Evidence (State Interest) Order, 1976

Act 22 of 1976

Assented to on 28 April 1976

Commenced on 30 April 1976

[This is the version of this document at 1 December 1998.]

A King's Order-in-Council to extend privilege against disclosure of certain matters in the interests of the State or public security.

1. Short title

This King's Order-in-Council may be cited as The Evidence (State Interest) Order, 1976.

2. Right to claim privilege where the interests of the State or public security are concerned

- (1) Notwithstanding any other law, no person shall be compellable and no person shall be permitted or ordered to give evidence or furnish any information in any proceedings in a court of law or before any tribunal, body or institution established by or under any law as to any fact, matter or thing or as to any communication made to or by such person, and no book or document shall be produced in any such proceedings if a certificate purporting to have been signed by His Majesty the King or any other person authorised by him thereto is produced to the Court, tribunal, body or institution (as the case may be) to the effect that such fact, matter, thing, communication, book or document affects the interest of the State or public security and that the disclosure thereof will, in the opinion of the King or the person so authorised by him be prejudicial to the interests of the State or public security.
- (2) The validity of the certificate referred to in subsection (1) or the opinion of the King or person authorised by him under the subsection shall not be challenged by any court.
- (3) The provisions of this section shall be construed as being additional to any other right of any person to claim privilege under any other law against the giving of evidence or the disclosure of information.