

eSwatini

Non-Bailable Offences Order, 1993

Kings Order in Council 14 of 1993

Legislation as at 1 December 1998

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Non-Bailable Offences Order, 1993

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Schedule 1

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Assented to on 14 August 1993

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

An Order to provide for non-bailable offences and for matters incidental thereto.

1. Short title and commencement

This Order may be cited as the Non-Bailable Offences Order 1993, and shall come into force upon publication in the *Gazette*.

2. Interpretation

In this Order unless the context otherwise requires—

“**Court**” means the High Court or Magistrates Court as the case may be;

“**Minister**” means the Minister for Justice and Constitutional Development;

“**Non-bailable offences**” means any offence listed as such in the Schedule to this Order.

3.

- (i) Notwithstanding any provision in any other law, a court shall refuse to grant bail to any person charged with any of the offences in the Schedule hereto.

[Amended A.4/1994]

- (ii) The Minister may amend the Schedule from time to time.

Schedule

1. Murder
2. Rape
3. Robbery
4. A contravention of Section 8 of the Game Act [No. 51 of 1953](#)
5. A contravention of Section 11(8) of the Arms and Ammunition Act [No. 24 of 1964](#) (Arms of War Only)
6. A contravention of Section 12 of the Pharmacy Act [No. 38 of 1929](#).
7. A contravention of Section 3 of the Counterfeit Currency Order No. 31 of 1974.
8. A contravention of Section 5 of the Identity and Travel Documents Act, 1959.
9. A contravention of Section 6 of the Public Order Act, 1963.

10. A contravention of Section 3(1) of the Theft of Motor Vehicles Act, 1991.
[Added L.N.139/1994]
11. A contravention of Sections 4, 10, 11, 12, 13, 16 and 17 of the Public Order Act [No. 17 of 1963](#).
[Added L.N.8/1997]
12. (a) Any offence under the Opium and Habit Forming Drugs Act, 1922, relating to the possession, importation, sale, purchase, exportation, production, manufacture and cultivation of a quantity of opium or a habit forming drug of at least five (5) kilograms.
(b) Any offence under the Pharmacy Act, 1929, relating to the possession, dealing, sale or conveyance of any quantity of a poison or potentially harmful drug.