ATTORNEY GENERAL'S OFFICE
REPUBLIC OF SEYCHELLES

Guidelines for Sending a

Mutual Legal Assistance Request

to the Republic of Seychelles

2026

Foreword by the Attorney General

REPUBLIC OF SEYCHELLES



The effective administration of criminal justice increasingly depends upon cooperation between States. Criminal activity, evidence, assets and proceeds of crime are no longer confined by national borders, and the ability of competent authorities to investigate and prosecute serious criminal conduct may therefore depend upon timely and effective international cooperation.

The Republic of Seychelles recognises the importance of mutual legal assistance as an essential component of that cooperation. Seychelles remains committed to providing the widest measure of assistance to its international partners, in accordance with its domestic law and applicable international obligations, while ensuring that requests for assistance are dealt with lawfully, efficiently and constructively.

The Attorney General, as the Central Authority for mutual legal assistance in criminal matters, plays an important role in facilitating cooperation between Seychelles and foreign States. Effective mutual legal assistance is, however, a shared endeavour. The timely execution of requests depends upon clear communication between competent authorities and upon requests containing sufficient information to enable the requested assistance to be identified, assessed and executed in accordance with Seychelles law.

These Guidelines have therefore been developed to assist foreign States, Central Authorities, law enforcement agencies, prosecutors and other competent authorities seeking assistance from the Republic of Seychelles. They provide practical guidance on the preparation and transmission of requests, the forms of assistance available under Seychelles law, and the circumstances in which cooperation may be pursued through appropriate informal channels.

International cooperation is ultimately founded upon partnership, communication and a common commitment to the proper administration of justice. It is my hope that these Guidelines will facilitate effective cooperation between the Republic of Seychelles and its international partners and contribute to our collective efforts to ensure that national borders do not become barriers to the investigation and prosecution of crime or the recovery of its proceeds.

Mr. Divino Sabino
Attorney General

PREFACE

International cooperation is most effective when principle is matched by precision. A well-prepared request does more than seek assistance; it enables the requested State to act promptly, lawfully and with a clear understanding of the measures sought.

The Guidelines provide an overview of the legal and institutional framework governing mutual legal assistance in Seychelles. Importantly, they set out the principal forms of assistance available under Seychelles law, together with the information and supporting material that should accompany a request.

An important distinction is drawn throughout these Guidelines between formal mutual legal assistance and informal cooperation. Informal channels can provide an efficient means of exchanging information, intelligence and other forms of assistance that do not require the exercise of coercive powers. Where the assistance sought requires the exercise of compulsory or judicial powers under Seychelles law, a formal request for mutual legal assistance may be necessary. Requesting authorities are accordingly encouraged to consider, at an early stage, the nature and intended use of the assistance sought and the appropriate legal mechanism through which it should be obtained.

Foreign authorities are encouraged to engage with the Central Authority where uncertainty arises concerning the appropriate form of cooperation, where requests involve complex or novel issues, or where urgent assistance is required. Early engagement can assist in resolving procedural difficulties, clarifying legal requirements and avoiding unnecessary delays.

These Guidelines are intended as practical guidance only. They do not constitute legal advice or create rights or obligations beyond those arising under the laws of the Republic of Seychelles or applicable international agreements and arrangements. Where any inconsistency arises, the applicable law shall prevail.

Ultimately, effective mutual legal assistance rests upon a shared commitment to the administration of justice, supported by clarity in the formulation of requests, mutual respect for domestic legal frameworks and constructive engagement between competent authorities.

Dr. Nyasha Noreen Katsenga

Executive Director

Acknowledgements

These Guidelines were prepared by Dr Nyasha Noreen Katsenga, Executive Director of the Attorney General's Office.

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Part I – Preliminary

Purpose of the Guidelines

1. The Guidelines are intended to provide Central Authorities, prosecutors, law enforcement agencies and other competent authorities with an overview of the legal and procedural framework governing mutual assistance in criminal matters, commonly referred to as mutual legal assistance, in the Republic of Seychelles.

2. In particular, the Guidelines provide practical guidance on the preparation and submission of requests for mutual legal assistance to the Republic of Seychelles, the forms of assistance available under the Mutual Assistance in Criminal Matters Act, 2022 (the Act), and the circumstances in which assistance may be sought through informal channels of international cooperation.

3. The Attorney General is the Central Authority for mutual assistance in criminal matters, and all requests shall be addressed to the same at the following address:

Mr Divino Sabino

Attorney General

2nd and 3rd Floor Link Building

Ile du Port

Mahe

Republic of Seychelles

Att: Mutual Legal Assistance Unit

Status of the Guidelines

4. The Guidelines are intended to be read alongside the Mutual Assistance in Criminal Matters Act, 2022 and provide practical guidance on the mutual legal assistance framework of the Republic of Seychelles.

5. The Guidelines are not legally binding and do not create, confer or alter any legal right, obligation or entitlement to assistance.

6. In the event of any inconsistency between these Guidelines and the Mutual Assistance in Criminal Matters Act, 2022, any other applicable law, or an applicable international agreement or arrangement, the relevant law, agreement or arrangement shall prevail.

Part II – Mutual Legal Assistance in the Republic of Seychelles

What is Mutual Legal Assistance?

7. Mutual legal assistance (MLA) is a form of formal international cooperation between States through which a wide range of assistance may be requested and provided in connection with criminal investigations, prosecutions and related proceedings. Recognising that crime does not respect national borders, MLA provides a legal framework through which law enforcement agencies, prosecutors and other competent authorities in one jurisdiction may seek assistance from another jurisdiction. Such assistance may include, among other things, obtaining evidence, serving documents, taking statements or evidence from witnesses, conducting searches and seizures, tracing or restraining property, and enforcing confiscation orders.

8. MLA is intended, as far as permitted by the law of the requested State, to overcome the jurisdictional limitations that would otherwise prevent competent authorities in one State from obtaining evidence or securing investigative or judicial measures in another State. It therefore enables forms of assistance ordinarily available in domestic criminal proceedings to be sought across national borders through established legal processes.

9. MLA is distinguishable from informal international cooperation undertaken directly between law enforcement agencies and other competent authorities.[1] Informal cooperation generally facilitates the voluntary exchange of information and intelligence through established agency-to-agency channels. Formal MLA may be required where the assistance sought involves the exercise of coercive or compulsory powers, judicial authorisation, or the production of material in a form intended for use as evidence in criminal proceedings.

10. Information or intelligence obtained through informal cooperation may identify evidence or investigative measures that subsequently need to be obtained through formal legal

[1] Police-to-police cooperation; FIU-to-FIU cooperation.

processes. In such circumstances, MLA may provide the appropriate mechanism through which the underlying information or material is formally obtained in evidential form and in a manner capable of being used in criminal proceedings, subject to the laws and evidential requirements of the requesting and requested States.

Scope of Mutual Legal Assistance

11. In terms of the Act, the following assistance may be rendered by the Republic of Seychelles:
    - (i) Locating and identifying persons
    - (ii) Service of process
    - (iii) Obtaining evidence
    - (iv) Arranging attendance of a person in a foreign state, including a prisoner or detainee
    - (v) Enforcement of a foreign confiscation order
    - (vi) Search and seizure
    - (vii) Interception and preservation of communications
    - (viii) Covert surveillance

Making a request to the Republic of Seychelles

How to make a request

12. Under the Act, requests for MLA are to be made to the Attorney General, who is the Central Authority for the Republic of Seychelles.

13. Requests addressed to the Attorney General are required to be transmitted through diplomatic channels. Where a requesting State transmits a request directly to the Attorney General outside the prescribed channel, the request may be treated as a courtesy copy pending its formal transmission through the appropriate diplomatic channels.

14. Where the requesting State has a bilateral treaty with the Republic of Seychelles, a request may be transmitted directly to the Attorney General where direct transmission is:
    - i. permitted by the applicable treaty;
    - ii. permitted by agreement with the Attorney General; or
    - iii. necessary and expedient having regard to the urgency of the request, and the Attorney General has consented to direct transmission.

15. Notwithstanding the above, the Central Authority recognises that requests originating from States that do not have a bilateral treaty with the Republic of Seychelles may nevertheless require urgent attention. Urgency may arise, for example, where:
    i. evidence relevant to an ongoing investigation or proceeding is at risk of being destroyed, altered or lost;
    ii. immediate action is necessary to preserve evidence; or
    iii. there is a risk of dissipation or disposal of funds or other property that may be subject to restraint, confiscation or forfeiture.

16. In such circumstances, requesting States are encouraged to notify the Central Authority of the urgency of the matter and provide a courtesy copy of the request to *seyca-mla@gov.sc* pending its formal transmission through diplomatic channels.

17. The procedure described in paragraph [16] is intended to facilitate the efficient consideration of urgent matters and, where appropriate, enable the Central Authority to undertake such preliminary steps as may lawfully be taken pending formal receipt of the request through the prescribed channel. The transmission of a courtesy copy does not dispense with or constitute a substitute for the formal transmission requirements applicable to the request.

Form of Request

18. All requests must be accompanied by Request Summary Form (Annex A)[2] which enables the Central Authority to efficiently identify key details to enter into our case management system, generate a reference number (MLA/number/year), and issue an acknowledgment of the request.

19. The requesting State should utilise the MLA reference number allocated by the Central Authority in all subsequent correspondence, including when seeking status updates or enquiring about the progress of a request through the Central Authority's official email address, seyca-mla@gov.sc. Once operational, the online case-tracking facility will also enable requesting States to check the status of their requests through the Central Authority's website.

[2] Available at https://ago.sc/mla-annex/

10 fundamental things to be contained in a request

20. A request to the Republic of Seychelles must contain sufficient information to enable the Central Authority to understand, assess and facilitate the execution of the assistance sought. In particular, a request must:
    i. be made in English;[3]
    ii. identify the person or authority initiating the request;
    iii. specify the legal basis upon which the request is made, including whether the request is made pursuant to an applicable bilateral treaty or under section 20 of the Act;[4]
    iv. where the request is made pursuant to section 20 of the Act—
    i. include an undertaking by the requesting State that it will entertain a similar request for assistance from the Republic of Seychelles, in accordance with the principle of reciprocity; and
    ii. where applicable, indicate the requesting State's willingness to enter into an arrangement concerning the sharing of assets;
    v. provide a summary of the relevant facts and law giving rise to the request;
    vi. describe the offence to which the criminal matter relates, including the maximum penalty applicable to that offence;
    vii. include a copy of the relevant provisions of the applicable foreign law and, where those provisions are not in English, an English translation thereof;
    viii. specify the period within which the requesting State wishes the request to be executed and, where the request is urgent, provide the reasons for such urgency and identify any relevant investigative, procedural or judicial deadline;
    ix. where applicable, specify any particular procedure or formality that the requesting State wishes the authorities of the Republic of Seychelles to follow in executing the request; and,
    x. specify the manner in which any information, document, evidence or other thing obtained pursuant to the execution of the request is to be transmitted or otherwise supplied to the requesting State.

21. Where a requesting State specifies a particular procedure or formality to be followed in the execution of a request, the Central Authority will, as far as permitted under the laws of the

[3] This requirement is made with due respect for the laws and official languages of requesting States, while recognising the requirements applicable to proceedings before the Courts of the Republic of Seychelles and the need, where applicable, to place the relevant foreign law before the Court in a form capable of being received and considered for the purposes of executing the request.

[4] For the purposes of the Act, a request received from a State with which the Republic of Seychelles does not have an applicable treaty providing for mutual legal assistance is treated as an ad hoc request.

Republic of Seychelles, endeavour to give effect to that procedure or formality. Requesting States are therefore encouraged to clearly identify any procedural, evidential, certification or authentication requirements that are necessary to ensure that the assistance obtained may be used for the purpose for which it is sought.

22. In addition to the ten fundamental requirements referred to in paragraph [20], further information and supporting documentation may be required depending on the nature of the assistance sought, as explained in these Guidelines.

Location of a person

23. Where a request relates to the location of a person, the name, identity, nationality, last known location and physical description of that person shall, where available, be included in the request.

Service of process

24. Where a request seeks assistance with the service of process, the request must clearly set out sufficient details of any consequences that may arise under the law of the requesting State from a failure or refusal to accept, comply with or otherwise act upon the process to be served.

25. Where the process to be served requires or invites a person to appear as a witness in the requesting State, the request must include an undertaking by the requesting State that the person will not be subject to any penalty or liability, or otherwise suffer any legal prejudice, by reason only of that person's refusal or failure to accept or comply with the summons.

Tracing of property

26. Where a request is related to the tracing of property that is suspected to be connected to an offence, the description of such property must be properly set out in the request.

Arranging attendance of a person in a foreign state, including a prisoner or detainee

27. Where a request involves a person travelling from the Republic of Seychelles to the requesting State, the request must specify:
    i. The details of allowances to which the person will be entitled;
    ii. Arrangements for security and accommodation while the person is in the requesting State.

28. Where a request seeks the transfer of a prisoner or detainee from the Republic of Seychelles to the requesting State for the purposes of giving evidence or otherwise assisting in a criminal matter, such transfer if authorised is temporary. The request must include undertakings by the requesting State:
    i. to bear all costs and expenses associated with the transfer, continued custody and return of the person;
    ii. to ensure that the person remains in lawful custody throughout the period of the transfer and while present in the requesting State; and
    iii. to return the person without delay into the custody of the authorised officers of the Republic of Seychelles immediately following the person's attendance before the relevant authority or court in the requesting State, or upon completion of the purpose for which the transfer was authorised.

29. Although a request may seek the physical attendance of a person in the requesting State for the purpose of giving evidence, as contemplated in paragraphs [27] and [28] above, the Act also permits evidence to be given by video link. A requesting State may therefore request that the evidence of a person in the Republic of Seychelles be taken by video link in lieu of requiring that person to travel to the requesting State.

Enforcement of a foreign confiscation order

30. The Act provides for assistance in relation to foreign confiscation proceedings in two principal circumstances.

31. First, where a confiscation order has already been made in the requesting State in respect of property that is reasonably believed to be located in the Republic of Seychelles, a request may be made for assistance in giving effect to that order.

32. Second, where a confiscation order has not yet been made, but proceedings for the making of such an order have been instituted, or are to be instituted in the requesting State in respect of property reasonably believed to be located in the Republic of Seychelles, a request may be made for appropriate measures to preserve or restrain the property pending the determination of those proceedings.

33. In the circumstance where a confiscation order has been made, the request must clearly state that:
    i. the confiscation order is final and is not subject to 'appeal'; and
    ii. the person affected by the confiscation order appeared in the proceedings in which the order was made or, where the person did not appear, that the person was given sufficient notice of the proceedings to enable that person to attend and participate in those proceedings.

34. It is to be noted that the Act defines an "appeal" broadly and includes:
    i. any proceedings by way of discharging or setting aside the confiscation order; and
    ii. an application for a new trial, an opposition to the confiscation order, or a stay of execution of the confiscation order.

35. Having regard to the broad definition of "appeal" under the Act, the requesting State must state unequivocally that no proceedings of the nature are pending before its courts in respect of the confiscation order.

36. In the circumstance where there has not been a confiscation order made as yet, the request must clearly state when the judicial proceedings are likely to be instituted.

37. Consistent with the principle of providing the widest measure of international cooperation, the Act facilitates the proof of foreign confiscation orders and matters relating to proceedings in the requesting State without imposing unnecessarily stringent evidential requirements.

38. In this regard, due recognition is given to the fact that a request emanates from a competent authority duly identified, and such a request is transmitted through the official channels. The Act accordingly provides mechanisms through which foreign confiscation orders and evidence relating to foreign proceedings may be received and relied upon for the purposes of determining and giving effect to a request, without requiring the requesting State to prove such matters in the same manner as would ordinarily be required in domestic proceedings.

39. The Act recognises two principal things in respect of proof of confiscation orders from requesting States.

40. First, any order made or judgment for confiscation given by a competent court of the requesting State purporting to bear the seal of that court and has been signed in the person's capacity as a Judge, Magistrate or officer of the court – shall be deemed to be duly sealed or have been signed by that person.

41. Second, and alternative to that set out in paragraph [40] above, a document that purports to be a *copy* of the confiscation order, and is duly authenticated by a person in his or her capacity as a Judge, Magistrate or officer of the court on behalf of the requesting State, shall be deemed without further proof to be a true copy.

42. In addition to the above two principal things, the Act dispenses with unnecessarily stringent evidential requirements with regards to evidence in relation to proceedings for forfeiture

in the requesting State. Three things are important to note and will apply to a request depending on the stage of proceedings in the requesting State.

43. Category A is relevant to instances where judicial proceedings for confiscation order have not yet been instituted. The Act allows the admission into evidence a **certificate** issued by or on behalf of a foreign state, authenticated by a Judge, Magistrate or officer of the court, stating the following:

    i. Judicial proceedings will be instituted in the requesting State at a future date.
    ii. The property that may be recoverable under the future or anticipated confiscation order remains unrecovered.

44. Category B relevant to instances where judicial proceedings for a confiscation order have been instituted, however not yet completed. The Act allows the admission of evidence of a **certificate** issued by or on behalf of a foreign State, authenticated by a Judge, Magistrate or officer of the Court, stating the following:
    i. Judicial proceedings have been instituted and have not been concluded at the time of making the request.
    ii. The property recoverable under the future or anticipated confiscation order remains unrecovered.

45. Category C is relevant to instances where proceedings have already been instituted and have resulted in the confiscation order. The Act permits the admission into evidence, as proof of the facts stated therein, a **certificate** authenticated by a Judge, Magistrate or officer of the court, stating the following:
    i. The order is in force and not subject to 'appeal'.
    ii. The affected person appeared in the judicial proceedings, or where he or she did not, the person had been notified of the relevant proceedings in accordance with the law of the requesting State and given sufficient time to challenge those proceedings.
    iii. The confiscation order is for recovering, forfeiting or confiscating assets or property that was received or realised in connection with an offence.
    iv. The amount payable under the confiscation order remains unpaid, or the property recoverable under the confiscation order remains unrecovered.

46. A checklist to assist requesting States is annexed hereto as Annex B.[5]

[5] Available at https://ago.sc/mla-annex/

Search and seizure

47. The Act allows for the Central Authority to assist requesting States to obtain anything by search or seizure.

48. It is important to note that in accordance with the Act, "seizure" means freezing coupled with the administration, control, possession, or management of the funds, property or other assets.

49. Further, "property" means movable or immovable property of every description, whether situated in or outside Seychelles and whether tangible or intangible and includes both virtual assets and an interest in any such movable or immovable property.

50. It is important that when a requesting State seeks seizure, it necessarily provides all relevant information that describes the thing to be seized.

51. Where the thing is specifically digital assets, then the request must clearly set out the tracing that was undertaken by the law enforcement or other competent authorities of the requesting State, including the transaction hash, or wallet address. The relevant dates with which the transfers were made are also important. The information assists the Central Authority in identifying the relevant transactions and determining the connection between the assets and Seychelles-based entities or service providers.

52. When making a request with assistance for seizure, a requesting State should annex to the request copies or extracts of the applicable provisions of their criminal procedure or other relevant laws, together with the proper citation of those provisions, demonstrating, as applicable, that:

    i. where the suspect or accused person is tried and acquitted, the digital assets or other property concerned are required to be returned to that person; or
    ii. non-conviction-based confiscation is permissible under the laws of the requesting State.

53. Where the copies or extracts of the applicable laws referred to in paragraph [52] are not in English, they must be accompanied by an English translation. This requirement is made with due respect for the official languages of requesting States, while recognising the need for the Central Authority to place before the courts of the Republic of Seychelles documents capable of being properly considered and relied upon, and to facilitate the execution of requests without avoidable procedural challenges or delay.

54. A request seeking the seizure of digital assets should, where possible, specify the digital wallet address to which the competent authorities of the Republic of Seychelles are to transfer the seized digital assets upon execution of the request.

55. The Republic of Seychelles will not convert seized digital assets into fiat currency for the purposes of executing the request. Accordingly, requesting States should ensure that the wallet address provided is capable of receiving the particular type of digital asset sought to be seized and transferred.

56. A checklist to assist requesting States with key documents required is annexed hereto as Annex C.[6]

Interception of telecommunication data

57. Under Seychelles law, foreign States may request the assistance with interception of telecommunications.

58. Where a request is made in respect of interception of telecommunications, the same may be made for the interception and immediate transmission of telecommunications; or, the interception, recording and subsequent transmission of telecommunications.

59. A request for the interception of telecommunications must contain the following information:

a. Lawful authority for the interception

60. The requesting State must confirm that an order, warrant or other lawful authorisation for the interception has been issued by a court or other competent authority empowered to issue such authorisation under the law of the requesting State, and that the interception is sought in connection with a criminal investigation or proceeding.
61. Where such an order, warrant or authorisation has not yet been issued, the request must indicate that the necessary steps to obtain the relevant authorisation are underway in the requesting State in accordance with its applicable law.

[6] Available at https://ago.sc/mla-annex/

b. Details of the criminal matter

62. The request must provide sufficient details of the criminal matter under investigation or proceeding, including the relevant offence, the person or persons concerned, where known, and the connection between the requested interception and the criminal matter. The information provided must be sufficient to enable the Central Authority to assess and execute the request in accordance with the laws of the Republic of Seychelles.

c. Duration of the interception

63. The request must specify the period for which the interception is sought, including, where applicable, the proposed commencement and end dates.

d. Technical and identifying information

64. The request must, to the extent available, provide sufficient technical and identifying information to enable the relevant telecommunications service, account, device, system or communication to be identified and the interception to be undertaken. This may include:

    i. the name of the telecommunications service provider, authority or other person believed to have access to, or control of, the relevant telecommunications service or data;
    ii. the location at which the relevant telecommunications service, system or data is believed to be held, operated or accessible;
    iii. details identifying the telecommunications service, account, device or communication to which the requested interception relates, including, where available, the telephone number, subscriber information, account identifier, IP address, device identifier or other relevant technical identifier; and
    iv. any other technical information that may assist the competent authorities in identifying and undertaking the requested interception.

Interception of postal items

65. Under Seychelles law, a request may be made for purposes of interception of postal items.

66. A request seeking the interception of postal items must identify the jurisdiction concerned, the criminal matter to which the request relates, and the relevance of the information expected to be obtained through interception to that matter.

Preservation of communication data

67. A request may be made for the purpose of preserving communication data.

68. Under the applicable law, communication data includes —

    (a) traffic data;
    (b) subscriber information;
    (c) any information not falling within paragraph (a) or (b) that is held or obtained by the provider of a postal service or a telecommunications service and which relates to the provision of that service and includes content data;
    (d) *content data.*

69. Content data is defined as the subject or purpose of the communication, or the message or information being conveyed by the communication, whether or not any interpretation, process, mechanism or device needs to be applied or used to make the meaning of the communication intelligible.

70. A request for the preservation of communications data must contain the following information to enable the Central Authority to assess the request and determine whether it may be executed:

    i. A brief description of the criminal investigation;
    ii. The reasons why preservation of the communications data is necessary;
    iii. A description of the communications data sought to be preserved;
    iv. The relationship between the communications data sought and the criminal matter under investigation;
    v. Identification of the category of communications data to be preserved, for example, subscriber information, traffic data, or any other information falling within the definition of communications data;
    vi. Information sufficient to identify the person or entity having custody or control of the stored communications data; and
    vii. Information concerning the location of the computer system, service, platform, or other relevant technology on which the communications data is stored, where known.

Covert surveillance

71. Another form of assistance that may be requested from the Republic of Seychelles relates to covert surveillance. Such assistance may be provided in accordance with the applicable written laws of the Republic of Seychelles.

72. A request for covert surveillance must contain the ten fundamental elements set out at paragraph [20] of these Guidelines, together with sufficient information to enable the Central Authority and the relevant competent authorities to assess the request and determine the appropriate manner of execution under Seychelles law.

73. For the purposes of conducting covert surveillance, the Republic of Seychelles and a requesting State may establish a joint investigation team. Any request for the establishment of such a team should be transmitted by the requesting State through the Central Authority of the Republic of Seychelles.

Part III: Contact and Communication

74. The Central Authority endeavours to execute all requests within a reasonable time and to give each request the attention necessary for its proper execution. The information set out below is intended to assist requesting States and highlights certain practical matters which may facilitate the timely and effective execution of requests.

Reference numbers

75. Upon receipt of a request, the Central Authority will allocate a reference number in the format MLA/[number]/[year]. The request will be acknowledged from the official email address of the Central Authority, ***seyca-mla@gov.sc,*** and the relevant reference number will be communicated to the requesting State.

76. To ensure that the requesting State receives an acknowledgment and the allocated reference number, the appropriate email address for correspondence should be clearly identified at the time the request is submitted. This should be included both in the Request Summary Form (Annex A) and in the request itself.

Requests for Clarification or Additional Information

77. Requesting States may, from time to time, be invited to clarify or supplement information contained in a request in order to facilitate its assessment or execution. Such correspondence will ordinarily be transmitted through the official email address of the Central Authority, seyca-mla@gov.sc.

Supplementary Requests

78. A supplementary request may be sought from the requesting State where further information or documentation is required. Provided that the original request was transmitted through the appropriate formal channels, the supplementary request may thereafter be transmitted directly to the Central Authority at *seyca-mla@gov.sc* for purposes of efficiency.

Progress Enquiries – Email

79. A requesting State may seek an update on the progress of a request by contacting the Central Authority at seyca-mla@gov.sc and quoting the applicable reference numbers, including especially the Central Authority's reference number in the format MLA/[number]/[year]. The Central Authority will endeavour to respond within a reasonable time and provide such information on the status of the request as may appropriately be shared.

Notification Where Assistance Is No Longer Required

80. Where a requesting State no longer requires the assistance of the Republic of Seychelles, it should inform the Central Authority within a reasonable time through its official email address, seyca-mla@gov.sc. The communication should clearly identify the relevant request by stating both the requesting State's reference number and the Central Authority's reference number in the format MLA/[number]/[year].

Part IV Urgent Requests

81. The Central Authority recognises that certain circumstances arising in criminal investigations, prosecutions and other criminal proceedings may necessitate the urgent provision of mutual legal assistance. In such circumstances, requesting States are encouraged to contact the Central Authority through its dedicated email address, *seyca-mla@gov.sc*, to alert it to the urgency of the matter and seek guidance on the appropriate procedures for submitting the request, including compliance with section 21(2) of the

Mutual Assistance in Criminal Matters Act, 2022, which requires requests to be transmitted through diplomatic channels.

82. For the purposes of these Guidelines, the Central Authority considers that circumstances warranting urgent treatment may include, but are not limited to, the following:

    i. Impending trial: Where evidence is required for a trial scheduled to commence within one month of the date of the request.
    ii. Risk of dissipation of assets: Where urgent freezing, seizure or other provisional measures are necessary to prevent the dissipation, concealment, transfer or disposal of funds or other assets.
    iii. Impending expiry of a limitation period provided by the law of the requesting State: Where the applicable limitation or prescription period in the requesting State is approaching expiry, and failure to obtain timely assistance may prejudice or prevent the continuation of criminal proceedings.
    iv. Attendance of witnesses: Where the attendance or testimony of a person is required for a hearing scheduled to take place within one month of the date of the request.

83. A request for mutual legal assistance to be treated as urgent must contain:
    i. The ten fundamental elements of a request for mutual legal assistance, as set out in paragraph 20 of these Guidelines;
    ii. Any additional information or supporting documentation required for the particular form of assistance sought, as specified in paragraphs 23–73 of these Guidelines; and
    iii. A clear explanation of the circumstances giving rise to the urgency, including any relevant deadlines, the risks associated with delay, and the consequences of the assistance not being provided within the requested timeframe.

84. Requesting States are encouraged to notify the Central Authority of urgent matters as early as practicable. The designation of a request as urgent does not dispense with the statutory requirements governing the submission of requests through the diplomatic channel under the Mutual Assistance in Criminal Matters Act, 2022. However, early communication enables the Central Authority to assess the circumstances, provide appropriate procedural guidance and, where practicable, facilitate the prioritisation of the request.

Part V: Other forms of cooperation

85. The Central Authority encourages FIU-to-FIU or police-to-police cooperation, particularly where information may be obtained more efficiently and expeditiously through established law enforcement cooperation channels, without the need for formal mutual legal assistance. This is particularly envisaged under section 4 of the Mutual Assistance in Criminal Matters Act, 2022.

86. However, where the assistance sought requires the exercise of coercive powers, including measures such as search, seizure, freezing of assets or compulsory production of evidence, a formal request for mutual legal assistance must be submitted to the Central Authority through diplomatic channels, in accordance with section 21(2) of the Mutual Assistance in Criminal Matters Act, 2022.

Police-to-Police Cooperation and Informal Assistance

87. In accordance with section 4 of the Mutual Assistance in Criminal Matters Act, 2022, Seychelles may engage in formal and informal cooperation with foreign law enforcement authorities, including through INTERPOL and other established police cooperation mechanisms.

88. Police-to-police cooperation generally facilitates the exchange of information and criminal intelligence, preliminary enquiries and other assistance that may lawfully be provided without recourse to compulsory investigative measures.

89. Such cooperation does not replace formal mutual legal assistance where judicial authorisation, compulsory production of information, seizure, restraint, confiscation or other measures requiring the exercise of statutory powers are necessary.

90. Requests for police-to-police assistance should satisfy the following requirements:

91. **Verification of the requesting authority:** The request must originate from an identifiable and verifiable police service or other competent law enforcement authority.

92. Requests may be transmitted through established official channels, including INTERPOL or AFRIPOL, or directly to Seychelles Police through its official email address, info@police.gov.sc, or the relevant specialised unit.

93. Where a request is transmitted directly, the requesting officer should provide their full name, rank, official designation, institutional contact details and, where necessary, official identification or other evidence establishing their law enforcement status.

94. **Connection to a criminal investigation or proceedings:** The requesting authority should identify the criminal investigation or proceedings to which the request relates, provide the official case reference where available, and identify the investigating officer responsible for the matter.

95. The request should include a brief description of the suspected criminal conduct, the purpose of the assistance sought and sufficient information to establish the relevance of the requested assistance. Preliminary enquiries concerning suspected criminal activity may also be considered, subject to applicable law.

96. **Scope and use of information:** The requesting authority should specify the information or assistance sought, its intended investigative use and any confidentiality or urgency requirements.

97. Information may only be obtained or disclosed in accordance with Seychelles law, including applicable restrictions relating to confidentiality, privacy, disclosure and the protection of information.

98. Where the assistance requires compulsory measures or the disclosure of protected information not otherwise lawfully available, a formal request for mutual legal assistance would be required.

Financial Crime Investigations

99. For investigations involving financial crimes, including offences concerning physical and virtual assets, requests may be directed to the Financial Crime Investigation Unit (FCIU) at FCIU@police.gov.sc, with info@police.gov.sc copied where appropriate.

100. Subject to applicable law and the availability of information, the FCIU may assist foreign law enforcement authorities with preliminary enquiries concerning:

- Whether a natural or legal person has identifiable connections to Seychelles;
- Whether a person or entity is known to local law enforcement in connection with criminal investigations;
- Whether information is available concerning immovable property, bank accounts or other assets associated with a person or entity;
- Whether a company or other legal entity is registered or incorporated in Seychelles;
- The identification of relevant financial institutions, service providers or virtual asset service providers;
- Preliminary financial intelligence enquiries and financial profiling, where lawfully permissible.

101. Requests concerning confidential banking information, tax records, financial statements, transaction records, customer identification information or ongoing financial

monitoring will be assessed in accordance with applicable domestic legislation. Where necessary, the requesting authority may be advised to submit a formal MLA request.

Cybercrime Investigations

102. Requests relating to cybercrime may be transmitted to Seychelles Police through info@police.gov.sc or the designated Cybercrime Unit contact.

103. Subject to the applicable legal requirements, the Cybercrime Unit may assist with preliminary enquiries involving:

- Websites or internet services hosted in Seychelles;
- Internet Protocol (IP) addresses associated with Seychelles-based service providers;
- Seychelles-incorporated companies providing IP address leasing, hosting or management services.

104. Where the assistance sought requires preservation or disclosure of stored computer data, production of records or other compulsory investigative measures, the applicable procedures under Seychelles law must be followed.

Part VI: Direct access to entities in Seychelles

105. Requesting States may approach entities registered or operating in the Republic of Seychelles directly for the purpose of obtaining information. However, the provision of information in response to such requests is strictly voluntary, subject to applicable domestic laws and any legal obligations governing the disclosure of such information. Where the assistance sought requires the exercise of coercive powers, including the compulsory production of information or documents, a formal request for mutual legal assistance must be submitted to the Central Authority in accordance with the Mutual Assistance in Criminal Matters Act, 2022.

106. For the avoidance of doubt, information obtained directly from private entities through such voluntary arrangements does not constitute information provided by the Republic of Seychelles through formal mutual legal assistance or other official State-to-State cooperation mechanisms. Such arrangements are undertaken independently of the Central Authority and should not be construed as constituting the execution of a request for mutual legal assistance by the Republic of Seychelles.

[end]

ANNEX A[7]
REQUEST SUMMARY FORM

Mutual Legal Assistance in Criminal Matters

This form provides the Central Authority of the Republic of Seychelles with a concise overview of the request. It should accompany the formal request and does not replace the statutory requirements under the Mutual Assistance in Criminal Matters Act, 2022.

1. Requesting State	
2. Requesting Authority	
3. Reference Number	
4. Date of Request	
5. Urgency of Request	
6. Deadline for Execution	
7. Offence(s) Under Investigation or Prosecution	
8. Assistance Sought	
9. Contact Person (name and designation)	
10. Email Address	
11. Telephone Number	

ADDITIONAL INFORMATION (WHERE APPLICABLE)

Reasons for Urgency (Summary):

IMPORTANT NOTES

1. Where a request is designated urgent, specify the circumstances justifying urgency, relevant deadlines and consequences of delay.
2. Completion of this form does not dispense with the requirement to submit a formal mutual legal assistance request in accordance with the Act.
3. For urgent matters, the Central Authority may be contacted at seyca-mla@gov.sc for preliminary guidance on submission.

[7] Available at https://ago.sc/mla-annex/

ANNEX B[8]

CHECKLIST FOR FOREIGN CONFISCATION REQUESTS

Use this form with your formal request for mutual legal assistance under the Mutual Assistance in Criminal Matters Act, 2022.

HOW TO USE : Click the boxes in Microsoft Word. Select ONE category (A, B or C), complete only that category, and attach the documents indicated, including the relevant certificate where relied upon.

1. Request details and type of assistance

Requesting State: [Enter details]	**Authority / reference:** [Enter details]
Date of request: [Enter details]	**Case / confiscation reference:** [Enter details]

Stage of proceedings — select ONE:

☐ A — Proceedings have not yet been instituted (anticipated).

☐ B — Proceedings have been instituted but are not concluded.

☐ C — A confiscation order has already been made.

Assistance sought — select as applicable:

☐ Preservation / restraint of property pending proceedings.

☐ Giving effect to an existing confiscation order.

☐ Other (specify in the request).

☐ The property is identified and grounds are provided for believing it is in Seychelles.

2 Supporting documents — complete ONLY the applicable category

CATEGORY A | Proceedings not yet instituted

☐ The request states when proceedings are expected to be instituted.

☐ CERTIFICATE: a certificate is enclosed (relied on for statutory proof under Seychelles law).

Certificate: issued by or on behalf of the requesting State and authenticated by a Judge, Magistrate or officer of the court. It should confirm (i) proceedings will be instituted at a future date and (ii) the property remains unrecovered.

[8] Available at https://ago.sc/mla-annex/

CATEGORY B | Proceedings instituted, not concluded

☐ CERTIFICATE: a certificate is enclosed (relied on for statutory proof under Seychelles law).

Certificate: issued by or on behalf of the requesting State and authenticated by a Judge, Magistrate or officer of the court. It should confirm (i) proceedings have been instituted but are not concluded and (ii) the property remains unrecovered.

CATEGORY C | Confiscation order already made

Required order — attach ONE of the following:

☐ Original confiscation order or judgment bearing the court seal and signature of the Judge, Magistrate or court officer.

☐ Duly authenticated (certified true) copy of the confiscation order, authenticated by a Judge, Magistrate or court officer.

The request also confirms:

☐ The order is final, remains in force and is not subject to "appeal" as defined by the Act.

☐ No proceedings to set aside, oppose, obtain a new trial or stay the order are pending.

☐ The affected person attended the proceedings OR received sufficient notice and opportunity to participate or challenge them.

Supporting certificate:

☐ CERTIFICATE: a duly authenticated certificate is enclosed (relied on for statutory proof under Seychelles law).

Certificate should confirm: (i) the order is in force and not subject to appeal; (ii) appearance or sufficient notice to the affected person; (iii) the order concerns assets received or realised in connection with an offence; and (iv) an amount remains unpaid or the property remains unrecovered.

3. Asset-sharing arrangements- Requesting State to select ONE:

☐ Yes — the requesting State confirms its willingness, in principle, to enter into an asset-sharing agreement with the Republic of Seychelles in relation to assets confiscated or recovered through the assistance provided in this matter.

☐ No — the requesting State does not presently indicate willingness to enter into an asset-sharing agreement.

☐ To be discussed — the requesting State's position is not yet confirmed.

NB: Any asset-sharing agreement is subject to applicable law and separately agreed terms. This indication does not itself constitute an agreement and is not a condition for providing mutual legal assistance.

4. Final submission check

☐ The formal MLA request contains the general information required by the Act and Guidelines.

☐ Supporting documents for the selected category have been enclosed.

☐ Any urgency and relevant deadlines are explained (if applicable).

☐ The request is sent through diplomatic channels, or a supplementary request is submitted in accordance with the Central Authority's directions.

Important notes

- Order and certificate are distinct documents. For Category C, an original or duly authenticated copy of the confiscation order must accompany the request. Where a certificate is relied upon as proof of relevant matters, use the certificate appropriate to the stage of proceedings.
- "Appeal" includes proceedings to discharge or set aside the order, applications for a new trial, opposition to the order and applications for a stay of execution. Confirm whether any such proceedings are pending.
- This checklist is a practical aid. It does not replace the Act or impose additional statutory requirements.

ANNEX C[9]

CHECKLIST FOR REQUESTS FOR SEARCH OR SEIZURE

Mutual Assistance in Criminal Matters Act, 2022 | Republic of Seychelles

HOW TO USE: Tick the boxes in Microsoft Word. Complete all sections as applicable, and complete Section 3 only if digital assets are involved. Attach the supporting materials to the formal MLA request.

1. Request details and assistance sought

Requesting State: [Enter details]	**Authority / reference:** [Enter details]
Date of request: [Enter details]	**Investigation / case reference:** [Enter details]

Assistance sought — select as applicable:

☐ Search for specified items or property.

☐ Seizure of specified items or property (including freezing together with control, possession, administration or management, as applicable).

☐ The request concerns digital assets (also complete Section 3).

2. Information and documents for search or seizure

☐ The request clearly describes each item or asset concerned (nature, quantity/value, identifiers and known location, as applicable).

☐ The request explains the connection of the property to the criminal matter and the grounds for believing it is located in Seychelles.

☐ Where seizure is sought, the request identifies the coercive measures required and their purpose.

Applicable foreign-law provisions — for seizure requests:

☐ Copies or extracts of the relevant criminal procedure or other applicable laws are attached, with full legal citations.

The laws provided should demonstrate at least the applicable position below (tick as relevant):

- ☐ On acquittal, the property or digital assets must be returned to the suspect or accused person.
- ☐ Non-conviction-based confiscation is permitted under the law of the requesting State.

☐ Where those laws are not in English, English translations are attached.

[9] Available at https://ago.sc/mla-annex/

3. Digital assets — complete ONLY if applicable

☐ The request includes a clear account of tracing undertaken by the requesting State's law enforcement or other competent authority.

☐ Relevant blockchain tracing records or a tracing report are attached (where available).

☐ Known blockchain identifiers are provided: network/blockchain, transaction hash(es), block number(s) and wallet address(es), as applicable.

☐ Relevant dates of transactions/transfers are identified.

☐ The request explains the basis for linking the identified assets, account(s), wallet(s) or service provider to Seychelles.

Destination wallet for transfer following seizure (where possible):

☐ A receiving wallet address has been provided for transfer of the seized digital assets.

☐ The receiving wallet is capable of accepting the specified asset type and blockchain network.

☐ The requesting State understands that Seychelles will not convert the seized digital assets into fiat currency for execution of the request.

4. **Asset-sharing arrangements:** Requesting State to select ONE:

☐ Yes — the requesting State confirms its willingness, in principle, to enter into an asset-sharing agreement with the Republic of Seychelles in relation to assets confiscated or recovered through the assistance provided in this matter.

☐ No — the requesting State does not presently indicate willingness to enter into an asset-sharing agreement.

☐ To be discussed — the requesting State's position is not yet confirmed.

NB: Any asset-sharing agreement is subject to applicable law and separately agreed terms. This indication does not itself constitute an agreement and is not a condition for providing mutual legal assistance.

5. Final submission check

☐ The formal MLA request includes the general information required by the Act and the MLA Guidelines.

☐ The descriptions, foreign-law extracts, translations and relevant supporting records are enclosed, as applicable.

☐ Any urgency, relevant deadlines and risk of dissipation are explained (if applicable).

☐ The request is transmitted to the Central Authority through diplomatic channels in accordance with the Act.

Important notes

• "Seizure" includes freezing coupled with administration, control, possession or management of the relevant funds, property or other assets. "Property" includes tangible and intangible property, including virtual assets and interests in property.

• Digital-asset requests should provide available tracing identifiers and transaction dates, together with an explanation of the Seychelles connection. A destination wallet should be specified where possible and must support the asset and network concerned.

• This checklist is a practical preparation aid and does not replace the statutory requirements of the Mutual Assistance in Criminal Matters Act, 2022.