Protection of Human Rights (Application to Human Rights Division for Enquiry) (Prescribed Form) Regulations 2015

GN No. 42 of 2015

Government Gazette of Mauritius No. 30 of 1 April 2015

THE PROTECTION OF HUMAN RIGHTS ACT

Regulations made by the Minister under sections 4A(1) and 15 of the Protection of Human Rights Act

- 1. These regulations may be cited as the **Protection of Human Rights (Application to Human Rights Division for Enquiry) (Prescribed Form) Regulations 2015**.
- In these regulations —"Act" means the Protection of Human Rights Act.
- **3.** For the purpose of section 4A (1) of the Act, an application to the Human Rights Division shall be made in the form set out in the Schedule.
- **4.** These regulations shall come into operation on 1 April 2015.

Made by the Minister on 13 March 2015.

SCHEDULE

[Regulation 3]

NATIONAL HUMAN RIGHTS COMMISSION

APPLICATION TO THE HUMAN RIGHTS DIVISION FOR ENQUIRY

(Section 4A (1) of the Protection of Human Rights Act)

(To be completed in English, French or Creole language, giving maximum information, and signed by the convicted person or his representative. If you are a detainee and you require any assistance to complete this application form, please contact the Prisons Welfare Officer)

1.	PARTICULARS OF CONVICTED PERSON		
	Name		
	Surname		
	Title (Mr/Mrs/Miss/Ms)		
	Date of Birth		
	National Identity Card no		
	Is the convicted person presently in prison? Yes \(\square\) No \(\square\)		
	If yes —		
	(a) what is the name of the prison?		
	(b) when is the convicted person due to be released?		
	If not in prison, where is the convicted person?		
	Telephone no		
	Email address		
2.	PARTICULARS OF REPRESENTATIVE OF CONVICTED PERSON (IF ANY)		
	Name		
	Surname		
	Title (Mr/Mrs/Miss/Ms)		
	National Identity Card no		
	Telephone no		

	Email address
	Profession/occupation
	Relationship with the convicted person (i.e lawyer/relative/ friend/other relation)
3.	DETAILS OF THE CASE OF THE CONVICTED PERSON
	(Application may only be made in relation to a conviction before the Supreme Court)
	Name of case
	Cause no
	Offence for which convicted
	Date of conviction
	Date of sentence
	What sentence was given to the convicted person?
	Did the convicted person plead: Guilty Not Guilty
	Is a copy of the judgment available? Yes No
	(If yes, please attach same to the application form)
	If convicted with other persons, what are their names (if known)?
	Did the convicted person have a lawyer? Yes ☐ No ☐
	If yes, who was the lawyer?

When was the offence allegedly committed 7

	Please give information about the case/offence for which convicted (please write on a
	separate sheet of paper of need be)
4.	APPEAL/APPLICATION FOR REVIEW TO COURT OF CRIMINAL APPEAL
	Has the convicted person appealed to the Court of Criminal Appeal? Yes No
	If yes, when?
	What did the Court of Criminal Appeal decide?
	Has the convicted person applied to the Court of Criminal Appeal for a review of the
	proceedings relating to the conviction? Yes No
	If yes, when?
	Did the Court of Criminal Appeal review the proceedings relating to the conviction?
	Yes No

	If yes, what did the Court of Criminal Appeal decide? (please attach a copy of judgment, if available)
5.	APPLICATION TO HUMAN RIGHTS DIVISION
	Has the convicted person applied to the Human Rights Division in relation to the same case before? Yes No
	If yes, when?
	Is there evidence which was not given in Court at the trial of the offence? Yes No
	If yes, what evidence? (please write on a separate sheet of paper, if need be)
Wh	y was the evidence not given in Court at the trial of the offence? (please write on a separate
she	et of paper, if need be)

be)	tant is this evidence for a retrial? (please write on a separate sheet of paper, if need
contact in r	y person (lawyer/relative/friend/other person) whom the Human Rights Division may relation to your application? Yes No See give his/her name
	ny person (lawyer/relative/friend/other person) who has information/documents in your application/case? Yes No
If yes, plea	se give his/her/their —
(a) r	name
(b) r	phone no
(c) 6	email address
(d) (other contact details
Signature /	thumbprint of convicted person/ Date
	representative*

* Please delete as appropriate