

SCHEDULE

THE CONSTITUTION OF ST HELENA, ASCENSION AND TRISTAN DA CUNHA

CHAPTER 3

TRISTAN DA CUNHA

PART 2

FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUAL

Protection for private and family life and for privacy of home and other property

195.—(1) Every person shall have the right to respect for his or her private and family life, his or her home and his or her correspondence or other means of communication, and, except with his or her own free consent, no person shall be subjected to the search of his or her person or property or the entry by others on his or her premises.

(2) Nothing contained in or done under the authority of any law shall be held to breach this section to the extent that the law in question is necessary in a democratic society—

- (a) in the interests of defence, public safety, public order, public morality, public health, town and country planning, the development of mineral resources, or the development or use of any other property in such a manner as to promote the public benefit;
- (b) to protect the rights and freedoms of other persons;
- (c) to enable an officer or agent of the Government of Tristan da Cunha or any public authority to enter on the premises of any person in order to inspect those premises or anything on them for the purpose of any tax, rate or due or in order to carry out work connected with any property that is lawfully on those premises and that belongs to the Government of Tristan da Cunha or that public authority;
- (d) to authorise, for the purpose of enforcing the judgment or order of a court, the search of any person or property by order of a court or the entry upon any premises by such order; or
- (e) for the purpose of preventing or detecting breaches of the criminal, customs or immigration law.