



**CONSTITUTIONAL POSTS (SPECIAL PENSION)  
ACT, 2014**

*(Act 21 of 2014)*

*I assent*

A handwritten signature in black ink, appearing to read "Michel".

J. A. Michel  
President

*28th October, 2014*



**AN ACT to provide for special pension to be paid to a person, who has held any Constitutional post after independence and prior to the 21st day of June, 1993 under any previous Constitution, which is equivalent to a Constitutional post under the present Constitution.**

**ENACTED** by the President and the National Assembly.

1.(1) This Act may be cited as the Constitutional Posts (Special Pension) Act, 2014.

Short title and commencement

(2) It shall come into operation on the 1st day of January, 2015.

## Interpretation

2. In this Act, unless the context otherwise requires —

- (a) “Constitutional post” means a post included in the Schedule to this Act;
- (b) “equivalent Constitutional post” means a post under any previous Constitution which is equivalent to a Constitutional post;
- (c) “present Constitution” means the Constitution of the Republic of Seychelles promulgated on the 21st June, 1993;
- (d) “previous Constitution” means the Constitution of Seychelles set out in Schedule I to the Seychelles Independence Order, 1976 or the Constitution of the Republic of Seychelles set out in the Schedule to the Constitution of the Republic of Seychelles Decree, 1979;
- (e) “relevant person” means a person who has held an equivalent Constitutional post after independence and prior to the 21st June, 1993 pursuant to any previous Constitution;
- (f) “salary band” means a salary band specified in the Public Service Salary Table under the First Schedule to the Public Service Salary Act, 2013.

3.(1) With effect from the date of the commencement of this Act, there shall be paid to a relevant person a monthly pension payable in arrears in accordance with the provisions of this Act.

(2) The pension under subsection (1) shall be of an amount equal to the pension of a person holding office of a

Constitutional post under the Constitution promulgated on the 21st June, 1993, which is equivalent to a post under any previous Constitutions, based on the salary that person would have earned in the respective salary band depending on the number of years the person would have held the office in that equivalent Constitutional post as such on the date of the commencement of the Public Service Salary Act, 2013.

Act 25 of 2013

(3) No pension shall be payable to a relevant person under subsection (1) unless —

- (a) the person has served a minimum aggregate period of 48 months in one or more of the equivalent Constitutional post prior to the commencement of the present Constitution; and
  - (b) the person ceased to hold office as such on expiry of the term of office or on the commencement of the present Constitution.
- (4) The pension payable to a relevant person under subsection (1) shall —
- (a) be suspended during any period the relevant person takes up a post in the public service of Seychelles; and
  - (b) not affect in any way the right to a pension that a relevant person may have contributed to the Seychelles Pension Fund in accordance with the Seychelles Pension Fund Act, 2005 or any other pension under any other written law.

(5) A relevant person shall draw only one pension, at any given time, which is the highest that relevant person is entitled to.

Special pension

Act 8 of 2005

S.I. No. 46 of 1976  
(1976 No. 894)

Decree No. 13  
of 1979

Act 25 of 2013

Pension to be  
charge on  
Consolidated  
Fund

4. The pension under this Act shall be a charge on the Consolidated Fund.

### SCHEDULE

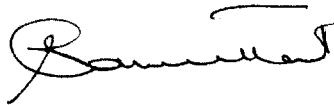
[Section 2(a)]

#### CONSTITUTIONAL POSTS UNDER THE PRESENT CONSTITUTION

(Which may be equivalent to a post under any previous Constitution)

1. President of the Republic.
2. Vice-President of the Republic.
3. Speaker of the National Assembly.
4. Chief Justice of the Supreme Court.
5. President of the Court of Appeal.
6. Designated Minister.
7. Ministers.
8. Attorney General.
9. Leader of the Government Business in the National Assembly.
10. Leader of the Opposition in the National Assembly.
11. Justices of the Court of Appeal.
12. Judges of the Supreme Court.
13. Deputy Speaker of the National Assembly.
14. Members of the National Assembly.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 14th October, 2014.



Ms. Shelda Commettant  
Acting Clerk to the National Assembly