



OFFICIAL GAZETTE

REPUBLIC OF SEYCHELLES

EXTRAORDINARY

Published by Authority of the Government

Vol. XLVI

Friday 8th April 2022

No. 21

TABLE OF CONTENTS

GENERAL NOTICES

Gazette Notice No. 366 of 2022 are published by Order.

GAZETTE SUPPLEMENT

Gazette	Description	Price
21	Statute Law Revision (Miscellaneous Amendments) Bill, 2022 (Bill No. 5 of 2022)	44.00
	Tertiary Education (Amendment) Act, 2022. (Act 5 of 2022)	36.00

GENERAL NOTICE

No. 366 of 2022

Digitization and Publication of Gazette*(Section 7)***Index of all Acts published in the Gazette***(1st January, 2021 - 31st December 2021)*

Act No.	Title of Act	Date		Publication in Official Gazette		Comments
		Assent by the President	Passed by the National Assembly	Gazette No.	Date Published	
1/2021	Civil Code of Seychelles Act, 2020	23/11/2020	04/08/2020	1/2021	04/01/2021	This Act repealed the Civil Code of Seychelles Act, 1976 (Cap. 33). This Act required a commencement notice which was published in the Gazette; please see S.I. 44 of 2021. Civil Code of Seychelles (Consequence of Enactment) Act, 2021 (Act 24 of 2021) is relevant to this Act. Further, this Act is amended by Act 25 of 2021.
2/2021	Business Tax (Amendment) Act, 2020	28/12/2020	11/12/2020	2/2021	06/01/2021	This Act required a commencement notice which commencement notice which please see S.I. 78 of 2021.
3/2021	Public Health (Amendment) Act, 2021	02/02/2021	28/01/2021	11/2021	05/02/2021	
4/2021	Extradition (Amendment) Act, 2021	05/03/2021	02/03/2021	18/2021	05/03/2021	
5/2021	Mutual Assistance in Criminal Matters (Amendment) Act, 2021	05/03/2021	02/03/2021	18/2021	05/03/2021	
6/ 2021	Beneficial Ownership (Amendment) Act, 2021	05/03/2021	02/03/2021	18/2021	05/03/2021	
7/2021	Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Act, 2021	05/03/2021	02/03/2021	18/2021	05/03/2021	This Act is subject to CORRIGENDUM in serial number 2(q), for "67(1)(d)" read "67(1)(b)" as per Gazette Notice No. 189 of 2021, Gazette No. 24, Vol. XLVI.

8/2021	Prevention of Terrorism (Amendment) Act, 2021	05/03/2021	05/03/2021	18/2021	05/03/2021	The Act makes consequential amendments to – (a) section 55 of the of the Anti-Money Laundering and Countering the Financing of Terrorism Act; and (b) section 153B of the Criminal Procedure Code. This Act is further amended by Act 64 of 2021.
9/2021	International Trust (Amendment) Act, 2021	05/03/2021	05/03/2021	18/2021	05/03/2021	This Act will be repealed when the Trust Act, 2021 (Act 34 of 2021) comes into operation.
10/2021	Proceed of Crime (Civil Confiscation) Act, 2021	01/04/2021	31/03/2020	28/2021	01/04/2021	
11/2021	Appropriation Act, 2021	16/04/2021	13/04/2021	32/2021	20/04/2021	
12/2021	Corporate Social Responsibility (Repeal) Tax 2021	16/04/2021	13/04/2021	32/2021	20/04/2021	The Act repealed the Corporate Social Responsibility Act, 2013.
13/2021	Enterprise Seychelles Agency (Amendment) Act 2021	16/04/2021	13/04/2021	32/2021	20/04/2021	
14/2021	Industrial Estates Authority (Amendment) Act 2021	16/04/2021	13/04/2021	32/2021	20/04/2021	
15/2021	Seychelles Investment (Amendment) Act 2021	16/04/2021	14/04/2021	32/2021	20/04/2021	
16/2020	Seychelles Bureau Standards (Amendment) Act 2021	16/04/2021	14/04/2021	32/2021	20/04/2021	
17/2020	Public Officers Ethics (Amendment) Act	16/04/2021	14/04/2021	32/2021	20/04/2021	
18/2020	National Institute of Science Technology (Repeal) Act 2021	16/04/2021	14/04/2021	32/2021	20/04/2021	This Act repealed the National Ins titute for Science, Technology and Innovation Act, 2014.
19/2020	Anti-Corruption (Amendment) Act 2021	16/04/2021	15/04/2021	32/2021	20/04/2021	The Anti -Corruption Act is further amended by Act 39 of 2021 and Act 58 of 2021

20/2021	Seychelles Tourism Board (Repeal) Act, 2021	24/06/2021	22/06/2021	48/2021	28/06/2021	This Act repealed the Seychelles Tourism Board Act, Cap. 223
21/2021	Central Bank of Seychelles (Amendment) Act, 2021	24/06/2021	22/06/2021	48/2021	28/06/2021	
22/2021	Revenue Administration (Amendment) Act, 2021	24/06/2021	22/06/2021	48/2021	28/06/2021	
23/2021	Curatelle Act, 2021	28/06/2021	23/06/2021	48/2021	28/06/2021	This Act repealed and replaced the Curatelle Act, Cap. 55. This Act came into operation on the same date as the Civil Code of Seychelles Act, 2020.
24/2021	Civil Code of Seychelles (Consequence of Enactment) Act, 2021	28/06/2021	23/06/2021	48/2021	28/06/2021	This Act— (a) repeals sections 34(b) and 40 to 79 of the Civil Status Act; (b) makes several consequential amendments to the Commercial Code Act; (c) repeals sections 5, 6 and 7 of the Delineation and Classification of the Domaine Public Act; (d) makes consequential amendments to sections 22 and 57 of the Interpretation and General Provisions Act (e) repeals section 82 of the Mortgage and Registration Act; (f) inserts sections 19, 20, 21, 22, 23 and 24 in the Presumption of Deaths Act; (g) amends section 219 of the Seychelles Code of Civil Procedure; (h) repeals the following laws namely: the Age of Majority Act; Domicile Act; Insurance Policies Act; Matrimonial Causes Act; and Status of Married Women Act.

25/2021	Civil Code of Seychelles (Amendment) Act, 2021	28/06/2021	23/06/2021	48/2021	28/06/2021	
26/2021	Criminal Offences (Standard Scale of Fines) Act, 2021	15/07/2021	07/07/2021	52/2021	16/07/2021	This law changed the monetary fines in several enactments.
27/2021	Trade of Wild Fauna and Flora Act, 2021	15/07/2021	07/07/2021	52/2021	16/07/2021	
28/2021	Agency for Social Protection (Amendment) Act, 2021	23/07/2021	14/07/2021	58/2021	27/07/2021	
29/2021	Statute Law Revision (Miscellaneous Amendments) Act, 2021	23/07/2021	14/07/2021	58/2021	27/07/2021	This Act– (a) repeals the Ministers (Number) Decree; (b) makes several amendments to following laws, namely: Statute Law Revision Act; In terpretation and General Provisions Act; Official Oaths Act; Public Persons (Declaration of Assets, Liabilities and Business Interests) Act; and the Political Parties (Registration and Regulations) Act.
30/2021	Firearms and Ammunition (Amendment) Act, 2021	23/07/2021	21/07/2021	58/2021	27/07/2021	This Act makes a consequential amendment to section 84 of the Penal Code
31/2021	Limited Partnership (Amendment) Act, 2021	05/08/2021	27/07/2021	61/2021	06/08/2021	
32/2021	International Business Companies (Amendment) Act, 2021	05/08/2021	27/07/2021	61/2021	06/08/2021	This Act is amended by the International Business Companies Act and Other Related Laws (Amendment) Act, 2021
33/2021	Foundations (Amendment) Act, 2021	05/08/2021	27/07/2021	61/2021	06/08/2021	This Act is amended by the International Business Companies Act and Other Related Laws (Amendment) Act, 2021
34/2021	Trust Act, 2021	05/08/2021	28/07/2021	61/2021	06/08/2021	The Act repeals International Trusts Act, Cap. 276 This Act requires a commencement notice and as of 31 December, 2021 no commencement notice has been published in the Gazette. Further, this Act is amended by the International Business Companies Act and Other Related Laws (Amendment) Act, 2021

35/2021	Companies (Special Licences) (Amendment) Act, 2021	05/08/2021	28/07/2021	61/2021	06/08/2021	
36/2021	International Corporate Service Providers (Amendment) Act, 2021	05/08/2021	28/07/2021	61/2021	06/08/2021	
37/2021	Public Procurement (Amendment) Act, 2021	12/08/2021	03/08/2021	63/2021	12/08/2021	
38/2021	Employment (Amendment) Act, 2021	16/09/2021	08/09/2021	69/2021	16/09/2021	This Act required a commencement notice which was published in the Gazette; please see S.I. 97 of 2021.
39/2021	Anti-Corruption (Amendment) (No.2) Act, 2021	30/09/2021	21/09/2021	73/2021	30/09/2021	
40/2021	Public Persons (Declaration of Assets, Liabilities and Business Interests) (Amendment) Act, 2021	30/09/2021	21/09/2021	73/2021	30/09/2021	This Act required a commencement notice which was published in the Gazette; please see S.I. 89 of 2021.
41/2021	Prevention of Drug Abuse and Rehabilitation Agency (Repeal) Act, 2021	11/10/2021	29/09/2021	77/2021	15/10/2021	This Act repealed the Prevention of Drugs Abuse and Rehabilitation Agency Act (Act No.13 of 2017).
42/2021	Penal Code (Amendment) Act, 2021	19/10/2020	06/10/2021	79/2021	22/10/2021	
43/2021	Seychelles National Institute for Culture, Heritage and the Art Act, 2021	23/10/2021	20/10/2021	83/2021	02/11/2021	This Act establishes the Seychelles National Institute for Culture, Heritage and Arts. Further this Act repeals the following laws, namely: (a) the Creole Institute of Seychelles Act, 2014 (Act 12 of 2014); (b) the National Arts Council of Seychelles Act (Cap 136); (c) the Seychelles Heritage Foundation Act (Cap 315); (d) the Creative Industries and National Events Agency act (Act 17 of 2016); (e) the National Monuments Board Act 1980 (Cap 140); (f) Seychelles Archives Act (Cap 211); (g) the National Library Services Act (Cap 296).

44/2021	The Truth Reconciliation and National Unity Commission (Amendment) Act, 2021	04/11/2021	27/10/2021	84/2021	04/11/2021	
45/2021	Civil Status (Amendment) Act, 2021	04/11/2021	13/10/2021	85/2021	08/11/2021	This Act requires a commencement notice and as of 31 December, 2021 no commencement notice has been published in the Gazette. Further, this Act makes a consequential amendment to the Social Security Act
46/2021	Unemployment Relief Scheme (Repeal) Act 2021	04/11/2021	20/10/2021	85/2021	08/11/2021	This Act repealed the Unemployment Relief Scheme Act, Cap 243.
47/2021	Inquest into Death Act, 2021	08/11/2021	13/10/2021	85/2021	08/11/2021	This Act requires a commencement notice and as of 31 December, 2021 no commencement notice has been published in the Gazette.
48/2021	Access to Information (Amendment) Act 2021	05/11/2021	12/10/2021	86/2021	12/11/2021	
49/2021	Statute Law Revision (Miscellaneous Amendments) (No.2) Act, 2021	08/11/2021	27/10/2021	86/2021	12/11/2021	This Act— (a) repeals the Detention Review Tribunal Decree and the Peace Officers (Inner Islands and Outlying Islands) Act, respectively; (b) makes several amendments to following laws, namely: Criminal Procedure Code; Courts Act; Court Fees (Supreme Court) and Costs Act; Witness Tariff Act; Commissions of Inquiry Act; Misuse of Drugs Act; Computer Misuse Act; Genocide Act 1969 (Overseas Territories) Order 1970; Prohibition of Trafficking in Persons Act; Prisons Act; Probation of Offenders Act; Rehabilitation of Offenders Act; Defence Act; Defence Force (Offences) Act; Preservation of Public Security Act; Public Assembly Act; Explosives Act; Explosions Act; Protected Areas Act.

50/2021	Minor Offences (Fixed Penalties) (Amendment) Act 2021	08/11/2021	02/11/2021	86/2021	12/11/2021	
51/2021	Companies and Associations (Interim Measures) Act, 2021	08/11/2021	02/11/2021	86/2021	12/11/2021	This Act expires on 31 July 2022 unless extended by the National Assembly. Further, this Act makes consequential amendments to the Companies Act.
52/2021	Seychelles Agricultural Agency (Repeal) Act 2021	23/11/2021	09/11/2021	89/2021	26/11/2021	This Act repealed the Seychelles Agricultural Agency Act, Cap 309, and makes consequential amendments to the Control and Protection of Dogs Act, 2019 and the Animal and Plant, Biosecurity Act, 2014, respectively.
53/2021	Seychelles National Youth Council (Amendment) Act 2021	23/11/2021	10/11/2021	89/2021	26/11/2021	
54/2021	Employment (Suspension of Thirteenth Month Pay) Act 2021	23/11/2021	10/11/2021	89/2021	26/11/2021	
55/2021	Physical Planning Act 2021	25/11/2021	03/11/2021	92/2021	07/12/2021	The Act repeals the Town and Country Planning Act, Cap. 237 This Act requires a commencement notice and as of 31 December, 2021 no commencement notice has been published in the Gazette. Further, this Act makes a consequential amendment to the Land Survey Act.
56/2021	Seychelles Infrastructure Agency Act 2021	25/11/2021	09/11/2021	92/2021	07/12/2021	
57/2021	Seychelles Qualifications Authority Act 2021	25/11/2021	10/11/2021	92/2021	07/12/2021	This Act repeals the Seychelles Qualifications Authority Act, Cap 323. This Act requires a commencement notice and as of 31 December, 2021 no commencement notice has been published in the Gazette.

58/2021	Anti-Corruption (Amendment) (No.3) Act, 2021	15/12/2021	10/11/2021	97/2021	16/12/2021	
59/2021	Cybercrimes and other Related Crimes Act, 2021	15/12/2021	22/11/2021	98/2021	20/12/2021	This Act repeals the Computer Misuse Act, Cap 254. This Act requires a commencement notice and as of 31 December, 2021 no commencement notice has been published in Gazette.
60/2021	Licences (Amendment) Act	16/12/2021	14/12/2021	98/2021	20/12/2021	
61/2021	Custody, Management and Disposal of Seized, Forfeited or Confiscated Properties Act, 2021	17/12/2021	14/12/2021	98/2021	20/12/2021	This Act requires a commencement notice and as of 31 December, 2021 no commencement notice has been published in the Gazette.
62/2021	Anti-Money Laundering and Countering the Financing of Terrorism (Second Amendment) Act, 2021	17/12/2021	15/12/2021	98/2021	20/12/2021	
63/2021	International Business Companies Act and Other Related Laws (Amendment) Act, 2021	17/12/2021	15/12/2021	98/2021	20/12/2021	This Act makes amendments to the International Business Companies Act; Foundations Act; Limited Partnerships Act; Trusts Act, 2021
64/2021	Prevention of Terrorism (Second Amendment) Act, 2021	17/12/2021	15/12/2021	98/2021	20/12/2021	
65/2021	Supplementary Appropriation Act, 2021	17/12/2021	15/12/2021	98/2021	20/12/2021	

Index of all Bills published in the Gazette

(1st January, 2021 - 31st December 2021)

Bill No.	Title of Bill	Publication in Official Gazette	
		Gazette No.	Date published
1/2021	Public Health (Amendment) Bill, 2021	8/2021	27/01/2021
2/2021	Appropriation Bill, 2021	9/2021	27/01/2021
3/2021	Extradition (Amendment) Bill, 2021.	14/2021	22/02/2021
4/2021	Mutual Assistance in Criminal Matters (Amendment) Bill, 2021	14/2021	22/02/2021
5/2021	Beneficial Ownership (Amendment) Bill, 2021	15/2021	24/02/2021
6/2021	Anti-Money Laundering and Countering the Financing of Terrorism (Amendment) Bill, 2021	15/2021	24/02/2021
7/2021	International Trusts (Amendment) Bill, 2021	17/2021	02/03/2021
8/2021	Prevention of Terrorism (Amendment) Bill, 2021	17/2021	02/03/2021
9/2021	Political Parties (Registration and Regulation) (Amendment) Bill, 2021	19/2021	06/03/2021
10/2021	Trade of Wild Fauna and Flora Bill, 2021	22/2021	10/03/2021
11/2021	Anti-Corruption (Amendment) Bill, 2021.	25/2021	24/03/2021
12/2021	Enterprise Seychelles Agency (Amendment) Bill, 2021.	25/2021	24/03/2021
13/2021	Industrial Estates Authority (Amendment) Bill, 2021.	25/2021	24/03/2021
14/2021	Public Officers' Ethics (Amendment) Bill, 2021.	25/2021	24/03/2021
15/2021	Seychelles Bureau of Standards (Amendment) Bill, 2021	25/2021	24/03/2021
16/2021	Seychelles Investment (Amendment) Bill, 2021	25/2021	24/03/2021
17/2021	Corporate Social Responsibility Tax (Repeal) Bill, 2021	26/2021	29/03/2021
18/2021	Proceeds of Crime (Civil Confiscation) (Amendment) Bill, 2021	26/2021	29/03/2021
19/2021	National Institute of Science, Technology and Innovation (Repeal) Bill, 2021	30/2021	12/04/2021
20/2021	Criminal Offences (Standard Scale of Fines) Bill, 2021	42/2021	01/06/2020
21/2021	Statute Law Revision (Miscellaneous Amendments) Bill, 2021	42/2021	01/06/2020
22/2021	Seychelles Tourism Board (Repeal) Bill, 2021	43/2021	08/06/2021
23/2021	Central Bank of Seychelles (Amendment) Bill, 2021	43/2021	08/06/2021
24/2021	Revenue Administration (Amendment) Bill, 2021	45/2021	15/06/2021
25/2021	Agency for Social Protection (Amendment) Bill, 2021	46/2021	17/06/2021
26/2021	Curatelle Bill, 2021	47/2021	21/06/2021
27/2021	Civil Code of Seychelles (Consequence of Enactment) Bill, 2021	47/2021	21/06/2021
28/2021	Civil Code (Amendment) Bill, 2021	47/2021	21/06/2021
29/2021	Firearms and Ammunition (Amendment) Bill, 2021	53/2021	19/07/2021
30/2021	Public Procurement (Amendment) Bill, 2021	54/2021	21/07/2021
31/2021	Trust Bill, 2021	56/2021	24/07/2021
32/2021	Limited Partnership (Amendment) 2021	56/2021	24/07/2021
33/2021	International Business Companies (Amendment) 2021	56/2021	24/07/2021

34/2021	Companies (Special Licenses) (Amendment) 2021	56/2021	24/07/2021
35/2021	Foundations (Amendment) Bill, 2021	56/2021	24/07/2021
36/2021	International Corporate Service Providers (Amendment) 2021	56/2021	24/07/2021
37/2021	Civil Status (Amendment) Bill, 2021	63/2021	12/08/21
38/2021	Inquest into Death Bill, 2021	63/2021	12/08/21
39/2021	Employment (Amendment) Bill, 2021	64/2021	17/08/21
40/2021	Anti-Corruption (Amendment) (No.2) Bill, 2021	67/2021	07/09/21
41/2021	Public Persons (Declaration of Assets, Liabilities and Business Interests) Bill, 2021	68/2021	13/09/21
42/2021	Penal Code (Amendment) 2021	69/2021	16/09/21
43/2021	Prevention of Drug Abuse and Rehabilitation Agency (Repeal) 2021	69/2021	16/09/21
44/2021	Miscellaneous (Repeal of Statutes) 2021	71/2021	22/09/21
45/2021	Statute Law Revision (Miscellaneous Amendments) (No.2) Act, 2021	72/2021	27/09/21
46/2021	Minor Offences (Fixed Penalties) (Amendment) Bill, 2021	73/2021	30/09/21
47/2021	Access to information (Amendment) Bill, 2021	74/2021	04/10/21
48/2021	Unemployment Relief Scheme (Repeal) Bill, 2021	74/2021	04/10/21
49/2021	The Cybercrimes and other related crimes 2021	75/2021	06/10/21
50/2021	Seychelles National Institute for Culture, Heritage and the Arts 2021	76/2021	11/10/21
51/2021	Companies and Associations (Interim Measures) Bill, 2021	77/2021	15/10/21
52/2021	Physical Planning Bill, 2021	79/2021	22/10/2021
53/2021	The Truth Reconciliation and National Unity Commission (Amendment) 2021	79/2021	22/10/2021
54/2021	Seychelles Infrastructure Agency Bill, 2021	81/2021	28/10/2021
55/2021	Seychelles National Youth Council (Amendment) Bill, 2021	81/2021	28/10/2021
56/2021	Employment (Suspension of Thirteenth Month Pay) 2021	81/2021	28/10/2021
57/2021	Seychelles Qualifications Authority Bill, 2021	81/2021	28/10/2021
58/2021	Seychelles Agricultural Agency (Repeal) Bill, 2021	82/2021	29/10/2021
59/2021	Appropriation Bill, 2022	83/2021	02/11/2021
60/2021	Communications Bill, 2021	87/2021	15/11/2021
61/2021	Tertiary Education (Amendment) Bill, 2021	89/2021	26/11/2021
62/2021	Nature Reserves and Conservancy Bill, 2021	90/2021	29/11/2021
63/2021	Anti-Money Laundering and Countering the Financing of Terrorism (Second Amendment) Bill, 2021	93/2021	09/12/2021
64/2021	Custody Management and Disposal of Seized Forfeited or Confiscated Properties Bill, 2021	93/2021	09/12/2021
65/2021	Licences (Amendment) Bill, 2021	93/2021	09/12/2021
66/2021	Prevention of Terrorism (Second Amendment) Bill, 2021	93/2021	09/12/2021
67/2021	The International Business Companies Act and Other Related Laws (Amendment) Bill, 2021	94/2021	10/12/2021
68/2021	Anti-Corruption (Amendment) (No.3) Bill, 2021	94/2021	10/12/2021
69/2021	Seychelles Parks and Gardens Authority Bill, 2021	94/2021	10/12/2021
70/2021	Supplementary Appropriation Bill, 2021	96/2021	14/12/2021

Index of all S.I. published in the Gazette

(1st January, 2021 - 31st December 2021)

S.I. No.	Title of Subsidiary Legislation	Publication in Official Gazette		Particulars
		Gazette No.	Date Published	
1/2021	International Trade Zone (Declaration of Zone) (Revocation) Notice, 2021	4/2021	18/01/2021	This S.I. repealed the International Trade Zone (Declaration of Zone) Notice, 2013 (S.I. 62 of 2013)
2/2021	Broadcasting and Telecommunications (Records of Customers of Prepaid Mobile Services by Operators of Public Land Mobile Network) (Amendment) Regulations, 2021	6/2021	25/01/2021	
3/2021	7% 3 year Treasury Bond Debt Order, 2021	6/2021	25/01/2021	
4/2021	8% 5 year Treasury Bond Debt Order, 2021	6/2021	25/01/2021	
5/2021	10% 7 year Treasury Bond Debt Order, 2021	6/2021	25/01/2021	
6/2021	Value Added Tax (Amendment of First Schedule) Regulations, 2021	7/2021	26/01/2021	
7/2021	Licences (Miscellaneous Services) (Amendment) Regulations, 2021	7/2021	26/01/2021	
8/2021	Environment Protection (Ozone) (Amendment) Regulations, 2021	7/2021	26/01/2021	
9/2021	Environment Protection (Environmental Levies) (Amendment) Regulations, 2021	7/2021	26/01/2021	
10/2021	Privileges and Immunities of Dignitaries Order, 2021	10/2021	01/02/2021	This S.I. repealed the Privileges and Immunities of Dignitaries Order, 2020. Further, this S.I. was amended by S.I. 96 of 2021.
11/2021	Public Health (Infectious Disease) (Mandatory Wearing of Face Masks) (Amendment) Regulations, 2021	12/2021	08/02/2021	
12/2021	Public Health (Infectious Disease) (Amendment) Regulations, 2021	12/2021	08/02/2021	
13/2021	Public Health (Fixed Penalties) Regulations, 2021	12/2021	08/02/2021	This S.I. was amended by S.I. 23 of 2021.
14/2021	Public Health (Emergency Use Authorisation of Vaccines and Medical Products) Regulations, 2021	15/2021	24/02/2021	This S.I. was amended by S.I. 25 of 2021 and S.I. 73 of 2021
15/2021	Al Salam Bank Seychelles Ltd. Debt Guarantee Order, 2021	17/2021	02/03/2021	
16/2021	Bank of Baroda Debt Guarantee Order, 2021	17/2021	02/03/2021	
17/2021	Bank of Ceylon Debt Guarantee Order, 2021	17/2021	02/03/2021	
18/2021	Mauritius Commercial Bank (Seychelles) Ltd. Debt Guarantee Order, 2021	17/2021	02/03/2021	
19/2021	Seychelles Commercial Bank Ltd. Debt Guarantee Order, 2021	17/2021	02/03/2021	
20/2021	Seychelles International Mercantile Banking Corporation Ltd. (Trading as Nouvobanq) Debt Guarantee Order, 2021	17/2021	02/03/2021	

21/2021	Prevention of proliferation financing Regulations, 2021	18/2021	05/03/2021	This S.I. is subject of a CORRIGENDU Min regulation 7, for "United national Security Council Resolution" read "United Nations Security Council Resolution" as per Gazette Notice 150 of 2021, Gazette No. 20 of 8th March, 2021 (Vol. XLVI).
22/2021	Prevention of Terrorism (Implementation of United Nations Security Council Resolutions on Suppression of Terrorism) (Amendment) Regulations, 2021	18/2021	05/03/2021	
23/2021	Public Health (Fixed Penalties) (Amendment) Regulations, 2021	19/2021	06/03/2021	
24/2021	Broadcasting and Telecommunication (Per-second Billing by Operators of Public Land Mobile Network) Regulations, 2021	20/2021	08/03/2021	This S.I. was amended by S.I. 101 of 2021.
25/2021	Public Health (Emergency Use Authorisation of Vaccines and Medical Products) (Amendment) Regulations, 2021	21/2021	09/03/2021	
26/2021	Mental Health Care Act, 2020 (Commencement) Notice, 2021	24/2021	22/03/2021	
27/2021	Business Tax (Amendment of First Schedule) Regulations, 2021	27/2021	31/03/2021	
28/2021	Control and Protection of Dogs Act (Commencement) Notice, 2021	27/2021	31/03/2021	
29/2021	Control and Protection of Dogs Regulations, 2021	27/2021	31/03/2021	
30/2021	Seychelles Pension Fund (Benefits) (Amendment) Regulations, 2021	31/2021	19/04/2021	This S.I. is amended by S.I. 109 of 2021.
31/2021	Food (Temperature Control) Regulations, 2021	31/2021	19/04/2021	
32/2021	Excise Tax (Amendment of Schedule 1) Regulations, 2021	34/2021	23/04/2021	
33/2021	Secured Transactions (Filing of Notice of Security Interest) Regulations, 2021	34/2021	23/04/2021	
34/2021	Secured Transactions Act, 2015 (Commencement) Notice, 2021	34/2021	23/04/2021	
35/2021	Central Bank (Purchasable Aggregate Value of Government Securities) Notice, 2021	34/2021	23/04/2021	
36/2021	Tourism Development Act (Commencement Notice), 2021	36/2021	27/04/2021	
37/2021	Constitutional Court (Application, Contravention, Enforcement or Interpretation of the Constitution) (Amendment) Rules, 2021	38/2021	10/05/2021	
38/2021	Revenue Administration (Filling of Business Activity Statement) (Amendment) Regulations, 2021	40/2021	24/05/2021	
39/2021	Birds' Eggs (Collection) (Amendment) Regulations, 2021	42/2021	01/06/2021	
40/2021	Environment Protection (Ozone) (Amendment) (No.2) Regulations, 2021	45/2021	15/06/2021	

41/2021	Land Reclamation Act, 2021	48/2021	28/06/2021	
42/2021	Transfer and Delegation of Statutory Functions (Land Reclamation Act) Order 2021	48/2021	28/06/2021	
43/2021	International Bank for Reconstruction and Development (COVID-19 Crisis Response Emergency Development Policy Loan) Debt Order, 2021	48/2021	28/06/2021	
44/2021	Civil Code of Seychelles Act, 2020 (Commencement) Notice, 2021	48/2021	28/06/2021	
45/2021	Revenue Administration (Conditions for remission of interest and additional tax) Regulations, 2021	49/2021	30/06/2021	
46/2021	National Parks and Nature Conservancy Act – Ile du Sud Poivre Atoll as a National Park	52/2021	16/07/2021	
47/2021	National Park and Nature Conservancy Act – St Francois Atoll Terrestrial Special Reserve	52/2021	16/07/2021	
48/2021	National Park and Nature Conservancy Act – Banc de Sable – Farquhar Atoll Special Reserve	52/2021	16/07/2021	
49/2021	National Park and Nature Conservancy Act – Ile du Sud – Farquhar Atoll National Park	52/2021	16/07/2021	
50/2021	National Park and Nature Conservancy Act – Ile du Sud Farquhar Atoll National Park	52/2021	16/07/2021	
51/2021	Wild Animals and Birds Protection (Bronze Gecko) Regulations 2021	52/2021	16/07/2021	
52/2021	Wild Animals and Birds Protection (Archaius Chameleon) Regulations, 2021	52/2021	16/07/2021	
53/2021	Employment Act (Exemption) Order 2021	54/2021	21/07/2021	
54/2021	Financial Services Authority (Exemption) Notice 2021	54/2021	21/07/2021	
55/2021	National Park and Nature Conservancy Act – Ile du Sud-Poivre Atoll as a National Park	55/2021	23/07/2021	
56/2021	National Park and Nature Conservancy Act – St Francois Atoll Terrestrial Special Reserve	55/2021	23/07/2021	
57/2021	National Park and Nature Conservancy Act – Banc de Sable Farquhar Atoll Special Reserve	55/2021	23/07/2021	
58/2021	National Park and Nature Conservancy Act – Ile du Sud-Farquhar Atoll National Park	55/2021	23/07/2021	
59/2021	National Park and Nature Conservancy Act – Ile Aux Goelettes – Farquhar Atoll Special Reserve	55/2021	23/07/2021	

60/2021	National Park and Nature Conservancy Act – Ile du Sud-Poivre Atoll as a National Park	59/2021	30/07/2021	
61/2021	National Park and Nature Conservancy Act – St Francois Atoll Terrestrial Special Reserve	59/2021	30/07/2021	
62/2021	National Park and Nature Conservancy Act – Banc de Sable Farquhar Atoll Special Reserve	59/2021	30/07/2021	
63/2021	National Park and Nature Conservancy Act – Ile du Sud-Farquhar Atoll National Park	59/2021	30/07/2021	
64/2021	National Park and Nature Conservancy Act – Ile Aux Goelettes – Farquhar Atoll Special Reserve	59/2021	30/07/2021	
65/2021	Fisheries (Aquaculture) Regulations, 2020 (Commencement) Notice 2021	59/2021	30/07/2021	
66/2021	Delegation of Statutory Functions (State Land and River Reserves Act) (Amendment) Order, 2021	59/2021	30/07/2021	
67/2021	Revenue Administration (Common Reporting Standard) (Amendment) Regulations, 2021	61/2021	06/08/2021	
68/2021	Revenue Administration (Common Reporting Standard) (Amendment) (No.2) Regulations, 2021	61/2021	06/08/2021	
69/2021	Customs Management (Exemptions for persons with Disabilities) Regulations, 2021	62/2021	09/08/2021	
70/2021	Excise Tax (Exemptions for persons with Disabilities) Regulations, 2021	62/2021	09/08/2021	
71/2021	Value Added Tax (Amendment of First Schedule) Regulations, 2021	62/2021	09/08/2021	
72/2021	Environment Protection (Prohibition of Balloons) Regulations, 2021	62/2021	09/08/2021	
73/2021	Public Health (Emergency Use Authorisation of Vaccines and Medical Products) (Amendment) (No.2) Regulations, 2021	62/2021	09/08/2021	
74/2021	Misuse of Drugs (Amendment of First Schedule) Regulations, 2021	63/2021	12/08/2021	
75/2021	Mental Health Care Tribunal (Rules and Procedure) Regulations, 2021	67/2021	07/09/2021	
76/2021	Income and Non-Monetary Benefits Tax (Amendment of Second Schedule) Regulations, 2021	68/2021	13/09/2021	
77/2021	Fisheries (Mahé Plateau Trap and Line Fishery) Regulations, 2021	68/2021	13/09/2021	This S.I. will come into operation on such date as the Minister of Fisheries may by Notice in the Gazette appoint.
78/2021	Business Tax (Amendment) Act (Commencement) Notice, 2021	69/2021	16/09/2021	
79/2021	Business Tax (Amendment of Eleventh Schedule) Regulations, 2021	69/2021	16/09/2021	

80/2021	5.75% 3 year Treasury Bond Debt Order, 2021	69/2021	16/09/2021	
81/2021	7% 5 year Treasury Bond Debt Order, 2021	69/2021	16/09/2021	
82/2021	8.25% 7 year Treasury Bond Debt Order, 2021	69/2021	16/09/2021	
83/2021	Defence (Amendment of Schedule) Regulations, 2021	69/2021	16/09/2021	
84/2021	Land Reclamation (Retrospective Authority) Order, 2021	72/2021	27/09/2021	
85/2021	Alcoholic Drinks Control (Removal of Moratorium for Issuance of Licences for Manufacturing Alcoholic Drinks) Notice, 2021	72/2021	27/09/2021	
86/2021	African Development Bank-Governance and Economic Reforms Support Program (GERSP) Debt Order, 2021	73/2021	30/09/2021	
87/2021	Beneficial Ownership Act (Compliance by Legal Persons and Legal Arrangements) Notice, 2021	73/2021	30/09/2021	
88/2021	Road Transport (Omnibus st Fares) (Amendment) Regulations, 2021	73/2021	30/09/2021	
89/2021	Public Persons (Declaration of Assets, Liabilities and Business Interests (Amendment) Act, 2021 (Commencement) Notice, 2021	73/2021	30/09/2021	
90/2021	Teachers Council of Seychelles regulations, 2021	73/2021	30/09/2021	This S.I. will come into operation on such date as the Minister of Fisheries may by Notice in the Gazette appoint.
91/2021	Interpretation and General Provisions (Change in Title of Public Office) (Revocation) Notice, 2021	74/2021	04/10/2021	
92/2021	Disaster Risk Management (Appointment of Director General) Order, 2021	74/2021	04/10/2021	
93/2021	Land Reclamation Authorisation, 2021	75/2021	06/10/2021	
94/2021	Notification of proposed reclamation at Cascade	75/2021	06/10/2021	
95/2021	Employment (Declaration of Distribution of Employment Benefits upon Death) Regulations, 2021	75/2021	06/10/2021	
96/2021	Privileges and Immunities of Dignitaries (Amendment of Schedule 1) Order, 2021	75/2021	06/10/2021	
97/2021	Employment (Commencement) Notice, 2021	78/2021	18/10/2021	
98/2021	Notification of proposed reclamation at Cascade	80/2021	26/10/2021	
99/2021	Environment Protection (Waste Services) Regulations, 2021	86/2021	12/11/2021	
100/2021	Land Reclamation Authorisation, 2021	98/2021	20/12/2021	
101/2021	Fisheries (Mahe Plateau Trap and Line Fishery) Regulations, 2020 (Commencement) Notice, 2021	99/2021	22/12/2021	
102/2021	Broadcasting and Telecommunication (Persecond Billing by Operators of Public Land Mobile Network) (Amendment) Regulations, 2021	99/2021	22/12/2021	

103/2021	Road Act (Public Roads) Proclamation, 2021	99/2021	22/12/2021	
104/2021	Licences (Broadcasting and Telecommunication) Regulations, 2021	101/2021	31/12/2021	This S.I. repeals the Licences (Broadcasting and Telecommunication) Regulations, 1988
105/2021	Minor Offences (Fixed Penalties) (Amendment) Regulations, 2021	101/2021	31/12/2021	
106/2021	Business Tax (Exemption of Tax to Farming Partnerships and Farming Entities) Order, 2021	101/2021	31/12/2021	This S.I. expires on 31 December 2023 unless extended by the Minister of Finance.
107/2021	Business Tax (Exemption of Tax to Individual Fishers and Individual Farmers) Order, 2021	101/2021	31/12/2021	This S.I. expires on 31 December 2023 unless extended by the Minister of Finance.
108/2021	Business Tax (Amendment of Schedules) Regulations, 2021	101/2021	31/12/2021	This S.I. repeals the Business Tax (Exemption of Tax to Individual Farmers and Fishermen) Order, 2019
109/2021	Seychelles Pension Fund (Benefits) (Amendment) (No.2) Regulations, 2021	101/2021	31/12/2021	

**STATUTE LAW REVISION (MISCELLANEOUS AMENDMENTS)
BILL, 2022**

(Bill No. 5 of 2022)

EXPLANATORY STATEMENT

In the preparation of the revised edition of the Laws of Seychelles, the Law Revision Commissioner, in consultation with the Attorney General and on the approval of the Cabinet of Ministers, considers it desirable for this Bill to be presented to the National Assembly. This Bill is being presented to the National Assembly pursuant to section 6 of the Statute Law Revision Act, Cap. 231.

This Bill seeks to amend the following laws —

1. **Disposal of Unclaimed Deposits Act, Cap. 65.** This Bill seeks to repeal this Act which allows the Principal Secretary for finance to transfer any sum of money in the Seychelles Savings Bank (now Seychelles Commercial Bank) to the General Revenues where the person who owns the money cannot be traced after the Principal Secretary has given one month's notice in the Gazette. Section 59 of the Financial Institutions Act, Cap. 79 sets out a more comprehensive and reasonable approach to dealing with abandoned property at Banks in Seychelles.
2. **Entertainment Tax Act, Cap. 70.** This Bill seeks to repeal this Act which imposes a tax on any exhibition, performance or amusement to which persons are admitted for payment of a fee. The Seychelles Revenue Commission does not implement this law because the tax is already captured under the Value Added Tax Act, Cap. 244.
3. **Seychelles Business Number Act, Cap. 311.** This Bill seeks to repeal this Act. The Business Numbers are no longer useful or efficient given that the businesses have a tax identification number.

-
4. **Customs Tariff Act, Cap. 56.** This Bill seeks to repeal this Act. The Customs Tariff Act has become archaic because all the matters this Act sought to address are now governed by regulations under the Customs Management Act.
 5. **Revenue Administration Act, Cap. 308.** The objectives of the amendments under this Bill are, amongst other things,
 - (a) to impose a penalty for dishonoured cheques;
 - (b) to update references to post titles.
 6. **Customs Management Act, 2011.** The objective of the proposed amendments under this Bill is to update references to post titles and delete references to any repealed enactment.

Dated this 4th day of April, 2022.

FRANK D.R. ALLY
ATTORNEY-GENERAL

**STATUTE LAW REVISION (MISCELLANEOUS AMENDMENTS)
BILL, 2022**

(Bill No. 5 of 2022)

ARRANGEMENT OF SECTIONS

**PART 1
PRELIMINARY**

Sections

1. Short title

**PART 2
DISPOSAL OF UNCLAIMED DEPOSITS ACT**

2. Repeal of Disposal of Unclaimed Deposits Act

**PART 3
ENTERTAINMENT TAX ACT**

3. Repeal of the Entertainment Tax Act

**PART 4
SEYCHELLES BUSINESS NUMBER ACT**

4. Repeal of the Seychelles Business Number Act

**PART 5
CUSTOMS TARIFF ACT**

5. Repeal of the Customs Tariff Act

**PART 6
REVENUE ADMINISTRATION ACT**

6. Revision of the Revenue Administration Act
7. Amendment of the principal Act
8. Amendment of section 2
9. Amendment of section 45A.
10. Amendment of section 47

11. Amendment of section 48
12. Amendment of section 49
13. Amendment of section 50
14. Amendment of section 51
15. Amendment of section 79
16. Amendment of section 83
17. Amendment of section 91

PART 7
CUSTOMS MANAGEMENT ACT

18. Revision of the Customs Management Act
19. Amendment of the principal Act
20. Amendment of section 261

**STATUTE LAW REVISION (MISCELLANEOUS AMENDMENTS)
BILL, 2022**

(Bill No. 5 of 2022)



**A BILL
FOR**

AN ACT TO MAKE AMENDMENTS TO CERTAIN ENACTMENTS AND TO REPEAL THE FOLLOWING ENACTMENTS: THE DISPOSAL OF UNCLAIMED DEPOSITS ACT, CAP. 65; THE ENTERTAINMENT TAX ACT, CAP. 70; THE SEYCHELLES BUSINESS NUMBER ACT, CAP. 311; AND THE CUSTOMS TARIFF ACT, CAP. 56.

ENACTED by the President and the National Assembly.

**PART 1
PRELIMINARY**

Short title

1. This Act may be cited as the Statute Law Revision (Miscellaneous Amendments) Act, 2022.

PART 2
DISPOSAL OF UNCLAIMED DEPOSITS ACT

Repeal of Disposal of Unclaimed Deposits Act

2. The Disposal of Unclaimed Deposits Act, Cap. 65, is repealed.

PART 3
ENTERTAINMENT TAX ACT

Repeal of the Entertainment Tax Act

3. The Entertainment Tax Act, Cap. 70, is repealed.

PART 4
SEYCHELLES BUSINESS NUMBER ACT

Repeal of the Seychelles Business Number Act

4. The Seychelles Business Number Act, Cap. 311, is repealed.

PART 5
CUSTOMS TARIFF ACT

Repeal of the Customs Tariff Act

5. The Customs Tariff Act, Cap. 56, is repealed.

PART 6
REVENUE ADMINISTRATION ACT

Revision of the Revenue Administration Act

6. In this Part, the “principal Act” means the Revenue Administration Act, Cap. 308.

Amendment of the principal Act

7. The principal Act is amended —
- (a) by repealing the words “Deputy Commissioner”, wherever they appear, and substituting therefor the words “Deputy Commissioner General”;

- (b) by repealing the words “Revenue Commissioner”, wherever they appear, and substituting therefor the words “Commissioner General”;
- (c) by repealing the word “GST”, wherever it appears, and substituting therefor the word “VAT”;
- (d) by repealing the words “Goods and Services Tax Act”, wherever they appear, and substituting therefor the words “Value Added Tax Act”.

Amendment of section 2

8. Section 2 of the principal Act is amended —

(a) by repealing the following definitions —

“(i) “Customs legislation”;

(ii) “GST”;

(iii) “Seychelles Business Number”

(iv) “trades tax”

(v) “Trades Tax Act””

(b) by inserting in the proper alphabetical order, the following definitions —

““customs legislation” means the Customs Management Act, 2011, and other legislation dealing with customs;

“trades tax” means any duties, taxes or levies imposed under the Customs Management Act, 2011;

“VAT” means the value added tax imposed under the Value Added Tax Act, 2013;”

Insertion of new section 45A.

9. The principal Act is amended by inserting immediately after section 45 the following as section 45A.

“Penalty for dishonoured cheque

45A.(1) Subject to subsection (2), any person who presents a cheque to the Commissioner General or the Government in payment of an amount due or owing under a revenue law that is not honoured by the bank shall be liable to pay an administrative penalty of SCR 500 in addition to any interest or additional tax under section 41 or 44.

(2) Subsection (1) shall not apply to the person who presents the cheque if the bank has been in error in failing to honour the cheque.”

Amendment of section 47

10. Section 47 of the principal Act is amended in subsection (1) by repealing the words “a fine no less than R 50, 000” and substituting therefor the words “a fine of level 4 on the standard scale”.

Amendment of section 48

11. Section 48 of the principal Act is amended by repealing the words “is guilty of an offence and on conviction is liable to a fine of no less than R 10, 000 for small businesses, no less than R 50, 000 for a medium business and no less than R 100, 000 for a large business” and substituting therefor the following —

“commits an offence and on conviction is liable as follows —

- (a) a fine of level 2 on the standard scale for a small business;
- (b) a fine of level 4 on the standard scale for a medium business; or
- (c) a fine of level 5 on the standard scale for a large business.”

Amendment of section 49

12. Section 49 of the principal Act is amended —

- (a) in subsection (1) by repealing the words “commits an offence and on conviction is liable to a fine of R 1, 000” and substituting therefor the words “shall pay a fixed administrative fine of SCR 1, 000 to the Commissioner General.”;
- (b) in subsection (2) by repealing the words “a fine of not less than R 10, 000 but not more than R 100, 000 and to imprisonment for not less than one month and not more than 12 months” and substituting therefor the words “a fine of level 3 on the standard scale or to a term of imprisonment not exceeding 2 years, or to both such fine and imprisonment.”;
- (c) in subsection (4) by repealing the words “commits an offence and on conviction is liable to a fine of R 1, 000” and substituting therefor the words “shall pay a fixed administrative fine of SCR 1, 000 to the Commissioner General.”;
- (d) in subsection (5) by repealing the words “a fine of not less than R50, 000 but not more than R 500, 000 or to imprisonment for not less than one month but not more than 12 months or to both such fine and imprisonment” and substituting therefor the words “a fine of level 5 on the standard scale or to a term of imprisonment not exceeding 3 years, or to both such fine and imprisonment.”
- (e) by inserting immediately after subsection (5) the following new subsection —

“(6) A person who refuses to pay the administrative fine under subsection (1) or (4) commits an offence and is liable on conviction to a fine of level 1 on the standard scale or to

a term of imprisonment not exceeding 3 months, or to both such fine and imprisonment.”

Amendment of section 50

13. Section 50 of the principal Act is amended by repealing the words “a fine no less than R 50, 000” and substituting therefor the words “a fine of level 4 on the standard scale”.

Amendment of section 51

14. Section 51 of the principal Act is amended by repealing the words “a fine of R 100, 000 or to imprisonment for not less than one month but not more than three months” and substituting therefor the words “a fine of level 3 on the standard scale or to a term of imprisonment not exceeding 2 years”.

Amendment of section 79

15. Section 79 of the principal Act is amended —

- (a) in subsection (1) by repealing the words “a fine of not less than R 50, 000 but not more than R 500, 000” and substituting therefor the words “a fine of level 2 on the standard scale or to a term of imprisonment not exceeding 6 months, or to both such fine and imprisonment”;
- (b) in subsection (2) by repealing the words “a fine of not less than R 50, 000 but not more than R 500, 000 and to imprisonment for not less than one month and not more than 24 months” and substituting therefor the words “a fine of level 3 on the standard scale or to a term of imprisonment not exceeding 2 years, or to both such fine and imprisonment”.

Amendment of section 83

16. Section 83(9) of the principal Act is amended by repealing the words “(other than the Trade Tax Act)” and substitute therefor the words “(other than the Customs Management Act)”.

Amendment of section 91

17. Section 91(3) of the principal Act is amended by repealing the words “a fine of not less than R 25, 000 but not more than R 250, 000 and to imprisonment for not less than one month but not more than 12 months” and substituting therefor the words “a fine of level 3 on the standard scale or to a term of imprisonment not exceeding 2 years, or to both such fine and imprisonment”

**PART 7
CUSTOMS MANAGEMENT ACT****Revision of the Customs Management Act**

18. In this Part, the “principal Act” means the Customs Management Act, 2011.

Amendment of the principal Act

19. The principal Act is amended —

- (a) by repealing the words “Revenue Commissioner”, wherever they appear, and substituting therefor the words “Commissioner General”;
- (b) by repealing the words “Assistant Commissioner of Customs”, wherever they appear, and substituting therefor the words “Commissioner of Customs”.

Amendment of section 261

20. Section 261 of the principal Act is amended by repealing the words “or the Customs Tariff Act”.

TERTIARY EDUCATION (AMENDMENT) ACT, 2022*(Act 5 of 2022)***ARRANGEMENT OF SECTIONS****Sections**

1. Short title and amendment of Act 12 of 2011
2. Commencement
3. Amendment of section 2
4. Amendment of Part 2 head note
5. Repeal of sections 3 and 4
6. Amendment of section 8
7. Amendment of section 11
8. Amendment of section 12
9. Amendment of section 13
10. Repeal of sections 16 and 17
11. Amendment of section 19
12. Amendment of section 21
13. Amendment of section 22
14. Amendment of section 27
15. Amendment of section 28
16. Amendment of section 29
17. Amendment of section 30
18. Amendment of section 33
19. Amendment of section 34
20. Amendment of section 37
21. Amendment of section 41
22. Amendment of section 42
23. Amendment of section 44
24. Repeal of Schedule
25. Continuation of employment
26. Transitional



TERTIARY EDUCATION (AMENDMENT) ACT, 2022

(Act 5 of 2022)



I assent

A handwritten signature in black ink, appearing to read 'Wavel'.

Wavel Ramkalawan
President

5th April, 2022

AN ACT TO AMEND THE TERTIARY EDUCATION ACT (ACT 12 OF 2011).

ENACTED by the President and the National Assembly.

Short title and amendment Act 12 of 2011

1. This Act may be cited as the Tertiary Education (Amendment) Act, 2022, and shall be read and construed as one with the Tertiary Education Act, Act 12 of 2011, which is hereinafter referred to as the “principal Act”.

Commencement

2. The principal Act shall come into operation on such date as the Minister may, by Notice publish in the *Gazette*, appoint.

Amendment of section 2

3. Section 2 of the principal Act is amended as follows —

(a) by repealing —

(i) the definition of “entities”;

(ii) the definition of “National Qualification Framework” and substituting therefor the following —

““National Qualifications Framework” means a comprehensive system approved by the Minister for the development, classification, registration, publication, evaluation and articulation of quality-assured qualifications;”

(iii) the definition of “qualification” and substituting therefor the following —

““qualification” means a registered national qualification;”

(iv) in the definition of “Professional Centre” the words “set out in Part II of the Schedule”;

(v) in the definition of “tertiary education institution” the words “specified in the Schedule”;

(vi) in the definition of “University” the words “set out in Part I of the Schedule”;

(b) by inserting in the alphabetical order the following definitions —

““board” means a body appointed in accordance with the provisions of the Act, Charter or statutes that govern a professional centre or faculty of a university;

“Council” means a body appointed in accordance with the provisions of the Act, Charter or statutes that govern a university;

“recognised authority” means any governmental authority or other organization, local or foreign, recognized by the government as having a regulatory role in a particular sector;”

Amendment of Part 2 head note

4. The principal Act is amended, in the head note of Part 2, by repealing the words “TERTIARY EDUCATION COMMISSION”.

Repeal of sections 3 to 4

5. The principal Act is amended by repealing sections 3 and 4.

Amendment of section 8

6. Section 8 of the principal Act is amended as follows —

(a) by repealing subsection (2) and substituting therefor the following —

“(2) The charter of a Government tertiary education institution shall be approved and granted by the Minister on the recommendation of the Board or Council of the Tertiary Education Institution and may be amended in the manner set out in the charter.”

(b) in subsection (3), by repealing the words “Tertiary Education Commission” and substituting therefor the words “Board or Council of the Tertiary Education Institution”;

(c) in subsection (4), by repealing the words “subject to the approval of the Tertiary Education Commission”.

Amendment of Section 11

7. Section 11 of the principal Act is amended in subsection (2) (a) by repealing the words “the Tertiary Education Commission” and substituting the words “recognized authorities”.

Amendment of Section 12

8. Section 12 of the principal Act is amended in subsection (1) by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 13

9. Section 13 of the principal Act is amended by repealing the words “Tertiary Education Commission” wherever they appear, and substituting therefor the word “Minister”.

Repeal of section 16 and 17

10. The principal Act is amended by repealing sections 16 and 17.

Amendment of section 19

11. Section 19 of the principal Act is amended —

- (a) in subsection (1), by repealing the word “shall” and substituting therefor the word “may”.
- (b) in subsection (2), by repealing the words “on the recommendation of the Tertiary Education Commission and”.

Amendment of Section 21

12. Section 21 of the principal Act is amended in subsection (5), by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of section 22

13. Section 22 of the principal Act is amended in subsection (3) (g),

by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 27

14. Section 27 of the principal Act is amended in subsection (5), by repealing the words “in accordance with the recommendations of the Tertiary Education Commission” and substituting therefor the words “by the University Council”.

Amendment of Section 28

15. Section 28 of the principal Act is amended by repealing subsection (1) and substituting therefor the following —

“(1) (a) Public Professional Centres shall be established by the Minister.

(1) (b) Private Professional Centres shall be established by their owners.”

Amendment of Section 29

16. Section 29 of the principal Act is amended as follows —

(a) by repealing subsection (1) and (2) and substituting therefor the following —

“(1) The Board of a Public Professional Centre shall be appointed by the Minister under the administration of which the Professional Centre operates in accordance with the provisions of this Act and procedures in its charter.

(2) (a) The composition of the Board of a Professional Centre shall be as prescribed by its charter.

(b) Notwithstanding paragraph (a), in constituting the Board, consideration shall be given to the academic staff, representatives of learners and representatives of the service area or industry related to the operations of the Professional Centre.”

- (b) in subsection (5) (b) by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.
- (c) in subsection (5) (f) by —
 - (i) repealing the word “approve” and substituting therefor the word “endorse”;
 - (ii) repealing the word “and the Tertiary Education Commission”.
- (d) in subsection (5) (l) by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.
- (e) in subsection (6) (l) by repealing the word “Ministry” and substituting therefor the word “Government”.

Amendment of Section 30

17. Section 30 of the principal Act is amended in subsection (3) (g), by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 33

18. Section 33 of the principal Act is amended in subsection (4), by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 34

19. Section 34 of the principal Act is amended in subsection (3), by repealing the words “on the advice of the Tertiary Education Commission”.

Amendment of Section 37

20. Section 37 of the principal Act is amended in subsection (2), by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 41

21. Section 41 of the principal Act is amended in subsection (2), by repealing the words “according to criteria recommended by the Tertiary Education Commission and shall be determined”.

Amendment of Section 42

22. Section 42 of the principal Act is amended in subsection (1), by repealing the words “to the Tertiary Education Commission for review, and for its recommendation”.

Amendment of Section 44

23. Section 44 of the principal Act is amended in subsection (1), by repealing the words “in consultation with the Tertiary Education Commission”.

Repeal of Schedule

24. The principal Act is amended by repealing the Schedule.

Continuation of employment

25. On the commencement of this Act —

- (a) the members of the Board, established by section 3(2) of the Tertiary Education Act, 2011, shall cease to be members as such and shall vacate their office; and
- (b) such members shall not be entitled to claim any compensation for the premature termination of the term of their office or of any contract of service.
- (c) any person employed by the Tertiary Education Commission under section 3(6) of the Tertiary Education Act, 2011, prior to the commencement of this Act shall continue his or her employment with the Government of Seychelles in its Ministry of Education on terms and conditions no less favourable than those subsisting immediately prior to the commencement of this Act until

these are amended, varied or repealed in accordance with any scheme of service applicable to employees of the Government.

Transitional

26. On the commencement of this Act —

- (a) all movable or immovable properties, assets, rights, interests and privileges acquired, accrued by, or vested in, the Tertiary Education Commission shall stand transferred to and vested in the Government of Seychelles;
- (b) all liabilities and obligations incurred by the Tertiary Education Commission prior to the date of the commencement of this Act shall be deemed to have been incurred by the Government of Seychelles;
- (c) any contract or agreement executed by the Tertiary Education Commission prior to the date of the commencement of this Act shall continue to have effect in accordance with its terms as if it was originally made and entered into by the Government of Seychelles; and
- (d) any right, privilege obligation or liability acquired or incurred by a person in respect of the Tertiary Education Commission shall not be affected by the repeal and any legal investigation, legal proceedings or remedy in respect of such right, privilege, obligation or liability may be instituted, continued or enforced by or against the Government of Seychelles.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 16th March, 2022.



Mrs. Tania Isaac
Clerk to the National Assembly

**STATUTE LAW REVISION (MISCELLANEOUS AMENDMENTS)
BILL, 2022**

(Bill No. 5 of 2022)

EXPLANATORY STATEMENT

In the preparation of the revised edition of the Laws of Seychelles, the Law Revision Commissioner, in consultation with the Attorney General and on the approval of the Cabinet of Ministers, considers it desirable for this Bill to be presented to the National Assembly. This Bill is being presented to the National Assembly pursuant to section 6 of the Statute Law Revision Act, Cap. 231.

This Bill seeks to amend the following laws —

1. **Disposal of Unclaimed Deposits Act, Cap. 65.** This Bill seeks to repeal this Act which allows the Principal Secretary for finance to transfer any sum of money in the Seychelles Savings Bank (now Seychelles Commercial Bank) to the General Revenues where the person who owns the money cannot be traced after the Principal Secretary has given one month's notice in the Gazette. Section 59 of the Financial Institutions Act, Cap. 79 sets out a more comprehensive and reasonable approach to dealing with abandoned property at Banks in Seychelles.
2. **Entertainment Tax Act, Cap. 70.** This Bill seeks to repeal this Act which imposes a tax on any exhibition, performance or amusement to which persons are admitted for payment of a fee. The Seychelles Revenue Commission does not implement this law because the tax is already captured under the Value Added Tax Act, Cap. 244.
3. **Seychelles Business Number Act, Cap. 311.** This Bill seeks to repeal this Act. The Business Numbers are no longer useful or efficient given that the businesses have a tax identification number.

-
4. **Customs Tariff Act, Cap. 56.** This Bill seeks to repeal this Act. The Customs Tariff Act has become archaic because all the matters this Act sought to address are now governed by regulations under the Customs Management Act.
 5. **Revenue Administration Act, Cap. 308.** The objectives of the amendments under this Bill are, amongst other things,
 - (a) to impose a penalty for dishonoured cheques;
 - (b) to update references to post titles.
 6. **Customs Management Act, 2011.** The objective of the proposed amendments under this Bill is to update references to post titles and delete references to any repealed enactment.

Dated this 4th day of April, 2022.

FRANK D.R. ALLY
ATTORNEY-GENERAL

**STATUTE LAW REVISION (MISCELLANEOUS AMENDMENTS)
BILL, 2022**

(Bill No. 5 of 2022)

ARRANGEMENT OF SECTIONS

**PART 1
PRELIMINARY**

Sections

1. Short title

**PART 2
DISPOSAL OF UNCLAIMED DEPOSITS ACT**

2. Repeal of Disposal of Unclaimed Deposits Act

**PART 3
ENTERTAINMENT TAX ACT**

3. Repeal of the Entertainment Tax Act

**PART 4
SEYCHELLES BUSINESS NUMBER ACT**

4. Repeal of the Seychelles Business Number Act

**PART 5
CUSTOMS TARIFF ACT**

5. Repeal of the Customs Tariff Act

**PART 6
REVENUE ADMINISTRATION ACT**

6. Revision of the Revenue Administration Act
7. Amendment of the principal Act
8. Amendment of section 2
9. Amendment of section 45A.
10. Amendment of section 47

11. Amendment of section 48
12. Amendment of section 49
13. Amendment of section 50
14. Amendment of section 51
15. Amendment of section 79
16. Amendment of section 83
17. Amendment of section 91

PART 7
CUSTOMS MANAGEMENT ACT

18. Revision of the Customs Management Act
19. Amendment of the principal Act
20. Amendment of section 261

**STATUTE LAW REVISION (MISCELLANEOUS AMENDMENTS)
BILL, 2022**

(Bill No. 5 of 2022)



**A BILL
FOR**

AN ACT TO MAKE AMENDMENTS TO CERTAIN ENACTMENTS AND TO REPEAL THE FOLLOWING ENACTMENTS: THE DISPOSAL OF UNCLAIMED DEPOSITS ACT, CAP. 65; THE ENTERTAINMENT TAX ACT, CAP. 70; THE SEYCHELLES BUSINESS NUMBER ACT, CAP. 311; AND THE CUSTOMS TARIFF ACT, CAP. 56.

ENACTED by the President and the National Assembly.

**PART 1
PRELIMINARY**

Short title

1. This Act may be cited as the Statute Law Revision (Miscellaneous Amendments) Act, 2022.

PART 2
DISPOSAL OF UNCLAIMED DEPOSITS ACT

Repeal of Disposal of Unclaimed Deposits Act

2. The Disposal of Unclaimed Deposits Act, Cap. 65, is repealed.

PART 3
ENTERTAINMENT TAX ACT

Repeal of the Entertainment Tax Act

3. The Entertainment Tax Act, Cap. 70, is repealed.

PART 4
SEYCHELLES BUSINESS NUMBER ACT

Repeal of the Seychelles Business Number Act

4. The Seychelles Business Number Act, Cap. 311, is repealed.

PART 5
CUSTOMS TARIFF ACT

Repeal of the Customs Tariff Act

5. The Customs Tariff Act, Cap. 56, is repealed.

PART 6
REVENUE ADMINISTRATION ACT

Revision of the Revenue Administration Act

6. In this Part, the “principal Act” means the Revenue Administration Act, Cap. 308.

Amendment of the principal Act

7. The principal Act is amended —
- (a) by repealing the words “Deputy Commissioner”, wherever they appear, and substituting therefor the words “Deputy Commissioner General”;

- (b) by repealing the words “Revenue Commissioner”, wherever they appear, and substituting therefor the words “Commissioner General”;
- (c) by repealing the word “GST”, wherever it appears, and substituting therefor the word “VAT”;
- (d) by repealing the words “Goods and Services Tax Act”, wherever they appear, and substituting therefor the words “Value Added Tax Act”.

Amendment of section 2

8. Section 2 of the principal Act is amended —

(a) by repealing the following definitions —

“(i) “Customs legislation”;

(ii) “GST”;

(iii) “Seychelles Business Number”

(iv) “trades tax”

(v) “Trades Tax Act””

(b) by inserting in the proper alphabetical order, the following definitions —

““customs legislation” means the Customs Management Act, 2011, and other legislation dealing with customs;

“trades tax” means any duties, taxes or levies imposed under the Customs Management Act, 2011;

“VAT” means the value added tax imposed under the Value Added Tax Act, 2013;”

Insertion of new section 45A.

9. The principal Act is amended by inserting immediately after section 45 the following as section 45A.

“Penalty for dishonoured cheque

45A.(1) Subject to subsection (2), any person who presents a cheque to the Commissioner General or the Government in payment of an amount due or owing under a revenue law that is not honoured by the bank shall be liable to pay an administrative penalty of SCR 500 in addition to any interest or additional tax under section 41 or 44.

(2) Subsection (1) shall not apply to the person who presents the cheque if the bank has been in error in failing to honour the cheque.”

Amendment of section 47

10. Section 47 of the principal Act is amended in subsection (1) by repealing the words “a fine no less than R 50, 000” and substituting therefor the words “a fine of level 4 on the standard scale”.

Amendment of section 48

11. Section 48 of the principal Act is amended by repealing the words “is guilty of an offence and on conviction is liable to a fine of no less than R 10, 000 for small businesses, no less than R 50, 000 for a medium business and no less than R 100, 000 for a large business” and substituting therefor the following —

“commits an offence and on conviction is liable as follows —

- (a) a fine of level 2 on the standard scale for a small business;
- (b) a fine of level 4 on the standard scale for a medium business; or
- (c) a fine of level 5 on the standard scale for a large business.”

Amendment of section 49

12. Section 49 of the principal Act is amended —

- (a) in subsection (1) by repealing the words “commits an offence and on conviction is liable to a fine of R 1, 000” and substituting therefor the words “shall pay a fixed administrative fine of SCR 1, 000 to the Commissioner General.”;
- (b) in subsection (2) by repealing the words “a fine of not less than R 10, 000 but not more than R 100, 000 and to imprisonment for not less than one month and not more than 12 months” and substituting therefor the words “a fine of level 3 on the standard scale or to a term of imprisonment not exceeding 2 years, or to both such fine and imprisonment.”;
- (c) in subsection (4) by repealing the words “commits an offence and on conviction is liable to a fine of R 1, 000” and substituting therefor the words “shall pay a fixed administrative fine of SCR 1, 000 to the Commissioner General.”;
- (d) in subsection (5) by repealing the words “a fine of not less than R50, 000 but not more than R 500, 000 or to imprisonment for not less than one month but not more than 12 months or to both such fine and imprisonment” and substituting therefor the words “a fine of level 5 on the standard scale or to a term of imprisonment not exceeding 3 years, or to both such fine and imprisonment.”
- (e) by inserting immediately after subsection (5) the following new subsection —

“(6) A person who refuses to pay the administrative fine under subsection (1) or (4) commits an offence and is liable on conviction to a fine of level 1 on the standard scale or to

a term of imprisonment not exceeding 3 months, or to both such fine and imprisonment.”

Amendment of section 50

13. Section 50 of the principal Act is amended by repealing the words “a fine no less than R 50, 000” and substituting therefor the words “a fine of level 4 on the standard scale”.

Amendment of section 51

14. Section 51 of the principal Act is amended by repealing the words “a fine of R 100, 000 or to imprisonment for not less than one month but not more than three months” and substituting therefor the words “a fine of level 3 on the standard scale or to a term of imprisonment not exceeding 2 years”.

Amendment of section 79

15. Section 79 of the principal Act is amended —

- (a) in subsection (1) by repealing the words “a fine of not less than R 50, 000 but not more than R 500, 000” and substituting therefor the words “a fine of level 2 on the standard scale or to a term of imprisonment not exceeding 6 months, or to both such fine and imprisonment”;
- (b) in subsection (2) by repealing the words “a fine of not less than R 50, 000 but not more than R 500, 000 and to imprisonment for not less than one month and not more than 24 months” and substituting therefor the words “a fine of level 3 on the standard scale or to a term of imprisonment not exceeding 2 years, or to both such fine and imprisonment”.

Amendment of section 83

16. Section 83(9) of the principal Act is amended by repealing the words “(other than the Trade Tax Act)” and substitute therefor the words “(other than the Customs Management Act)”.

Amendment of section 91

17. Section 91(3) of the principal Act is amended by repealing the words “a fine of not less than R 25, 000 but not more than R 250, 000 and to imprisonment for not less than one month but not more than 12 months” and substituting therefor the words “a fine of level 3 on the standard scale or to a term of imprisonment not exceeding 2 years, or to both such fine and imprisonment”

**PART 7
CUSTOMS MANAGEMENT ACT****Revision of the Customs Management Act**

18. In this Part, the “principal Act” means the Customs Management Act, 2011.

Amendment of the principal Act

19. The principal Act is amended —

(a) by repealing the words “Revenue Commissioner”, wherever they appear, and substituting therefor the words “Commissioner General”;

(b) by repealing the words “Assistant Commissioner of Customs”, wherever they appear, and substituting therefor the words “Commissioner of Customs”.

Amendment of section 261

20. Section 261 of the principal Act is amended by repealing the words “or the Customs Tariff Act”.

TERTIARY EDUCATION (AMENDMENT) ACT, 2022

(Act 5 of 2022)

ARRANGEMENT OF SECTIONS

Sections

1. Short title and amendment of Act 12 of 2011
2. Commencement
3. Amendment of section 2
4. Amendment of Part 2 head note
5. Repeal of sections 3 and 4
6. Amendment of section 8
7. Amendment of section 11
8. Amendment of section 12
9. Amendment of section 13
10. Repeal of sections 16 and 17
11. Amendment of section 19
12. Amendment of section 21
13. Amendment of section 22
14. Amendment of section 27
15. Amendment of section 28
16. Amendment of section 29
17. Amendment of section 30
18. Amendment of section 33
19. Amendment of section 34
20. Amendment of section 37
21. Amendment of section 41
22. Amendment of section 42
23. Amendment of section 44
24. Repeal of Schedule
25. Continuation of employment
26. Transitional



TERTIARY EDUCATION (AMENDMENT) ACT, 2022

(Act 5 of 2022)



I assent

A handwritten signature in black ink, appearing to read 'Wavel'.

Wavel Ramkalawan
President

5th April, 2022

AN ACT TO AMEND THE TERTIARY EDUCATION ACT (ACT 12 OF 2011).

ENACTED by the President and the National Assembly.

Short title and amendment Act 12 of 2011

1. This Act may be cited as the Tertiary Education (Amendment) Act, 2022, and shall be read and construed as one with the Tertiary Education Act, Act 12 of 2011, which is hereinafter referred to as the “principal Act”.

Commencement

2. The principal Act shall come into operation on such date as the Minister may, by Notice publish in the *Gazette*, appoint.

Amendment of section 2

3. Section 2 of the principal Act is amended as follows —

(a) by repealing —

(i) the definition of “entities”;

(ii) the definition of “National Qualification Framework” and substituting therefor the following —

““National Qualifications Framework” means a comprehensive system approved by the Minister for the development, classification, registration, publication, evaluation and articulation of quality-assured qualifications;”

(iii) the definition of “qualification” and substituting therefor the following —

““qualification” means a registered national qualification;”

(iv) in the definition of “Professional Centre” the words “set out in Part II of the Schedule”;

(v) in the definition of “tertiary education institution” the words “specified in the Schedule”;

(vi) in the definition of “University” the words “set out in Part I of the Schedule”;

(b) by inserting in the alphabetical order the following definitions —

““board” means a body appointed in accordance with the provisions of the Act, Charter or statutes that govern a professional centre or faculty of a university;

“Council” means a body appointed in accordance with the provisions of the Act, Charter or statutes that govern a university;

“recognised authority” means any governmental authority or other organization, local or foreign, recognized by the government as having a regulatory role in a particular sector;”

Amendment of Part 2 head note

4. The principal Act is amended, in the head note of Part 2, by repealing the words “TERTIARY EDUCATION COMMISSION”.

Repeal of sections 3 to 4

5. The principal Act is amended by repealing sections 3 and 4.

Amendment of section 8

6. Section 8 of the principal Act is amended as follows —

(a) by repealing subsection (2) and substituting therefor the following —

“(2) The charter of a Government tertiary education institution shall be approved and granted by the Minister on the recommendation of the Board or Council of the Tertiary Education Institution and may be amended in the manner set out in the charter.”

(b) in subsection (3), by repealing the words “Tertiary Education Commission” and substituting therefor the words “Board or Council of the Tertiary Education Institution”;

(c) in subsection (4), by repealing the words “subject to the approval of the Tertiary Education Commission”.

Amendment of Section 11

7. Section 11 of the principal Act is amended in subsection (2) (a) by repealing the words “the Tertiary Education Commission” and substituting the words “recognized authorities”.

Amendment of Section 12

8. Section 12 of the principal Act is amended in subsection (1) by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 13

9. Section 13 of the principal Act is amended by repealing the words “Tertiary Education Commission” wherever they appear, and substituting therefor the word “Minister”.

Repeal of section 16 and 17

10. The principal Act is amended by repealing sections 16 and 17.

Amendment of section 19

11. Section 19 of the principal Act is amended —

- (a) in subsection (1), by repealing the word “shall” and substituting therefor the word “may”.
- (b) in subsection (2), by repealing the words “on the recommendation of the Tertiary Education Commission and”.

Amendment of Section 21

12. Section 21 of the principal Act is amended in subsection (5), by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of section 22

13. Section 22 of the principal Act is amended in subsection (3) (g),

by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 27

14. Section 27 of the principal Act is amended in subsection (5), by repealing the words “in accordance with the recommendations of the Tertiary Education Commission” and substituting therefor the words “by the University Council”.

Amendment of Section 28

15. Section 28 of the principal Act is amended by repealing subsection (1) and substituting therefor the following —

“(1) (a) Public Professional Centres shall be established by the Minister.

(1) (b) Private Professional Centres shall be established by their owners.”

Amendment of Section 29

16. Section 29 of the principal Act is amended as follows —

(a) by repealing subsection (1) and (2) and substituting therefor the following —

“(1) The Board of a Public Professional Centre shall be appointed by the Minister under the administration of which the Professional Centre operates in accordance with the provisions of this Act and procedures in its charter.

(2) (a) The composition of the Board of a Professional Centre shall be as prescribed by its charter.

(b) Notwithstanding paragraph (a), in constituting the Board, consideration shall be given to the academic staff, representatives of learners and representatives of the service area or industry related to the operations of the Professional Centre.”

- (b) in subsection (5) (b) by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.
- (c) in subsection (5) (f) by —
 - (i) repealing the word “approve” and substituting therefor the word “endorse”;
 - (ii) repealing the word “and the Tertiary Education Commission”.
- (d) in subsection (5) (l) by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.
- (e) in subsection (6) (l) by repealing the word “Ministry” and substituting therefor the word “Government”.

Amendment of Section 30

17. Section 30 of the principal Act is amended in subsection (3) (g), by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 33

18. Section 33 of the principal Act is amended in subsection (4), by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 34

19. Section 34 of the principal Act is amended in subsection (3), by repealing the words “on the advice of the Tertiary Education Commission”.

Amendment of Section 37

20. Section 37 of the principal Act is amended in subsection (2), by repealing the words “Tertiary Education Commission” and substituting therefor the word “Minister”.

Amendment of Section 41

21. Section 41 of the principal Act is amended in subsection (2), by repealing the words “according to criteria recommended by the Tertiary Education Commission and shall be determined”.

Amendment of Section 42

22. Section 42 of the principal Act is amended in subsection (1), by repealing the words “to the Tertiary Education Commission for review, and for its recommendation”.

Amendment of Section 44

23. Section 44 of the principal Act is amended in subsection (1), by repealing the words “in consultation with the Tertiary Education Commission”.

Repeal of Schedule

24. The principal Act is amended by repealing the Schedule.

Continuation of employment

25. On the commencement of this Act —

- (a) the members of the Board, established by section 3(2) of the Tertiary Education Act, 2011, shall cease to be members as such and shall vacate their office; and
- (b) such members shall not be entitled to claim any compensation for the premature termination of the term of their office or of any contract of service.
- (c) any person employed by the Tertiary Education Commission under section 3(6) of the Tertiary Education Act, 2011, prior to the commencement of this Act shall continue his or her employment with the Government of Seychelles in its Ministry of Education on terms and conditions no less favourable than those subsisting immediately prior to the commencement of this Act until

these are amended, varied or repealed in accordance with any scheme of service applicable to employees of the Government.

Transitional

26. On the commencement of this Act —

- (a) all movable or immovable properties, assets, rights, interests and privileges acquired, accrued by, or vested in, the Tertiary Education Commission shall stand transferred to and vested in the Government of Seychelles;
- (b) all liabilities and obligations incurred by the Tertiary Education Commission prior to the date of the commencement of this Act shall be deemed to have been incurred by the Government of Seychelles;
- (c) any contract or agreement executed by the Tertiary Education Commission prior to the date of the commencement of this Act shall continue to have effect in accordance with its terms as if it was originally made and entered into by the Government of Seychelles; and
- (d) any right, privilege obligation or liability acquired or incurred by a person in respect of the Tertiary Education Commission shall not be affected by the repeal and any legal investigation, legal proceedings or remedy in respect of such right, privilege, obligation or liability may be instituted, continued or enforced by or against the Government of Seychelles.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 16th March, 2022.



Mrs. Tania Isaac
Clerk to the National Assembly