



Official Gazette

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GOVERNMENT NOTICES

The following Government Notice is published by Order of the President.

No. 958 of 2020

GAZETTE SUPPLEMENTS

The following Act, Rules and Bill are published as Legal Supplements to this number of the Official Gazette.

Gazette	Description	Price
101	Seychelles Court of Appeal (Amendment) Rules, 2020. (S.I. 158 of 2020)	1.60
	Suspension of Thirteenth month pay and end of the year gratuity Bill, 2020. (Bill No. 28 of 2020)	2.75

No. 959 of 2020

COMMISSIONS OF INQUIRY ACT

(Cap 39)

Commission of Inquiry

I, **Wavel Ramkalawan, President of the Republic of Seychelles**, in exercise of the powers conferred by section 2 (2) of the Commissions of Inquiry Act and in furtherance of the request from Justice Bernadin Renaud, the Chairperson of the Commission of Inquiry into the Sea Horse Tragedy, hereby convene the first sitting of the inquiry into the Sea Horse Tragedy on Tuesday, the 24th November, 2020 at 9 am.

Dated this 23rd day of November, 2020.

**WAVEL RAMKALAWAN
PRESIDENT**

S.I. 158 of 2020

CONSTITUTION OF THE REPUBLIC OF SEYCHELLES

(Cap 42)

Seychelles Court of Appeal (Amendment) Rules, 2020

In exercise of the powers conferred by article 136(1) of the Constitution, the President of the Court of Appeal makes the following rules —

1. These rules may be cited as the Seychelles Court of Appeal (Amendment) Rules, 2020.

Citation

2. The Seychelles Court of Appeal Rules are amended as follows —

Amendment of
S.I. 13 of 2005
as last
amended by
S.I. 49 of 2013

(a) by inserting in rule 6(1), the following proviso —

“Provided that in the event of any inability of the President or any Judge of the Court of Appeal to be present in Seychelles to constitute the Court due to unavoidable circumstances arising as a result of the Covid-19 pandemic, the sitting of the Court shall be by virtual hearing by any method as the President may decide and direct.”;

(b) by inserting in rule 30(5), the following proviso —

“Provided that the President may *suo moto* decide or any one of the Judges who heard the appeal may request the President, in the interest of justice, to re-convene the Court before the date fixed for judgement to seek any clarifications pertaining to the appeal, and in

the latter instance the President may give such direction as the President deems just and expedient.”.

MADE this 24th day of November, 2020.

**ANTHONY FRANCIS TISSA FERNANDO
PRESIDENT OF THE COURT OF APPEAL**

**SUSPENSION OF THIRTEENTH MONTH PAY AND END OF THE
YEAR GRATUITY BILL, 2020**

(Bill No. 28 of 2020)

OBJECTS AND REASONS

This Bill seeks to suspend the payment of the thirteenth month pay payable to workers under Employment Act (Cap 69) and end of the year gratuity payable to the Designated Minister and the Ministers under the Ministerial Emoluments Act (Cap 130), the Vice-President under the Vice-Presidential Emoluments Act (Cap 245) and the Speaker, Deputy Speaker, Leader of Opposition, Leader of Government Business and the Members of the National Assembly under the National Assembly Members Emoluments Act (Cap 286).

Clause 2 of the Bill seeks to suspend the payment of thirteenth month pay under section 46C of the Employment Act (Cap 69).

Clause 3 of the Bill seeks to suspend the payment of gratuity at the end of the year 2020 to the Designated Minister and the Ministers under section 2(c)(i) and (ii) of the Ministerial Emoluments Act (Cap 130).

Clause 4 of the Bill seeks to suspend the payment of gratuity at the end of the year 2020 to the Vice-President under section 2 (b) and section 3(b) of the Vice-Presidential Emoluments Act (Cap 245).

Clause 5 of the Bill seeks to suspend the payment of gratuity at the end of the year 2020 to the Speaker, Deputy Speaker, Leader of the Opposition, Leader of Government Business and the members of the National Assembly under section 2(1)(b), (1A), 2(b) and (c), section 3(1)(b) and (2), section 3A.(1)(b) and (c) and section 4(b) and (c), respectively, of the National Assembly Members Emoluments Act (Cap 286).

Dated this 26th day of November, 2020.

**FRANK D.R. ALLY
ATTORNEY-GENERAL**

**SUSPENSION OF THIRTEENTH MONTH PAY AND
END OF THE YEAR GRATUITY BILL, 2020**

(Bill No. 28 of 2020)



**A BILL
OF**

AN ACT to suspend the payment of the thirteenth month pay payable to workers under the Employment Act (Cap 69) in respect of the year 2020 and the end of the year gratuity payable under the Ministerial Emoluments Act (Cap 130), the Vice-Presidential Emoluments Act (Cap 245) and the National Assembly Members Emoluments Act (Cap 286).

ENACTED by the President and the National Assembly.

1. This Act may be cited as the Suspension of Thirteenth Month Pay and End of the Year Gratuity Act, 2020.

Short title

Suspension of
thirteenth month
pay under
Cap 69

2.(1) The payment of thirteenth month pay under section 46C of the Employment Act in respect of the period from 1st January, 2020 to 31st December, 2020 is hereby suspended.

(2) Notwithstanding subsection (1), if any employer pays thirteenth month pay to his or her workers, such payment shall be eligible for exemption under the Second Schedule to the Income and Non-Monetary Benefits Tax Act (Cap 273).

Suspension of
gratuity under
Cap 130

3. The payment of gratuity under section 2 (c) (i) and (ii) of the Ministerial Emoluments Act is hereby suspended for the year 2020.

Suspension of
gratuity under
Cap 245

4. The payment of gratuity under section 2 (b) and section 3 (b) of the Vice-Presidential Emoluments Act are hereby suspended for the year 2020.

Suspension of
gratuity under
Cap 286

5. The payment of gratuity under section 2(1) (b), (1A), (2)(b) and (c), section 3(1)(b) and (2), section 3A.(1) (b) and (c) and section 4(b) and (c) of the National Assembly Members Emoluments Act are hereby suspended for the year 2020.

**SUSPENSION OF THIRTEENTH MONTH PAY AND END OF THE
YEAR GRATUITY BILL, 2020**

(Bill No. 28 of 2020)

OBJECTS AND REASONS

This Bill seeks to suspend the payment of the thirteenth month pay payable to workers under Employment Act (Cap 69) and end of the year gratuity payable to the Designated Minister and the Ministers under the Ministerial Emoluments Act (Cap 130), the Vice-President under the Vice-Presidential Emoluments Act (Cap 245) and the Speaker, Deputy Speaker, Leader of Opposition, Leader of Government Business and the Members of the National Assembly under the National Assembly Members Emoluments Act (Cap 286).

Clause 2 of the Bill seeks to suspend the payment of thirteenth month pay under section 46C of the Employment Act (Cap 69).

Clause 3 of the Bill seeks to suspend the payment of gratuity at the end of the year 2020 to the Designated Minister and the Ministers under section 2(c)(i) and (ii) of the Ministerial Emoluments Act (Cap 130).

Clause 4 of the Bill seeks to suspend the payment of gratuity at the end of the year 2020 to the Vice-President under section 2 (b) and section 3(b) of the Vice-Presidential Emoluments Act (Cap 245).

Clause 5 of the Bill seeks to suspend the payment of gratuity at the end of the year 2020 to the Speaker, Deputy Speaker, Leader of the Opposition, Leader of Government Business and the members of the National Assembly under section 2(1)(b), (1A), 2(b) and (c), section 3(1)(b) and (2), section 3A.(1)(b) and (c) and section 4(b) and (c), respectively, of the National Assembly Members Emoluments Act (Cap 286).

Dated this 26th day of November, 2020.

**FRANK D.R. ALLY
ATTORNEY-GENERAL**

**SUSPENSION OF THIRTEENTH MONTH PAY AND
END OF THE YEAR GRATUITY BILL, 2020**

(Bill No. 28 of 2020)



**A BILL
OF**

AN ACT to suspend the payment of the thirteenth month pay payable to workers under the Employment Act (Cap 69) in respect of the year 2020 and the end of the year gratuity payable under the Ministerial Emoluments Act (Cap 130), the Vice-Presidential Emoluments Act (Cap 245) and the National Assembly Members Emoluments Act (Cap 286).

ENACTED by the President and the National Assembly.

1. This Act may be cited as the Suspension of Thirteenth Month Pay and End of the Year Gratuity Act, 2020.

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2.(1) The payment of thirteenth month pay under section 46C of the Employment Act in respect of the period from 1st January, 2020 to 31st December, 2020 is hereby suspended.

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Suspension of
gratuity under
Cap 130

3. The payment of gratuity under section 2 (c) (i) and (ii) of the Ministerial Emoluments Act is hereby suspended for the year 2020.

Suspension of
gratuity under
Cap 245

4. The payment of gratuity under section 2 (b) and section 3 (b) of the Vice-Presidential Emoluments Act are hereby suspended for the year 2020.

Suspension of
gratuity under
Cap 286

5. The payment of gratuity under section 2(1) (b), (1A), (2)(b) and (c), section 3(1)(b) and (2), section 3A.(1) (b) and (c) and section 4(b) and (c) of the National Assembly Members Emoluments Act are hereby suspended for the year 2020.

S.I. 158 of 2020

CONSTITUTION OF THE REPUBLIC OF SEYCHELLES

(Cap 42)

Seychelles Court of Appeal (Amendment) Rules, 2020

In exercise of the powers conferred by article 136(1) of the Constitution, the President of the Court of Appeal makes the following rules —

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(b) by inserting in rule 30(5), the following proviso —

“Provided that the President may *suo moto* decide or any one of the Judges who heard the appeal may request the President, in the interest of justice, to re-convene the Court before the date fixed for judgement to seek any clarifications pertaining to the appeal, and in

the latter instance the President may give such direction as the President deems just and expedient.”.

MADE this 24th day of November, 2020.

**ANTHONY FRANCIS TISSA FERNANDO
PRESIDENT OF THE COURT OF APPEAL**
