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## GOVERNMENT NOTICES

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

No. 216 of 2020

## GAZETTE SUPPLEMENTS

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

<b>Gazette</b>	<b>Description</b>	<b>Price</b>
30	Public Health (Amendment of Schedules) Regulations, 2020. (S.I. 31 of 2020)	1.15
	Public Health Emergency Notice, 2020. (S.I. 32 of 2020)	1.60
	Children (Amendment) Bill, 2020. (Bill No. 11 of 2020)	4.00

**S. I. 31 of 2020**

**PUBLIC HEALTH ACT, 2015**

*(Act 13 of 2015)*

**Public Health Emergency Notice, 2020**

**WHEREAS** the Coronavirus Disease 2019 (COVID-19) has spread to multiple countries in the world;

**AND WHEREAS** the World Health Organisation has declared the situation a pandemic;

**AND WHEREAS** infection of COVID-19 to seven persons in Seychelles has been confirmed and there is very high likelihood of more persons being infected under the given circumstances;

**AND WHEREAS** it is expedient to take immediate and more stringent measures to prevent the spread of COVID-19 among the population of Republic of Seychelles in order to avoid human casualties in Seychelles;

**AND WHEREAS** the Public Health Commissioner has, based on the information available, determined that a public health emergency exists in Seychelles;

**NOW, THEREFORE**, in exercise of the powers conferred by section 25 (5) of the Public Health Act, the Public Health Commissioner hereby declares the existence of a public health emergency.

All the persons in Seychelles are hereby given notice of the declaration of the public health emergency and are hereby directed to comply with the directives and orders issued by the public health authorities and cooperate with the public health authorities in preventing and containing the spread of COVID-19 in Seychelles.

**MADE this 20<sup>th</sup> day of March, 2020.**

**DR. JUDE GEDEON  
PUBLIC HEALTH COMMISSSIONER**

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**CHILDREN (AMENDMENT) BILL, 2020***(Bill No. 11 of 2020)***OBJECTS AND REASONS**

This Bill seeks to abolish corporal punishment and to incorporate the Hague Convention requirements for adoption orders under the Children Act.

The intended effect of this Bill, together with ongoing awareness-raising campaign and support for parents, is to bring about a further reduction in the use and tolerance of the physical punishment of children in Seychelles. The prohibition of the physical punishment of children is consistent with Seychelles commitment to children's rights under the United Nations Convention on the Rights of the Child which requires Seychelles to take appropriate legislative measures to protect children from all forms of physical or mental violence, injury or abuse, maltreatment while in the care of parents, legal guardians or any other person who has the care of a child.

The Bill help bring to an end the physical punishment of children by a parent or any person acting in loco parentis (in the place of a parent) by repealing the statutory defence under the Children Act, and abolishing any other defence, with respect to assault against a child available to parents and persons acting in loco parentis. Corporal punishment will be an offence and children will therefore have the same legal protection from assault as adults.

Globally, the academic research suggests that physical punishment is no more effective than non-physical approaches to discipline. There is no compelling evidence against the proposal to remove the defence available to parents with respect assault against children. The majority of researchers in the field make the judgment that all physical punishment under all conditions is potentially harmful to children.

Furthermore, the Bill incorporates, into the Act, the requirements for adoption of children under Articles 4 and 5 of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption (1993).

**Dated this 9th day of March, 2020.**

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

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**CHILDREN (AMENDMENT) BILL, 2020**

*(Bill No. 11 of 2020)*



**A BILL**

**OF**

**AN ACT to provide for further protection of children; the abolition of corporal punishment against children; and to give effect to requirements under the international conventions on children rights and for matters incidental thereto.**

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

Short title

1. This Act may be cited as the Children (Amendment) Act, 2020.

Amendment of  
CAP 28 as last  
amended by  
Act 14 of 2016

**2.** The Children Act is amended as follows —

- (a) in section 2 by inserting in the proper alphabetical order the following definition —

““corporal punishment” means any kind of physical punishment of a child to maintain discipline or to enforce a rule in the exercise of parental authority, or rights or authority derived from having charge, custody, access, care, maintenance, or control of the child;”

- (b) by inserting immediately after section 44 the following as section 44A —

Application for an  
adoption order to  
comply with the  
requirements  
under Hague  
Convention

“44A.(1) An application made under section 44 for an adoption order shall be subject to the requirements under the Hague Convention.

(2) For the purposes of this section, “Hague Convention” means the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, 1993, and the Convention on the Civil Aspects of International Child Abduction, 1980, as ratified by the Republic.

(3) The Ministry or Department responsible for children affairs is designated the Central Authority to discharge the duties which are imposed by the Hague Convention.”;

- (c) in section 70 by repealing subsection (7);

- (d) by inserting immediately after section 70A the following as section 70B —

Prohibition of  
corporal  
punishment

“70.B (1) Notwithstanding any other law, no child shall be subjected to corporal punishment.

(2) Any person who contravenes subsection (1) commits an offence and on conviction is liable to pay a fine of SCR 25, 000 or to imprisonment for not more than 2 years, or both a fine and imprisonment.”

(e) in section 107 in paragraph (o) —

(i) by repealing subparagraph (iii);

(ii) in subparagraph (iv) by deleting the words “other lesser punishments for, or”.



**S.I. 31 of 2020****PUBLIC HEALTH ACT, 2015***(Act 13 of 2015)***Public Health (Amendment of Schedules)  
Regulations, 2020**

In exercise of the powers conferred by section 64(p) of the Public Health Act, 2015, the President being the Minister responsible for Health makes the following regulations —

1. These regulations may be cited as the Public Health (Amendment of Schedules) Regulations, 2020. Citation
  
2. The First Schedule to the Public Health Act, 2015 is amended by inserting after the item “Rabies” the following items— Amendment of  
First Schedule

“SARI (Severe Acute Respiratory Illness”  
“Coronavirus disease 2019 (COVID-19)”;
  
3. The Second Schedule to the Public Health Act, 2015 is amended by inserting after the item “Zoonotic diseases” the following items — Amendment of  
Second Schedule

“SARI (Severe Acute Respiratory Illness”  
“Coronavirus disease 2019 (COVID-19)”;

**MADE this 20<sup>th</sup> day of March, 2020.**

**DANNY FAURE  
PRESIDENT**

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