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Gazette Notices No. 760 of 2021 - 779 of 2021 are published by Order.

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GENERAL NOTICES

No. 760 of 2021

INSURANCE ACT, 2008

(Act 11 of 2008)

Notice for surrender of certificate of registration to act as insurance sub-agent

Notice is hereby given that on 25th August, 2021 Mrs. Gizelle Shierley Mendes has surrendered her registration certificate to act as a life insurance sub agent for SACOS Life Assurance Co. Ltd.

FINANCIAL SERVICES AUTHORITY

No. 761 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT

(Act 15 of 2016)

Section 217(5)(c)

Notice is hereby given pursuant to Section 217(5)(c) of the International Business Companies Act, 2016 that the following companies have been struck off the register owing to continuation in another jurisdiction, with effect from **27th September, 2021.**

<u>Company Name</u>	<u>IBC No.</u>
TOTUS INVESTMENT LIMITED	43165
Columbus Investment Ltd	217185
Wealth Investment Holdings Inc 財富投資控股有限公司	45863

Financial Services Authority

No. 762 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Section 217(5)(c)**

Notice is hereby given pursuant to Section 217(5)(c) of the International Business Companies Act, 2016 that **NORMALVILLE CORPORATION No. 182239** has been struck off the register owing to continuation in another jurisdiction, with effect from **28th September, 2021**.

Financial Services Authority

No. 763 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Section 217(5)(c)**

Notice is hereby given pursuant to Section 217(5)(c) of the International Business Companies Act, 2016 that **VESBE HOLDINGS LTD No. 218285** has been struck off the register owing to continuation in another jurisdiction, with effect from **01st October, 2021**.

Financial Services Authority

No. 764 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Section 217(5)(c)**

Notice is hereby given pursuant to Section 217(5)(c) of the International Business Companies Act, 2016 that the following companies have been struck off the register owing to continuation in another jurisdiction, with effect from **05th October, 2021**.

<u>Company Name</u>	<u>IBC No.</u>
Shield Bunker Limited	149427
FinPoint Investment Advisers Inc.	195029

Financial Services Authority

No. 765 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Sections 297(3)(a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from **28th September, 2021** in accordance with Section 297(3)(a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
GOLDEN TRADE VENTURES LIMITED	210570
NOFILIS INTERNATIONAL LIMITED	82006
EFFRA LIMITED	64432
Besder International Inc.	80989
SunnyColor Chemical Limited	95514
Sino-Dutch Trading & Consultancy Co., Ltd.	196800

Financial Services Authority

No. 766 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Sections 297(3)(a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from **30th September, 2021** in accordance with Section 297(3)(a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
Velior Holding Ltd	200127
Erlen Management Ltd	200124
DC&CHEM COMPANY	97353
Connecting Mobile Limited	203725
Vaal Ltd	194684
Waterberry Global Ltd	134747

Financial Services Authority

No. 767 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Sections 297(3)(a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that **EVERVIEW INTERNATIONAL CO., LTD No. 203403** has been struck off the register owing to dissolution, with effect from **01st October, 2021** in accordance with Section 297(3)(a) of the Act.

Financial Services Authority

No. 768 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Sections 297(3)(a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from **04th October, 2021** in accordance with Section 297(3)(a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
Full Speed Group LTD	215919
FLEXTER MANAGEMENT LTD.	144784

Financial Services Authority

No. 769 of 2021

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Sections 297(3)(a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to

dissolution, with effect from **05th October, 2021** in accordance with Section 297(3)(a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
Sirandane Investments Ltd	167986
BIASA LTD	208722
Staber Holding Ltd	112655
West Park Investment Inc.	180434
GVC EQUIPMENT NO. 1 LTD.	163583
GVC EQUIPMENT NO. 3 LTD.	163582
GVC EQUIPMENT NO. 2 LTD.	163584

Financial Services Authority

No. 770 of 2021

Notice of winding up resolution

Section 147 of the Insolvency Act, 2013 (the “Act”)

Relating to: Aventurine Investments Limited (the “Company”), which is incorporated under the Companies Act, 1972 with registration 8423206-1

We hereby give notice in accordance with section 147 of the Act that the Company has passed on 30th September 2021 a special resolution to be voluntarily wound up under Sub-Part III of Part IV of the Act.

Dated this 30th day of September 2021.

Claudia Tamara Christen
for and on behalf of
Aventurine Investments Limited

No. 771 of 2021

Notice of winding up resolution

Section 147 of the Insolvency Act, 2013 (the “Act”)

Relating to: Kreol Creations Limited (the “Company”), which is incorporated under the Companies Act, 1972 with registration 8425944-1

We hereby give notice in accordance with section 147 of the Act that the Company has passed on 30th September 2021 a special resolution to be voluntarily wound up under Sub-Part III of Part IV of the Act.

Dated this 30th day of September 2021.

Claudia Tamara Christen
for and on behalf of
Kreol Creations Limited

No. 772 of 2021

Notice of winding up resolution

Section 147 of the Insolvency Act, 2013 (the “Act”)

Relating to: of JPTC INVESTMENT (PROPRIETARY) LIMITED (the “Company”), which is incorporated under the Companies Act, 1972 with registration 8422174-2

We hereby give notice in accordance with section 147 of the Act that the Company has passed

on 30th September 2021 a special resolution to be voluntarily wound up under Sub-Part III of Part IV of the Act.

Dated this 30th day of September 2021.

Claudia Tamara Christen
for and on behalf of
JPTC INVESTMENT (PROPRIETARY) LIMITED

No. 773 of 2021

NOTICE

Notice is hereby given in pursuance of Section 96 of the Civil Status Act (Cap. 34) that the Chief Officer of the Civil Status has granted the under noted applications made under section 94 of Cap. 34.

Mr Jonathan Monty authorized to change his name from Marc Jonathan Monty to Marc Jonathan Monthy.

Ms Rona Pool authorized to change her son's name from Ryard Regis Pool to Ryard Regis Jean.

N. Flore
For: Chief Officer of the Civil Status

No. 774 of 2021

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Andre Kid Lavigne to Andre Kidd Lavigne agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Mr Kidd Lavigne
Nellinger Str. 38
73760 Ostfildern, Germany

No. 775 of 2021

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Andrew Marcel Dingwall to Andrew Marcel Lapage agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Mr. Andrew Marcel Lapage
P146A05
Eden Island
Mahe
Seychelles

No. 776 of 2021

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my son's name from Gael Dylan Maria to Gael Dylan Hetimier agreeable with sections 94-99

of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Ms Flossy Denise Anne Marie Hetimier
La Louise
Mahe
Seychelles

No. 777 of 2021

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my son's name from Ronan Anthony Justin Vital to Ronan Anthony Justin Tirant agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Ms Antonia Tirant
Hermitage
Mahe
Seychelles

No. 778 of 2021

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Alex Samuel Camille to Alex Samuel Teire Camille agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Mr Alex Camille
Glacis
Mahe
Seychelles

No. 779 of 2021

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Yannick Joseph Pool to Yannick Joseph Pillay agreeable with sections 94-99 of Cap. 34. Any person interested may oppose such application by filing a protest in writing setting forth his/her grounds of objections.

Mr. Yannick Joseph Pool
La Gogue
Anse Etoile
Mahe

**SEYCHELLES NATIONAL INSTITUTE FOR CULTURE,
HERITAGE AND THE ARTS BILL, 2021**

(Bill No. 50 of 2021)

OBJECTS AND REASONS

This Bill seeks to provide for the establishment of the Seychelles National Institute for Culture, Heritage and the Arts as an institution of policy making on culture, heritage and the arts for the Seychelles. The Institute shall also discharge the executive and administrative functions of Government by administering all existing laws relating to culture, heritage and the arts. The Institute will thus, replace the department of Culture..

This change in Government administration in relation to the portfolio of culture is seen as the best approach to divest matters relating to culture, heritage and the arts from perceived and actual politicised nature of Government.

It is felt that the subject matter of culture, heritage and the arts can be distinguished from other portfolios given the nature and subject matter of the portfolio.

The law thus provide that the Institute shall replace the current department of culture and all the laws listed under section 69 shall be repealed and reproduced in terms of their objects and functions as a constituent institution under this Act.

The Institute shall be under the supervision and control of a Secretary General appointed by the President whose post shall be equivalent to a Secretary of State.

There shall be an Advisory Council which shall advise the Secretary General on matters relating to policies and other matters of national importance.

Part I provides for preliminary matters such as short title and commencement.

Part II provides for the establishment of the Institute, its functions and terms of

appointments of the Secretary General, Principal Secretary and members of the Advisory Committee.

Part III provides for the establishment of the constituent institutions.

Part IV provides for miscellaneous matters such as plan of the Institute, annual report, exemption from tax and regulation making provisions.

Part V provides for repeal of Acts and transitional provisions of existing institutions to that of its successor constituent institutions, savings provisions and the schedules.

The Bill seeks to achieve the above objectives.

Dated this 11th day October, 2021.

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

**SEYCHELLES NATIONAL INSTITUTE FOR CULTURE,
HERITAGE AND THE ARTS BILL, 2021**

(Bill No. 50 of 2021)

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**SEYCHELLES NATIONAL INSTITUTE FOR CULTURE,
HERITAGE AND THE ARTS BILL, 2021**

(Bill No. 50 of 2021)



**A BILL
FOR**

AN ACT to establish a Seychelles National Institute for Culture Heritage and the Arts as an institution of policy making in respect of culture, heritage and the arts, and to coordinate for the advancement of, and for the preservation, promotion and strengthening of the cultural values and identity of the Seychellois people; to establish its constituent institutions and to repeal certain laws relating thereto and for matters connected therewith or incidental thereto.

ENACTED by the President and the National Assembly.

**PART I
PRELIMINARY**

Short title and commencement

1. This Act may be cited as the Seychelles National Institute for Culture, Heritage and the Arts Act, 2021 and shall come into operation on such date as the Director General may, by a notice published in the Gazette, appoint.

Interpretation

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

“Advisory Council” means the Advisory Council of the National Institute appointed under section 5;

“Committee of Trustees” means the Committee of Trustees established under section 30;

“constituent institution” means an institution specified under section 16;

“culture” means a set of distinctive spiritual, material, intellectual and emotional features of a society or a social group, that encompasses not only the arts and literature, but lifestyles, ways of living together, value systems, symbols, languages, traditions and beliefs;

“creative industries” means those industries that combine the creation, production and commercialisation of products that are tangible and intangible and cultural in nature and which are typically protected by copyright and take the form of goods or services such; as visual and digital arts, dance, performing arts, crafts, music, film, video and literature;

“heritage” means the legacy of past and enduring practices, which we live with today which will be passed on to future generations;

“National Institute” means the Seychelles National Institute for Culture, Heritage and the Arts established by section 3;

“prescribed” means prescribed by regulations made under this Act;

“Permanent Secretary” as appointed under Section 5(4);

“Secretary General” as appointed under Section 5(2); and

“standard scales” means the standard scale of fines for offences established under the Criminal Offences (standard Scale of Fines) Act, 2021;

PART II
**SEYCHELLES NATIONAL INSTITUTE FOR CULTURE,
HERITAGE AND THE ARTS**

Establishment of National Institute

3.(1) There is hereby established the Seychelles National Institute for Culture, Heritage and the Arts.

(2) The National Institute shall —

- (a) be a body corporate with perpetual succession and a common seal;
- (b) in its corporate name be capable of suing and being sued; and
- (c) be capable of holding, purchasing and otherwise acquiring, and disposing of any property movable or immovable for the purposes of, or in the course of, the carrying out of its functions.

(3) The National Institute shall be a self-governing, proactive and independent body.

Functions of National Institute

4. The functions of the National Institute are to —

- (a) formulate policies for the identification, preservation, conservation, restoration, promotion for the sustainable development of the creole culture, heritage and arts of Seychelles and to have supervision, direction and control over the constituent institutions;
- (b) advise the Government on policies on culture, heritage and the arts of Seychelles and to ensure preservation of the Seychellois identity, culture, and heritage;
- (c) administer a recognition award programme for special

achievement and important contribution in the area of culture, the arts and heritage;

- (d) ensure the promotion and appreciation of the Seychellois creole culture and identity by providing opportunities for every Seychellois to experience cultural life and to develop their creative abilities and skills;
- (e) encourage artistic excellence and innovation by promoting and developing artistic and creative strengths nationally and internationally to maximise societal, economic and reputational values for the country;
- (f) provide equal access to cultural and artistic resources;
- (h) engage, and support the different forms of media for the development and promotion of culture, heritage and the arts;
- (i) promote intercultural cooperation both nationally and internationally in the fields culture, heritage and the arts;
- (j) support the organisation of exhibitions and programs to educate, and sensitise the society;
- (k) create, preserve and exhibit a national collection of Seychellois artworks;
- (l) acquire, build, restore properties and artefacts of national, cultural and heritage importance relevant to the Seychellois culture heritage and the arts;
- (m) support events, programmes and activities for the preservation, promotion and transmission of tangible and intangible cultural heritage of Seychelles;
- (n) administer and manage small grants, subsidy schemes and the National Cultural Fund;

- (o) regulate artist and performers in the creative industry by way of permits; and
- (p) perform such other functions as may be assigned to it under any other Act.

Advisory Council of National Institute

5.(1) There shall be established an Advisory Council which shall consist of the following members —

- (a) the Secretary General; and
- (b) such other members, not less than eight and not more than ten, as may be appointed by the President.

(2) The Secretary General and members shall be appointed by the President from persons of eminence and integrity having qualifications or experience in the development, preservation or promotion of the culture, heritage and the arts of Seychelles.

(3) The Secretary General and members shall be appointed for a term of seven years and shall be eligible for reappointment.

(4) There shall be a Permanent Secretary who shall act as Executive Secretary to the Advisory Council.

Functions of Secretary General

6.(1) The Secretary General of the Advisory Council shall be the Head and Chief Executive officer of the National Institute and shall be responsible for supervision, control and the day-to-day administration of the affairs of the National Institute.

(2) The post of Secretary General shall be the equivalent of a Secretary of State.

Functions of Advisory Council

7. The functions of the Advisory Council are to —

- (a) advise the Secretary General on matters related to policies and other matters of national importance and significance affecting the Seychellois creole culture;
- (b) act as a “think tank” to propose solutions, debate and decide upon matters relating to the Seychellois culture;
- (c) provide vision and direction for the functioning of the constituent institutions, sections and programmes of the National Institute.

Meetings of Advisory Council

8.(1) The Advisory Council shall meet at least once in every two months at such place and time as the Secretary General may determine.

(2) The Secretary General, on its own motion or on the request made in writing by not less than two members, may upon giving notice of not less than fourteen days call a special meeting of the Advisory Council.

(3) Where the urgency of a particular matter does not permit the giving of a notice in accordance with subsection (2), a special meeting may be called on shorter notice, on a request made in writing by not less than three members.

(4) The Secretary General shall preside over the meeting of the Advisory Council and in his or her absence, a member, elected by the members present for that meeting, shall preside over the meeting.

(5) A minimum of six members shall constitute the quorum at any meeting of the Advisory Council.

(6) A decision of the Advisory Council shall be taken by a majority of votes of members present and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote.

(7) The Advisory Council may request a person whose presence is, in its opinion necessary, to attend and to participate in the deliberations of a meeting of the Advisory Council but such person shall have no right to vote.

(8) Subject to this section, the Advisory Council may regulate its own procedure.

Disclosure of interest by members of Advisory Council

9.(1) A member of the Advisory Council who may have an interest direct or indirect in any matter tabled to be discussed at the meeting shall, notify the Secretary General by giving notice 7 days in advance, after the relevant circumstances have come to that member's knowledge, and disclose the nature of the interest to the Secretary General.

(2) Any disclosure made under subsection (1) shall be recorded in the minutes of the Advisory Council and the member —

- (a) shall not take part after the disclosure in any deliberation or decision of the Advisory Council with respect to that matter or contract; and
- (b) shall be disregarded for constituting a quorum of the Advisory Council for any such deliberation or decision.

Committees of National Institute

10.(1) The National Institute may, for performing its functions under this Act, establish such committees as it deems necessary and delegate thereto such of its functions as it considers appropriate.

(2) Subject to subsection (1), the National Institute may appoint as members of a committee, such persons who are not members of the Advisory Council, as it may consider appropriate.

(3) A person serving as a member of a committee shall hold office for such period as the National Institute may determine.

(4) Subject to any specific or general direction of the National Institute, a committee may regulate its own procedure.

Remunerations payable to members of Advisory Council and committees

11. There may be paid to the members of the Advisory Council and

members of committees such remuneration or allowances as per governmental policies.

Staff of National Institute

12. The National Institute shall employ such number of officers and other employees as may be necessary in the performance of functions of the National Institute.

Funds of National Institute

13.(1) The funds of the National Institute shall consist of —

- (a) such moneys as may be appropriated by the National Assembly under an Appropriation Act for the purposes of the National Institute;
- (b) the moneys received by the National Institute by way of donations, gifts or grants from any legal source whether domestic or foreign; and
- (c) such sums as may accrue to the National Institute from the conduct of its activity or business under this Act, including all other sums, which may, in any manner become payable to the National Institute in respect of any matter incidental to its functions.

(2) The funds of the National Institute may be applied for —

- (a) the expenses incurred by the National Institute in the performance of its functions and for the administration and other expenses of the constituent institutions; and
- (b) the payment of remuneration and allowances of staff of the National Institute and other allowances as may be prescribed.

Accounts and audit

14.(1) The financial year of the National Institute shall be the calendar year.

(2) The National Institute shall maintain proper accounts and other relevant records and prepare a statement of accounts in the form and manner approved by the Auditor-General.

(3) The account of the National Institute shall be audited by the Auditor General in accordance with Article 158 of the Constitution.

(4) Where the accounts and the statement of accounts of the National Institute in respect of a financial year have been audited by the Auditor General, the National Institute shall furnish, not later than 3 months after the end of the financial year, to the Minister responsible for Finance, a copy of the audited statement of the National Institute.

Plan of activities of National Institute

15.(1) The National Institute shall prepare a plan of its activities and submit it at least 30 days before the beginning of each financial year to the President for approval.

(2) The plan of activities under subsection (1) shall —

(a) include a statement of the short and medium term objectives of the National Institute;

(b) outline the strategies that the National Institute intends to employ in order to achieve its objectives; and

(c) include, *inter alia*, an operational plan, a financial plan, a human resources plan and performance indicators.

PART III CONSTITUENT INSTITUTIONS

Chapter 1 - Establishment

Establishment of constituent institutions

16.(1) There is hereby established the following constituent institutions, under the supervision, administration and control of the National Institute —

- (a) the Seychelles Creole Academy established by section 17;
- (b) the Seychelles National Arts and Crafts Council established by section 22;
- (c) the Seychelles National Archives established by section 27;
- (d) the Seychelles National Library established by section 43;
- (e) the Seychelles National Heritage Resource Council established by section 51;
- (f) Creative Seychelles Section established by section 57;
- (g) the Seychelles National Museums established by section 61;

(2) The National Institute shall supervise, regulate and monitor the constituent institutions in accordance with this Act.

Chapter 2 - Seychelles Creole Academy

The Seychelles Creole Academy

17. The Creole Institute of Seychelles established by section 3 of the Creole Institute of Seychelles Act, 2014 (*Act 12 of 2014*) shall be deemed to have been established under this Act and shall henceforth be known as the “Seychelles Creole Academy” or “Lakademi Kreol Sesel”.

Objects of Seychelles Creole Academy

18. The objectives of the Seychelles Creole Academy are to ensure the linguistic and cultural development of the Creole language and, *inter alia*, to focus on —

- (a) providing means of development for the Seychellois Creole language and literature;
- (b) promoting the Academy and its services, nationally and internationally; and

- (c) developing a professional research based workforce for the Academy.

Functions of Seychelles Creole Academy

19.(1) The functions of the Seychelles Creole Academy are to —

- (a) establish the Seychelles Creole Academy as the authority on all issues pertaining to the use of Seychellois Creole language, its orthography, vocabulary and grammar;
- (b) promote the Seychellois Creole language locally and internationally, through seminars, exhibitions, publications or audiovisual productions;
- (c) assist local authors writing in Seychellois Creole language, by providing technical and financial assistance, such as, editing, publishing and distribution of their work, to produce and publish it in the Creole language;
- (d) provide, active support to the teaching and learning of Seychellois Creole language by initiating and contributing to research projects on specific issues pertaining to the language, in consultation and collaboration with the Ministry responsible for Education;
- (e) make provisions for employees and employers, including foreign individuals for the learning of Seychellois Creole language, in collaboration with the Ministry responsible for Education;
- (f) ensure the development of Seychellois Creole literature, through the preservation and diffusion of traditional and literary heritage leading to the enhancement of a modern literary culture;
- (g) undertake research on Seychellois Creole language locally, and Creole languages in general internationally, in collaboration with other countries and Creolophone regions;

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- (h) establish a close and permanent contact with the institutions and organisations that display interest for research on Creole languages and cultures;
 - (i) develop the Seychelles Creole Academy as a centre for documentation on Creole languages and cultures, with emphasis on the Seychellois Creole language and culture, by the setting up of a database, including electronic database, to allow and provide for virtual and on site consultation;
 - (j) provide support and encourage Seychellois and foreign researchers to undertake research projects on issues pertaining to Creole;
 - (k) disseminate results of researches on Creole through seminars, meetings, publications television programmes and films;
 - (l) establish close relations with the media to promote standards in the usage of the Seychellois Creole language;
 - (m) encourage the exchange of expertise between researchers, linguists and pedagogues to further develop the Seychellois Creole language; and
 - (n) perform such other functions as may be prescribed by Regulations.

Appointment of Executive Director of Seychelles Creole Academy

20.(1) There shall be an Executive Director of the Seychelles Creole Academy appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Executive Director shall be Head and the Chief Executive of the Seychelles Creole Academy and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles Creole Academy;
- (b) shall ensure that the Seychelles Creole Academy performs its functions within the policy framework of Government's cultural and linguistic aspect of Seychellois Creole language;
- (c) may, with the approval of the National Institute, sign documents on behalf of the Seychelles Creole Academy;
- (d) may delegate any function of the Executive Director to any employee of the Seychelles Creole Academy; and
- (e) perform such other functions as the National Institute may, from time to time, assign.

Staff of Seychelles Creole Academy

21. The Seychelles Creole Academy shall, on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of the functions of the Seychelles Creole Academy.

Chapter 3 - Seychelles National Arts and Crafts Council

The Seychelles National Arts and Crafts Council

22.(1) The National Arts Council of Seychelles established by section 3(1) of the National Arts Council of Seychelles Act (*Cap 136*) shall be deemed to have been established under this Act and shall henceforth be known as the “Seychelles National Arts and Crafts Council” .

Functions of Seychelles National Arts and Crafts Council

23. The Seychelles National Arts and Crafts Council is the institution responsible for the development of the arts and crafts in Seychelles with the following functions —

- (a) to organize, coordinate and implement programs relating to the development of the arts and crafts in Seychelles;
- (b) to provide training for the certification of instructors and students in the performing arts;
- (c) to encourage the continuous active participation and foster a spirit of cooperation amongst artists and artisans;
- (d) to encourage best practices through the organisation of seminars, workshops and exchanges for the attainment of excellence in the arts and crafts;
- (e) to foster the appreciation and awareness of the public of the value and importance of the arts and crafts;
- (f) to collaborate with and support arts and crafts associations with the view to achieve their objectives;
- (g) to enter into cooperation and maintain relations with international organisations and institutes, likely to grant, financial, material or technical assistance for the development of the arts and crafts;
- (h) to collaborate with district authorities with the aim of bringing arts and crafts programs in the community;
- (i) facilitate access to funding to difference grants scheme available for the development of arts and crafts in Seychelles; and
- (j) undertake such other activities as may be prescribed by regulations.

Appointment of Executive Director of Seychelles National Arts and Crafts Council

24.(1) There shall be an Executive Director of the Seychelles National Arts and Crafts Council appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Executive Director shall be Head and the Chief Executive of the Seychelles National Arts Council and Crafts and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles National Arts and Crafts Council;
- (b) ensure that the Seychelles National Arts and Crafts Council performs its functions within the policy framework of the National Institute under this Act;
- (c) may, with the approval of the National Institute, sign documents on behalf of the Seychelles National Arts and Crafts Council;
- (d) may delegate any function of the Executive Director to any employee of the Seychelles National Arts and Crafts Council; and
- (e) perform such other functions as the National Institute may, from time to time, assign.

Staff of the Seychelles National Arts and Crafts Council

25. The Seychelles National Arts and Crafts Council shall on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of functions.

Chapter 4 - Seychelles National Archives

Interpretation in this Chapter

26. In this Chapter, unless the context otherwise requires —

“Principal Archivist” means the officer in charge of the Seychelles National Archives appointed in terms of section 29;

“public archives” means —

- (a) all records which —
 - (i) are more than thirty years old; and
 - (ii) are specified by the Records Committee as being of enduring or historical value; and
 - (iii) are in the custody of or are transferred to the Seychelles National Archives;
- (b) any printed Government publication in the custody of or transferred to the Seychelles National Archives;
- (c) any document, book or other material acquired for the Seychelles Archives by the Curator in terms of paragraph (g) of section 30;
- (d) any document, other than records, having enduring or historical value which may be deposited temporarily or permanently in the Seychelles National Archives;

“records” means records or documents belonging to any Government department which —

- (a) are in the custody of such Government department; or
- (b) are in the custody of or are transferred to the Seychelles National Archives;

“Records Committee” means the Records Committee established in terms of section 31.

The Seychelles National Archives

27. The Seychelles Archives established by section 3 of Seychelles Archives Act (*Cap 211*) shall be deemed to have been established under this Act and shall henceforth be known as the “Seychelles National Archives” wherein shall be preserved and stored public archives and such records as may be in its custody or transferred to it.

Control and management

28. The Seychelles National Archives shall be under the control and management of the National Institute.

Appointment of Principal Archivist

29.(1) There shall be a Principal Archivist of the Seychelles National Archives appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Principal Archivist shall be the head of the Seychelles National Archives and, under the administrative control of the National Institute —

- (a) shall be responsible for direction, management and control of the Seychelles National Archives;
- (b) shall examine, at the request of a Government department or of a local authority, any records in the custody of such department or local authority and shall advise such department or local authority as to the care and custody thereof;
- (c) shall ensure the physical protection, storage and arrangement of all public archives and of any records in the custody of the Seychelles National Archives;
- (d) shall accept and store any records which are transferred to the Seychelles National Archives;
- (e) may, if in his opinion it is necessary for their better preservation, bind or repair any public archives and any records which are in the custody of the Seychelles National Archives;
- (f) may, subject to the terms and conditions, if any, on which they were acquired, reproduce or publish any public archives the reproduction or publication of which Government has, with the consent of the owner thereof authorised;

- (g) may, subject to the approval of Government, acquire by purchase, donation, bequest or otherwise any document, book or other material which in the opinion of the Principal Archivist is or is likely to be of historical value, or otherwise of public interest;
- (h) may pay for any document, book or material purchased as in paragraph (g) and for the transcribing, binding and repairing thereof as well as of any public archives and records which are in the custody of the Seychelles National Archives if in his opinion this is necessary for their better preservation; and
- (i) may, subject to the consent of the Committee of Trustees, lend items from the Seychelles National Archives to other institutions.

Committee of Trustees

30.(1) The Secretary General shall establish a Committee of Trustees of the Seychelles National Archives which shall consist of such number of members, as may be appointed by the Secretary General.]

(2) The Committee of Trustees shall advise the Principal Archivist on matters of general policy concerning the Seychelles Archives, and to ensure the safety of the archives in the event of the death, resignation or removal of the Principal Archivist pending the appointment of a successor.

Records Committee

31.(1) There is hereby established a Records Committee, which shall consist of the Principal Archivist and of such other persons, as may be appointed by the Secretary General, one of whom shall be chosen from the members of the Committee of Trustees.

(2) The Records Committee shall make recommendations to the Government as to —

- (a) the retention or destruction of records;
- (b) the transfer of records to the Seychelles National Archives;

- (c) the classification of records for any of the purposes mentioned in paragraphs (a) and (b); and
- (d) any other matter, which may be prescribed by regulations,
and shall specify those records which in its opinion are of enduring or historical value.

Use of National Archives by public

32.(1) The public archives shall, subject to this Act and the conditions under which such archives are made available to or deposited in the National Archives, be made available to the public —

- (a) in the case of administrative files, after a period of not less than 30 years;
- (b) in case of sensitive documents, after 30 years from the date of their creation and with the approval of the Advisory Council;
- (c) in case of results of studies or any report in the custody of the National Archives, at once after it is published.

(2) The personal files shall be restricted documents and may be accessible subject to the prior approval of the Advisory Council.

(3) The medical records of individual shall remain confidential except for restricted access for medical and academic purposes.

(4) Subject to this section, the Principal Archivist may grant any person access to the public archives in the research room of the National Archives in accordance with the regulations made in this regard.

(5) The Principal Archivist may deny access of any person to any public archives, if the Principal Archivist has reason to believe that —

- (a) it is prejudicial to the rights of any other person; or
- (b) it is not in the public interest to grant such access.

(6) The Principal Archivist shall, on an application made in the prescribed form accompanied with the prescribed fee, provide any person with a photocopy of any document unless —

- (a) making such copy is against the law of copyright; or
- (b) a photocopy cannot be made due to the physical condition of the document.

(7) Nothing in this section shall prevent the Principal Archivist from complying with an order of a court for the production of any public archive in any proceedings before such court.

(8) No person shall reproduce or publish in whole or in part the contents of any public archives except —

- (a) with the prior written consent of the Principal Archivist and the Committee of Trustees;
- (b) in accordance with such terms and conditions as may be prescribed; and
- (c) upon payment of the prescribed fee.

(9) Nothing in this section shall be construed as affecting or extending the law relating to copyright.

Acknowledgement of works

33. Any person who makes use of any material in public archives in the publication of any book, magazine, dissertation, memoir, thesis or any other writing shall acknowledge in such publication the National Archives as the source of the material and deposit a copy of the publication with the Principal Archivist.

Prohibition of destruction of public records or public archives

34.(1) No person shall destroy any public records or public archives except as authorised by the Principal Archivist and the Committee of Trustees.

(2) No person shall knowingly mutilate, damage or in any way tamper with any public records or public archives.

Prohibition of export of archives

35. No person shall take or send out of Seychelles any archives except —

- (a) with the prior written consent of Principal Archivist and the Committee of Trustees; and
- (b) in accordance with such terms and conditions as may be prescribed.

Offences

36.(1) Any person, who —

- (a) wilfully damages any public or non-public records in the control of a Governmental body; or
- (b) removes, destroys or erases such records, otherwise than in accordance with this Act or any other written law, for the time being in force, commits an offence and shall be liable on conviction to a fine of level 5 on the standard scale or imprisonment for a period not exceeding 2 years or both such fine and imprisonment.

(2) Any person aggrieved by a decision of Principal Archivist under subsection 32(5) may make an appeal to the Minister.

(3) Any person who fails to comply with section 32(8) commits an offence and shall be liable on conviction to a fine of level 2 on the standard scale.

(4) Any person who fails to comply with section 33 commits an offence and shall be liable on conviction to a fine of level 2 on the standard scale.

(5) Any person who fails to comply with section 34 commits an

offence and shall be liable on conviction to a fine of level 2 on the standard scale.

(6) Any person who fails to comply with section 35 commits an offence and shall be liable on conviction to a fine of level 2 on the standard scale.

Inspection of public archives

37. Any person may inspect public archives during such hour as may be fixed by the National Institute subject to such conditions or limitations as may be prescribed or as may be imposed by the person from whom they were acquired.

Delivery of copy of every newspaper, book and audio-visual works printed and produced in Seychelles

38.(1) Any person, who makes or produces any artistic or documentary audio-visual work for commercial purposes or otherwise, shall deposit one copy each of such work within 14 working days of release with the Principal Archivist to form part of a depository to be held by the National Archives.

(2) It shall be the duty of every person responsible for the publication, issue or custody of the following records to deposit with the Principal Archivist free of charge the specified number of copies or specimens of such records —

- (a) one copy of every ordinary or special issue of a newspaper, periodical or other serial publications in any language within 72 hours of its publication;
- (b) two copies of any financial, statistical or special report and of any directory or calendar issued by a public authority or any private organisation within 2 weeks of its publication;
- (c) one specimen of every issue and first day cover of Seychelles postage stamps, within one month of the issue with an official statement by the Postal Regulator on the history and purpose of the issue;

- (d) one copy of the minutes of the proceedings of the National Assembly certified by the Clerk to the National Assembly within a fortnight of the approval of the minutes;
- (e) one specimen of every issue of currency notes and coins by the Central Bank of Seychelles within one month of the issue with a statement on the history and purpose of the issue;
- (f) one certified copy of the record of the Supreme Court or of the Court of Appeal in relation to a matter relating to property which is “*domaine public*” by the Registrar of such Court within a fortnight of the judgment of that Court;
- (g) one copy of every plan and map of Seychelles as and when published in Seychelles;
- (h) one copy of every register of births, marriages and deaths and any other Civil Status records relating to any year before the 31st January of the following year;
- (i) any notarial deed or authenticated copy thereof which is required to be deposited with the Principal Archivist of the National Archives under the provisions of Notaries Act;
- (j) one copy of the minutes of the proceedings of the Cabinet after 30 years of the approval of those minutes; and
- (k) such other records as may be prescribed by regulations.

(3) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable to a fine of level 2 on the standard scale.

Deposit of private documents

39.(1) Any person may deposit either temporarily or permanently in the Seychelles National Archives, any private document provided the Principal Archivist considered such document to be of sufficient archival value on such

terms and conditions as may be agreed upon between such person and the Principal Archivist.

(2) Any document deposited under subsection (1), and has not been claimed within a period of 30 years, shall be the property of the National Archives after the lapse of such period of 30 years, from the date of its deposit.

Principal Archivist may deliver copies, etc.

40. The Principal Archivist may provide copies, replicas or extracts authenticated by him or her of public archives.

Regulations under this Chapter

41.(1) The Secretary General may make regulations generally for the purpose of carrying out or giving effect to the objects and provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such regulations may provide for —

- (a) the care and management of the Seychelles National Archives;
- (b) the steps to be taken for the examination, disposal or destruction of any records, which are not of sufficient value to justify their preservation;
- (c) the transfer of any records from the custody of any Government department or local authority to the Seychelles National Archives;
- (d) the conditions under which persons may deposit private documents in the Seychelles National Archives;
- (e) the fees to be paid for making searches, for making use of public archives and for obtaining copies of public archives or replicas thereof;
- (f) the publication of any public archives; and

- (g) the preservation and protection of public archives and records in the Seychelles National Archives and the conduct of visitors thereto.

(3) The regulations made under this section may provide that contravention of or failure to comply with any such regulation shall be an offence and may prescribe a penalty for such offences, to a fine of level 5 on the standard scale and for a period of 2 years imprisonment.

Chapter 5 - Seychelles National Library

The Seychelles National Library

42.(1) The Seychelles National Library established by section 3 of the National Library Services Act (*Cap 296*) shall be deemed to have been established under this Act as the “Seychelles National Library”.

- (2) The Seychelles National Library shall —
 - (a) be a national centre for reference, study and information services;
 - (b) provide both public and national library services;
 - (c) consist of a comprehensive collection of books, manuscripts, periodicals, films and other recorded matters, printed or otherwise, covering all fields of knowledge and an exhaustive collection of the national literary output.

Control and management

43. The Seychelles National Library shall be under the control and management of the National Institute.

Appointment of Principal Librarian and other officers of Seychelles National Library

44.(1) There shall be appointed a Principal Librarian of the Seychelles National Library by the Secretary General and such other officers as may be

necessary for the performance of duties connected with the functions of the Seychelles National Library.

(2) The Principal Librarian shall be Head of the Seychelles National Library and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles National Library;
- (b) shall ensure that the Seychelles National Library performs its functions within its policy framework under this Act;
- (c) may, with the approval of the National Institute, sign documents on behalf of the Seychelles National Library;
- (d) may delegate any function of the Principal Librarian to any employee of the Seychelles National Library; and
- (e) shall perform such other functions as the Secretary General may, from time to time, assign.

Functions of Seychelles National Library

45. Under the direction of the Principal Librarian, the National Institute shall be responsible to provide the following national library services, namely —

- (a) to act as the official repository of all materials published —
 - (i) in Seychelles;
 - (ii) on any aspect of Seychelles;
 - (iii) by any Seychellois;
- (a) to coordinate bibliographical and other services including the publication of —

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- (i) retrospective and current national bibliographies;
 - (ii) selective and subject bibliographies;
 - (iii) reproduce of works that are damaged or in danger of being permanently lost;
 - (c) to plan and coordinate inter-library lending;
 - (d) to participate in the planning and development of libraries;
 - (e) to provide leadership to the country's libraries;
 - (f) to promote cooperation between the Library and other institutions, both national and international;
 - (g) to act as a centre for the exchange of publications;
 - (h) to provide a focal point for linkage to international databases;
 - (i) to provide ISSN and ISBN services to editors and publishers respectively;
 - (j) to compile the union catalogue;
 - (k) to provide the services of a lending library and a reference library;
 - (l) to establish and maintain branch libraries and regional reading centres;
 - (m) to provide persons with bibliographical research and other information;
 - (n) to provide book box and mobile library services;
 - (o) to provide reprographical facilities and information technological services;

- (p) to develop a good reading habit and encourage lifelong education; and
- (q) to increase and develop resources of the Seychelles National Library and other libraries.

Duty of publishers etc.

46.(1) For the purpose of section 45(2)(a) —

- (a) a publisher of a newspaper, periodical, book or bound pamphlet, map or post card published in Seychelles;
- (b) a producer of a film, microfilm, online publication or offline electronic publication intended for sale; and
- (c) a publisher or producer of a revised edition or remake of anything referred to in paragraph (a) or (b),

shall, not later than thirty days after it is published or produced, deliver or cause to be delivered three copies thereof to the head of the Library free of charge.

(2) Any person who fails to comply with the provisions of subsection (1) commits an offence and is liable on conviction to a fine of level 1 on the standard scale.

(3) Any person or institution may give a copy of any thesis, dissertation or research paper, whether printed or not, in their possession to the Library for conservation.

Donations

47. Any donations of movable and immovable property may be made to, and accepted by, the National Institute for the use of the Library or any other libraries in discharging their functions under this Act.

Regulations under this Chapter

48.(1) The Secretary General may make regulations for carrying out or giving effect to the objects and provisions of this Chapter.

(2) Without prejudice to the generality of subsection (1), such regulations may provide for —

- (a) the terms and conditions on which the facilities of the Seychelles National Library and other libraries are made available to the public;
- (b) the conduct of persons within the premises of the Seychelles National Library and other libraries;
- (c) proper maintenance and protection of the property of the Seychelles National Library and other libraries; and
- (d) charging of fees in respect of the various services provided by the Seychelles National Library and other libraries.

Chapter 6 - Seychelles National Heritage Resource Council

Interpretation in this Chapter

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

“ancient monument” means any buildings, structures, relics, ruins, pillars, statues, graves or other sites or things of a similar kind, or any remains thereof, which is known or believed to have been erected, constructed or used before 1st January, 1900;

“monument” means —

- (a) any ancient or national monument;
- (b) any area of land which is of archaeological or historical interest or which contains objects of such interest;
- (c) any old building or other structure;
- (d) any other object (whether natural or cultural) of aesthetic, archaeological, historical or scientific value or interest;

“national monument” means any monument declared to be a national monument under section 49;

“relic” means —

- (a) any fossil of any kind;
- (b) any object of aesthetic, archaeological, historical, scientific, political, religious and cultural value or interest;
- (c) any anthropological or archaeological contents of any monument.

The Seychelles National Heritage Resource Council

50. The Seychelles Heritage Foundation established by section 3 of the Seychelles Heritage Foundation Act (Cap 315) shall be deemed to have been established under this Act as the “Seychelles Heritage Resource Council”.

Functions of the Seychelles National Heritage Resource Council

51. The function of the Seychelles National Heritage Resource Council shall be to —

- (a) identify, conserve and promote the cultural heritage of Seychelles;
- (b) conduct anthropological, archaeological and ethnographic studies in all aspects of the Seychellois Creole culture;
- (c) conduct inventories of heritage sites;
- (d) promote and develop aspects of the Seychellois Creole Culture that could contribute to further the economic development of Seychelles;
- (e) encourage broader public, community and private participation in activities designed to promote and develop the cultural heritage of Seychelles;

- (f) generate the resources necessary for the achievement of the purposes of this Act and utilise them for such purposes;
- (g) manage all heritage sites and identify potential sites having regard to their value to cultural tourism;
- (h) seek and obtain international support for activities designed to promote the heritage of Seychelles;
- (i) promote and disseminate research on the tangible and intangible heritage of Seychelles;
- (j) organise educational programs for all on various aspects of the national heritage; and advise the National Institute on matters relating to the cultural heritage of Seychelles.
- (k) make a list of all monuments whose declarations as national monuments it considers desirable;
- (l) recommend to the Secretary General the declaration of any monument as a national monument;
- (m) accept, purchase or otherwise acquire any monuments, sites, structures or relics; in national interest;
- (n) take necessary measures to acquire threatened heritage site, structure or relic which may be located on private properties or privately owned for national interest;
- (o) undertake the excavation of any ancient monument, site or structure by an authorized and competent specialist in the field as well as any act it may deem necessary for the excavation, exploration or safe preservation of any ancient monument or relic wherever situated or found or by whosoever owned or controlled;
- (p) erect or cause to be erected signage system in suitable places giving information about historical events which occurred at such places;

- (q) subject to the rights of any owner or occupier of property, do such things as may be necessary to facilitate the access of the public to any monuments, sites, structures or relics which is owned or controlled by the Government;
- (r) make provisions for public utilities within any area or place which has been declared to be a national monument or site, wherever appropriate; and
- (s) establish standards for the preservation, conservation and promotion of the cultural heritage of Seychelles.

Appointment of Executive Director of Seychelles National Heritage Resource Council

52.(1) There shall be an Executive Director of the Seychelles National Heritage Resource Council appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Executive Director shall be Head and the Chief Executive of the Council and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles National Heritage Resource Council;
- (b) may, with the approval of the National Institute, sign documents on behalf of the Seychelles National Heritage Resource Council;
- (c) may delegate any function of the Executive Director to any person employed with the Seychelles National Heritage Resource Council;
- (d) shall perform its function within the policy framework; and
- (e) shall perform such other functions as the National Institute may, from time to time, assign.

Staff of Seychelles National Heritage Resource Council

53. The Seychelles National Heritage Resource Council shall, on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of functions of the Seychelles National Heritage Resource Council.

National monuments

54. The monuments listed under Schedule 1 are declared to be national monuments.

Consultation of bodies with common interests

55. The Seychelles National Heritage Resource Council shall where necessary act in consultation with other organisations involved in activities connected with the preservation and promotion cultural heritage.

Chapter 7 - Creative Seychelles Section**Establishment of Creative Seychelles Section**

56. The Creative Industries and National Events Agency established by section 3 of the Creative Industries and National Events Agency Act (Act 17 of 2016) shall be deemed to have been established under this Act as the “Creative Seychelles Section”.

Functions of Creative Seychelles Section

57. The functions of the Creative Seychelles Section are to —

- (a) identify and support the skills and opportunities that capacitate the thriving of the creative industries in close collaboration with the relevant departments and other agencies within the creative industry sector;
- (b) prepare and implement programmes giving incentives, provide opportunities for the export of creative products and services in collaboration with relevant partners;

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- (c) develop economically viable artistic programmes, cultural festivals and other activities in partnership with other organisations having an interest in the creative industries;
 - (d) promote and develop opportunities for artistic and cultural expression;
 - (e) lay down and monitor the standards in the creative industries, in close collaboration with the relevant departments and other agencies within the creative industry sector;
 - (f) encourage enterprises for the manufacturing and sale of artistic creations and related materials in close collaboration with the relevant departments and other agencies within the creative industry sector;
 - (h) facilitate access to services related to the protection of intellectual property;
 - (i) prepare and submit to the government, a plan for setting up an arts village in order to develop a market for creative industries and operate it in accordance with the terms and conditions specified by the National Institute;
 - (j) develop programmes in close collaboration with relevant departments and other agencies of the government, to provide exposure to persons engaged in creative industries; and
 - (k) facilitate the access to grants to such persons engaged in a creative industry with a view to promote creativity in collaboration with relevant partners.

Appointment of Executive Director of Creative Seychelles Section

58.(1) There shall be an Executive Director of the Creative Seychelles Section appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Executive Director shall be Head of the Section and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Creative Seychelles Section;
- (b) may, with the approval of the National Institute, sign documents on behalf of the Creative Seychelles Section;
- (c) may delegate any function of the Executive Director to any employee of the Creative Seychelles Section;
- (d) shall perform its function within the policy framework; and
- (e) shall perform such other functions as the National Institute may, from time to time, assign.

Staff of Creative Seychelles Section

59. The Seychelles Creative Section shall, on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of functions of the Creative Seychelles Section.

Chapter 8 - Seychelles National Museums

The Seychelles National Museums

60.(1) The Seychelles National Museums shall be deemed to have been established under this Act.

Functions of Seychelles National Museums

61.(1) The Seychelles National Museums is the section responsible for the management and development of Museums in Seychelles.

(2) The functions of the Seychelles National Museums are to —

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- (a) develop representative collections of historical, archaeological, natural and the cultural heritage of Seychelles;
 - (b) acquire material culture and specimens related to Seychelles Heritage and Culture by legal and fair appropriation;
 - (c) conserve material culture and specimens, as well as related documentation and information;
 - (d) conduct research in accordance with institutional, legal, ethical and academic practices;
 - (e) organise displays, exhibitions and other related activities in order to promote and inform the public on the historical, cultural and natural heritage of Seychelles;
 - (f) conduct promotional, educational and informational programmes for the general public, the community and educational institutions;
 - (g) provide professional training for all museum personnel in order to equip them with the relevant knowledge, skills and qualifications;
 - (h) develop and implement sponsorship and marketing strategies;
 - (i) erect, operate, maintain and improve buildings to be used for any purpose connected with a national or specialised museum; and
 - (j) operate restaurants, lounges, parking facilities, shops and other amenities.

Appointment of Director of Seychelles National Museums

62.(1) There shall be a Director of the Seychelles **National Museums** appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Director shall be head of the Seychelles National Museums and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles National Museums;
- (b) shall ensure that the Seychelles National Museums performs its functions within its policy framework of the National Institute under this Act;
- (c) may with the approval of the National Institute, sign documents on behalf of the Seychelles National Museums;
- (d) may delegate any function of the Director to any employee of the Seychelles National Museums; and
- (e) shall perform such other functions as the National Institute may, from time to time, assign.

Staff of Seychelles National Museums

63. The Seychelles National Museums shall, on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of functions of the Seychelles National Museums.

PART IV MISCELLANEOUS

Plan of activities of constituent institutions

64.(1) Every constituent institution shall prepare a plan of its activities and submit it at least 60 days before the beginning of each financial year to the Secretary General for approval.

(2) The plan of activities under subsection (1) shall —

- (a) include a statement of the short and medium term objectives of the constituent institutions;
- (b) outline the strategies that the constituent institutions intends to employ in order to achieve its objectives; and
- (c) include, inter alia, an operational plan, a financial plan, a human resources plan and performance indicators.

Annual Report of constituent institutions

65. Every constituent institutions shall, as soon as possible after the expiration of each financial year and in any event not later than the 31st day of January in any year, submit to the Secretary General an annual report.

Exemption from tax

66.(1) Notwithstanding anything in the Business Tax Act (Cap 20), the income, revenue and other receipts of the National Institute and every constituent institution shall be exempt from the payment of income tax.

(2) Notwithstanding any law to the contrary, no duty or fee shall be chargeable under the Stamp Duty Act, the Land Registration Act or the Mortgage and Registration Act in respect of any instrument on which the National Institute or its constituent institutions shall be liable to pay the duty or fee.

(3) Notwithstanding anything in any Act, all material, apparatus or equipment of any kind imported into the country by the National Institute or any constituent institution for carrying on its undertakings shall be free of all customs duty and any other tax whatever.

Application of provisions of the Penal Code

67. The members of the Advisory Council and officers of the National Institute and a constituent institution or any other person acting under the direction of the National Institute shall be deemed to be employed in the public service for the purpose of sections 91 to 96 of the Penal Code.

Regulations

68.(1) The Secretary General may, in consultation with the Advisory Board make regulations for carrying into effect the purpose and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), regulations made under subsection (1) may provide for —

- (a) amendments of any schedules;
- (b) any fees and charges payable or which may be levied under this Act;
- (c) forms;
- (d) conditions and requirements of permits; and
- (e) a penalty for offences created under the regulations to a fine of level 4 on the standard scale and for a period of 5 years imprisonment or to both fine and imprisonment.

**PART V
REPEAL AND TRANSITIONAL**

Repeal and savings

69.(1) The following Acts are hereby repealed —

- (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);

(2) On the repeal of the Acts under subsection (1), the members of the Board of the existing Institutions, established under of the respective repealed Acts, shall cease to be members as such and shall vacate the office; and such members of these Boards shall not be entitled to claim any compensation for the premature termination of their term of office or of any contract of service.

Interpretation in this Part

70. In this Part —

“existing institution” means —

- (a) the Creole Institute of Seychelles established under the Creole Institute of Seychelles Act, 2014 (Act 12 of 2014);
- (b) the National Arts Council of Seychelles established under the National Arts Council of Seychelles Act (Cap 136);
- (c) the Seychelles Heritage Foundation established under the Seychelles Heritage Foundation Act (Cap 315);
- (d) the Creative Industries and National Events Agency established under the Creative Industries and National Events Agency Act (Act 17 of 2016);
- (e) the National Monument Act, established under the National Monument Act 19 (Cap 140);
- (f) Seychelles Archives Act established under the (Cap 211);
- (g) the National Library Services Act established under the (Cap 296);

“Successor constituent institution” means —

- (a) in respect of the Creole Institute of Seychelles, the Seychelles Creole Academy;
- (b) in respect of the National Arts Council of Seychelles, the National Arts and Crafts Council of Seychelles;
- (c) in respect of the Seychelles Archives, the Seychelles National Archives;
- (d) in respect of the Creative Industries and National Events Agency, the Creative Seychelles Section;
- (e) in respect of the National Library, the Seychelles National Library;
- (f) in respect of the Seychelles Heritage Foundation, the Seychelles Heritage Resource Council; and
- (g) in respect to the National Museum, the Seychelles National Museums.

Transfer of staff to the National Institute

71.(1) Notwithstanding any law, a person employed with an existing institution immediately prior to the date of the commencement of this Act shall be deemed transferred to, and shall continue his or her employment with the National Institute on terms and conditions not less favourable than those subsisting immediately prior to the date of the commencement of this Act until these are amended, varied or repealed in accordance with the Public Service Orders or any scheme of service applicable to employees of the Government, as the case may be.

- (2) On the commencement of this Act —
 - (a) the Chief Executive Officer of the Creole Institute of Seychelles shall be deemed to be the Executive Director of the Seychelles Creole Academy;
 - (b) the Chief Executive Officer of the National Arts Council of

Seychelles shall be deemed to be the Executive Director of the National Arts and Crafts Council of Seychelles;

- (c) the Director of the Seychelles National Archives shall be deemed to be the Principal Archivist of the Seychelles National Archives;
- (d) the Principal Librarian of the Seychelles National Library shall be deemed to be the Principal Librarian of the Seychelles National Library;
- (e) the Chief Executive Officer of the Seychelles Heritage Foundation shall be deemed to be the Executive Director of the Seychelles National Heritage Resource Council;
- (f) the Chief Executive Officer of the Creative Industries and National Events Agency shall be deemed to be a Director of the Creative Seychelles Section of the National Institute; and
- (g) the Director of the National Museum shall be deemed Director of the Seychelles National Museum Section of the National Institute.

Transfer of property to successor constituent institutions

72.(1) All movable property vested in the existing institution immediately before the commencement of this Act and managed by the existing institution and all assets, rights, interests, privileges, liabilities and obligations of the existing institution shall be deemed to be transferred to and vested in the National Institute upon the commencement of this Act.

(2) Where a question arises as to whether a particular movable property has been deemed to be transferred to or vested the under subsection (1), a certificate under the hand of the Secretary General shall be conclusive evidence that the property was or was not transferred or vested.

Enforcement of obligations

73.(1) All obligations and liabilities incurred by an existing institution and outstanding immediately before the commencement of this Act are and

shall be deemed to have been incurred by the National Institute of that previously existing institution.

(2) Any contract or agreement executed by an existing institution before 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 National Institute;

(3) Any right, privilege obligation or liability acquired or incurred by a person under the repealed Acts 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 National Institute.

SCHEDULE 1

(Section 54)

Monuments declared to be national monuments

1. Bel Air Cemetery, Victoria
2. Botanical Gardens, Victoria
3. Freedom Square, Victoria
4. Large Granite Boulders, L'Union, La Digue
5. Mission Ruins, Mission, Mahé
6. State House Cemetery, (Ex-Mont du Pavillon), State House, Victoria
7. Ex-Doctor's House, Curieuse
8. La Bastille Building, Mahé
9. Ex-Nageon's House, Pointe Larue
10. Plantation House, L'Union, La Digue
11. Les Palmes Theatre, Victoria
12. Maison du Peuple, Victoria
13. National Library Building, Victoria
14. Plantation House, La Passe, Silhouette
15. State House, Victoria
16. Supreme Court Building, Victoria
17. Plantation House, Farquhar

18. Bicentennial Monument, Victoria
19. Clock Tower, Victoria
20. Diamond Jubilee Fountain, Victoria
21. Liberation Monument (Zonm Lib), Victoria
22. Pierre Poivre Bust, Victoria
23. Roman Catholic Priests' Residence at Victoria
24. St. Paul's Cathedral at Victoria
25. "Kenwyn" House (house of Manager Engineer of Cable and Wireless Ltd.) at Victoria
26. Ex-Sans Souci (House 1776), Sans Souci
27. Ex-Chateau des Mamelles, Les Mamelles, Mahé
28. Beauvoir Cemetery, La Misère, Mahé
29. Cascade Catholic Church, Cascade, Mahé
30. Ex-Plantation House, La Plaine, Anse Aux Pins
31. Anse Boudin Catholic Church, Anse Boudin, Praslin
32. Baie Ste Anne Catholic Church, Baie Ste Anne, Praslin
33. La Digue Catholic Church, La Digue
34. Seychelles People's United Party Museum, Francis Rachel Street
35. Miray Demon, Anse des Genêts, Mahé
36. Maison St. Joseph, Creole Institute Building
37. Grann Kaz of Domaine de Val de Près, Au Cap, Mahé
38. Ros Payanke or Ros Koson, Anse Louis, Mahé
39. Ros Leskalye, Port Launay, Mahé
40. Eustache Sardes' House, La Digue
41. Dauban Mausoleum, Silhouette
42. Trou Sodyer, Pte. Le Roi, Takamaka, Mahé
43. Gregoire Payet's House, Anse Reunion, La Digue.
44. Victoria Harbour Light house, Vitoria, Mahé.
45. Le Grand Trianon-Marie Antoinette, St. Louis, Mahé
46. Liberty Monument, Victoria, Mahé

SCHEDULE 2*(Section 68)***Fees for services charged by the National Institute**

Description of Service	Fees charged for the service
<p style="text-align: center;">Photocopying</p> <p>Fees for clients using libraries, archives, museums and reading centres</p>	<p><u>Photocopy - educational</u> A4 Rs1.00 Recto and SCR2.00 Recto/Verso. A3 SCR2.00 Recto and SCR3.00 Recto/Verso</p> <p><u>Photocopy - other documents</u> A4 SCR2.00 Recto and SCR3.00 Recto/Verso. A3 SCR3.00 Recto and SCR4.00 Recto/Verso</p>
<p style="text-align: center;">Printing</p> <p>Fees for clients using libraries, archives, museums and reading centres</p>	<p><u>Printing:</u></p> <p>SCR1.00 B/W Coloured illustrations SCR3.00 small illustrations SCR5.00 ¼ page illustration SCR10.00 ½ page illustrations SCR15.00 ¾ page illustrations SCR20.00 full page illustrations</p>
<p style="text-align: center;">Internet usage</p> <p>Fees for clients using libraries, archives, museums and reading centres</p>	<p><u>Internet:</u></p> <p>SCR3.00 for 5 minutes. SCR7.00 minutes for 15 minutes (student package)</p>

<p style="text-align: center;">Scanning</p> <p>Fees for clients using libraries, archives, museums and reading centres.</p>	<p>Scanning: SCR5.00 per page</p>
<p style="text-align: center;">Music</p> <p>Music fees for client attending classes for Theory classes, Vocal, Percussion Instruments, Strings Instruments, Wood Wind Instruments</p>	<p>SCR200 per student per course per term and SCR250 for adult over 30 years</p>
<p style="text-align: center;">Dance</p> <p>Dance class for Ballet and Modern dancing</p>	<p>SCR200 per student per course per term and SCR250 for adult over 30 years</p>
<p style="text-align: center;">Museum Entrance</p> <p>Fees paid by clients visiting the National Museum</p>	<p>SCR25 for Residence above 18 years SCR150 for Foreigners above 13 years Elderly and Disable residence are free</p>
<p style="text-align: center;">Rental of Museum Conferences room</p> <p>Charges for clients using conference facilities at National Museum</p>	<p>SCR1,500 for half day, SCR3,000 for a whole day</p>
<p style="text-align: center;">Family Tree - Genealogy Chart</p> <p>Fees for research</p>	<p>SCR300 to SCR4000 depending on the volume of research needed.</p>
<p style="text-align: center;">Fees from Film Unit</p> <p>Fees charge for rating film</p>	<p>SCR25.00 per DVD or Film</p>

**SEYCHELLES NATIONAL INSTITUTE FOR CULTURE,
HERITAGE AND THE ARTS BILL, 2021**

(Bill No. 50 of 2021)

OBJECTS AND REASONS

This Bill seeks to provide for the establishment of the Seychelles National Institute for Culture, Heritage and the Arts as an institution of policy making on culture, heritage and the arts for the Seychelles. The Institute shall also discharge the executive and administrative functions of Government by administering all existing laws relating to culture, heritage and the arts. The Institute will thus, replace the department of Culture..

This change in Government administration in relation to the portfolio of culture is seen as the best approach to divest matters relating to culture, heritage and the arts from perceived and actual politicised nature of Government.

It is felt that the subject matter of culture, heritage and the arts can be distinguished from other portfolios given the nature and subject matter of the portfolio.

The law thus provide that the Institute shall replace the current department of culture and all the laws listed under section 69 shall be repealed and reproduced in terms of their objects and functions as a constituent institution under this Act.

The Institute shall be under the supervision and control of a Secretary General appointed by the President whose post shall be equivalent to a Secretary of State.

There shall be an Advisory Council which shall advise the Secretary General on matters relating to policies and other matters of national importance.

Part I provides for preliminary matters such as short title and commencement.

Part II provides for the establishment of the Institute, its functions and terms of

appointments of the Secretary General, Principal Secretary and members of the Advisory Committee.

Part III provides for the establishment of the constituent institutions.

Part IV provides for miscellaneous matters such as plan of the Institute, annual report, exemption from tax and regulation making provisions.

Part V provides for repeal of Acts and transitional provisions of existing institutions to that of its successor constituent institutions, savings provisions and the schedules.

The Bill seeks to achieve the above objectives.

Dated this 11th day October, 2021.

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

**SEYCHELLES NATIONAL INSTITUTE FOR CULTURE,
HERITAGE AND THE ARTS BILL, 2021**

(Bill No. 50 of 2021)

ARRANGEMENT OF SECTIONS

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2. Interpretation

**PART II - SEYCHELLES NATIONAL INSTITUTE FOR
CULTURE, HERITAGE AND THE ARTS**

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4. Functions of National Institute
5. Advisory Council of National Institute
6. Functions of Secretary General
7. Functions of Advisory Council
8. Meetings of Advisory Council
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10. Committee of National Institute
11. Remunerations payable to members of Advisory Council and committees
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13. Funds of National Institute
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15. Plan of activities of National Institute

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56. The Creative Seychelles Section
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58. Appointment of Executive Director of Creative Seychelles Section
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60. Establishment of Seychelles National Museums
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62. Appointment of Director of Seychelles National Museums
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PART IV - MISCELLANEOUS

64. Plan of activities of constituent institutions
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Schedules 1 - Monuments declared to be national monuments

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**SEYCHELLES NATIONAL INSTITUTE FOR CULTURE,
HERITAGE AND THE ARTS BILL, 2021**

(Bill No. 50 of 2021)



**A BILL
FOR**

AN ACT to establish a Seychelles National Institute for Culture Heritage and the Arts as an institution of policy making in respect of culture, heritage and the arts, and to coordinate for the advancement of, and for the preservation, promotion and strengthening of the cultural values and identity of the Seychellois people; to establish its constituent institutions and to repeal certain laws relating thereto and for matters connected therewith or incidental thereto.

ENACTED by the President and the National Assembly.

**PART I
PRELIMINARY**

Short title and commencement

1. This Act may be cited as the Seychelles National Institute for Culture, Heritage and the Arts Act, 2021 and shall come into operation on such date as the Director General may, by a notice published in the Gazette, appoint.

Interpretation

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

“Advisory Council” means the Advisory Council of the National Institute appointed under section 5;

“Committee of Trustees” means the Committee of Trustees established under section 30;

“constituent institution” means an institution specified under section 16;

“culture” means a set of distinctive spiritual, material, intellectual and emotional features of a society or a social group, that encompasses not only the arts and literature, but lifestyles, ways of living together, value systems, symbols, languages, traditions and beliefs;

“creative industries” means those industries that combine the creation, production and commercialisation of products that are tangible and intangible and cultural in nature and which are typically protected by copyright and take the form of goods or services such; as visual and digital arts, dance, performing arts, crafts, music, film, video and literature;

“heritage” means the legacy of past and enduring practices, which we live with today which will be passed on to future generations;

“National Institute” means the Seychelles National Institute for Culture, Heritage and the Arts established by section 3;

“prescribed” means prescribed by regulations made under this Act;

“Permanent Secretary” as appointed under Section 5(4);

“Secretary General” as appointed under Section 5(2); and

“standard scales” means the standard scale of fines for offences established under the Criminal Offences (standard Scale of Fines) Act, 2021;

PART II
**SEYCHELLES NATIONAL INSTITUTE FOR CULTURE,
HERITAGE AND THE ARTS**

Establishment of National Institute

3.(1) There is hereby established the Seychelles National Institute for Culture, Heritage and the Arts.

(2) The National Institute shall —

- (a) be a body corporate with perpetual succession and a common seal;
- (b) in its corporate name be capable of suing and being sued; and
- (c) be capable of holding, purchasing and otherwise acquiring, and disposing of any property movable or immovable for the purposes of, or in the course of, the carrying out of its functions.

(3) The National Institute shall be a self-governing, proactive and independent body.

Functions of National Institute

4. The functions of the National Institute are to —

- (a) formulate policies for the identification, preservation, conservation, restoration, promotion for the sustainable development of the creole culture, heritage and arts of Seychelles and to have supervision, direction and control over the constituent institutions;
- (b) advise the Government on policies on culture, heritage and the arts of Seychelles and to ensure preservation of the Seychellois identity, culture, and heritage;
- (c) administer a recognition award programme for special

achievement and important contribution in the area of culture, the arts and heritage;

- (d) ensure the promotion and appreciation of the Seychellois creole culture and identity by providing opportunities for every Seychellois to experience cultural life and to develop their creative abilities and skills;
- (e) encourage artistic excellence and innovation by promoting and developing artistic and creative strengths nationally and internationally to maximise societal, economic and reputational values for the country;
- (f) provide equal access to cultural and artistic resources;
- (h) engage, and support the different forms of media for the development and promotion of culture, heritage and the arts;
- (i) promote intercultural cooperation both nationally and internationally in the fields culture, heritage and the arts;
- (j) support the organisation of exhibitions and programs to educate, and sensitise the society;
- (k) create, preserve and exhibit a national collection of Seychellois artworks;
- (l) acquire, build, restore properties and artefacts of national, cultural and heritage importance relevant to the Seychellois culture heritage and the arts;
- (m) support events, programmes and activities for the preservation, promotion and transmission of tangible and intangible cultural heritage of Seychelles;
- (n) administer and manage small grants, subsidy schemes and the National Cultural Fund;

- (o) regulate artist and performers in the creative industry by way of permits; and
- (p) perform such other functions as may be assigned to it under any other Act.

Advisory Council of National Institute

5.(1) There shall be established an Advisory Council which shall consist of the following members —

- (a) the Secretary General; and
- (b) such other members, not less than eight and not more than ten, as may be appointed by the President.

(2) The Secretary General and members shall be appointed by the President from persons of eminence and integrity having qualifications or experience in the development, preservation or promotion of the culture, heritage and the arts of Seychelles.

(3) The Secretary General and members shall be appointed for a term of seven years and shall be eligible for reappointment.

(4) There shall be a Permanent Secretary who shall act as Executive Secretary to the Advisory Council.

Functions of Secretary General

6.(1) The Secretary General of the Advisory Council shall be the Head and Chief Executive officer of the National Institute and shall be responsible for supervision, control and the day-to-day administration of the affairs of the National Institute.

(2) The post of Secretary General shall be the equivalent of a Secretary of State.

Functions of Advisory Council

7. The functions of the Advisory Council are to —

- (a) advise the Secretary General on matters related to policies and other matters of national importance and significance affecting the Seychellois creole culture;
- (b) act as a “think tank” to propose solutions, debate and decide upon matters relating to the Seychellois culture;
- (c) provide vision and direction for the functioning of the constituent institutions, sections and programmes of the National Institute.

Meetings of Advisory Council

8.(1) The Advisory Council shall meet at least once in every two months at such place and time as the Secretary General may determine.

(2) The Secretary General, on its own motion or on the request made in writing by not less than two members, may upon giving notice of not less than fourteen days call a special meeting of the Advisory Council.

(3) Where the urgency of a particular matter does not permit the giving of a notice in accordance with subsection (2), a special meeting may be called on shorter notice, on a request made in writing by not less than three members.

(4) The Secretary General shall preside over the meeting of the Advisory Council and in his or her absence, a member, elected by the members present for that meeting, shall preside over the meeting.

(5) A minimum of six members shall constitute the quorum at any meeting of the Advisory Council.

(6) A decision of the Advisory Council shall be taken by a majority of votes of members present and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote.

(7) The Advisory Council may request a person whose presence is, in its opinion necessary, to attend and to participate in the deliberations of a meeting of the Advisory Council but such person shall have no right to vote.

(8) Subject to this section, the Advisory Council may regulate its own procedure.

Disclosure of interest by members of Advisory Council

9.(1) A member of the Advisory Council who may have an interest direct or indirect in any matter tabled to be discussed at the meeting shall, notify the Secretary General by giving notice 7 days in advance, after the relevant circumstances have come to that member's knowledge, and disclose the nature of the interest to the Secretary General.

(2) Any disclosure made under subsection (1) shall be recorded in the minutes of the Advisory Council and the member —

- (a) shall not take part after the disclosure in any deliberation or decision of the Advisory Council with respect to that matter or contract; and
- (b) shall be disregarded for constituting a quorum of the Advisory Council for any such deliberation or decision.

Committees of National Institute

10.(1) The National Institute may, for performing its functions under this Act, establish such committees as it deems necessary and delegate thereto such of its functions as it considers appropriate.

(2) Subject to subsection (1), the National Institute may appoint as members of a committee, such persons who are not members of the Advisory Council, as it may consider appropriate.

(3) A person serving as a member of a committee shall hold office for such period as the National Institute may determine.

(4) Subject to any specific or general direction of the National Institute, a committee may regulate its own procedure.

Remunerations payable to members of Advisory Council and committees

11. There may be paid to the members of the Advisory Council and

members of committees such remuneration or allowances as per governmental policies.

Staff of National Institute

12. The National Institute shall employ such number of officers and other employees as may be necessary in the performance of functions of the National Institute.

Funds of National Institute

13.(1) The funds of the National Institute shall consist of —

- (a) such moneys as may be appropriated by the National Assembly under an Appropriation Act for the purposes of the National Institute;
- (b) the moneys received by the National Institute by way of donations, gifts or grants from any legal source whether domestic or foreign; and
- (c) such sums as may accrue to the National Institute from the conduct of its activity or business under this Act, including all other sums, which may, in any manner become payable to the National Institute in respect of any matter incidental to its functions.

(2) The funds of the National Institute may be applied for —

- (a) the expenses incurred by the National Institute in the performance of its functions and for the administration and other expenses of the constituent institutions; and
- (b) the payment of remuneration and allowances of staff of the National Institute and other allowances as may be prescribed.

Accounts and audit

14.(1) The financial year of the National Institute shall be the calendar year.

(2) The National Institute shall maintain proper accounts and other relevant records and prepare a statement of accounts in the form and manner approved by the Auditor-General.

(3) The account of the National Institute shall be audited by the Auditor General in accordance with Article 158 of the Constitution.

(4) Where the accounts and the statement of accounts of the National Institute in respect of a financial year have been audited by the Auditor General, the National Institute shall furnish, not later than 3 months after the end of the financial year, to the Minister responsible for Finance, a copy of the audited statement of the National Institute.

Plan of activities of National Institute

15.(1) The National Institute shall prepare a plan of its activities and submit it at least 30 days before the beginning of each financial year to the President for approval.

(2) The plan of activities under subsection (1) shall —

(a) include a statement of the short and medium term objectives of the National Institute;

(b) outline the strategies that the National Institute intends to employ in order to achieve its objectives; and

(c) include, *inter alia*, an operational plan, a financial plan, a human resources plan and performance indicators.

PART III CONSTITUENT INSTITUTIONS

Chapter 1 - Establishment

Establishment of constituent institutions

16.(1) There is hereby established the following constituent institutions, under the supervision, administration and control of the National Institute —

- (a) the Seychelles Creole Academy established by section 17;
- (b) the Seychelles National Arts and Crafts Council established by section 22;
- (c) the Seychelles National Archives established by section 27;
- (d) the Seychelles National Library established by section 43;
- (e) the Seychelles National Heritage Resource Council established by section 51;
- (f) Creative Seychelles Section established by section 57;
- (g) the Seychelles National Museums established by section 61;

(2) The National Institute shall supervise, regulate and monitor the constituent institutions in accordance with this Act.

Chapter 2 - Seychelles Creole Academy

The Seychelles Creole Academy

17. The Creole Institute of Seychelles established by section 3 of the Creole Institute of Seychelles Act, 2014 (*Act 12 of 2014*) shall be deemed to have been established under this Act and shall henceforth be known as the “Seychelles Creole Academy” or “Lakademi Kreol Sesel”.

Objects of Seychelles Creole Academy

18. The objectives of the Seychelles Creole Academy are to ensure the linguistic and cultural development of the Creole language and, *inter alia*, to focus on —

- (a) providing means of development for the Seychellois Creole language and literature;
- (b) promoting the Academy and its services, nationally and internationally; and

- (c) developing a professional research based workforce for the Academy.

Functions of Seychelles Creole Academy

19.(1) The functions of the Seychelles Creole Academy are to —

- (a) establish the Seychelles Creole Academy as the authority on all issues pertaining to the use of Seychellois Creole language, its orthography, vocabulary and grammar;
- (b) promote the Seychellois Creole language locally and internationally, through seminars, exhibitions, publications or audiovisual productions;
- (c) assist local authors writing in Seychellois Creole language, by providing technical and financial assistance, such as, editing, publishing and distribution of their work, to produce and publish it in the Creole language;
- (d) provide, active support to the teaching and learning of Seychellois Creole language by initiating and contributing to research projects on specific issues pertaining to the language, in consultation and collaboration with the Ministry responsible for Education;
- (e) make provisions for employees and employers, including foreign individuals for the learning of Seychellois Creole language, in collaboration with the Ministry responsible for Education;
- (f) ensure the development of Seychellois Creole literature, through the preservation and diffusion of traditional and literary heritage leading to the enhancement of a modern literary culture;
- (g) undertake research on Seychellois Creole language locally, and Creole languages in general internationally, in collaboration with other countries and Creolophone regions;

- (h) establish a close and permanent contact with the institutions and organisations that display interest for research on Creole languages and cultures;
- (i) develop the Seychelles Creole Academy as a centre for documentation on Creole languages and cultures, with emphasis on the Seychellois Creole language and culture, by the setting up of a database, including electronic database, to allow and provide for virtual and on site consultation;
- (j) provide support and encourage Seychellois and foreign researchers to undertake research projects on issues pertaining to Creole;
- (k) disseminate results of researches on Creole through seminars, meetings, publications television programmes and films;
- (l) establish close relations with the media to promote standards in the usage of the Seychellois Creole language;
- (m) encourage the exchange of expertise between researchers, linguists and pedagogues to further develop the Seychellois Creole language; and
- (n) perform such other functions as may be prescribed by Regulations.

Appointment of Executive Director of Seychelles Creole Academy

20.(1) There shall be an Executive Director of the Seychelles Creole Academy appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Executive Director shall be Head and the Chief Executive of the Seychelles Creole Academy and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles Creole Academy;
- (b) shall ensure that the Seychelles Creole Academy performs its functions within the policy framework of Government's cultural and linguistic aspect of Seychellois Creole language;
- (c) may, with the approval of the National Institute, sign documents on behalf of the Seychelles Creole Academy;
- (d) may delegate any function of the Executive Director to any employee of the Seychelles Creole Academy; and
- (e) perform such other functions as the National Institute may, from time to time, assign.

Staff of Seychelles Creole Academy

21. The Seychelles Creole Academy shall, on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of the functions of the Seychelles Creole Academy.

Chapter 3 - Seychelles National Arts and Crafts Council

The Seychelles National Arts and Crafts Council

22.(1) The National Arts Council of Seychelles established by section 3(1) of the National Arts Council of Seychelles Act (*Cap 136*) shall be deemed to have been established under this Act and shall henceforth be known as the “Seychelles National Arts and Crafts Council” .

Functions of Seychelles National Arts and Crafts Council

23. The Seychelles National Arts and Crafts Council is the institution responsible for the development of the arts and crafts in Seychelles with the following functions —

- (a) to organize, coordinate and implement programs relating to the development of the arts and crafts in Seychelles;
- (b) to provide training for the certification of instructors and students in the performing arts;
- (c) to encourage the continuous active participation and foster a spirit of cooperation amongst artists and artisans;
- (d) to encourage best practices through the organisation of seminars, workshops and exchanges for the attainment of excellence in the arts and crafts;
- (e) to foster the appreciation and awareness of the public of the value and importance of the arts and crafts;
- (f) to collaborate with and support arts and crafts associations with the view to achieve their objectives;
- (g) to enter into cooperation and maintain relations with international organisations and institutes, likely to grant, financial, material or technical assistance for the development of the arts and crafts;
- (h) to collaborate with district authorities with the aim of bringing arts and crafts programs in the community;
- (i) facilitate access to funding to difference grants scheme available for the development of arts and crafts in Seychelles; and
- (j) undertake such other activities as may be prescribed by regulations.

Appointment of Executive Director of Seychelles National Arts and Crafts Council

24.(1) There shall be an Executive Director of the Seychelles National Arts and Crafts Council appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Executive Director shall be Head and the Chief Executive of the Seychelles National Arts Council and Crafts and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles National Arts and Crafts Council;
- (b) ensure that the Seychelles National Arts and Crafts Council performs its functions within the policy framework of the National Institute under this Act;
- (c) may, with the approval of the National Institute, sign documents on behalf of the Seychelles National Arts and Crafts Council;
- (d) may delegate any function of the Executive Director to any employee of the Seychelles National Arts and Crafts Council; and
- (e) perform such other functions as the National Institute may, from time to time, assign.

Staff of the Seychelles National Arts and Crafts Council

25. The Seychelles National Arts and Crafts Council shall on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of functions.

Chapter 4 - Seychelles National Archives

Interpretation in this Chapter

26. In this Chapter, unless the context otherwise requires —

“Principal Archivist” means the officer in charge of the Seychelles National Archives appointed in terms of section 29;

“public archives” means —

- (a) all records which —
 - (i) are more than thirty years old; and
 - (ii) are specified by the Records Committee as being of enduring or historical value; and
 - (iii) are in the custody of or are transferred to the Seychelles National Archives;
- (b) any printed Government publication in the custody of or transferred to the Seychelles National Archives;
- (c) any document, book or other material acquired for the Seychelles Archives by the Curator in terms of paragraph (g) of section 30;
- (d) any document, other than records, having enduring or historical value which may be deposited temporarily or permanently in the Seychelles National Archives;

“records” means records or documents belonging to any Government department which —

- (a) are in the custody of such Government department; or
- (b) are in the custody of or are transferred to the Seychelles National Archives;

“Records Committee” means the Records Committee established in terms of section 31.

The Seychelles National Archives

27. The Seychelles Archives established by section 3 of Seychelles Archives Act (*Cap 211*) shall be deemed to have been established under this Act and shall henceforth be known as the “Seychelles National Archives” wherein shall be preserved and stored public archives and such records as may be in its custody or transferred to it.

Control and management

28. The Seychelles National Archives shall be under the control and management of the National Institute.

Appointment of Principal Archivist

29.(1) There shall be a Principal Archivist of the Seychelles National Archives appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Principal Archivist shall be the head of the Seychelles National Archives and, under the administrative control of the National Institute —

- (a) shall be responsible for direction, management and control of the Seychelles National Archives;
- (b) shall examine, at the request of a Government department or of a local authority, any records in the custody of such department or local authority and shall advise such department or local authority as to the care and custody thereof;
- (c) shall ensure the physical protection, storage and arrangement of all public archives and of any records in the custody of the Seychelles National Archives;
- (d) shall accept and store any records which are transferred to the Seychelles National Archives;
- (e) may, if in his opinion it is necessary for their better preservation, bind or repair any public archives and any records which are in the custody of the Seychelles National Archives;
- (f) may, subject to the terms and conditions, if any, on which they were acquired, reproduce or publish any public archives the reproduction or publication of which Government has, with the consent of the owner thereof authorised;

- (g) may, subject to the approval of Government, acquire by purchase, donation, bequest or otherwise any document, book or other material which in the opinion of the Principal Archivist is or is likely to be of historical value, or otherwise of public interest;
- (h) may pay for any document, book or material purchased as in paragraph (g) and for the transcribing, binding and repairing thereof as well as of any public archives and records which are in the custody of the Seychelles National Archives if in his opinion this is necessary for their better preservation; and
- (i) may, subject to the consent of the Committee of Trustees, lend items from the Seychelles National Archives to other institutions.

Committee of Trustees

30.(1) The Secretary General shall establish a Committee of Trustees of the Seychelles National Archives which shall consist of such number of members, as may be appointed by the Secretary General.]

(2) The Committee of Trustees shall advise the Principal Archivist on matters of general policy concerning the Seychelles Archives, and to ensure the safety of the archives in the event of the death, resignation or removal of the Principal Archivist pending the appointment of a successor.

Records Committee

31.(1) There is hereby established a Records Committee, which shall consist of the Principal Archivist and of such other persons, as may be appointed by the Secretary General, one of whom shall be chosen from the members of the Committee of Trustees.

(2) The Records Committee shall make recommendations to the Government as to —

- (a) the retention or destruction of records;
- (b) the transfer of records to the Seychelles National Archives;

- (c) the classification of records for any of the purposes mentioned in paragraphs (a) and (b); and
- (d) any other matter, which may be prescribed by regulations,
and shall specify those records which in its opinion are of enduring or historical value.

Use of National Archives by public

32.(1) The public archives shall, subject to this Act and the conditions under which such archives are made available to or deposited in the National Archives, be made available to the public —

- (a) in the case of administrative files, after a period of not less than 30 years;
- (b) in case of sensitive documents, after 30 years from the date of their creation and with the approval of the Advisory Council;
- (c) in case of results of studies or any report in the custody of the National Archives, at once after it is published.

(2) The personal files shall be restricted documents and may be accessible subject to the prior approval of the Advisory Council.

(3) The medical records of individual shall remain confidential except for restricted access for medical and academic purposes.

(4) Subject to this section, the Principal Archivist may grant any person access to the public archives in the research room of the National Archives in accordance with the regulations made in this regard.

(5) The Principal Archivist may deny access of any person to any public archives, if the Principal Archivist has reason to believe that —

- (a) it is prejudicial to the rights of any other person; or
- (b) it is not in the public interest to grant such access.

(6) The Principal Archivist shall, on an application made in the prescribed form accompanied with the prescribed fee, provide any person with a photocopy of any document unless —

- (a) making such copy is against the law of copyright; or
- (b) a photocopy cannot be made due to the physical condition of the document.

(7) Nothing in this section shall prevent the Principal Archivist from complying with an order of a court for the production of any public archive in any proceedings before such court.

(8) No person shall reproduce or publish in whole or in part the contents of any public archives except —

- (a) with the prior written consent of the Principal Archivist and the Committee of Trustees;
- (b) in accordance with such terms and conditions as may be prescribed; and
- (c) upon payment of the prescribed fee.

(9) Nothing in this section shall be construed as affecting or extending the law relating to copyright.

Acknowledgement of works

33. Any person who makes use of any material in public archives in the publication of any book, magazine, dissertation, memoir, thesis or any other writing shall acknowledge in such publication the National Archives as the source of the material and deposit a copy of the publication with the Principal Archivist.

Prohibition of destruction of public records or public archives

34.(1) No person shall destroy any public records or public archives except as authorised by the Principal Archivist and the Committee of Trustees.

(2) No person shall knowingly mutilate, damage or in any way tamper with any public records or public archives.

Prohibition of export of archives

35. No person shall take or send out of Seychelles any archives except —

- (a) with the prior written consent of Principal Archivist and the Committee of Trustees; and
- (b) in accordance with such terms and conditions as may be prescribed.

Offences

36.(1) Any person, who —

- (a) wilfully damages any public or non-public records in the control of a Governmental body; or
- (b) removes, destroys or erases such records, otherwise than in accordance with this Act or any other written law, for the time being in force, commits an offence and shall be liable on conviction to a fine of level 5 on the standard scale or imprisonment for a period not exceeding 2 years or both such fine and imprisonment.

(2) Any person aggrieved by a decision of Principal Archivist under subsection 32(5) may make an appeal to the Minister.

(3) Any person who fails to comply with section 32(8) commits an offence and shall be liable on conviction to a fine of level 2 on the standard scale.

(4) Any person who fails to comply with section 33 commits an offence and shall be liable on conviction to a fine of level 2 on the standard scale.

(5) Any person who fails to comply with section 34 commits an

offence and shall be liable on conviction to a fine of level 2 on the standard scale.

(6) Any person who fails to comply with section 35 commits an offence and shall be liable on conviction to a fine of level 2 on the standard scale.

Inspection of public archives

37. Any person may inspect public archives during such hour as may be fixed by the National Institute subject to such conditions or limitations as may be prescribed or as may be imposed by the person from whom they were acquired.

Delivery of copy of every newspaper, book and audio-visual works printed and produced in Seychelles

38.(1) Any person, who makes or produces any artistic or documentary audio-visual work for commercial purposes or otherwise, shall deposit one copy each of such work within 14 working days of release with the Principal Archivist to form part of a depository to be held by the National Archives.

(2) It shall be the duty of every person responsible for the publication, issue or custody of the following records to deposit with the Principal Archivist free of charge the specified number of copies or specimens of such records —

- (a) one copy of every ordinary or special issue of a newspaper, periodical or other serial publications in any language within 72 hours of its publication;
- (b) two copies of any financial, statistical or special report and of any directory or calendar issued by a public authority or any private organisation within 2 weeks of its publication;
- (c) one specimen of every issue and first day cover of Seychelles postage stamps, within one month of the issue with an official statement by the Postal Regulator on the history and purpose of the issue;

- (d) one copy of the minutes of the proceedings of the National Assembly certified by the Clerk to the National Assembly within a fortnight of the approval of the minutes;
- (e) one specimen of every issue of currency notes and coins by the Central Bank of Seychelles within one month of the issue with a statement on the history and purpose of the issue;
- (f) one certified copy of the record of the Supreme Court or of the Court of Appeal in relation to a matter relating to property which is “*domaine public*” by the Registrar of such Court within a fortnight of the judgment of that Court;
- (g) one copy of every plan and map of Seychelles as and when published in Seychelles;
- (h) one copy of every register of births, marriages and deaths and any other Civil Status records relating to any year before the 31st January of the following year;
- (i) any notarial deed or authenticated copy thereof which is required to be deposited with the Principal Archivist of the National Archives under the provisions of Notaries Act;
- (j) one copy of the minutes of the proceedings of the Cabinet after 30 years of the approval of those minutes; and
- (k) such other records as may be prescribed by regulations.

(3) Any person who fails to comply with the provisions of subsection (1) shall be guilty of an offence and liable to a fine of level 2 on the standard scale.

Deposit of private documents

39.(1) Any person may deposit either temporarily or permanently in the Seychelles National Archives, any private document provided the Principal Archivist considered such document to be of sufficient archival value on such

terms and conditions as may be agreed upon between such person and the Principal Archivist.

(2) Any document deposited under subsection (1), and has not been claimed within a period of 30 years, shall be the property of the National Archives after the lapse of such period of 30 years, from the date of its deposit.

Principal Archivist may deliver copies, etc.

40. The Principal Archivist may provide copies, replicas or extracts authenticated by him or her of public archives.

Regulations under this Chapter

41.(1) The Secretary General may make regulations generally for the purpose of carrying out or giving effect to the objects and provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such regulations may provide for —

- (a) the care and management of the Seychelles National Archives;
- (b) the steps to be taken for the examination, disposal or destruction of any records, which are not of sufficient value to justify their preservation;
- (c) the transfer of any records from the custody of any Government department or local authority to the Seychelles National Archives;
- (d) the conditions under which persons may deposit private documents in the Seychelles National Archives;
- (e) the fees to be paid for making searches, for making use of public archives and for obtaining copies of public archives or replicas thereof;
- (f) the publication of any public archives; and

- (g) the preservation and protection of public archives and records in the Seychelles National Archives and the conduct of visitors thereto.

(3) The regulations made under this section may provide that contravention of or failure to comply with any such regulation shall be an offence and may prescribe a penalty for such offences, to a fine of level 5 on the standard scale and for a period of 2 years imprisonment.

Chapter 5 - Seychelles National Library

The Seychelles National Library

42.(1) The Seychelles National Library established by section 3 of the National Library Services Act (*Cap 296*) shall be deemed to have been established under this Act as the “Seychelles National Library”.

- (2) The Seychelles National Library shall —
 - (a) be a national centre for reference, study and information services;
 - (b) provide both public and national library services;
 - (c) consist of a comprehensive collection of books, manuscripts, periodicals, films and other recorded matters, printed or otherwise, covering all fields of knowledge and an exhaustive collection of the national literary output.

Control and management

43. The Seychelles National Library shall be under the control and management of the National Institute.

Appointment of Principal Librarian and other officers of Seychelles National Library

44.(1) There shall be appointed a Principal Librarian of the Seychelles National Library by the Secretary General and such other officers as may be

necessary for the performance of duties connected with the functions of the Seychelles National Library.

(2) The Principal Librarian shall be Head of the Seychelles National Library and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles National Library;
- (b) shall ensure that the Seychelles National Library performs its functions within its policy framework under this Act;
- (c) may, with the approval of the National Institute, sign documents on behalf of the Seychelles National Library;
- (d) may delegate any function of the Principal Librarian to any employee of the Seychelles National Library; and
- (e) shall perform such other functions as the Secretary General may, from time to time, assign.

Functions of Seychelles National Library

45. Under the direction of the Principal Librarian, the National Institute shall be responsible to provide the following national library services, namely —

- (a) to act as the official repository of all materials published —
 - (i) in Seychelles;
 - (ii) on any aspect of Seychelles;
 - (iii) by any Seychellois;
- (a) to coordinate bibliographical and other services including the publication of —

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- (i) retrospective and current national bibliographies;
 - (ii) selective and subject bibliographies;
 - (iii) reproduce of works that are damaged or in danger of being permanently lost;
 - (c) to plan and coordinate inter-library lending;
 - (d) to participate in the planning and development of libraries;
 - (e) to provide leadership to the country's libraries;
 - (f) to promote cooperation between the Library and other institutions, both national and international;
 - (g) to act as a centre for the exchange of publications;
 - (h) to provide a focal point for linkage to international databases;
 - (i) to provide ISSN and ISBN services to editors and publishers respectively;
 - (j) to compile the union catalogue;
 - (k) to provide the services of a lending library and a reference library;
 - (l) to establish and maintain branch libraries and regional reading centres;
 - (m) to provide persons with bibliographical research and other information;
 - (n) to provide book box and mobile library services;
 - (o) to provide reprographical facilities and information technological services;

- (p) to develop a good reading habit and encourage lifelong education; and
- (q) to increase and develop resources of the Seychelles National Library and other libraries.

Duty of publishers etc.

46.(1) For the purpose of section 45(2)(a) —

- (a) a publisher of a newspaper, periodical, book or bound pamphlet, map or post card published in Seychelles;
- (b) a producer of a film, microfilm, online publication or offline electronic publication intended for sale; and
- (c) a publisher or producer of a revised edition or remake of anything referred to in paragraph (a) or (b),

shall, not later than thirty days after it is published or produced, deliver or cause to be delivered three copies thereof to the head of the Library free of charge.

(2) Any person who fails to comply with the provisions of subsection (1) commits an offence and is liable on conviction to a fine of level 1 on the standard scale.

(3) Any person or institution may give a copy of any thesis, dissertation or research paper, whether printed or not, in their possession to the Library for conservation.

Donations

47. Any donations of movable and immovable property may be made to, and accepted by, the National Institute for the use of the Library or any other libraries in discharging their functions under this Act.

Regulations under this Chapter

48.(1) The Secretary General may make regulations for carrying out or giving effect to the objects and provisions of this Chapter.

(2) Without prejudice to the generality of subsection (1), such regulations may provide for —

- (a) the terms and conditions on which the facilities of the Seychelles National Library and other libraries are made available to the public;
- (b) the conduct of persons within the premises of the Seychelles National Library and other libraries;
- (c) proper maintenance and protection of the property of the Seychelles National Library and other libraries; and
- (d) charging of fees in respect of the various services provided by the Seychelles National Library and other libraries.

Chapter 6 - Seychelles National Heritage Resource Council

Interpretation in this Chapter

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

“ancient monument” means any buildings, structures, relics, ruins, pillars, statues, graves or other sites or things of a similar kind, or any remains thereof, which is known or believed to have been erected, constructed or used before 1st January, 1900;

“monument” means —

- (a) any ancient or national monument;
- (b) any area of land which is of archaeological or historical interest or which contains objects of such interest;
- (c) any old building or other structure;
- (d) any other object (whether natural or cultural) of aesthetic, archaeological, historical or scientific value or interest;

“national monument” means any monument declared to be a national monument under section 49;

“relic” means —

- (a) any fossil of any kind;
- (b) any object of aesthetic, archaeological, historical, scientific, political, religious and cultural value or interest;
- (c) any anthropological or archaeological contents of any monument.

The Seychelles National Heritage Resource Council

50. The Seychelles Heritage Foundation established by section 3 of the Seychelles Heritage Foundation Act (Cap 315) shall be deemed to have been established under this Act as the “Seychelles Heritage Resource Council”.

Functions of the Seychelles National Heritage Resource Council

51. The function of the Seychelles National Heritage Resource Council shall be to —

- (a) identify, conserve and promote the cultural heritage of Seychelles;
- (b) conduct anthropological, archaeological and ethnographic studies in all aspects of the Seychellois Creole culture;
- (c) conduct inventories of heritage sites;
- (d) promote and develop aspects of the Seychellois Creole Culture that could contribute to further the economic development of Seychelles;
- (e) encourage broader public, community and private participation in activities designed to promote and develop the cultural heritage of Seychelles;

- (f) generate the resources necessary for the achievement of the purposes of this Act and utilise them for such purposes;
- (g) manage all heritage sites and identify potential sites having regard to their value to cultural tourism;
- (h) seek and obtain international support for activities designed to promote the heritage of Seychelles;
- (i) promote and disseminate research on the tangible and intangible heritage of Seychelles;
- (j) organise educational programs for all on various aspects of the national heritage; and advise the National Institute on matters relating to the cultural heritage of Seychelles.
- (k) make a list of all monuments whose declarations as national monuments it considers desirable;
- (l) recommend to the Secretary General the declaration of any monument as a national monument;
- (m) accept, purchase or otherwise acquire any monuments, sites, structures or relics; in national interest;
- (n) take necessary measures to acquire threatened heritage site, structure or relic which may be located on private properties or privately owned for national interest;
- (o) undertake the excavation of any ancient monument, site or structure by an authorized and competent specialist in the field as well as any act it may deem necessary for the excavation, exploration or safe preservation of any ancient monument or relic wherever situated or found or by whosoever owned or controlled;
- (p) erect or cause to be erected signage system in suitable places giving information about historical events which occurred at such places;

- (q) subject to the rights of any owner or occupier of property, do such things as may be necessary to facilitate the access of the public to any monuments, sites, structures or relics which is owned or controlled by the Government;
- (r) make provisions for public utilities within any area or place which has been declared to be a national monument or site, wherever appropriate; and
- (s) establish standards for the preservation, conservation and promotion of the cultural heritage of Seychelles.

Appointment of Executive Director of Seychelles National Heritage Resource Council

52.(1) There shall be an Executive Director of the Seychelles National Heritage Resource Council appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Executive Director shall be Head and the Chief Executive of the Council and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles National Heritage Resource Council;
- (b) may, with the approval of the National Institute, sign documents on behalf of the Seychelles National Heritage Resource Council;
- (c) may delegate any function of the Executive Director to any person employed with the Seychelles National Heritage Resource Council;
- (d) shall perform its function within the policy framework; and
- (e) shall perform such other functions as the National Institute may, from time to time, assign.

Staff of Seychelles National Heritage Resource Council

53. The Seychelles National Heritage Resource Council shall, on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of functions of the Seychelles National Heritage Resource Council.

National monuments

54. The monuments listed under Schedule 1 are declared to be national monuments.

Consultation of bodies with common interests

55. The Seychelles National Heritage Resource Council shall where necessary act in consultation with other organisations involved in activities connected with the preservation and promotion cultural heritage.

Chapter 7 - Creative Seychelles Section

Establishment of Creative Seychelles Section

56. The Creative Industries and National Events Agency established by section 3 of the Creative Industries and National Events Agency Act (Act 17 of 2016) shall be deemed to have been established under this Act as the “Creative Seychelles Section”.

Functions of Creative Seychelles Section

57. The functions of the Creative Seychelles Section are to —

- (a) identify and support the skills and opportunities that capacitate the thriving of the creative industries in close collaboration with the relevant departments and other agencies within the creative industry sector;
- (b) prepare and implement programmes giving incentives, provide opportunities for the export of creative products and services in collaboration with relevant partners;

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- (c) develop economically viable artistic programmes, cultural festivals and other activities in partnership with other organisations having an interest in the creative industries;
 - (d) promote and develop opportunities for artistic and cultural expression;
 - (e) lay down and monitor the standards in the creative industries, in close collaboration with the relevant departments and other agencies within the creative industry sector;
 - (f) encourage enterprises for the manufacturing and sale of artistic creations and related materials in close collaboration with the relevant departments and other agencies within the creative industry sector;
 - (h) facilitate access to services related to the protection of intellectual property;
 - (i) prepare and submit to the government, a plan for setting up an arts village in order to develop a market for creative industries and operate it in accordance with the terms and conditions specified by the National Institute;
 - (j) develop programmes in close collaboration with relevant departments and other agencies of the government, to provide exposure to persons engaged in creative industries; and
 - (k) facilitate the access to grants to such persons engaged in a creative industry with a view to promote creativity in collaboration with relevant partners.

Appointment of Executive Director of Creative Seychelles Section

58.(1) There shall be an Executive Director of the Creative Seychelles Section appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Executive Director shall be Head of the Section and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Creative Seychelles Section;
- (b) may, with the approval of the National Institute, sign documents on behalf of the Creative Seychelles Section;
- (c) may delegate any function of the Executive Director to any employee of the Creative Seychelles Section;
- (d) shall perform its function within the policy framework; and
- (e) shall perform such other functions as the National Institute may, from time to time, assign.

Staff of Creative Seychelles Section

59. The Seychelles Creative Section shall, on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of functions of the Creative Seychelles Section.

Chapter 8 - Seychelles National Museums

The Seychelles National Museums

60.(1) The Seychelles National Museums shall be deemed to have been established under this Act.

Functions of Seychelles National Museums

61.(1) The Seychelles National Museums is the section responsible for the management and development of Museums in Seychelles.

(2) The functions of the Seychelles National Museums are to —

- (a) develop representative collections of historical, archaeological, natural and the cultural heritage of Seychelles;
- (b) acquire material culture and specimens related to Seychelles Heritage and Culture by legal and fair appropriation;
- (c) conserve material culture and specimens, as well as related documentation and information;
- (d) conduct research in accordance with institutional, legal, ethical and academic practices;
- (e) organise displays, exhibitions and other related activities in order to promote and inform the public on the historical, cultural and natural heritage of Seychelles;
- (f) conduct promotional, educational and informational programmes for the general public, the community and educational institutions;
- (g) provide professional training for all museum personnel in order to equip them with the relevant knowledge, skills and qualifications;
- (h) develop and implement sponsorship and marketing strategies;
- (i) erect, operate, maintain and improve buildings to be used for any purpose connected with a national or specialised museum; and
- (j) operate restaurants, lounges, parking facilities, shops and other amenities.

Appointment of Director of Seychelles National Museums

62.(1) There shall be a Director of the Seychelles **National Museums** appointed by the Secretary General on such terms and conditions as the Secretary General may determine.

(2) The Director shall be head of the Seychelles National Museums and subject to the direction of the National Institute —

- (a) shall be responsible for the implementation of the decisions of the National Institute in relation to and for the management of the affairs of the Seychelles National Museums;
- (b) shall ensure that the Seychelles National Museums performs its functions within its policy framework of the National Institute under this Act;
- (c) may with the approval of the National Institute, sign documents on behalf of the Seychelles National Museums;
- (d) may delegate any function of the Director to any employee of the Seychelles National Museums; and
- (e) shall perform such other functions as the National Institute may, from time to time, assign.

Staff of Seychelles National Museums

63. The Seychelles National Museums shall, on such terms and conditions as may be determined by the National Institute, employ such persons as may be necessary in the performance of functions of the Seychelles National Museums.

PART IV MISCELLANEOUS

Plan of activities of constituent institutions

64.(1) Every constituent institution shall prepare a plan of its activities and submit it at least 60 days before the beginning of each financial year to the Secretary General for approval.

(2) The plan of activities under subsection (1) shall —

- (a) include a statement of the short and medium term objectives of the constituent institutions;
- (b) outline the strategies that the constituent institutions intends to employ in order to achieve its objectives; and
- (c) include, inter alia, an operational plan, a financial plan, a human resources plan and performance indicators.

Annual Report of constituent institutions

65. Every constituent institutions shall, as soon as possible after the expiration of each financial year and in any event not later than the 31st day of January in any year, submit to the Secretary General an annual report.

Exemption from tax

66.(1) Notwithstanding anything in the Business Tax Act (Cap 20), the income, revenue and other receipts of the National Institute and every constituent institution shall be exempt from the payment of income tax.

(2) Notwithstanding any law to the contrary, no duty or fee shall be chargeable under the Stamp Duty Act, the Land Registration Act or the Mortgage and Registration Act in respect of any instrument on which the National Institute or its constituent institutions shall be liable to pay the duty or fee.

(3) Notwithstanding anything in any Act, all material, apparatus or equipment of any kind imported into the country by the National Institute or any constituent institution for carrying on its undertakings shall be free of all customs duty and any other tax whatever.

Application of provisions of the Penal Code

67. The members of the Advisory Council and officers of the National Institute and a constituent institution or any other person acting under the direction of the National Institute shall be deemed to be employed in the public service for the purpose of sections 91 to 96 of the Penal Code.

Regulations

68.(1) The Secretary General may, in consultation with the Advisory Board make regulations for carrying into effect the purpose and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), regulations made under subsection (1) may provide for —

- (a) amendments of any schedules;
- (b) any fees and charges payable or which may be levied under this Act;
- (c) forms;
- (d) conditions and requirements of permits; and
- (e) a penalty for offences created under the regulations to a fine of level 4 on the standard scale and for a period of 5 years imprisonment or to both fine and imprisonment.

**PART V
REPEAL AND TRANSITIONAL**

Repeal and savings

69.(1) The following Acts are hereby repealed —

- (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);

(2) On the repeal of the Acts under subsection (1), the members of the Board of the existing Institutions, established under of the respective repealed Acts, shall cease to be members as such and shall vacate the office; and such members of these Boards shall not be entitled to claim any compensation for the premature termination of their term of office or of any contract of service.

Interpretation in this Part

70. In this Part —

“existing institution” means —

- (a) the Creole Institute of Seychelles established under the Creole Institute of Seychelles Act, 2014 (Act 12 of 2014);
- (b) the National Arts Council of Seychelles established under the National Arts Council of Seychelles Act (Cap 136);
- (c) the Seychelles Heritage Foundation established under the Seychelles Heritage Foundation Act (Cap 315);
- (d) the Creative Industries and National Events Agency established under the Creative Industries and National Events Agency Act (Act 17 of 2016);
- (e) the National Monument Act. established under the National Monument Act 19 (Cap 140);
- (f) Seychelles Archives Act established under the (Cap 211);
- (g) the National Library Services Act established under the (Cap 296);

“Successor constituent institution” means —

- (a) in respect of the Creole Institute of Seychelles, the Seychelles Creole Academy;
- (b) in respect of the National Arts Council of Seychelles, the National Arts and Crafts Council of Seychelles;
- (c) in respect of the Seychelles Archives, the Seychelles National Archives;
- (d) in respect of the Creative Industries and National Events Agency, the Creative Seychelles Section;
- (e) in respect of the National Library, the Seychelles National Library;
- (f) in respect of the Seychelles Heritage Foundation, the Seychelles Heritage Resource Council; and
- (g) in respect to the National Museum, the Seychelles National Museums.

Transfer of staff to the National Institute

71.(1) Notwithstanding any law, a person employed with an existing institution immediately prior to the date of the commencement of this Act shall be deemed transferred to, and shall continue his or her employment with the National Institute on terms and conditions not less favourable than those subsisting immediately prior to the date of the commencement of this Act until these are amended, varied or repealed in accordance with the Public Service Orders or any scheme of service applicable to employees of the Government, as the case may be.

- (2) On the commencement of this Act —
 - (a) the Chief Executive Officer of the Creole Institute of Seychelles shall be deemed to be the Executive Director of the Seychelles Creole Academy;
 - (b) the Chief Executive Officer of the National Arts Council of

Seychelles shall be deemed to be the Executive Director of the National Arts and Crafts Council of Seychelles;

- (c) the Director of the Seychelles National Archives shall be deemed to be the Principal Archivist of the Seychelles National Archives;
- (d) the Principal Librarian of the Seychelles National Library shall be deemed to be the Principal Librarian of the Seychelles National Library;
- (e) the Chief Executive Officer of the Seychelles Heritage Foundation shall be deemed to be the Executive Director of the Seychelles National Heritage Resource Council;
- (f) the Chief Executive Officer of the Creative Industries and National Events Agency shall be deemed to be a Director of the Creative Seychelles Section of the National Institute; and
- (g) the Director of the National Museum shall be deemed Director of the Seychelles National Museum Section of the National Institute.

Transfer of property to successor constituent institutions

72.(1) All movable property vested in the existing institution immediately before the commencement of this Act and managed by the existing institution and all assets, rights, interests, privileges, liabilities and obligations of the existing institution shall be deemed to be transferred to and vested in the National Institute upon the commencement of this Act.

(2) Where a question arises as to whether a particular movable property has been deemed to be transferred to or vested the under subsection (1), a certificate under the hand of the Secretary General shall be conclusive evidence that the property was or was not transferred or vested.

Enforcement of obligations

73.(1) All obligations and liabilities incurred by an existing institution and outstanding immediately before the commencement of this Act are and

shall be deemed to have been incurred by the National Institute of that previously existing institution.

(2) Any contract or agreement executed by an existing institution before 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 National Institute;

(3) Any right, privilege obligation or liability acquired or incurred by a person under the repealed Acts 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 National Institute.

SCHEDULE 1

(Section 54)

Monuments declared to be national monuments

1. Bel Air Cemetery, Victoria
2. Botanical Gardens, Victoria
3. Freedom Square, Victoria
4. Large Granite Boulders, L'Union, La Digue
5. Mission Ruins, Mission, Mahé
6. State House Cemetery, (Ex-Mont du Pavillon), State House, Victoria
7. Ex-Doctor's House, Curieuse
8. La Bastille Building, Mahé
9. Ex-Nageon's House, Pointe Larue
10. Plantation House, L'Union, La Digue
11. Les Palmes Theatre, Victoria
12. Maison du Peuple, Victoria
13. National Library Building, Victoria
14. Plantation House, La Passe, Silhouette
15. State House, Victoria
16. Supreme Court Building, Victoria
17. Plantation House, Farquhar

18. Bicentennial Monument, Victoria
19. Clock Tower, Victoria
20. Diamond Jubilee Fountain, Victoria
21. Liberation Monument (Zonm Lib), Victoria
22. Pierre Poivre Bust, Victoria
23. Roman Catholic Priests' Residence at Victoria
24. St. Paul's Cathedral at Victoria
25. "Kenwyn" House (house of Manager Engineer of Cable and Wireless Ltd.) at Victoria
26. Ex-Sans Souci (House 1776), Sans Souci
27. Ex-Chateau des Mamelles, Les Mamelles, Mahé
28. Beauvoir Cemetery, La Misère, Mahé
29. Cascade Catholic Church, Cascade, Mahé
30. Ex-Plantation House, La Plaine, Anse Aux Pins
31. Anse Boudin Catholic Church, Anse Boudin, Praslin
32. Baie Ste Anne Catholic Church, Baie Ste Anne, Praslin
33. La Digue Catholic Church, La Digue
34. Seychelles People's United Party Museum, Francis Rachel Street
35. Miray Demon, Anse des Genêts, Mahé
36. Maison St. Joseph, Creole Institute Building
37. Grann Kaz of Domaine de Val de Près, Au Cap, Mahé
38. Ros Payanke or Ros Koson, Anse Louis, Mahé
39. Ros Leskalye, Port Launay, Mahé
40. Eustache Sardes' House, La Digue
41. Dauban Mausoleum, Silhouette
42. Trou Sodyer, Pte. Le Roi, Takamaka, Mahé
43. Gregoire Payet's House, Anse Reunion, La Digue.
44. Victoria Harbour Light house, Vitoria, Mahé.
45. Le Grand Trianon-Marie Antoinette, St. Louis, Mahé
46. Liberty Monument, Victoria, Mahé

SCHEDULE 2*(Section 68)***Fees for services charged by the National Institute**

Description of Service	Fees charged for the service
<p style="text-align: center;">Photocopying</p> <p>Fees for clients using libraries, archives, museums and reading centres</p>	<p><u>Photocopy - educational</u> A4 Rs1.00 Recto and SCR2.00 Recto/Verso. A3 SCR2.00 Recto and SCR3.00 Recto/Verso</p> <p><u>Photocopy - other documents</u> A4 SCR2.00 Recto and SCR3.00 Recto/Verso. A3 SCR3.00 Recto and SCR4.00 Recto/Verso</p>
<p style="text-align: center;">Printing</p> <p>Fees for clients using libraries, archives, museums and reading centres</p>	<p><u>Printing:</u></p> <p>SCR1.00 B/W Coloured illustrations SCR3.00 small illustrations SCR5.00 ¼ page illustration SCR10.00 ½ page illustrations SCR15.00 ¾ page illustrations SCR20.00 full page illustrations</p>
<p style="text-align: center;">Internet usage</p> <p>Fees for clients using libraries, archives, museums and reading centres</p>	<p><u>Internet:</u></p> <p>SCR3.00 for 5 minutes. SCR7.00 minutes for 15 minutes (student package)</p>

<p style="text-align: center;">Scanning</p> <p>Fees for clients using libraries, archives, museums and reading centres.</p>	<p>Scanning: SCR5.00 per page</p>
<p style="text-align: center;">Music</p> <p>Music fees for client attending classes for Theory classes, Vocal, Percussion Instruments, Strings Instruments, Wood Wind Instruments</p>	<p>SCR200 per student per course per term and SCR250 for adult over 30 years</p>
<p style="text-align: center;">Dance</p> <p>Dance class for Ballet and Modern dancing</p>	<p>SCR200 per student per course per term and SCR250 for adult over 30 years</p>
<p style="text-align: center;">Museum Entrance</p> <p>Fees paid by clients visiting the National Museum</p>	<p>SCR25 for Residence above 18 years SCR150 for Foreigners above 13 years Elderly and Disable residence are free</p>
<p style="text-align: center;">Rental of Museum Conferences room</p> <p>Charges for clients using conference facilities at National Museum</p>	<p>SCR1,500 for half day, SCR3,000 for a whole day</p>
<p style="text-align: center;">Family Tree - Genealogy Chart</p> <p>Fees for research</p>	<p>SCR300 to SCR4000 depending on the volume of research needed.</p>
<p style="text-align: center;">Fees from Film Unit</p> <p>Fees charge for rating film</p>	<p>SCR25.00 per DVD or Film</p>