



# OFFICIAL GAZETTE

## REPUBLIC OF SEYCHELLES

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	Land Registration (Amendment of Second and Third Schedules) Regulations, 2022. (S.I. 110 of 2022)	28.00
	Mortgage and Registration (Fees) (Miscellaneous) (Amendment) Regulations, 2022. (S.I. 111 of 2022)	8.00

#### GENERAL NOTICES

No. 1130 of 2022

#### FISHERIES ACT

(Act 20 of 2014)

#### Appeals Board of the Seychelles Fishing Authority

In exercise of the powers conferred by section 38(2) and section 38(3) of the Fisheries Act, 2014, the President hereby appoints the following persons to the Appeals Board of the Seychelles Fishing Authority —

<b>Mrs. Hashini Naidoo</b>	—	<b>Chairperson</b>
<b>Mr. Peter Purvis</b>	—	<b>Member</b>
<b>Ms. Rose-Marie Bargain</b>	—	<b>Member</b>
<b>Ms. Marie-May Jeremie</b>	—	<b>Member</b>
<b>Mr. Roy Clarisse</b>	—	<b>Member</b>

The appointment shall be for a period of 2 years.

Dated this 10<sup>th</sup> day of October, 2022.

**WAVEL RAMKALAWAN**  
**PRESIDENT**

No. 1131 of 2022

**Curatelle Act***(Section 23 (8)(b))***Notice of Appointment of Executor**

Notice is hereby given that on the 5<sup>th</sup> day of October 2022, the Curator appointed Anne Marie Kathleen Reddy of Hangard Street, Mahe, Seychelles, NIN: 956-9574-1-0-93 and Leonard Georges Andrew Reddy of Hermitage, Mahe, Seychelles, NIN: 962-0645-1-1-81, as the executors of the succession of the deceased Germina Louise Stephanie Reddy nee Rideau, also known as Germaine Reddy nee Rideau under section 23 of the Curatelle Act.

Dated this 5<sup>th</sup> day of **October, 2022.**

Curator

No. 1132 of 2022

**Curatelle Act***(Section 23 (8)(b))***Notice of Appointment of Executor**

Notice is hereby given that on the 5<sup>th</sup> day of October 2022, the Curator appointed Micheline Leonie Ma Low of Hermitage, Mahe, Seychelles, NIN: 947-0474-1-0-35, as the executrix of the succession of the deceased Jeannie Mireille Buhler nee Ciseau under section 23 of the Curatelle Act.

Dated this 5<sup>th</sup> day of **October, 2022.**

Curator

No. 1133 of 2022

**Curatelle Act***(Section 23 (8)(b))***Notice of Appointment of Executor**

Notice is hereby given that on the 5<sup>th</sup> day of October 2022, the Curator appointed Maggie Marguerite Marie nee Mein, Legitimated De Commarmond of Beau Vallon, Mahe, Seychelles, NIN: 979-1035-1-0-27, as executor of the estate of the deceased Andrea Peter De Commarmond under section 23 of the Curatelle Act.

Dated this 5<sup>th</sup> day of **October, 2022.**

Curator

No. 1134 of 2022

**Curatelle Act***(Section 23 (8)(b))***Notice of Appointment of Executor**

Notice is hereby given that on the 5<sup>th</sup> day of October 2022, the Curator confirmed the appointment of Suzanne Marie-Antoinette Hoarau of Beau Vallon, Mahe, Seychelles, NIN: 960-0255-1-0-20, as the executor of the succession of the deceased Espedi Abel under section 23 of the Curatelle Act.

Dated this 5<sup>th</sup> day of **October, 2022.**

Curator

No. 1135 of 2022

**NOTICE OF DISSOLUTION OF****Harper International Ltd - Co. No. 006344**

In the Matter of the International Business Companies Act of 2016 of the Republic of Seychelles and in the Matter of above companies, we hereby informed that on this 10<sup>th</sup>

October, 2022 the company is in the process of being dissolved as a company under the International Business Companies Act.

Dated this 13<sup>th</sup> day of October 2022.

**Liquidator: Sonia Greta Ernesta**  
**Mont Buxton, Mahe, Seychelles**

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No. 1136 of 2022

**NOTICE OF DISSOLUTION OF**  
**Frankie & Morgan Capital Corp.**

In the Matter of the International Business Companies Act of 2016 of the Republic of Seychelles we hereby inform that since 07<sup>th</sup> October 2022 the company **Frankie & Morgan Capital Corp.** is in the process of being dissolved as a company under the International Business Companies Act.

Dated this 14<sup>th</sup> day of October 2022.

David Malcovsky  
 08301 Sabinov  
 Drienica 202  
 Slovakia  
**Liquidator**

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No. 1137 of 2022

**LAND RECLAMATION NOTICE**

Mr. Jean Marc, Serge Preira acting on his own behalf has applied for authority, under **Section 2** of Land Reclamation Act to fill in and reclaim an area of the foreshore of approximately 2111 square meters at **Perseverance**, (adjacent to the Parcel H14383).

The proposed area to be reclaimed is bounded on the **Eastern, Southern and Western side** by Sea and **Northern side** by Parcel H14383.

The area to be reclaimed is demarcated as follows:

<b>POINT NAME</b>	<b>EASTINGS</b>	<b>NORTHINGS</b>
A	329943.55	9490525.14
(C)	329935.79	9490554.59
18	329943.25	9490558.01
17	329957.70	9490565.21
VN105	329961.91	9490566.54
16	329977.09	9490571.36
15	329989.54	9490575.65
(D)	329992.04	9490576.83
B	330005.24	9490543.42
A	329943.55	9490525.14

All distances are approximate.

The plan of the area to be filled in and reclaimed deposited with this application, may be inspected at the Seychelles Planning Authority's Office at Independence House.

Any person having any objections to the proposed reclamation on any grounds specified in paragraph 5 of the 1<sup>st</sup> Schedule of the Act may lodge his or her objection in writing to the Chief Executive Officer Planning Authority at the Planning Authority's Office, Independence House no later than 14 days from date of the first publication of this notice.

Govin Pillay (Mr.)  
 Senior Engineer  
 FOR: CHIEF EXECUTIVE OFFICER

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No. 1138 of 2022

**JUDICIAL SALE**

Warning is hereby given that on the **25<sup>th</sup> November, 2022 at 09.00 a.m.** at Ile Du Port, Mahe, Seychelles shall take place the **sale and final adjudication**, before the Supreme Court of Seychelles of land situated at Anse Louis, Mahe, Seychelles registered as parcel **C.7074** to the extent of 544 square meters, together with all plantations, dependencies and appurtenances thereto generally whatsoever. The property is seized against Marie-Chantale Greham Nicole and Travis Damiene Julienne at the request of the **Development Bank of Seychelles**.

All parties claiming a right to take inscription of legal mortgage upon the said property are warned that they must do before the Transcription of the Judgment of Adjudication, failing which they shall be debarred of such right.

Dated this 04<sup>th</sup> day of October, 2022.**S. RAJASUNDARAM**

ATTORNEY IN CHARGE OF THE SALE  
1st FLOOR MICHEL'S BUILDING (first floor)  
QUINCY STREET, VICTORIA, MAHE  
SEYCHELLES  
Tel: + 248 4226281  
E mail: kuravadi@seychelles.net

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No. 1139 of 2022

**JUDICIAL SALE**

Warning is hereby given that on the **25<sup>th</sup> November, 2022 at 09.00 a.m.** at Ile Du Port, Mahe, Seychelles shall take place the **sale and final adjudication**, before the Supreme Court of Seychelles of land situated at Anse La Blague, Praslin, Seychelles registered as parcel **PR.2249** to the extent of 36,396 square meters, together with all plantations, dependencies and appurtenances thereto generally whatsoever. The property is seized against Meriona Alexia Lesperance at the request of the **Development Bank of Seychelles**.

All parties claiming a right to take inscription of legal mortgage upon the said property are warned that they must do before the Transcription of the Judgment of Adjudication, failing which they shall be debarred of such right.

Dated this 04<sup>th</sup> day of October, 2022.**S. RAJASUNDARAM**

ATTORNEY IN CHARGE OF THE SALE  
1st FLOOR MICHEL'S BUILDING (first floor)  
QUINCY STREET, VICTORIA, MAHE  
SEYCHELLES  
Tel: + 248 4226281  
E mail: kuravadi@seychelles.net

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No. 1140 of 2022

**CHANGE OF NAME**

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Expedit Allissop to Expedit Roy Allissop 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. Expedit Allissop  
Grand Anse  
Mahe  
Seychelles

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No. 1141 of 2022

## CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change your daughter's name from Juliette Brenda Gabriel to Juliette Brenda Nourrice and Sophie Arianne Gabriel to Sophie Arianne Nourrice 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. Juliette Gabriel  
Au Cap  
Mahe  
Seychelles

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No. 1142 of 2022

## CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change your son's name from Noah Kaeden Alek Loizeau to Noah Kaeden Alek Etienne-Loizeau 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. Nicholas Etienne  
Mont Buxton  
Mahe  
Seychelles

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**S.I. 110 of 2022****LAND REGISTRATION ACT***(Cap 107)***Land Registration (Amendment of Second and Third Schedules)  
Regulations, 2022**

In exercise of the powers conferred by section 104 of the Land Registration Act, the Minister responsible for legal affairs makes the following regulations —

**Citation**

1. These regulations may be cited as the Land Registration (Amendment of Second and Third Schedules) Regulations, 2022.

**Repeal and Replacement of form 21**

2. The Second Schedule to the Land Registration Act is amended by repealing the Form L.R. 21 “Affidavit on Transmission on Death” and substituting it with the following —

“(Form L.R.21)

**THE LAND REGISTRATION ACT****SECTION 72****APPLICATION TO BE REGISTERED AS PROPRIETOR BY  
TRANSMISSION UPON DEATH OF A PROPRIETOR**

Title No. ....

I/We ..... acting as executor(s) of the estate of ..... *[insert details of the deceased proprietor(s)]*, the deceased proprietors(s) as per appointment *[insert details of appointment]*, hereby apply to be registered by transmission as proprietor(s) in place of the deceased of his/her/their interest in the land comprised in the above-mentioned title(s), and in support thereof attach a certified copy of the order of appointment as required by section 72 of the Land Registration Act.

Dated this ..... day of ....., 20.....

Signed by the executor .....

\_\_\_\_\_”

**Insertion of new forms**

3. The Second Schedule to the Land Registration Act is amended by inserting immediately after the Form 21 the following new forms —

“(Form L.R. 22)

**THE LAND REGISTRATION ACT****SECTION 53A****CREATION AND GRANT OF RIGHT OF WAY FOR PUBLIC USE**

Title No. ....

I/We, ..... in consideration of/pursuant to ..... hereby create and grant the following right of way/on the land comprised in the above-mentioned title/on that part of the land comprised in the above-mentioned title which is shown on the plan annexed hereto/[*specify the part*] of the land comprised in the above-mentioned title/ for the benefit and enjoyment of the public (*set out conditions, if any*):-

Dated this ..... day of ....., 20.....

(Form L.R. 23)

**THE LAND REGISTRATION ACT****SECTION 53A****RESTRICTIVE AGREEMENT ON USE OF LAND FOR PUBLIC  
BENEFIT AND ENJOYMENT**

Title No. ....

I/We, ..... hereby agree to restrict the use of/the land comprised in the above-mentioned title/the part of the land comprised in the above-mentioned title which is shown on the plan annexed hereto/[*specify the part*] of the land comprised in the above-mentioned title for it to be used for benefit and enjoyment of the public (*set out conditions, if any*):-

Dated this ..... day of ....., 20.....

(Form L.R. 24)

**THE LAND REGISTRATION ACT****SECTION 72(8)****TRANSFER BY EXECUTOR TO PERSON  
ENTITLED UNDER A WILL OR ON INTESTACY**

Title no. ....

I/We ..... in the exercise of my/our function as executor(s) of the estate of ....., the deceased proprietor, as per appointment *[insert details of appointment]* hereby transfer to *[insert names, addresses and identity details of the transferees]* being the person(s) entitled thereto under the will/on the death, *intestate*, /of the deceased, the land comprised in the above-mentioned title(s)/the interest of the deceased proprietor(s) in the land comprised in the above-mentioned title(s)/in the following undivided shares:

I/We declare that this transfer/is in accordance with the will of the deceased/is in accordance with the entitlements of the transferee(s) to the land comprised in the above-mentioned title(s)/to the interest of the deceased proprietor(s) in the land comprised in the above-mentioned title(s)/on the death of the deceased/on the death, *intestate*, of the deceased proprietor/ and I/we further declare that to the best of my/our knowledge, information and belief, no other person is entitled to/any interest in the above-mentioned title(s)/the undivided share of the deceased in the above-mentioned title(s).

Dated this ..... day of ....., 20.....

(Form L.R. 25)

**THE LAND REGISTRATION ACT****SECTION 84(5)(c)****APPLICATION FOR A RESTRICTION**

Title no. ....

I/We, .....of ..... hereby apply for the entering of a restriction in respect of the land comprised in the above-mentioned title(s) prohibiting or restricting /any dealing with the above-mentioned title(s)/[or



*specified dealings that would be prohibited or restricted*] without my/our prior express written consent.

I/We, ....., proprietor/fiduciary of the above-mentioned title(s), hereby consent to the registration of the restriction applied for above in the above-mentioned terms.

Dated this ..... day of ....., 20.....

### **Repeal and Replacement of Third Schedule**

4. The Third Schedule to the Land Registration Act starting from 1<sup>st</sup> November, 2022, is repealed and substituted therefor, the following —

#### **“THIRD SCHEDULE FEES**

1.	For registration, in respect of each title affected, of —	<b>SCR</b>
(a)	Transfer or Transmission including under section 75 of the Act	200.00
(b)	Lease or sublease	200.00
(c)	Usufructuary interest	200.00
(d)	Charge	200.00
(e)	Easement or restrictive agreement/right of way for public use	200.00
(f)	Release of easement or restrictive agreement	200.00
(g)	Assignee in bankruptcy or insolvency	200.00
(h)	Liquidator of company	200.00
(i)	Power of attorney	200.00
(j)	Revocation or renunciation of power of attorney	200.00

(k)	Inhibition by court	200.00
(l)	Court order including order of rectification and partition of land	200.00
(m)	Recording of appointment of executor or fiduciary	100.00
(n)	Application for partition	200.00
(o)	Permission to build/variation/ surrender of permission to build	200.00
(p)	Rectification under section 88(1)	200.00
(q)	Change of name	100.00
2.	For registration, in respect of each title affected and each of the following in the same instrument:-	
(a)	Discharge or variation of charge;	200.00
(b)	Surrender or cancellation of lease or sublease	200.00
(c)	Extension or variation of lease or sublease	200.00
(d)	Surrender or cancellation of usufructuary interest	200.00
3.	Caution	
(a)	Application fee, on application by an interested person	1,500.00
(b)	For registration upon application under (a), in respect of each title affected	200.00
(c)	For application and registration of a caution by consent of the parties, in respect of each title affected	200.00

	(d) Removal, in respect of each title affected	200.00
4.	Restriction	
	(a) Application Fee, on application by an interested person	1,500.00
	(b) For registration upon application under (a), in respect of each title affected	500.00
	(c) For application and registration of a restriction under section 84(5) of the Act, in respect of each title affected	200.00
	(d) Removal, in respect of each title affected	200.00
5.	For opening new registers on a portion or Sub-division, for each new parcel resulting	200.00
6.	On combination of parcels	200.00
7.	On conversion of title under section 21(1) of the Act	200.00
8.	(a) On the application to inspect under section 27(1) of the Act	100.00 per hour or part of an hour
	(b) Authority to attorneys-at-law, notaries and land surveyors to search for the following period at the specified rates:-	
	(i) a month or part thereof	1,000.00
	(ii) 6 months	5,000.00
	(iii) 12 months	10,000.00

subject that such fee shall include authority fo attorneys-at-law, notaries

and land surveyors to search under the  
Mortgage and Registration (Fees)  
Miscellaneous Regulations.

9.	For a certificate of official search under section 27(2) of the Act for each title	200.00
10.	For certified copies of instruments, for every folio of lines 15 or part thereof	50.00
11.	For copies of lease per page	25.00
12.	For certified copies of registry map or of a filed plan, per square foot or part thereof	60.00
13.	Attestation fee, payable to notary, for each execution attested	1,000.00
14.	Notice of Appeal to the Land Registrar	200.00".

**MADE this day 13<sup>th</sup> of October, 2022.**

**WAVEL RAMKALAWAN**  
**PRESIDENT**

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**S.I. 111 of 2022****MORTGAGE AND REGISTRATION ACT***(Cap 134)***Mortgage and Registration (Fees) (Miscellaneous) (Amendment)  
Regulations, 2022**

In exercise of the powers conferred by section 53 of the Mortgage and Registration Act, the Minister responsible for legal affairs makes the following regulations —

**Citation**

1. These regulations may be cited as the Mortgage and Registration (Fees) (Miscellaneous) (Amendment) Regulations, 2022.

**Repeal and replacement of Schedule**

2. The Schedule to the Mortgage and Registration (Fees) (Miscellaneous) Regulations, 1977, (S.I. No. 42 of 1977) is repealed and substituting it with the following —

**“SCHEDULE****PART 1**

The following fees shall be charged for the transcription and inscription of the following deeds —

	<b>SCR</b>
(a) For the inscribing of claims	200.00
(b) For transcribing deeds containing the transfer of immovables whatever the date they may bear	200.00
(c) For all copies of deeds, or other inscribed or transcribed documents whatsoever	100.00 for every folio or part thereof
(d) For each erasure of inscription	200.00

- (e) For each certificate delivered by the Registrar that any inscription exists, or that none exists 200.00

## **PART 2**

The following fees shall be levied by the Registrar, namely —

- (a) For extracts from the “Repertoires” 200.00 per folio of 200 words or part thereof
- (b) For every certificate of entry in the Presentation Book 200.00
- (c) For making searches in the mortgage or transcription books 100.00 per hour or part of an hour
- (d) Authority to attorneys-at-law, notaries and land surveyors to search for the following period at the specified rates:-
- (i) a month or part thereof 1000.00
- (ii) 6 months 5000.00
- (iii) 12 months 10,000.00

subject that such fee shall include authority for attorneys-at-law, notaries and land surveyors to search under the Land Registration Regulations, 2022.

All searches, copies, extracts or certificates made on the behalf of the Government or a public body shall be free of charge.”

**MADE this 13<sup>th</sup> day of October, 2022.**

**WAVEL RAMKALAWAN**  
**PRESIDENT**

**CONSERVATION AND CLIMATE ADAPTATION TRUST OF  
SEYCHELLES (AMENDMENT) ACT, 2022**

*(Act 23 of 2022)*

**ARRANGEMENT OF SECTIONS**

**SECTIONS**

1. Short title
2. Amendment of short title
3. Amendment of Act
4. Amendment of section 2
5. Amendment of section 5
6. Amendment of section 6
7. Amendment of section 7
8. Repeal and replacement of section 8
9. Amendment of section 9
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11. Amendment of section 11
12. Amendment of section 12
13. Amendment of section 13
14. Amendment of section 14
15. Amendment of section 15
16. Amendment of section 17
17. Amendment of section 18
18. Amendment of section 21
19. Repeal and replacement of section 23
20. Amendment of section 25
21. Amendment of section 26
22. Insertion of new section in Part IV
23. Amendment of section 31
24. Amendment of section 32
25. Transitional provision



## SEYCHELLES CONSERVATION AND CLIMATE ADAPTATION TRUST (AMENDMENT) ACT, 2022

*(Act 23 of 2022)*

*I assent*



Wavel Ramkalawan  
President

*13<sup>th</sup> October, 2022*

### **AN ACT TO AMEND THE CONSERVATION AND CLIMATE ADAPTATION TRUST OF SEYCHELLES ACT.**

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

#### **Short title**

**1.** This Act may be cited as the Conservation and Climate Adaptation Trust of Seychelles (Amendment) Act, 2022, and shall be read and construed as one with the Conservation and Climate Adaptation Act Trust of Seychelles Act, 2015, which is hereinafter referred to as the “principal Act”.



### **Amendment of short title**

2. The principal Act is amended by repealing the short title “Conservation and Climate Adaptation Trust of Seychelles Act, 2015”, wherever it appears, and substituting therefor the short title “Seychelles Conservation and Climate Adaptation Trust Act, 2015”.

### **Amendment of Act**

3. The principal Act is amended by repealing the words “Conservation and Climate Adaptation Trust of Seychelles”, wherever they appear, and substituting therefor the words “Seychelles Conservation and Climate Adaptation Trust”.

### **Amendment of section 2**

4. The principal Act is amended in section 2 —

- (a) in the definition of “administrative expenses” by repealing the words “prescribed by regulations” and substituting therefor the words “determined by the Board”;
- (b) in the definition of “Board” by repealing the words “and formally constituted under section 8(4)”;
- (c) in the definition of “budget” —
  - (i) in paragraph (ii) by repealing the word “and”
  - (ii) by inserting immediately after paragraph (iii) the following new paragraph —

“(iv) such other costs approved by the Board;”
- (d) in the definition of “Chairperson” by repealing the words  
“appointed under section 10” and substituting therefor the words “designated under section 7(2)”;

- (e) by repealing the definition of “eligible protected area”;
- (f) in the definition of “ex officio Director” by inserting immediately after the words “section 7(2)(a)” the words “and (b)”;
- (g) by repealing the definition of “protected area”;
- (h) in the definition of “Seychelles system of protected areas” by repealing the words “and includes any other eligible protected area”;
- (i) in the definition of “special majority vote” by repealing the words “section 7(2)(b)” and substituting therefor the words “section 7(2)(c)”;
- (j) by inserting in the proper alphabetical order, the following new definitions —

““biodiversity” means the variability amongst living organisms from all sources including terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part and includes diversity within species, between species and of ecosystems;

“business tax” means tax imposed under the Business Tax Act, Cap. 20;

“conservation” means protection of biodiversity including associated ecosystem and cultural values;

“Director” means a person appointed as a Director of the Board under section 7(2)(c) and, where the context permits, includes an ex officio Director;

“ecosystem” means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit;

“non-governmental organization” means an organization, body or juristic person who is not under the control of any Government;

“protected area” means a clearly defined geographical space, recognised, dedicated and managed to meet the objectives for conservation or sustainable uses;

“sustainable use” means an activity that does not lead to the long term decline in the health and integrity of biodiversity;”.

### **Amendment of section 5**

**5.** The principal Act is amended in section 5 —

- (a) in paragraph (a) by repealing the words “, and any other sources of funding”;
- (b) by renumbering paragraphs (b) and (c) as paragraphs (c) and (d), respectively;
- (c) by inserting immediately after paragraph (a) the following new paragraph —

“(b) explore, develop or administer any fund or source of funding, including but not limited to bonds, endowments, grants, investments, loans, guarantees or securities for the benefit of conservation, climate adaptation and mitigation or sustainable blue economy development;”.

### **Amendment of section 6**

**6.** The principal Act is amended in section 6 —

- (a) in subsection (3) is amended by repealing the words “, subject to the condition that the aggregate of such payment does not exceed 5 percent of the annual revenue of the Trust

for any fiscal year or such higher amount as may be prescribed by regulations”.

- (b) in subsection (5) by repealing the words “or eligible protected area”.

### **Amendment of section 7**

7. The principal Act is amended in section 7 by repealing subsection (2) and substituting therefor the following —

“(2) The Board shall comprise —

- (a) the Minister responsible for Environment who shall be an *ex officio* Director and the Chairperson;
- (b) a representative of The Nature Conservancy who shall be an *ex officio* Director and the Vice-Chairperson;
- (c) one Director with qualifications and experience in finance nominated by the Minister and appointed by the *ex officio* Directors;
- (d) one Director employed in the public service appointed by the *ex officio* Directors in consultation with the Minister;
- (e) five Directors not employment in Government appointed by the *ex officio* Directors;”

### **Repeal and replacement of section 8**

8. The principal Act is amended by repealing section 8 and substituting therefor the following —

#### **“Observers at the meetings of Board of Directors or Trust**

(1) The Board may invite a person from outside the Trust, to be known as an “Observer”, who may observe or participate in any meeting of the Board or the Trust.

(2) The Board shall decide the rights and privileges of an Observer.”

**Amendment of section 9**

9. Section 9(5) of the principal Act is amended by repealing the words “, absence from Seychelles”.

**Amendment of section 10**

10. Section 10 of the principal Act is amended —

- (a) by repealing the words “, at the first meeting after its formal constitution under section 8(4),”
- (b) by repealing the words “Chairperson; Vice-Chairperson;”.

**Amendment of section 11**

11. Section 11(6) of the principal Act is amended by repealing the words “, by rules”.

**Amendment of section 12**

12. Section 12(1) of the principal Act is amended by repealing the words “specified by rules, subject to the Government policy applicable to the public bodies” and substituting therefor the words “as determined by the Board”.

**Amendment of section 13**

13. Section 13(1) of the principal Act is amended by repealing the words “in accordance with the procedures prescribed by rules”.

**Amendment of section 14**

14. Section 14 of the principal Act is amended by repealing the words “prescribed by regulations”.

**Amendment of section 15**

15. The principal Act is amended in section 15 —

- (a) in subsection (1) by repealing the words “, as soon as practicable after the first meeting of the Board but not later than 1 year from the commencement of this Act,”;
- (b) in subsection (3) by repealing the words “, subject to such restriction as may be prescribed by regulations,”.

### **Amendment of section 17**

**16.** Section 17 of the principal Act is amended by repealing subsection (1) and substituting therefor the following —

“(1) No action shall lie or prosecution shall be brought, instituted or maintained in any court against an ex officio Director, a Director, the Chief Executive Officer, any staff of the Trust or a member of a committee established under section 13, if the act was done in good faith and in a reasonable belief that it was necessary for the purpose intended to be served by it and for the carrying into effect the provisions of this Act.”

### **Amendment of section 18**

**17.** Section 18 of the principal Act is amended by repealing the words “A Director or the Chief Executive Officer of the Board” and substituting therefor the words “An ex officio Director, a Director or the Chief Executive Officer”.

### **Amendment of section 21**

**18.** Section 21 of the principal Act is amended —

- (a) in subsection (5) by repealing the words “Any moneys shall not be paid out” and substituting therefor the words “No monies shall be paid out”;
- (b) in subsection (7) by repealing the words “the Public Finance Management Act, 2012” and substituting therefor the words “regulations”.

## **Repeal and replacement of section 23**

**19.** Section 23 of the principal Act is repealed and there is substituted therefor the following —

### **“Eligibility for a grant**

(1) Subject to this Act and the operational manual, the Trust may disburse the debt swap incomes or monies from any other fund or source of funding, as a grant, to —

- (a) a citizen of Seychelles;
- (b) a Ministry, Department or an Agency of the Government;
- (c) a non-governmental organization;
- (d) any other person or classification of persons that the Board may determine and notify by notice published in the Gazette,

if the person or entity specified in paragraphs (a) to (d) satisfy the criteria, priorities and procedures for the grant as determined by the Board.

(2) Subject to subsection (3), the debt swap incomes or monies from any fund or source of funding may be disbursed as a grant to be used to undertake any activity, approved by the Board, which is consistent with the objects of the Trust.

(3) The Trust shall not disburse the debt swap incomes or monies from any other fund or source of funding, as a grant, to undertake any activity relating to the extraction of non-renewable natural resources.

(4) For the purposes of this section (1)(d), the word “person” shall be construed as including any company, partnership or other juridical person”.

### **Amendment of section 25**

**20.** Section 25(2) of the principal Act is amended by repealing the words “who shall cause them to be laid before the National Assembly”.

### **Amendment of section 26**

**21.** Section 26 of the principal Act is repealed and there is substituted therefor the following —

#### **“Limit on administrative expenses**

**26.** The Trust may, in each fiscal year, use up to 30 percent of the debt swap incomes to meet the administrative expenses of the Trust.”

### **Insertion of New Section in Part IV**

**22.** The principal Act is amended in part IV by inserting immediately after section 27 the following —

**27A.(1)** The Trust shall, not later than 6 months after the end of each financial year, submit to the Minister —

- (a) a report of the activities and operations of the Trust throughout the preceding financial year in such detail as the Minister may direct; and
- (b) a statement of the audited accounts of the Trust for the preceding year.

(2) A copy of the report and the statement of the audited accounts of the Trust referred to in subsections (1) and (2) shall be submitted to the National Assembly not later than three months from the date of receipt thereof by the Minister.

### **Amendment of section 31**

**23.** Section 31 of the principal Act is amended by repealing paragraphs (a), (b), (d) and (e).



### **Amendment of section 32**

**24.** Section 32 of the principal Act is amended —

- (a) by renumbering the section as subsection (1);
- (b) in subsection (1) —
  - (i) by repealing the words “The Trust shall make” and substituting therefor the words “The Board shall make”;
  - (ii) by repealing paragraph (b);
  - (iii) in paragraph (c) by repealing the full stop and substituting therefor a semi-colon;
  - (iv) by inserting immediately after paragraph (c) the following new paragraph —

“(f) staff rules.”
- (c) by inserting immediately after subsection (1) the following new subsection —

“(2) For the purposes of this section, the word “rules” shall be construed as guidelines that are binding on the Trust and such rules do not form part of the laws of Seychelles.”

### **Transitional provision**

**25.** The Public Finance Management Act, 2012, shall continue to apply to the Trust until regulations are made by the Minister under sections 21(7) and 31 of this Act.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 28<sup>th</sup> September, 2022.



Ms. Alexandria Faure  
Deputy Clerk to the National Assembly

**CONSTITUTIONAL APPOINTEES' EMOLUMENTS  
(AMENDMENT) BILL, 2022***(Bill No. 25 of 2022)***EXPLANATORY STATEMENT OF THE OBJECTS OF  
AND REASONS FOR THE BILL**

The Constitution establishes the Constitutional Appointments Authority (the “CAA”) and provides that the salary, allowances and gratuity payable to a member of the CAA shall be prescribed by or under an Act.

The Constitutional Appointees' Emoluments Act (Cap. 256) (the “Act”) prescribes the salary and allowances of the members of the CAA. However, it does not prescribe the payment of any gratuity for them.

The Bill seeks to amend the Act and prescribe the gratuity that will be paid to the Chairman and members of the CAA.

The Bill proposes that the Chairman and each member of the CAA shall upon completion of their term of office be paid a gratuity of an amount equal to 25% of the total salary earned during that term.

**Dated this 14<sup>th</sup> day of October, 2022.**

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

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**CONSTITUTIONAL APPOINTEES' EMOLUMENTS  
(AMENDMENT) BILL, 2022**

*(Bill No. 25 of 2022)*

**ARRANGEMENT OF SECTIONS**

**SECTIONS**

1. Short title
2. Amendment of section 5 of Cap 256

**CONSTITUTIONAL APPOINTEES' EMOLUMENTS  
(AMENDMENT) BILL, 2022**

*(Bill No. 25 of 2022)*



**A BILL**

**FOR**

**AN ACT TO AMEND THE CONSTITUTIONAL APPOINTEES' EMOLUMENTS  
ACT, CAP 256.**

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

**Short title**

**1.** This Act may be cited as the Constitutional Appointees' Emoluments (Amendment) Bill, 2022.

**Amendment of section 5 of Cap 256**

**2.** The Constitutional Appointees' Emoluments Act is amended in section 5, by —

- (a) inserting after paragraph (b), the following new paragraph —
  - “(c) the Chairman and each member of the Constitutional Appointments Authority upon completion of the end of their term of office on each appointment or part thereof, in case of vacation otherwise than being removed under Article 166 of the Constitution, shall be paid a gratuity of an amount equal to 25% of the total salary earned during that term.”
- (b) renumbering the chapeau as subsection (1); and
- (c) inserting the following new subsection immediately after paragraph (c) —
  - “(2) Section 5(1)(c) shall apply upon the coming into operation of this Act.”.