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ANTI-CORRUPTION (AMENDMENT) BILL, 2021

(Bill No. 11 of 2021)

OBJECTS AND REASONS

The Anti-Corruption Act, 2016 (*the said Act*) was enacted to establish the Anti-Corruption Commission, provide for its functions and powers and to create a means by which it can investigate, detect and prevent corrupt practices. The composition of the Anti-Corruption Commission consists of a Chairperson, Vice-Chairperson and five Commissioners appointed by the President who are responsible for the supervision and performance of the functions of the Commission. A Chief Executive Officer appointed by the President is responsible for the implementation of the decisions of the Commission, subject to the supervision of the Commission.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.

3. In order to give effect to the announcement made by the President, it is proposed to abolish the positions of the Chairperson, Vice-Chairperson and Commissioners of the Anti-Corruption Commission and make the Chief Executive Officer responsible for the control, direction and administration of the Commission and also to re-designate the Chief Executive Officer to the Commissioner. In view of the proposed changes, it is proposed to provide that the Commissioner shall be appointed by the President on the recommendation of the Constitutional Appointments Authority and define the grounds of, and procedure for, the removal of the Commissioner. The Commission shall also prepare and submit to the Minister, in each financial year, an annual financial statement for the next financial year.

4. It is also proposed to establish an Advisory Council, consisting of four members, which shall be responsible to oversee the administrative functioning of the Commission and advise the Commission on the request of the Commissioner on any matter under the Act, but shall not interfere with the functioning or operation of the Commission in respect of any enquiry or conduct of investigation under the Act or any matter relating thereto.

5. On the commencement of the proposed legislation, the existing Chairperson, Vice-Chairperson and Commissioners of the Commission shall cease to hold their office as such and shall not be entitled to claim any compensation for the premature termination of term of their office and the existing Chief Executive Officer shall be deemed to be the Commissioner and shall hold office as such for the remainder of her term.

6. In view of the above, it is proposed to amend sections 2, 5, 15, 17, 52, 52A, 53, 55, 56, 57, 58, 59, 60, 61, 63, 69, 72, 83 of the said Act; repeal sections 6 to 13 of the Act for substituting new sections therefor, repeal section 19 to 22 and insert a new section 80A to the said Act.

7. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

ANTI-CORRUPTION (AMENDMENT) BILL, 2021

(Bill No. 11 of 2021)

ARRANGEMENT OF SECTIONS

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ANTI-CORRUPTION (AMENDMENT) BILL, 2021

(Bill No. 11 of 2021)



A BILL

FOR

AN ACT to amend the Anti-Corruption Act, 2016 (*Act 2 of 2016*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Anti-Corruption (Amendment) Act, 2021.

Amendment of section 2 of Act 2 of 2016

2. Section 2 of the Anti-Corruption Act, 2016 (Act 2 of 2016) (hereinafter referred to as the “principal Act”) is amended

- (a) by repealing the definitions of “Chairperson”, “Chief Executive Officer” and “Commissioner”;
- (b) by inserting, in alphabetical order, the following definition —
“ “Commissioner” means the Commissioner of the Commission appointed under section 6;”;
- (c) in the definition of “seizure”, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 5

3. Section 5(1) of the principal Act is amended —

- (a) by repealing paragraph (e);
- (b) by repealing the word “and” appearing at the end of paragraph (m)(v), and by inserting after paragraph (n), the following paragraph —
“(o) to perform any other duty as may be assigned to it by any other Act.”.

Substitution of sections 6 to 13

4. The principal Act is amended by repealing sections 6 to 13 (both inclusive) and substituting therefor the following sections —

“Appointment of Commissioner

6.(1) There shall be a Commissioner of the Commission who shall be appointed by the President from suitably qualified

candidates proposed by the Constitutional Appointments Authority.

(2) The Commissioner shall be the chief executive of the Commission and shall be responsible for the control, direction and administration of the Commission.

(3) The term of office of the Commissioner shall be five years from the date of the appointment and shall be eligible for reappointment.

(4) The Commissioner shall hold office for not more than two terms, whether consecutive or otherwise.

(5) The salary and allowances of the Commissioner shall be such as may be prescribed.

(6) The Commissioner shall not, while holding the office of the Commissioner, hold or discharge the duties of any other office of emolument in the Republic.

Resignation and removal of Commissioner

7.(1) The Commissioner may resign from office upon giving two months written notice to the President.

(2) The President may, on the recommendation of the Constitutional Appointments Authority, remove the Commissioner from office, if he or she —

- (a) has been found guilty of any misconduct, default or breach of trust in the discharge of any duties;
- (b) is an undischarged insolvent or bankrupt;
- (c) is convicted of an offence and sentenced to a term of imprisonment of three months or more;
or

(d) is mentally or physically incapable of carrying out the functions under this Act.

(3) The Commissioner shall not be removed from office under subsection (2) (a) or (d), unless the Constitutional Appointments Authority holds an inquiry and recommends to the President whether the Commissioner ought to be removed on such ground, after the Commissioner has been given an opportunity of being heard.

(4) Where an inquiry is contemplated under subsection (3), the President may, if considers it necessary so to do, suspend the Commissioner until the completion to such inquiry.

(5) The President may, on receipt of any complaint or any report from the Advisory Council against the Commissioner, refer the complaint or report to the Constitutional Appointments Authority for holding an inquiry and making the recommendation thereon.

Temporary appointment of Commissioner

8. Where the office of the Commissioner is vacant for any reason or the Commissioner is unable to perform the functions of the Commissioner or the Commissioner is suspended under subsection (4), the President may appoint a person, who is qualified to be appointed as the Commissioner, to perform the functions of the Commissioner for a period not exceeding 6 months.

Powers and functions of Commissioner

9.(1) The Commissioner —

- (a) may sign documents on behalf of the Commission; and
- (b) may delegate any function of the Chief Executive Officer to any employee of the Commission.

(2) The Commissioner may make standing orders providing for —

- (a) the implementation of the decisions of the Commission for the effective management and carrying out of the affairs of the Commission;
- (b) the discipline, training, classification and promotion of officers of the Commission;
- (c) the duties of officers of the Commission; and
- (d) such other matters as he or she may consider necessary or expedient for preventing the abuse of power or neglect of duty by officers or other staff.

(3) The Commissioner may, by an order in writing, direct an officer of the Commission to conduct an inquiry or investigation into an alleged or suspected offence under this Act.

(4) The Commissioner may, by an order in writing, require the head of any public body to produce or furnish within such time as the Commissioner specifies, any document or a certified true copy of any document which is in that person's possession or under that person's control and which the Commissioner considers necessary for the conduct of an investigation into an alleged or suspected offence under this Act.

Advisory Council

10.(1) There shall be an Advisory Council consisting of four members appointed by the President on the recommendation of Constitutional Appointments Authority, out of whom one member shall be designated as the chairperson.

(2) The recommendation of the Constitutional Appointments Authority shall be on the basis of integrity and qualification or experience in the field of —

- (a) anti-corruption,
- (b) law or law enforcement,
- (c) accounting, finance or administration, or
- (d) investigation, including forensic investigation.

(3) A person appointed as a member of the Advisory Council shall hold office for a term of three years and shall be eligible for reappointment.

(4) There shall be paid to the members of the Advisory Council, such remuneration or allowances as may be prescribed.

Functions of Advisory Council

11.(1) The Advisory Council shall be responsible to —

- (a) oversee the administrative functioning of the Commission;
- (b) review and recognise provisions of laws for the prevention of corruption and make recommendations to the President for their effective implementation.

(2) The Advisory Council shall not interfere with the functioning or operation of the Commission in respect of any enquiry or conduct of investigation under this Act or any matter relating thereto.

(3) The Commissioner may seek the advice and guidance of the Advisory Council on any matter under this Act.

(4) Where the Advisory Council is of the opinion that the Commissioner incurs any of the disqualification under section 7(2), the Advisory Council shall make a report to the President.

(5) The Advisory Council may regulate its own procedure and meet when it deems necessary but the chairperson shall

convene a meeting at the earliest possible, when requested by the Commissioner.

Disclosure of interest by members of Advisory Council

12.(1) A member of the Advisor Council who has an interest in any matter under inquiry or investigation by the Commission or deliberation by the Advisory Council shall disclose to the Advisory Council the particulars of the interest; and the details of the disclosure shall be recorded in the minutes taken at the meeting at which the disclosure is made.

(2) Where a member of the Advisory Council discloses his or her interest under subsection (1), the member shall not take part in the deliberation of that matter by the Advisory Council.”.

Amendment of section 15

5. Section 15 of the principal Act is amended, by repealing the words “the Chairperson, the Vice-Chairperson, a Commissioner or a member of the committee or staff of the Commission”, and substituting therefor the words “the Commissioner, a member of the Advisory Council or staff of the Commission”.

Amendment of section 17

6. Section 17(3) of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Repeal of sections 19 to 22

7. The principal Act is amended by repealing sections 19 to 22 (both inclusive).

Amendment of section 52

8. Section 52 of the principal Act is amended —

(a) by repealing the words “Chief Executive Officer” wherever

they appear, and substituting therefor the words “Commission”.

- (b) in subsection (6), by repealing the words “the Commission shall carry out”, and substituting therefor the words “to carry out”;
- (c) in subsection (7), by repealing the words “Commission”, and substituting therefor the words “Commissioner”.

Amendment of section 52A

9. Section 52A of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 53

10. Section 53(1) of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commission”.

Amendment of section 55

11. Section 55 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 56

12. Section 56(1) of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 57

13. Section 57 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 58

14. Section 58(1) of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 59

15. Section 59(1) of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 60

16. Section 60 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 61

17. Section 61 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 63

18. Section 63 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 69

19. Section 69 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 72

20. Section 72 of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 83

21. Section 83 of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Insertion of new section 80A

22. The principal Act is amend by inserting after section 80, the following section —

“Submission of annual financial statement

80A. The Commission shall prepare and submit to the Minister, in each financial year, an annual financial statement for the next financial year showing separately —

- (a) the expenditure which is proposed to be met from the internal sources of the Commission; and
- (b) the sum required from the government to meet other expenses distinguishing revenue expenditure from other expenditure.”.

Transitional provisions

23. On the commencement of this Act —

- (a) the Chairperson, Vice Chairperson and Commissioners of the Commission appointed under section 6 of the Anti-Corruption Act, 2016, shall cease to be the Chairperson, Vice Chairperson or Commissioners as such and shall vacate the office; and such Chairperson, Vice Chairperson and Commissioners of the Commission shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service;
- (b) the Chief Executive Officer appointed under section 19 of the Anti-Corruption Act, 2016 shall be deemed to be the

Commissioner appointed on the same terms and conditions of employment and shall continue until the expiry of his or her term of appointment and the provisions of the Anti-Corruption Act, 2016, as amended by this Act shall apply as if he or she was appointed under the Anti-Corruption Act, 2016 as amended by this Act.

**ENTERPRISE SEYCHELLES AGENCY (AMENDMENT)
BILL, 2021**

(Bill No. 12 of 2021)

OBJECTS AND REASONS

The Enterprise Seychelles Agency Act, 2018 (*the said Act*) was enacted to provide for the establishment of the Enterprise Seychelles Agency, to provide for its composition, functions and mandates and provisions for the development and promotion of enterprises and for matter connected therewith or incidental thereto. The affairs of the Enterprise Seychelles Agency is managed and administered by a Board of the Agency consisting of representatives of various Ministries and other bodies.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.

3. In order to give effect to the announcement made by the President, it is proposed to repeal the provisions relating to the Board of the Agency and entrust its functions to the Minister. It is also proposed to provide for certain disqualifications for the appointment of the Chief Executive Officer of the Agency.

4. Accordingly, in view of the above, it is proposed to amend sections 2, 17, 18, 19, 21, 23 and 24 and repeal sections 6 to 16 of the said Act and also to provide for a consequential provision.

5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

**ENTERPRISE SEYCHELLES AGENCY (AMENDMENT)
BILL, 2021**

(Bill No. 12 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 2 of Act 3 of 2018
3. Repeal of sections 6 to 16
4. Amendment of section 17
5. Amendment of section 18
6. Amendment of section 19
7. Amendment of section 20
8. Amendment of section 21
9. Amendment of marginal heading of section 23
10. Amendment of section 24
11. Transitional provisions

**ENTERPRISE SEYCHELLES AGENCY (AMENDMENT)
BILL, 2021**

(Bill No. 12 of 2021)



A BILL

FOR

AN ACT to amend the Enterprise Seychelles Agency Act, 2018 (*Act 3 of 2018*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Enterprise Seychelles Agency (Amendment) Act, 2021.

Amendment of section 2 of Act 3 of 2018

2. Section 2 of the Enterprise Seychelles Agency Act, 2018 (Act 3 of 2018) (hereinafter referred to as the “principal Act”) is amended by repealing the definitions of “Board”, and “member”.

Repeal of sections 6 to 16

3. The principal Act is amended by repealing sections 6 to 16 (both inclusive).

Amendment of section 17

4. Section 17 of the principal Act is amended —

- (i) in subsection (1), by repealing the words “the Board”, and substituting therefor the words “the Minister”;
- (ii) by repealing subsection (2), and substituting therefor the following subsection —

“(2) A person shall not be appointed as the Chief Executive Officer or hold office as such, if he or she —

- (a) is not ordinarily resident in Seychelles;
- (b) has been adjudged or declared insolvent or bankrupt and has not been discharged;
- (c) has been convicted in Seychelles within the period of five years, immediately preceding the date of his or her proposed appointment in respect of an offence to a term of imprisonment without the option of a fine, whether or not, any portion has been suspended, or the person has received a free pardon;
- (d) has been guilty of improper conduct or guilty of conduct that is prejudicial to the interest or reputation of the Agency;

- (e) has failed to comply with any condition of his or her appointment; or
 - (f) is mentally or physically incapable of efficiently discharging his or her functions as a Chief Executive Officer.”;
- (iii) by repealing subsection (4);
- (iv) in subsection (5), by repealing the words “the Board” wherever they appear, and substituting therefor the words “the Minister”, respectively;
- (v) in subsection (7), by repealing the words “the Board”, and substituting therefor the words “the Minister”;

Amendment of section 18

5. Section 18 (1) of the principal Act is amended, by repealing the words “the Board”, and substituting therefor the words “the Minister”;

Amendment of section 19

6. Section 19 of the principal Act is amended —

- (a) in subsection (1), by repealing the words “the Board”, and substituting therefor the words “the Minister”;
- (b) in subsection (2), by repealing the words “the Board”, and substituting therefor the words “the Minister”;

Amendment of section 20

7. Section 20 (2) of the principal Act is amended —

- (a) in paragraph (b), by repealing the words “members of the Board and”;
- (b) in paragraph (c), by repealing the words “the Board”, and substituting therefor the words “the Minister”;

Amendment of section 21

8. Section 21 of the principal Act is amended, by repealing subsection (3);

Amendment of marginal heading of section 23

9. Section 23 of the principal Act is amended by repealing in the marginal heading, the word “Board”, and substituting therefor the word “Agency”;

Amendment of section 24

10. Section 24 of the principal Act is amended —

- (a) in subsection (1), by repealing the words “Members of the Board and the”;
- (b) in subsection (2), by repealing the words “any member of the Board”;

Transitional provisions

11. On the commencement of this Act —

- (a) the members of the Board, established by section 6 of the Enterprise Seychelles Agency Act, 2018, shall cease to be members as such and shall vacate the office; and
- (b) such members shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service.

**INDUSTRIAL ESTATES AUTHORITY (AMENDMENT)
BILL, 2021**

(Bill No. 13 of 2021)

OBJECTS AND REASONS

The Industrial Estates Authority Act, 2013 (*the said Act*) was enacted to establish the Industrial Estates Authority and to provide for matters connected therewith or incidental thereto. The Authority is managed by a Board consisting of members representing various Ministries and other bodies.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.

3. In order to give effect to the announcement made by the President, it is proposed to repeal the provisions relating to the Board and entrust its functions to the Minister.

4. Accordingly, in view of the above, it is proposed to amend sections 2, 15, 16, 18, 22 and 23 and repeal sections 7 to 14 of the said Act and also to provide for a consequential provision.

5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

**INDUSTRIAL ESTATES AUTHORITY (AMENDMENT)
BILL, 2021**

(Bill No. 13 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 2 of Act 3 of 2018
3. Repeal of sections 7 to 14
4. Amendment of section 15
5. Amendment of section 16
6. Amendment of section 18
7. Amendment of section 22
8. Amendment of section 23
9. Transitional provisions

**INDUSTRIAL ESTATES AUTHORITY (AMENDMENT)
BILL, 2021**

(Bill No. 13 of 2021)



A BILL

FOR

AN ACT to amend the Industrial Estates Authority Act, 2013 (*Act 9 of 2013*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Industrial Estates Authority (Amendment) Act, 2021.

Amendment of section 2 of Act 3 of 2018

2. Section 2 of the Industrial Estates Authority Act, 2013 (Act 9 of 2018) (hereinafter referred to as the “principal Act”) is amended by repealing the definitions of “Board”, “Chairperson” and “member”.

Repeal of sections 7 to 14

3. The principal Act is amended by repealing Part III, sections 7 to 14 (both inclusive).

Amendment of section 15

4. Section 15 of the principal Act is amended —

- (a) in subsection (2), by repealing the words “the Board”, and substituting therefor the words “the Minister”;
- (b) in subsection (3), by repealing the words “a member”.

Amendment of section 16

5. Section 16(2)(b) of the principal Act is amended, by repealing the words “the Board”, and substituting therefor the words “the Minister”.

Amendment of section 18

6. Section 18(2)(b) of the principal Act is amended, by repealing the word “Members”.

Amendment of section 22

7. Section 22 of the principal Act is amended —

- (a) by repealing the words “The Board, a Member, the secretary” and substituting therefor the words “The Chief Executive Officer”;
- (b) by repealing the words “the Board, the Member, the secretary”, and substituting therefor the words “the Chief Executive Officer”.

Amendment of section 23

8. Section 23 of the principal Act is amended, by repealing the words “Members and”.

Transitional provisions

9. On the commencement of this Act —

- (a) the members of the Board, established by section 7 of the Industrial Estates Authority Act, 2013, shall cease to be members as such and shall vacate the office; and
- (b) such members shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service.

PUBLIC OFFICERS' ETHICS (AMENDMENT) BILL, 2021

(Bill No. 14 of 2021)

OBJECTS AND REASONS

The Public Officers' Ethics Act (*the said Act*) was enacted to advance the ethics of public officers by providing for a Code of Conduct and Ethics for public officers and requiring financial declaration from certain public officers and a Public Officers' Ethics Commission was established to investigate and determine whether a public officer has contravened the Code of Conduct and Ethics. The Commission consists of the Ombudsman, the Attorney-General, the Chairman of the Constitutional Appointments Authority and two other members.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.
3. In order to give effect to the announcement made by the President, it is proposed to abolish the Public Officers' Ethics Commission and entrust the functions of the Commission to the Anti-Corruption Commission established under the Anti-Corruption Act, 2016.
4. Accordingly, in view of the above, it is proposed to amend sections 2, 27, 28 and 35, and repeal sections 20 and 25 of the said Act and provide for other consequential provisions.
5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

PUBLIC OFFICERS' ETHICS (AMENDMENT) BILL, 2021*(Bill No. 14 of 2021)***ARRANGEMENT OF SECTIONS****Sections**

1. Short title
2. Amendment of section 2 of Cap 304
3. Amendment of Part III head note
4. Repeal of section 20
5. Repeal of section 25
6. Amendment of section 27
7. Amendment of section 28
8. Amendment of section 35
9. Transitional provisions

PUBLIC OFFICERS' ETHICS (AMENDMENT) BILL, 2021

(Bill No. 14 of 2021)



A BILL

FOR

AN ACT to amend the Public Officers' Ethics Act (Cap 304).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Public Officers' Ethics (Amendment) Act, 2021.

Amendment of section 2 of Cap 304

2. Section 2 of the Public Officers' Ethics Act (*Cap 304*) (hereinafter referred to as the “principal Act”) is amended —

- (a) by repealing the definition of “Commission”, and substituting therefor the following definition —

“ “Commission” means the Anti-Corruption Commission established by section 4 of the Anti-Corruption Act, 2016 (Act 2 of 2016);”;

- (b) by repealing the definition of “member”.

Amendment of Part III head note

3. The principal Act is amended, in the head note of Part III, by repealing the words “**ESTABLISHMENT AND FUNCTIONS OF PUBLIC OFFICERS' ETHICS COMMISSION**”, and substituting therefor the words “**INVESTIGATION BY THE COMMISSION**”.

Repeal of section 20

4. The principal Act is amended by repealing section 20.

Repeal of section 25

5. The principal Act is amended by repealing section 25.

Amendment of section 27

6. Section 27 of the principal Act is amended, by repealing the proviso to subsection (1).

Amendment of section 28

7. Section 28 of the principal Act is amended, by repealing the word “Chairperson”, and substituting therefor the word “Commission”.

Amendment of section 35

8. Section 35 of the principal Act is amended, by repealing the words “or any member”.

Transitional provisions

9. On the commencement of this Act, the administrative and other technical staff appointed under section 20(8) the Public Officers' Ethics Act (*Cap 304*) shall be deemed to be the administrative and other technical staff of the Anti-Corruption Commission established under the Anti-Corruption Act, 2016 (*Act 2 of 2016*) appointed on the same terms and conditions of employment and shall continue until the expiry of his or her term of appointment and the provisions of the Anti-Corruption Act, 2016 shall apply as if he or she was appointed under the Anti-Corruption Act, 2016.

**SEYCHELLES BUREAU OF STANDARDS (AMENDMENT)
BILL, 2021**

(Bill No. 15 of 2021)

OBJECTS AND REASONS

The Seychelles Bureau of Standards Act, 2014 (*the said Act*) was enacted to repeal and replace the Seychelles Bureau of Standards Act, 1987 to make better provision for the development, promotion and maintenance of standardisation and for matters connected therewith or incidental thereto. The Bureau is managed by a Board consisting of 7 members representing various Ministries and three members from the academia or civil society with sufficient knowledge and expertise in business management, finance, marketing or science and technology.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.
3. In order to give effect to the announcement made by the President, it is proposed to reduce the number of members of the Board upto seven who shall be appointed by the President on the recommendation of the Minister from the persons of integrity, possessing qualifications and experience in standardisation, business management, finance, marketing or science and technology. It shall allow the Minister to nominate those officials who possess required qualification and experience in each field.
4. Accordingly, in view of the above, it is proposed to amend section 5 of the said Act and also to provide for consequential provisions.
5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

**SEYCHELLES BUREAU OF STANDARDS (AMENDMENT)
BILL, 2021**

(Bill No. 15 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 5 of Act 2 of 2014
3. Transitional provisions

**SEYCHELLES BUREAU OF STANDARDS (AMENDMENT)
BILL, 2021**

(Bill No. 15 of 2021)



**A BILL
FOR**

AN ACT to amend the Seychelles Bureau of Standards Act, 2014 (*Act 2 of 2014*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Seychelles Bureau of Standards (Amendment) Act, 2021.

Amendment of section 5 of Act 2 of 2014

2. Section 5 of the Seychelles Bureau of Standards Act, 2014 (Act 2 of 2014) is amended by repealing subsections (1) and (2), and substituting therefor the following subsections —

“(1) The Bureau shall be managed by a Board, consisting of 7 members, appointed by the President on the recommendation of the Minister.

(2) The members appointed under subsection (1) shall be persons of integrity, possessing qualifications and experience in standardisation, business management, finance, marketing or science and technology.”.

Transitional provisions

3. On the commencement of this Act —

- (a) the members of the Board, appointed under section 5 of the Seychelles Bureau of Standards Act, 2014 prior to the commencement of this Act, shall cease to be members as such and shall vacate the office; and
- (b) such members of the Board shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service.

SEYCHELLES INVESTMENT (AMENDMENT) BILL, 2021

(Bill No. 16 of 2021)

OBJECTS AND REASONS

The Seychelles Investment Act, 2010 (*the said Act*) was enacted to provide for a legal environment that is conducive to a greater flow of investment into the Republic and the protection of the right of investors, to establish a Seychelles Investment Board, to repeal the Investment Code of Seychelles Act, 2005 and to provide for connected matters. The affairs of the Seychelles Investment Board is administered by a Board of Directors consisting of a Chairperson and other members, including the Chief Executive Officer who is Secretary to the Board of Directors.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.
3. In order to give effect to the announcement made by the President, it is proposed to repeal the provisions relating to the Board of Directors and entrust its functions to the Minister.
4. Accordingly, in view of the above, it is proposed to amend sections 2, 23, 28 and 29 and repeal sections 17 to 22 of the said Act and also to provide for a consequential provision.
5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

SEYCHELLES INVESTMENT (AMENDMENT) BILL, 2021

(Bill No. 16 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 2 of Act 31 of 2010
3. Repeal of sections 17 to 22
4. Amendment of section 23
5. Amendment of section 28
6. Amendment of section 29
7. Transitional provisions

SEYCHELLES INVESTMENT (AMENDMENT) BILL, 2021

(Bill No. 16 of 2021)



A BILL

FOR

AN ACT to amend the Seychelles Investment Act, 2010 (*Act 31 of 2010*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Seychelles Investment (Amendment) Act, 2021.

Amendment of section 2 of Act 31 of 2010

2. Section 2 of the Seychelles Investment Act, 2010 (*Act 31 of 2010*) (hereinafter referred to as the “principal Act”) is amended by repealing in the definition of “Chairperson”, the words “or the Chairperson of the Board of Directors appointed under section 18, as the case may be”.

Repeal of sections 17 to 22

3. The principal Act is amended by repealing sections 17 to 22 (both inclusive).

Amendment of section 23

4. Section 23(2) of the principal Act is amended, by repealing the words “the decisions of the Board of Directors”, and substituting therefor the words “policies of the Government and direction of the Minister”.

Amendment of section 28

5. Section 28(1) of the principal Act is amended, by repealing the words “the Board of Directors and”.

Amendment of section 29

6. Section 29 of the principal Act is amended, by repealing the word “members of the Board of Directors, the”.

Transitional provisions

7. On the commencement of this Act —

- (a) the members of the Board of Directors, established by section 17 of the Seychelles Investment Act, 2010, shall cease to be members as such and shall vacate the office; and
- (b) such members of the Board of Directors shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service.

SEYCHELLES INVESTMENT (AMENDMENT) BILL, 2021

(Bill No. 16 of 2021)

OBJECTS AND REASONS

The Seychelles Investment Act, 2010 (*the said Act*) was enacted to provide for a legal environment that is conducive to a greater flow of investment into the Republic and the protection of the right of investors, to establish a Seychelles Investment Board, to repeal the Investment Code of Seychelles Act, 2005 and to provide for connected matters. The affairs of the Seychelles Investment Board is administered by a Board of Directors consisting of a Chairperson and other members, including the Chief Executive Officer who is Secretary to the Board of Directors.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.
3. In order to give effect to the announcement made by the President, it is proposed to repeal the provisions relating to the Board of Directors and entrust its functions to the Minister.
4. Accordingly, in view of the above, it is proposed to amend sections 2, 23, 28 and 29 and repeal sections 17 to 22 of the said Act and also to provide for a consequential provision.
5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

SEYCHELLES INVESTMENT (AMENDMENT) BILL, 2021

(Bill No. 16 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 2 of Act 31 of 2010
3. Repeal of sections 17 to 22
4. Amendment of section 23
5. Amendment of section 28
6. Amendment of section 29
7. Transitional provisions

SEYCHELLES INVESTMENT (AMENDMENT) BILL, 2021

(Bill No. 16 of 2021)



A BILL

FOR

AN ACT to amend the Seychelles Investment Act, 2010 (*Act 31 of 2010*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Seychelles Investment (Amendment) Act, 2021.

Amendment of section 2 of Act 31 of 2010

2. Section 2 of the Seychelles Investment Act, 2010 (*Act 31 of 2010*) (hereinafter referred to as the “principal Act”) is amended by repealing in the definition of “Chairperson”, the words “or the Chairperson of the Board of Directors appointed under section 18, as the case may be”.

Repeal of sections 17 to 22

3. The principal Act is amended by repealing sections 17 to 22 (both inclusive).

Amendment of section 23

4. Section 23(2) of the principal Act is amended, by repealing the words “the decisions of the Board of Directors”, and substituting therefor the words “policies of the Government and direction of the Minister”.

Amendment of section 28

5. Section 28(1) of the principal Act is amended, by repealing the words “the Board of Directors and”.

Amendment of section 29

6. Section 29 of the principal Act is amended, by repealing the word “members of the Board of Directors, the”.

Transitional provisions

7. On the commencement of this Act —

- (a) the members of the Board of Directors, established by section 17 of the Seychelles Investment Act, 2010, shall cease to be members as such and shall vacate the office; and
- (b) such members of the Board of Directors shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service.

**SEYCHELLES BUREAU OF STANDARDS (AMENDMENT)
BILL, 2021**

(Bill No. 15 of 2021)

OBJECTS AND REASONS

The Seychelles Bureau of Standards Act, 2014 (*the said Act*) was enacted to repeal and replace the Seychelles Bureau of Standards Act, 1987 to make better provision for the development, promotion and maintenance of standardisation and for matters connected therewith or incidental thereto. The Bureau is managed by a Board consisting of 7 members representing various Ministries and three members from the academia or civil society with sufficient knowledge and expertise in business management, finance, marketing or science and technology.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.
3. In order to give effect to the announcement made by the President, it is proposed to reduce the number of members of the Board upto seven who shall be appointed by the President on the recommendation of the Minister from the persons of integrity, possessing qualifications and experience in standardisation, business management, finance, marketing or science and technology. It shall allow the Minister to nominate those officials who possess required qualification and experience in each field.
4. Accordingly, in view of the above, it is proposed to amend section 5 of the said Act and also to provide for consequential provisions.
5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

**SEYCHELLES BUREAU OF STANDARDS (AMENDMENT)
BILL, 2021**

(Bill No. 15 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 5 of Act 2 of 2014
3. Transitional provisions

**SEYCHELLES BUREAU OF STANDARDS (AMENDMENT)
BILL, 2021**

(Bill No. 15 of 2021)



**A BILL
FOR**

AN ACT to amend the Seychelles Bureau of Standards Act, 2014 (*Act 2 of 2014*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Seychelles Bureau of Standards (Amendment) Act, 2021.

Amendment of section 5 of Act 2 of 2014

2. Section 5 of the Seychelles Bureau of Standards Act, 2014 (Act 2 of 2014) is amended by repealing subsections (1) and (2), and substituting therefor the following subsections —

“(1) The Bureau shall be managed by a Board, consisting of 7 members, appointed by the President on the recommendation of the Minister.

(2) The members appointed under subsection (1) shall be persons of integrity, possessing qualifications and experience in standardisation, business management, finance, marketing or science and technology.”.

Transitional provisions

3. On the commencement of this Act —

- (a) the members of the Board, appointed under section 5 of the Seychelles Bureau of Standards Act, 2014 prior to the commencement of this Act, shall cease to be members as such and shall vacate the office; and
- (b) such members of the Board shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service.

**INDUSTRIAL ESTATES AUTHORITY (AMENDMENT)
BILL, 2021**

(Bill No. 13 of 2021)

OBJECTS AND REASONS

The Industrial Estates Authority Act, 2013 (*the said Act*) was enacted to establish the Industrial Estates Authority and to provide for matters connected therewith or incidental thereto. The Authority is managed by a Board consisting of members representing various Ministries and other bodies.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.

3. In order to give effect to the announcement made by the President, it is proposed to repeal the provisions relating to the Board and entrust its functions to the Minister.

4. Accordingly, in view of the above, it is proposed to amend sections 2, 15, 16, 18, 22 and 23 and repeal sections 7 to 14 of the said Act and also to provide for a consequential provision.

5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

**INDUSTRIAL ESTATES AUTHORITY (AMENDMENT)
BILL, 2021**

(Bill No. 13 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 2 of Act 3 of 2018
3. Repeal of sections 7 to 14
4. Amendment of section 15
5. Amendment of section 16
6. Amendment of section 18
7. Amendment of section 22
8. Amendment of section 23
9. Transitional provisions

**INDUSTRIAL ESTATES AUTHORITY (AMENDMENT)
BILL, 2021**

(Bill No. 13 of 2021)



A BILL

FOR

AN ACT to amend the Industrial Estates Authority Act, 2013 (*Act 9 of 2013*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Industrial Estates Authority (Amendment) Act, 2021.

Amendment of section 2 of Act 3 of 2018

2. Section 2 of the Industrial Estates Authority Act, 2013 (Act 9 of 2018) (hereinafter referred to as the “principal Act”) is amended by repealing the definitions of “Board”, “Chairperson” and “member”.

Repeal of sections 7 to 14

3. The principal Act is amended by repealing Part III, sections 7 to 14 (both inclusive).

Amendment of section 15

4. Section 15 of the principal Act is amended —

- (a) in subsection (2), by repealing the words “the Board”, and substituting therefor the words “the Minister”;
- (b) in subsection (3), by repealing the words “a member”.

Amendment of section 16

5. Section 16(2)(b) of the principal Act is amended, by repealing the words “the Board”, and substituting therefor the words “the Minister”.

Amendment of section 18

6. Section 18(2)(b) of the principal Act is amended, by repealing the word “Members”.

Amendment of section 22

7. Section 22 of the principal Act is amended —

- (a) by repealing the words “The Board, a Member, the secretary” and substituting therefor the words “The Chief Executive Officer”;
- (b) by repealing the words “the Board, the Member, the secretary”, and substituting therefor the words “the Chief Executive Officer”.

Amendment of section 23

8. Section 23 of the principal Act is amended, by repealing the words “Members and”.

Transitional provisions

9. On the commencement of this Act —

- (a) the members of the Board, established by section 7 of the Industrial Estates Authority Act, 2013, shall cease to be members as such and shall vacate the office; and
- (b) such members shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service.

ANTI-CORRUPTION (AMENDMENT) BILL, 2021

(Bill No. 11 of 2021)

OBJECTS AND REASONS

The Anti-Corruption Act, 2016 (*the said Act*) was enacted to establish the Anti-Corruption Commission, provide for its functions and powers and to create a means by which it can investigate, detect and prevent corrupt practices. The composition of the Anti-Corruption Commission consists of a Chairperson, Vice-Chairperson and five Commissioners appointed by the President who are responsible for the supervision and performance of the functions of the Commission. A Chief Executive Officer appointed by the President is responsible for the implementation of the decisions of the Commission, subject to the supervision of the Commission.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.

3. In order to give effect to the announcement made by the President, it is proposed to abolish the positions of the Chairperson, Vice-Chairperson and Commissioners of the Anti-Corruption Commission and make the Chief Executive Officer responsible for the control, direction and administration of the Commission and also to re-designate the Chief Executive Officer to the Commissioner. In view of the proposed changes, it is proposed to provide that the Commissioner shall be appointed by the President on the recommendation of the Constitutional Appointments Authority and define the grounds of, and procedure for, the removal of the Commissioner. The Commission shall also prepare and submit to the Minister, in each financial year, an annual financial statement for the next financial year.

4. It is also proposed to establish an Advisory Council, consisting of four members, which shall be responsible to oversee the administrative functioning of the Commission and advise the Commission on the request of the Commissioner on any matter under the Act, but shall not interfere with the functioning or operation of the Commission in respect of any enquiry or conduct of investigation under the Act or any matter relating thereto.

5. On the commencement of the proposed legislation, the existing Chairperson, Vice-Chairperson and Commissioners of the Commission shall cease to hold their office as such and shall not be entitled to claim any compensation for the premature termination of term of their office and the existing Chief Executive Officer shall be deemed to be the Commissioner and shall hold office as such for the remainder of her term.

6. In view of the above, it is proposed to amend sections 2, 5, 15, 17, 52, 52A, 53, 55, 56, 57, 58, 59, 60, 61, 63, 69, 72, 83 of the said Act; repeal sections 6 to 13 of the Act for substituting new sections therefor, repeal section 19 to 22 and insert a new section 80A to the said Act.

7. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

ANTI-CORRUPTION (AMENDMENT) BILL, 2021

(Bill No. 11 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 2 of Act 2 of 2016
3. Amendment of section 5
4. Substitution of sections 6 to 13
5. Amendment of section 15
6. Amendment of section 17
7. Repeal of sections 19 to 22
8. Amendment of section 52
9. Amendment of section 52A
10. Amendment of section 53
11. Amendment of section 55
12. Amendment of section 56
13. Amendment of section 57
14. Amendment of section 58
15. Amendment of section 59
16. Amendment of section 60
17. Amendment of section 61
18. Amendment of section 63
19. Amendment of section 69
20. Amendment of section 72
21. Amendment of section 83
22. Amendment of section 83
23. Transitional provisions

ANTI-CORRUPTION (AMENDMENT) BILL, 2021

(Bill No. 11 of 2021)



A BILL

FOR

AN ACT to amend the Anti-Corruption Act, 2016 (*Act 2 of 2016*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Anti-Corruption (Amendment) Act, 2021.

Amendment of section 2 of Act 2 of 2016

2. Section 2 of the Anti-Corruption Act, 2016 (Act 2 of 2016) (hereinafter referred to as the “principal Act”) is amended

- (a) by repealing the definitions of “Chairperson”, “Chief Executive Officer” and “Commissioner”;
- (b) by inserting, in alphabetical order, the following definition —
“ “Commissioner” means the Commissioner of the Commission appointed under section 6;”;
- (c) in the definition of “seizure”, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 5

3. Section 5(1) of the principal Act is amended —

- (a) by repealing paragraph (e);
- (b) by repealing the word “and” appearing at the end of paragraph (m)(v), and by inserting after paragraph (n), the following paragraph —
“(o) to perform any other duty as may be assigned to it by any other Act.”.

Substitution of sections 6 to 13

4. The principal Act is amended by repealing sections 6 to 13 (both inclusive) and substituting therefor the following sections —

“Appointment of Commissioner

6.(1) There shall be a Commissioner of the Commission who shall be appointed by the President from suitably qualified

candidates proposed by the Constitutional Appointments Authority.

(2) The Commissioner shall be the chief executive of the Commission and shall be responsible for the control, direction and administration of the Commission.

(3) The term of office of the Commissioner shall be five years from the date of the appointment and shall be eligible for reappointment.

(4) The Commissioner shall hold office for not more than two terms, whether consecutive or otherwise.

(5) The salary and allowances of the Commissioner shall be such as may be prescribed.

(6) The Commissioner shall not, while holding the office of the Commissioner, hold or discharge the duties of any other office of emolument in the Republic.

Resignation and removal of Commissioner

7.(1) The Commissioner may resign from office upon giving two months written notice to the President.

(2) The President may, on the recommendation of the Constitutional Appointments Authority, remove the Commissioner from office, if he or she —

- (a) has been found guilty of any misconduct, default or breach of trust in the discharge of any duties;
- (b) is an undischarged insolvent or bankrupt;
- (c) is convicted of an offence and sentenced to a term of imprisonment of three months or more;
or

(d) is mentally or physically incapable of carrying out the functions under this Act.

(3) The Commissioner shall not be removed from office under subsection (2) (a) or (d), unless the Constitutional Appointments Authority holds an inquiry and recommends to the President whether the Commissioner ought to be removed on such ground, after the Commissioner has been given an opportunity of being heard.

(4) Where an inquiry is contemplated under subsection (3), the President may, if considers it necessary so to do, suspend the Commissioner until the completion to such inquiry.

(5) The President may, on receipt of any complaint or any report from the Advisory Council against the Commissioner, refer the complaint or report to the Constitutional Appointments Authority for holding an inquiry and making the recommendation thereon.

Temporary appointment of Commissioner

8. Where the office of the Commissioner is vacant for any reason or the Commissioner is unable to perform the functions of the Commissioner or the Commissioner is suspended under subsection (4), the President may appoint a person, who is qualified to be appointed as the Commissioner, to perform the functions of the Commissioner for a period not exceeding 6 months.

Powers and functions of Commissioner

9.(1) The Commissioner —

- (a) may sign documents on behalf of the Commission; and
- (b) may delegate any function of the Chief Executive Officer to any employee of the Commission.

(2) The Commissioner may make standing orders providing for —

- (a) the implementation of the decisions of the Commission for the effective management and carrying out of the affairs of the Commission;
- (b) the discipline, training, classification and promotion of officers of the Commission;
- (c) the duties of officers of the Commission; and
- (d) such other matters as he or she may consider necessary or expedient for preventing the abuse of power or neglect of duty by officers or other staff.

(3) The Commissioner may, by an order in writing, direct an officer of the Commission to conduct an inquiry or investigation into an alleged or suspected offence under this Act.

(4) The Commissioner may, by an order in writing, require the head of any public body to produce or furnish within such time as the Commissioner specifies, any document or a certified true copy of any document which is in that person's possession or under that person's control and which the Commissioner considers necessary for the conduct of an investigation into an alleged or suspected offence under this Act.

Advisory Council

10.(1) There shall be an Advisory Council consisting of four members appointed by the President on the recommendation of Constitutional Appointments Authority, out of whom one member shall be designated as the chairperson.

(2) The recommendation of the Constitutional Appointments Authority shall be on the basis of integrity and qualification or experience in the field of —

- (a) anti-corruption,
- (b) law or law enforcement,
- (c) accounting, finance or administration, or
- (d) investigation, including forensic investigation.

(3) A person appointed as a member of the Advisory Council shall hold office for a term of three years and shall be eligible for reappointment.

(4) There shall be paid to the members of the Advisory Council, such remuneration or allowances as may be prescribed.

Functions of Advisory Council

11.(1) The Advisory Council shall be responsible to —

- (a) oversee the administrative functioning of the Commission;
- (b) review and recognise provisions of laws for the prevention of corruption and make recommendations to the President for their effective implementation.

(2) The Advisory Council shall not interfere with the functioning or operation of the Commission in respect of any enquiry or conduct of investigation under this Act or any matter relating thereto.

(3) The Commissioner may seek the advice and guidance of the Advisory Council on any matter under this Act.

(4) Where the Advisory Council is of the opinion that the Commissioner incurs any of the disqualification under section 7(2), the Advisory Council shall make a report to the President.

(5) The Advisory Council may regulate its own procedure and meet when it deems necessary but the chairperson shall

convene a meeting at the earliest possible, when requested by the Commissioner.

Disclosure of interest by members of Advisory Council

12.(1) A member of the Advisor Council who has an interest in any matter under inquiry or investigation by the Commission or deliberation by the Advisory Council shall disclose to the Advisory Council the particulars of the interest; and the details of the disclosure shall be recorded in the minutes taken at the meeting at which the disclosure is made.

(2) Where a member of the Advisory Council discloses his or her interest under subsection (1), the member shall not take part in the deliberation of that matter by the Advisory Council.”.

Amendment of section 15

5. Section 15 of the principal Act is amended, by repealing the words “the Chairperson, the Vice-Chairperson, a Commissioner or a member of the committee or staff of the Commission”, and substituting therefor the words “the Commissioner, a member of the Advisory Council or staff of the Commission”.

Amendment of section 17

6. Section 17(3) of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Repeal of sections 19 to 22

7. The principal Act is amended by repealing sections 19 to 22 (both inclusive).

Amendment of section 52

8. Section 52 of the principal Act is amended —

(a) by repealing the words “Chief Executive Officer” wherever

they appear, and substituting therefor the words “Commission”.

- (b) in subsection (6), by repealing the words “the Commission shall carry out”, and substituting therefor the words “to carry out”;
- (c) in subsection (7), by repealing the words “Commission”, and substituting therefor the words “Commissioner”.

Amendment of section 52A

9. Section 52A of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 53

10. Section 53(1) of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commission”.

Amendment of section 55

11. Section 55 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 56

12. Section 56(1) of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 57

13. Section 57 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 58

14. Section 58(1) of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 59

15. Section 59(1) of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 60

16. Section 60 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 61

17. Section 61 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 63

18. Section 63 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 69

19. Section 69 of the principal Act is amended, by repealing the words “Chief Executive Officer” wherever they appear, and substituting therefor the words “Commissioner”.

Amendment of section 72

20. Section 72 of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Amendment of section 83

21. Section 83 of the principal Act is amended, by repealing the words “Chief Executive Officer”, and substituting therefor the words “Commissioner”.

Insertion of new section 80A

22. The principal Act is amend by inserting after section 80, the following section —

“Submission of annual financial statement

80A. The Commission shall prepare and submit to the Minister, in each financial year, an annual financial statement for the next financial year showing separately —

- (a) the expenditure which is proposed to be met from the internal sources of the Commission; and
- (b) the sum required from the government to meet other expenses distinguishing revenue expenditure from other expenditure.”.

Transitional provisions

23. On the commencement of this Act —

- (a) the Chairperson, Vice Chairperson and Commissioners of the Commission appointed under section 6 of the Anti-Corruption Act, 2016, shall cease to be the Chairperson, Vice Chairperson or Commissioners as such and shall vacate the office; and such Chairperson, Vice Chairperson and Commissioners of the Commission shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service;
- (b) the Chief Executive Officer appointed under section 19 of the Anti-Corruption Act, 2016 shall be deemed to be the

Commissioner appointed on the same terms and conditions of employment and shall continue until the expiry of his or her term of appointment and the provisions of the Anti-Corruption Act, 2016, as amended by this Act shall apply as if he or she was appointed under the Anti-Corruption Act, 2016 as amended by this Act.

**ENTERPRISE SEYCHELLES AGENCY (AMENDMENT)
BILL, 2021**

(Bill No. 12 of 2021)

OBJECTS AND REASONS

The Enterprise Seychelles Agency Act, 2018 (*the said Act*) was enacted to provide for the establishment of the Enterprise Seychelles Agency, to provide for its composition, functions and mandates and provisions for the development and promotion of enterprises and for matter connected therewith or incidental thereto. The affairs of the Enterprise Seychelles Agency is managed and administered by a Board of the Agency consisting of representatives of various Ministries and other bodies.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.
3. In order to give effect to the announcement made by the President, it is proposed to repeal the provisions relating to the Board of the Agency and entrust its functions to the Minister. It is also proposed to provide for certain disqualifications for the appointment of the Chief Executive Officer of the Agency.
4. Accordingly, in view of the above, it is proposed to amend sections 2, 17, 18, 19, 21, 23 and 24 and repeal sections 6 to 16 of the said Act and also to provide for a consequential provision.
5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

**ENTERPRISE SEYCHELLES AGENCY (AMENDMENT)
BILL, 2021**

(Bill No. 12 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 2 of Act 3 of 2018
3. Repeal of sections 6 to 16
4. Amendment of section 17
5. Amendment of section 18
6. Amendment of section 19
7. Amendment of section 20
8. Amendment of section 21
9. Amendment of marginal heading of section 23
10. Amendment of section 24
11. Transitional provisions

**ENTERPRISE SEYCHELLES AGENCY (AMENDMENT)
BILL, 2021**

(Bill No. 12 of 2021)



A BILL

FOR

AN ACT to amend the Enterprise Seychelles Agency Act, 2018 (*Act 3 of 2018*).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Enterprise Seychelles Agency (Amendment) Act, 2021.

Amendment of section 2 of Act 3 of 2018

2. Section 2 of the Enterprise Seychelles Agency Act, 2018 (Act 3 of 2018) (hereinafter referred to as the “principal Act”) is amended by repealing the definitions of “Board”, and “member”.

Repeal of sections 6 to 16

3. The principal Act is amended by repealing sections 6 to 16 (both inclusive).

Amendment of section 17

4. Section 17 of the principal Act is amended —

- (i) in subsection (1), by repealing the words “the Board”, and substituting therefor the words “the Minister”;
- (ii) by repealing subsection (2), and substituting therefor the following subsection —

“(2) A person shall not be appointed as the Chief Executive Officer or hold office as such, if he or she —

- (a) is not ordinarily resident in Seychelles;
- (b) has been adjudged or declared insolvent or bankrupt and has not been discharged;
- (c) has been convicted in Seychelles within the period of five years, immediately preceding the date of his or her proposed appointment in respect of an offence to a term of imprisonment without the option of a fine, whether or not, any portion has been suspended, or the person has received a free pardon;
- (d) has been guilty of improper conduct or guilty of conduct that is prejudicial to the interest or reputation of the Agency;

- (e) has failed to comply with any condition of his or her appointment; or
 - (f) is mentally or physically incapable of efficiently discharging his or her functions as a Chief Executive Officer.”;
- (iii) by repealing subsection (4);
- (iv) in subsection (5), by repealing the words “the Board” wherever they appear, and substituting therefor the words “the Minister”, respectively;
- (v) in subsection (7), by repealing the words “the Board”, and substituting therefor the words “the Minister”;

Amendment of section 18

5. Section 18 (1) of the principal Act is amended, by repealing the words “the Board”, and substituting therefor the words “the Minister”;

Amendment of section 19

6. Section 19 of the principal Act is amended —

- (a) in subsection (1), by repealing the words “the Board”, and substituting therefor the words “the Minister”;
- (b) in subsection (2), by repealing the words “the Board”, and substituting therefor the words “the Minister”;

Amendment of section 20

7. Section 20 (2) of the principal Act is amended —

- (a) in paragraph (b), by repealing the words “members of the Board and”;
- (b) in paragraph (c), by repealing the words “the Board”, and substituting therefor the words “the Minister”;

Amendment of section 21

8. Section 21 of the principal Act is amended, by repealing subsection (3);

Amendment of marginal heading of section 23

9. Section 23 of the principal Act is amended by repealing in the marginal heading, the word “Board”, and substituting therefor the word “Agency”;

Amendment of section 24

10. Section 24 of the principal Act is amended —

- (a) in subsection (1), by repealing the words “Members of the Board and the”;
- (b) in subsection (2), by repealing the words “any member of the Board”;

Transitional provisions

11. On the commencement of this Act —

- (a) the members of the Board, established by section 6 of the Enterprise Seychelles Agency Act, 2018, shall cease to be members as such and shall vacate the office; and
- (b) such members shall not be entitled to claim any compensation for the premature termination of term of their office or of any contract of service.

PUBLIC OFFICERS' ETHICS (AMENDMENT) BILL, 2021

(Bill No. 14 of 2021)

OBJECTS AND REASONS

The Public Officers' Ethics Act (*the said Act*) was enacted to advance the ethics of public officers by providing for a Code of Conduct and Ethics for public officers and requiring financial declaration from certain public officers and a Public Officers' Ethics Commission was established to investigate and determine whether a public officer has contravened the Code of Conduct and Ethics. The Commission consists of the Ombudsman, the Attorney-General, the Chairman of the Constitutional Appointments Authority and two other members.

2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.
3. In order to give effect to the announcement made by the President, it is proposed to abolish the Public Officers' Ethics Commission and entrust the functions of the Commission to the Anti-Corruption Commission established under the Anti-Corruption Act, 2016.
4. Accordingly, in view of the above, it is proposed to amend sections 2, 27, 28 and 35, and repeal sections 20 and 25 of the said Act and provide for other consequential provisions.
5. The Bill seeks to achieve the above objectives.

Dated this 23rd day of March, 2021.

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

PUBLIC OFFICERS' ETHICS (AMENDMENT) BILL, 2021*(Bill No. 14 of 2021)***ARRANGEMENT OF SECTIONS****Sections**

1. Short title
2. Amendment of section 2 of Cap 304
3. Amendment of Part III head note
4. Repeal of section 20
5. Repeal of section 25
6. Amendment of section 27
7. Amendment of section 28
8. Amendment of section 35
9. Transitional provisions

PUBLIC OFFICERS' ETHICS (AMENDMENT) BILL, 2021

(Bill No. 14 of 2021)



A BILL

FOR

AN ACT to amend the Public Officers' Ethics Act (Cap 304).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Public Officers' Ethics (Amendment) Act, 2021.

Amendment of section 2 of Cap 304

2. Section 2 of the Public Officers' Ethics Act (*Cap 304*) (hereinafter referred to as the “principal Act”) is amended —

- (a) by repealing the definition of “Commission”, and substituting therefor the following definition —

“ “Commission” means the Anti-Corruption Commission established by section 4 of the Anti-Corruption Act, 2016 (Act 2 of 2016);”;

- (b) by repealing the definition of “member”.

Amendment of Part III head note

3. The principal Act is amended, in the head note of Part III, by repealing the words “**ESTABLISHMENT AND FUNCTIONS OF PUBLIC OFFICERS' ETHICS COMMISSION**”, and substituting therefor the words “**INVESTIGATION BY THE COMMISSION**”.

Repeal of section 20

4. The principal Act is amended by repealing section 20.

Repeal of section 25

5. The principal Act is amended by repealing section 25.

Amendment of section 27

6. Section 27 of the principal Act is amended, by repealing the proviso to subsection (1).

Amendment of section 28

7. Section 28 of the principal Act is amended, by repealing the word “Chairperson”, and substituting therefor the word “Commission”.

Amendment of section 35

8. Section 35 of the principal Act is amended, by repealing the words “or any member”.

Transitional provisions

9. On the commencement of this Act, the administrative and other technical staff appointed under section 20(8) the Public Officers' Ethics Act (*Cap 304*) shall be deemed to be the administrative and other technical staff of the Anti-Corruption Commission established under the Anti-Corruption Act, 2016 (*Act 2 of 2016*) appointed on the same terms and conditions of employment and shall continue until the expiry of his or her term of appointment and the provisions of the Anti-Corruption Act, 2016 shall apply as if he or she was appointed under the Anti-Corruption Act, 2016.