

OFFICIAL GAZETTE

REPUBLIC OF SEYCHELLES

Published by Authority of the Government

Vol. XLVIII

Monday 24th July 2023

No. 40

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GENERAL NOTICES

No. 801 of 2023

Curatelle Act

(Section 23)

Notice of Appointment of Executrix

Notice is hereby given that on the 10th day of May 2023, the Curator appointed Marsia Coniah Margaret Labrosse of Rochon, Mahe, Seychelles NIN: 984-0374-1-0-55, as the executrix of the succession of the deceased Felix Alexandre Labrosse, under section 23 of the Curatelle Act.

Dated this 10th day of May, 2023.

CURATOR

No. 802 of 2023

Curatelle Act

(Section 23 (8)(b))

Notice of Confirmation of Executor

Notice is hereby given that on the 24th day of May 2023, the Curator confirmed James Camille of La Louise, Mahe, Seychelles, NIN: 967-0946-1-1-52, as the executor of the succession of the deceased Denise Helene Dorothe Camille nee Robinson, also known as Denise Camille nee Robinson, under section 23 of the Curatelle Act.

Dated this 24th day of May, 2023.

CURATOR

No. 803 of 2023

Curatelle Act

(Section 23)

Notice of Appointment of Executrix

Notice is hereby given that on the 7th day of June 2023, the Curator appointed Rosania Morin also known as Jean Cherubin Morin also known as Cherubin Morin, Jean Cheribin and Cheribin Morin of Rosebelle Estate, La Misere, Mahe, Seychelles, NIN: 950-0714-1-0-60, as the executrix of the succession of the deceased Jean Cherubin Morin, under section 23 of the Curatelle Act.

Dated this 14th day of **June, 2023.**

CURATOR

No. 804 of 2023

Curatelle Act

(Section 23)

Notice of Appointment of Executrix

Notice is hereby given that on the 14th day of June 2023, the Curator appointed Doris Geva Madeleine Tirant of Glacis, Mahe, Seychelles, NIN: 957-0628-1-0-88, as the executrix of the succession of the deceased Yolande Low-Huen nee Tirant, under section 23 of the Curatelle Act.

Dated this 14th day of **June, 2023.**

CURATOR

No. 805 of 2023

Curatelle Act

(Section 23)

Notice of Appointment of Executrix

Notice is hereby given that on the 21st day of June 2023, the Curator appointed Reine Wilna Doris Moustache of Glacis, Mahe, Seychelles, NIN: 967-0897-1-0-01, as the executrix of the succession of the deceased Imelda Moustache, under section 23 of the Curatelle Act.

Dated this 21st day of **June, 2023.**

CURATOR

No. 806 of 2023

Curatelle Act

(Section 23)

Notice of Appointment of Executrix

Notice is hereby given that on the 21st day of June 2023, the Curator appointed Daisy Doudee of Point Au Sel, Mahe, Seychelles, NIN: 969-0050-2-0-46, as the executrix of the succession of the deceased Marthe Doudee nee Joseph also known as Micheline Doudee nee Joseph and Marthe Micheline Joseph, under section 23 of the Curatelle Act.

Dated this 21st day of **June, 2023.**

CURATOR

No. 807 of 2023

Curatelle Act

(Section 23 (8)(b))

Notice of Confirmation of Executor

Notice is hereby given that on the 21st day of June 2023, the Curator confirmed Michael Charles King-Harman also known as Michael King-Harman of La Misere, Mahe, Seychelles, NIN: 997-0638-5-1-85, as the executor of the succession of the deceased Robert Michael Campbell-Brown also known as Robert Campbell-Brown, under section 23 of the Curatelle Act.

Dated this 21st day of **June, 2023.**

CURATOR

No. 808 of 2023

Curatelle Act

(Section 23)

Notice of Appointment of Joint Executrix

Notice is hereby given that on the 12th day of July 2023, the Curator appointed Flavie Therese Fostel nee Samson of Le Niole, Mahe, Seychelles NIN: 957-0241-2-0-04 and Laurette Mona Fostel nee Samson of Le Niole, Mahe, Seychelles NIN: 976-0575-1-0-54, as the joint executrix of the succession of the deceased Marie Jendita Samson nee Azemia also known as Zelida Samson, and Mary Samson, under section 23 of the Curatelle Act.

Dated this 12th day of **July, 2023.**

CURATOR

No. 809 of 2023

INTERNATIONAL BUSINESS COMPANIES ACT*(Act 15 of 2016)***Sections 272(1)(b)(ii) and 272(2)(b)**

Notice is hereby given in accordance with section 272(2)(b) of the International Business Companies Act, 2016 (the Act) that the following companies will be struck off the register at the expiration of 60 days from the date of this publication, pursuant to section 272(1)(b)(ii) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
VERSUS-HTCAP LTD	234597
Ultreya Limited	122520
Zothos Limited	235742
SeaTrading Group Limited	236151
Hagen Group Ltd.	206890
Westbourne Investments Ltd	92895
Valdesia Holdings Limited	185371
Asendio Assets Limited	198849
Felicitas Ventures International Ltd	230490
GROUPON INVESTMENT LIMITED	234572

Financial Services Authority

No. 810 of 2023

**SEVENTH DAY ADVENTIST MISSION
(INCORPORATION) ACT**

[14th October 1944]

CAP 210

Pursuant to Section 3.(2) of the Seventh Day Adventist Mission (Incorporation) Act (14th October 1944) the Seventh Day Adventist Mission hereby places notice of the composition of its Managing Committee. The elected Superintendents and members as at 17th July 2023 are as follows:

Vissen Mootosamy	—	Missionary Superintendent
Nelson Joubert	—	Assistant Missionary Superintendent
Kenny Renaud	—	Member
Lucille Ladouce	—	Member
Hugh Watts	—	Member
Arnold Chang-Pen-Tive	—	Member
Sabina Joubert	—	Member
Betty-May Moustache	—	Member
Natalie Edmond	—	Member
Terrence Woodcock	—	Member
Norris Barra	—	Member
Ntep Ntep	—	Member
Steve Pointe	—	Member

Dated this 17th day of July, 2023.

PASTOR NELSON JOUBERT
ASSISTANT MISSIONARY SUPERINTENDENT

No. 811 of 2023

**NOTICE OF DISSOLUTION OF
Rogaland Firm Service A/S**

In the matter of the International Business Companies Act of 2016 of the Republic of Seychelles we hereby inform that since 14th day of July 2023 the company **Rogaland Firm Service A/S** is in the process of being dissolved as a company under the International Business Companies Act.

Dated this 20th day of July, 2023.

Birgitte Åserød
Svartmyrvegen 12
5565 Tysværåvåg
Norway
Liquidator

No. 812 of 2023

**NOTICE OF LIQUIDATOR APPOINTMENT AND OF
COMMENCEMENT OF WINDING UP**

Section 286 of the International Business Companies Act 2016 (the “Act”)

of

**j.James Inc.
Company No.: 229861**

j.James Inc. (the “Company”), incorporated under the Act with IBC Registration No. 229861

I, Chang, Li of 15F., No. 6, Ln. 113, Xiamen St., Zhongzheng Dist., Taipei City 100, Taiwan (R.O.C.), hereby give notice that I have been appointed to act for as the Liquidator of the Company, hereby give notice in accordance with section 286 of the Act that the voluntary winding up of the Company under Sub-Part II of Part XVII of the Act has been commenced.

Dated this 14th day of July, 2023.

Chang, Li
LIQUIDATOR

No. 813 of 2023

**NOTICE OF LIQUIDATOR APPOINTMENT AND OF
COMMENCEMENT OF WINDING UP**

Section 286 of the International Business Companies Act 2016 (the “Act”)

of

j.John Inc.
Company No.: 229862

j.John Inc. (the “Company”), incorporated under the Act with IBC Registration No. 229862

I, Chang, Li of 15F., No. 6, Ln. 113, Xiamen St., Zhongzheng Dist., Taipei City 100, Taiwan (R.O.C.), hereby give notice that I have been appointed to act for as the Liquidator of the Company, hereby give notice in accordance with section 286 of the Act that the voluntary winding up of the Company under Sub-Part II of Part XVII of the Act has been commenced.

Dated this 14th day of July, 2023.

Chang, Li
LIQUIDATOR

No. 814 of 2023

**NOTICE OF LIQUIDATOR APPOINTMENT AND OF
COMMENCEMENT OF WINDING UP**

Section 286 of the International Business Companies Act 2016 (the “Act”)

of

j.Robert Inc.
Company No.: 229863

j.Robert Inc. (the “Company”), incorporated under the Act with IBC Registration No. 229863

I, Chang, Li of 15F., No. 6, Ln. 113, Xiamen St., Zhongzheng Dist., Taipei City 100, Taiwan (R.O.C.), hereby give notice that I have been appointed to act for as the Liquidator of the Company, hereby give notice in accordance with section 286 of the Act that the voluntary winding up of the Company under Sub-Part II of Part XVII of the Act has been commenced.

Dated this 14th day of July, 2023.

Chang, Li
LIQUIDATOR

No. 815 of 2023

NOTICE OF LAND SURVEYS

The following surveys have been lodged with the Director of Surveys at Independence House:-

Parcel Nos.	Owner	Location
H14844	Government Seychelles	Anse Etoile

Under Section 14(3) of the Land Survey Act (Cap. 109) any objection to the beacons and boundaries must be lodged in the Supreme Court within **two months** of the date of this notice.

Yvon Fostel
Land Surveyor
Surveying and Mapping Services

No. 816 of 2023

CHANGE OF NAME

Notice is hereby given that I have applied to the Chief Officer of the Civil Status to change my name from Angelika Maria Rose to Angelika Maria Léon 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. Angelika Maria Rose
 C/o Georges & Co.
 Suite 226 Eden Plaza, Eden Island
 P.O Box 153
 Mahe, Seychelles

No. 817 of 2023

**NOTICE OF INTENTION TO APPLY FOR
 CITIZENSHIP OF SEYCHELLES**

Notice is hereby given that I, Mrs. Maithili Chetty of Anse De Genets, Pointe Larue whose further particulars appear below, being a person eligible to apply for citizenship under *Article 10/12 of the Constitution / Section 5(2)/5A/5B/5C and 6 of the Citizenship Act (Cap 30) have applied for *Registration/Naturalisation as a citizen of Seychelles and any person who knows any lawful reasons why the application should not be granted may forward a written and signed statement of the reasons within 28 days of the last publication of this notice to the Citizenship Officer, Immigration Division, Independence House, Victoria.

Further particulars:

- a) I am also known as Maithili.
 - b) My present nationality is Indian.
 - c) The date of my first entry into Seychelles is 17.02.2008.
 - c) The date of my last entry into Seychelles before the present application is 17.04.2023.
 - d) The special circumstance which qualifies me to make this application is my husband and son are Seychellois.
-

S.I. 51 of 2023**HARBOUR ACT***(Cap 90)***Harbour (Port and Harbour Dues) Regulations, 2023**

In exercise of the powers conferred by section 3 of the Harbour Act, the Minister responsible for transport makes the following regulations —

Citation and Commencement

1. These Regulations may be cited as the Harbour (Port and Harbour Dues) Regulations, 2023 and shall come into force on the 01st August, 2023.

Interpretation

2. In these Regulations —

“Authority” means the Seychelles Ports Authority established under the Seychelles Ports Authority Act;

“coastal vessel” means a vessel registered under the Merchant Shipping Act plying for hire or reward exclusively within the Seychelles coastal waters;

“GT” or “gross tonnage” means the tonnage of a vessel calculated as per the International Convention on the Tonnage Measurement of Ships, 1969;

“Harbour” means the Harbour of Victoria and any bay, roadstead or place within three nautical miles from any coast within the Republic of Seychelles;

“Harbour Master” means the Harbour Master of Port Victoria or any other designated Port in the Republic of Seychelles appointed under section 5 of the Merchant Shipping Act;

“hire craft” has the meaning given to it under the Control of Hire Craft Act;

“master” includes —

- (a) every person, other than the pilot, having command or charge of a vessel; and
- (b) in the case of a fishing vessel, the skipper;

“military vessel” means a vessel belonging to or used by the military force of any country, not being a vessel used for commercial purposes;

“not under command” means a vessel due to exceptional circumstances being unable to manœuvre as required by the Convention on the International Regulations for Preventing of Collisions at Sea, 1972 (COLREG) and all subsequent amendments thereafter;

“passenger” means any individual carried on board a vessel other than —

- (a) a member of the crew or a person employed or engaged in any capacity on board the vessel or in the business of the vessel assigned as such person on the vessel's articles of agreement;
- (b) an individual carried on board the vessel under an obligation imposed upon the master to carry shipwrecked, distressed or other individuals, or by reason of any circumstance which neither the master, owner, nor charterer, if any, could have prevented or forestalled;

“passenger vessel” means a vessel carrying passenger only;

“pilot station” means the position Latitude 04 degrees 35.8 minutes South, Longitude 55 degrees 29.6 minutes East;

“pleasure vessel” means any vessel used for recreation not plying for hire or reward;

“Port Victoria” means the area specified in Schedule 3;

“SCR” means the lawful currency of the Republic of Seychelles;

“Transshipment of fish” means —

- (a) transfer of fish from vessel to vessel; or
- (b) transfer of fish from vessel to shore, manually or through mechanisation, and then to a vessel, either directly or after temporary storage;

“tug” means a tug boat owned or chartered by, or otherwise under the control of, the Authority;

“vessel” includes any ship, boat or any other description of vessel or water craft, including non-displacement craft, WIG craft and seaplanes, used or capable of being used as a means of transportation on water whether or not it is actually afloat and whether or not it has any means of propulsion but does not include seaplane, and also includes every article or thing or collection of things being or forming part of the tackle, apparel, furniture, equipment, cargo, stores or ballast of a vessel;

Application

3. These Regulations apply to vessels entering or using the Harbour or Port Victoria or plying within the Seychelles coastal waters.

Payment of dues, fees and surcharges

4.(1) Subject to these Regulations —

- (a) the dues and fees specified in Schedule 1 shall be payable by the owner, master or agent of any vessel entering or leaving the Harbour or Port Victoria;

- (b) the dues and fees specified in Schedule 2 shall be payable by the owner, operator or agent of any vessel plying within the Seychelles coastal water.
- (2) (a) The dues and fees specified in Schedule 1 shall be payable on demand —
 - (i) as an advance payment, if required; or
 - (ii) prior to the departure of the vessel.
- (b) A vessel shall not be given clearance to leave the Harbour or Port Victoria unless all dues and fees are paid or other arrangements are made to the satisfaction of the Authority.
- (3) Where the dues and fees specified in Schedule 1 are payable by the agent of a vessel, the dues and fees shall be paid within 30 days from the date in which the invoices are raised.
- (4) Where the agent fails to pay any dues and fees within the time specified in subregulation (3) —
 - (a) The agent shall be liable to a surcharge of 5 per cent of the amount payable for each month or part thereof during which the dues and fees remain unpaid;
 - (b) Without the prejudice to the right of the Authority to recover the amount due, the Authority may suspend or refuse further services to the agent.
- (5) Dues and fees payable under these Regulations may be paid in —
 - (a) SCR; or
 - (b) Any acceptable foreign currency equivalent to the amount in SCR, at the exchange rate prevailing on the date of payment.

Applicability of pilotage, berthing or unberthing dues and fees

5.(1) The dues and fees specified in Schedule 1 for pilotage services, berthing or unberthing of vessels shall be applicable from 0600 hours to 1800 hours.

(2) Where a pilotage service —

(a) continues after 1800 to 0600 hours; or

(b) commences between 1800 to 0600

the master shall be liable to a surcharge of 50 per cent of the pilotage, tug and mooring gangs' dues and fees specified in Schedule 1.

Provision of particulars

6.(1) The agent or master of any vessel other than fishing vessels shall, within 72 hours prior to arrival of the vessel into the Harbour or Port Victoria, complete such forms as may be provided by the Authority, including an arrival report relating to the vessel and whatever it is carrying, and provide such documents as may be required by the Authority in order to complete inbound clearance of the vessel.

(2) Fishing vessels shall, within 48 hours prior to arrival into the Harbour or Port Victoria, complete such forms as may be provided by the Authority,

and provide such documents as may be required by the Authority in order to complete inbound clearance of the vessel.

(3) Any agent or master of any vessel who fails to comply with subregulation (1) shall be liable to a penalty of SCR 10,000 and berthing shall only be allocated upon receipt of all required information.

Exemption from pilotage service

7.(1) Subject to subregulation (2), the following vessels shall be exempted from using the pilotage service while entering, leaving or shifting within Port Victoria —

- (a) Vessels less than 150 GT;
- (b) Military vessels less than 300 GT; and
- (c) Pleasure vessels less than 300 GT.

(2) Where, for the safety of a vessel referred to in subregulation (1), the Harbour Master requires the vessel to be done under the charge of a pilot, the vessel shall not be exempted from payment of the pilotage dues and fees specified in Schedule 1.

Exemption from using pilotage service and exemption certificate

8.(1) Where the Harbour Master considers the competence of the master of a fishing vessel entering or leaving Port Victoria to be satisfactory, he or she may exempt the vessel from using the pilotage service.

(2) Where a vessel is exempted under subregulation (1), a certificate of exemption shall be issued to the master for the specific vessel upon payment of the annual fee specified in Schedule 1.

(3) An exemption granted under subregulation (1) may be renewed by the Harbour Master, where three or more visits to the Port Victoria have been made during the validity period of the certificate of exemption.

Vessels exceeding 150 GT required to accept tug service

9.(1) Every vessel exceeding 150 GT entering or leaving Port Victoria shall use tug service and shall be liable to the tug service dues and fees specified in Schedule 1.

(2) For the purpose of this regulation, “Tug Service” includes shifting and any other movement of the vessel in the Harbour

Port clearance

10.(1) Every passenger providing scheduled local services shall, before leaving the Harbour, obtain port clearance from the Pier Master or any other person appointed by the Harbour Master.

(2) Port clearance shall be subject to the vessel submitting its passenger and crew list to the Pier Master or any other person appointed by the Harbour Master.

(3) For the purpose of this Regulation, “Pier Master” means a person designated by the Harbour Master to oversee the day to day activities on a jetty under the responsibility of the Authority and its surrounding harbour.

Supply of fresh water

11.(1) The supply of fresh water in the Harbour shall be provided by the Authority.

(2) The Agent or Master of a vessel shall settle the applicable fees and dues specified by the Authority.

Information of port and commercial operations

12.(1) The agent or master of a vessel shall provide proper and accurate information of port and commercial operations related to the calculation of Port and Harbour dues as requested by the Authority.

(2) An agent or master of a vessel who fails to comply with subregulation (1) shall be liable to a penalty of SCR 10,000.00 or the equivalent in acceptable foreign currency.

Administrative Fees

13. All request for services to the Authority shall be charged an administrative fee as specified in Schedule 1.

Port Clearance

14. Port clearance under these Regulations shall be obtained by all vessels leaving the Harbour on payment of fees and dues as specified in Schedule 1.

Repeal of S.I. 60 of 2013

15. The Harbour (Port and Harbour Dues) Regulations, 2013 are hereby repealed.

SCHEDULE 1**TARIFF ITEM****1.0 PORT AND HARBOUR DUES****1.1 Normal Calls**

Oil/gas/chemical tankers, general cargo, bulk carriers, ro-ro vehicle carriers and container vessels sailing at the Harbour and Port Vehicle shall be subjected to the following charges —

(a) 0 to 24 hours	SCR 0.79 per GT
(b) Each subsequent period of 24 hours or part thereof	SCR 0.67 per GT

1.2 Special Purpose Calls

- (a) Every vessel excluding warship calling at the Harbour or Port Victoria for fresh water, bunkers, supplies, crew changes, repairs, order, medical, weather, mutiny, port or refuge, or any other emergency situation shall be subject to the following charges —

(i) 0 to 24 hours	SCR 0.42 per GT
(ii) Each subsequent period of 24 hours or part thereof	SCR 0.30 per GT

- (b) Every research vessel, tug and tow, survey vessel or vessel of any category shall be subject to the following charges —

(i) 0 to 24 hours	SCR 0.42 per GT
(ii) Each subsequent period of 24 hours or part thereof	SCR 0.54 per GT

If the vessel does not have declared GT, then the total weight shall be used.

1.3 Passenger Vessels

Every international passenger vessel shall be subject to the following charges —

(a) 0 to 24 hours	SCR 1.16 per GT
(b) Each subsequent period of 24 hours or part thereof	SCR 0.42 per GT

1.4 Pleasure Vessels (Sailing or Motor Yacht)

Every international pleasure vessel that is not registered in Seychelles shall be subject to the following charges —

(a)	Less than 100 GT	First 10 Days or part thereof	SCR210.00 per day or par thereof
		Over 10 Days	SCR124.25 per day or part thereof
(b)	Over 100 to 500 GT	First 10 Days or part thereof	SCR761.25 per day or part thereof
		Over 10 Days	SCR393.75 per day or part thereof
(c)	Over 500 GT	First 10 Days or part thereof	SCR1496.25 per day or part thereof
		Over 10 Days	SCR516.25 per day or part thereof

1.5 Military Vessels

A charge of SCR 20,000 per day or part thereof shall be payable by every military vessels.

1.6 Reefer/ Fishing Vessels

Every reefer/fishing vessel shall be subject to the following charges —

(a) 0 to 24 hours	SCR1.16 per GT
(b) Each subsequent period of 24 hours or part thereof	SCR0.42 per GT

1.7 Vessels detained

- (a) Every vessel above 150 GT detained in the Harbour or Port Victoria in accordance with the written laws and convicted of a charge laid before a court or which has had the offence compounded under the written laws shall be subject to the following charges —

(i) 0 to 24 hours	SCR0.79 per GT
(ii) Each subsequent period of 24 hours or part thereof	SCR0.67 per GT

- (b) Every vessel below 150 GT detained in the Harbour or Port Victoria in accordance with the written laws and convicted of a charge laid before a court or which has had the offence compounded under the written laws shall be subject to the following charges —

(i) First 30 Days per day or part thereof	SCR0.70 per GT
(ii) Each subsequent day exceeding 30 days or part thereof	SCR 0.61 per GT

2.0 PILOTAGE SERVICE

2.1 Pilotage Dues

- (a) Per pilotage service for entering or leaving Port Victoria (including a pilot launch)

(i) First hour or part thereof	SCR0.67 per GT
(ii) Exceeding first hour or part thereof	SCR0.44 per GT

Subject to a minimum charge of SCR6125.00.

- (a) Where a pilot launch service is provided for purposes other than taking a pilot to and from a vessel, there shall be paid the following charges —
- (i) First nautical mile or part thereof from the pilot launch station SCR5, 250. 00;
- (ii) Exceeding first nautical mile from the pilot launch station to such point, the dues shall be calculated at the rate of SCR6500.00 for each nautical mile or part thereof.

2.2 Mooring Launch

Where a vessel is uses a pilot launch or a mooring launch for mooring purposes during the pilotage operations, a fee of SCR1,400.00 shall be applicable.

2.3 Vessels not under command

Every vessel not under command shall pay 2.5 times the rate specified in item 2.1 above.

2.4 Pilot Waiting Time

- (a) Where a vessel is not ready to be moved at the notified

time through any fault of the vessel or its agent, a charge of SCR 2625.00 per hour or part thereof shall be levied.

- (b) Where the pilot launch is also denied, additional hire charge of SCR3500.00 per hour or part thereof shall be levied.

2.5 Amendment or Cancellation of Pilotage Service

- (a) No fees shall be chargeable where the master or agent of a vessel amends or cancels a booking for pilotage service —
 - (i) scheduled within normal working hours (0800hrs to 1600hrs), at any time from 2 hours onwards prior to the notified time; or
 - (ii) scheduled after normal working hours (1600hrs to 0800hrs and on Saturdays, Sundays and Public Holidays), at any time from 8 hours onwards prior to the notified time.
- (b) Where a master or agent of a vessel amends or cancels a booking for a pilotage service —
 - (i) scheduled within normal working hours (0800hrs to 1600hrs), at any time less than 2 hours prior to the notified time; or
 - (ii) scheduled after normal working hours (1600hrs to 0800hrs and on Saturdays, Sundays and Public Holidays), at any time less than 8 hours before the notified time.

A charge of SCR 2625.00 shall be applicable for each amendment or cancellation.

- (c) Where the owner, master or agent of a vessel amends or cancels a booking for a pilotage service at any time after

the pilot has boarded the vessel, an additional fee of SCR 7000.00 or EUR equivalent over and above the normal pilotage fee shall be applicable.

3.0 TUG SERVICES

3.1 Tug dues

- (a) A basic charge of SCR 20,912.50 per hour or part thereof shall be payable per tug assisting, attending or shifting a vessel of up to 30,000 GT during berthing, unberthing and shifting within the Harbour. For vessels above 30,000 GT, an additional charge of SCR 0.88 per GT or EUR equivalent shall be applicable.
- (b) A 20 per cent discount on fees specified in item 3.1(a) shall be applicable on tug charges if the tug remains at its station.

3.2 Vessels not under command

Every vessel not under the command shall pay 2.5 times the rate specified in item 3.1

3.3 ‘Dead Ship/ Cold Manoeuvre’

Any vessel after clearing the berth or before arriving the berth with the pilot onboard, if unable to provide engine movement as required by a pilot within reasonable time, may at the discretion of the Authority, be assisted by tugs for safe operation. The agent or master shall pay 2.5 times the rate specified in item 3.1

3.4 Tug Dues for Safety or Security purposes

Where a vessel is requested to vacate the berth for safety and security purposes, the agent or master of the vessel shall pay 2.5 times the rate specified in item 3.1.

3.5 Tug Waiting Time

- (a) Where a vessel is not ready to be moved at the notified time through any fault of the vessel or its agent, a charge of SCR20, 912.50 per hour or part thereof shall be levied.
- (b) The discount applicable under 3.1 (b) shall not be applicable.

3.6 Stand by charges for hire of a tug as a safety measure (tankers, petroleum and hazardous products)

Item	GT	Per tug per hour or part thereof
(a)	150 to 9999	SCR 2625.00
(b)	10000 and over	SCR 3150.00

3.7 Stand by charge or hire of fire brigade as a fire safety measure

In addition to charges specified in item 3.6, the following charges shall apply to gas tankers while alongside berth —

Per Hour or part thereof	SCR 1750.00
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3.8 Stand by charges for any other vessels except for those specified in item 3.6 as safety measure in circumstances deemed necessary by the Authority

GT	Per day or part thereof
150 to 9999	SCR 2625.00
10000 and over	SCR 3150.00

3.9 Amendment or cancellation of tug waiting time

(a) No fees shall be chargeable if the mater or agent of a vessel amends or cancels a booking for tug service —

(i) scheduled within normal working hours (0800 hrs to 1600hrs), at any time from 2 hours onwards prior to the notified time; or

(ii) scheduled after normal working hours (1600 hrs to 0800hrs and on Saturdays, Sundays and Public Holidays), at any time from 8 hours onwards prior to the notified time.(b) Where a master or agent of a vessel amends or cancels a booking for a tug —

(I) scheduled within normal working hours (0800hrs to 1600hrs), at any time from 2 hours onwards prior to the notified time; or

(II) scheduled after normal working hours (1600hrs to 0800hrs and on Saturdays, Sundays and Public Holidays), at any time from 8 hours onwards prior to the notified time,

a charge of SCR 8,750.00 per tug shall be applicable for each amendment or cancellation.

(b) A basic charge of SCR 20,912.50 per tug or the EUR equivalent per tug shall be applicable if the master or agent of a vessel amends or cancels a booking for tug service after the pilot boarded the vessel.

4.0 BERTH DUES (INCLUDING BUOYS OCCUPANCY)

4.1 Berth dues shall be applicable to every vessel occupying berth except vessel category under 4.2 and 4.3

0 to 24 hours or part thereof	SCR0.54per GT
24 hours to 72 hours or part thereof	SCR0.79 per GT
After 72 hours or part thereof	SCR1.10 per GT

Subject to a minimum charge of SCR 615.00

- 4.2** Berth dues shall be applicable to all tanker vessels occupying berth (i.e. Gas, oil product, cement)

0 to 24 hours or part thereof	SCR0.54 per GT
24 hours to 72 hours or part thereof	SCR0.79 per GT
After 72 hours or part thereof	SCR1.10 per GT

- 4.3** Berth dues shall be applicable to all industrial fishing vessels occupying berth

0 to 24 hours or part thereof	SCR0.54 per GT
24 hours to 120 hours or part thereof	SCR0.79 per GT
After 120 hours or part thereof	SCR1.10 per GT

Subject to a minimum charge of SCR 612.50

5.0 BERTHING OR UN-BERTHING (MOORING GANGS)

5.1. Berthing and Un-berthing

Charge per berthing or un-berthing	SCR3500.00
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5.2. Amendment or Cancellation for Use of Mooring Gangs

Where a master or agent of a vessel amends or cancels a booking for the use of Mooring Gangs scheduled —

- (i) within normal working hours (0800hrs to 1600hrs), at any time from 2 hours onwards prior to the notified time; or

- (ii) after normal working hours (1600hrs to 0800hrs and on Saturdays, Sundays and Public Holidays), at any time from 8 hours onwards prior to the notified time,

A charge of SCR 2333.33 shall be applicable for each amendment or cancellation.

6.0 GENERAL CHARGES

6.1 Pilotage exemptions

Subject to regulations 7 and 8, the pilotage exemption fee for fishing vessels per year shall be levied at SCR 50,000.00 per master for the same vessel.

6.2 Towing Operations

- (a) The fee for conducting salvage mobilisation services for internationally registered vessels shall be negotiated based on the complexity of the operation and limitations of the tugs, on a separate contract reflecting a minimum charge of SCR20,912.50 per hour upon confirmation of commencement for preparation for mobilisation.
- (b) The fee for conducting salvage mobilisation services for locally registered vessels shall be negotiated based on the complexity of the operation and limitations of the tugs, on a separate contract reflective of a minimum charge of SCR12,000.00 per hour upon confirmation of commencement for preparation for mobilisation.
- (c) The fee for salvage mobilisation services for rental tugboats including the crew shall be negotiated, based on the complexity of the operation and limitations of the tugs, on a separate contract.

6.3 Maritime Safety Dues

Every vessel other than a coastal vessel calling at the Harbour or Port Victoria shall be levied a fixed charge —

Up to 150 GT	SCR350.00 per call
Above 150 GT	SCR612.50 per call

6.4 Marine Environment and Protection Dues

- (a) Every reefer, industrial, fishing and supply vessel or tanker calling at the Harbour or Port Victoria shall be subject to the following charge —

Per 96 hours or part thereof SCR0.26 per GT

- (b) Every vessel other than a vessel specified under item 6.4(a) shall be subject to the following charge —

Per 48 hours or part thereof SCR0.19 per GT

- (c) Environment levy to finance waste management and biodiversity conservation for all vessels shall be SCR450.00 per call.

- (d) All garbage shall be segregated as per the MARPOL Annex V. Vessels that are not segregating garbage as per the MARPOL Annex V shall be liable to a penalty of SCR20,000.

6.5 Passenger Fees

- (a) A fee of SCR200.00 per passenger shall be applicable with respect to any disembarkation, embarkation or transit of passengers in Port Victoria.
- (b) A fee of SCR200.00 per passenger shall be applicable with respect to any disembarkation, embarkation or transit of passengers in Praslin Harbour
- (c) A fee of SCR200.00 per passenger shall be applicable with respect to any disembarkation, embarkation or transit of passengers in La Digue Harbour.

6.6 Pipelines Dues

Pipelines dues shall be payable per metric ton on bulk petroleum or petroleum products, liquefied natural/pressurized gas, bulk cement and any other product using pipeline for transit (loading and unloading operations). The quantity shall be as per vessels manifest.

Per MT	SCR 43.75
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6.7 Hire of Fender and Gangway

The hire of a fender and gangway shall be subject to the following charges —

6.8 Transshipment and Landing of Fish Fees

Transshipment charges shall apply to transshipment within a calendar year in respect of a company owning or managing one or more purse seiner and long liners transshipping and discharging in Port Victoria as follows —

Transshipment and Landing of Fish and By-Catch	EUR7.00 per metric tonne or US dollar equivalent
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6.9 Administrative Fees

The administrative fees shall be SCR 150.00

6.10 Fish Loader usage at the quay

- (a) A fee of EUR 150.00 per fish loader per day operation or part thereof
- (b) A fee of EUR 100.00 per cross-stuffing operation carried out within the port area.

6.11 Port Clearance

- (a) SCR 100 per vessel up to 150 GT
- (b) SCR 200 per vessel exceeding 150 GT

6.12 Light Dues

Every vessel shall pay SCR 0.012 per GT

7.0 STORAGE OF CONTAINERS AND PARKING OF HEAVY PLANTS/MACHINERY/EQUIPMENT/VESSELS

Unless there is an existing arrangement or agreement between the Authority and the Operator, these fees shall be applicable

7.1 Applicable fees

- (a) Where a reefer container is stored at the quay or within the designated port area, a fee of EUR 15.00 shall be applicable per day or part thereof. This includes reefer container stationed at the port prior to stuffing operation and inoperative idled at the port area.
- (b) Where a heavy plant is stationed at the quay and not being used in stuffing operations, a fee of EUR 150.00 shall be applicable.
- (c) Where a vessel is left idled on the quay without prior approval from the Authority, a fee of EUR 150.00 shall be applicable per day or part thereof.
- (d) The Authority may reserve the right to deny the exit of any unauthorised vehicle, machinery, equipment or vessel until the applicable penalty is cleared by the liable party.
- (e) Subject to paragraph (d), the applicable fees for the release of any unauthorised vehicle, machinery,

equipment or vessels seized by the Authority shall be EUR 200.00 per piece and EUR 150.00 per day or part thereof.

7.2 Applicable penalties for property misuse

- (a) Where debris, waste, garbage skips, net bundles, wooden pallets and any residual items is abandoned at the jetty area after the completion of any operation, or after the departure of vessel, a fine of EUR 1500.00 shall be imposed.
- (b) Subject to paragraph (a), a notice shall be given to the liable party prior to imposing the fine.
- (c) Any costs incurred by the Authority in the depositing of any of the items specified in paragraph (a) shall be borne by the liable party.

SCHEDULE 2

TARIFF ITEM

1.0 PORT DUES

1.1 Hire Crafts (sailing or motor yachts) and Passenger Vessels

- (a) A fixed annual fee shall be levied in respect of every passenger vessel and hire craft registered under the Merchant Shipping Act plying within the Seychelles coastal waters. For the avoidance of doubt, a passenger vessel in respect of which a hire craft licence is in force in accordance with the Control of Hire Craft Act shall not pay two times the rate specified herein.

(i)	Annual Fee	0 to 100 GT	SCR 1,410.00
(ii)	Annual Fee	Over 100 GT	SCR 1,970.00

- (b) A fixed annual fee shall be levied in respect of every hire craft not registered under the Merchant Shipping Act applying within the Seychelles coastal waters.

(i)	Annual Fee	0 to 20 GT	SCR 925.00
(ii)	Annual Fee	20 to 100 GT	SCR 1,380.00
(iii)	Annual Fee	Over 100 to 300 GT	SCR 2,750.00
(iv)	Annual Fee	Over 300 to 500 GT	SCR 5,485.00
(v)	Annual Fee	Over 500 GT	SCR 10,960.00

1.2 Pleasure Vessels

A fixed annual fee shall be levied in respect of every private pleasure vessel, plying within the Seychelles coastal waters.

2.0 PILOTAGE

Coastal vessels may be exempted from using the service of a pilot. An Exemption Certificate shall be issued and fee thereof payable as follows —

Annual exemption fee SCR 15,000.00

3.0 BERTH/WHARFAGE/CARGO DUES

These dues are payable by coastal vessels occupying berth, on discharge or loading or when they are double banked in the Harbour, Mahe Quay, Inter Island Quay, Baie Ste Anne, Eve Island and La Digue Jetty and Providence Industrial Estate Jetty. Clearance to leave the Harbour, quay or jetty shall not be given by the Pier Master unless the passenger and crew list has been submitted to him or her.

3.1 Berth dues applicable to every coastal vessel occupying berth —

Item	GT	Period	SCR
(a)	0 to 30	First 2 hours or part thereof	60.00
		Each subsequent period of 1 hour or part thereof	110.00
(b)	30 to 100	First 6 hours or part thereof	110.00
		Each subsequent period of 1 hour or part thereof	210.00
(c)	100 to 200	First 2 hours or part thereof	110.00
		Each subsequent period of 1 hour or part thereof	210.00
(d)	Exceeding 200	First 2 hours or part thereof	110.00
		Each subsequent period of 1 hour or part thereof	210.00

3.2 Berth dues applicable to every hire and craft occupying berth —

Item	Overall Length in Metres	Per hour or part thereof
(e)	From 0 to 10	SCR 50.00
(f)	Over 10 to 20	SCR 60.00
(g)	Over 20 to 30	SCR 80.00
(h)	Over 30	SCR 100.00

3.3 Where the owner or master of a vessel fails to comply with item 3.2, the owner or master is liable to a surcharge of SCR 750.00 over the amount which he or she liable to pay under that item, for each hour period or part thereof, after the expiry of the first hour, payable within one month of the date or surcharge and possibility of detention of the vessel.

4.0 DESIGNATION OR EMERGENCY BERTH

The designation emergency berths, as marked, shall be free from any vessel at any time, unless working cargo or passenger embarking or disembarking with sufficient crew on board to vacate the berth at very short notice, and as approved by the Harbour Master or Pier Master or any other person appointed by the Harbour Master.

Where the master fails to comply with this item, he or she is liable to a penalty of SCR 3,00.00 payable within one month of the date of the penalty and possibility of detention of the vessel.

5.0 USAGE OF RAMP

For the use of ramp for the purpose of loading and unloading goods, the following charge shall apply —

(a)	First 30 minutes or part thereof:	SCR 400.00
(b)	Next 2 hours or part thereof after the first 30 minutes	SCR 1,500.00
(c)	Each subsequent 2 hours or part thereof	SCR 2,500.00 per two hours

A fine of SCR 3,500.00 per hour or part thereof shall be applicable if a vessel remains at the ramp for purposes other than for loading or unloading.

6.0 PASSENGER FEE (DOMESTIC FERRY VESSEL)

A fee of SCR 50.00 per passenger shall be applicable with respect to any embarkation, disembarkation or transit of passengers at Mahe Inter Island Quay, Praslin Harbour and La Digue Harbour. Such fee shall be payable to the Authority and in accordance with the passenger manifest or passenger list for each vessel.

7.0 MOORING/PARKING FEES AT LA DIGUE HARBOUR

Every vessel, except ferry vessels, registered by a non-permanent residence of La Digue that is moored or parked at the La Digue Harbour shall be subject to the following fees —

Mooring/Parking Fees (SCR) per day or part thereof						
Length overall	Day 1	Day 2	Day 3	Day 4	Day 5	After 5 days
Less than 10 metres	40.00	55.00	100.00	170.00	250.00	400.00
More than 10 metres	60.00	75.00	130.00	200.00	280.00	500.00

8.0 STORAGE OF ITEMS

8.1 Storage of Construction Materials

Storage of construction materials such as aggregates, wood bundles etc. at the jetty area or at the yard with prior approval of the Authority shall be subject to a fee of SCR2,500.00 per Square Meters per day or part thereof.

8.2 Abandoned items

Items that are left abandoned or idled at the jetty without a valid agreement shall be subject to a penalty fee of SCR 250.00 per day or part thereof.

8.3 Liability

The Authority shall not be responsible for any damages, which may incur to the items that are stored, abandoned or discarded at the jetty area or at the yard.

SCHEDULE 3

(Regulation 2)

Port Victoria shall be the area enclosed by the following boundaries Starting at Mahe Island bearing 000° by 4.6 nautical miles (Lat 04°53'S; Long 055°31'E), thence by a straight line in a north easterly direction to Fregate Island bearing 276° by 5.9 nautical miles (Lat 04° 36' S; Long 056° 03' E), thence by a straight line in a north north westerly direction to Grande Soeur Island bearing 230° by 7.7 nautical miles (Lat 04°12' S; Long 055° 58' E), thence by a straight line in a westerly direction to Aride Island bearing 094° by 7.5 nautical miles (Lat 04° 12' S; Long 055° 32' E), thence by a straight line in a north north westerly direction to North Island bearing 115° by 7 nautical miles (Lat 04° 20' S; Long 055° 08' E), thence by a straight line in a southerly direction to Silhouette Island bearing 030° by 10.8 nautical miles (Lat 04° 40' S; Long 055° 08' E), back to the starting point at Mahe Island bearing 0000 by 4.6 nautical miles.

MADE this 17th day of July, 2023.

**ANTONY DERJAQUES
MINISTER OF TRANSPORT**

POSTAL SECTOR (AMENDMENT) BILL, 2023*(Bill No. 8 of 2023)***OBJECTS AND REASONS**

1. The Postal Sector Act, 2010 was enacted to establish a Postal Regulator as a body corporate to regulate the postal sector.

2. As part of a review process to bring more efficiency within the postal sector, the amendments of this Bill proposes the following —

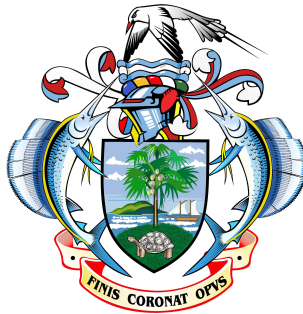
- (a) to repeal the definitions of the “Seychelles Licensing Authority” as the function of granting of licence will now be undertaken by the Postal Regulator;
- (b) giving additional powers and the functions to the Postal Regulator;
- (c) Insertion of section 19, 20, 21, 22, 23, 23A, 23B, 23C, 23D and 23E in order to establish the Postal Regulator and giving it its powers, functions and other administrative requirements that the regulator shall now be required to comply with.

Dated this 24th day of July, 2023.

**NAADIR HASSAN
MINISTER OF FINANCE,
NATIONAL PLANNING AND TRADE**

POSTAL SECTOR (AMENDMENT) BILL, 2023*(Bill No. 8 of 2023)***ARRANGEMENT OF SECTIONS****Sections**

1. Short title
2. Amendment of Act 27 of 2010
3. Amendment of section 2
4. Amendment of section 6
5. Amendment of section 8
6. Amendment to section 13
7. Amendment of section 14
8. Insertion of section 14A
9. Insertion of section 19, 20, 21, 22, 23, 23A, 23B, 23C, 23D and 23E
10. Repeal of section 25, 26 and 27
11. Amendment of section 29
12. Insertion of section 29A
13. Amendment of section 30
14. Amendment of section 41

POSTAL SECTOR (AMENDMENT) BILL, 2023*(Bill No. 8 of 2023)***A BILL
FOR****AN ACT TO AMEND THE POSTAL SECTOR ACT, 2010 (*ACT 27 OF 2010*).****ENACTED** by the President and the National Assembly.**Short title**

1. This Act may be cited as the Postal Sector (Amendment) Act, 2023.

Amendment of Act 27 of 2010

2. This Act, amending the Postal Sector Act, 2010 (Act 27 of 2010), shall be read and construed as one with the Postal Sector Act, 2010 (Act 27 of 2010), and which, as amended, is hereinafter referred to as the “principal Act”.

Amendment of section 2

3. Section 2 of the principal Act is amended as follows —

- (a) by repealing the definition of “Seychelles Licensing Authority”;
- (b) by inserting in the definition of “franking meter machine” after the word “machine” the second time it appears the words “digital or otherwise”.

Amendment of section 6

4. Subsection 6(1) (e) of the principal Act is amended by inserting after the word “offices” the following words —

“on its own or in partnership with private entities for the provision of collection points and delivery points services”.

Amendment of section 8

5. Section 8 of the principal Act is amended as follows —

- (a) by deleting subparagraph 8(1)(b) and substituting therefore the following —

“produce philatelic products, pre-stamped envelopes, pre-stamped postcards and aerogrammes, international reply coupons and virtual, barcoded and non-fungible tokens”;
- (b) in subsection 2 —

- (i) at paragraph (b), by deleting the word “or”;
- (ii) at paragraph (c), by deleting the comma after the word “issues” and substituting therefor “; or”;
- (iii) by inserting after paragraph (c) the following paragraph —
 - “(d) in partnerships or sponsors from third parties as deemed fit by the Postal Operator.”.

Amendment to section 13

6. Section 13 of the principal Act is amended as follows —

- (a) at subsection (1), by deleting the words “Seychelles Licensing Authority on the advice of the Postal Regulator” and substituting therefor the following words “Postal Regulator upon application in the form and manner as provided by the Postal Regulator and upon payment of the prescribed fees.”;
- (b) at subsection (3), by deleting the words “Seychelles Licensing Authority” and substituting therefor the following words “Postal Regulator”;
- (c) by deleting subsection (4) and substituting therefor the following —

“(4) The Postal Regulator may request a person applying for a licence to submit such other documents or to provide such other information that will be necessary to enable the Postal Regulator to consider an application for a licence under this Act.

(5) In determining whether to grant, renew or vary a licence, the Postal Regulator shall have regard to —

- (a) whether the applicant is a fit and proper person to be granted a licence under this Act;
- (b) the promotion of healthy competition, the likelihood of unfair practices and how the interest of the consumer would be best served;
- (c) the public interest, public order and national security;
- (d) any agreement between Seychelles and any other State in relation to the postal service or courier service to be provided;
- (e) any international obligation, to which Seychelles is a party, in the field of postal services;
- (f) the views of any Government institutions or Authorities, including international bodies, consulted;
- (g) any direction issued by the Minister pertaining to matters of policy relating to the postal sector.

(6) After considering an application, the Postal Regulator may grant the application with such terms and conditions as may be necessary, or refuse the application.

(7) The Postal Regulator shall make its decision within 2 months from the time a complete application is submitted.

(8) Where the Postal Regulator refuses an application, it shall give written reasons for the refusal to the applicant.”.

Amendment of section 14

7. Section 14 of the principal Act is amended by repealing subsections (1) and (2), and the marginal note, and substituting therefor the following —

“Duration, renewal and revocation of licence

(1) A licence issued under this Act shall be valid for a period of five years.

(2) A licensee who wishes to renew the licensee's licence shall not later than 3 months before the expiry of the licence, give written notice of its intention to do so to the Postal Regulator.

(3) The Postal Regulator may cancel or revoke a licence where —

- (a) the licensee has contravened this Act or any regulations made thereunder;
- (b) the licensee has not paid the prescribed licence fee;
- (c) the licensee has committed a breach of the conditions attached to the licence;
- (d) the licensee has ceased operations;
- (e) the licensee conducts itself in a manner unfit and improper in connection with the service delivered by it;
- (f) the licensee fails to meet standards and performance prescribed by regulations and the terms and conditions of the licence;
- (g) it is in the public interest to revoke the licence.

(4) Upon notification to the licensee, the Postal Regulator may, of its own motion, vary the terms and conditions of a licence on the ground that the licensee has —

- (a) contravened this Act; or
- (b) acted in breach of any term or condition imposed for the operation of the licence.

(5) Where the Postal Regulator proposes to cancel, revoke or vary the terms and conditions of a licence pursuant to subsection (3) and (4), it shall give written notice of 30 days of its intention to the licensee, stating —

- (a) the reasons for which it proposes to do so; and
- (b) the time, being not less than 30 days, within which the licensee may make written representation to object to the proposal.

(6) Every licensee shall display its licence at a conspicuous place at its registered office and a copy thereof at each place of business.”.

Insertion of section 14A

8. The principal Act is amended by inserting after subsection 14 (6) the following section —

“General duties of licensees

14A. A licensee shall, in the discharge of postal services —

- (a) provide a universal postal service;
- (b) ensure compliance with standards of performance, including delivery times of

services to reasonably meet the social, industrial and commercial needs of the country as prescribed by regulations;

- (c) operate in such a way so as to provide a safe, confidential, efficient and timely service;
- (d) afford the Postal Regulator access to the licensed premises for inspection upon notification;
- (e) afford Customs Officers access to the licensed premises for the purpose of administering customs and excise laws;
- (f) co-operate with such enforcement officers empowered by law to investigate into, enquire into or prosecute an offence, where there is reasonable suspicion that an offence has been or is being committed within the licensed premises or in connection with the licensee's service;
- (g) furnish to the Postal Regulator such reports, audited accounts, documents and information, concerning its operations as the Postal Regulator may request;
- (h) not disclose to any person, make a record of, divulge or communicate to any person, any information concerning commercial dealings, or any information of its clients which it may have obtained in the discharge of its duties.

Insertion of section 19, 20, 21, 22, 23, 23A, 23B, 23C, 23D and 23E

9. Part IV of the principal Act is amended as follows —

- (a) by repealing sections 19, 20, 21, 22 and 23 and substituting therefore the following sections —

“Establishment of the Postal Regulator

19. There is hereby established the Postal Regulator which shall be a body corporate with perpetual succession and a common seal and which shall, in its corporate name, be capable of suing and being sued and purchasing or otherwise acquiring, holding, charging and disposing of movable or immovable property.

Objects of the Postal Regulator

20. The objective of the Postal Regulator is to regulate the postal sector whilst simultaneously developing a competitive communications and logistics market nationally and regionally.

Functions of the Postal Regulator

21.(1) The functions of the Postal Regulator are to —

- (a) license, renew, amend, vary, suspend, cancel or revoke a licence issued under this Act;
- (b) define the scope of universal postal services;
- (c) establish universal postal service standards;
- (d) set universal postal service targets;
- (e) measure quality of service;
- (f) determine uniform standards, best practices and codes of conduct

applicable to service providers and ensure compliance therewith;

- (g) approve or fix rates for each product considered within the scope of the universal postal service area;
- (h) regulate the issue of postage stamps, their themes and designs;
- (i) conduct surveys, tests and evaluations as regards the standards of services delivered by licensees;
- (j) collect information on licensees;
- (k) issue such directions as may be necessary to ensure that persons in control of premises may provide effective access to premises for the delivery of mail;
- (l) examine and settle disputes between licensees and licensees;
- (m) promote, develop and enforce fair competition and equality of treatment among licensees in any business or service relating to the postal sector in accordance with section 24;
- (n) monitor, control, inspect and regulate postal, courier and ancillary services and ensure that these services are provided and operated in accordance with this Act;
- (o) liaise with any regulatory authority, require necessary information from,

exchange information with, and receive information from any such authority relating to any specific complaint or investigation;

- (p) for the purposes of subparagraph (o), enter into a memorandum of understanding with any regulatory authority;
- (q) advise the Minister on all matters relating to the provision of postal services by licensees; and
- (r) perform such other postal regulatory functions as may be specified or approved by the Minister.

(2) In the performance of its functions, the Postal Regulator shall have regard to international developments in the field of postal services and regulation of postal services.

Powers of the Regulator

22.(1) The Postal Regulator shall have such powers as are necessary to enable it to effectively carry out its functions and may, in particular —

- (a) monitor, control, inspect and regulate postal, courier and ancillary services;
- (b) ensure that postal, courier and ancillary services are provided and operated in accordance with this Act;
- (c) give such reasonable directions to a licensee as it deems fit and the licensee shall comply with those directions;

- (d) require a licensee to provide such information as it deems necessary in relation to the postal services offered;
- (e) require any person to furnish to the Postal Regulator any information in his or her possession which relates to any postal, courier or ancillary service;
- (f) require any person who has in his or her custody or under his or her control any document which relates to any postal service or postal system —
 - (i) to furnish the Postal Regulator with a copy of or extract from the document; or
 - (ii) to transmit the document itself to the Postal Regulator for its inspection unless the document forms part of the records or other documents of a court or Postal Regulator; and
- (g) require any person who has under his or her control any premises to provide access and appropriate facilities for delivery of postal packets to addressees.

(2) The Postal Regulator shall be entitled without payment to keep any copy or extract furnished to the Postal Regulator under subsection (1)(f).

(3) The Postal Regulator shall at all reasonable times upon notice have full and free access to all buildings, places, books, documents and other papers for the purpose of discharging the Postal Regulator's functions under this

Act, and may, without payment, inspect, copy or make extracts from any such books, documents or papers.

(4) The Postal Regulator may take possession of any books, documents or papers in whichever format, where in the opinion of the Postal Regulator —

- (a) the books, documents or papers may be interfered with or destroyed unless possession thereof is taken; or
- (b) the books, documents or papers may be required as evidence in proceedings for an offence under this Act or any regulations made thereunder.

(5) The rights conferred by this section shall, in relation to information recorded otherwise than in legible form, include the right to require the information to be made available in legible form for inspection or for a copy or extract to be made of or from it.

(6) Any person who —

- (a) fails to comply with any requirement specified in any order under subsection (1)(f);
- (b) intentionally alters, suppresses or destroys any document which he or she has been required under subsection (1)(f) to furnish or transmit; or
- (c) in furnishing any information required of him or her under subsection (1)(f), makes any statement which he or she knows to be false in a material particular, or recklessly makes any

statement which is false in a material particular,

shall commit an offence.

(7) No person shall by virtue of this section be obliged to disclose any particulars as to which he or she is under any statutory obligation to observe secrecy.

Appointment of Chief Executive Officer.

23.(1) The President shall, upon consultation with the Minister, appoint a Chief Executive Officer of the Postal Regulator.

(2) The Chief Executive Officer shall be appointed for such term not exceeding three years as the President may determine and shall be eligible for reappointment on completion of the term of appointment.

(3) The salary and allowances and other terms and conditions of service of the Chief Executive Officer shall be such as may be determined by the President.

Functions of Chief Executive Officer

23A. The Chief Executive Officer shall be responsible for the general administration of the Postal Regulator and for carrying out any functions assigned under this Act.

Staff of Postal Regulator

23B. The Chief Executive Officer may appoint, on such terms and conditions as the Chief Executive Officer may determine, such members of staff as may be considered necessary for the performance of the functions under this Act.

Funds of the Postal Regulator

23C.(1) The funds of the Postal Regulator shall consist of —

- (a) moneys as may be appropriated by the National Assembly under an Appropriation Act for the purposes of the Postal Regulator and paid to the Postal Regulator;
- (b) any moneys received by the Postal Regulator from its operations or other payments;
- (c) any moneys as are from time to time received by the Postal Regulator by way of donations, gifts or grants, subject to approval by the Minister responsible for Finance.

Accounts and audit

23D.(1) The financial year of the Postal Regulator shall be the calendar year.

(2) The Postal Regulator shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in the form and manner approved by the Auditor General.

(3) The accounts of the Postal Regulator shall be audited by the Auditor General in accordance with article 158 of the Constitution.

(4) The Postal Regulator shall prepare, 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 Postal Regulator; and
- (b) the sum required from the Government to meet other expenses distinguishing revenue expenditure from other expenditure.

Annual reports

23E.(1) The Postal Regulator 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 Postal Regulator throughout the preceding financial year in such detail as may be directed; and
- (b) a statement of the audited accounts of the Postal Regulator for the preceding financial year.

(2) A copy of the report and a statement of the audited accounts of the Postal Regulator referred to in subsection (1) shall be printed and submitted to the National Assembly not later than 6 months from the date of receipt thereof by the Minister.”.

Repeal of sections 25, 26 and 27

10. Sections 25, 26 and 27 of the principal Act are hereby repealed.

Amendment of section 29

11. Subsection 3 of section 29 of the principal Act is amended by repealing subsection (3) and substituting therefor the following subsections —

“(3) Any party to a dispute who is aggrieved by the determination of the Postal Regulator under this section may appeal to the Minister within 14 working days.

(4) Upon receiving an appeal under subsection (3), the Minister shall constitute a panel comprising of the following persons —

- (a) a representative of the Attorney General;
- (b) a representative from Ministry responsible for Trade; and
- (c) a suitable candidate from the private sector.

(5) The members of the panel shall appoint a Chairperson from amongst themselves.

(6) The panel shall regulate its own proceedings.

Insertion of section 29A

12. The principal Act is hereby amended by inserting immediately after section 29 the following as section 29A —

“Direction by Minister

29A. The Minister may, in relation to the exercise by the Postal Regulator of its functions, give the Postal Regulator such general directions, not inconsistent with this Act, as appear to the Minister to be requisite in the public interest, and the Postal Regulator shall comply with such directions.”.

Amendment of section 30

13. Section 30 of the principal Act is hereby amended by repealing subsection (2) and substituting therefor the following subsections —

“(2) A person shall not —

- (a) insult or otherwise threaten a member of staff of the Postal Regulator in the performance his or her functions under this Act;
- (b) refuse to comply with a direction of the Postal Regulator under this Act;
- (c) impede, prevent or obstruct any investigation, inspection by the Postal Regulator or any authorised officer in the execution of an inquiry;
- (d) provide to the Postal Regulator or an officer any information which he or she knows to be false or misleading.

(3) A person who contravenes subsection (1) or (2) commits an offence and is liable on conviction to a fine not exceeding R100,000 or to imprisonment for a term not exceeding 2 years or to both such fine and imprisonment.”.

Amendment of section 41

14. Section 41 of the principal Act is hereby amended in subsection (1) and paragraph (b) by inserting after the words “Operator”, the following words —

“Postal Service Regulator or Courier Service Provider”.