



# OFFICIAL GAZETTE

## REPUBLIC OF SEYCHELLES

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No. 53

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Gazette Notices No. 1062 of 2023 - 1091 of 2023 are published by Order.

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	Electricity Act, 2023. (Act 13 of 2023)	220.00
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#### GENERAL NOTICES

No. 1062 of 2023

##### CENTRAL BANK OF SEYCHELLES

Notice for Closing of Register of Transfers

##### **4.25% Five Year DBS Bond**

The Register of Transfers maintained at the Central Bank of Seychelles in respect of the above-mentioned bond will remain closed from September 04 to September 15, 2023.

**Accordingly, no transfers of the aforesaid bonds will be registered during that period.**

No. 1063 of 2023

##### CENTRAL BANK OF SEYCHELLES

Notice for Closing of Register of Transfers

##### **8% Five Year Treasury Bond (2021)**

##### **10% Seven Year Treasury Bond (2021)**

The Register of Transfers maintained at the Central Bank of Seychelles in respect of the above-mentioned bonds will remain closed from September 07 to September 20, 2023.

**Accordingly, no transfers of the aforesaid bonds will be registered during that period.**

No. 1064 of 2023

##### CENTRAL BANK OF SEYCHELLES

Notice for Closing of Register of Transfers

##### **3.75% Five Year DBS Bond**

The Register of Transfers maintained at the Central Bank of Seychelles in respect of the

above-mentioned bond will remain closed from October 01 to October 15, 2023.

**Accordingly, no transfers of the aforesaid bonds will be registered during that period.**

No. 1065 of 2023

**COMPANIES ACT 1972  
NOTICE  
SECTION 305**

**NOTICE** is hereby given that the Companies listed below have been **STRUCK OFF** the register of Companies and will be dissolved from the date of publication of this notice.

<u>COMPANY NO:</u>	<u>COMPANY NAME</u>
84116827-1	SBM BANK (SEYCHELLES) LIMITED
8413796-2	AH-KON APARTMENTS (PROPRIETARY) LIMITED
843049-2	REGAR PUBLICATIONS (PROPRIETARY) LIMITED
500636-1	DOCTOR DOLPHIN (SEYCHELLES) LIMITED
8410806-2	COCO-DE-MER IMPORTS (PROPRIETARY) LIMITED

**DATED THIS 28<sup>th</sup> September, 2023.**

**OFFICE OF THE COMPANY REGISTRAR**

No. 1066 of 2023

**Curatelle Act**  
(Section 23)

**Notice of Appointment of Executrix**

Notice is hereby given that on the 24<sup>th</sup> day of May 2023, the Curator appointed Dr. Valentina Seth of Hermitage, Mahe, Seychelles, NIN: 990-0054-5-0-73, as the executrix of the succession of the deceased Angelia Silvia Seth (nee Rusteau) and the executrix of the succession of the deceased Benedict Maxwell Seth, under section 23 of the Curatelle Act.

Dated this 24<sup>th</sup> day of **May, 2023.**

CURATOR

No. 1067 of 2023

**Curatelle Act**  
(Section 23)

**Notice of Appointment of Executrix**

Notice is hereby given that on the 14<sup>th</sup> day of June 2023, the Curator appointed Julita Dina Antoine (nee Ismael) of Petit Paris, Mahe, Seychelles, NIN: 972-0728-1-0-17, as the executrix of the succession of the deceased Hamed Laurence Michael Ismael, under section 23 of the Curatelle Act.

Dated this 14<sup>th</sup> day of **June, 2023.**

CURATOR

No. 1068 of 2023

**Curatelle Act**  
(Section 23)

**Notice of Appointment of Executor**

Notice is hereby given that on the 19<sup>th</sup> day of July 2023, the Curator appointed James Francis Malbrook of Au Cap, Mahe, Seychelles, NIN: 966-0238-1-1-35, as the executor of the

succession of the deceased Sylvana Alina Albert also known as Alina Albert, under section 23 of the Curatelle Act.

Dated this 19<sup>th</sup> day of July, 2023.

CURATOR

No. 1069 of 2023

**Curatelle Act**

(Section 23)

**Notice of Appointment of Executrix**

Notice is hereby given that on the 19<sup>th</sup> day of July 2023, the Curator appointed Jennifer Rita Bernard of Belvedere, Mahe, Seychelles, NIN: 972-1203-1-0-84, as the executrix of the succession of the deceased Paquerette Pouponneau nee Denousse also known as Paquerette Denousse and Paquerette Gonthier, under section 23 of the Curatelle Act.

Dated this 19<sup>th</sup> day of July, 2023.

CURATOR

No. 1070 of 2022

**Corrigendum**

The International Business Company **Altea Holdings Ltd. No. 177786** as published in Notice No. 955 of 2023, in the Official Gazette No. 47 dated 28<sup>th</sup> August, 2023, is hereby deleted.

No. 1071 of 2022

**Corrigendum**

In Notice No. 23 of 2023 in the Official Gazette No. 2 dated Monday 09<sup>th</sup> January, 2023, relating to the striking off in international business company **Equipro Solutions Ltd. No. 157689**, for the date “06<sup>th</sup> September, 2022” to read “06<sup>th</sup> September, 2021”.

No. 1072 of 2022

**CORRIGENDUM**

In the Notice No. 989 of 2023 published in the Official Gazette No. 47 dated 11<sup>th</sup> September, 2023 relating to striking off companies pursuant to sections 217(1)(b)(v) and 272(2)(b) of the International Business Companies Act, 2016, for the company name “*dEMETRIA iNVESTMENT LTD*” to read “*DEMETRIA INVESTMENT LTD*” and “*Vladien Investments Ltd*” to read “*Vladlen Investments Ltd*”.

No. 1073 of 2022

**CORRIGENDUM**

In the Notice No. 989 of 2023 published in the Official Gazette No. 47 dated 11<sup>th</sup> September, 2023 relating to striking off companies pursuant to sections 217(1)(b)(v) and 272(2)(b) of the International Business Companies Act, 2016, for the company “*ESPAX Ltd No. 21941*” to read “*ESPAX Ltd No. 31941*” and “*Loevenbrau Commerz GmbH No. 18782*” to read “*Loevenbrau Commerz GmbH No. 19782*”.

No. 1074 of 2022

**Corrigendum**

Notice No. 1021 of 2023 as published in the Official Gazette No. 50 dated 18<sup>th</sup> September, 2023 is hereby revoked.

No. 1075 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.

<b><u>Company Name</u></b>	<b><u>IBC No.</u></b>
NWS ND LIMITED	51328
TIFFANY SPRINGS, Ltd.	51640
BINGO PERFORMANCE, Ltd.	51917
PRA INVESTMENT CORP., Ltd.	51924
FIRST CONTINENTAL TEXAS, Ltd.	51929
NEVIS INVESTMENT CORPORATION	51930
J and R FINANCIAL, Ltd.	52172
ATA PERFORMANCE COMPANY	52416
GULF SOUTH CO., Ltd.	52418
HAYES SC LIMITED	52442
JOHNSON MOTORS GROUP, Ltd.	52472
CHAMPION QUALITY LIMITED	52508
TFOURA INVESTMENTS, Ltd.	52517
CAL CAPITAL LIMITED	52706
GBRAY, Ltd.	52708
JEFFERY LEE BONUGLI LIMITED	53122
S+J PERFORMANCE LIMITED	53125
RICART LIMITED	53276
VINE PERFORMANCE, Ltd.	53407
AMG PERFORMANCE LIMITED	53589
CREEK RUN FINANCIAL SERVICES, Ltd.	54166
SOUTHEAST KIA PRODUCT CO., Ltd.	54562
PAM and ANDY LIMITED	54719
NORTHCOAST OHIO LIMITED	55030
BARKAU BROTHERS LIMITED	55084
EBWA LIMITED	55435
MEGDY LHUN LIMITED	56906
MALTESE INVESTMENTS PRODUCT CO., Ltd.	56961
ADMIN INVESTMENTS PRODUCT CO., Ltd.	57257
EARLY BIRD PRODUCT CO., Ltd.	57258
KAROUSEL PRODUCT CO., Ltd.	57361
BAJ LIMITED	57686
ALLRED PERFORMANCE, Ltd.	57914
MILL STREET LIMITED	57919
TELEGRAPH FINANCIAL, Ltd.	57922
BEL AIR PRODUCT CO., Ltd.	58045
CELT TRADING LTD.	129457
Alvier Services Ltd	206513
HEGAN PARTNERS CORP.	93913
Saltxitxa Ventures Limited	152172
Unicorn Star Worldwide Limited	205626
Durmast Enterprises Ltd.	193454
ARGANAUT Holdings Limited	206117
Likeminds Group Limited	125036
Tory Island Holding, Ltd	133957
Zeltzer Limited	13283
Geysler Limited	13284

Scopa International Limited	13285
HNSS Ltd.	199854
Sherad Investments Limited	102479
AM Services Limited	234239
Madison Oil & Gas Investments Ltd.	75031
Schtick Holdings Limited	232245
BURENCY INVESTMENT HOLDINGS LIMITED	231382
Alpha General Investment Limited	225629
NORTHLAKE LIMITED	134268
Qihan and Fang Limited	207925
Gateway Fair Trading Ltd	198287
Guoqing & Yueda Company Limited	206261
MOUNTAIN BRIDGE FINANCE INC.	132545
FRONT INVESTMENTS LIMITED	78007
Swift Global Inc	168177
10kM Trading Limited	223068
Yalova Holdings Limited	97417
JVV International Trading Ltd	213194
Piping Projects Ltd	226843
i-mash ltd	223000

**Financial Services Authority**

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No. 1076 of 2023

**INTERNATIONAL BUSINESS COMPANIES ACT**

*(Act 15 of 2016)*

**Sections 272(1)(b)(v) 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)(v) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
Africa Financial and Consulting Services Ltd	93760
Lead EPC Ltd	170159

**Financial Services Authority**

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No. 1077 of 2023

**INTERNATIONAL BUSINESS COMPANIES ACT**

*(Act 15 of 2016)*

**Section 272(4)**

Notice is hereby given pursuant to Section 272(4) of the International Business Companies Act, 2016 that the following companies have been struck off the register with effect from **15<sup>th</sup> September, 2023.**

<u>Company Name</u>	<u>IBC No.</u>
Deus Pecunia Corporation	232585
Fourgreen Investments Corp.	234278
VALEA LTD	232060

**Financial Services Authority**

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No. 1078 of 2023

**INTERNATIONAL BUSINESS COMPANIES ACT***(Act 15 of 2016)***Section 272(4)**

Notice is hereby given pursuant to Section 272(4) of the International Business Companies Act, 2016 that the following companies have been struck off the register with effect from **20<sup>th</sup> September, 2023.**

<u>Company Name</u>	<u>IBC No.</u>
Brand Outlaws Ltd	116406
Ewen Partners Consulting Ltd	205579

**Financial Services Authority**

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No. 1079 of 2023

**INTERNATIONAL BUSINESS COMPANIES ACT***(Act 15 of 2016)***Section 272(4)**

Notice is hereby given pursuant to Section 272(4) of the International Business Companies Act, 2016 that the following companies have been struck off the register with effect from **22<sup>nd</sup> September, 2023.**

<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
Asendio Assets Limited	198849
Felicitas Ventures International Ltd	230490
GROUPON INVESTMENT LIMITED	234572

**Financial Services Authority**

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No. 1080 of 2023

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

Notice is hereby given pursuant to Section 217(5)(c) of the International Business Companies Act, 2016 that **Investissement Dupont S.A. - No. 11161** has been struck off the register owing to continuation in another jurisdiction, with effect from **19<sup>th</sup> September, 2023.**

**Financial Services Authority**

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No. 1081 of 2023

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

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

dissolution, with effect from **18<sup>th</sup> September, 2023** in accordance with Section 297(3)(a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
NorthEast Mining and Trading Co., Limited 東北礦業及貿易有限公司	136276
Moochoo Inc.	185227
Castleview Limited	31933

**Financial Services Authority**

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No. 1082 of 2023

**INTERNATIONAL BUSINESS COMPANIES ACT**

*(Act 15 of 2016)*

**Sections 297(3)(a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from **19<sup>th</sup> September, 2023** in accordance with Section 297(3)(a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
AVERLEX ALLIANCE LIMITED	97318
Kvit Shipping Ltd.	235380
Aisen Shipping Corp.	235379
Qhorizon Holdings Limited	232240

**Financial Services Authority**

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No. 1083 of 2023

**INTERNATIONAL BUSINESS COMPANIES ACT**

*(Act 15 of 2016)*

**Sections 297(3)(a) and 297(5)**

Notice is hereby given pursuant to Section 297(5) of the International Business Companies Act, 2016 (the Act) that the following companies have been struck off the register owing to dissolution, with effect from **20<sup>th</sup> September, 2023** in accordance with Section 297(3)(a) of the Act.

<u>Company Name</u>	<u>IBC No.</u>
Redux Online Marketing Ltd	226881
Multimodal solutions LTD	237450

**Financial Services Authority**

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No. 1084 of 2023

**JUDICIAL SALE**

WARNING IS HEREBY GIVEN that on the 9<sup>th</sup> October 2023 at 11.00pm before the Judge in Supreme Court No. 8 at the Palais De Justice, Ile Du Port, shall take place the sale and final adjudication before the Supreme Court, of one (1) portion of land situate at Glacis, Mahe, Seychelles registered as **Title H3299** admeasuring 615 square metres, together with a 3 bedroom dwelling house and a one bedroom annex thereto, with all plantations, dependencies and appurtenances thereon generally whatsoever, at the reserve price of SCR3,000,000.00.

The property is seized against, **Ms. Mary Azemia** of Glacis, Mahe, Seychelles at the request of **Mr. Franky Hoareau**, of Anse Etoile, Mahe, Seychelles.

All parties claiming a right to take Inscriptions of Legal Mortgage or such other legal interests upon H3299 the said property, are warned that they must do before the Transcription of the Judgment of Adjudication, failing which they shall be debarred of such right.

Dated this 22<sup>nd</sup> day of September, 2023.

**Charles Lucas**  
**Attorney In Charge of The Sale**  
Suite 105 Premier Building  
Victoria

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No. 1085 of 2023

**NOTICE**

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

Mr. Moreen Anne Muller, authorized to change her name from Moreen Anne Muller to Maureen Anne Muller.

Ms. Josapha Richard, authorized to change her name from Marie-Luce Josapha Ronelle Richard to Josepha Marie-Luce Ronelle Richard.

C. Roselie  
For: Chief Officer of the Civil Status

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No. 1086 of 2023

**CHANGE OF NAME**

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

Mr Rodney Dogley  
Fairview  
La Misere  
Mahe

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No. 1087 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 Marie Therese Gisele Jacques to Marie Therese Giselle Jacques 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.

Mrs. Essack  
P.O. Box 1256  
Mahe

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No. 1088 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 Sanofer Kamal Abdul Nazar to Nilofer Kamal Abdul Nazar 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. Nilofer Kamal Abdul Nazar  
London  
United Kingdom

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No. 1089 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 Marie Amelia Esparon to Synda Marie Amelia Esparon 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. Marie Amelia Esparon  
 Dame Le Roi  
 Baie Lazare  
 Mahe

No. 1090 of 2023

## CHANGE OF NAME

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

Mr. Nicholas Brian Julie  
 Pointe Larue  
 Mahe  
 Seychelles

No. 1091 of 2023

## NOTICES

## INDUSTRIAL PROPERTY ACT

*(Act 7 of 2014)*

## APPLICATIONS FOR REGISTRATION OF TRADE MARKS

Notice is hereby given that any person who has grounds of objection against the registration of any of the marks advertised in the Schedule hereto may, within 60 days from the date of this Notice, lodge a notice of objection in Form M-3 of Schedule 1 of the Industrial Property (Marks) Regulations, 2014 with the Registration Division, P.O. Box 142, Victoria, Seychelles.

## SCHEDULE

Application No: **202/2023** in Class **33** with respect of Alcoholic beverages other than beer in the name of **IGNITE INTERNATIONAL, LTD.** of **3308 Towerwood Drive Farmers' Branch, TX 75234-2317, United States of America.**

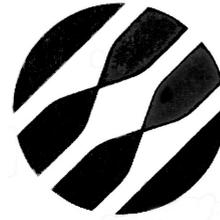
Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe, Seychelles**

Lodged: **20/04/2023.**

Application No: **312/2023** in Class **01** with respect of Chemicals, additives, binding agents, coolants, chemical fluids, detergents and cleaning solvents for use in industry; carbide and ceramic blanks; carbide powder; soldering fluxes; fire extinguishing and fire suppression compositions; tempering preparations; engineered ceramic and composite materials for heat transfer or thermal management applications; surface coatings and thin films of organic materials (or substances); resins; hardeners; wetting agents for preventing the adhesion of clay; bentonite; viscosifiers for drilling fluids; galvanizing compounds; chemicals for preventing corrosion; liquid coatings (chemical); hydraulic fluids: chemical releasing agents; putties, fillers

and pastes for use in industry in the name of **SANDVIK AB of Box 510, 101 30 Stockholm, Sweden.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**

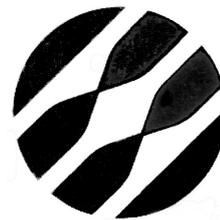


Lodged: **28/06/2023.**

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Application No: **313/2023** in Class **4** with respect Lubricants, fluids, industrial oils and greases; non-chemical additives for fuels, lubricants and greases; dust absorbing compositions; dust binding compositions; dust controlling and removing compositions in the name of **SANDVIK AB of Box 510, 101 30 Stockholm, Sweden.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**



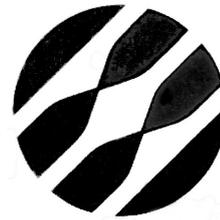
Lodged: **28/06/2023.**

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Application No: **314/2023** in Class **07** with respect of Anti-friction bearings for machines; anti-friction pads for machines; machines and machine tools for the cutting and forming of materials; conveyers; conveyer belts; power-operated tools; power-operated metal machine tools, namely, wire-drawing, pressing, grinding, threading, sharpening, chiseling, shearing, punching, piercing, broaching, reaming, drilling, milling, cutting and turning; inserts for power-operated chiseling tools, shearing tools, punching tools, piercing tools, broaching tools, reaming tools, cutting and turning tools; tool holders; machines parts, namely, blades and blade holders, wear plates and strips, bearings, as parts of machines; rock bolting rigs; cargo handling machines; cranes; casting machines; double belt presses; machine parts, namely, mandrels; mechanical diggers; mechanical disintegrators; earth moving machines, namely, excavators, loaders, scrapers; loading and unloading machines; mechanical and hydraulic lifts hoists; forging machines; foundation work machines; granulating machines for chemical processes; hauling apparatus, used in the mining industry; lathes; lathe tools; earthmoving, construction, oil and gas extraction and mining equipment; mine working machines; fuel pumps for land vehicles; pneumatic transporters; pneumatic controls for machines, motors and engines; hydraulic and pneumatic hammers; pulleys being parts of machines; rolls for rolling mills; rolling mills; sifting machines: power-operated sprayers; sieves being machines; sieves being machine parts; gravel and dirt sorting and screening machines; mechanical spreaders; mechanical separators; motors and engines except tier land vehicles; machine couplings and transmission components except for land vehicles; automatic vending machines; automated dispensing machines for tools and metal cutting tools; grinding machines tor metal cutting; power-operated grinding wheels; grinding tools for grinding machines: earth moving machines. namely graders, grading tools; carbide tip tools; truck boards drilling pipes, hammer lifting bails, foot valve rods, drill tubes, shank adapters, drill bits, hand held rock drilling tools, integral drill steels, tapered and threaded rods, guide and drill tubes, drilling and bolting tools; shank adaptors; raise boring tools; reaming heads: continuous miner cutting tools; drilling accessories for the installation of strata support products; casing accessories and completion tools; reamers and reaming apparatus; drills, drill rigs and drilling equipment and apparatus; hydraulic rock drills; mining and tunneling jumbos; screw boosters; raise boring machines and reaming heads; bolters; excavators; hydraulic rotation heads; cone splitters; blast hole splitters; miners; bolter miners; borer miners; road headers; drill rods; extension rods; spanners for installing rock bolts and drill chuck extension spanners; pullers and extractors, pliers, mineral ground tools; blocks and sleeves; crushers and crushing apparatus; crushing chambers; mantels and jaw plates; crusher wear parts; screens [parts of machines]; scalpers; breakers; chisel and compacting tools;

filters and filtration cartridges; hydraulic cylinders, blocks and valves; hydraulic pumps; drive, shafts; radiators; oil coolers; axles; hydraulic hoses, pipes, fittings and adapters; air compressors; hydraulic oil filtering units; exhaust systems; pressure accumulators; liners for crushing and screening equipment; wear plates; impact bars; ground engaging tools, including buckets, shrouds, lips, adaptors and teeth; power-operated automation equipment namely, machines and industrial robots to move, assemble, test, inspect, fasten, transfer, dispense, sort, store, retrieve, align, position, and load and unload, for use in industrial applications namely, metrology, large-scale deployment, laser technology, fuel cell manufacturing, micro electromechanical systems, medical device manufacturing, semiconductors, solar manufacturing, and wire processing systems; down the hole hammers; horizontal directional hammers; cutters; earth boring equipment and tools; rock drills; impact drills; percussion drills; pumps; rock stabilization and sole stabilization tools and equipment; tunneling tools and equipment; chains for drilling modules; suction heads for drilling modules; tracks for machines; parts and components for tracks for machines; feed chains for machines; machine belts; starters for engines; alternators; turbochargers; bushings [parts of machines]; parts, fittings and components for the aforesaid in the name of **SANDVIK AB of Box 510, 101 30 Stockholm, Sweden.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged: **28/06/2023.**

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Application No: **315/2023** in Class **09** with respect of Downloadable computer software for blockchain technology; downloadable computer software for payment and exchange transactions involving cryptocurrencies; downloadable multimedia file containing artwork, text, audio, and video relating to industrial goods and human interest topics authenticated by non-fungible tokens (NFTs); downloadable virtual goods, namely, a variety of professional tools and machines crossing all industries, metalworking machine tools and inserts, metalworking machines, inventory management machines, industrial robots, electronic controls, calculating devices, computers, measurement machinery and publications for use in online virtual worlds; downloadable virtual goods, namely, drill rigs, underground drill rigs, bolters, electric battery vehicles, underground loaders, underground trucks, mechanical cutting equipment, rock tools, rock drills, mining automation products, mining tools and equipment, tunneling tools and equipment for use in online virtual worlds; downloadable virtual goods, namely, parts and accessories to mining machines and tools, parts and accessories to construction machines and tools, crushers, screeners, breakers, demolition tools, breaker booms, buckets, attachments to crushers, attachments to screeners and compactor plates and artwork for use in online virtual worlds; registered computer programs, registered operating programs, registered computer software, computers, peripheral equipment, simulators for steering and control of vehicles and crafts; remote control apparatus; electric installations for remote control apparatus of industrial functions; cycling motions; telerupters; apparatus and instruments for conveying, distributing, transforming, storing, regulating or controlling electric current; controlling devices and apparatus, regulating apparatus; measuring, detecting and monitoring instruments and apparatus, indicators and controllers; electronic control units and systems; electric installations for the remote control of industrial operations; electronic apparatus for the remote control of industrial operations; simulation apparatus and instruments; simulators; chargers; electrical cables; electric resistors; integrated circuits; semi-conductors; capacitors; electric resistances; fuel cells; apparatus for recording, transmission and reproduction of sound or images; blank magnetic data carriers, blank recording discs; communication equipment, namely, digital media, namely, CDs and DVDs; mobile apps; data processing apparatus, computers; computer operating systems; computer peripheral equipment; software for the calculation of data for machine tools and mine automation systems; measuring instruments and apparatus, namely, pressure measuring apparatus, temperature measuring apparatus, resistance measuring instruments; software for storage and calculation of temperature, strain and vibration information; temperature sensors, strain sensors, pressure sensors, vibration sensors and acceleration sensors; apparatus, instruments, software, sensors and computer programs for measurement of temperature, controlling temperature performance and working capacity of

tube systems; measuring instruments, sensors, software or computer systems incorporated in tubes and pipes of metal; computer software and computer programs; software applications; computer software packages; computer software platforms; computer hardware; downloadable electronic publications in the nature of handbooks, manuals, instructional and teaching material in the field of metal-cutting tools and tooling systems, mining equipment and tools, construction equipment and tools, stainless steels, special alloys and titanium, furnace products and heating systems, hard and super-hard materials; protective and safety equipment, namely, fire-extinguishing systems and sprinkler systems for fire protection; thermocouples; global positioning system (GPS) consisting of computers, computer software, transmitters, receivers, and network interface devices; computer programs for use in production planning of the manufacture of industrial products; sensors; downloadable computer-assisted design (CAD) and computer-aided manufacturing (CAM) software for general use downloadable computer software, namely, computer software for use with controlling cutting machines; downloadable computer software for use in planning, tracking and controlling manufacturing facility operations; downloadable computer software for controlling cutting machines; downloadable computer software for nesting and programming CNC cutting machines; computer programs recorded on magnetic media for use in providing engineering design and engineering drafting services; computer programs for use in machine tool industry; computer hardware and related computer software for controlling power-operated automation equipment; instruments for use in geometrical inspection of industrial components, medical devices, and aerospace applications; computer hardware and related downloadable computer software for controlling instruments for use in geometrical inspection of industrial component's, medical devices, and aerospace applications; downloadable and recorded computer software for the measurement, inspection, analysis and recording of three-dimensional shapes; electronic control systems for machines used in the measurement, inspection, analysis and recording of three-dimensional shape; calculating devices, computers and computer peripheral devices; joysticks for use with computers, other than for video games; object thickness and measurement machinery and equipment for the measurement and analysis and recording of three-dimensional shapes; measuring apparatus and instruments, namely, robots and automated measuring machines for measuring and inspecting objects; electronic measuring equipment, inspection machinery and equipment, weighing machinery, measuring instruments, other measurement machinery and equipment, all for use with measuring apparatus and instruments; computer hardware, software, and sensors for use in connection with the design of drill bits, modeling, simulation, testing and analysis of drill bit and rock drilling tool performance, recordation and reporting of data and drilling variables, and selection and performance of drill bits, rock drilling tools and equipment, data gatewaks; batteries; electrochemical cells and batteries; battery testers; technical solutions consisting of hardware, software, sensors and tags for early hazard detection, proximity detection and collision avoidance, worker safety, and evacuation and rescue in mining operations; technical solutions consisting of hardware, software, sensors and tags for monitoring of production, drilling, and hauling, overall equipment effectiveness and utilization and haulage efficiency in mining operations; open architecture automated software platform application systems comprised of a network central server, a network management software, gateway for network router modules, wireless nodes, namely, network router vehicle modem, vehicle transceiver and interface circuits and network router modules for vehicles; cap lamp module, namely, interface circuits and network router modules for miners and sensor network module, namely, network router modules that relay information from sensors placed in the mine to the network central server; computer hardware and software and sensors, all for 3D scanning, monitoring, and reporting and optimizing rock material flow and use of equipment fleet in mines and other rock excavation sites; computer software for use in relation to products for use within the materials technology, mining, construction and rock technology and metal working industries; parts, fittings and components for the aforesaid in the name of **SANDVIK AB of Box 510, 101 30 Stockholm, Sweden.**

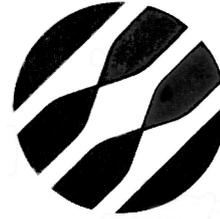
Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged: **28/06/2023.**

Application No: **316/2023** in Class **12** with respect of Vehicles for the mining, rock excavation, mineral exploration and construction industry namely, loaders, trucks, drill rigs, haulers, transporters; pallet handlers; trailers; trucks; vans; gearboxes; parts, fittings and components for the aforesaid in the name of **SANDVIK AB of Box 510, 101 30 Stockholm, Sweden.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged: **28/06/2023.**

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Application No: **317/2023** in Class **35** with respect of Provision of an online marketplace for huvers and sellers of downloadable digital collectibles authenticated by non-fungible tokens (NFTs); retail store services featuring virtual goods, namely, a variety of professional tools and machines crossing all industries, metalworking machine tools and inserts, metalworking machines, inventor, management machines, industrial robots, electronic controls, calculating devices, computers, measurement machinery and publications for use in online virtual worlds; retail store services featuring virtual goods, namely, drill rigs, underground drill rigs, bolters, electric battery vehicles, underground loaders, underground trucks, mechanical cutting equipment, rock tools, rock drills, mining automation products, mining tools and equipment, tunneling tools and equipment for use in online virtual worlds; retail store services featuring virtual goods, namely parts and accessories to mining machines and tools, parts and accessories to construction machines and tools, crushers, screeners, breakers, demolition tools, hreaker booms, buckets, attachments to crushers, attachments to screeners, compactor plates and artwork for use in online virtual worlds; wholesale, distribution retail store and online retail store services connected with the sale of products for use within the materials technology, mining, construction and rock technology and metal working industries; online retail services, namely, the provision and operation of an online marketplace for buyers and sellers of products for use within the mining, construction, rock excavation, rock processing, materials technology and metal working industries; business management consultancy and advisory services; inventory control; database management; updating and maintenance of data in computer databases; commercial and industrial management assistance; advisory services for business management; business management and organization consultancy; provision of commercial and business support services relating to the sale of products for use within the mining, construction, rock excavation, rock processing, materials technology and metal working industries; provision of e-commerce services for products for use within the mining, construction, rock excavation, rock processing, materials technology and metal working industries, namely, the provision and operation of an online marketplace for buyers and sellers of the aforesaid products; e-commerce services, being business management services relating to e-commerce in the aforementioned industries; online ordering services; sales administration; provision of customer support services and information related to products for use within the mining, construction, rock excavation, rock processing, material, technology and metal working industries; information, advisory, support and consultancy services relating to the aforesaid in the name of **SANDVIK AB of Box 510, 101 30 Stockholm, Sweden.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged: **28/06/2023.**

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Application No: **321/2023** in Class **29** with respect of Bacon; French fries; pork; cooked fruits; cooked vegetables; cheese; salmon, not live; sausages; pork loin; squid (prepared); squid (preserved); fish fillets; fish (not live); fish products; food products made of fish; salami;

pickled vegetables, sweet pickle (pickled fruit or vegetables); liver; shortenings being mixtures of edible oils and edible fats, fatty substances for the manufacture of edible fats; edible fats; garden peas; processed peas; canned vegetables; canned fish; canned beans; canned pulses; preserved meats; salted meats, meat products; fresh meat; sausage meat; hamburgers (meat patties); food products made from meat; food preparations consisting principally of meat; meat; meat burgers (meat patties); prepared meat, prepared meat products; processed meat products; vegetable based meat substitutes; meat substitutes prepared from soybeans (textured soy protein); canned meat; cold meats; food preparations made from meat. food products derived from meat; frozen meat; frozen meat products; grilled meat; steaks of meat; beef; beef fat; beef burgers (beef patties); lamb (prepared meat); lamb products in the name of **MINERVA S.A. of Prolongamento da Avenida Antonio Manco Bernardes, s/nº, Barretos, São Paulo, Brazil, 14781-545.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**MINERVA FOODS**

Lodged: **07/07/2023.**

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Application No: **322/2023** in Class **35** with respect of Wholesale food services for: poultry and eggs, meat, fruits and vegetables, dairy products, fish; wholesale food services; import-export agency services; commercial intermediation services in the name of **MINERVA S.A. of Prolongamento da Avenida Antonio Manco Bernardes, s/nº, Barretos, São Paulo, Brazil, 14781-545.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**MINERVA FOODS**

Lodged: **07/07/2023.**

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Application No: **323/2023** in Class **29** with respect of Bacon; French fries; pork; cooked fruits; cooked vegetables; cheese; salmon, not live; sausages; pork loin; squid (prepared); squid (preserved); fish fillets; fish (not live); fish products; food products made of fish; salami; pickled vegetables, sweet pickle (pickled fruit or vegetables); liver; shortenings being mixtures of edible oils and edible fats, fatty substances for the manufacture of edible fats; edible fats; garden peas; processed peas; canned vegetables; canned fish; canned beans; canned pulses; preserved meats; salted meats, meat products; fresh meat; sausage meat; hamburgers (meat patties); food products made from meat; food preparations consisting principally of meat; meat; meat burgers (meat patties); prepared meat, prepared meat products; processed meat products; vegetable based meat substitutes; meat substitutes prepared from soybeans (textured soy protein); canned meat; cold meats; food preparations made from meat. food products derived from meat; frozen meat; frozen meat products; grilled meat; steaks of meat; beef; beef fat; beef burgers (beef patties); lamb (prepared meat); lamb products in the name of **MINERVA S.A. of Prolongamento da Avenida Antonio Manco Bernardes, s/nº, Barretos, São Paulo, Brazil, 14781-545.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**PUL**

Lodged: **07/07/2023.**

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Application No: **324/2023** in Class **35** with respect of Wholesale food services for: poultry and eggs, meat, fruits and vegetables, dairy products, fish; wholesale food services; import-export agency services; commercial intermediation services in the name of **MINERVA S.A. of Prolongamento da Avenida Antonio Manco Bernardes, s/nº, Barretos, São Paulo, Brazil, 14781-545.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**PUL**

Lodged: **07/07/2023.**

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Application No: **325/2023** in Class **12** with respect of Vehicles and apparatus for locomotion by water; boats and ships, sail- or motor-powered watercraft; sail or motor pleasure boats and ships; service ships and boats; covers for boats and ships; hulls, devices for launching watercraft; amphibious vehicles; trailer hitches for vehicles; equipment for towing, launching, anchoring and housing boats, ships and watercraft; floats; trailers for boats and ships; oars, paddles, boat hooks, cleats (nautical), propellers for boats and ships, screw-propellers; portholes, pontoons, ramps for boats and ships, davits for watercraft, fenders for watercraft (bumpers); beach craft, namely sand yachts, water-bikes, water craft for recreational or professional use; metal spars; parts and components of all the aforesaid goods; water scooters in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**



Lodged: **14/07/2023.**

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Application No: **326/2023** in Class **37** with respect Naval repairs and construction, servicing and repair of boats and ships, including servicing and repair of motors, marine propulsion units, inboard and outboard motors, boats and ships, navigation accessories and equipment; maintenance and repair of inboard and outboard marine propulsion units and navigation equipment; construction, repair and installation of transportable buildings; information on shipbuilding; shipbuilding construction supervision in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**



Lodged: **14/07/2023.**

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Application No: **327/2023** in Class **12** with respect of Vehicles and apparatus for locomotion by water; boats and ships, sail- or motor-powered watercraft; sail or motor pleasure boats and ships; service ships and boats; covers for boats and ships; hulls, devices for launching watercraft; amphibious vehicles; trailer hitches for vehicles; equipment for towing, launching, anchoring and housing boats, ships and watercraft; floats; trailers for boats and ships; oars, paddles, boat hooks, cleats (nautical), propellers for boats and ships, screw-propellers; portholes, pontoons, ramps for boats and ships, davits for watercraft, fenders for watercraft (bumpers); beach craft, namely sand yachts, water-bikes, water craft for recreational or professional use; metal spars; parts and components of all the aforesaid goods; water scooters in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**



Lodged: **14/07/2023.**

Claiming colours: **White and pantone red 1795**

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Application No: **328/2023** in Class **37** with respect Naval repairs and construction, servicing and repair of boats and ships, including servicing and repair of motors, marine propulsion units, inboard and outboard motors, boats and ships, navigation accessories and equipment; maintenance and repair of inboard and outboard marine propulsion units and navigation equipment; construction, repair and installation of transportable buildings; information on shipbuilding; shipbuilding construction supervision in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**



Lodged: **14/07/2023.**

Claiming colours: **White and pantone red 1795**

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Application No: **329/2023** in Class **33** with respect Alcoholic beverages, except beers in the name of **BRUICHLADDICH DISTILLERY COMPANY LIMITED of The Bruichladdich Distillery Islay, ARGYLL PA49 7UN UNITED KINGDOM.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**



Lodged: **14/07/2023.**

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Application No: **330/2023** in Class **09** with respect of Data processing apparatus; computer software for controlling the operation of audio and video devices; computer software platforms, recorded or downloadable; LED displays; video display units; light-emitting electronic pointers; digital signs; neon signs; virtual reality headsets; video recording apparatus; projection apparatus; audiovisual teaching apparatus; video screens; LED drivers; Display screens; LED screens; devices for playing sound and image carriers; electronic advertising displays; touchscreens; light-emitting diodes [LED] in the name of **Unilumin Group Co., Ltd. of BUILDING A, 112 YONGFU ROAD, QIAOTOU COMMUNITY, FUYONG TOWN, BAOAN DISTRICT, SHENZHEN, CHINA.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**Unilumin**

Lodged: **14/07/2023.**

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Application No: **331/2023** in Class **11** with respect of Lamps; germicidal lamps for purifying air; light-emitting diodes [LED] lighting apparatus; air sterilizers; disinfectant apparatus, LED lamps, LED landscape lights; arc lamps; LED lighting apparatus for vehicles; stage lighting apparatus, lights for vehicles; lighting apparatus and devices; luminous tubes for lighting; luminous house numbers; LED safety lamps; light-emitting diode [LED] lighting installations; lighting installations, drying apparatus and installations; heating apparatus; heating installations in the name of **Unilumin Group Co., Ltd. of BUILDING A, 112 YONGFU ROAD, QIAOTOU COMMUNITY, FUYONG TOWN, BAOAN DISTRICT, SHENZHEN, CHINA.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

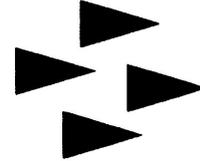
**Unilumin**

Lodged: **14/07/2023.**

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Application No: **332/2023** in Class **12** with respect of Vehicles and apparatus for locomotion by water; boats and ships, sail- or motor-powered watercraft; sail or motor pleasure boats and ships; service ships and boats; covers for boats and ships; hulls, devices for launching watercraft; amphibious vehicles; trailer hitches for vehicles; equipment for towing, launching, anchoring and housing boats, ships and watercraft; floats; trailers for boats and ships; oars, paddles, boat hooks, cleats (nautical), propellers for boats and ships, screw-propellers; portholes, pontoons, ramps for boats and ships, davits for watercraft, fenders for watercraft (bumpers); beach craft, namely sand yachts, water-bikes, water craft for recreational or professional use; metal spars; parts and components of all the aforesaid goods; water scooters in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

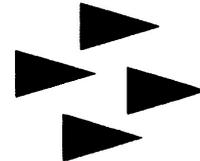


Lodged: **14/07/2023.**

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Application No: **333/2023** in Class **37** with respect Naval repairs and construction, servicing and repair of boats and ships, including servicing and repair of motors, marine propulsion units, inboard and outboard motors, boats and ships, navigation accessories and equipment; maintenance and repair of inboard and outboard marine propulsion units and navigation equipment; construction, repair and installation of transportable buildings; information on shipbuilding; shipbuilding construction supervision in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**



Lodged: **14/07/2023.**

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Application No: **336/2023** in Class **29** with respect Pharmaceutical preparations in the name of **NOVARTIS AG of 4002 Basel, Switzerland.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**FABHALTA**

Lodged: **19/07/2023.**

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Application No: **342/2023** in Class **43** with respect Services for providing food and drink; Temporary accommodation; reservation of temporary accommodation; rental of rooms for wedding ceremonies; providing rooms for conferences and various meetings; Day-nurseries (crèches); Boarding for animals in the name of **VOYAG TURIZM OTELCILIK ISLETMESI VE INSAAT SANAYI TICARET ANONIM SIRKETI of Merdivenkoy Mahallesi Nur Sokak C Blok No:1 /101 Kadikpy - Istanbul, Turkey.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**



Lodged: **26/07/2023.**

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Application No: **345/2023** in Class **43** with respect of Rental of temporary accommodation; reservations of temporary accommodations; hotel accommodation services; bar services; restaurant services; catering services; providing of food and drink; rental of rooms for holding social and business functions; rental of rooms for holding meetings in the name of **Hilton**

**Worldwide Manage Limited of Maple Court Central Park, Reeds Crescent, Watford  
WD24 4QQ, United Kingdom.**

Address for service: **Hunt, Deltel & Co., Ltd  
P.O. Box 14, Victoria  
Mahe, Seychelles**



WALDORF ASTORIA

Lodged: **31/07/2023.**

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Application No: **346/2023** in Class **35** with respect of Advertising (publisher of books and promotional items) in the name of **Seyguide of Pasquiére, Praslin, Seychelles.**

Address for service: **Hunt, Deltel & Co., Ltd  
P.O. Box 14, Victoria  
Mahe, Seychelles**

**SeyGuide**

Lodged: **31/07/2023.**

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Application No: **347/2023** in Class **09** with respect of Photography and videography in the name of **Seyguide of Pasquiére, Praslin, Seychelles.**

Address for service: **Hunt, Deltel & Co., Ltd  
P.O. Box 14, Victoria  
Mahe, Seychelles**

**BananaWAVE**

Lodged: **31/07/2023.**

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Application No: **348/2023** in Class **35** with respect of Advertising (publisher of maps) in the name of **Seyguide of Pasquiére, Praslin, Seychelles.**

Address for service: **Hunt, Deltel & Co., Ltd  
P.O. Box 14, Victoria  
Mahe, Seychelles**

**SeyMap**

Lodged: **31/07/2023.**

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Application No: **349/2023** in Class **32** with respect Beer, ale, lager, stout and porter; Brewed malt-based beers; Craft beers; Flavored beer; Malt beer; Pale beer; Porter; Wheat beer; Beer-based cocktails; Fruit-flavored beer; Fruit cocktails; Non-alcoholic cocktails; Non-alcoholic beer-flavored beverages in the name of **BuzzBallz, LLC (DBA, Southern Champion) of 2114 McDaniel Drive Carrollton, Texas 75006 USA.**

Address for service: **Hunt, Deltel & Co., Ltd  
P.O. Box 14, Victoria  
Mahe, Seychelles**

**PARTYBALLZ**

Lodged: **31/07/2023.**

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Application No: **350/2023** in Class **33** with respect Alcoholic beverages except beers; Flavored malt-based alcoholic beverages except beers; Alcoholic beverages, namely, mixed alcoholic drinks or wine, such as rum and cola, gin and tonic, vodka tonic, martinis, whiskey sour, cosmopolitan, Manhattan, mojito, red wine, white wine, pink wine, scotch an water, scotch and soda, margaritas, and other mixed alcoholic beverages; Alcoholic cocktail mixes; Alcoholic beverages, namely, spirit-based drink; Alcoholic malt beverages except beer; Alcoholic flavored brewed malt beverages except beers: Malt-based cocktails; Ready-to-drink alcoholic beverages except beer-based; Alcoholic beverages containing fruit; Wine; Fruit Wine; Spirits; Alcoholic beverages containing ice cream or sorbet in the name of **BuzzBallz, LLC (DBA, Southern Champion) of 2114 McDaniel Drive Carrollton, Texas 75006 USA.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**PARTYBALLZ**

Lodged: **31/07/2023.**

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Application No: **353/2023** in Class **12** with respect of Vehicles and apparatus for locomotion by water; boats and ships, sail- or motor-powered watercraft; sail or motor pleasure boats and ships; service ships and boats; covers for boats and ships; hulls, devices for launching watercraft; amphibious vehicles; trailer hitches for vehicles; equipment for towing, launching, anchoring and housing boats, ships and watercraft; floats; trailers for boats and ships; oars, paddles, boat hooks, cleats (nautical), propellers for boats and ships, screw-propellers; portholes, pontoons, ramps for boats and ships, davits for watercraft, fenders for watercraft (bumpers); beach craft, namely sand yachts, water-bikes, water craft for recreational or professional use; metal spars; parts and components of all the aforesaid goods; water scooters in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON FRANCE.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**

**PRESTIGE**

Lodged: **07/08/2023.**

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Application No: **354/2023** in Class **37** with respect Naval repairs and construction, servicing and repair of boats and ships, including servicing and repair of motors, marine propulsion units, inboard and outboard motors, boats and ships, navigation accessories and equipment; maintenance and repair of inboard and outboard marine propulsion units and navigation equipment; construction, repair and installation of transportable buildings; information on shipbuilding; shipbuilding construction supervision in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON FRANCE.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**

**PRESTIGE**

Lodged: **07/08/2023.**

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Application No: **355/2023** in Class **12** with respect of Vehicles and apparatus for locomotion by water; boats and ships, sail- or motor-powered watercraft; sail or motor pleasure boats and ships; service ships and boats; covers for boats and ships; hulls, devices for launching watercraft; amphibious vehicles; trailer hitches for vehicles; equipment for towing, launching, anchoring and housing boats, ships and watercraft; floats; trailers for boats and ships; oars, paddles, boat hooks, cleats (nautical), propellers for boats and ships, screw-propellers; portholes, pontoons, ramps for boats and ships, davits for watercraft, fenders for watercraft (bumpers); beach craft, namely sand yachts, water-bikes, water craft for recreational or professional use; metal spars; parts and components of all the aforesaid goods; water scooters in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON FRANCE.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**JEANNEAU**

Lodged: **07/08/2023.**

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Application No: **356/2023** in Class **37** with respect Naval repairs and construction, servicing and repair of boats and ships, including servicing and repair of motors, marine propulsion units, inboard and outboard motors, boats and ships, navigation accessories and equipment; maintenance and repair of inboard and outboard marine propulsion units and navigation equipment; construction, repair and installation of transportable buildings; information on shipbuilding; shipbuilding construction supervision in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON FRANCE.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**JEANNEAU**

Lodged: **07/08/2023.**

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Application No: **357/2023** in Class **12** with respect of Vehicles and apparatus for locomotion by water; boats and ships, sail- or motor-powered watercraft; sail or motor pleasure boats and ships; service ships and boats; covers for boats and ships; hulls, devices for launching watercraft; amphibious vehicles; trailer hitches for vehicles; equipment for towing, launching, anchoring and housing boats, ships and watercraft; floats; trailers for boats and ships; oars, paddles, boat hooks, cleats (nautical), propellers for boats and ships, screw-propellers; portholes, pontoons, ramps for boats and ships, davits for watercraft, fenders for watercraft (bumpers); beach craft, namely sand yachts, water-bikes, water craft for recreational or professional use; metal spars; parts and components of all the aforesaid goods; water scooters in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON FRANCE.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**

**BENETEAU**

Lodged: **07/08/2023.**

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Application No: **358/2023** in Class **37** with respect Naval repairs and construction, servicing and repair of boats and ships, including servicing and repair of motors, marine propulsion units, inboard and outboard motors, boats and ships, navigation accessories and equipment; maintenance and repair of inboard and outboard marine propulsion units and navigation equipment; construction, repair and installation of transportable buildings; information on shipbuilding; shipbuilding construction supervision in the name of **SPBI of 34 RUE ERIC TABARLY PARC D'ACTIVITÉS DE L'ERAUDIÈRE 85170 DOMPIERRE-SUR-YON FRANCE.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**

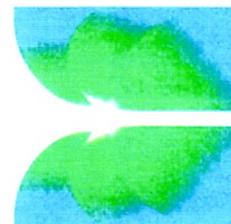
**BENETEAU**

Lodged: **07/08/2023.**

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Application No: **369/2023** in Class **05** with respect of Pharmaceutical preparations in the name of **NOVARTIS AG of 4002 Basel, Switzerland.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged: **21/08/2023.**

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Application No: **370/2023** in Class **07** with respect of Agricultural machines, disintegrators; tea manufacturing machines; food preparation machines, electromechanical; mixing machines; Meat choppers, electric; juice extractors, electric; beverage preparation machines, electromechanical, ironing machines; packaging machines; dishwashers; kitchen machines, electric; washing machines I laundry I; dry cleaners; hand-held tools, other than hand-operated; knives, electric; Electricity generators, electric motors for refrigerators; centrifugal machines; compressors [machines]; machines and apparatus for cleaning, electric; Vacuum cleaners for household purposes; dust exhausting installations for cleaning purposes; steam mops, electric; Sweeping machines for charging; garbage disposa, units. washing apparatus; Floor scrubbing machines; curtain drawing devices, electrically operated; coffee grinders, other than hand-operated in the name of **SKYWORTH GROUP CO., LTD.** of **22-24/F. Skyworth Semiconductor Design Bldg, 18 High-Tech Sout 4th Rd, Nanshan Dist Shenzhen China.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**

**SKYWORTH**

Lodged: **21/07/2023.**

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Application No: **371/2023** in Class **09** with respect of Interactive touchscreen terminals; computers; computer programs, downloadable; smartwatches; electronic numeric displays; fluorescent screens; computer hardware; electronic pens [visual display units]; computer peripheral devices; couplers [data processing equipment]; data processing apparatus; devices for the projection of Irma' keyboards; smartglasses; tablet computers; Monitors [computer hardware]; biometric identity cards; phototelegraphy apparatus; scales; scales with body mass analyzers; electronic notice boards; intercommunication apparatus; Wireless routers; cell phones; switchboards; navigational instruments; television apparatus; TV display panels; wearable video display monitors; set-top hoxes. microphones; Smart speakers; cabinets for loudspeakers; liquid-crystal display televisions; Learning machines; automatic advertising players; camcorders; virtual reality headsets; headsets; automobile data recorders; portable media players; monitoring apparatus, other than for medical purposes; Car televisions; rearview cameras for vehicles; web cameras; sound equipment; Multimedia projectors; cameras Iphotographs; Miniature projectors; projection screens; Video projectors; surveying apparatus and instruments; connected bracelets [measuring instruments]; USB cables; materials for electricity mains [wires, cables]; Solar wafers; Electronic chips; conductors, electric; electrical adapters; Power adapters; transducers; Touch screens; Computer monitors; video screens; remote control apparatus; Remote controls for televisions; home used remote controllers; PV inverters; Optical to electrical coverters; protection devices for personal use against accidents; theft prevention installations, electric; Locks, electronic; Biometrics fingerprint door locks; eyeglasses; photovoltaic cells; photovoltaic modules; Photovoltaic devices and equipment for solar power generation; solar batteries; batteries, electric; chargers for electric batteries; mobile power supply [rechargeable batteries]; Charging devices for motor vehicles in the name of **SKYWORTH GROUP CO., LTD.** of **22-24/F. Skyworth Semiconductor Design Bldg, 18 High-Tech Sout 4th Rd, Nanshan Dist Shenzhen China.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**

**SKYWORTH**

Lodged: **21/07/2023.**

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Application No: **372/2023** in Class **11** with respect of Lamps; germicidal lamps for purifying air; lighting apparatus and installations; Induction cookers; coffee machines, electric; Electric cooking pots; kettles, electric; multicookers; roasting apparatus; cooking apparatus and

installations; microwave ovens [cooking apparatus]; kitchen ranges [ovens]; pressure cookers, electric; air fryers; Electric cooking stoves for household purposes; Household ovens; electric food warmers; Portable refrigerators; freezers; refrigerators; refrigerating apparatus and machines; extractor hoods for kitchens; laundry driers, electric; dehumidifiers; electric fans for personal use; drying devices; humidifiers; Air purifiers; Air conditioners; air conditioning installations; Air disinfection equipment; hair driers [dryers]; heating apparatus; hot water heating installations; watering installations, automatic; fumigation apparatus, not for medical purposes; heaters, electric; sun energy water heaters; sanitary apparatus and installations; bath fittings; toilets [water-closets]; Electric foot tubs; heaters for baths; electric water purifiers for household purposes; water purification installations; disinfectant apparatus; sterilized cupboards; Water dispensers; pocket warmers; radiators, electric in the name of **SKYWORTH GROUP CO.. LTD.** of **22-24/F, Skyworth Semiconductor Design Bldg, 18 High-Tech Sout 4th Rd, Nanshan Dist Shenzhen China.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria**  
**Mahe**  
**Seychelles**

**SKYWORTH**

Lodged: **21/07/2023.**

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Application No: **373/2023** in Class **05** with respect of Pharmaceutical preparations in the name of **NOVARTIS AG** of **4002 Basel, Switzerland.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14**  
**Victoria, Mahe**  
**Seychelles**

**JALIMARTI**

Lodged: **10/08/2023.**

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Application No: **397/2023** in Class **09** with respect of remote control apparatus; video screens; heat regulating apparatus; batteries, electric; computer programs, recorded; data processing apparatus; monitors [computer programs]; electro-dynamic apparatus for the remote control of signals; time switches, automatic; mechanisms for coin-operated apparatus; cabinets for loudspeakers; theft prevention installations, electric; Alarms; locks, electric; smart speakers; precision measuring apparatus; software as a medical device [SaMD], downloadable; user-programmable humanoid robots, not configured; home automation hubs; solar batteries in the name of **Midea Group Co.. Ltd.** of **B26-28F, Midea Headquarter Building, No.6 Midea Avenue, Beijiao, Shunde, Foshan. Guangdong, China.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**COLMO**

Lodged: **17/08/2023.**

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Application No: **398/2023** in Class **21** with respect of Household or kitchen utensils and containers not of precious metal or coated therewith, namely, canister sets; glassware, porcelain, and earthenware not include in other classes, namely, mugs, cups, saucers, bowls, tea pots, tea ware, namely, mugs, cups, saucers, bowls, tea pots: ceramic, glass and metal tea ware, namely, mugs, cups, saucers, bowls, tea pots; kettles, tea trays in the name of **Jing Tea Ltd** of **NA' rotham Place Bull Lane, Wrotham, Near Sevenoaks, Kent, England, TN15 7AE.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**JING**

Lodged: **17/08/2023.**

Application No: **399/2023** in Class **36** with respect of Tea; herbal tea; tea-based beverages; herbal tea-based beverages in the name of **Jing Tea Ltd of NA' rotham Place Bull Lane, Wrotham, Near Sevenoaks, Kent, England, TN15 7AE.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**JING**

Lodged: **17/08/2023.**

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Application No: **403/2023** in Class **36** with respect of Financial, monetary and banking services; insurance services; real estate services; facilitating or arranging financial transactions; financial advisory services; merchant banking; electronic debit transactions; electronic credit transactions; online financial transactions; financial transfers and transactions and payment services; electronic banking; conducting cashless payment transactions; payment processing services; processing of payments for banks; automated payment services; payment administration services; contactless payment services; loyalty program payment processing services; providing cash and other rebates for use as part of a customer loyalty program; issuing of tokens of value in relation to customer loyalty schemes; charitable collections; charitable fundraising; charitable services; investment of funds for charitable purposes. providing information relating to charitable fundraising; charitable fundraising by means of directing a portion of customer's fees to a charity of customer's choice; charitable fundraising services by means of a website where donors search for and make monetary donations to specific charities or projects in the name of **ABSA Bank Limited of 15 Troye Street, Johannesburg, Gauteng, Republic of South Africa.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

Lodged: **22/08/2023.** **ABSA EKHAYA COLLEAGUE SHARE SCHEME**

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Application No: **404/2023** in Class **31** with respect of Live poultry, live game, live chickens, turkeys and chicks; live poultry, chickens and turkeys for breeding and growing; live hatching eggs; animals feeds in the name of **AVIAGEN LIMITED of Stratford Hatchery, Alscott Industrial Estate, Atherstone On Stour, Stratford-Upon-Avon, Warwickshire, CV37 8BH, England.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

 **ROSS** Central Africa

Lodged: **22/08/2023.**

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Application No: **405/2023** in Class **36** with respect of Financial, monetary and banking services; insurance services; real estate services; facilitating or arranging financial transactions; financial advisory services; merchant banking; electronic debit transactions; electronic credit transactions; online financial transactions; financial transfers and transactions and payment services; electronic banking; conducting cashless payment transactions; payment processing services; processing of payments for banks; automated payment services; payment administration services; contactless payment services; loyalty program payment processing services; providing cash and other rebates for use as part of a customer loyalty program; issuing of tokens of value in relation to customer loyalty schemes; charitable collections; charitable fundraising; charitable services; investment of funds for charitable purposes. providing information relating to charitable fundraising; charitable fundraising by means of directing a portion of customer's fees to a charity of customer's choice; charitable fundraising services by means of a website where donors search for and make monetary donations to specific charities or projects in the name of **ABSA Bank Limited of 15 Troye Street, Johannesburg, Gauteng, Republic of South Africa.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**ABSA EKHAYA**

Lodged: **29/08/2023.**

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Application No: **406/2023** in Class **43** with respect of Restaurant services; bar services; lounge services; providing food and drinks in the name of **HILTON WORLDWIDE MANAGE LIMITED** of **Maple Court Central Park, Reeds Crescent, Watford, WD24 4QQ, United Kingdom.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**PEACOCK**

Lodged: **25/08/2023.**

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Application No: **407/2023** in Class **43** with respect of Restaurant services; bar services; lounge services; providing food and drinks in the name of **HILTON WORLDWIDE MANAGE LIMITED** of **Maple Court Central Park, Reeds Crescent, Watford, WD24 4QQ, United Kingdom.**

Address for service: **Hunt, Deltel & Co., Ltd**  
**P.O. Box 14, Victoria**  
**Mahe, Seychelles**

**PEACOCK ALLEY**

Lodged: **25/08/2023.**

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Application No: **634/2022** in Class **12** Automobiles and structural parts thereof in the name of **TOYOTA JIDOSHA KABUSHIKI KAISHA (also trading as TOYOTA MOTOR CORPORATION)** of **1, Toyota-cho, Toyota-shi, Aichi-ken, Japan.**

Address for service: **Kieran B. Shah**  
**House of Ansuya**  
**P.O. Box 2**  
**Victoria**  
**Mahe**

**BZ3X**

Lodged on: **02/12/2022.**

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Application No: **675/2022** in Class **12** Automobiles and structural parts thereof in the name of **TOYOTA JIDOSHA KABUSHIKI KAISHA (also trading as TOYOTA MOTOR CORPORATION)** of **1, Toyota-cho, Toyota-shi, Aichi-ken, Japan.**

Address for service: **Kieran B. Shah**  
**House of Ansuya**  
**P.O. Box 2**  
**Victoria**  
**Mahe**

**BZ5X**

Lodged on: **02/12/2022.**

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Application No: **72/2023** in Class **42** Scientific and technological services and research and design relating thereto; industrial analysis, industrial research and industrial design services; quality control and authentication services; design and development of computer hardware and software; installation, maintenance and updating of computer software; computer programming; computer system analysis and design; computer virus protection services; computer security

consultancy; engineering; electronic data storage; monitoring of computer systems by remote access; outsource service providers in the field of information technology; recovery of computer data; research and development of new products for others; consultancy in the field of energy-saving; energy auditing; provision of scientific information; scientific laboratory services; technical project studies; technological consultancy; telecommunications technology consultancy; scientific and technological analysis, research, development, planning, optimization, support, technical troubleshooting and consultancy services in the field of telecommunications devices, equipment, networks, systems, solutions and software; design, engineering and development of telecommunications devices, equipment, networks, systems, solutions and software; scientific and technological analysis, research, development, support, technical troubleshooting and consultancy services in the fields of artificial intelligence, nanomaterials, sensors, connectivity, information technology (IT), geolocation and mapping, navigation, computer hardware, computer software, computing technologies, data analytics, audio technologies, imaging and video technologies, digital media technologies, multimedia technologies, virtual reality technologies, radio technologies, medical and healthcare technology, public safety technology, energy technologies, transport technologies, wearable computing devices, printing, automation, connected vehicles, connected furniture, connected clothing, connected consumer products, connected home appliances, machine to machines (M2M) systems, presence capture solutions; scientific and technological analysis and research services in the fields of vehicles, furniture, medical, clothing, audio/video, home appliances and consumer products that can communicate via computer or telecommunication network, as well as support, consultancy and development services relating to all the aforementioned services; cloud computing; server hosting; software as a service (SaaS) services; infrastructure as a service (IaaS) services; platform as a service (PaaS) services; application service provider (ASP) services; providing on-line (non-downloadable ) software and mobile applications; providing temporary use of on-line non-downloadable software for use as an application programming interface (API); providing temporary use of on-line non-downloadable software development tools; rental of computer software and hardware; rental of audio, imaging, video, digital media, multimedia, virtual reality and presence capture software and hardware; data encoding and decoding services; leasing of data processing equipment; cartography services; mapping services; map creation services; on demand design services of online and digital maps; technical digital imaging services; industrial design; off-site data backup; research in the field of environmental protection and recycling; predictive analytics services relating to computer software, computer hardware and information technology (IT); information, advisory and consultancy services relating to all the aforesaid services in the name of **Nokia Corporation of Karakaari 7, 02610 Espoo, Finland.**

Address for service: **Kieran B. Shah**  
**House of Ansuya**  
**P.O. Box 2**  
**Victoria**  
**Mahe**



Lodged on: **23/01/2023.**

Application No: **188/2023** in Class **32** with respect of Beers; non-alcoholic beverages, non-alcoholic beers; mineral and aerated waters; fruit beverages and fruit juices; syrups and other non-alcoholic preparations for making beverages in the name of **CARLSBERG BREWERIES A/S of J.C. Jacobsens Gade 1, 1799 Copenhagen V, Denmark.**

Address for service: **Kieran B. Shah**  
**House of Ansuya**  
**P.O. Box 297**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged on: **12/04/2023.**

Application No: **189/2023** in Class **33** with respect of Alcoholic beverages, except beers; alcoholic preparations for making beverages; ciders; hard seltzers in the name of **CARLSBERG BREWERIES A/S of J.C. Jacobsens Gade 1, 1799 Copenhagen V, Denmark.**

Address for service: **Kieran B. Shah**  
**House of Ansuya**  
**P.O. Box 297**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged on: **12/04/2023.**

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Application No: **215/2023** in Class **39** with respect of Transportation and storage services; arranging travel tours; bus transport; car rental; car transport; chauffeur services; coordinating travel arrangements for individuals and for groups; emergency roadside assistance services, namely, towing, winch-out and key delivery services; leasing of automobiles; leasing of cars; leasing of trucks; making reservations and bookings for transportation; online transportation reservation services; passenger transport, providing an on-line searchable computer database featuring information on travel; Provision of travel information; rental car reservation; rental of moving vans; rental of GPS equipment for navigational purposes; rental of trucks; transport of travelers; transportation consulting; transportation information, travel agency services, namely, making reservations and bookings for transportation; transportation reservation services; travel clubs; travel route planning; vehicle driving services; transportation management services, namely, planning and coordinating transportation of people for others in the name of **Wizard Co., Inc. of 6 Sylvan Way, Parsippany, New Jersey 07054, United States of America.**

Address for service: **Kieran B. Shah**  
**House of Ansuya**  
**P.O. Box 297**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged on: **27/04/2023.**

**Claiming the colours:** Red and White.

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Application No: **318/2023** in Class **36** with respect of Financial services in the name of **Verod Holdings Limited of Level 10, Tower A, 1 Cybercity Ebene, Mauritius.**

Address for service: **Kieran B. Shah**  
**House of Ansuya**  
**P.O. Box 297**  
**Victoria**  
**Mahe**  
**Seychelles**

Lodged on: **30/06/2023.**

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Application No: **319/2023** in Class **41** with respect of Nightclub services (entertainment); discotheque services; entertainment services; operation of fitness and recreation clubs; musical entertainment; arranging of musical events in the name of **NAMMOS WORLD Sarl of 13-15 Boulevard des Moulins, 98000, Monaco.**

Address for service: **Kieran B. Shah**  
**House of Ansuya**  
**P.O. Box 297**  
**Victoria**

**Mahe  
Seychelles**

**NAMMOS**

Lodged on: **05/07/2023.**

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Application No: **320/2023** in Class **43** with respect of Providing food and drink for guests; serving food and drink in restaurants and bars; hospitality services (food and drink); arranging of accommodation for holiday makers; hotel services in the name of **NAMMOS WORLD Sarl of 13-15 Boulevard des Moulins, 98000, Monaco.**

Address for service: **Kieran B. Shah  
House of Ansuya  
P.O. Box 297  
Victoria, Mahe  
Seychelles**

**NAMMOS**

Lodged on: **05/07/2023.**

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Application No: **334/2023** in Class **12** with respect of Automobiles and structural parts thereof in the name of **TOYOTA JIDOSHA KABUSHIKI KAISHA (also trading as TOYOTA MOTOR CORPORATION) of 1, Toyota-cho, Toyota-shi, Aichi-ken, Japan.**

Address for service: **Kieran B. Shah  
House of Ansuya  
P.O. Box 2  
Victoria, Mahe**

**BZ5C**

Lodged on: **18/07/2023.**

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Application No: **359/2023** in Class **33** with respect of Alcoholic beverages, except beer in the name of **The Absolut Company Aktiebolag of 117 97 Stockholm, Sweden.**

Address for service: **Kieran B. Shah  
P.O. Box 2  
Victoria, Mahe  
Seychelles**



Lodged on: **07/08/2023.**

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Application No: **362/2023** in Class **36** with respect of Financial services, namely, banking; credit card services, debit card services, charge card services, pre-paid card services offered through cards with stored value, bill payment and presentment services; commercial and consumer lending and financing; real estate affairs and mortgage brokerage; trust, estate, and fiduciary management, planning and consulting; securities and fund investment and investment advisory consulting services; securities brokerage and trading services for others; facilitating secure financial transactions, namely, electronic funds transfers, electronic cash transactions, electronic credit card transactions, electronic bill payment, and electronic debit transactions; electronic financial trading services; investment services; insurance services, namely, underwriting, and brokerage of property, casualty and life insurance policies and annuity contracts; providing online interactive news and information in the banking and financial industries provided via a global computer network in the name of **Absa Bank (Seychelles) Limited of Independence Avenue, Victoria, Mahe, Seychelles.**

Address for service: **Kieran B. Shah  
P.O. Box 2  
Victoria, Mahe  
Seychelles**

**Absa Workplace Banking**

Lodged on: **08/08/2023.**

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Application No: **375/2023** in Class **33** with respect of Rum; rum-based beverages in the name of **COGNAC FERRAND** of **4 RUE DE SAINT-PÉTERSBOURG, 75008 PARIS, France**.

Address for service: **Kieran B. Shah**  
**P.O. Box 2**  
**Victoria, Mahe**  
**Seychelles**

**PLANTERAY**

Lodged on: **11/08/2023**.

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Application No: **395/2023** in Class **36** with respect Real estate affairs; Real estate management; Real estate administration; Management of apartments or villas; Apartments, buildings and residential properties management services; Buildings management [real estate services]; Apartment house management; Financial and real estate management of apartments and accommodation, such as hotels, motels, hotel complexes, apartments, residential hotels, tourist homes and other residential buildings for holiday homes and holiday camps; Sale and rental of accommodations, apartments, studios, rooms inside hotel establishments, hotel complexes, residential hotels and other residential buildings for holiday homes and holiday camps; Rental and management of accommodation for others; Rental of real estate-based timeshare; Management and rental services of real estate time-sharing; Assistance and consultancy services in the field of real estate; Management and operation of branded residences; Management and operation of extended stay serviced apartments and villas; Rental of apartments; Rental and provision of offices, office space and work areas for collective or individual use Rental and provision of common work areas or work areas to be shared; Rental of furnished offices; Business and project financing services; information, advisory and consulting services relating to all the aforesaid services: including all the aforesaid services provided electronically or online from a computer data base or is the Internet; all included in Class 36 in the name of **Raffles International Limited** of **1 Wallich Street #17-01 Guoco Tower, 078881, Singapore**.

Address for service: **Kieran B. Shah**  
**P.O. Box 2**  
**Victoria, Mahe**  
**Seychelles**



Lodged on: **14/08/2023**.

**R**

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Application No: **396/2023** in Class **43** with respect of Services for providing food and drink; temporary accommodation; hotel and resort services, hotel accommodation services; reservation services for hotel accommodation; room hire; making reservations and bookings for temporary lodgings; making reservations for long and short term stays in apartments and condominiums; provision for conference facilities, banqueting services; bar, café, restaurant services, cocktail lounge and coffee shop services, food cooking services; bookings for restaurants and meals, banquet and social function facilities for special occasions; information on hotels, resorts, accommodations and restaurants, provided by an online searchable computer database; providing a website featuring online reservation services for hotel accommodation; providing of facilities for conventions and exhibitions; childcare services [crèches]; providing online reservations and bookings for temporary lodging and accommodations; making hotel reservations for others; making reservations and bookings for others for accommodations at hotels; information, advisory and consulting services relating to all the aforesaid services; including all the aforesaid services provided electronically or online from a computer data base or via the Internet; temporary accommodations on cruise ships; restaurant and bar services provided onboard a cruise ships; all included in class 43 in the name of **Raffles International Limited** of **1 Wallich Street #17-01 Guoco Tower, 078881, Singapore**.

Address for service: **Kieran B. Shah**  
**P.O. Box 2**  
**Victoria, Mahe**  
**Seychelles**



Lodged on: **14/08/2023**.

**R**

Application No: **88/2023** in Class **33** with respect of alcoholic beverages (except beer), Preparations for making alcoholic beverages in the name of **Villon international LLC of 1300 Old Skokie Valley Road, Suite D, Highland Park, Illinois (USA) 60035.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd**  
**2<sup>nd</sup> Floor**  
**Allied Building Annex**  
**Rue de la Possession**  
**Victoria**  
**Mahe**  
**Seychelles**

**LE SERPENT**

Lodged on: **14/02/2023.**

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Application No: **89/2023** in Class **33** with respect of Alcoholic beverages (except beer), preparations for making alcoholic beverages in the name of **Villon international LLC of 1300 Old Skokie Valley Road, Suite D, Highland Park, Illinois (USA) 60035.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd**  
**2<sup>nd</sup> Floor**  
**Allied Building Annex**  
**Rue de la Possession**  
**Victoria**  
**Mahe**  
**Seychelles**

**VILLON LE SERPENT**

Lodged on: **14/02/2023.**

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Application No: **898/2023** in Class **33** with respect of Vodka and alcoholic beverages containing vodka in the name of **Villon international LLC of 1300 Old Skokie Valley Road, Suite D, Highland Park, Illinois (USA) 60035.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd**  
**2<sup>nd</sup> Floor**  
**Allied Building Annex**  
**Rue de la Possession**  
**Victoria**  
**Mahe**  
**Seychelles**

**DUCAT**

Lodged on: **24/02/2023.**

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Application No: **303/2023** in Class **16** with respect of Printed matter; tourist and travel guidebooks, books and other publications and printed matter in the field of travel; maps; travel and vacation magazines; magazines and printed publications relating to weddings, wedding planning services, wedding services, invitations, stationery, wedding protocol, venues, transport, entertainment, fireworks, catering, wedding cakes, provision of food and drink, clothing and garment rental services, dress-design services, wedding rings, hotels and hotel services, organisation of religious services, rental of marquees, photography and video services, toastmasters, beauty and haircare services; souvenir catalogues; discount cards (other than encoded or magnetic); photographs; posters; stationery. writing paper and envelopes; pens and pencils in the name of **Sandals Resorts International 2000 Inc of España Avenue, and Aquilino De La Guardia St Ner. 1 Beta Building Post Office Box 0823-04699 Panamá PANAMA.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd**  
**2<sup>nd</sup> Floor**  
**Allied Building Annex**

**Rue de la Possession, Victoria  
Mahe  
Seychelles**

*Beaches*

Lodged on: 21/06/2023.

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Application No: **304/2023** in Class **25** with respect of Clothing, footwear and headgear in the name of **Sandals Resorts International 2000 Inc** of **España Avenue, and Aquilino De La Guardia St Ner. 1 Beta Building Post Office Box 0823-04699 Panamá PANAMA.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd  
2<sup>nd</sup> Floor, Allied Building Annex  
Rue de la Possession, Victoria  
Mahe  
Seychelles**

*Beaches*

Lodged on: 21/06/2023.

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Application No: **305/2023** in Class **28** with respect of Toys, games and playthings; gymnastic and sports articles; Christmas tree decorations; playing cards in the name of **Sandals Resorts International 2000 Inc** of **España Avenue, and Aquilino De La Guardia St Ner. 1 Beta Building Post Office Box 0823-04699 Panamá PANAMA.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd  
2<sup>nd</sup> Floor, Allied Building Annex  
Rue de la Possession, Victoria  
Mahe  
Seychelles**

*Beaches*

Lodged on: 21/06/2023.

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Application No: **306/2023** in Class **43** with respect of Hotels, resort hotels, motels and guest house services; accommodation services; hotel reservation services; provision of conference and meeting facilities; restaurant, bar and cafe services; catering services; cafeteria services; catering services including the supply of celebratory cakes; crèche and nursery facilities; personal and social services rendered by others to meet the needs of individuals, namely, baby minding services, childcare services; reservation services for booking accommodation and meals; bar services and bar, wine bar, snack bar, coffee bar services; hotel-in and check-out services; provision of facilities for weddings and wedding receptions; holiday and honeymoon planning services, namely booking of accommodation and restaurants and provision of advice in relation to the aforesaid in the name of **Sandals Resorts International 2000 Inc** of **España Avenue, and Aquilino De La Guardia St Ner. 1 Beta Building Post Office Box 0823-04699 Panamá PANAMA.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd  
2<sup>nd</sup> Floor, Allied Building Annex  
Rue de la Possession, Victoria  
Mahe  
Seychelles**

*Beaches*

Lodged on: 21/06/2023.

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Application No: **307/2023** in Class **33** with respect Alcoholic beverages (except beer); Alcoholic preparations for making beverages in the name of **Luc Belaire International Ltd.** of **Suite 6, Rineanna House, Shannon Free Zone, Co. Clare, V14 CA36, Ireland.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd**

**2<sup>nd</sup> Floor, Allied Building Annex  
Rue de la Possession, Victoria  
Mahe  
Seychelles**



Lodged on: **20/07/2023.**

Application No: **338/2023** in Class **43** with respect of Services for providing food and drink; temporary accommodation, resort hotels; resort lodging services; resort hotel services; hotel services; hotels; hospitality services [accommodation]; hospitality services [food and drink]; accommodation services; hotel reservation services; provision of conference and meeting; facilities; restaurant, bar and cafe services; catering services; personal and social services rendered by others to meet the needs of individuals including, babysitting services, childcare services; reservation services for booking accommodation and meals; bar services and bar, wine bar, snack bar, coffee bar services; hotel-in and check-out services; provision of facilities for weddings and wedding receptions in the name of **GAFA FINANZIARIA S.R.L. of Roma (RM), Via Bassano Del Grappa, 24 CAP, 00195, Italy.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd  
2<sup>nd</sup> Floor, Allied Building Annex  
Rue de la Possession, Victoria  
Mahe, Seychelles**



Lodged on: **25/07/2023.**

Application No: **343/2023** in Class **30** with respect of Sugar; rock sugar; syrup; icing sugar; natural sweetener; white sugar; refined sugar; powdered sugar in the name of **Thai Roong Ruang Industry Co., Ltd. of 238 Naradhiwas Rajanagarindra Road, Chong Nonsi, Yannawa, Bangkok, 10120, Thailand.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd  
2<sup>nd</sup> Floor, Allied Building Annex  
Rue de la Possession, Victoria  
Mahe, Seychelles**



Lodged on: **28/07/2023.**

Application No: **351/2023** in Class **29** with respect of Crisps and assortments of appetizers namely, potato and vegetable crisps; dried or roasted fruits; dried seafood products; olives; gherkins; cocktail sausages; roasted peanuts, salted, dried; crustaceans fritters, crackling in the name of **Maison AH SOUNE of 38 rue Vallon Hoarau, 97430 TAMPON, FRANCE.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd  
2<sup>nd</sup> Floor, Allied Building Annex  
Rue de la Possession, Victoria  
Mahe, Seychelles**

**SPICATHO**

Lodged on: **03/08/2023.**

Application No: **352/2023** in Class **30** with respect of Biscuits; spices and assortments of appetizers, namely; puffed corn snacks; snacks; semolina; sauces; condiments; flour; peanut paste; batter mixes for making crackers in the name of **Maison AH SOUNE of 38 rue Vallon Hoarau, 97430 TAMPON, FRANCE.**

Address for service: **MacMillan's Intellectual Property Attorneys Ltd  
2<sup>nd</sup> Floor, Allied Building Annex  
Rue de la Possession, Victoria  
Mahe, Seychelles**

**SPICATHO**

Lodged on: **03/08/2023.**

Application No: **400/2023** in Class **7** with respect of agricultural machines, harvesting machines, saws [machines], haulage apparatus [mining], extractors for mines, mine borers, drilling machines, mineworking machines, machinery equipment for geological prospecting and mining process, petrochemical equipment, mixing machines, road rollers, bulldozers, excavators, loader, road building machines, railroad constructing machines, earth moving machines, excavator, carry scraper, vibrating pile driver, multi-purpose road maintainer, rammer compactor, rock drill, hoists, elevating apparatus, lifting apparatus, handling apparatus for loading and unloading, conveyors [machines], electricity generators, pistons [parts of machines or engines], motors, other than for land vehicles, belts for motors and engines, valves [parts of machines], pumps [parts of machines, engines or motors], hydraulic controls for machines, motors and engines, taps [parts of machines, engines or motors], axles for machines, transmission, other than for land vehicles, bearings [parts of machines], gear boxes other than for land vehicles, filters being parts of machines or engines, brake pads other than for vehicles, control mechanisms for machines, engines or motors, springs [parts of machines], regulators [parts of machines], pulleys [parts of machines], universal joints [Cardan joints], road sweeping machines, self-propelled, disintegrators, washing apparatus, garbage disposal units, waste disposals, snow ploughs, dust removing installations for cleaning purposes in the name of **XCMG Construction Machinery Co., Ltd.** of No. 26 Tuolanshan Road, Xuzhou Economic and Technological Development Zone, Jiangsu Province, China.

Address for service: **International Law & Corporate Services (Pty) Ltd**  
**P.O. Box 1137, Rue de la Possession**  
**Victoria, Mahe**  
**Seychelles**



Lodged on: **18/08/2023**.

Application No: **401/2023** in Class **12** with respect of electric vehicles, vehicles for locomotion by land, air, water or rail, remote control vehicles, other than toys, fork lift trucks, sprinkling trucks, trailer hitches for vehicles, lorries, automobile chassis, tipping bodies for lorries [trucks], trailers [vehicles], hose carts, tractors, mine cars, gearing for land vehicles, motors, electric, for land vehicles, clutches for land vehicles, axles for vehicles, bands for wheel hubs, engines for land vehicles, motors for land vehicles, transmission mechanisms for land vehicles, propulsion mechanisms for land vehicles, tilting-carts, turbines for land vehicles, automobiles, concrete mixing vehicles, gear boxes for land vehicles, bodies for vehicles, reduction gears for land vehicles, snowmobiles, brake pads for automobiles, self-driving cars, garbage trucks/rubbish trucks, trucks with a crane feature incorporated, amphibious vehicle, vehicle for all-terrain, hydrogen fuel car, bearing [assembly unit of vehicles], aerial conveyors, cars for cable transport installations, casting carriages, pneumatic tyres, automobile tires [tyres], tyres, solid, for vehicle wheels, hubs for vehicle wheels, vehicle chassis, treads for vehicles [roller belts], treads for vehicles [tractor type], steering wheels for vehicles, brake discs for vehicles, hydraulic circuits for vehicles, vehicle wheels, upholstery for vehicles in the name of **XCMG Construction Machinery Co., Ltd.** of No. 26 Tuolanshan Road, Xuzhou Economic and Technological Development Zone, Jiangsu Province, China.

Address for service: **International Law & Corporate Services (Pty) Ltd**  
**P.O. Box 1137, Rue de la Possession**  
**Victoria, Mahe**  
**Seychelles**



Lodged on: **28/08/2023**.

Application No: **508/2021** in Class **7** Motors and engines in the name of **Mr Nichol Chetty of La Louise, Mahe, Seychelles**.

Address for service: **Mr Nichol Chetty**  
**La Louise, Mahe**



Lodged on: **05/10/2021**.

Disclaiming the exclusive use of the word “**Seychelles**” when used separately and apart from the mark as a whole.

Application No: **178/2022** in Class **36** SERVICES RENDERED IN INSURANCE CONTRACTS OF ALL KINDS in the name of **CHOICE BROKERS (PTY) LTD** of **HANGARD STREET, MAHE, Seychelles.**

Address for service: **CHOICE BROKERS (PTY) LTD**  
**HANGARD STREET, MAHE**



Lodged on: **06/04/2022.**

Disclaiming the exclusive use of the word “**Brokers**” when used separately and apart from the mark as a whole.

Application No: **672/2022** in Class **32** Beers; non-alcoholic beverages; mineral and aerated waters; fruit beverages and fruit juices; juices; syrups and other non-alcoholic preparations for making beverages in the name of **BOSS PRIVATE FOODS** of **HERMITAGE, MONT FLEURI, MAHE.**

Address for service: **BOSS PRIVATE FOODS**  
**HERMITAGE, MONT FLEURI, MAHE**

Lodged on: **28/12/2022.**

## **SEYCHELLES WATER**

Disclaiming the exclusive use of the word “**Seychelles**” and “**Water**” when used separately and apart from the mark as a whole.

Application No: **412/2023** in Class **30** with respect of Coffee, tea, cocoa and artificial coffee; rice, pasta and noodles; tapioca and sago; flour and preparations made from cereals; bread, pastries and confectionery; chocolate; ice cream, sorbets and other edible ices; sugar, honey, teacle; yeast, baking powder; salt, seasonings, spices, preserved herbs; vinegar, sauces and other condiments; ice (frozen water) in the name of **BOSS PRIVATE FOODS** of **MONT FLEURI.**

Address for service: **BOSS PRIVATE FOODS**  
**MONT FLEURI**



**Dimyel Tropik**

Lodged on: **31/08/2023.**

Disclaiming the exclusive use of the word “**HONEY**” when used separately and apart from the mark as a whole.

Claiming colours #08B05B, #397339, #6A492A, #A58950

Application No: **249/2023** in Class **36** with respect of Insurance; financial affairs; monetary affairs; real estate affairs in the name of **TITANFX** of **C/O CREDENTIALIA INTERNATIONAL MANAGEMENT LTD, SUITE 207, 2ND FLOOR, THE CATALYST, SILICON AVENUE, 40 CYBERCITY, 72201 EBÈNE, REPUBLIC OF MAURITIUS.**

Address for service: **Azer Corporate Limited**  
**Suite C, Orion Office Complex**  
**Palm Street**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged on: **30/05/2023.**

Application No: **250/2023** in Class **36** with respect of Insurance; financial affairs; monetary affairs; real estate affairs in the name of **TITANFX** of **C/O CREDENTIALIA INTERNATIONAL MANAGEMENT LTD, SUITE 207, 2ND FLOOR, THE CATALYST, SILICON AVENUE, 40 CYBERCITY, 72201 EBÈNE, REPUBLIC OF MAURITIUS.**

Address for service: **Azer Corporate Limited**  
**Suite C, Orion Office Complex**  
**Palm Street**  
**Victoria**  
**Mahe**  
**Seychelles**



Lodged on: **30/05/2023.**

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Application No: **339/2023** in Class **43** with respect SERVICES RELATING TO TOURISM ACCOMMODATION, INCLUDING BUT NOT LIMITED TO HOTELS, RESTAURANTS, BARS in the name of from **HILL VIEW RESORTS (SEYCHELLES) LIMITED** of **INTENDENCE, MAHE.**

Address for service: **HILL VIEW RESORTS (SEYCHELLES) LIMITED**  
**INTENDENCE, MAHE**

Lodged on: **26/07/2023.**

**VIVAMENTO**

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Application No: **340/2023** in Class **43** with respect SERVICES RELATING TO TOURISM ACCOMMODATION, INCLUDING BUT NOT LIMITED TO HOTELS, RESTAURANTS, BARS in the name of from **HILL VIEW RESORTS (SEYCHELLES) LIMITED** of **INTENDENCE, MAHE.**

Address for service: **HILL VIEW RESORTS (SEYCHELLES) LIMITED**  
**INTENDENCE, MAHE**

Lodged on: **26/07/2023.**

**Mizûmi**

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Application No: **341/2023** in Class **43** with respect SERVICES RELATING TO TOURISM ACCOMMODATION, INCLUDING BUT NOT LIMITED TO HOTELS, RESTAURANTS, BARS in the name of from **HILL VIEW RESORTS (SEYCHELLES) LIMITED** of **INTENDENCE, MAHE.**

Address for service: **HILL VIEW RESORTS (SEYCHELLES) LIMITED**  
**INTENDENCE, MAHE**

Lodged on: **26/07/2023.**

**SULA**

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Application No: **344/2023** in Class **35** with respect of Advertising; business management, business administration, office functions in the name of **Benjamin Sonon TA : SEYSALES** of **Sans Soucis.**

Address for service: **Benjamin Sonon TA : SEYSALES**  
**Sans Soucis**

Lodged on: **28/07/2023.**



## **UTILITIES REGULATORY COMMISSION ACT, 2023**

*(Act 12 of 2023)*

### **ARRANGEMENT OF SECTIONS**

#### **SECTIONS**

#### **PART I - PRELIMINARY**

1. Short title and commencement
2. Interpretation

#### **PART II - THE COMMISSION**

3. Establishment of the Commission
4. Objects of the Commission
5. Functions of the Commission
6. General powers of the Commission
7. Appointment of Commissioners
8. Term of appointment of Commissioners
9. Termination of appointment of Commissioners
10. Ineligibility
11. Prohibitions and conflict of interest
12. Chairperson
13. Meetings
14. Decisions
15. Review of Decisions and appeals
16. Staff and organisation
17. Chief Executive Officer
18. Experts
19. Advisory committees
20. Delegation
21. Annual report
22. Transparency and confidentiality

#### **PART III - FUNDS OF THE COMMISSION**

23. Transfer of funds
24. Funds
25. Fees

26. Budget
27. Financial year
28. Accounts and audit

#### **PART IV - MISCELLANEOUS**

29. Non-compliance with decision or order of the Commission
30. Compounding of offence
31. Willful default by service provider in furnishing information
32. Regulations
33. Repeal and savings
34. Transitional
35. Transfer of assets

#### **SCHEDULE**



## UTILITIES REGULATORY COMMISSION ACT, 2023

(Act 12 of 023)



*I assent*



Wavel Ramkalawan  
President

*27<sup>th</sup> September, 2023*

**AN ACT TO ESTABLISH THE UTILITIES REGULATORY COMMISSION FOR REGULATING THE ELECTRICITY, WATER AND SEWERAGE SECTORS AND FOR OTHER CONNECTED OR INCIDENTAL MATTERS.**

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

### **PART I - PRELIMINARY**

#### **Short title and commencement**

1.(1) This Act may be cited as the Utilities Regulatory Commission Act, 2023.

(2) This Act shall come into operation on such date as the Minister may, by notice published in the *Gazette*, appoint.

## **Interpretation**

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

“Chairperson” means the Chairperson chosen under section 3;

“Chief Executive Officer” means the Chief Executive Officer appointed under section 17;

“Commission” means the Utilities Regulatory Commission established under section 3;

“Commissioner” means the Commissioner appointed under section 7;

“consumer” means any person who uses any service provided by a service provider, including a person who has entered into a transaction with a service provider;

“energy efficiency standards” mean a set of rules that prescribe the minimum level of energy performance for the commercial, residential, industrial, transport and public sectors, and energy-using products including but not limited to lighting appliances, transport vehicles and machinery;

“licensee” means any person who holds a licence, or who currently carries out an activity in any regulated sector;

“Minister” means the Minister responsible for utility services;

“regulatory laws” means the laws in respect of which the Commission has regulatory functions and powers;

“regulated sector” means any sector in respect of which the Commission has regulatory functions and powers, in accordance with the corresponding regulatory laws;

“service provider” means any person who provides a utility service or any other service in any regulated sector;

“tariff” means the rate charged to the customer by any person carrying out activities in any regulated sector.

“utility service” means a service specified in any regulated sector, as specified in the Schedule.

## **PART II - ESTABLISHMENT OF THE COMMISSION**

### **Establishment of the Commission**

3.(1) There is established a Commission known as the Utilities Regulatory Commission.

(2) The Commission is a body corporate.

(3) The Commission shall consist of five Commissioners, from whom one Chairperson and one Vice-Chairperson shall be chosen.

(4) The Commissioners shall be appointed in accordance with section 7 and be employed by the Commission on a part-time basis.

### **Objects of the Commission**

4.(1) The objects of the Commission are to regulate the activities of regulated sectors for adequate, reliable, cost effective and affordable services while protecting and conserving the environment.

(2) In pursuing the objects, the Commission shall carry out its functions in such a manner as to —

- (a) maintain an efficient structure for the regulated sectors to ensure their economic feasibility;
- (b) encourage investments and infrastructure development in the regulated sectors;
- (c) promote efficiency and competitiveness among the service providers;

- (d) improve the standards of service and quality of services supplied by the service providers;
- (e) comply with the policies and strategies adopted by the Government in relation to any regulated sector; and
- (f) promote the use of renewable energy, and water and energy efficiency.

### **Functions of the Commission**

5.(1) The functions of the Commission are to —

- (a) advise the Minister on the formulation of the national policy on matters relating to any regulated sector;
- (b) promote the efficient and economic development of any regulated sector;
- (c) monitor compliance with the Government's international and regional obligations relating to services in the regulated sectors;
- (d) determine the standards of service applicable to service providers in any regulated sector;
- (e) receive and evaluate applications for licences and authorisations in accordance with the corresponding regulatory laws;
- (f) issue, modify or extend licences and authorisations related to the performance of activities in the energy, water and sewerage sectors in accordance with the requirements established in any regulatory laws;
- (g) periodically approve, monitor compliance and review tariff schemes and tariffs in accordance with any regulatory laws;

- (h) monitor, enforce and ensure compliance by licensees or authorisation holders carrying out activities in any regulated sector, of the obligations and conditions established in —
  - (i) regulatory laws;
  - (ii) licences or authorisations to carry out an activity in a regulated sector;
  - (iii) regulations adopted pursuant to the regulatory laws; and
  - (iv) approved service standards;
- (i) ensure the protection of the interests of consumers in relation to the provision of a service in any regulated sector;
- (j) receive and settle disputes in regulated sectors in accordance with the regulatory laws;
- (k) propose energy efficiency standards;
- (l) promote competition to the extent that competition is feasible in any regulated sector, and in accordance with the corresponding regulatory laws;
- (m) maintain a register in the prescribed form containing records of licensees and authorisation holders carrying out activities in a regulated sector;
- (n) promote the sustainable development of regulated sectors including efficiency in the use of regulated services;
- (o) undertake inspections;
- (p) require payments of and collect fees payable under this Act and the regulatory laws; and
- (q) perform such other functions specified in this Act.

(2) In addition to the functions specified in subsection (1), the Commission shall have such other functions that have been granted to it by any regulatory laws and regulations.

### **General powers of the Commission**

6.(1) Subject to this Act and any other applicable written law, the Commission shall have all the necessary powers as are necessary and convenient for carrying out its functions.

(2) Without prejudice to the generality of the powers conferred by subsection (1), the Commission may —

- (a) require from service providers and licensees any such documents and data as may be necessary to monitor compliance with this Act, regulatory laws and regulations and licences;
- (b) apply to service providers and licensees the penalties imposed under this Act, regulatory laws and regulations and licences;
- (c) enter into contracts;
- (d) acquire by lease, sublease, easement, or as otherwise allowed by law, any improved or unimproved land or interest in land, for the purposes of this Act;
- (e) erect any building or structure required for the purposes of this Act on land belonging to or administered by the Commission;
- (f) alter or reconstruct any building or property belonging to or administered by the Commission;
- (g) dispose of by sale, lease, sublease, or easement, any building or interest in such building;

- (h) dispose of by lease, sublease, or easement any land or interest in such land;
- (i) acquire by purchase, lease, or sublease any personal property or licence which the Commission considers necessary or convenient for carrying out its objects and functions;
- (j) dispose of by sale or any other manner allowed by law, any property of the Commission;
- (k) borrow money and accept advances, contributions, gifts, or other forms of assistance;
- (l) invest or reinvest its funds;
- (m) take and hold any property as security for the payment of funds borrowed or invested;
- (n) insure or provide for the insurance of any property, project or operation against any risk;
- (o) appoint agents, attorneys or accountants;
- (p) set the rules on selection of consultants and inspectors, and on selection, promotion, remuneration and other matters related to its staff;
- (q) approve its financial, administrative and, operational procedures;
- (r) regulate the internal procedures for the imposition of sanctions in the event of statutory, regulatory or contractual infringements, and ensuring due process in the procedures;
- (s) require data and information from any other authority, organisation or person as may be necessary to perform its functions and powers;

- (t) perform any other function that may be imposed on it by regulations, licences and any other legislation to be adopted pursuant to this Act;
- (u) approve its own Code of Conduct and Ethics, which shall be respected by the Commissioners and by the staff of the Commission; and
- (v) do any such other act as may be conducive to the best attainment of its functions and objectives of this Act.

### **Appointment of Commissioners**

7.(1) The President shall appoint the Commissioners and cause their appointment to be published in the *Gazette*.

(2) A person is eligible and qualified to be appointed as a Commissioner if he or she —

- (a) demonstrates technical, financial, legal, economic or other professional experience and expertise relevant to the field of competence of the Commission; and
- (b) is not disqualified or otherwise ineligible in terms of section 10 or 11.

(3) Notwithstanding the generality of subsection (2), the composition of the Commission shall ensure that at least —

- (a) one Commissioner has technical, financial, legal, economic or other professional experience and expertise in the electricity sector; and
- (b) one Commissioner has technical, financial, legal, economic or other professional experience and expertise in the water or sewerage sector.

### **Term of appointment of Commissioners**

8.(1) The Commissioners shall be appointed for a term of five years and shall be eligible for re-appointment for an additional term of five years.

(2) Notwithstanding subsection (1), in order to promote continuity in the Commission's statutory mandate, the term of appointment of the Commissioners of the first Commission appointed under this Act shall be as follows —

- (a) two Commissioners shall be appointed for five years;
- (b) two Commissioners shall be appointed for four years;
- (c) one Commissioner shall be appointed for three years;

(3) The term of appointment of each Commissioner may be renewed once.

(4) A Commissioner shall continue in office after the expiry of his or her term until he or she has been re-appointed, or his or her successor has been appointed, provided that a Commissioner shall not hold office pursuant to this subsection for a period longer than twelve months.

(5) Where the post of any Commissioner for any reason becomes vacant before the expiration of his or her term —

- (a) the Chairperson of the Commission, or the Vice-Chairperson in the absence of the Chairperson, shall immediately notify the President; and
- (b) a replacement Commissioner shall, within three months from the date the vacancy arose, be appointed in accordance with the provisions of section 8 for the remaining term of office of that Commissioner.

### **Termination of appointment of Commissioners**

9.(1) The President may terminate the appointment of a Commissioner if the Commissioner —

- (a) fails to comply with prohibitions and obligations, or has a conflict of interest, in terms of section 11;

- (b) is absent from office for three consecutive meetings of the Commission without leave of the Chairperson;
- (c) is declared bankrupt;
- (d) is incapacitated by physical or mental illness, or when it is certified in a report prepared by a recognised medical facility that the Commissioner cannot continue his or her duties for the remaining term;
- (e) is convicted of a criminal offence involving dishonesty, fraud or moral turpitude;
- (f) is guilty of misconduct; or
- (g) becomes ineligible for any of the reasons specified in sections 10 or 11.

### **Ineligibility**

**10.** A person shall be ineligible to hold office as a Commissioner if such person —

- (a) does not comply with the eligibility requirements indicated in section 7(2);
- (b) holds any position, paid or unpaid, in a service provider in any regulated sector;
- (c) has been convicted of an offence involving dishonest or fraudulent acts within or outside Seychelles;
- (d) has been adjudged as an insolvent by a competent court; or
- (e) was terminated from public service due to poor performance or misconduct.

### **Prohibitions and conflict of interest**

**11.(1)** A Commissioner shall not acquire, hold or maintain directly or

indirectly any personal, property or pecuniary interest in any service provider or licensee in any regulated sector.

(2) A Commissioner has a conflict of interest in a subject matter before the Commission if the subject matter relates to property or pecuniary interest owned, directly or indirectly, in any service provider or licensee in any regulated sector by a relative of that Commissioner.

(3) If an interest referred to in subsections (1) or (2) arises by way of succession or testamentary disposition or for any other reason, the Commissioner shall —

- (a) immediately notify the Commission in writing; and
- (b) divest himself or herself from such interest within a period of three months of such interest being acquired; or
- (c) resign from the Commission.

(4) At the time of his or her appointment, each Commissioner shall submit to the Commission a statement in writing to the effect that he or she does not have any interest referred to in subsections (1), (2) or (3).

(5) A Commissioner shall not accept employment or enter into a contract of service with a service provider of a regulated sector —

- (a) throughout his or her term of appointment; or
- (b) within two years of the date of ceasing to be a Commissioner.

### **Chairperson**

12.(1) The Chairperson shall be the principal representative of the Commission, and the Vice-Chairperson shall act for the Chairperson in the event of his or her temporary disability or absence.

(2) The Chairperson shall —

- (a) determine the agenda, date and time of the Commission meetings and administer the meetings;
- (b) represent the Commission at official and public organisations and events; and
- (c) sign contracts and agreements as authorised by the Commission.

### **Meetings**

13.(1) The Commission shall meet as often as it deems necessary but not less than twice every month, upon an invitation from the Chairperson or his or her replacement.

(2) The Chairperson shall notify all the Commissioners of the date and venue of the meeting, at least three working days before the date of the meeting.

(3) Two Commissioners may request in writing or by electronic means to the Chairperson to convene a meeting of the Commission to discuss specified matters.

(4) The Chairperson shall, upon receiving a request under subsection (3) convene a meeting within a period that shall not exceed four days from the date of receiving the request.

### **Decisions**

14.(1) Three Commissioners shall constitute quorum for any meeting.

(2) If a meeting fails to constitute a quorum, the Chairperson shall adjourn the meeting to another date not earlier than five working days from that day, and shall notify the members accordingly.

(3) All decisions of the Commission shall be taken by a simple majority of the members present and voting.

(4) In the event of a tie in votes cast, the Chairperson or his or her replacement shall have a casting vote.

### **Review of decisions and appeals**

**15.(1)** The Commission may review its decisions and revoke them, on its own initiative or upon the request of any of the parties affected by the decisions.

(2) Any person dissatisfied with any order or decision of the Commission may appeal to the Fair Trading Tribunal established under section 14 of the Fair Trading Act, 2022.

(3) An appeal shall not of itself stay or suspend the operation of any decision or order of the Commission but the Tribunal may by order, stay or suspend, in whole or part, the operation of the decision or order of the Commission pending the appeal.

### **Staff and organisation**

**16.(1)** The Commission may —

- (a) employ technical, professional, ancillary and such other staff as may be necessary to carry out the functions of the Commission;
- (b) appoint external consultants or inspectors;
- (c) set its internal organisation and operational procedures;
- (d) approve its own rules on —
  - (i) selection of consultants and inspectors;
  - (ii) selection, promotion and other matters related to its staff; and
  - (iii) the criteria of selection which in all cases shall comply with the principles of transparency,

objectivity and non-discrimination, and shall be based on professional qualifications and merit.

(2) The remuneration, compensations, and benefits of the staff of the Commission shall be calculated and determined in accordance with the Government's remuneration policies.

### **Chief Executive Officer**

17.(1) The Commission shall appoint a person as the Chief Executive Officer to manage the day-to-day affairs of the Commission, on such terms and conditions as the Commission determines.

(2) Notwithstanding the generality of subsection (1), the Chief Executive Officer shall —

- (a) be responsible for the supervision of the work and staff of the Commission;
- (b) follow up the financial and administrative affairs and cooperate with any other authority;
- (c) prepare the annual budget and accounts of the Commission and present it to the Commission for approval;
- (d) prepare the annual report of the Commission and present it to the Commission for approval;
- (e) perform the functions entrusted to him or her under this Act, any regulatory law or the Commission; and
- (f) attend meetings of the Commission when required by the Chairperson or his or her replacement, provided that he or she shall not have voting rights in the meetings.

### **Experts**

18.(1) The Commission may appoint or engage persons having technical or other special knowledge to assist the Commission in performing its functions.

(2) The Commission shall determine the remuneration of persons engaged under subsection (1).

### **Advisory committees**

**19.(1)** The Commission may appoint advisory committees for matters related to the functions of the Commission for such period as may be determined by the Commission.

(2) The Commission shall determine the terms of reference and the remuneration for the members of the advisory committees.

(3) The members of the advisory committee appointed under subsection (1) shall not be considered as staff of the Commission.

(4) The opinions or recommendations made by an advisory committee appointed under subsections (1) are not binding on the Commission but may be considered by the Commission in making decisions related to its functions.

### **Delegation**

**20.** The Commission may delegate, in writing, to one or more Commissioners or to the Chief Executive Officer, the power to carry out on behalf of the Commission such functions as the Commission may determine, except the functions specified under section 5 (1) (e), (f), (g), and (h).

### **Annual report**

**21.** The Commission shall, not later than 6 months after the end of each financial year, prepare in such form as may be prescribed, an annual report giving full account of its activities during the previous year, and shall submit the report together with the audited statement of accounts to the Minister, who shall cause the report and accounts to be tabled before the National Assembly.

### **Transparency and confidentiality**

**22.(1)** The Commission shall, while exercising its powers, discharging

its duties and adopting its decisions, make available on its website all relevant data and information, for transparency purposes.

(2) The Commission shall —

- (a) justify its decisions; and
- (b) publish its decisions.

(3) The Commission shall —

- (a) make publicly available all relevant information, files, records and data related to any regulated sector, except those containing confidential information; and
- (b) publish a balance sheet and a summary of its budget at the end of each financial year.

(4) The confidentiality of decisions or of any kind of documents or information referred to in subsection (3) shall —

- (a) not be presumed; and
- (b) need to be explicitly determined and justified by the Commission.

(5) The Commission shall develop a website, making available relevant information and legislation, including —

- (a) laws and regulations related to the regulated sectors or applicable to them;
- (b) its own decisions;
- (c) its annual reports,
- (d) consultation documents and information related to public hearings;

- (e) its internal organisation and procedures; and
- (f) any other relevant information concerning the regulated sectors.

(6) The Commission may hold public hearings and issue consultation documents when it considers this necessary, in order to inform and to seek opinion from persons carrying out activities in any regulated sector, to consumers or to any interested person in respect of a matter that is relevant for or has a significant impact on —

- (a) the rights, obligations or interests of licensees, authorisation holders or consumers, or
- (b) the regulation and development of any regulated sector.

(7) Without prejudice to the generality of subsection (6), the Commission shall hold a public hearing or shall issue consultation documents where it is required by a regulatory law or before setting or reviewing tariffs.

### **PART III - FUNDS OF THE COMMISSION**

#### **Transfer of funds**

23.(1) The Commission shall have its own funds, and all the funds transferred from the Seychelles Energy Commission constituted under the Energy Act, 2012 shall be credited to the Commission funds.

(2) All payments made by the Commission and all expenses incurred by the Commission shall be made from the funds.

#### **Funds**

24.(1) The funds of the Commission shall consist of —

- (a) the fees that may be levied on a service provider pursuant to section 25;

- (b) the funds transferred from the Seychelles Energy Commission in accordance with section 23;
- (c) moneys received by the Commission by way of donations or grants for the purposes of the Commission;
- (d) moneys approved by an Appropriation Act;
- (e) other funds, assets or resources as may be assigned under the applicable laws and regulations; and
- (f) the interests and profits generated from the management of its own funds.

### **Fees**

**25.(1)** All service providers carrying out an activity in any regulated sector shall pay to the Commission an annual supervision fee.

(2) The fee referred to under subsection (1) shall be fixed by the Commission for each individual service provider and for each licensee in accordance with the internal financial procedures set by the Commission.

(3) The Commission shall, not later than sixty days before the beginning of the financial year, determine with respect to each licensee, and subject to this Act, an annual assessment pursuant to subsection (1) and (2), and notify each licensee of the annual assessment to which it is subject.

(4) Each licensee shall pay to the Commission the supervision fee fixed pursuant to subsections (1), (2) and (3) in two equal installments on the fifteenth day of January and the fifteenth day of July in each year.

(5) The Commission shall prepare, on or before the 1st day of April in each year, an accountability report of the funds received pursuant to subsections (1), (2), (3) and (4) and submit it to the Minister.

(6) Where a service provider fails to pay the supervision fee under subsection (1) and (2), the Commission may recover such fee in such manner as may be prescribed.

(7) The maximum amount which may be levied on a service provider pursuant to subsections (1) and (2) is two percent of the gross sales of the service provider.

(8) Every service provider shall pay licence fees, application fees, and any other fee that may be determined and required by other regulatory laws and regulations.

### **Budget**

**26.(1)** The Commission shall prepare and determine its annual budget.

(2) Each year and not later than the 15th day of November, the Commission shall prepare and approve estimates of the income and expenditure of the Commission for the following year, including its capital budget for the financial year.

(3) If the estimated budget resources for the year resulted in being insufficient due to unforeseeable occurrences at the time of budget preparation, the Commission shall be entitled to a complementary charge, subject to the approval of the Cabinet, to meet its financial needs and obligations.

(4) If the estimated budget resources for the year exceed the actual expenses of that year, the surpluses shall be accrued as income for the subsequent financial year.

### **Financial year**

**27.(1)** Subject to subsection (2), the financial year of the Commission shall be a period of 12 months ending on 31st December of each year.

(2) The first financial year of the Commission shall end on 31st December of the year next following the date on which this Act comes into operation.

### **Accounts and audit**

**28.(1)** The Commission shall keep proper accounts and other relevant

records of accounts, and prepare, in respect of each financial year, a statement in such form and manner as may be prescribed by regulations.

(2) The accounts of the Commission shall be audited by the Auditor General in accordance with Article 158 of the Constitution.

## PART IV - MISCELLANEOUS

### Non-compliance with decision or order of the Commission

29. A service provider or licensee that refuses or fails to comply with a decision or order of the Commission under this Act or to a regulatory law commits an offence and shall, on conviction, be liable to a fine not exceeding level 7 in the Schedule of the Criminal Offences (Standard Scale of Fines) Act, 2021.

### Compounding of offences

30.(1) Where the Chief Executive Officer is satisfied that an offence under section 29 has been committed by any person and the person admits to committing the offence, accepts liability for the commission of the offence and agrees in writing to the matter being dealt with under this section, the Chief Executive Officer may, in consultation with the Attorney General, compound the offence *in lieu* of instituting legal proceedings by accepting a sum of not more than the maximum fine specified for the offence.

(2) A sum of money received under this section shall be dealt with as though it were a fine imposed by a Court.

(3) The Chief Executive Officer shall determine the sum of money to be paid by the offender having due regard to the provisions of this Act, the nature, circumstances, extent and gravity of the offence, the past behavior of the offender and the financial benefit accrued to the offender from the failure or refusal to comply with the decision or order of the Commission.

(4) An *ad-hoc* compounding committee may be established to advise the Chief Executive officer in determination of the sum of money to be paid by the offender in accordance with subsection (1).

(5) Upon determination of the sum of money to be paid by the offender by way of fine in accordance with subsection (3), the Chief Executive Officer shall sign the compounding agreement and serve it on the offender who shall pay the sum of money within 14 days from the date of service of the compounding agreement.

(6) In the event that the offender fails to pay the sum of money within the period set out in subsection (5), the compounding agreement shall be void and the judicial proceedings shall be instituted or continued as the case may be.

(7) On payment of the sums provided under this section, the compounding of any offence under subsection (1) shall be filed in court and any proceedings in connection with the commission of the offence which are pending shall be noted as compounded and the offender absolutely discharged.

(8) The compounding of an offence under this section shall be conclusive and final and no court proceedings shall be instituted for that offence.

(9) In any proceedings brought against any person for an offence under section 29, it shall be a defence if the person proves that the offence has been compounded under this section.

### **Willful default by service provider in furnishing information**

**31.** Where the Commission serves a notice on any service provider or licensee requiring information to comply with its functions under this Act or any regulatory law, the licensee who refuses or fails to comply with the order of the Commission is liable to pay an administrative penalty of SCR5,000, and in the case of a continuing refusal or failure, a further penalty of SCR1,000 for each day during which the refusal or failure continues.

### **Regulations**

**32.(1)** The Minister may make Regulations for carrying into effect the provisions of this Act.

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

- (a) form of register of licensees and authorisation holders;
- (b) form of annual report;
- (c) calculation of fees to be paid by the service providers or licensees;
- (d) recovery of fees from service providers; and
- (e) keeping records of accounts.

### **Repeal and savings**

33.(1) The Energy Act, 2012 is repealed.

(2) Notwithstanding the repeal under subsection (1), any regulations and directions issued and notifications made under the repealed Act shall continue in operation until they are repealed or amended under this Act.

### **Transitional**

34. Upon the coming into operation of this Act —

- (a) all acts done or commenced by or under the repealed Act prior to the date of operation of this Act, and where such act is within the powers of the Commission, shall be carried on and completed by or under this Act;
- (b) all acts done, decisions taken, licences or authorisations granted by the Minister or by the Commission, the Chief Executive Officer, officers or employees of the Commission under the repealed Act which were validly done, taken, or granted under any written laws or pursuant to the repealed Act shall continue to have effect in accordance with their terms or until amended, annulled, or withdrawn in accordance with this Act;

- (c) all agreements, deeds, bonds or arrangements which fall within the scope of the objects and functions of the Commission under the repealed Act, to which the Commission is a party, and that exists immediately before the date of coming into force of this Act, shall continue in force and shall be enforceable by or against the Commission as if the Commission had been a party to such deeds, bonds, agreements, or arrangements;
- (d) all debts, obligations and liabilities incurred, all contracts entered into, and all matters engaged to be done by or for the Government immediately before such day for or in connection with the objects of the Commission under the repealed Act shall be incurred by the Commission and the Commission shall have all powers necessary to take possession of, recover and deal such assets, and discharge such liabilities;
- (e) all suits and legal proceedings pending or which could have been instituted by or against the Government immediately before such day for any matter in relation to the Commission under the repealed Act, shall be continued or instituted as if the Commission was a party to them;
- (f) all officers and other employees of the Commission under the repealed Act shall be deemed to be officers and employees of the Commission on conditions not less favourable than those existing immediately prior to the said date of repeal.

### **Transfer of assets**

35.(1) The Board established under the repealed Act may vest in or transfer to the Commission immediately before the coming into operation of this Act —

- (a) movable and immovable properties vested in the Commission constituted under the repealed Act;

- (b) assets, rights, interests, privileges, liabilities and obligations of the Commission constituted under the repealed Act.

(2) Where a question arises as to whether a particular movable or immovable property, asset, right, interest, privilege, liability or obligation has been transferred to or vested in the Commission under subsection (1), a certificate issued under the hand of the Minister shall be conclusive evidence that the movable or immovable property, asset, right, interest, privilege, liability or obligations was or was not so transferred or vested.

## **SCHEDULE**

*(Section 2)*

### **Utility services**

1. Generation, distribution or supply of electricity;
2. Distribution or supply of water; or
3. Supply of sewerage services.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 12<sup>th</sup> September, 2023.



Mrs. Tania Isaac  
Clerk to the National Assembly

**CONTROL OF SUPPLIES AND SERVICES (AMENDMENT)  
BILL, 2023**

*(Bill No. 18 of 2023)*

**EXPLANATORY STATEMENT OF OBJECTS OF AND REASONS  
FOR THE BILL**

This Bill seeks to amend the Control of Supplies and Services Act (Cap 49) to increase the maximum amount of fines that may be imposed by way of regulations.

**Dated this 29<sup>th</sup> day of September, 2023.**

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

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**CONTROL OF SUPPLIES AND SERVICES (AMENDMENT)  
BILL, 2023**

*(Bill No. 18 of 2023)*

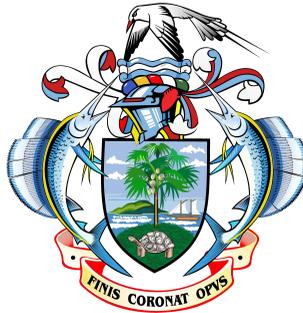
**ARRANGEMENT OF SECTIONS**

**SECTIONS**

1. Short titles
2. Amendment of section 2

**CONTROL OF SUPPLIES AND SERVICES (AMENDMENT)  
BILL, 2023**

*(Bill No. 18 of 2023)*



**A BILL**

**FOR**

**AN ACT TO AMEND THE CONTROL OF SUPPLIES AND SERVICES ACT, CAP. 49.**

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

**Short title**

1. This Act may be cited as the Control of Supplies and Services (Amendment) Act, 2023.

## **Amendment of Section 2**

**2.** Paragraph (e) of subsection (2) of section 2 of the Control of Supplies and Services Act, (Cap 49) is repealed and substituted with the following paragraph —

- “(e) create offences for breaches thereof and provide that such offences be punishable with imprisonment for a term not exceeding two years or with fine not exceeding level 2 of the Standard Scale or with both.”.

## **ELECTRICITY ACT, 2023**

*(Act 13 of 2023)*

### **ARRANGEMENT OF SECTIONS**

#### **Sections**

#### **PART I - PRELIMINARY**

1. Short title and commencement
2. Interpretation

#### **PART II - ELECTRICITY STRATEGY AND PLANNING**

3. Integrated electricity planning
4. Approval and effects of the Integrated Electricity Plan

#### **PART III - ACTIVITIES AND ORGANISATION OF THE ELECTRICITY SECTOR**

5. Activities
6. Exclusivity to perform activities
7. Regulation and deregulation of activities in the electricity sector

#### **PART IV - ELECTRICITY ACTIVITIES**

8. Generation
9. Procurement of new generation capacity applicable to generation licensees
10. Procurement of new generation capacity applicable to generation authorisation holders
11. Transmission
12. Distribution
13. Supply
14. Procurement requirements applicable to transmission, distribution and supply
15. Access and use of transmission and distribution grids
16. Accounts
17. Compliance with decisions of the Commission

18. Inspections by the Commission or authorised persons
19. Public Consultation and hearings

### **PART V - LICENCES AND AUTHORISATIONS**

20. Licence
21. Authorisation
22. Persons already performing electricity related activities
23. Application
24. Decision of the Commission
25. Register
26. Effects of licence
27. Effects of authorisation
28. Notification to the Minister
29. Restrictions on a licensee
30. Prohibited conduct by licensee or by authorisation holder
31. Abandonment
32. Expiration of licence

### **PART VI - TARIFFS**

33. Tariff setting and review
34. Tariff Principles

### **PART VII - CONSUMER RIGHTS AND PROTECTION**

35. Duty of suppliers to consumers
36. Complaints from consumers
37. Payment and suspension of service
38. Suspension or disconnection notice
39. Consumer protection standards
40. Procedure for dealings with complaints
41. Quality of service standards and targets
42. Obligations of electricity consumers
43. Unforeseen events

### **PART VIII - DISPUTE RESOLUTION**

44. Dispute resolution

## **PART IX - AUTHORITIES**

45. Functions of the Commission
46. Functions of the Minister
47. Regulations

## **PART X - ACCESS FOR ELECTRICAL FACILITIES**

48. Access to property
49. Electrical facilities of licensee
50. Access to land
51. Enclosures

## **PART XI - OFFENCES**

52. Constructs electricity facilities without a licence or authorisation
53. Performing an activity without licence or authorisation
54. Breach of conditions of licence
55. Fraudulently obtains service
56. Violation of prescribed tariffs
57. False or misleading statements
58. Obstructing an inspector
59. Fails to give access to transmission or distribution networks
60. Fails to give written warnings
61. Destroying or tampering documents

## **PART XII - MISCELLANEOUS**

62. Collection of fees
63. Easements
64. Consequential amendment
65. Transitional provision



## **ELECTRICITY ACT, 2023**

*(Act 13 of 2023)*



*I assent*

A handwritten signature in black ink, appearing to read "Wavel".

Wavel Ramkalawan  
President

*27<sup>th</sup> September, 2023*

**AN ACT TO MAKE PROVISION FOR ELECTRICITY RELATED ACTIVITIES  
AND FOR OTHER CONNECTED OR INCIDENTAL MATTERS.**

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

### **PART I - PRELIMINARY**

#### **Short title and commencement**

1.(1) This Act may be cited as the Electricity Act, 2023.

(2) This Act shall come into operation on such date as the Minister may, by notice published in the Gazette, appoint.

## **Interpretation**

2. In this Act unless the context otherwise requires —

“authorisation” means the authorisation granted under section 21;

“autogenerator” means a consumer who generates electricity on the consumer's own premises for the consumers' own consumption, whether residential or commercial, and who may sell the electricity generated to the local supplier; and the terms “auto-generate” and “auto-generation” shall be construed accordingly;

“cogeneration” means the combined production of heat and electricity;

“cogenerator” means the person carrying out cogeneration”;

“Commission” means the Commission established under section 3 of the Utilities Regulatory Commission Act, 2023;

“consumer” means any person who uses any service provider including a person who has entered into a transaction with a service provider;

“distribution” means conveyance of electricity at voltage level of below 33 KV, as prescribed; and “distribute” shall be construed accordingly;

“distribution operator” means a person who distributes electricity within an area specified in its licence;

“distributed generation” means the electricity fed into the electric system at a voltage level of below 33 KV from a power producer connected to the distribution grid as may be approved by the Commission from time to time;

“electricity related activity” means the generation, transmission, distribution or supply of electricity;

“environmental legislation” means —

- (a) the Environment Protection Act, 2016 and Regulations made under that Act; and
- (b) any other written law or regulation which governs environmental matters;

“feed-in-tariff” means the regime that may be established by the Commission pursuant to subsection (5) of section 9 of the Act,;

“generation” means the production of electricity and the terms “generate” shall be construed accordingly;

“generator” means a person who performs generation of electricity;

“Integrated Electricity Planning” means the planning for the electricity sector prepared and approved pursuant to section 3;

“licence” means a licence issued under section 20;

“licensee” means the holder of a licence and includes an authorisation holder;

“Minister” means the Minister responsible for energy;

“net billing” means a distributed generation regime that allows a person to sell all the electricity produced by him or her at a regulated rate and to purchase the electricity that such person consumes at another regulated rate and as prescribed;

“net metering” means a distributed generation regime that allows a person to sell the excess of electricity at a regulated rate and as prescribed;

“power purchase agreement” means an agreement for selling electricity produced by the generation licensee during the term and under the prices and other conditions established in such power purchase agreement;

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

“procuring entity” means the person or authority responsible for the tender procedure, which shall be determined by regulations;

“Public Utilities Corporation” means the Corporation established under section 3 of the Public Utilities Corporation Act, (Cap 504);

“renewable energy sources” mean energy from natural non-depleting sources, including wind, solar, biomass, geothermal, hydro, ocean and tidal energy, landfill gas, biogases, biodegradable fraction of municipal and industrial waste and such other sources as prescribed by regulations;

“service area” means the area within which a transmission operator or a distribution operator transmits or distributes electricity, which is specified in the corresponding licence;

“Standards Scale” means the standard scale of fines specified under the Criminal Offences (Standard Scales of Fines) Act, 2021;

“supply” means the sale of electricity to consumers or to another supplier;

“supplier” means a person who performs supply of electricity;

“tariff” means the rate charged to the customer by any person carrying out activities in the electricity sector.

“transmission” means conveying of electricity at high voltages, and the grids that interconnect two or more islands, as

prescribed; and the term “transmit” shall be construed accordingly;

“transmission operator” means a person who performs transmission of electricity;

## **PART II - ELECTRICITY STRATEGY AND PLANNING**

### **Integrated Electricity Plan**

3.(1) The distribution operators shall within twelve months of the coming into operation of this Act, prepare an Integrated Electricity Plan which shall —

- (a) comply with the requirements of this Act and those prescribed by regulations;
- (b) include a plan for normal, optimistic, and pessimistic scenarios;
- (c) have a ten-year planning horizon, or any other different horizon required by regulations or by the Minister; and
- (d) contain the analysis, studies, information and projections as prescribed by regulations.

(2) The content of the Integrated Electricity Plan may be prescribed by regulations but shall be required to include —

- (a) an assessment of the electricity demand growth;
- (b) the identification of policy commitments related to the energy matrix, taking into account any energy or electricity targets adopted by the Government;
- (c) a projection of the new generation expansion requirements to meet the projected new demand;
- (d) an estimation of generation that may be generated by distributed generation;

- (e) recommendations related to new generation capacity, including recommended technology and its geographical spread, that will be required to meet new demand or to replace existing generation plants, as necessary to —
  - (i) fulfil international commitments of the Government; and
  - (ii) comply with the requirements of the Energy Policy or any sector strategy;
- (f) a projection of new generation capacity in conjunction with transmission planning, and investment and operating costs analysis of various electricity generation resources and technology;
- (g) the reviews to which it will be subject;
- (h) the identification of the expansion or upgrade in the transmission and distribution grids as necessary to —
  - (i) meet new demand of electricity;
  - (ii) interconnect new areas or consumers;
  - (iii) upgrade quality of service; and
  - (iv) interconnect the recommended new generation capacity projected in accordance with this section and as prescribed.
- (3) The Integrated Electricity Plan shall identify —
  - (a) generation capacities that distribution operators intend to develop by themselves; and
  - (b) the generation capacities that may be developed by —

- (i) generators or auto-generators that are not exempted from the obligation of obtaining a licence; or
- (ii) distributed generation.

(4) The Integrated Electricity Plan shall be reviewed every three years unless a different term is required by regulations or the Minister,

### **Approval and effects of the Integrated Electricity Plan**

4.(1) The distribution licensees shall submit the Integrated Electricity Plan to the Minister for approval.

(2) The Minister shall, after consulting with the Commission, in respect of the Integrated Electricity Plan submitted —

- (a) approve it as submitted;
- (b) approve it with the modifications; or
- (c) require the distribution licensees and authorisation holders for distribution of electricity to include additional analysis, information, projections or to make modifications thereto.

(3) The Minister and the Commission shall exercise their functions in compliance with the Integrated Electricity Plan approved by the Minister.

(4) Compliance with the Integrated Electricity Plan approved by the Minister shall be mandatory for all licensees and authorisation holders performing activities in the electricity sector.

## **PART III - ACTIVITIES AND ORGANISATION OF THE ELECTRICITY SECTOR**

### **Activities**

5.(1) The activities in the electricity sector that a person may perform pursuant to this Act are generation, transmission, distribution, supply and sale of electricity.

(2) A person who intends to carry out an activity in the electricity sector shall apply for, and obtain, either a licence or an authorisation, as the case may be, in accordance with the requirements established in Part V of this Act.

### **Exclusivity to perform activities**

6.(1) No person shall have exclusivity to generate electricity.

(2) A transmission operator may have exclusivity to transmit electricity within its service area and in accordance with the conditions specified in its licence.

(3) A distribution operator may supply electricity to the consumers located within its area of distribution in accordance with the terms and conditions specified in its licence.

(4) A distribution operator may have temporary exclusivity to supply electricity to consumers located within its area of distribution but such exclusivity shall end or be limited if a decision of total or partial deregulation of the electricity sector is made pursuant to section 7.

(5) If a decision of total or partial deregulation of the electricity sector is made pursuant to section 7, the local distribution operator shall continue to supply electricity to all consumers located in its area of distribution until a consumer is allowed to choose a supplier of his or her choice.

(6) The suppliers may be licenced to supply electricity to consumers or to other suppliers provided that a decision of total or partial deregulation of the electricity sector is decided pursuant to section 7.

(7) Auto-generators may be allowed to sell electricity to a supplier provided that they are allowed to do so pursuant to —

- (a) a distributed generation scheme adopted pursuant to this Act; or
- (b) an agreement with a distribution operator or supplier.

(8) The regulations that the Minister may make pursuant to subsection (2) of section 20 and the licences that the Commission may grant, modify or extend, shall be in accordance with the requirements of this section.

### **Regulation and deregulation of activities in the electricity sector**

7.(1) Until the deregulation of the electricity sector is approved by the Minister in consultation with the Commission in accordance with the requirements of sub-sections (2), (3), and (4) —

- (a) auto-generators and generators shall sell electricity to the local distributor at the prices approved by the Commission; and
- (b) generators shall comply with the procurement requirements established under section 9.

(2) The Minister may, in consultation with the Commission, determine by regulations —

- (a) a total deregulation of the electricity sector; or
- (b) a partial deregulation of the electricity sector.

(3) If a total deregulation of the electricity sector is determined pursuant to sub-section (2), the supply of electricity shall be freely negotiated between all consumers, suppliers, generators and auto-generators.

(4) If a partial deregulation of the electricity sector is determined pursuant to sub-section (2), the supply of electricity shall be freely negotiated only between certain consumers, suppliers, generators, and auto-generators, as specified in the decision adopted pursuant to sub-section (2);

(5) If a total or partial deregulation is determined pursuant to sub-section (2), persons other than distribution operators may be licenced to supply electricity.

(6) A person may be authorised to perform the activity of supplying electricity to charge electric vehicles provided that such activity is prescribed by regulation, in which case the person —

- (a) will be treated as suppliers of electricity in relation to the person's activity in the electric sector; and
- (b) shall comply with all the requirements established under this Act, regulations made under this Act or other specific laws and regulations governing electrical mobility in Seychelles.

#### **PART IV - ELECTRICITY ACTIVITIES**

##### **Generation**

8.(1) A generator, an auto-generator, or a co-generator may be allowed to generate electricity provided that such person —

- (a) complies with the procurement requirements established in accordance with section 9; and
- (b) obtains the licence as required by Part V of this Act.

(2) In addition to generators, any other person who distributes or supplies electricity may be allowed to generate electricity, provided that such person obtains a licence that allows the person to carry out the activity of power generation.

(3) An auto-generator exempted from the obligation of obtaining a licence pursuant to section 21 may generate electricity, provided that such person —

- (a) obtains the authorisation required by section 21;
- (b) is allowed to sell the electricity generated on its own premises pursuant to a net metering, net billing or other distributed generation scheme adopted in accordance with the requirements of this Act; or

- (c) is a co-generator that is currently selling electricity or that has been exempted from the obligation of obtaining a licence.

(4) The Commission may adopt a net metering, a net billing or any other distributed generation regime which shall establish related prices and other requirements of such regime.

- (5) The Commission may approve a feed-in-tariff.

### **Procurement of new generation capacity applicable to generation licensees**

9.(1) The Commission shall not grant a generation licence unless —

- (a) a tender for the procurement of new generation has been launched and concluded in accordance with subsections (2) and (3); and
- (b) a feed-in-tariff scheme has been adopted in accordance with the requirements of subsections (4) and (5), and the applicant for a generation licence complies with the requirements established for the feed-in-tariff scheme.

(2) A tender for procuring new generation capacity may be launched at any time by the procuring entity, provided that the generation capacity procured complies with the requirements and conditions of the Integrated Electricity Plan prepared and approved by the Minister pursuant to sections 3 and 4 of this Act.

(3) The Minister shall, within 6 months of the date of coming into operation of this Act, make regulations establishing the process and requirements for the procurement of new generation capacities, detailing at least —

- (a) the institution or authority acting as the procuring entity;
- (b) the institution or authority that shall prepare and approve procurement documents; and

(c) all stages of the tender procedure.

(4) The Commission may approve a technology-specific price cap for competitive procurement processes for procuring new generation capacities, provided that such a scheme complies with the requirements of the Integrated Electricity Plan.

(5) The Commission may approve a feed-in-tariff scheme which shall establish the prices to be paid for the electricity generated, and all other applicable requirements including those related to the type of energy sources used for the generation of electricity and installed capacity.

(6) Sub-sections (1), (2), (3), (4), and (5) shall not apply to persons who, at the date of commencement of this Act, are performing generation, in which case they shall only apply for a licence in accordance with the requirements of Part V.

### **Procurement of new generation capacity applicable to generation authorisation holders**

**10.(1)** The Commission may grant a generation authorisation without requiring any prior procurement required by section 9, provided that the requirements established in regulations for the grant of authorisations are complied with by the applicant.

(2) All persons who, at the date of coming into operation of this Act, are performing auto-generating electricity shall apply for an authorisation in accordance with the requirements of Part V.

### **Transmission**

**11.(1)** Any person who intends to perform electricity transmission shall apply for and obtain a licence in accordance with the provisions of this Act.

(2) A person who intends to apply for a licence that allows such a person to perform transmission activities shall previously comply with the procurement requirements prescribed by this Act and regulations.

(3) For the avoidance of doubt, the procurement requirements established pursuant to subsection (2) shall not apply to persons who, at the date of commencement of this Act, are performing transmission, in which case they are only obliged to apply for and obtain a licence or an authorisation in accordance with Part V.

(4) Transmission operators shall —

- (a) allow access and use of the capacity of their transmission grids in accordance with the requirements established in this Act, in the Grid Code, and in applicable regulations;
- (b) act as system operators within their area of transmission;
- (c) optimise, boost and expand their transmission system in order to comply with the Integrated Electricity Plan;
- (d) develop, maintain and operate an efficient, coordinated and economical system of electricity that meets the safety and quality standards prescribed for that system in regulations;
- (e) comply with the applicable provisions of this Act, other applicable laws and regulations made or approved pursuant to the provisions of this Act;
- (f) comply with other written laws and regulations applicable to their activity, which, among others, include —
  - (i) environmental legislation, including the preparation of environmental impact studies; and
  - (ii) Acts and regulations governing the construction of electricity facilities.
- (g) operate, maintain, develop and, as necessary, upgrade and expand their systems to —
  - (i) ensure that all reasonable demands for electricity on the relevant Island are met; and

- (ii) comply with the expansion required by the Integrated Electricity Plan;
- (h) promote the safe, secure, reliable and efficient operation of their transmission systems with due regard to the environment;
- (i) manage electricity flows on the grid systems in order to optimise system utilisation and minimise power losses;
- (j) provide existing and future grid system users with all information necessary for them to secure access to the grid system.

(5) Transmission operators shall, in respect of the promotion and use of renewable electricity —

- (a) optimise, boost, and expand their distribution system in order to guarantee the sale, transmission, and distribution of electricity generated from renewable energy sources;
- (b) provide new or upgraded connections, whether consumption or load, to the grid provided that such connection does not —
  - (i) violate the operational limits set for voltage, current and frequency set in the National Grid Code; or
  - (ii) endanger the reliability or voltage quality for persons connected to the grid system; and
- (c) plan and develop their own grids in accordance with a standard not less than that set out in —
  - (i) the Grid Code;
  - (ii) the Energy Policy; and

- (iii) the Integrated Electricity Plan or any strategy related to the electricity sector.
  - (d) comply with other written laws and regulations applicable to their activity, which, among others, include —
    - (i) environmental legislation;
    - (ii) Acts and regulations governing the construction of electricity facilities; and
    - (iii) the use of land.
  - (e) determine in conjunction with the Commission, the safety and technical capability of their electrical grids to interconnect renewable generation facilities of auto-generators and generators;
  - (f) inform the Minister and the Commission, and make publicly available a written report by 1st January of each year on —
    - (i) the measures adopted to further increase the safety and technical capability of their electrical grids and to facilitate the interconnection of new generation and autogeneration capacities;
    - (ii) the capacity availability and constraints of their systems; and
    - (iii) the compliance of renewable energy targets and renewable electricity targets that may be established pursuant to this Act.

(6) In every year, transmission operators shall provide and make publicly available to all persons performing activities in the electricity sector, persons interested in performing activities in the electricity sector, the Minister, the Commission, consumers and any interested person —

- (a) information related to distribution capacity for each energy source; and
- (b) the capacity availability and constraints of their system.

### **Distribution**

**12.(1)** A person who intends to perform distribution shall apply for, and obtain, a licence in accordance with the requirements of this Act.

- (2) The distribution operators shall —
  - (a) allow access and use of the capacity of their distribution grids in accordance with the requirements established in this Act, in the Grid Code and in applicable regulations;
  - (b) optimise, boost and expand their distribution systems in order to comply with the Integrated Electricity Plan;
  - (c) develop, maintain and operate an efficient, coordinated and economical system of electricity that meets the safety and quality standards prescribed for that system in regulations;
  - (d) comply with the applicable provisions of this Act and other applicable laws, and regulations made or approved pursuant to the provisions of this Act;
  - (e) comply with other written laws and regulations applicable to their activity, which, among others, include —
    - (i) environmental laws and regulations; and
    - (ii) laws and regulations governing the construction of electricity facilities;
  - (f) operate, maintain, develop and, as necessary, upgrade and expand their systems to ensure that all reasonable demands for electricity on the relevant Island are met;

- (g) promote the safe, secure, reliable and efficient operation of their transmission systems with due regard to the environment;
- (h) manage electricity flows on the grid system in order to optimise system utilisation and reduce power losses; and
- (i) provide existing and future grid system users with all information necessary for them to secure access to the grid system.

(3) The distribution operators shall, in respect of the promotion and use of renewable energy —

- (a) optimise, boost and expand their distribution systems in order to guarantee the sale, transmission and distribution of electricity generated from renewable energy sources;
- (b) increase the capacity of the grid to connect new small-scale production or production from renewable energy sources in accordance with the objectives stated in the energy policy, or strategy or plan related to the electricity sector, or regulation adopted pursuant to this Act;
- (c) provide new or upgraded connections, whether consumption or load, to the grid provided that such connection does not —
  - (i) violate the operational limits set for voltage, current and frequency set in the National Grid Code; or
  - (ii) endanger the reliability or voltage quality for persons connected to the grid system; and
- (d) plan and develop their own grids in accordance with a standard not less than that set out in —
  - (i) the Grid Code;

- (ii) the Energy Policy; and
      - (iii) the Integrated Electricity Plan or any strategy related to the electricity sector;
  - (e) comply with other laws and regulations applicable to their activity, which, among others, include —
    - (i) environmental legislation;
    - (ii) laws and regulations governing the construction of electricity facilities; and
    - (iii) the use of land.
  - (f) determine in conjunction with the Commission, the safety and technical capability of their electrical grids to interconnect renewable generation facilities of auto-generators and generators;
  - (g) inform the Minister and the Commission, and make publicly available a written report by 31st January of each year on —
    - (i) the measures adopted to further increase the safety and technical capability of their electrical grids and to facilitate the interconnection of new generation and autogeneration capacities; and
    - (ii) the capacity availability and constraints of their systems.

(4) A distribution operator shall provide and make publicly available to all persons performing activities in the electricity sector, persons interested in performing activities in the electricity sector, the Minister, the Commission, consumers and any interested person on an annual basis, information related to —

- (a) distribution capacity;
- (b) the capacity availability and constraints of their systems; and
- (c) the capacity added and electricity procured from generators or through distributed generation system.

### **Supply**

13.(1) The distribution licensee shall supply electricity to all consumers located within its area of distribution and may have exclusivity to perform such activity until a total or partial deregulation of the electricity sector, pursuant to section 7, is determined.

(2) If a decision for total or partial deregulation of the electricity sector is made pursuant to section 7, persons other than distribution licensees may be licenced to supply electricity to consumers or to other suppliers.

(3) If a decision of total or partial deregulation of the electricity sector is made pursuant to section 7, the distribution operator shall —

- (a) not have exclusivity rights to supply electricity to all the consumers located within its area of distribution but may maintain exclusivity rights to supply to some consumers;
- (b) supply electricity to all consumers located within its area of distribution that are not allowed to choose another supplier or to those that did not choose another supplier; and
- (c) apply the tariffs approved by the Commission.

(4) A supplier of last resort is the distribution operator that supplies electricity to every consumer located within its area of distribution, under the conditions and at the tariffs approved by the Commission, until the moment when a consumer, allowed to choose a different supplier pursuant to subsection (6), decides to be supplied by another supplier or generator.

(5) If a decision of total or partial deregulation of the electricity sector is made pursuant to section 7, some or all consumers may be allowed to freely contract their supply of electricity with licensed generators or suppliers.

(6) The suppliers may be licenced to supply electricity to consumers or to other suppliers if a decision of total or partial deregulation of the electricity sector is made pursuant to section 7 and in accordance with the terms of such decision.

(7) For the avoidance of doubt, if a decision of total or partial deregulation of the electricity sector is decided pursuant to section 7 and persons were allowed to charge electricity to electric vehicles by a specific law or regulation, such persons shall be treated as suppliers of electricity in their field of activity in the electric sector.

### **Procurement requirements applicable to transmission, distribution, and supply**

14.(1) Any person, interested in obtaining a licence that allows the person to transmit, distribute and supply electricity, other than the existing persons carrying on electricity related activity, shall not be allowed to apply for, or obtain, a licence or perform such activities unless the person has first complied with the procurement requirements.

(2) The procurement requirements applicable to transmission, distribution and supply shall be prescribed by regulations.

(3) Sub-sections (1) and (2) shall not apply to persons who, at the date of coming into operation of this Act, are performing transmission, distribution or supply, in which case they shall apply for a licence or authorisation as required by Part V and in accordance with regulations.

### **Access and use of transmission and distribution grids**

15.(1) The transmission and distribution operators shall allow access to and use of their electricity transmission and distribution systems —

- (a) provided that they have capacity available; and

- (b) in accordance with the requirements of the Grid Code or other applicable regulations;
- (c) provided that the applicant —
  - (i) complies with the technical and safety requirements established in the Grid Code and other applicable regulations; and
  - (ii) pays the fees and other charges for the transmission or distribution services as may be determined by the transmission and distribution operator and approved by the Commission.

(2) The transmission or distribution operator shall authorise an applicant to connect and have access to its transmission.

(3) The connection and access to the transmission or distribution networks shall be subject to the conclusion of an interconnection agreement between the transmission or distribution operator and the applicant.

(4) Where an agreement is not concluded within 60 days of an applicant making an application for connection and access, either party may apply to the Commission for settlement of the dispute, and the Commission shall make a decision within 3 months of the application.

## **Accounts**

**16.(1)** A licensee involved in more than one type of activity in the electricity sector may be required by a decision of the Commission to keep separate accounts and to prepare separate accounting statements and balance sheet in respect of each one of the activities performed.

(2) A licensee shall cause its accounts to be prepared in accordance with International Accounting Standards.

(3) A licensee performing any business activity in addition to an activity in the electricity sector shall keep separate accounts for those distinct business activities.

## **Compliance with decisions of the Commission**

17.(1) A licensee shall comply with the decisions of the Commission.

(2) A licensee shall provide the Commission with all the information and accounts that the Commission may require to exercise its functions.

## **Inspections by the Commission or authorised persons**

18.(1) An inspector or any person authorised in writing by the Commission has the right to enter upon the premises of a licensee or authorisation holder at any time to —

- (a) inspect or investigate any power plant, machinery, books, accounts, records and other documents found thereat and take copies thereof;
- (b) determine whether any provision of this Act, the Grid Code, regulations, licence or authorisation, direction or decision of the Commission is being or has been complied with;
- (c) examine and test equipment, power plant, grid, or any other material objects, or conduct a search where the inspector or a person authorised has reason to believe that an offence under this Act has been or is being, or is about to be committed;
- (d) seize records or material objects if the inspector or the person authorised has reason to believe that it may be furnished as evidence of the commission of an offence punishable under this Act.

(2) An inspector or person authorised by the Commission may request a licensee or authorisation holder to submit, periodically or as and when required, any information, accounts or other documents in such a manner as may be determined by the Commission.

(3) The Commission may require that the accuracy of any documents or particulars be verified.

(4) The Commission may appoint independent persons to assist in the exercise of its powers or duties as it deems necessary.

(5) An inspector or a person authorised by the Commission under subsection (1) shall produce the identity or proof of such authorisation at the request of a licensee or authorisation holder.

### **Public consultation and hearings**

19.(1) In order to promote transparency within the energy sector, any matter that may affect the economic, social or environmental interests of sector stakeholders may be submitted to public consultation by —

- (a) holding a public hearing, or
- (b) issuing consultation documents.

(2) Without prejudice to the generality of sub-section (1) —

- (a) before setting and reviewing tariffs the Commission shall submit these to consultation by means of a public hearing or a consultation document;
- (b) before approving or giving an opinion on the Integrated Electricity Plan, the Minister and the Commission may, submit these to consultation by means of a public hearing or a consultation document.

(3) The public hearings and consultation documents shall allow the participation of the public in general, including but not limited to persons performing activities in the electricity sector, consumers, authorities, and any person with an interest in the matter related to the public hearing or consultation document.

(4) Where the Commission or the Minister convenes a public

hearing or issues a consultation document the Commission or the Minister shall —

- (a) make publicly available all relevant data, files, studies and documents related to the matter subject to public consultation;
- (b) attach the draft regulations, if any;
- (c) allow the participation of any —
  - (i) person performing activities in the electricity sector;
  - (ii) person interested in performing activities in the electricity sector in the future;
  - (iii) authority;
  - (iv) consumer;
  - (v) association of consumers; or
  - (vi) interested persons and the general public;
- (d) indicate how opinions on the matter subject to consultation through a public hearing or consultation document may be formally expressed; and
- (e) indicate deadlines and any other kind of formal requirements for —
  - (i) participating in the public hearing; or
  - (ii) submitting a written opinion on the content of a consultation document.

## **PART V - LICENCES AND AUTHORISATIONS**

### **Licence**

**20.(1)** A person shall not generate, transmit, distribute, supply or sell electricity without holding the corresponding licence, unless such person —

- (a) is exempted from such obligation by section 21; or
- (b) obtains the authorisation required by section 21.

(2) The Minister may issue Licensing Regulations establishing the requirements and conditions for applying for and being granted licences and authorisations.

(3) Without prejudice to the generality of sub-section (2), the Licensing Regulations shall establish —

- (a) the type of licences a person who intends to carry out an activity in the electricity sector shall apply for;
- (b) conditions and requirements for carrying out the licenced activity or activities;
- (c) maximum terms of licences and authorisations;
- (d) requirements applicable to persons who may apply for and be granted a licence or authorisation;
- (e) the requirements and procedure for the grant, modification or extension of licences.

(4) A person performing more than one activity in the electricity sector shall obtain the number and kind of licence or licences required by the Licensing Regulations.

### **Authorisation**

**21.(1)** A person is exempted from the obligation of obtaining a generation licence if such person —

- (a) possesses electricity generation capacity and such generation is exclusively for its or his or her own consumption during periods when the distribution is prevented by weather or other circumstances from supplying electricity to such person;
- (b) generates electricity for his or her own consumption and use on any of its premises provided that its generation capacity do not exceed 500 KW;
- (c) generates electricity exclusively for his or her own consumption and use and is located in an area not supplied with electricity by a network licensee; or
- (d) generates electricity for his or her own consumption and for the sale of electricity to the network licensee provided that its generation capacity do not exceed 500 KW and that such sale has been —
  - (i) authorised by a decision of the Commission establishing a net metering, a net billing or any other distributed generation regime adopted pursuant to this Act; or
  - (ii) agreed with the network licensee to which its premises are connected.

(2) A person who, for the reasons specified under sub-section (1) is not obliged to obtain a licence shall apply for and obtain an authorisation in accordance with the requirements and procedures prescribed in regulations.

(3) The Minister may, by regulations exempt any person from the obligation of obtaining a licence.

### **Persons already performing electricity related activities**

22. A person who at the date of commencement of this Act, is performing electricity generation, transmission, distribution or supply may

continue carrying out those activities, provided that such person submits the application for obtaining the corresponding licence or authorisation within the terms and under the conditions established in the regulations.

### **Application**

23.(1) An application for a licence shall —

- (a) be made to the Commission in the prescribed form and manner;
- (b) comply with the procurement requirements under this Act and as prescribed by regulations.

(2) An application for an authorisation shall be made to the Commission in the prescribed form and manner.

(3) The Commission shall process any application in accordance with the terms and requirements established in regulations.

### **Decision of the Commission**

24.(1) The Commission may, in compliance with the conditions, procedures, and obligations under this Act and in regulations, —

- (a) grant;
- (b) modify;
- (c) extend;
- (d) refuse;
- (e) suspend; or,
- (f) revoke

a licence or an authorisation.

(2) The decision of the Commission adopted pursuant to subsection (1) shall be subject to an appeal before the Fair Trading Tribunal established under the Fair Trading Act, 2022 (Act 12 of 2022).

(3) A licence or authorisation may be transferred or sold to another person, provided that such sale or transfer —

- (a) is authorised by the licence or authorisation; and
- (b) is approved by the Commission.

### **Register**

**25.(1)** The Commission shall maintain a register containing —

- (a) every licence issued;
- (b) every authorisation granted;
- (c) every licence or authorisation amended or extended;
- (d) every licence or authorisation suspended or revoked;
- (e) every decision of the Commission made in respect of an application for the grant, modification or extension of a licence or of an authorisation;
- (f) every decision of the Commission made in respect of the suspension or revocation of a licence or of an authorisation; and
- (g) every decision of the Commission made in respect of the sale or transfer of —
  - (i) a licence; or
  - (ii) an authorisation.

(2) The register maintained under subsection (1) shall be —

- (a) publicly available on the website of the Commission; and
- (b) available for inspection by the public, during such hours and subject to the payment of such fee as may be prescribed by the Commission.

(3) A person may, on the payment of such fee as may be determined by the Commission, require the Commission to provide a copy of, or extract from, any part of the register, being a copy or extract certified by the Commission considered as a true copy or extract of the register.

### **Effects of licence**

**26.(1)** A licence holder is authorised to engage in the licenced activity from the effective date of the licence and during the term indicated in the licence.

(2) A generation licence shall allow its holder to generate electricity and sell the electricity produced in accordance with the terms of —

- (a) the applicable feed-in-tariff, net billing or other kind of distributed generation regime;
- (b) a power purchase agreement, or
- (c) other contracts with the network licensee establishing the conditions for the production and sale of the electricity produced by the generator.

(3) A generation licensee may connect to the network licensee's transmission and distribution systems provided that such licensee —

- (a) has already signed a connection agreement for that purpose with the network licensee, and
- (b) has complied with all the requirements, standards and testing procedures as established in the connection agreement, technical regulations, and any applicable regulation.

(4) A licence allowing the transmission, distribution or supply of electricity shall allow its holder to —

- (a) transmit, distribute and supply electricity; or
- (b) distribute and supply electricity, within the area for the term and under the conditions specified in the licence, and in the applicable regulations.

(5) A supply or a generation licence may allow its holder to sell electricity to any kind of consumer in accordance with the rules, terms and requirements established —

- (a) in this Act; and
- (b) the licence,

provided that a certain degree of deregulation of the electricity sector has been adopted by a decision of the Minister.

(6) In the case of persons who, at the date of operation of this Act, are performing generation, transmission, distribution, supply or sale of electricity, the licence may allow them to continue carrying out the relevant activities under the conditions and for the time provided in the license.

### **Effects of authorisation**

27.(1) An authorisation holder is allowed to engage in the authorised activity from the effective date of authorisation and during the term indicated therein.

(2) An authorisation entitles the holder to generate electricity for the holder's own consumption.

(3) An authorisation may also entitle its holder to sell the electricity produced to the network licensee, provided that the prices, terms and conditions of such sale have been previously established in:

- (a) a net metering, a net billing or other distributed generation regime; or
- (b) a contract with the network licensee establishing the conditions for the production and sale of the electricity produced by the generator.

(4) An authorisation holder shall be allowed to connect to the transmission and distribution systems of the network licensee provided that:

- (a) the connection agreement for that purpose with the network licensee has been signed, and
- (b) the authorisation holder has complied with all the requirements, standards and testing procedures as established in the connection agreement, technical regulations, and any applicable regulation.

(5) In the case of persons who, at the date of commencement of this Act are performing generation and are exempted from the obligation of obtaining a licence, the authorisation will allow them to continue carrying out that activity under the conditions and for the time provided in such an authorisation.

### **Notification to the Minister**

**28.(1)** The Commission shall submit to the Minister, once every six months, a certified copy of —

- (a) all licences issued, refused, transferred, extended, modified, suspended or revoked; and
- (b) authorisations issued, refused, transferred, extended, modified, suspended or revoked.

(2) The Minister may, after consultation with the Commission, publish by notice in the Gazette —

- (a) the list of licensees carrying out the activities of generation, transmission, distribution and supply; and
- (b) the manner in which or the quantity of electricity likely to be generated, transmitted, distributed or supplied.

### **Restrictions on a licensee**

- 29.** A licensee shall not, without the approval of the Commission —
- (a) acquire by purchase or otherwise, the operation of any other licensee, merge or consolidate its undertakings with any other licensee;
  - (b) assign, transfer or sell all or any part of the facilities necessary for the operation of such licensee;
  - (c) associate for the purpose of a joint venture or enter into any similar arrangement with regard to the provision of any electricity service which is not allowed by the licence;
  - (d) transfer or otherwise divest itself of any powers, rights or obligations conferred or imposed for the purposes of carrying out any activity in the electricity sector under this or any other written law.

### **Prohibited conduct by licensee or by authorisation holder**

- 30.** A licensee or an authorisation holder shall not take any action or enter into any agreement which —
- (a) constitutes an abuse of any dominant position;
  - (b) eliminates or substantially damages another licensee or authorisation holder in the electricity sector;
  - (c) prevents the entry of any person into the electricity sector.

## **Abandonment**

31.(1) The operators carrying out electricity related activities shall not wholly or partially abandon any electricity facility or discontinue any service without the approval of the Commission.

(2) The Commission shall authorise any such abandonment or discontinuity under subsection (1) only after being satisfied that the facilities or services to be discontinued are not required for the service in the present or foreseeable future.

## **Expiration of licence**

32. Where a licence expires and has not been renewed or transferred, the Commission may order the licensee to dismantle and remove all plant, equipment and facilities used in the activities of the licensee and reinstate the land to the satisfaction of the Commission within two years from the date of the expiration of the licence.

## **PART VI - TARIFFS**

### **Tariff setting and review**

33.(1) The Commission shall set and periodically review —

- (a) tariffs for the sale of electricity to consumers in accordance with the requirements and application prescribed by regulations;
- (b) the charges for connection to, and the use of, any transmission and distribution networks;
- (c) prices applicable to a distributed generation scheme.

(2) The prices and charges in respect of electricity provided by a licensee determined by the Commission shall be subject to —

- (a) tariff regulations; and

- (b) prices that may be established in regulations establishing a distributed generation scheme.

### **Tariff principles**

**34.(1)** The tariffs for each service shall be set to ensure the economic and financial sustainability of the operator, act efficiently, and reflect the following principles —

- (a) allow for efficient generation costs to be fully reflected in distribution tariffs;
- (b) incorporate any related subsidies decided or implemented by the Government in respect of the electricity sector or a specific operator;
- (c) allow the provider of transmission and distribution services to recover full costs of supply, including —
  - (i) the expansion, operation, maintenance and replacement of the operator's system;
  - (ii) the recovery of the costs of financing the activities of the operator; and
  - (iii) any other expenses, taxes and duties levied on the operator.
- (d) provide incentives for the improvement of technical, economic efficiency and quality of service;
- (e) support the development of efficient renewable energy sources developed by or on behalf of customers;
- (f) restrict departures from the cost-reflective principle to cases necessary for the implementation of social policy, which includes the setting of an affordable tariff for low-income residential customers;

- (g) provide incentives for promoting the economy and efficiency in the use of electricity; and
  - (h) support price stability.
- (2) The tariff structures shall define —
- (a) the category of users; and
  - (b) charges which shall be determined on a cost-reflective basis considering the cost of service for each type of user in order to promote efficient price signals for all customers.

## **PART VII - CONSUMER RIGHTS AND PROTECTION**

### **Duty of suppliers to consumers**

**35.(1)** The suppliers of electricity to consumers shall provide consumers with detailed information on the services offered.

- (2) Without prejudice to the generality of subsection (1), suppliers shall provide information on —
- (a) the source of energy used to generate electricity;
  - (b) efficiency in the use of electricity by consumers;
  - (c) consumption and applicable tariffs;
  - (d) major rights of consumers pursuant to this Act;
  - (e) quality of service obligations of the supplier;
  - (f) rights, means and requirements to submit complaints against the supplier; and
  - (g) rights of consumers and requirements to participate in a distributed generation scheme.

(3) The Commission may give orders to the supplier in respect of the means to provide the information required by subsections (1) and (2).

(4) Suppliers shall —

- (a) install a meter in accordance with specifications to be approved by the Commission for the purposes of recording the consumption of consumers; and
- (b) make timely billing and allow the consumer a period of 14 days from the date of the bill to make payment.

### **Complaints from consumers**

36.(1) A consumer may submit any complaint related to any aspect of the service received, to their supplier and the supplier shall give a reply to such complaint within 14 days of the date of receipt of the complaint.

(2) If the consumer is dissatisfied with the response under subsection (1) or if the supplier fails to give a reply within 14 days after receiving the complaint, the consumer may submit a complaint to the Commission.

(3) The Commission shall resolve the complaint made pursuant to subsection (2) within 30 days of the receipt of the complaint.

(4) If the supplier or the consumer is dissatisfied with the resolution made pursuant to subsection (3), the supplier or consumer may appeal the decision before Fair Trading Tribunal established under section 14 of the Fair Trading Act, 2022 (Act 12 of 2022).

### **Payment and suspension of service**

37.(1) The supplier of electricity shall be responsible for collecting payments from the consumer in accordance with the metering, billing and collection procedures authorised by the Commission.

(2) The supplier of electricity may suspend or disconnect the supply of electricity to a consumer where —

- (a) a consumer fails to pay any tariff or charge for the service within the prescribed period;
- (b) a consumer has obtained the supply of electricity by misrepresentation or fraudulent means; or
- (c) the service is likely to endanger the safety of persons or property.

### **Suspension or disconnection notice**

**38.(1)** Where the suspension or disconnection under section 37 is due to the failure to pay the prescribed tariff, the supplier shall give notice to the consumer or the network user indicating the remedy for the irregularity prior to proceeding with the suspension or disconnection.

(2) The Minister shall make regulations establishing the technical and commercial quality of service that suppliers shall comply with.

(3) Without prejudice to the generality of subsection (2), regulations setting commercial quality of service standards shall specify all aspects of disconnection and reconnection of consumers related to unpaid bills including —

- (a) prior formalised notice;
- (b) reconnection deadlines from regularisation;
- (c) penalties to be imposed on the distributor in cases of wrongful disconnection;
- (d) switch to prepayment for customers with poor payment records.

### **Consumer protection standards**

**39.(1)** The Commission may require the suppliers of electricity to develop and submit to the Commission, for its approval, procedures and

quality of service standards applicable to the provision of services to consumers.

(2) The Commission may require the suppliers of electricity to develop and submit to the Commission, for its approval, the quality of service standards provided to autogenerators and generators connected to their systems.

(3) Any standards and procedures approved by the Commission under subsections (1) and (2) shall be published —

- (a) in a daily newspaper or by a public notice;
- (b) on the website of the supplier; and
- (c) in the Gazette in such a manner as the Commission may direct.

### **Procedure for dealing with complaints**

**40.** The Commission shall establish prescribed procedures that transmission, distribution and supply licensees shall comply with for dealing with complaints related to any aspect of —

- (a) electricity supply,
- (b) distributed generation schemes; and
- (c) interconnection and use of distribution networks.

### **Quality of service standards and targets**

**41.(1)** The Minister may, after consultation with the Commission, prescribe standards in respect of the commercial and technical quality of service, reliability, efficiency and economy of the electricity supplied by suppliers.

(2) The Minister may, after consultation with the Commission,

prescribe the percentage of electricity produced from renewable energy sources that suppliers shall supply to consumers.

### **Obligations of electricity consumers**

42. Consumers of electricity are obliged to use electricity pursuant to the conditions, manner and purpose prescribed by regulations.

### **Unforeseen events**

43. The Minister may, after consultation with the Commission, take such measures to restore and maintain continuous and interrupted service where there has been a prolonged interruption of the electricity service as a result of —

- (a) force majeure;
- (b) any accident, sabotage or terrorist act affecting electricity services;
- (c) unavailability of capacity to provide any electricity services; or
- (d) such other circumstances as may be deemed by the Commission to be an emergency situation.

## **PART VIII - DISPUTE RESOLUTION**

### **Dispute resolution**

44.(1) Any dispute between persons performing activities in the electricity sector, licensees, authorisation holders and applicants for licences and authorisations shall be initially referred to the Commission for determination.

(2) The Commission shall prescribe its proceedings for determination in such manner as it thinks it fits which —

- (a) shall respect the rights of defence of the parties to the dispute; and

- (b) shall publish such procedures on the Gazette and in its website;

(3) A party aggrieved by any decision of the Commission pursuant to subsection (1) may appeal against such decision to the Fair Trading Tribunal established under section 14 of the Fair Trading Act, 2022 (Act 12 of 2022).

## **PART IX - AUTHORITIES**

### **Functions of the Commission**

**45.(1)** The Commission shall exercise its functions under this Act and in accordance with the Utilities Regulatory Commission Act, 2023.

(2) Without prejudice to the generality of subsection (1), the Commission shall —

- (a) advise the Minister on the formulation of the national policy on matters relating to any regulated sector;
- (b) advise and give an opinion to the Minister on the Integrated Electricity Plan;
- (c) exercise its functions in compliance with the Integrated Electricity Plan;
- (d) promote the efficient and economic development of the electricity sector;
- (e) monitor compliance with Government's international and regional obligations relating to the international obligations relating to the services in the electricity sector;
- (f) be responsible for the technical and economic regulation of the electricity sector;
- (g) receive, evaluate, approve or refuse applications for licences and authorisations in accordance with this Act and with applicable regulations;

- (h) issue, modify or extend licences and authorisations related to the performance of activities in the energy, water and sewerage sectors in accordance with the requirements established in any Regulatory Act;
- (i) authorise the sale or transfer of a licence or authorisation;
- (j) periodically approve, monitor compliance and review tariff schemes and tariffs;
- (k) set and review the tariffs that transmission, distribution and supply licensees may charge for their services;
- (l) set and review the tariffs that shall be paid to auto-generators;
- (m) set and review the prices that shall be paid to co-generators;
- (n) monitor, enforce and ensure compliance by licensees or authorisation holders carrying out activities in the electricity sector with the obligations and conditions established in —
  - (i) this Act,
  - (ii) licences or authorisations;
  - (iii) regulations issued pursuant to this Act;
  - (iv) approved quality of service standards; and
  - (v) standards for health, safety and security;
- (p) ensure the protection of the interests of consumers in accordance with the requirements of this Act;
- (q) receive and settle any kind of dispute in the electricity sector;

- (r) promote competition in the exercise of its functions, to the extent where competition is feasible in any regulated sector and in accordance with the corresponding regulatory laws;
  - (s) maintain a register containing records of licensees and authorisations holders carrying out activities in a regulated sector, as required by this Act and in the prescribed form;
  - (t) promote the sustainable development of regulated sectors including efficiency in the use of regulated services;
  - (u) undertake inspections;
  - (v) require payment of and collect fees payable under this Act and the Regulatory Acts;
  - (w) instruct the suppliers on the collection of fees due under this Act or under the Utilities Regulatory Commission Act, 2023; and
  - (x) perform such other functions specified in this Act and in the Utilities Regulatory Commission Act, 2023.
- (2) The Commission may —
- (a) set and review the requirements and tariffs that shall be paid to generators under a feed-in-tariff;
  - (b) approve the requirements and tariffs to be paid under distribution generation schemes, including a net metering or net billing;
  - (c) propose tax and other incentives for the promotion of electricity from renewable energy sources, including the creation of funds.

### **Functions of the Minister**

**46.(1)** Without prejudice to other functions of the Minister specified in this Act, the Minister may —

- (a) formulate the energy policy and submit it to the Cabinet for approval;
- (b) evaluate and approve the Integrated Electricity Plan;
- (c) propose targets related to the modification of the energy matrix;
- (d) propose and approve targets for electricity produced from renewable energy sources;
- (e) propose new techniques related to the extraction, production, transmission, distribution, supply and use of energy;
- (f) undertake research and make recommendations on tax incentives;
- (g) create and manage funds for the promotion of renewable energy;
- (h) approve environmental and health safety standards applicable to the electricity sector;
- (i) approve by regulations the quality-of-service standards for the electricity sector;
- (j) collect and maintain energy data on the energy sector, electricity subsector and on other energy consumers;
- (k) produce energy statistics which shall be made publicly available proactively and on demand; and
- (l) develop and maintain national information, public awareness and consumer education campaigns and programmes, which inter alia may include —
  - (i) information on the promotion and use of renewable energy sources;

- (ii) requirements for auto-generating electricity from renewable energy sources, including technical requirements and financial advantages; and
- (iii) public awareness related to the efficient use of electricity; and
- (iv) financial, economic, social and environmental information about the electricity sector, including subsidies and funds.

### **Regulations**

47.(1) The Minister may make regulations for carrying into effect the provisions of this Act.

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

- (a) any matter which, in terms of this Act, is required or permitted to be prescribed;
- (b) any manner and form to be prescribed;
- (c) rules applicable to the setting and review of tariffs payable for the services performed by persons performing activities in the electricity sector;
- (d) fees and charges, fines or penalties payable;
- (e) the annual amount of electricity that an auto-generator or cogenerator may sell;
- (f) license conditions and requirements ;
- (g) requirements applicable to any distributed generation scheme to be adopted by the Commission;

- (h) the preparation and approval of the Integrated Electricity Plan;
- (i) the expansion of generation capacities and related procurement requirements;
- (j) rights, duties and obligations of consumers;
- (k) electrical installations;
- (l) requirements applicable to wiremen, electricians and installers of photovoltaic panels;
- (m) technical requirements applicable to the transmission and distribution of electricity;
- (n) safety, security, health and environmental standards related to electricity operations and activities;
- (o) technical, safety and security conditions of access to transmission and distribution networks;
- (p) tariffs;
- (q) commercial and technical quality of service standards that transmission, distribution and supply licensees shall comply with, including the penalties applicable in case of noncompliance with those standards;
- (r) requirements relating to service obligations;
- (s) systems operation;
- (t) procedures and requirements for the creation and management of funds for the promotion of renewable energy;
- (u) the process and requirements for the procurement of new generation capacity; and

- (v) rules stating the requirements and procedures applicable to the grant, modification or extension of —
  - (i) licences; and
  - (ii) authorisations.

(3) The regulations under clauses (u) and (v) of subsection (2) shall be issued within six months of the coming into operation of this Act.

(4) The Public Utility Corporation shall, within twelve months of the coming into operation of this Act, prepare a draft Grid Code and submit it to the Minister for approval.

## **PART X - ACCESS TO ELECTRICAL FACILITIES**

### **Access to property**

**48.** A licensee may, upon the issuance of a written notice to the owner or occupier of a property and to the Commission, and upon the approval of the Commission, enter onto a property for matters related to electrical facilities as prescribed by regulations.

### **Electrical facilities of licensee**

**49.** Any electrical transmission or distribution network, meter, fittings, works or apparatus belonging to a licensee and lawfully placed or installed in or on any premises, whether or not it is fixed to any part of such premises, shall —

- (a) remain the property of, and may be removed by licensee;
- (b) not be the subject of execution arising from any process of law or legal proceedings in insolvency or liquidation against the owner or occupier of such premises.

### **Access to land**

**50.(1)** An owner or occupier of land on which an easement has been legally constituted in favour of a licensee shall, at all reasonable times, grant

access to such licensee for the purpose of maintaining, repairing or attending to those electrical facilities as prescribed.

(2) An occupier of land under subsection (1) shall not be liable for any damage caused to an operator's lines located on or under such land where such damage occurs.

### **Enclosures**

**51.(1)** A transmission or distribution licensee may erect enclosures on any public road as may be necessary for purposes in connection with the distribution and supply of electricity.

(2) An enclosure shall not be erected above ground except with the consent of the Commission and the appropriate relevant authorities.

(3) An enclosure referred to in subsection (1) shall be under the sole control and for the exclusive use of the transmission or distribution licensee.

(4) An enclosure shall be construed and maintained by the transmission or distribution licensee in such a manner as not to constitute a source of danger to the public, and in compliance with all applicable environmental, health, safety and security standards;

(5) The Commission may, after consultation with the relevant local authority, determine the hours during which an operator shall have access to the enclosure.

(6) A licensee shall not remove or displace the upper surface or covering of any enclosure without the consent of the Commission.

(7) Where a licensee removes or displaces the upper surface or covering of any enclosure during any hours not so determined without the consent of the Commission, the licensee commits an offence and on conviction is liable to a fine not exceeding SCR25,000, and the Court may impose a fine not exceeding SCR1,000 for each day during which the default continues.

(8) An operator does not commit an offence under subsection (7) where it satisfies the Court that there was an emergency and the operator had taken all reasonable precautions under the circumstances to avoid the commission of the offence.

## **PART XI - OFFENCES**

### **Constructing electricity facilities without a licence or authorisation**

**52.** A person who —

- (a) initiates the construction of an electricity generation plant or of electricity networks and facilities without having obtained a licence or authorisation for performing an activity; or
- (b) after the expiration of the licence has not dismantled and removed the plant, equipment and facilities used in the performance of the electricity activity within the term specified in the licence, and reinstated the land to its original state,

commits an offence and on conviction, shall be liable to a fine not exceeding level 2 of the Standard Scale or imprisonment not exceeding 2 years or both.

### **Performing an activity without licence or authorisation**

**53.(1)** A person who carries on any activity in the electricity sector without having obtained one or more licences or an authorisation, in accordance with the requirements of this Act, commits an offence and on conviction shall be liable to a fine not exceeding level 2 of the Standard Scale or imprisonment not exceeding one year or both.

(2) A person does not commit an offence under subsection (1) where such person is, at the date of operation of this Act, already performing electricity generation, transmission, distribution or supply, and —

- (a) regulations ruling the grant of licences or authorisations have not been approved; or

- (b) the term specified in regulations governing the grant of licences or authorisations has not expired.

### **Breach of conditions of licence**

54. A person who breaches any conditions of the licence or authorisation granted under this Act commits an offence and upon conviction shall be liable to a fine not exceeding level 4 of the Standard Scale, or imprisonment not exceeding one year or both.

### **Fraudulently obtaining service**

55. A person who —

- (a) fraudulently obtains or makes use of any service related to an activity in the electricity sector with the intent to avoid payment of any applicable tariff or charge by means of any apparatus or device connected to any electrical facilities or power plant maintained or operated by a licensee or authorisation holder;
- (b) defrauds the licensee or authorisation holder of any fee or charge properly payable for any activity in the electricity sector; or
- (c) fraudulently installs or causes to be installed an access to any electrical facilities or plant of the licensee or authorisation holder,

commits an offence and on conviction shall be liable to a fine not exceeding level 4 of the Standard Scale or imprisonment not exceeding one year or to both.

### **Violation of prescribed tariffs**

56. A person who applies tariffs other than the prescribed tariffs or charges approved by its licence or authorisation commits an offence and is liable on conviction to a fine not exceeding level 3 of the Standard Scale.

### **False or misleading statements**

**57.** A person who —

- (a) makes any statement which he or she knows to be false or misleading or does not have reasonable grounds to believe to be true before the Commission or relevant authority;
- (b) knowingly fails or refuses to furnish any documents or supply information in the manner and in the time prescribed, or as required by the Commission, or furnishes a false or incomplete document or supplies false or incomplete information;
- (c) knowingly fails to furnish any information or answer questions put to him or her at a hearing before the Commission or required by any means by the Commission;
- (d) knowingly give false evidence or information; or
- (e) wilfully fails to answer questions put to him or her by the Commission;

commits an offence and on conviction shall be liable to a fine not exceeding level 2 of the Standard Scale.

### **Obstructing an inspector**

**58.** Any person who —

- (a) obstructs an inspector or person authorised by the Commission in the exercise of the powers and duties conferred or imposed upon him or her under this act;
- (b) fails or refuses without reasonable cause to give information to an inspector or an authorised person when required to do so in terms of section 18;
- (c) discloses information obtained upon an inspection or

investigation other than the information in the public domain for the purposes of carrying out his or her duties;

commits an offence and on conviction shall be liable to a fine not exceeding level 3 of the Standard Scale.

### **Fails to give access to transmission or distribution networks**

**59.(1)** A person who unreasonably fails to give access to its transmission or distribution network to third parties as required by this Act commits an offence and on conviction shall be liable to a fine not exceeding level 2 of the Standard Scale.

(2) The Commission may revoke the licence of the transmission or distribution licensee that repeatedly fails to comply with subsection (1).

### **Fails to give written warnings**

**60.** A person who fails to give a written warning to a consumer in contravention of section 38 commits an offence and is liable on conviction to a fine not exceeding level 2 of the Standard Scale.

### **Destroying or tampering documents**

**61.** A person destroying, tampering with or concealing any information, book, account or other documents without reasonable excuse commits an offence and on conviction shall be liable to a fine not exceeding level 3 of the Standard Scale.

## **PART XII - MISCELLANEOUS**

### **Collection of fees**

**62.** The supply licensees and authorisation holders supplying electricity shall apply and collect the supervision fee created by section 25 of the Utilities Regulatory Commission Act, 2023 as required by the Commission.

### **Easements**

**63.(1)** The transmission and distribution licensees shall have an

easement over the property of any person where the use of such property is essential for the activities of the licensee.

(2) The transmission and distribution licensees may request the Commission for the constitution of easements under subsection (1).

(3) The Commission shall make a decision on the request and if it decides in favour of the licensee, the Commission shall also decide the amount of compensation payable to the owners of the lands subject to the easement.

### **Consequential amendment**

**64.** The Public Utilities Corporation Act (Cap 196) is amended by repealing paragraph (a) of subsection (2) of section 17.

### **Transitional provision**

**65.** The Regulations issued under section 17 of the Public Utilities Act, (Cap 196) which relates to electricity shall remain in force until new regulations are made under this Act.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 29<sup>th</sup> March, 2023.



Mrs. Tania Isaac  
Clerk to the National Assembly