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

(Act 18 of 2023)

ARRANGEMENT OF SECTIONS

Sections

1. Short titles
2. Amendment of section 2



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

(Act 18 of 2023)



I assent

A handwritten signature in black ink, appearing to read "Wavel", with a horizontal line underneath.

Wavel Ramkalawan
President

30th October, 2023

**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. The Control of Supplies and Services Act (Cap 49) is amended in section 2 by repealing paragraph (e) of subsection (2) and substituting therefor 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 a fine not exceeding level 2 of the Standard Scale or with both.”.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 17th October, 2023.



Mrs. Tania Isaac

Clerk to the National Assembly

EMPLOYMENT (AMENDMENT) ACT, 2023

(Act 19 of 2023)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 46C
3. Amendment of section 46D
4. Amendment of section 76



EMPLOYMENT (AMENDMENT) ACT, 2023

(Act 19 of 2023)



I assent

A handwritten signature in black ink, appearing to read "Wavel", followed by a horizontal line.

Wavel Ramkalawan
President

30th October, 2023

AN ACT TO AMEND THE EMPLOYMENT ACT, (CAP. 69).

ENACTED by the President and the National Assembly.

Short title

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

Amendment of Section 46C

2. The Employment Act, (Cap 69) (hereinafter the “principal Act”) is amended in section 46C as follows —

- (a) in subsection (1) by inserting after the words “this section” the words “and section 46D”;
- (b) by deleting the words “and” immediately after the definition of “corresponding year” and inserting immediately after the following definitions —

“period of service” means the period that a worker has been in employment with the employer during the corresponding year;

“prescribed salary” means the amount prescribed by the Minister under section 46C(10)(c); and”;

- (c) in subsection (3) by repealing the word “The” the first time it appears and substituting therefor the words “Except where provided otherwise, the ”;
- (d) by repealing subsection (4)(a) and renumbering paragraphs (b) and (c) as paragraphs (a) and (b) respectively;
- (e) by repealing the word “employee” in subsection 4(b) and substituting therefor the word “worker”;
- (f) in subsection 5 by repealing the word “overseas” and substituting therefor the word “full-time”;
- (g) by repealing subsection (6) and substituting therefor the following subsections as (6), (7) and (8) and renumbering subsection (7) as (9) and (8) as (10) —

“(6) A worker who has been employed with an employer for a period less than 12 months in a

corresponding year and who on 31 December of the corresponding year is not on probation shall be paid a thirteenth month pay in proportion to the period of service, inclusive of the probationary period.

(7) Notwithstanding anything to the contrary in section 46D and this section, a worker receiving less than the prescribed salary who is employed with an employer in the course of the years 2024 and 2025 and who ceases employment prior to 31 December of the corresponding year shall be paid a thirteenth month pay under section 46D(4)(b)(i) in proportion to the period of service, inclusive of the probationary period, where applicable, upon cessation of employment unless —

- (a) the worker was on probation and the worker terminated his employment during the probationary the period;
- (b) the worker was on probation and his employment was terminated on grounds of unsatisfactory performance;
- (c) the worker's employment was terminated on grounds of a serious disciplinary offence.

(8) Where a worker who is eligible for thirteenth month pay has been in detention by order of a competent court or has served a term of imprisonment during the corresponding year, the period of detention or imprisonment shall be deducted from calculation of the 13th month pay.”;

- (h) by repealing subsections (9), (10), (11), and (12).

Amendment of Section 46D

3. The principal Act is amended in section 46D —

- (a) by repealing subsection 46D(1) and (2) and substituting therefor the following —

“Thirteenth month pay for the years 2023, 2024 and 2025

46D.(1) Notwithstanding section 46C(4) of the principal Act, the amount of thirteenth month pay payable by an employer under section 46C in respect of the years 2023, 2024 and 2025 shall be payable to a worker in accordance with the provisions of this section.

(2) Except for the calculation of thirteenth month pay under subsection (4), section 46C shall apply to the thirteenth month pay under Section 46C and this section”.

- (b) by repealing subsection (6) and substituting therefor the following subsection —

“(6) Except where an employer agrees in writing to pay or pays a worker a thirteenth month pay equal to the monthly salary of the worker referred to in section 46C of the principal Act, an employer shall in writing indicate any deductions made under subsection (4) and notify the worker of the amount due and payable to the worker under subsection (4)”.

- (c) by repealing subsection (7) and substituting therefor the following subsection —

“(7) Where performance appraisal applies in respect of thirteenth month pay and an employer does not have a performance appraisal system in place before the expiration of the corresponding year, or fails to conduct performance appraisal of the worker on or before 31 January of the year following the expiration of the corresponding year, the employer shall be liable to pay the worker a thirteenth month pay equal to the monthly salary of the worker

referred to in section 46C of the Act or in proportion to the period of service of the worker, as the case may be”.

- (d) by repealing subsection (9) and substituting therefor the following subsection —

“(9) Notwithstanding anything to the contrary in section 46C and subsections (1) to (8) —

- (a) an employer may pay to the employer's Seychellois worker whose monthly salary is less than the prescribed salary and who does not qualify for a thirteenth month pay under this Act, a thirteenth month pay in accordance with subsections (2), (3), (4), (5), (6), (7) and (8).
- (b) if an employer pays to the employer's Seychellois worker whose monthly salary is in excess of the prescribed salary a thirteenth month pay in accordance with subsections (2), (3), (4), (5), (6), (7) and (8), the amount of the thirteenth month pay in excess of the prescribed salary shall not be exempt emolument under the Income and Non-Monetary Benefits Tax Act, (Cap 273)”.
- (e) in subsection (10) by repealing the word “The” the first time it appears and substituting therefor the words “Subject to subsection (9)(b),” ;

Amendment of section 76

4. Section 76 of the principal Act is amended by inserting in paragraph (dd), after the figure and letter “46C” the words, figure and letter “or section 46D”.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 18th October, 2023.

A handwritten signature in dark ink, appearing to read 'T Isaac', is positioned above the printed name of the signatory.

Mrs. Tania Isaac
Clerk to the National Assembly

CITIZENSHIP (AMENDMENT) BILL, 2023

(Bill No. 22 of 2023)

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

The object of this Bill is to amend the Citizenship Act in order to —

- (i) Make adjustments to the conditions required for gaining Seychellois citizenship by naturalisation and registration; and
- (ii) Make provisions relating to the register of naturalisation and registration, in order to provide greater transparency and accountability in respect of the grant of citizenship by naturalisation and registration.

Dated this 1st day of November, 2023.

**ERROL FONSEKA
MINISTER FOR INTERNAL AFFAIRS**

CITIZENSHIP (AMENDMENT) BILL, 2023

(Bill No. 22 of 2023)

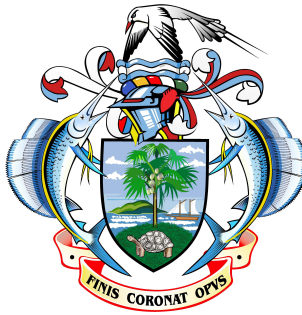
ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title
2. Amendment of section 2
3. Repeal and replacement of section 5
4. Amendment of section 5A
5. Repeal of section 5B
6. Repeal of section 5C
7. Amendment of section 6
8. Amendment of section 7
9. Amendment of section 9
10. Amendment of section 17

CITIZENSHIP (AMENDMENT) BILL, 2023

(Bill No. 22 of 2023)



**A BILL
FOR**

AN ACT TO AMEND THE CITIZENSHIP ACT, CAP 30.

ENACTED by the President and the National Assembly.

Short title

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

Amendment of section 2

2. Section 2 of the Citizenship Act, Cap 30 which is in this Act referred to as the “principal Act” is amended —

- (a) by repealing the definition of “legal resident” and substituting it with the following new definition —

““legal resident” means a person residing in Seychelles under a permit issued under the Immigration Decree, excluding a visitor's permit;”

- (b) by inserting in the appropriate alphabetical sequence, the following new definitions —

““Citizenship Eligibility Committee” means the committee established under section 9A;

“passport sized photograph” means a photograph or other image of a person's face and shoulders;

“register” means the register of citizens by naturalisation and registration which is maintained and kept by the Citizenship Officer under section 9(1);”

Repeal and replacement of section 5

3. Section 5 of the principal Act is repealed and substituted with the following new section —

“Citizenship for distinguished service or under special circumstances

5.(1) The President may, upon the recommendation of the Citizenship Eligibility Committee and with the consent of that person, grant citizenship by registration to a person who has done signal honour or rendered distinguished service to Seychelles, or where the person is otherwise meritorious.

(2) The President may grant citizenship to a person, not otherwise entitled to or eligible for citizenship, if that person is a surviving spouse of a deceased citizen.

(3) The President shall not grant citizenship to a person pursuant to subsection (2), unless the President is satisfied that the person —

- (a) has been a legal resident for an aggregate period of 2 years or more;
- (b) would have, if not for the death of his or her spouse, celebrated at least 15 years of marriage at that time he or she lodges the application;
- (c) has lived together with the spouse for a period of not less than 5 years prior to his or her death;
- (d) has not re-married at the time of making an application for citizenship;
- (e) has not been absent from Seychelles for a continuous period exceeding 1 year without the prior written permission of the Minister;
- (f) obtains at least 80 per cent marks in 1 of the 3 national languages in a citizenship qualifying examination prescribed under this Act; and
- (g) has not been sentenced to a term of imprisonment of 1 year or more for an offence punishable under any law of Seychelles.”

Amendment of section 5A

4. Section 5A of the principal Act is amended by repealing paragraph (ii) and substituting it with the following —

- “(ii) he or she has not been sentenced to a term of imprisonment of 1 year or more for an offence punishable under any laws of Seychelles,”

Repeal of section 5B

5. Section 5B of the principal Act is repealed.

Repeal of section 5C

6. Section 5C of the principal Act is repealed.

Amendment of section 6

7. Section 6 of the principal Act is amended in subsection (3)(a) —
- (a) by repealing the words “10 years” and substituting them with the words “15 years”; and
 - (b) by repealing the words “a period of at least 5 years” and substituting them with the words “an aggregate period of 2 years”.

Amendment of section 7

8. Section 7 of the principal Act is amended by inserting after subsection (3) the following new subsection —

“(3A) The oath of allegiance may be taken collectively or individually as directed by the Citizenship Officer.”

Amendment of section 9

9. Section 9 of the principal Act is amended —
- (a) by renumbering section 9 as 9(1);
 - (b) in the renumbered 9(1), by repealing the semicolon after the word “naturalisation” and substituting it with a comma,

and after the comma inserting the words “the date and number of their registration or naturalisation, and their permanent addresses’.

- (c) by inserting after subsection (1), the following new subsections —

“(2) The register shall be kept in the custody of the Citizenship Officer at the principal office of the Department of Immigration.

(3) The Citizenship Officer may keep a secure electronic system for the maintenance of the register and may grant any person access to the register.

(4) The Citizenship Officer shall publish in the Gazette and a local daily newspaper, within thirty (30) days of their registration or naturalisation as citizen, the names, permanent addresses and recent passport sized photographs of all persons who have become citizens by registration or naturalisation, and the date of their registration or naturalisation.

(5) A person may, during official hours of business, inspect the register free of charge or obtain an extract of the register by paying a fee as prescribed by regulations.”.

Amendment of section 17

10. Section 17 of the principal Act is amended as follows —

- (a) by repealing in paragraph (d), the full stop after the words “Supreme Court” and substituting it with a semicolon and after the semicolon inserting the word “and”; and
- (b) by inserting after paragraph (d) the following new paragraph —
- “(e) be accompanied by a recent passport sized photograph.”.