



# OFFICIAL GAZETTE

## REPUBLIC OF SEYCHELLES

### EXTRAORDINARY

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#### TABLE OF CONTENTS

##### GENERAL NOTICES

Gazette Notice No. 33 of 2021 are published by Order.

##### GAZETTE SUPPLEMENTS

Gazette	Description	Price
7	Value Added Tax (Amendment of First Schedule) Regulations, 2021. (S.I. 6 of 2021)	8.00
	Licences (Miscellaneous Services) (Amendment) Regulations, 2021. (S.I. 7 of 2021)	8.00
	Environment Protection (Ozone) (Amendment) Regulations, 2021. S.I. 8 of 2021)	48.00
	Environment Protection (Environmental Levies) (Amendment) Regulations, 2021. (S.I. 9 of 2021)	4.00

##### GENERAL NOTICES

No. 33 of 2021

#### PUBLIC HEALTH ACT, 2015

*(Act 13 of 2015)*

#### PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS

##### ORDERS

**Infectious Disease (Prohibition of Outdoor Movement) Order, 2021**

**Infectious Disease (Prohibition of Public Assemblies)(No. 2) Order, 2021**

**Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 3) Order, 2021**

**RECOGNISING** that the Coronavirus Disease 2019 (COVID-19) has spread and continue to spread rapidly across the world;

**RECALLING** that the Public Health Commissioner published a Notice in the Gazette on 20<sup>th</sup> March, 2020 declaring a Public Health Emergency in Seychelles under section 25(5) of the Public Health Act, 2015, and directed all persons to comply with the directions and orders therein, and cooperate with the Public Health Commissioner, the Public Health Authority and other relevant authorities in preventing, controlling and suppressing the spread of COVID-19 in Seychelles;

**FURTHER RECALLING** that during the declaration of the Public Health Emergency up to the present time, the Public Health Commissioner in order to prevent, control and suppress the spread of COVID-19 in Seychelles made several Orders, amongst other things —

- (a) prohibiting public assemblies and indoor public assemblies;
- (b) restricting the opening and closing hours of retail outlets and retail food outlets;
- (c) restricting the opening and closing hours of offices, establishments, trade premises and shops;
- (d) restricting movement of persons by vehicles and vessels;
- (e) prohibiting non-Seychellois from entering Seychelles;
- (f) confining persons to their place of residence, inclusive of their yard space, for a period of 28 days; and
- (g) restricting entry to, exit from and return to Seychelles.

**AND FURTHER RECALLING** that by the enactment of the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020 (S.I. 132 of 2020) the wearing of face masks is mandatory for all persons in Seychelles on public transportation, indoor places, outdoor places, places of work and other circumstances where one metre physical distancing cannot be maintained subject to conditions and exemptions thereunder;

**ACKNOWLEDGING** that up to the present time, the health care providers and public health officers continue to record and report rapid increases in the number of persons infected by COVID-19 on 23<sup>rd</sup> January, 2021, and the presence community transmission of the virus;

**FURTHER ACKNOWLEDGING** that:—

- (i) Infectious Disease (Restriction on attendance of Schools), 2021 is still in force until further notice;
- (ii) the current circumstances in relation to the recorded cases of persons infected by COVID-19 require making further prohibition or restriction orders and varying some prohibitions or restrictions orders so as to effectively prevent, control and suppress the spread of COVID-19 subject to such exceptions and exemptions set out in the said Order and at the same time to enable persons to participate actively and fully in the sustainable development of Seychelles and the operation and provision of essential and critical services;

**BEING CONSCIOUS** of the seriousness of problems and threats that COVID-19 poses to the safety, health and posterity of Seychelles and its people, if suitable precautionary and protective health measures are not in place and complied with;

**WHEREAS** the Public Health Commissioner considers it necessary and expedient to maintain existing prohibitions and/or restrictions and impose further restrictions on the movement and assembly of people in Seychelles, the movement of by vehicles and vessels and restriction on activities and operation of establishments, trade premises and shops in order to effectively prevent, control and suppress the spread of COVID-19 in the community.

**NOW, THEREFORE**, in exercise of the powers conferred by **regulations 6, 7C, 8, 9, 11, 12, 13A and 20** of the Public Health (Infectious Diseases) Regulations (S.I. 8 of 1960), the

Public Health Commissioner hereby makes the following orders until further notice published on any official Government website or official means of communication and, as soon as possible thereafter, in the Gazette, or until the date set out in the Order —

**A. Infectious Disease (Prohibition of Outdoor Movement) Order, 2021**

*(Regulation 13A read 7C)*

In accordance with regulation 13A read with regulation 7C of the **Public Health (Infectious Disease) Regulations, 1960**, the Public Health Commissioner hereby orders that starting from **8:00 PM on Saturday 23<sup>rd</sup> January, 2021, and ending at 4:00 AM of 15<sup>th</sup> February, 2021**, no person within Seychelles shall be in a vehicle, vessel or at any public or private place, outside of the person's place of residence between 8:00 PM and 4:00 AM of the following day, except —

- (1) an authorised worker or contractor of the provider of a service or of an entity specified under Part 1 of the Schedule hereto;
- (2) a person seeking access to a service under Part 2 of Schedule hereto;
- (3) a person that has been authorised by the Commissioner of Police to leave the person's place of residence for any purpose.

In furtherance of the Order and in accordance therewith —

1. Every person shall remain in the confines of the person's place of residence, inclusive of their yard space during the said prohibition period.
2. The establishments, institutions, businesses, organisations and offices listed as an essential service under Part 1 of Schedule hereto shall observe and practice social or physical distancing according to directions issued by the Public Health Commissioner in respect of their workers and the persons accessing the service.
3. The establishments, institutions, businesses, organisations and offices listed as a essential service under Part 1 of Schedule hereto shall make travel arrangements for their workers to carry out their duties and where necessary seek the authorisation from the Commisisoner of Police for the movement of the workers during the prohibition period.
4. All entities, public or private, in any industry, whether construction, manufacturing of goods or provision of services, that also provide shared or common accommodation for their workers shall ensure that their workers who are not performing work as an essential service under Part 1 of the Schedule hereto comply with the orders of the Public Health Commissioner and that the workers remain in their living quarters at all times except when seeking to access an essential service set out under Part 2 of the Schedule hereto;
5. A person who is outside the confines of the person's place of residence between 8:00 PM and 4:00 AM of the following day shall on request of a police officer answer any questions to enable the police officer to ascertain who the person is and whether the person is allowed to be outside the confines of the person's place of residence pursuant to the Schedule hereto, and where the person does not satisfy the police officer that the person is allowed to be outside the confines of the person's place of residence pursuant to the Schedule hereto, the police officer may —
  - 5.1 direct the person to go immediately to the person's place of residence;
  - 5.2 detain and convey the person to the person's place of residence;
  - 5.3 issue the person with any applicable spot fine or fixed penalty notice;
  - 5.4 arrest and detain the person.

## SCHEDULE

### Part 1

1. **Authorised workers or contractors of the provider of the following services or of the specified entity.**
  - 1.1 Members of the Platinum Command for COVID 19.
  - 1.2 Hospital, medical or health services;
  - 1.3 Service relating to the generation, supply or distribution of electricity;
  - 1.4 Service relating to the supply or distribution of water;
  - 1.5 Breakdown service relating to the management of sewage;
  - 1.6 Police services
  - 1.7 Defence Forces;
  - 1.8 Fire and rescue services;
  - 1.9 Air traffic control;
  - 1.10 Airport and port and marine services including civil aviation, customs, immigration, airline catering and loading, unloading and service of ships or aircrafts;
  - 1.11 Wireless, telephone, internet, television and cable communication services (including the Government Department of Information and Communication Technology);
  - 1.12 Forecasters of the meteorological service;
  - 1.13 Indian Ocean Tuna Limited canning factory;
  - 1.14 Waste collection service;
  - 1.15 Breakdown and safety services of the Seychelles Petroleum Company Limited;
  - 1.16 Security services of premises;
  - 1.17 Disaster management and emergency services (including the Government Department of Risk and Disaster Management);
  - 1.18 Print, audio and visual media or broadcasting services; and

### Part 2

2. **Essential services that the public may access:—**
  - 2.1 Hospital, medical or health services; and
  - 2.2 Police Services.

#### B. **Infectious Disease (Prohibition of Public Assemblies), Order, 2021**

*(Regulation 8 read with 9, 11, 12 & 20)*

In accordance with regulation 8 read with regulations 9, 11, 12 and 20 of the **Public Health (Infectious Disease) Regulations, 1960**, the Public Health Commissioner hereby orders the prohibition of outdoor and indoor public assemblies in Seychelles from **8.00 P.M. on 23<sup>rd</sup> January, 2021, until further notice.**

In furtherance of the Order and in accordance with regulation 9, 11 and 12 of the **Public Health (Infectious Disease) Regulations, 1960** —

1. Every person shall refrain from engaging in or taking part in public assemblies, whether outdoor or indoor.
2. (a) Subject to this Order and the Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 3) Order, 2021 —

- (i) no assembly of more than 4 persons shall be held for any purpose in any area or place, including but not limited to building and roads;
    - (ii) no person shall be on any beach for any purpose except visitors residing in a tourism establishment who make use of the beach and swim in the sea directly situated in front of the tourism establishment.
  - (b) A person may make an application to the Public Health Commissioner to hold an assembly of more than 4 persons on a specified date and time, and if the application is approved, every person in the assembly shall comply with the Public Health (Infectious Disease) (Mandatory Wearing of Face Masks) regulations, 2020, and the existing guidelines issued by the Public Health Commissioner and such other conditions that the Public Health Commissioner may deem necessary to impose in regards to the said assembly.
3. For the purposes of preventing, controlling and suppressing the spread of COVID-19 in the community —
- 3.1 no person shall host any social or private entertainment event whatsoever such as a house party which includes any person from outside of the immediate household of the dwelling house where the party takes place;
  - 3.2 No person shall visit another person's place of residence for any social purpose. For avoidance of doubt, a person who is a caregiver or who delivers essential goods to an elderly, vulnerable or disabled person may visit the person's place of residence for such purpose subject to complying with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020 and practice good hand hygiene and social or physical distancing, as the case may be, according to directions issued by the Public Health Commissioner;
  - 3.3 no person shall be on any beach except visitors residing in a tourism establishment who make use of the beach and swim in the sea directly situated in front of the tourism establishment.
4. No group of more than 4 persons (unless they are part of the same household or at school, where the Restriction on attendance of Schools Order, 2021, has been lifted, or at the workplace) shall assemble spontaneously including when making use or accessing any service. Any such spontaneous assembly shall disperse and any member of such group who fails to depart the assembly when instructed by a police officer to do so commits an offence and may be arrested without warrant or be subject to any applicable penalty.
5. A person who encourages, coerces, entices or persuades any person to engage in or take part in an assembly of more than 4 persons commits an offence.
6. This prohibition order shall not have the effect of prohibiting assembly exclusively for the following purposes —
- 6.1 work at the workplace;
  - 6.2 attendance of school or school activities (where the Restriction on attendance of Schools Order, 2021, has been lifted);
  - 6.3 shopping at shops or retail outlets that are permitted to open;
  - 6.4 access to healthcare facilities;
  - 6.5 travel at bus stops, bus station, ports or airports;
  - 6.6 consumption at restaurant located in a hotel establishment or trade premises that is permitted to operate;

- 6.7 funeral service in accordance with the guidelines issued by the Public Health Commissioner;
- 6.8 celebration of marriage in church or at Civil Status office or any other approved venues, which shall comprise of the parties, the celebrant, witnesses and a limited number of invitees as per guidelines issued by the Public Health Commissioner; or
- 6.9 making use of any other service or facility that is permitted to operate,

provided that the employer, worker, owner, manager, consumer or any person in control of the premises or providing the service or organising the event shall comply with any direction of the Public Health Commissioner in respect of social or physical distancing and hygiene and ensure compliance with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020.

- 7. (a) All sporting activities, games (including water sports, the playing of dominoes and cards) and any similar activities outside the confines of the person's place of residence are prohibited.
  - (b) A person shall not use any sports, recreation or entertainment facilities —
    - (i) in the common property of a subdivided building;
    - (ii) in any public place, whether managed or maintained by the Government or private body and is accessible to the general public (including the outdoor gym located at Beau Vallon beach and Roche Caiman Sports Complex).
  - (c) This prohibition order shall not have the effect of prohibiting jogging and walking by individuals as a physical exercise activity.
- 8. All entities, public or private, in any industry, whether construction, manufacturing of goods or provision of services, that also provide shared or common accommodation for their workers shall —
    - 8.1 transport their workers from their residence directly to their workplace, where practicable, or limit the movement of their workers to the workers' residence and workplaces, while this Order is in operation;
    - 8.2 not permit that their workers to hold any social or private entertainment event whatsoever such as a parties, dances, fairs within the premises, common areas or the yard space of their accommodation;
    - 8.3 ensure that after their workers comply with the conditions of their gainful occupation permit and does not engage in any work outside their workplace after their working time with their employer; and
    - 8.4 ensure that their workers comply with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020, and comply and observe the orders of the Public Health Commissioner and the directions and guidelines issued by the Public Health Commissioner in respect of social and physical distancing while transporting their workers from their residence to their workplace and from their workplace to their residence and while the workers are in their residence, inclusive of their yard space.
  - 9. All establishments, institutions, businesses, organisations authorised to conduct any activity shall ensure that all persons on its premises comply with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020 and practice good hand hygiene and social or physical distancing, as the case

may be, according to directions issued by the Public Health Commissioner in respect of the workers, customers, students, attendees or invitees and should employ adequate number of staff to ensure practice and observance thereof so as to remove the risk of infection or spread of COVID-19.

10. Appropriate action shall be taken against any person who fails to comply with this order under the Public Health (Infectious Diseases) Regulations.

**C. Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 3) Order, 2021**

*(Regulation 8 read with 9(2))*

In accordance with regulation 8 read with regulation 9(2) of the **Public Health (Infectious Disease) Regulations, 1960**, the Public Health Commissioner hereby orders that from **8:00 PM on 23<sup>rd</sup> January, 2021, until 4 AM on 15<sup>th</sup> February, 2021**, the following prohibitions or restrictions shall apply in respect of activities and operation of establishments, trade premises and shops

1. The following prohibitions or restriction, as the case may be, shall apply to shops, retail outlets and wholesale outlets —
  - 1.1 All shops or retail outlets except shops or retail outlets that sell food items, groceries, essential baby and sanitary products, pharmaceutical products, medical equipment and hardware shall be closed for service to the public.
  - 1.2 The shops or retail outlets that sell food items, groceries, essential baby and sanitary products, pharmaceutical products and medical equipment may open as follows —
    - 1.1 Monday to Friday between the hours of 6:00 AM to 6:00 P.M; and
    - 1.2 Saturday and Sunday between the hours of 6:00 AM to 3:00 PM.
  - 1.3 Hardware stores may open on Monday to Saturday between the hours of 6:00 AM to 12:00 NOON.
  - 1.4 Wholesalers of food items, groceries, essential baby and sanitary products, pharmaceutical products and medical equipment may deliver such products to shops and retail outlets referred to under paragraph 1.2 above or at food outlets referred to in paragraph 2 below.
  - 1.5 Nothing in this Order prohibits the online or electronic sales of any product subject that the product shall be delivered at such residence, premises or workplace of a person specified in the order in accordance with guidelines issued by the Public Health Commissioner.
2. No person shall conduct the business of restaurant, take-away food outlet or other food outlet, unless the said operator prepares food at its premises on previous non-physical order and delivers the food to the customer at one location for one customer only. For the sake of clarity, except for collection of food in bulk by previous non-physical order, no collection is authorised at the restaurant, takeaway food outlet or other food outlet. A food outlet that is not authorised or licensed to prepare food at its premises shall not provide any such delivery or collection service customers.
3. No person shall be permitted to visit any person admitted to any hospital or resident health care establishment or any home for the elderly.
4. The following activities are prohibited or restricted, as specified herein —

- 4.1 religious service and ceremonies except for funeral service and celebration of marriage;
  - 4.2 physical exercises in gymnasium and fitness centres;
  - 4.3 dances or social events in any night clubs, dance halls or and discotheques;
  - 4.4 fairs, fun fairs, fancy fairs, parish fetes;
  - 4.5 swimming including in any pools for common or shared use including at tourism establishments but excludes swimming in swimming pools at private dwellings or that is part of villa or room in a tourism establishment for the personal use of the occupier of the villa or room or swimming by a resident of a tourism establishment in the sea in directly situated in front of the tourism establishment;
  - 4.6 festivals;
  - 4.7 cultural and musical shows, concerts or performances;
  - 4.8 trade fairs consisting of exhibition, advertisement or sale of the products of industries or of other materials;
  - 4.9 all sporting activities and games (including water sports, the playing of dominoes and cards) and any similar activities outside the confines of the person's place of residence; and
  - 4.10 use of jetskis, pleasure crafts or similar vessels unless approved by the Commissioner of Police.
5. The organisers, celebrants, workers, participants of funeral services and celebration of marriages shall adhere to or comply with, or ensure adherence to and compliance with, the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) Regulations, 2020, and directions and guidelines issued by the Public Health Commissioner so as to remove the risk of infection or spread of COVID-19.
6. The following trade premises or premises, as the case may be, shall remain closed to the public or shall not operate except as specified herein —
- 6.1 restaurants except in hotels, resorts and guest houses to serve their resident clients and airside restaurants in the international airport terminal;
  - 6.2 mobile food vans and take aways except in accordance with Order 2;
  - 6.3 public bar unless the bar is an attendant facility of a hotel;
  - 6.4 cinema;
  - 6.5 casino;
  - 6.6 gymnasium and fitness centres;
  - 6.7 night clubs, dance halls or and discotheques;
  - 6.8 spa treatments establishments;
  - 6.9 stadiums for sporting events;
  - 6.10 amusement parks;
  - 6.11 swimming pools for common or shared use including at tourism establishments but excludes pools at private dwellings or that in a tourism establishment that is part of villa or room for personal use of the occupier thereof;
  - 6.12 children or kids' club in tourism establishments;
  - 6.13 social centres or other premises for any cultural, musical performances or concerts;
  - 6.14 premises for trade fairs or exhibitions.
7. Postal services may remain operational but no member of the public shall enter a Post Office, DHL, FedEx or any other office providing a postal service.
8. All establishments, institutions, businesses, organisations authorised to conduct any activity or to be open to the public shall at all times ensure compliance with the Public Health (Infectious Disease)(Mandatory Wearing of Face Masks) regulations, 2020 and



practice good hand hygiene and social or physical distancing according to directions issued by the Public Health Commissioner in respect of their workers and customers and should employ persons to ensure practice and observance thereof so as to remove the risk of infection or spread of COVID-19.

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**D. Miscellaneous Orders**

1. The following orders shall apply to Orders A, B and C above —
  - 1.1 The owner, manager or operator of a trade premises, premises or public place providing a service to the public shall ensure that persons inside the premises, public place or trade premises wear face masks and shall restrict the number of customers or persons inside the trade premises, premises or public place at any one time so that each customer or person is able to physically and optimally distance himself or herself from another person;
  - 1.2. Each person in a public place shall at all times wear face masks and maintain optimal physical distance from another person as part of the observance and promotion of social or physical distancing;
  - 1.3. Necessary action may be taken against any person who fails to comply with any of these orders;
  - 1.4. Any person who contravenes an order without reasonable excuse commits an offence and is liable on conviction to a fine not exceeding SCR 20, 000 or imprisonment for a period not exceeding two years or to both or may be liable to be issued with any applicable spot fine or fixed penalty.
  - 1.5 A person shall on request of a police officer answer any questions to enable the police officer to ascertain who the person is and whether the person is allowed to be in any assembly or performing any activity or trade or accessing any service and where the person does not satisfy the police officer that the person is allowed to be in such assembly outside the confines of the person's place of residence pursuant to any Infectious Disease Order made by the Public Health Commissioner that is in force, the police officer may —
    - 1.5.1 direct the person to go immediately to the person's place of residence;
    - 1.5.2 detain and convey the person to the person's place of residence;
    - 1.5.3 issue the person with any applicable spot fine or fixed penalty notice;
    - 1.5.4 arrest and detain the person.

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**E. Repeal**

1. The following Orders are hereby repealed —
  - 1.1 Infectious Disease (Prohibition of Public Assemblies) Order, 2021 (*Gazette Notice No. 1 of 2021*); and
  - 1.2 Infectious Disease (Prohibition of Public Assemblies) (Restriction on activities and operation of establishments, trade premises and shops) (No. 2) Order, 2021 (*Gazette Notice No. 20 of 2021*)

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**F. Valid Orders**

Save for the repealed Orders, all Orders made including the following remain in full force and effect —

- (1) The Infectious Disease (Restriction on entry to, exit from and return to Seychelles) (No. 3) Order, 2020 (*Gazette Notice No. 300 of 2020*);
- (2) The Infectious Disease (Restriction on travel) (No. 3) Order, 2020 (*Gazette Notice No. 300 of 2020*); and
- (3) The Infectious Disease (Restriction on attendance of Schools) Order, 2021. (*Gazette Notice No. 20 of 2021*)

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**MADE ON THIS SATURDAY 23<sup>RD</sup> JANUARY 2021.**

**DR. JUDE GEDEON**  
**PUBLIC HEALTH COMMISSIONER**

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