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GAZETTE SUPPLEMENT

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GENERAL NOTICES

No. 479 of 2022

NOTICE

ACCESS TO INFORMATION ACT, 2018

(Act No. 4 of 2018)

In exercise of the powers conferred by section 7(1) of The Access to Information Act, 2018 (Act 4 of 2018) the head of the **Seychelles Squash Association** hereby designates **Ms. Trisha Quatre** as the Information Officer for **Seychelles Squash Association** replacing **Ms. Daria Alphonse**.

Dated this: 30th March, 2022.

Mr. Ridvan Pierre Prosper
Chairperson Seychelles Squash Association
Seychelles Squash Association

Contact Details of Information Officer

Telephone: **2573545**

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No. 480 of 2022

NOTICE

ACCESS TO INFORMATION ACT, 2018

(Act No. 4 of 2018)

In exercise of the powers conferred by section 7(1) of The Access to Information Act, 2018 (Act 4 of 2018) the head of the **Agency for National Human Resource Development**

hereby designates **Mrs. Barbara Kilindo** as the Information Officer for **Agency for National Human Resource Development** replacing **Terence Crea**.

Dated this: 30th April, 2022.

Nadia Lauricourt
Chief Executive Officer
Agency for National Human Resource Development

Contact Details of Information Officer

Telephone: **2722422 / 4303222**

Email: psa@anhrd.gov.sc

No. 481 of 2022

JUDICIAL SALE

Warning is hereby given that on the **26th May, 2022 at 2pm** at Ile Du Port, Mahe, Seychelles shall take place the **sale and adjudication**, before the Supreme Court of Seychelles of land situated at La Louise, Mahe Seychelles registered as parcel **V1421** together with all plantations, dependencies and appurtenances thereto generally whatsoever. The property is seized against Tracy Boniface and Kevin Boniface at the request of the **Housing Finance Company Limited**.

All parties claiming a right to take inscription of legal mortgage upon 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 04th day of May, 2022.

S. RAJASUNDARAM
ATTORNEY IN CHARGE OF THE SALE
1ST FLOOR MICHEL'S BUILDING (first floor)
QUINCY STREET, VICTORIA, MAHE
SEYCHELLES
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No. 482 of 2022

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.

Ms Julianne Monique Benson authorized to change her son's name from Caleb Joseph Marie to Caleb Joseph Benson.

Ms Marie-Claire Allisop authorized to change her name from Marie Claire Allisop to Marie Claire Alissop.

N. Flore
For: Chief Officer of the Civil Status



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SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS

Report on the audit of the Financial Statements

Opinion

We have audited the financial statements of **SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED** (hereafter referred to as "the Bank") set out on pages 4 to 68 which comprise the Statement of Financial Position as at December 31, 2021, the Statement of Profit or Loss and Other Comprehensive Income, Statement of Changes in Equity and the Statement of Cash Flows for the year then ended and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements on pages 4 to 68 give a true and fair view of the financial position of the Bank as at December 31, 2021 and of its financial performance and its cash flows for the year then ended in accordance with International Financial Reporting Standards and comply with the Seychelles Companies Act, 1972.

Basis for Opinion

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Bank in accordance with the International Ethics Standards Board for Accountants' Code of Ethics for Professional Accountants (IESBA Code) together with the ethical requirements that are relevant to our audit of the financial statements in Seychelles, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the IESBA Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Key Audit Matters

Key audit matters are those matters that, in our professional judgement, were of most significance in our audit of the financial statements of the current period. These matters were addressed in the context of our audit of the financial statements as a whole, and in forming our opinion thereon, and we do not provide a separate opinion on these matters.

Allowance for Expected Credit Losses (ECL)

Key Audit Matter

Determining expected credit losses ('ECL') involves Management's judgement and is subject to significant uncertainties, which have varied considerably as a result of Covid-19 pandemic.



SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS (CONT'D)

Key Audit Matters (Cont'd)

Allowance for Expected Credit Losses (ECL) (Cont'd)

Key Audit Matter (Cont'd)

Inherently judgemental modelling was used to estimate ECL which involves determining Probabilities of Default (“PD”), Loss Given Default (“LGD”), Exposures at Default (“EAD”) and defining the criteria for increases in significant credit risk. The impact of COVID-19 on the economy has increased significantly the level of uncertainties. It remains unclear when the Global economy will fully recover from the COVID-19 pandemic. Reports of new waves and variants of the virus in many parts of the World are being followed up with further lockdown measures, which are adversely impacted economic activities and in many cases livelihood.

The Bank faced significant challenges to adapt its IFRS 9 modelling as compared to previous period so as to adequately fit the new Normal. In addition to the ECL framework, the Bank placed significant reliance on Management’s overlay given the environment of increased uncertainty and vulnerability as well as limited view of credit risks in its portfolio.

In applying the post model adjustments, the Bank used a portfolio segmentation approach on its various sectors of exposures in addition to a multiplier effect to overlay the modelled Expected Credit Loss. The multiplier was based on the Bank’s perception of risk by sector ranging from 1-8 according to the sectors resilience to COVID-19. *(Refer to note 4.1(b)).*

At December 31, 2021, the Bank reported total credit impairment of **SR 89.6m** (2020: SR 213.2m) out of which **SR 87.0m** (2020: SR 203.1m) was in respect of drawn loans and advances which represent an ECL cover ratio of 3.8% (2020: 7.6%).

How our audit addressed the key audit matter

With the assistance of our technical team we carried out the following tests to ensure reasonableness in the circumstances of the Bank’s ECL modelling and overlay:

ECL modelling framework

- Evaluated the appropriateness of the Bank’s IFRS 9 impairment methodologies;
- Reperformed and inspected model code for the calculation of certain components of the ECL model (including the staging criteria);
- Evaluated whether the changes were appropriate by assessing the updated IFRS 9 model methodology;
- Checked the reasonableness of the Bank’s considerations on the ECL impact of the current economic environment due to COVID-19;
- Sample-tested key inputs, data and assumptions impacting ECL calculations to assess the reasonableness of economic forecasts, weights, and model assumptions applied;
- We assessed whether the disclosures were appropriate addressed the uncertainties which existed when determining the ECL including sensitivity analysis done. In addition, we assessed whether the disclosure of the key judgements and assumptions made was sufficiently clear. *(Refer to note 4.1).*



SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS (CONT'D)

Key Audit Matters (Cont'd)

Allowance for Expected Credit Losses (ECL) (Cont'd)

How our audit addressed the key audit matter (Cont'd)

Management overlay

- We assessed the post-model overlay which were applied by the Bank as a response to ECL model framework shortfall due to COVID-19 related uncertainties;
- Scrutinised post model adjustments, considering the size and complexity of Management's adjustments with a focus on COVID-19 related ones, in order to assess the reasonableness of the adjustments by challenging key assumptions, inspecting the calculation methodology and tracing a sample of the data used back to their source;
- We assessed the critical accounting estimates and judgements proposed by Management;
- We also considered the completeness and appropriateness of these adjustments by reviewing the estimates, judgements, methodologies and governance applied;
- We also reviewed the assessment made by the Bank's Risk Management Committee (RMC) to ensure justification for the Management overlay.

Responsibilities of Directors and Those Charged with Governance for the Financial Statements

The Directors are responsible for the preparation and fair presentation of the financial statements in accordance with International Financial Reporting Standards and in compliance with the Companies Act, 1972, the Financial Institutions Act 2004, as amended and the Regulations and Directives of the Central Bank of Seychelles, and for such internal control as the Directors determine is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Directors are responsible for assessing the Bank's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Directors either intend to liquidate the Bank or to cease operations, or have no realistic alternative but to do so. Those charged with governance are responsible for overseeing the Bank's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.



SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS (CONT'D)

Auditor's Responsibilities for the Audit of the Financial Statements (Cont'd)

As part of an audit in accordance with ISAs, we exercise professional judgement and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Bank's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by Directors.
- Conclude on the appropriateness of Directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Bank's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Bank to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Report on Other Legal and Regulatory Requirements

Companies Act, 1972

We have no relationship with, or interests in, the Bank, other than in our capacity as auditors and dealings in the ordinary course of business.

We have obtained all information and explanations we have required.

In our opinion, proper accounting records have been kept by the Bank as far as it appears from our examination of those records.



SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS (CONT'D)

Report on Other Legal and Regulatory Requirements (Cont'd)

Financial Institutions Act 2004, as amended and Regulations and Directives of the Central Bank of Seychelles

The Financial Institutions Act 2004, as amended and Regulations and Directives of the Central Bank of Seychelles requires that in carrying out our audit, we consider and report to you the following matters. We confirm that:

- In our opinion, the financial statements have been prepared on a basis consistent with that of the preceding year and are complete, fair and properly drawn up and comply with the Financial Institutions Act 2004, as amended and Regulations and Directives of the Central Bank of Seychelles.
- The explanations or information called for or given to us by Management and employees of the Bank were satisfactory.
- The Bank did not carry out any fiduciary duties during the year under review.

Other matters

This report is made solely to the members of **SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED** as a body, in terms of our engagement to conduct the audit on their behalf. Our audit work has been undertaken so that we might state to the Bank's members those matters which we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Bank or the Bank's members as a body, for our audit work, for this report, or for the opinions we have formed.

Dated: 28 APR 2022
Victoria, Seychelles


BDO ASSOCIATES
Chartered Accountants

SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED

STATEMENT OF FINANCIAL POSITION AS AT DECEMBER 31, 2021

	Notes	2021 SR' 000	2020 SR' 000
ASSETS			
Cash and bank balances	5	4,820,745	5,882,705
Loans and advances	6	2,175,148	2,467,422
Investment in financial assets	7	2,613,705	2,128,781
Property and equipment	8	187,627	195,352
Intangible assets	9	5,913	9,989
Right-of-use assets	10(b)	25,369	30,105
Retirement benefit assets	11(a)	8,105	14,996
Deferred tax assets	12(b)	18,653	58,053
Other assets	13	38,271	40,356
Total Assets		9,893,536	10,827,759
LIABILITIES AND SHAREHOLDERS' EQUITY			
LIABILITIES			
Customers deposits	14	8,571,425	9,734,884
Borrowings	15	89,406	28,022
Retirement benefit obligation	11(a)	12,191	12,561
Current tax liabilities	16(a)	16,658	18,562
Other liabilities	17	58,743	94,789
Total Liabilities		8,748,423	9,888,818
EQUITY			
Share capital	18	100,000	100,000
Statutory reserve	19	100,000	100,000
Fair value reserve	20	207,325	295,220
Actuarial gains	20	1,214	5,919
Retained earnings		736,574	437,802
Total Equity		1,145,113	938,941
Total Liabilities and Equity		9,893,536	10,827,759
CONTINGENT LIABILITIES			
Guarantees, bills of collection, letters of credit, and other obligations on account of customers		486,887	593,291
Loan commitments	30(a)	521,102	412,106

SEYCHELLES INTERNATIONAL MERCANTILE BANKING CORPORATION LIMITED

STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME FOR THE YEAR ENDED DECEMBER 31, 2021

	Notes	2021 SR' 000	2020 SR' 000
Interest income	21	297,391	278,756
Interest expense	22	(40,570)	(45,371)
Net interest income		256,821	233,385
Fees and commission income	23	88,124	65,453
Fees and commission expense		(68,059)	(41,047)
Net fee and commission income		20,065	24,406
Net interest, fee and commission income		276,886	257,791
Net trading income	24	151,731	157,818
Other operating income	25	3,227	2,295
Exceptional income - collateral realised	26	-	144,960
Total operating income		431,844	562,864
Non-interest expense			
Other operating expenses	27	(90,752)	(94,498)
Depreciation of property and equipment	8	(12,416)	(12,268)
Amortisation of intangibles	9	(4,076)	(3,905)
Depreciation of right-of-use	10(b)	(4,105)	(2,607)
Total operating expenses		(111,349)	(113,278)
Operating profit before impairment		320,495	449,586
Expected credit loss credit/(charge)	29	123,586	(180,870)
Profit before tax		444,081	268,716
Tax expenses	16(b)	(145,309)	(51,341)
Profit for the year		298,772	217,375
Other Comprehensive Income			
Items that will be reclassified to Statement of Profit or Loss			
Reserve on property foreclosed	26	-	(124,600)
Items that will not be reclassified to Statement of Profit or Loss			
Remeasurement of retirement benefit obligations (RBO)	11(c)	(7,023)	12,890
Deferred tax effect on remeasurement of RBO	12(b)	2,318	(4,254)
Net change in fair value of financial assets at FVTOCI	7(a)(ii)	(87,895)	128,704
Other Comprehensive Income net of tax for the year		(92,600)	12,740
Total Comprehensive Income for the year		206,172	230,115

NATIONAL AWARDS BILL, 2022*(Bill No. 9 of 2022)***EXPLANATORY STATEMENT ON OBJECTS OF AND REASONS
FOR THE BILL**

This Bill makes provision for the establishment of an Order of the Republic of Seychelles (“the Order”) with the President of the Republic as the Chancellor of the Order for the purpose of recognising and honouring excellence, merit, valour and bravery.

The Chancellor will, on the recommendation of the National Awards Committee, confer national awards on persons who are deserving of recognition by virtue of their extraordinary and meritorious service to the Republic of Seychelles (the “Republic”) in various fields of endeavour or acts of bravery.

The Bill proposes the conferment of three national awards namely —

- (1) The Medal of Honour that will be conferred upon the President of the Republic on assumption of office. Upon the coming into force of this Act, the incumbent President shall have conferred upon them the Medal of Honour at the forthcoming investiture ceremony.
- (2) The Medal of Appreciation that will be conferred upon a person who has —
 - (a) rendered exceptional or outstanding services of national importance to Seychelles, thus earning the respect and gratitude of the Government and the people of Seychelles;
 - (b) performed an outstanding act of bravery, kindness or humanity towards another person.
- (3) The Medal of Merit that will be conferred upon any person who has rendered loyal, devoted, outstanding and meritorious service

of national importance in various fields to the Republic and to the people of Seychelles.

An Honorary Medal of Honour may also be conferred by the Chancellor upon the Head of another State or a head of government of a State has made substantial contribution to the development of Seychelles.

The national awards will be conferred upon persons to be awarded the respective medals at an investiture ceremony that will be held on National Day.

Dated this 9th day of May, 2022.

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

NATIONAL AWARDS BILL, 2022

(Bill No. 9 of 2022)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Interpretation
3. Order of the Republic of Seychelles
4. Chancellor and administration of the Order
5. Seal and motto of the Order
6. National Awards Committee
7. Eligibility for national award
8. Conferment and presentation of national award
9. Conferment of Honorary Medal of Honour
10. Use of the national award and Insignia of the Orders
11. Revocation of national award
12. Termination of membership
13. Resignation from the Order
14. Publication
15. Offences
16. Regulations and Amendment of Schedules

FIRST SCHEDULE

Medal of Appreciation

SECOND SCHEDULE

Medal of Merit

THIRD SCHEDULE

Constitution and Procedure of the National Awards Committee

FOURTH SCHEDULE

Manner of wearing the insignia

NATIONAL AWARDS BILL, 2022

(Bill No. 9 of 2022)



A BILL

FOR

AN ACT TO MAKE PROVISION FOR THE CONFERMENT OF NATIONAL AWARDS AND DECORATIONS ON PERSONS WHO ARE DESERVING OF RECOGNITION BY VIRTUE OF THEIR EXTRAORDINARY AND MERITORIOUS SERVICE TO SEYCHELLES IN VARIOUS FIELDS OF ENDEAVOUR OR ACTS OF BRAVERY.

ENACTED BY THE PRESIDENT AND THE NATIONAL ASSEMBLY.

Short title

1. This Act may be cited as the National Awards Act, 2022.

2. In this Act —

“Committee” means the National Awards Committee established under section 6;

“Chancellor” means the President;

“National Day” means 29 June of every year;

“Order” means the Order of the Republic Seychelles constituted under section 3; and

“Secretary” means Secretary of the Order appointed under section 4(4)(a).

Order of the Republic of Seychelles

3.(1) There is established for the purposes of this Act an Order of national awards and decorations for Seychelles which shall be known as the Order of the Republic of Seychelles and which shall, in order of precedence, consist of the following national awards —

- (a) the Medal of Honour of the Republic of Seychelles;
- (b) the Medal of Appreciation of the Republic of Seychelles; and
- (c) the Medal of Merit of the Republic of Seychelles.

(2) The Chancellor may, by regulations, establish any other national awards and decorations.

(3) Regulations made under subsection (2) shall prescribe the eligibility for the conferment of the other national award and the provisions of this Act shall *mutatis mutandis* apply thereto.

Chancellor and Administration of the Order

4.(1) The President shall be the Chancellor of the Order and shall be responsible for the administration of the Order.

(2) In the absence of the Chancellor, the person for the time being performing the functions of the office of the President shall discharge the functions of Chancellor.

(3) The Chancellor may, acting on the recommendation of the Committee, confer a national award upon a person in accordance with this Act or any regulations made under this Act.

(4) The Chancellor —

- (a) shall appoint the person discharging the administrative function of secretary to the Cabinet of Ministers to be the Secretary; and
- (b) may appoint such other persons as the Chancellor sees fit to hold an office of the Order and such persons shall have designated functions to assist with the administration of the Order.

(5) The Secretary shall —

- (a) hold and maintain any records relating to Order;
- (b) cause the publication, notification and gazetting of any notice under this Act;
- (c) hold and maintain the register of the names and other relevant particulars of any person to whom a national award has been conferred under this Act;
- (d) procure the insignia in respect of any person admitted to an Order;
- (e) maintain the relationship between the Order and the Committee;
- (f) arrange the investiture ceremonies; and

- (g) perform such other functions in respect of the administration and functioning of the Order as the Secretary or the Chancellor considers necessary.

(6) A person shall not be a member of the Order by reason only of he or she being the Secretary or an official of the Order.

(7) Any office to which a person is appointed under this section shall be a public office.

Seal and motto of the Order

5.(1) The Order shall have an official seal.

(2) The Chancellor shall have the custody of the seal.

(3) There may be, in relation to the Order or a national award, a motto.

National Awards Committee

6.(1) There shall be established, for the purposes of this Act, a committee to be known as the National Awards Committee.

(2) The Committee shall consist of six members appointed by the Chancellor.

(3) The Committee shall —

- (a) consider any nominations and supporting material received in respect of a person who is to be considered for appointment to the Order;
- (b) compile a list of nominees in respect of each national award and make recommendations to the Chancellor of those persons to be considered for each national award; and
- (c) advise the Chancellor on matters concerning the Order as

the Chancellor may refer to the Committee for consideration.

(4) A person shall not be a member of the Order by reason only of he or she being a member of the Committee.

(5) The provisions of the Third Schedule shall have the effect as to the constitution and procedures of the Committee and otherwise in relation thereto.

(6) There shall be paid to the members such allowances as may be determined by the Minister responsible for finance in consultation with the Chancellor.

Eligibility for national award

7.(1) The Medal of Honour of the Republic of Seychelles shall be conferred upon the President on his or her assumption of office or at any other time during his or her term of office.

(2) Subject to subsection (3), the President shall continue to be a member of the Order notwithstanding expiration of his or her term of office, resignation or retirement from office or removal from office on the ground of mental and physical incapacity.

(3) The President shall cease to be a member of the Order where he or she is removed from office for violation of the Constitution or gross misconduct under article 54 of the Constitution.

(4) Subsection (1) shall not apply to a person who is re-elected as President and who has already been conferred upon them the Medal of Honour.

(5) On the assumption of office, the Medal of Honour shall be conferred upon the President by the Chief Justice or Judge before whom the President subscribes to the oath of office.

(6) The Chancellor may confer the Medal of Honour on any person who served as President before the commencement of operation of this Act.

(7) On the commencement of this Act, the incumbent President shall, at the first investiture ceremony, be conferred the Medal of Honour by the Chief Justice.

(8) The criteria for eligibility for —

(a) the Medal of Appreciation is set out in the First Schedule; and

(b) the Medal of Merit is set out in the Second Schedule.

(9) Subject to such eligibility criteria prescribed in the First and Second Schedules, the Medal of Appreciation and the Medal of Merit may be conferred upon a citizen of Seychelles or a person who is not a citizen of Seychelles.

Conferment and presentation of national award

8.(1) An appointment to the Order shall be made —

(a) once a year, during an investiture ceremony that will take place on National Day; or

(b) on such other date as is prescribed by the Chancellor by order published in the *Gazette*.

(2) The Committee shall recommend to the Chancellor the persons to be awarded a national award under subsection (1) no later than thirty days of National Day.

(3) The Secretary shall publish the list of persons upon whom a national award will be conferred under subsection (1) (“the conferment list”) on or before 20 June in that year.

(4) Notwithstanding subsections (1), (2) and (3), the Chancellor may make announcements or make appropriate arrangements for conferment where announcement or conferment is not possible on the aforementioned date.

- (5) At the investiture ceremony, the Chancellor shall —
- (a) by written instrument as may be prescribed in a schedule under this Act appoint a person to the Order;
 - (b) confer upon a person on the conferment list the national award; and
 - (c) present a person on the conferment list with a decoration in the form of an insignia of the national award of the Order as prescribed under this Act.

(6) The investiture ceremony shall be held at such place and time as the Chancellor may decide.

(7) The instrument of appointment shall bear the signature of the Chancellor and the seal of the Order and such appointment of a person to the Order shall take effect from the date on which the instrument is dated.

(8) The national award of the Order may be conferred upon a person during his or her lifetime or posthumously but a deceased recipient will not become a member of the Order.

(9) Where the award is conferred posthumously, the national award shall be presented to a person that the Chancellor shall determine.

Conferment of Honorary Medal of Honour

9.(1) The Chancellor may confer an Honorary Medal of Honour upon —

- (a) a Head of State or a person with similar status; or
- (b) a head of a government of a State that the Chancellor considers to be deserving of the medal where that person is from a country whose government has made substantial contribution to the development of Seychelles.

(2) The conferment shall be made on a formal State or official visit where an exchange of honours is agreed upon in advance of such visit.

Use of the national award and Insignia of the Orders

10.(1) A person to whom a national award is conferred is entitled to use such letters or abbreviations of the national award after his or her name as may be prescribed where the use of such letters is customary or in circumstances as may be prescribed.

(2) The Chancellor shall prescribe the form, style, design, specifications and wear of the insignia of each of the national awards.

(3) A person upon whom a national award is conferred is entitled to wear the insignia conferred by that national award in the manner described in the Fourth Schedule.

(4) Except as otherwise provided under this Act or by regulations, any insignia of a national award shall remain the property of the Order.

(5) If the insignia is lost it may, upon the recommendation of the Committee, be replaced at the expense of the recipient, unless Chancellor determines otherwise.

Revocation of national award

11.(1) Where a person upon whom a national award has been conferred —

(a) brings Seychelles into disrepute; or

(b) engages in dishonourable conduct,

the Chancellor may revoke their national award.

(2) Subject to subsection (1), where the national award is revoked —

(a) the name of the person upon whom the national award was

conferred shall be removed from the register referred to in section 4(5)(c); and

- (b) the person shall, where applicable, return the insignia to the Secretary.

(3) Notwithstanding subsection (1), the Chancellor may restore any national award that has been previously revoked.

(4) Where the national award is restored under subsection (3), the Secretary shall re-enter the record of the national award in the register.

Termination of membership

12.(1) A person ceases to be a member of the Order upon —

- (a) the death of that person;
- (b) resignation of that person from the Order;
- (c) the revocation of the national award of that person pursuant to section 11; and
- (d) in the case of the President, under section 7(3) of the Act.

(2) An appointment that has been terminated may be restored.

(3) Where a person ceases, other than by death, to be a member of the Order, the person shall immediately surrender the insignia of the Order to the Secretary.

Resignation from the Order

13.(1) A person who wishes to resign from the Order shall submit a resignation in writing to the Chancellor.

(2) A resignation submitted in accordance with this section shall take effect from the date on which the person is informed of the acceptance of the resignation.

Publication

14. The Secretary shall cause to be published in the *Gazette* —
- (a) the appointments to the Order;
 - (b) the names of all members of the Committee as first constituted and every change in the membership thereof; and
 - (c) where any person ceases to be a member of the Order by reason of his or her resignation or of termination or he or she is restored to the Order, the termination or restoration, as the case may be.

Offences

15.(1) A person who claims or knowingly engages in conduct calculated to mislead others into believing that he or she is the recipient of a national award that he or she has not received, commits an offence.

(2) The conduct referred to in subsection (1) may include, but is not limited to —

- (a) wearing or displaying insignia or facsimile thereof; and
- (b) using or allowing others to use post-nominal letters or any facsimile thereof.

(3) Any person who is a party to the sale or manufacture of insignia or medals by an unauthorised supplier, commits an offence.

(4) Any person convicted of an offence under this Act or any regulations made under this Act shall be liable on conviction to a term of imprisonment not exceeding 2 years or to a fine of level 3 on the standard scale or to both such fine and imprisonment.

Regulations and Amendment of Schedules

16.(1) The Chancellor may make regulations for carrying out the purposes and provisions of this Act and, in particular and without prejudice to the generality of the foregoing, for —

- (a) the eligibility of conferment of a national award;
- (b) any restriction on the number of appointees to the Order in any given year;
- (c) any right or privilege connected with the conferment of a national award;
- (d) the Arms and motto of the Order;
- (e) the wearing of insignia or medals issued in relation to the Order or the assumption of any style or title assigned to any national award.

(2) The Chancellor may amend the Schedules by Order published in the *Gazette* as a subsidiary instrument.

FIRST SCHEDULE

[Section 7(8)(a)]

Medal of Appreciation

The Medal of Appreciation of the Republic of Seychelles may be awarded to any person who —

- (a) has rendered exceptional or outstanding services of national importance to Seychelles, earning the respect and gratitude of the Government and the people of Seychelles;
- (b) has performed an outstanding act of bravery, kindness or humanity any person.

SECOND SCHEDULE

[Section 7(8)(b)]

Medal of Merit

The Medal of Merit of the Republic of Seychelles may be awarded to any person who has rendered long, loyal, devoted, outstanding and meritorious service of national importance in various fields to the Republic of Seychelles and to the people of Seychelles.

THIRD SCHEDULE*[Section 6(5)]***Constitution and Procedure of the National Awards Committee****1. Tenure of Office**

Subject to the provisions of this Schedule, a member of the Committee shall hold office for a period not exceeding three years from the date of appointment and is eligible for reappointment.

2. Chairperson

The Chancellor shall appoint a Chairperson of the Committee from amongst the members.

3. Secretary

The Committee may appoint a person to act as secretary to the Committee.

4. Resignation

Any member of the Committee may at any time resign his or her office by instrument in writing addressed to the Chancellor, and from the date of the receipt by the Chancellor of such instrument such member shall cease to be a member of the Committee.

5. Vacancy

- (1) If any vacancy occurs in the membership of the Committee, such vacancy shall be filled by the appointment of another person who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for such the previous member was appointed.
- (2) In the case of the absence or inability to act of any member, the Chancellor may appoint any person to act temporarily in the place of such member.

6. Validity of proceedings

A vacancy in the membership of the Committee or any defect in the appointment of a member thereof shall not preclude the carrying out of its functions and shall not affect the validity of its proceedings.

7. Procedures of meetings

- (1) The Committee shall meet at such times as may be convenient or expedient for the transaction of business, and at such places as it may deem fit.
- (2) The Chairperson shall preside at meetings of the Committee and, in the case of his or her absence from any meetings, the members present shall elect one from amongst their number to preside at that meeting.
- (3) The decisions of the Committee shall be by majority of votes of the members present and voting, and the Chairperson or the person presiding at the meeting shall have casting vote in any case in which the voting is equal.
- (4) The quorum of the Committee shall be four members thereof.
- (5) Minutes in proper form shall be kept in the proceedings of the Committee.
- (6) Subject to the provisions of this Schedule, the Committee shall have power to regulate its own proceedings, and may delegate to any member or sub-committee thereto the power and authority to carry out on behalf of the Committee such duties as the Committee may determine

8. Expenses of the Committee

Any expenses incurred by the Chairperson and other members of the Committee in the performance of their duties shall be chargeable on the Consolidated Fund.

FOURTH SCHEDULE

[Section 10(3)]

Manner of wearing an Insignia

When worn in Seychelles, the insignia shall be worn as a pendant from riband attached to the left breast of the outer garment and in front of all decoration.

NATIONAL AWARDS BILL, 2022*(Bill No. 9 of 2022)***EXPLANATORY STATEMENT ON OBJECTS OF AND REASONS
FOR THE BILL**

This Bill makes provision for the establishment of an Order of the Republic of Seychelles (“the Order”) with the President of the Republic as the Chancellor of the Order for the purpose of recognising and honouring excellence, merit, valour and bravery.

The Chancellor will, on the recommendation of the National Awards Committee, confer national awards on persons who are deserving of recognition by virtue of their extraordinary and meritorious service to the Republic of Seychelles (the “Republic”) in various fields of endeavour or acts of bravery.

The Bill proposes the conferment of three national awards namely —

- (1) The Medal of Honour that will be conferred upon the President of the Republic on assumption of office. Upon the coming into force of this Act, the incumbent President shall have conferred upon them the Medal of Honour at the forthcoming investiture ceremony.
- (2) The Medal of Appreciation that will be conferred upon a person who has —
 - (a) rendered exceptional or outstanding services of national importance to Seychelles, thus earning the respect and gratitude of the Government and the people of Seychelles;
 - (b) performed an outstanding act of bravery, kindness or humanity towards another person.
- (3) The Medal of Merit that will be conferred upon any person who has rendered loyal, devoted, outstanding and meritorious service

of national importance in various fields to the Republic and to the people of Seychelles.

An Honorary Medal of Honour may also be conferred by the Chancellor upon the Head of another State or a head of government of a State has made substantial contribution to the development of Seychelles.

The national awards will be conferred upon persons to be awarded the respective medals at an investiture ceremony that will be held on National Day.

Dated this 9th day of May, 2022.

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

NATIONAL AWARDS BILL, 2022

(Bill No. 9 of 2022)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Interpretation
3. Order of the Republic of Seychelles
4. Chancellor and administration of the Order
5. Seal and motto of the Order
6. National Awards Committee
7. Eligibility for national award
8. Conferment and presentation of national award
9. Conferment of Honorary Medal of Honour
10. Use of the national award and Insignia of the Orders
11. Revocation of national award
12. Termination of membership
13. Resignation from the Order
14. Publication
15. Offences
16. Regulations and Amendment of Schedules

FIRST SCHEDULE

Medal of Appreciation

SECOND SCHEDULE

Medal of Merit

THIRD SCHEDULE

Constitution and Procedure of the National Awards Committee

FOURTH SCHEDULE

Manner of wearing the insignia

NATIONAL AWARDS BILL, 2022

(Bill No. 9 of 2022)



A BILL

FOR

AN ACT TO MAKE PROVISION FOR THE CONFERMENT OF NATIONAL AWARDS AND DECORATIONS ON PERSONS WHO ARE DESERVING OF RECOGNITION BY VIRTUE OF THEIR EXTRAORDINARY AND MERITORIOUS SERVICE TO SEYCHELLES IN VARIOUS FIELDS OF ENDEAVOUR OR ACTS OF BRAVERY.

ENACTED BY THE PRESIDENT AND THE NATIONAL ASSEMBLY.

Short title

1. This Act may be cited as the National Awards Act, 2022.

2. In this Act —

“Committee” means the National Awards Committee established under section 6;

“Chancellor” means the President;

“National Day” means 29 June of every year;

“Order” means the Order of the Republic Seychelles constituted under section 3; and

“Secretary” means Secretary of the Order appointed under section 4(4)(a).

Order of the Republic of Seychelles

3.(1) There is established for the purposes of this Act an Order of national awards and decorations for Seychelles which shall be known as the Order of the Republic of Seychelles and which shall, in order of precedence, consist of the following national awards —

- (a) the Medal of Honour of the Republic of Seychelles;
- (b) the Medal of Appreciation of the Republic of Seychelles; and
- (c) the Medal of Merit of the Republic of Seychelles.

(2) The Chancellor may, by regulations, establish any other national awards and decorations.

(3) Regulations made under subsection (2) shall prescribe the eligibility for the conferment of the other national award and the provisions of this Act shall *mutatis mutandis* apply thereto.

Chancellor and Administration of the Order

4.(1) The President shall be the Chancellor of the Order and shall be responsible for the administration of the Order.

(2) In the absence of the Chancellor, the person for the time being performing the functions of the office of the President shall discharge the functions of Chancellor.

(3) The Chancellor may, acting on the recommendation of the Committee, confer a national award upon a person in accordance with this Act or any regulations made under this Act.

(4) The Chancellor —

- (a) shall appoint the person discharging the administrative function of secretary to the Cabinet of Ministers to be the Secretary; and
- (b) may appoint such other persons as the Chancellor sees fit to hold an office of the Order and such persons shall have designated functions to assist with the administration of the Order.

(5) The Secretary shall —

- (a) hold and maintain any records relating to Order;
- (b) cause the publication, notification and gazetting of any notice under this Act;
- (c) hold and maintain the register of the names and other relevant particulars of any person to whom a national award has been conferred under this Act;
- (d) procure the insignia in respect of any person admitted to an Order;
- (e) maintain the relationship between the Order and the Committee;
- (f) arrange the investiture ceremonies; and

- (g) perform such other functions in respect of the administration and functioning of the Order as the Secretary or the Chancellor considers necessary.

(6) A person shall not be a member of the Order by reason only of he or she being the Secretary or an official of the Order.

(7) Any office to which a person is appointed under this section shall be a public office.

Seal and motto of the Order

5.(1) The Order shall have an official seal.

(2) The Chancellor shall have the custody of the seal.

(3) There may be, in relation to the Order or a national award, a motto.

National Awards Committee

6.(1) There shall be established, for the purposes of this Act, a committee to be known as the National Awards Committee.

(2) The Committee shall consist of six members appointed by the Chancellor.

(3) The Committee shall —

- (a) consider any nominations and supporting material received in respect of a person who is to be considered for appointment to the Order;
- (b) compile a list of nominees in respect of each national award and make recommendations to the Chancellor of those persons to be considered for each national award; and
- (c) advise the Chancellor on matters concerning the Order as

the Chancellor may refer to the Committee for consideration.

(4) A person shall not be a member of the Order by reason only of he or she being a member of the Committee.

(5) The provisions of the Third Schedule shall have the effect as to the constitution and procedures of the Committee and otherwise in relation thereto.

(6) There shall be paid to the members such allowances as may be determined by the Minister responsible for finance in consultation with the Chancellor.

Eligibility for national award

7.(1) The Medal of Honour of the Republic of Seychelles shall be conferred upon the President on his or her assumption of office or at any other time during his or her term of office.

(2) Subject to subsection (3), the President shall continue to be a member of the Order notwithstanding expiration of his or her term of office, resignation or retirement from office or removal from office on the ground of mental and physical incapacity.

(3) The President shall cease to be a member of the Order where he or she is removed from office for violation of the Constitution or gross misconduct under article 54 of the Constitution.

(4) Subsection (1) shall not apply to a person who is re-elected as President and who has already been conferred upon them the Medal of Honour.

(5) On the assumption of office, the Medal of Honour shall be conferred upon the President by the Chief Justice or Judge before whom the President subscribes to the oath of office.

(6) The Chancellor may confer the Medal of Honour on any person who served as President before the commencement of operation of this Act.

(7) On the commencement of this Act, the incumbent President shall, at the first investiture ceremony, be conferred the Medal of Honour by the Chief Justice.

(8) The criteria for eligibility for —

(a) the Medal of Appreciation is set out in the First Schedule; and

(b) the Medal of Merit is set out in the Second Schedule.

(9) Subject to such eligibility criteria prescribed in the First and Second Schedules, the Medal of Appreciation and the Medal of Merit may be conferred upon a citizen of Seychelles or a person who is not a citizen of Seychelles.

Conferment and presentation of national award

8.(1) An appointment to the Order shall be made —

(a) once a year, during an investiture ceremony that will take place on National Day; or

(b) on such other date as is prescribed by the Chancellor by order published in the *Gazette*.

(2) The Committee shall recommend to the Chancellor the persons to be awarded a national award under subsection (1) no later than thirty days of National Day.

(3) The Secretary shall publish the list of persons upon whom a national award will be conferred under subsection (1) (“the conferment list”) on or before 20 June in that year.

(4) Notwithstanding subsections (1), (2) and (3), the Chancellor may make announcements or make appropriate arrangements for conferment where announcement or conferment is not possible on the aforementioned date.

- (5) At the investiture ceremony, the Chancellor shall —
- (a) by written instrument as may be prescribed in a schedule under this Act appoint a person to the Order;
 - (b) confer upon a person on the conferment list the national award; and
 - (c) present a person on the conferment list with a decoration in the form of an insignia of the national award of the Order as prescribed under this Act.

(6) The investiture ceremony shall be held at such place and time as the Chancellor may decide.

(7) The instrument of appointment shall bear the signature of the Chancellor and the seal of the Order and such appointment of a person to the Order shall take effect from the date on which the instrument is dated.

(8) The national award of the Order may be conferred upon a person during his or her lifetime or posthumously but a deceased recipient will not become a member of the Order.

(9) Where the award is conferred posthumously, the national award shall be presented to a person that the Chancellor shall determine.

Conferment of Honorary Medal of Honour

9.(1) The Chancellor may confer an Honorary Medal of Honour upon —

- (a) a Head of State or a person with similar status; or
- (b) a head of a government of a State that the Chancellor considers to be deserving of the medal where that person is from a country whose government has made substantial contribution to the development of Seychelles.

(2) The conferment shall be made on a formal State or official visit where an exchange of honours is agreed upon in advance of such visit.

Use of the national award and Insignia of the Orders

10.(1) A person to whom a national award is conferred is entitled to use such letters or abbreviations of the national award after his or her name as may be prescribed where the use of such letters is customary or in circumstances as may be prescribed.

(2) The Chancellor shall prescribe the form, style, design, specifications and wear of the insignia of each of the national awards.

(3) A person upon whom a national award is conferred is entitled to wear the insignia conferred by that national award in the manner described in the Fourth Schedule.

(4) Except as otherwise provided under this Act or by regulations, any insignia of a national award shall remain the property of the Order.

(5) If the insignia is lost it may, upon the recommendation of the Committee, be replaced at the expense of the recipient, unless Chancellor determines otherwise.

Revocation of national award

11.(1) Where a person upon whom a national award has been conferred —

(a) brings Seychelles into disrepute; or

(b) engages in dishonourable conduct,

the Chancellor may revoke their national award.

(2) Subject to subsection (1), where the national award is revoked —

(a) the name of the person upon whom the national award was

conferred shall be removed from the register referred to in section 4(5)(c); and

- (b) the person shall, where applicable, return the insignia to the Secretary.

(3) Notwithstanding subsection (1), the Chancellor may restore any national award that has been previously revoked.

(4) Where the national award is restored under subsection (3), the Secretary shall re-enter the record of the national award in the register.

Termination of membership

12.(1) A person ceases to be a member of the Order upon —

- (a) the death of that person;
- (b) resignation of that person from the Order;
- (c) the revocation of the national award of that person pursuant to section 11; and
- (d) in the case of the President, under section 7(3) of the Act.

(2) An appointment that has been terminated may be restored.

(3) Where a person ceases, other than by death, to be a member of the Order, the person shall immediately surrender the insignia of the Order to the Secretary.

Resignation from the Order

13.(1) A person who wishes to resign from the Order shall submit a resignation in writing to the Chancellor.

(2) A resignation submitted in accordance with this section shall take effect from the date on which the person is informed of the acceptance of the resignation.

Publication

14. The Secretary shall cause to be published in the *Gazette* —
- (a) the appointments to the Order;
 - (b) the names of all members of the Committee as first constituted and every change in the membership thereof; and
 - (c) where any person ceases to be a member of the Order by reason of his or her resignation or of termination or he or she is restored to the Order, the termination or restoration, as the case may be.

Offences

15.(1) A person who claims or knowingly engages in conduct calculated to mislead others into believing that he or she is the recipient of a national award that he or she has not received, commits an offence.

(2) The conduct referred to in subsection (1) may include, but is not limited to —

- (a) wearing or displaying insignia or facsimile thereof; and
- (b) using or allowing others to use post-nominal letters or any facsimile thereof.

(3) Any person who is a party to the sale or manufacture of insignia or medals by an unauthorised supplier, commits an offence.

(4) Any person convicted of an offence under this Act or any regulations made under this Act shall be liable on conviction to a term of imprisonment not exceeding 2 years or to a fine of level 3 on the standard scale or to both such fine and imprisonment.

Regulations and Amendment of Schedules

16.(1) The Chancellor may make regulations for carrying out the purposes and provisions of this Act and, in particular and without prejudice to the generality of the foregoing, for —

- (a) the eligibility of conferment of a national award;
- (b) any restriction on the number of appointees to the Order in any given year;
- (c) any right or privilege connected with the conferment of a national award;
- (d) the Arms and motto of the Order;
- (e) the wearing of insignia or medals issued in relation to the Order or the assumption of any style or title assigned to any national award.

(2) The Chancellor may amend the Schedules by Order published in the *Gazette* as a subsidiary instrument.

FIRST SCHEDULE

[Section 7(8)(a)]

Medal of Appreciation

The Medal of Appreciation of the Republic of Seychelles may be awarded to any person who —

- (a) has rendered exceptional or outstanding services of national importance to Seychelles, earning the respect and gratitude of the Government and the people of Seychelles;
- (b) has performed an outstanding act of bravery, kindness or humanity any person.

SECOND SCHEDULE

[Section 7(8)(b)]

Medal of Merit

The Medal of Merit of the Republic of Seychelles may be awarded to any person who has rendered long, loyal, devoted, outstanding and meritorious service of national importance in various fields to the Republic of Seychelles and to the people of Seychelles.

THIRD SCHEDULE*[Section 6(5)]***Constitution and Procedure of the National Awards Committee****1. Tenure of Office**

Subject to the provisions of this Schedule, a member of the Committee shall hold office for a period not exceeding three years from the date of appointment and is eligible for reappointment.

2. Chairperson

The Chancellor shall appoint a Chairperson of the Committee from amongst the members.

3. Secretary

The Committee may appoint a person to act as secretary to the Committee.

4. Resignation

Any member of the Committee may at any time resign his or her office by instrument in writing addressed to the Chancellor, and from the date of the receipt by the Chancellor of such instrument such member shall cease to be a member of the Committee.

5. Vacancy

- (1) If any vacancy occurs in the membership of the Committee, such vacancy shall be filled by the appointment of another person who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for such the previous member was appointed.
- (2) In the case of the absence or inability to act of any member, the Chancellor may appoint any person to act temporarily in the place of such member.

6. Validity of proceedings

A vacancy in the membership of the Committee or any defect in the appointment of a member thereof shall not preclude the carrying out of its functions and shall not affect the validity of its proceedings.

7. Procedures of meetings

- (1) The Committee shall meet at such times as may be convenient or expedient for the transaction of business, and at such places as it may deem fit.
- (2) The Chairperson shall preside at meetings of the Committee and, in the case of his or her absence from any meetings, the members present shall elect one from amongst their number to preside at that meeting.
- (3) The decisions of the Committee shall be by majority of votes of the members present and voting, and the Chairperson or the person presiding at the meeting shall have casting vote in any case in which the voting is equal.
- (4) The quorum of the Committee shall be four members thereof.
- (5) Minutes in proper form shall be kept in the proceedings of the Committee.
- (6) Subject to the provisions of this Schedule, the Committee shall have power to regulate its own proceedings, and may delegate to any member or sub-committee thereto the power and authority to carry out on behalf of the Committee such duties as the Committee may determine

8. Expenses of the Committee

Any expenses incurred by the Chairperson and other members of the Committee in the performance of their duties shall be chargeable on the Consolidated Fund.

FOURTH SCHEDULE

[Section 10(3)]

Manner of wearing an Insignia

When worn in Seychelles, the insignia shall be worn as a pendant from riband attached to the left breast of the outer garment and in front of all decoration.