



**IMMIGRATION DECREE (AMENDMENT) ACT, 2013**

*(Act 12 of 2013)*

*I assent*

A handwritten signature in black ink, appearing to read 'Michel'.

J. A. Michel  
President



*22nd November, 2013*

**AN ACT to amend the Immigration Decree (Cap 93).**

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

**1.** This Act may be cited as the Immigration (Amendment) Act, 2013. Short title

Amendment  
of Cap 93

2. The Immigration Decree is hereby amended as follows—

- (a) by inserting in section 2 between the definitions of “permit” and “prohibited immigrant” the following—

“permanent residence permit” means residence permit obtained by fulfilling specified residential requirements;

- (b) by inserting, after section 17A, the following section—

“Permanent  
resident  
permit

17B.(1) A permanent residence permit may be issued to a person, in accordance with the provisions of this section, who—

- (a) is married to a citizen of Seychelles for a period of not less than 5 years and whose marriage is—
- (i) still subsisting and has resided in Seychelles for an aggregate period of not less than 5 years on a dependent's permit or gainful occupation permit; or
- (ii) not subsisting or the spouse has since died and has resided in Seychelles for an aggregate period of not less than 5 years on a dependent's permit, residence permit or gainful occupation permit;

- (b) possess an extraordinary ability in science, arts, education, economics, business, law or sports;
- (c) holds a university degree at doctorate, master or bachelor level in an area which is likely to contribute significantly to the development of Seychelles;
- (d) has in the opinion of the Minister made significant contribution to the development of Seychelles;
- (e) has invested Seychelles rupees equivalent to 1,000,000 United States dollars or more in a business in Seychelles and—
- (i) had the means of supporting himself or herself during 1 year of his or her residence in Seychelles; or
- (ii) has had at least 5 years business association or affiliation as a result of his or her direct investment in Seychelles; or
- (f) has lived for a period of at least 5 years and studied up to the level of secondary education in Seychelles, and graduated from a University and being employed for at least 2 years on a gainful occupation permit.

(2) A foreigner married to a Seychellois for a period of less than 5 years and who has 1 or more Seychellois children where the marriage no longer subsist or the spouse is deceased, may make an application for a residence permit and on being granted will be considered for permanent residence permit on attaining an aggregate period of 5 years of his or her residence.

(3) An application for a permanent residence permit shall be made in the prescribed form and manner to the Minister.

(4) The Minister may, if he or she is satisfied that the applicant fulfills the conditions, issue to the applicant a permanent residence permit in the prescribed form and manner and on payment of the prescribed fee.

(5) A person shall be eligible for a permanent residence permit, if—

- (a) he or she is not a prohibited immigrant;
- (b) he or she has resided in Seychelles as a resident for a period of not less than 5 years, in case of persons referred to in section 17B (1) (a), (b), (c) and (d);
- (c) the period of his or her absence from Seychelles, without the prior written permission of the Minister, does not exceed a continuous period of 1 year; and
- (d) he or she has not been sentenced to a term of imprisonment of 1 year or more for commission of

an offence punishable under any law of Seychelles.

(6) A permanent residence permit shall contain the names of spouse and minor children of the permit-holder in respect of whom permission has been granted by the Minister to reside with the permit-holder during the currency of the permit.

(7) A permanent residence permit, subject to the terms and conditions thereof, shall—

- (a) permit the holder and his or her spouse and children referred to in subsection (6), to reside in Seychelles;
- (b) exempt the holder from requirement of any other permit to reside or work in Seychelles; and
- (c) not entitle the holder and his or her spouse and children to free medical services in Seychelles or any social security benefits under the Agency for Social Protection Act or any other law for the time being in force.

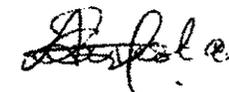
(8) A permanent residence permit shall cease to be valid if the holder—

- (a) is found to have knowingly submitted false information for the purpose of obtaining the permit;
- (b) is declared a prohibited immigrant or is deported from Seychelles;

- (c) is absent from Seychelles for a continuous period exceeding 1 year without the prior written permission of the Minister;
- (d) has been sentenced to a term of imprisonment for a period of one year or more for the commission of an offence punishable under any law of Seychelles; or
- (e) in the case of an investment in a business in Seychelles, —
  - (i) disposes the investment (within the first 10 years after the issue of the permit) or reduces voluntarily the value of investment below the amount equivalent to 1,000,000 United States dollars, within the period of first 10 years after the issue of the permit; or
  - (ii) is declared bankrupt.

(9) The Minister may revoke a permanent residence permit if there has been a breach of any condition attached thereto or he or she considers it in the public interest so to do.”

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 12th November, 2013.



Azarel Ernesta  
Clerk to the National Assembly