

**CONSOLIDATED TO 30 JUNE 2012**

**LAWS OF SEYCHELLES**

**CHAPTER 188A**

**PUBLIC FINANCES ACT**

*[1st January 1997]*

Act 22 of 1996  
S.I. 3 of 1997  
Act 9 of 2004  
Act 9 of 2006

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**PART I - PRELIMINARY**

1. This Act may be cited as the Public Finances Act, 1996 and shall come into operation on such date as the Minister may by notice published in the Gazette appoint\*.

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\*The Act was brought into operation on 1 January 1997.

2. In this Act-

"financial year" means a period of 12 months ending on the 31st December;

"public moneys" means all revenue, loan and other moneys and all securities whatsoever raised or received by or on account of the Republic.

**PART II - CONTROL AND MANAGEMENT**

3. (1) Subject to the Constitution and this Act, the Minister has The supervision and management of the Consolidated Fund and all other funds established under this Act and the supervision, control and direction of the financial affairs of the Republic.

(2) The Minister may, by notice in the *Gazette*, appoint a competent person who shall be responsible for the supervision and administration of government accounting system, financial and accounting records and procedures for the receipt, custody, investment, safekeeping and payment of public moneys and other moneys paid to public officers under any written law and the purchase, custody and disposal of property.

(3) In the exercise of their functions under this section the Minister and the person appointed under subsection (2) may issue directions and instructions to and require the submission of report and information by a public officer or other person holding, controlling or managing or disposing of public moneys or public property and the person shall so comply.

4. (1) Public moneys shall be kept with the Central Bank or such financial institution as the Minister may from time to time direct.

(2) Public moneys paid into a financial institution -

(a) shall remain the property of the Republic;

(b) shall be treated as if lent by the Republic to the institution;

(c) shall not form part of the assets of the institution in the event that the institution is placed into receivership or under judicial administration or is wound up.

(3) The Minister may invest public moneys standing in credit with the Central Bank or a financial institution and in doing so shall observe utmost good faith and act -

- (a) with due diligence;
- (b) with care and prudence; and
- (c) to the best of ability and skill of a competent investor.

(4) Interest received on public moneys paid into a financial institution and investments and interest on the investments form part of the Consolidated Fund.

5. (1) A person shall not withdraw money from the Consolidated Fund except if authorised by warrant under the hand of the Minister.

(2) The Minister shall by warrant under the Minister's hand authorise the issue from the Consolidated Fund of sums to meet charges on the Fund created by the Constitution, this Act or any other written law.

(3) The Minister may, by warrant under the Minister's hand, authorise the issue from the Consolidated Fund of sums to be applied for the purposes for which -

- (a) they have been appropriated under an Appropriation Act;
- (b) they have been approved by resolution of the National Assembly under a supplementary estimate in accordance with article 154(6) of the Constitution;
- (c) they have been approved by the National Assembly under article 155 of the Constitution.

(4) Notwithstanding the approval of the National Assembly referred to in subsection (3)(b) or (c) the Minister may limit or suspend any expenditure so approved.

6. (1) A Contingencies Fund is hereby established for use in the circumstances and in the manner set out in article 156(1) of the Constitution.

(2) A sum of R25,000,000 shall be paid out of the Consolidated Fund into the Contingencies Fund and shall form part of the Contingencies Fund.

7. (1) There is established a Development Fund which shall not form part of the Consolidated Fund.

(2) The Development Fund shall consist of -

- (a) moneys issued from the Consolidated Fund in accordance with the Constitution, this Act or any other written law;
- (b) moneys received from -

- (i) any other government institution, authority, body or person;  
and
- (ii) the proceeds of loans raised by the Republic,

for the purpose of a development scheme, project or programme to be financed from the Development Fund or generally for the purposes of the Development Fund;

- (c) moneys borrowed under the Development Loans Act.

(3) The Minister may, by warrant under the Minister's hand, authorise the withdrawal from the Development Fund of funds for the purpose of defraying the costs of a development scheme, project or programme -

- (a) for which moneys were received under subsection (2) (b);
- (b) for which provision is made under the National Development Plan for Seychelles referred to in the Development Loan Act and approved by the President, and for the implementation of which approval has been given by the President.

(4) Subject to this Act and any conditions which may be attached by any government, institution, authority, body or person to the grant of moneys received under subsection (1)(b), the Minister may invest moneys held in the Development Fund which are not required for immediate use for development purposes in like manner provided by section 4(2) in respect of public moneys.

**8.** (1) The Minister may, by notice in the Gazette, establish other funds.

(2) The notice establishing a Fund shall specify the purpose for which the Fund is being established and the manner in which the fund is to be made up and administered, and disbursement is to be made from the Fund.

(3) A Fund established under subsection (1) shall not form part of the Consolidated Fund.

(4) The Funds set out in the Schedule shall be deemed to be Funds established under subsection (1) and, subject to subsection (5), the provisions of the statutory instruments relating to how the Funds will be made up and the manners in which they will be administered and disbursed shall continue to apply to these Funds.

(5) Where the provisions made for the administration of and disbursement from a Fund are in the view of the Minister inadequate or, in the case of a Fund referred to in subsection (4), do not exist, the Minister may give directions in this connection in relation to the Fund.

(6) The Minister may invest moneys standing in a Fund in like manner provided by section 4(2) in respect of public moneys.

(7) Subject to subsection (6), withdrawals shall not be made from a Fund referred to in this section otherwise than for the purposes for which the Fund was established and in accordance with the provisions relating to disbursement from the Fund.

(8) Where the Minister is satisfied that fund established, or deemed to established, under subsection (1)-

- (a) has served the purpose which it was established;
- (b) has been completely inactive for a period exceeding five years,

and that it is in the public interest to do so, the Minister may, by Order published in the Official Gazette dissolve the fund and pay any moneys of the fund into the Consolidated Fund.

**9.** (1) Notwithstanding any other written law, a guarantee involving a financial liability shall not be binding upon the Government unless -

- (a) the guarantee has been given by the President or a person authorised by the President;
- (b) here is published in the Gazette an Order by the President giving particulars of -
  - (i) the parties to the transaction in respect of which the guarantee is given;
  - (ii) the Government's liability under the guarantee;
  - (iii) the period of time for which the guarantee is to stand;
  - (iv) such other particulars of the transaction as the President may decide to include in the Order.

(2) Any moneys required to fulfil a guarantee binding upon the Government shall be charged on and paid out of the Consolidated Fund.

**10.** (1) The Minister may authorise the establishment of such deposit accounts as may be necessary for the proper accounting of moneys which are not revenues of the Republic and which are received by a public officer under any written law or a direction, instruction or procedure issued under section 5.

(2) Moneys deposited under subsection (1) shall not be applied for the purposes of Government.

(3) Subject to any written law and the authority on which the moneys are deposited, the Minister may invest moneys deposited under subsection (1) which are not required immediately for the purposes for which the deposit was made in like manner provided by section 4(3) in respect of public moneys and any interest or dividend received in respect of the investment shall be paid into the Consolidated Fund.

(4) Subject to subsection (5), a deposit made under subsection (1) which is unclaimed for 5 years shall be forfeited to the Republic and be paid into the Consolidated Fund.

(5) The Minister may authorise the refund of a deposit forfeited under subsection (4) where the Minister is satisfied that there are reasonable grounds for so doing.

(6) Where the Minister gives an authorisation under subsection (5) the amount to be refunded shall constitute a charge on the Consolidated Fund.

**11.** The Minister shall, for the purpose of permitting the Auditor-General to comply with article 158 of the Constitution, within 6 months after the close of each financial year, transmit to the Auditor-General -

- (a) the accounts of the Consolidated Fund, Contingencies Fund, Development Fund and other funds established under this Act giving full particulars of all receipts and expenditures of moneys accounted for in all those funds during the financial year;
- (b) a statement of outstanding guarantees and other financial liabilities of Seychelles at the close of the financial year;
- (c) as far as practicable, a statement of the assets and liabilities of Seychelles at the end of the financial year and the manner in which the assets are invested or held at the close of the financial year.

**12.** (1) The Minister may abandon and write-off -

- (a) any claim to amount of revenue, debts and overpayments;
- (b) losses or deficiencies of public moneys; and
- (c) the value of lost public stores,

the recovery of which are barred by prescription under the Civil Code.

(2) Where it is proved to the satisfaction of the Minister that any public stores are deficient, unserviceable, redundant or obsolete or have been condemned, the Minister may write-off the value thereof.

**13.** (1) If it appears to the Minister that a person who is or was employed as a public officer and at the time of such employment -

- (a) has failed to collect any moneys owing to the Government or a fund under this Act for the collection of which the person is or was responsible;
- (b) is or was responsible for an improper payment of public moneys or moneys administered by the Government or for any payment of such moneys which is not duly vouched; or
- (c) is or was responsible for any deficiency in or for the loss or destruction of or damage to any public moneys or moneys administered by the Government, stamps, securities, stores or other Government property,

and if the person fails to furnish the Minister with a satisfactory explanation with regard to the failure to collect, the improper payment, payment not duly vouched, deficiency, loss, destruction or damage within a period specified by the Minister, the Minister may, after such

inquiry as the Minister thinks fit, surcharge the person the whole or such proportion as the Minister thinks fit of the amount not collected, the payment, deficiency or loss or the original value of the property destroyed.

(2) The Minister shall cause the person surcharged and the Auditor -General to be notified in writing of any surcharge made under subsection (1).

(3) The Minister may at any time withdraw a surcharge in respect of which the Minister has received a satisfactory explanation or if it appears to the Minister that no surcharge should have been made and the Minister shall notify the person and the Auditor-General of the withdrawal.

(4) The amount of surcharge shall be a debt due by the person surcharged to the Government and notwithstanding any other written law, may be recovered from -

- (a) the salary or pension of the person in monthly instalments not exceeding one-fourth of the total monthly salary or pension as may be determined by the Minister;
- (b) money, other than salary or pension, due by the Government to the person surcharged in such amount as the Minister considers reasonable.

(5) Subsection (4) shall apply without prejudice to the right of the Government to sue for and recover the amount of surcharge as a civil debt.

### **PART III - REGULATIONS AND REPEAL**

**14.** The Minister may make regulations for carrying out the purposes and provisions of this Act.

**15.** Notwithstanding the repeal of the Public Finances (Control and Management) Act by this Act -

- (a) a statutory instrument made under the repealed Act shall continue in force as if made under this Act until it is amended or repealed under this Act;
- (b) an authorisation, guarantee, direction or instruction given or procedure established under the repealed Act shall continue in force as if given or established under this Act until amended or withdrawn under this Act or ceases to have effect by effluxion of time;
- (c) anything made, established or done under the repealed Act which could have been made, established or done under this Act shall continue in force and be deemed to be made under this Act until amended or revoked under this Act or ceases to have effect by effluxion of time.

### **SCHEDULE**

(Section 8)

#### **OTHER FUNDS**

1. Archbishop Makarios Scholarship Fund.
2. Patel Trust Fund.
3. Police Reward Fund.

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NOTES: (1) The following funds -  
(a) the Whitton Bequest Fund; and  
(b) the Logan Scholarship Fund;  
have been dissolved by Act 9 of 2006 and all moneys of those Funds shall have been vested in the Republic and shall have been paid into the Consolidated Fund with effect from 26/12/2006.

(2) The Whitton Charitable Trust Act has been repealed by Act 9 of 2006.

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**LAWS OF SEYCHELLES**

**PUBLIC FINANCES ACT**

**CHAPTER 188A**

**SUBSIDIARY LEGISLATION**

**Section 10**

**Site and Service Revolving Loans Fund Order**

S.I. 4 of 1979  
S.I. 61 of 1988  
S.I. 41 of 1991  
S.I. 6 of 1991  
SI. 4 of 1980  
SI. 61 of 1998  
SI. 67 of 1994  
SI. 5 of 1994  
SI. 39 of 1994  
SI. 51 of 1995  
SI. 3 of 1995  
SI. 12 of 1995  
SI. 13 of 1995  
SI. 6 of 2002

1. This Order may be cited as the Site and Service Revolving Loans Fund Order.
2. There is hereby established a Special Fund to be known as the Site and Service Revolving Loan Fund, hereinafter referred to as "the Fund".
3. The objects of the Fund of the Fund shall be to provide mortgage loans for the construction of low cost housing and the improvement of housing conditions of the poorest population group in Seychelles.
4. The Fund shall consist of -
  - (a) moneys paid by way of grant by the European Development Fund under the Financial Agreement No. 2275/SY between the European Economic Community and the Republic of Seychelles for the purpose of granting mortgage loans under the site and service and mortgage finance scheme project;
  - (b) moneys paid by way of grant by the European Development Fund under the Financing Agreement referred to in sub-paragraph (1) for the purposes of providing infrastructure that are reimbursed by persons other than those receiving mortgage loans;
  - (c) moneys provided by Government that are used for the purpose of providing infrastructure and which are recoverable from mortgagors under the site and service and mortgage finance scheme project;
  - (d) moneys provided by Government for the purpose of providing infrastructure that are reimbursed by persons other than those receiving mortgage loans; and
  - (e) such other moneys as may from time to time, be provided for the purposes of the Fund.
5. (1) The financial supervision, control and direction of the Fund shall be the responsibility of the Principal Secretary, Finance.

(2) Other management and administrative matters relating to the Fund shall be the responsibility of the Principal Secretary of the Ministry responsible for Economic Development, Planning and Housing.

6. (1) The Principal Secretary, Finance shall maintain a special account known as the Site and Service Revolving Loans Fund into which shall be paid the reimbursements made in respect of mortgage loans granted and all other moneys received for the purposes of the Fund.

(2) The Principal Secretary, Finance, shall pay out of the Fund mortgage loans granted under the site and service and mortgage finance scheme project as covered by the Financing Agreement referred to in paragraph 4(1) and moneys for other purposes covered by this Order.

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### **Children Special Fund Order**

1. This Order may be cited as the Children Special Fund Order.
2. There is hereby established a Special Fund to be known as the Children Special Fund, hereinafter referred to as "the Fund".
3. The objects of the Fund shall be to improve the lives of children.
4. The Fund shall consist of -
  - (a) moneys that are from time to time appropriated from the Consolidated Fund to the Fund being the increased moneys collected as general revenue by Government under \*[the Excise Duty (Amendment) Order, 1979, and under the Customs Tariff (Amendment of Duties) (No. 2) Order, 1979]; and
  - (b) such other moneys as may from time to time be provided for the Fund.

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\*Since the enactment of the Trades Tax Act (Cap. 240) the words within the square brackets stand amended as "section 4(1)(a) of the Trades Tax Act on the manufacture of beer and Guinness in Seychelles".

5. (1) Payments out of the Fund shall be subject to the direction of the President.  
(2) The financial supervision of the Fund shall be the responsibility of the Principal Secretary, President's Office.  
(3) Other management and administrative matters relating to the Fund shall be the responsibility of the Principal Secretary, President's Office, under the direction of the President.
6. (1) The Principal Secretary, President's Office shall maintain or cause to be maintained a special account entitled the Children Special Fund Account into which shall be paid all moneys received for the purpose of the Fund.

(2) The Principal Secretary, President's Office shall pay out of the Fund moneys authorized by the President for the purposes of the Fund.

7. (1) The Principal Secretary, President's Office shall cause to be kept proper books of accounts of the moneys of the Fund.

(2) The accounts shall be audited every year by the Auditor General.

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### **G.S. Pillay And Sons Special Fund Order**

1. This Order may be cited as the G.S. Pillay and Sons Special Fund Order.

2. There is hereby established a Special Fund to be known as the G.S. Pillay and Sons Special Fund, hereinafter referred to as the Fund.

3. The objects of the Fund are to provide for the following purposes -

- (a) the construction of a bus-stand at the Central Bus Stand at Victoria;
- (b) distribution, on 2nd January of each year, of meals to the inmates of the Fiennes Institute administered by the Republic;
- (c) promotion of sports activities in Seychelles including the award of medals and cups for the games of cricket and foot-ball;
- (d) any other public purpose specified by the President.

4. There shall be paid into the Fund -

- (a) a sum of R110,000 subscribed by the G.S. Pillay of G.S. Pillay and Company (Pty) Limited PO Box 186, Victoria, Mahe on the establishment of the Fund;
- (b) a sum not less than R5000 subscribed each month by G.S. Pillay and Company (Pty) Limited, PO Box 186, Victoria, Mahe for a period of 10 years commencing on the date of establishment of the Fund; and
- (c) such other money as may be paid into the Fund by any person or body of persons.

5. (1) The Fund shall be administered by a board consisting of the following persons

- (a) the Minister responsible for finance;
- (b) the Principal Secretary of Finance; and

(c) Mr G.S. Pillay of G.S. Pillay and Company (Pty) Limited P.O. Box 186 Victoria Mahe, hereinafter referred as the "founder of the Fund".

(2) The Minister responsible for finance and the Principal Secretary of Finance, as the case may be, may delegate in writing a public officer to represent each of them on the Board of the Fund and each delegate shall, while so acting as a delegate, have all the powers of a member of the Board.

(3) Where the founder of the Fund is for any reason unable to perform the functions as a member of the Board, he may appoint his wife or any other member of his family to represent him on the Board.

(4) On the death of the founder of the Fund, the following members of his family shall succeed to the vacancy arising by his death in the following order -

Mrs Jothimani - wife;

Mr S. Jayachandran - son;

Mr S. Parameswaran - son;

Mr S. Rajagopal - son;

Mr S. Santhil Kumar - son;

Mr S. Sankar Ganesh - son;

Mr R. Dharmarajan - brother-in-law.

(5) On the death of the person succeeding to the vacancy arising by the death of the founder of the Fund, the person next in the order specified in paragraph (4) shall succeed to the vacancy.

(6) Where the persons specified in paragraph (4) are not available to discharge the functions on the Board, or are dead the President may appoint a public officer to fill the vacancy.

**6.** The decisions of the Board shall be by consensus of the members of the Board.

**7.** (1) The Board shall open and maintain an account with the Market Branch of Barclays Bank, Seychelles and all moneys of the Fund shall be paid into such account.

(2) Any withdrawals from the account for the purposes of the Fund shall require the signatures of at least 2 members of the Board.

**8.** (1) The Board shall cause to be kept proper books and accounts of the moneys of the Fund.

(2) The accounts shall be audited every year by an auditor appointed by the Board.

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## Environment Trust Fund Order

1. This Order may be cited as the Environment Trust Fund Order.
2. In this Order -  
  
"Board" means the Board of the Fund referred to in paragraph 5;  
  
"Fund" means the Environment Trust Fund established under paragraph 3;  
  
"member" means a member of the Board.
3. There is hereby established a Special Fund to be known as the Environment Trust Fund.
4. The objects of the Fund are -
  - (a) to carry out programmes to prevent and reduce pollution;
  - (b) to promote environment education and research;
  - (c) to clean and beautify Seychelles;
  - (d) to do such other things as may be necessary or conducive to the protection, preservation or improvement of the environment.
5. (1) Subject to subparagraph (2), the Fund shall be administered by a Board consisting of -
  - (a) the Minister responsible for Environment;
  - (b) the Minister responsible for Finance;
  - (c) the Principal Secretary of Ministry responsible for Finance;
  - (d) the Principal Secretary of Ministry responsible for Environment;
  - (e) such other members as the Minister may appoint for such term as the Minister may determine at the time of appointment.

(2) The Minister responsible for Environment, the Minister responsible for Finance, the Principal Secretary of the Minister responsible for Finance and the Principal Secretary of the Ministry responsible for Environment may, in writing, each delegate a public officer to represent them on the Board and the public officer shall have all the powers of the member of the Board who made the delegation.
6. The Fund shall consist of -

- (a) any money lawfully accruing to the Fund;
  - (b) any funds raised from public activities organised with the approval of the Board;
  - (c) such other money as may be paid into the fund by any person or organisation.
7. (1) The decision of the Board shall be by consensus of all the members.
- (2) Subject to subparagraph (1), the Board may regulate its own meetings and proceedings.
8. (1) The Board shall open and maintain an account with a financial institution in Seychelles and all moneys of the Fund shall be paid into the account.
- (2) Any withdrawal from the account for the purposes of the Fund shall require the signatures of at least 2 members.
9. (1) The Board shall cause to be kept proper books and accounts of the moneys of the Fund and shall prepare for each financial year a statement of accounts.
- (2) The accounts and statement of accounts of the Fund shall be audited every year by an auditor appointed by the Board.

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### **Tourism Marketing Fund Order**

1. This Order may be cited as the Tourism Marketing Fund Order.
2. There is hereby established a Special Fund to be known as the Tourism Marketing Fund, hereinafter referred to as the Fund.
3. The objects of the Fund are -
- (a) to promote and market Seychelles as a tourist destination; and
  - (b) to do such other things as may be necessary for or conducive to the achievement of the object specified in subparagraph (a).
4. (1) The Fund shall be administered by a Board consisting of -
- (a) the Minister responsible for tourism, who shall be its chairperson;
  - (b) Principal Secretary of the Ministry responsible for tourism;
  - (c) a representative of the Ministry responsible for Finance nominated by the Minister responsible for Finance;
  - (d) twelve other persons nominated by the Minister responsible for tourism.
- (2) The persons nominated under subparagraph (1)(d) shall hold office for a period of 1 year commencing on the date of the nomination and shall be eligible for renomination.
5. The Fund shall consist of -

- (e) moneys paid into the Fund by any person in or outside Seychelles;
  - (f) any funds raised from public activities organised with the approval of the Board;
  - (g) such other money lawfully accruing to the Fund.
6. (1) The Board shall meet at least once each month.
- (2) One half of the number of members of the Board shall constitute a quorum for a meeting of the Board.
- (3) The decisions of the Board shall be by a majority of the votes of the members present and voting at a meeting of the Board and in the event of an equality of votes the chairperson shall have a casting vote.
- (4) Subject to subparagraphs (1), (2) and (3), the Board may regulate its meetings and proceedings.
7. (1) The Board shall open and maintain an account with a bank approved by the Minister and all moneys of the Fund shall be paid into that account.
- (2) Any withdrawal from the account for the purposes of the Fund shall receive the signatures of at least 2 members of the Board.
8. (1) The Board shall cause to be kept proper books and accounts of the moneys of the fund and shall prepare for each financial year a statement of accounts.
- (2) The accounts and the statement of accounts kept and prepared under subparagraph (1) shall be audited every year by an auditor appointed by the Board.
- (3) The Board shall, on or before 30th April in each year, send to the Minister responsible for finance a copy of the statement prepared under subparagraph (1), together with a copy of the report made by the auditor on the statement, for the immediately preceding year.

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### **Agricultural Development Fund Order**

1. This Order may be cited as the Agricultural Development Fund Order.
2. There is hereby established a Special Fund to be known as the Agricultural Development Fund, hereinafter referred to as the "Fund".
3. The object of the Fund is to extend financing facilities for procurement of agricultural goods and services to farmers engaged in full time agricultural activities including production of livestock.
4. The Fund shall be administered by the Development Bank of Seychelles hereinafter referred to as the "Bank".

5. (1) The Fund shall consist of -

- (a) moneys paid into the Fund by the African Development Bank or any other person in or outside Seychelles;
- (b) income from any investment of the moneys of the Fund;
- (c) interest on loans granted out of the Fund;
- (d) such other money lawfully accruing to the Fund.

(2) Disbursement of the moneys of the Fund shall be made by the Bank on the recommendation of the Loans Committee constituted under paragraph 6.

6. (1) For the purposes of paragraph 5(2), there is hereby established a Loans Committee consisting of -

- (a) 4 representatives of the Ministry responsible for Agriculture and Marine Resources nominated by the Minister responsible for Agriculture and Marine Resources;
- (b) 1 representative of the Ministry responsible for Finance nominated by the Minister responsible for Finance; and
- (c) 1 representative of the Bank nominated by the Managing Director of the Bank.

(2) Where the portfolio responsibility for the subjects of Agriculture and Marine Resources is vested in 2 different Ministers each such Minister shall for the purpose of subparagraph (1)(a) nominate 2 representatives to represent each such Ministry on the Loans Committee.

(3) In the case of a vacancy in the membership of the Loans Committee, the person who nominated the member vacating membership shall nominate another person to fill the vacancy.

(4) The Loans Committee may elect one of its members to be its Chairperson.

(5) The Loans Committee shall meet at least once in each month.

(6) One half of the members of the Loans Committee shall constitute a quorum for a meeting of the Committee.

(7) The decisions of the Loans Committee shall be by a majority of the votes of the members present and voting at a meeting of the Committee and in the event of an equality of votes the Chairperson shall have a casting vote.

(8) Subject to subparagraphs (4) to (7) the Loans Committee shall regulate its meetings and proceedings.

7. The Bank shall open and maintain an account with a bank and all moneys of the Fund shall be paid into that account.

8. (1) The Bank shall cause to be kept proper books and accounts of the moneys of the Fund and shall prepare for each financial year a statement of accounts.

(2) The accounts and the statement of accounts kept and prepared under subparagraph (1) shall be audited every year by an auditor appointed by the Loans Committee.

(3) The Bank shall, on or before the 1st of April in each year send to the Loans Committee and to the African Development Bank a copy of the statement prepared under subparagraph (1), together with a copy of the report made by the auditor on the statement for the immediately preceding year.

(4) The financial year of the Fund shall be a period of 12 months ending on 31st of December in any year:

Provided that the 1st financial year of the Fund shall end on 31st December next following the establishment of the Fund.

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## SECTION 27

### **Temporary Borrowing Limits (Approval) Order**

*[11th February, 1985]*

1. This Order may be cited as the Temporary Borrowing Limits (Approval) Order.
2. So long as this Order remains in force, approval is hereby granted to the Minister to borrow, for the purposes specified in the proviso to section 27(1) of the Act, amounts not exceeding a total of R.200,000,00.

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## SECTION 8

### **National AIDS Trust Fund Notice**

*(18th March 2002)*

1. This Notice may be used as the National AIDS Trust Fund Notice.
2. There is hereby established a Fund to be known as the National AIDS Trust Fund (hereinafter referred to as the Fund).

3. The objects of the Fund shall be -

- (a) to promote national interest in and commitment to the prevention and control of HIV and AIDS, and the care of those who are infected or affected by HIV and AIDS;
- (b) to mobilise resources for HIV and AIDS programmes;
- (c) to promote and support national programmes on HIV and AIDS.

4. The Fund shall consist of -

- (a) any money lawfully accruing to the Fund;
- (b) any money raised from public activities organised by (or with the approval of) the Board of the Fund;
- (c) such other money as may be paid into the Fund by any person or organisation

5. (1) Subject to paragraph (2) the Fund shall be administered by the Fund a Board consisting of -

- (a) the Principal Secretary of the Ministry of Health (Chairman);
- (b) the Principal Secretary of the Ministry of Finance (alternate chairman)
- (c) such other members as the Ministry may in consultation with the Minister responsible for Health appoint for such terms as the Minister may in like manner determine at the time of appointment, to represent -
  - (d) the Private Sector;
  - (e) people affected by HIV and AIDS;
  - (f) non-governmental organisations;
  - (g) the medical profession.

(2) The Principal Secretary of the Ministry of Health and the Principal Secretary of the Ministry of Finance may, in writing, each delegate a public officer to represent them on the Board and such public officer shall have all the powers of the member who made the delegation.

6. (1) The decisions of the Board shall be taken by the majority vote of its members.

(2) Subject to subparagraph (1), the Board may regulate its own meetings and proceedings.

7. (1) The Board shall open and maintain an account with a financial institution in Seychelles, and all moneys of the Fund shall be paid into that account.

(2) Any withdrawal from the account for the purpose of the Fund shall require the signatures of at least 2 members.

8. (1) The Board shall cause to be kept proper books and accounts of the moneys of the Fund and shall prepare for each calendar year a statement of accounts.

(2) The accounts and statement of accounts of the Fund shall be audited every year by an auditor appointed by the Board.

(3) The Board shall on or before the 30th April in each year send to the Minister responsible for Finance a copy of the statement prepared under subparagraph (1), together with a copy of the report made by the auditor on the statement, in respect of the preceding year.

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## SECTION 29

The following Guarantee Orders have been made by the President.

Seychelles Electricity Corporation Limited (Guarantee) Order *(S.I. 59 of 1980)*.

Compagnie Seychellois de Promotion Hotelière Limited (Guarantee) Order, *(S.I. 82 of 1980)*.

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 34 of 1981)*

Seychelles National Investment Corporation (Guarantee) Order, *(SI. 35 of 1981)*

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 36 of 1981)*

Seychelles Agricultural Development Company Limited (Guarantee) Order, *(SI. 47 of 1981)*

Seychelles National Investment Corporation (Guarantee) Order, *(SI. 90 of 1981)*

Air Seychelles (Guarantee) Order, *(S.I. 95 of 1981)*.

Seychelles Public Transport Corporation (Guarantee) Order, *(SI. 96 of 1981)*

Seychelles Public Transport Corporation (Guarantee) (No. 2) Order, *(SI. 97 of 1981)*

Development Bank of Seychelles (Guarantee) Order, *(S.I. 98 of 1981)*.

Seychelles Electricity Corporation Limited (Guarantee) Order *(S.I. 100 of 1981)*.

Seychelles Public Transport Corporation (Guarantee) Order, *(SI. 9 of 1982)*

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 28 of 1982)*

Seychelles Public Transport Corporation (Guarantee) Order, *(SI. 29 of 1982)*

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 54 of 1982)*

Seychelles Public Transport Corporation (Guarantee) Order, *(SI. 55 of 1982)*

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 59 of 1982)*

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 65 of 1982)*

Fishing Development Company Limited (Guarantee) Order, *(SI. 9 of 1983)*

Computer Services Limited (Guarantee) Order, *(SI. 19 of 1983)*

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 20 of 1983)*

Seychelles National Commodity Company Limited (Guarantee) (No. 2) Order, *(SI. 46 of 1983)*

Seychelles National Commodity Company Limited (Guarantee) (No. 3) Order, *(SI. 47 of 1983)*

Air Seychelles (Guarantee) Order, *(S.I. 53 of 1983).*

Air Seychelles (Guarantee) (No. 2) Order, *(S.I. 57 of 1983).*

Indian Ocean Hotel (Seychelles) Limited (Guarantee) Order, *(SI. 6 of 1984)*

Seychelles Public Transport Corporation (Guarantee) Order, *(SI. 11 of 1984)*

Seychelles Electricity Corporation Limited (Guarantee) Order *(S.I. 20 of 1984).*

Seychelles Fishing Company Limited (Guarantee) Order, *(SI. 52 of 1984)*

Seychelles International Trading Company Limited (Guarantee) Order, *(SI. 53 of 1984)*

Air Seychelles (Guarantee) Order, *(S.I. 57 of 1984).*

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 63 of 1984)*

Fishing Development Company Limited (Guarantee) Order, *(SI. 64 of 1984)*

Seychelles National Commodity Company Limited (Guarantee) Order, *(SI. 16 of 1985)*

Air Seychelles (Guarantee) Order, *(S.I. 17 of 1985).*

Seychelles Electricity Corporation Limited (Guarantee) Order *(S.I. 20 of 1985).*

Seychelles Public Transport Corporation (Guarantee) Order, *(SI. 22 of 1985)*

Development Bank of Seychelles (Guarantee) Order, *(SI. 23 of 1985)*

Seychelles Marketing Board (Guarantee) Order, *(SI. 24 of 1985)*

Seychelles Marketing Board (Guarantee) Order, (No. 2) *(SI. 25 of 1985)*

Seychelles Marketing Board (Guarantee) Order, (No. 3) *(SI. 27 of 1985)*

Seychelles Public Transport Corporation (Guarantee) (No. 2) Order, *(SI. 32 of 1985)*

Air Seychelles (Guarantee) (No.2) Order, *(S.I. 35 of 1985).*

Indian Ocean Marine Limited (Guarantee) Order, *(SI. 51 of 1985)*

Seychelles Marketing Board (Guarantee) Order, (No. 4) *(SI. 57 of 1985)*

Union Lighterage Company Limited (Guarantee) Order, *(SI. 63 of 1985)*

Development Bank of Seychelles (Guarantee) Order, *(SI. 28 of 1986)*

Development Bank of Seychelles (Guarantee) (No.2) Order, *(SI. 30 of 1986)*

Seychelles National Oil Company Limited (Guarantee) Order, *(SI. 41 of 1986)*

Seychelles Hotels Limited (Guarantee) Order, *(SI. 44 of 1986)*

Seychelles Hotels Limited (Guarantee) (No.2) Order, *(SI. 45 of 1986)*

Seychelles Marketing Board (Guarantee) Order, *(SI. 46 of 1986)*

Seychelles Marketing Board (Guarantee) Order, (No. 2) *(SI. 50 of 1986)*

Development Bank of Seychelles (Guarantee) (NO.2) Order, *(SI. 54 of 1986)*

Air Seychelles (Guarantee) Order, *(S.I. 72 of 1986).*

Air Seychelles (Guarantee) (No. 2) Order, *(S.I. 73 of 1986).*

Seychelles Hotels (Guarantee) Order, *(SI. 2 of 1987)*

Development Bank of Seychelles (Guarantee) Order, *(SI. 6 of 1987)*

Work Enterprise Limited (Guarantee) Order, *(SI. 49 of 1987)*

Air Seychelles Limited (Guarantee) Order, *(S.I. 53 of 1987)*

Development Bank of Seychelles (Guarantee) (No.2) Order, *(SI. 54 of 1987)*

Seychelles Public Transport Corporation (Guarantee) Order, *(SI. 61 of 1987)*

Seychelles Public Transport Corporation (Supplementary Guarantee) Order, *(SI. 63 of 1987)*

Compagnie Seychellois de Promotion Hotelière Limited (Guarantee) Order, *(S.I. 69 of 1987).*

Development Bank of Seychelles (Guarantee) Order, *(SI. 76 of 1987)*

Air Seychelles (Guarantee) (No. 2) Order, *(S.I. 80 of 1987).*

Air Seychelles (Guarantee) (No. 3) Order, *(S.I. 81 of 1987).*

Seychelles National Oil Company Limited (Guarantee) Order, *(SI. 1 of 1988)*

Air Seychelles (Guarantee) (No. 1) Order, *(S.I. 6 of 1988).*

Air Seychelles (Guarantee) (No. 2) Order, *(S.I. 7 of 1988)*.

Compagnie Seychellois de Promotion Hotelière Limited (Guarantee) Order, *(S.I. 17 of 1988)*.

Conserveries de L'Océan Indien Limited (Guarantee) Order, *(S.I. 28 of 1988)*

Seychelles National Oil Company Limited (Guarantee) Order, *(S.I. 29 of 1988)*

Conserveries de L'Océan Indien Limited (Guarantee) (No.2) Order, *(S.I. 43 of 1988)*

Air Seychelles (Guarantee) (No. 3) Order, *(S.I. 56 of 1988)*.

Seychelles Petroleum Company Limited (Guarantee) Order, *(S.I. 11 of 1989)*

Seychelles Public Transport Corporation (Guarantee) Order, *(S.I. 12 of 1989)*

Seychelles Marketing Board (Guarantee) Order, *(S.I. 18 of 1989)*

Union Lighterage Company Limited (Guarantee) Order, *(S.I. 27 of 1989)*

Compagnie Seychellois de Promotion Hotelière Limited (Guarantee) Order, *(S.I. 44 of 1989)*.

Seychelles Marketing Board (Guarantee) Order, *(S.I. 3 of 1990)*.

Development Bank of Seychelles (Guarantee) Order, *(S.I. 4 of 1990)*.

Pecheries Maritimes Seychellois (Guarantee) order, *(S.I. 8 of 1990)*.

Development Bank of Seychelles (Guarantee) (No.2) Order, *(S.I. 18 of 1990)*.

Seychelles Marketing Board (Guarantee) (No.2) Order, *(S.I. 29 of 1990)*.

Air Seychelles (Guarantee) Order, *(S.I. 41 of 1990)*.

Air Seychelles (Guarantee) (No.2) Order, *(S.I. 42 of 1990)*.

Enersol Limited (Guarantee) Order, *(S.I. 47 of 1990)*.

Public Utilities Corporation (Guarantee) Order, *(S.I. 61 of 1990)*.

Seychelles Petroleum Company Limited (Guarantee) Order, *(S.I. 11 of 1991)*.

Seychelles Marketing Board (Guarantee) Order, *(S.I. 51 of 1991)*.

Development Bank of Seychelles (Guarantee) Order *(S.I. 70 of 1991)*.

Seychelles Marketing Board (Guarantee) Order *(S.I. 17 of 1992)*

Conserverie de L'Océan Indien Limited (Guarantee) Order *(S.I. 18 of 1992)*

Conserverie de L'Ocean Indien Limited (Guarantee) (No 2) Order *(S.I. 19 of 1992)*

Development Bank of Seychelles (Guarantee) Order *(S.I. 64 of 1992)*

Seychelles Marketing Board (Guarantee) (No.2) Order *(S.I. 65 of 1992)*

Seychelles Marketing Board (Guarantee) (No.3) Order *(S.I. 89 of 1992)*

Seychelles Marketing Board (Guarantee) (No.4) Order *(S.I. 91 of 1992)*

Seychelles Marketing Board (Guarantee) (No.5) Order *(S.I. 98 of 1992)*

Seychelles Marketing Board (Guarantee) (No.6) Order *(S.I. 99 of 1992)*

Compagnie Seychellois de Promotion Hotelier Limited (Guarantee) (No. 2) Order *(S.I. 106 of 1992)*

Compagnie Seychellois de Promotion Hotelier Limited (Guarantee) Order *(S.I. 107 of 1992)*

Conserverie de L'Ocean Indien Limited (Guarantee) Order *(S.I. 8 of 1993)*

International Air Transport (Association) (Guarantee) Order *(S.I. 11 of 1993)*

Public Utilities Corporation (Guarantee) Order *(S.I. 25 of 1993)*

Seychelles Public Transport Corporation (Guarantee) Order *(S.I. 27 of 1993)*

Seychelles Petroleum Company Limited (Guarantee) Order *(S.I. 30 of 1993)*

Civil Construction Company (Guarantee) Order *(S.I. 46 of 1993)*

Air Seychelles Limited (Guarantee) Order *(S.I. 22 of 1994)*

Conserverie de L'Ocean Indien Limited (Guarantee) Order *(S.I. 55 of 1994)*

Air Seychelles (Guarantee) (No. 2) Order *(S.I. 56 of 1994)*

Seychelles Public Transport Corporation (Guarantee) Order *(S.I. 57 of 1994)*

Seychelles Creations Limited (Guarantee) Order *(S.I. 76 of 1994)*

Public Utilities Corporation (Guarantee) Order *(S.I. 19 of 1995)*

Seychelles Marketing Board (Guarantee) Order *(S.I. 20 of 1995)*

Sony United Kingdom Limited (Guarantee) Order, *(S.I. 41 of 1995)*

Bank Francaise Commerciale (Guarantee) Order *(SI. 57 of 1995)*

Seychelles Marketing Board (Guarantee) Order *(S.I. 91 of 1995)*

Seychelles Broadcasting Corporation (Guarantee) Order, *(S.I. 97 of 1995)*

Public Utilities Corporation (Guarantee) Order *(S.I. 24 of 1996)*

Artisans des Iles Ltd (Guarantee) Order *(S.I. 31 of 1996)*

Air Seychelles (Guarantee) Order *(S.I. 36 of 1996)*

Air Seychelles (Guarantee) (No. 2) Order *(S.I. 60 of 1996)*

Seychelles Petroleum Company Limited (Guarantee) Order *(S.I. 77 of 1996)*

Air Seychelles (Guarantee) (No. 3) Order *(S.I. 81 of 1996)*

Development Bank of Seychelles (Guarantee) Order *(S.I. 18 of 1997)*

Seychelles International Business Authority (Guarantee) Order, *(S.I. 36 of 1997)*

Seychelles Petroleum Company Limited (Guarantee) Order, *(S.I. 37 of 1997)*

Seychelles Marketing Board (Guarantee) Order, *(S.I. 49 of 1997)*

Seychelles Marketing Board (Guarantee) (No. 2) Order, *(S.I. 54 of 1997)*

Seychelles Public Transport Corporation (Guarantee) Order *(S.I. 60 of 1997)*

Air Seychelles Limited (Guarantee) Order, *(S.I. 66 of 1997)*

Seychelles Petroleum Company Limited (Guarantee) Order, *(S.I. 67 of 1997)*

Civil Construction Company Limited (Guarantee) Order, *(S.I. 68 of 1997)*

Seychelles Housing Development Corporation (Guarantee) Order, *(S.I. 73 of 1997)*

Cental Bank (Guarantee) Order, *(S.I. 78 of 1997)*

Seychelles Public Transport Corporation (Guarantee) Order, *(S.I. 4 of 1998)*

Seychelles Petroleum Company Limited (Guarantee) Order, *(S.I. 17 of 1998)*

Air Seychelles Limited (Guarantee) Order, *(S.I. 18 of 1998)*

Seychelles Petroleum Company Limited (Guarantee) (No. 2) Order, *(S.I. 26 of 1998)*

Seychelles Marketing Board (Guarantee) Order, *(S.I. 31 of 1998)*

Seychelles Marketing Board (Guarantee) (No. 2) Order, *(S.I. 32 of 1998)*

Seychelles Petroleum Company Limited (Guarantee) (No. 3) Order, *(S.I. 34 of 1998)*

Civil Construction Company Limited (Guarantee) Order, *(S.I. 36 of 1998)*

Seychelles Petroleum Company Limited (Guarantee) (No. 4) Order, *(S.I. 39 of 1998)*

Public Utilities Corporation (Guarantee) Order, *(S.I. 55 of 1998)*

Public Utilities Corporation (Guarantee) (No. 2) Order, *(S.I. 56 of 1998)*

Islands Development Company Limited (Guarantee) Order, *(S.I. 60 of 1998)*

Seychelles Petroleum Company Limited (Guarantee) Order, *(S.I. 9 of 1999)*

Island Development Company (Guarantee) Order, *(S.I. 10 of 1999)*

Seychelles Petroleum Company Limited (Guarantee) (No. 2) Order, 1999 *(S.I. 13 of 1999)*

Seychelles Marketing Board (Guarantee) Order, 1999 *(S.I. 16 of 1999)*

Central Bank of Seychelles (Guarantee) Order, 1999 *(S.I. 41 of 1999)*

Seychelles Housing Development Corporation (Guarantee) Order, 1999 *(S.I. 46 of 1999)*

Development Bank of Seychelles (Guarantee) Order, 1999 *(S.I. 48 of 1999)*

Seychelles Petroleum Company Limited (Guarantee) Order, 1999 *(S.I. 52 of 1999)*

Public Utilities Corporation (Guarantee) Order, 2000 *(S.I. 26 of 2000)*

Central Bank of Seychelles (Guarantee) Order, 2000 *(S.I. 35 of 2000)*

Seychelles Marketing Board (Guarantee) (No. 3) (Repeal of S.I. 91 of 1992) Order, *(S.I. 44 of 2000)*

Central Bank of Seychelles (Guarantee) (No. 2) Order, 2000 *(S.I. 47 of 2000)*

Islands Development Company Limited (Guarantee) Order, *(S.I. 56 of 2000)*

Seychelles Petroleum Company Limited (Guarantee) Order, *(S.I. 5 of 2001)*

Public Utilities Corporation (Guarantees) Order, *(S.I. 12 of 2001\*)* *\*(Repealed by S.I. 21 of 2001)*

Public Utilities Corporation (Guarantees) (No. 2) Order, *(S.I. 21 of 2001)*

Central Bank of Seychelles (Guarantee) Order, 2001 *(S.I. 30 of 2001)*

Air Seychelles (Guarantee) Order, 2001 *(S.I. 31 of 2001)*

Seychelles Petroleum Company Limited (Guarantee) Order *(S.I. 8 of 2002)*

Central Bank of Seychelles (Guarantee) Order *(S.I. 15 of 2002)*

Seychelles Petroleum Company Limited (Guarantee) (No. 2) Order *(S.I. 18 of 2002)*

Central Bank of Seychelles (Guarantee) (No. 2) Order *(S.I. 21 of 2002)*

Central Bank of Seychelles (Guarantee) (No. 3) Order *(S.I. 24 of 2002)*

Seychelles Marketing Board (Guarantee) Order *(S.I. 31 of 2002)*

Public Utilities Corporation (Guarantee) Order *(S.I. 8 of 2003)*

Central Bank of Seychelles (Guarantee) Order *(S.I. 9 of 2004)*

Central Bank of Seychelles (Guarantee) Order *(S.I. 12 of 2005)*

Seychelles Civil Aviation Authority (Guarantee) Order *(S.I. 24 of 2005)*

Seychelles Credit Union (Guarantee) Order *(S.I. 34 of 2005)*

Housing Finance Company Ltd (Guarantee) Order *(S.I. 35 of 2005)*

Development Bank of Seychelles (Guarantee) Order *(S.I. 8 of 2006)*

Development Bank of Seychelles (Guarantee) (No.2) Order *(S.I. 15 of 2006)*

Housing Finance Company Ltd. (Guarantee) Order *(S.I. 36 of 2006)*

Housing Finance Company Ltd. (Guarantee) Order *(S.I. 13 of 2007)*

Public Utilities Corporation (Guarantee) Order *(S.I. 18 of 2008)*

Housing Finance Company Ltd (Guarantee) Order *(S.I. 20 of 2008)*

Housing Finance Company Ltd. (Guarantee) Order *(S.I. 71 of 2008)*

Housing Finance Company Ltd. (Guarantee) Order *(S.I. 71 of 2008)*

Development Bank of Seychelles Ltd (Guarantee) Order *(S.I. 43 of 2010)*

Development Bank of Seychelles Ltd (Guarantee) Order *(S.I. 44 of 2010)*

Housing Finance Company Ltd. (Guarantee) Order *(S.I. 54 of 2010)*

Housing Finance Company Ltd. (Guarantee) (No.2) Order *(S.I. 61 of 2010)*

Development Bank of Seychelles Ltd (Guarantee) (No.2) Order *(S.I. 16 of 2011)*

Air Seychelles Ltd (Guarantee) Order, *(S.I 17 of 2011)*

Air Seychelles Ltd (Guarantee) (No. 2) Regulations, *(S.I 29 of 2011)*

Seychelles Cable Systems Company Ltd (Guarantee) Order *(SI. 42 of 2011)*

Development Bank of Seychelles Ltd (Guarantee) (No. 5) Order *(S.I. 50 of 2011)*

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**Praslin Development Fund Order**

*[9th June, 1997]*

S.I. 41 of 1997  
S.I. 97 of 2008

1. This Order may be cited as the Praslin Development Fund Order.
2. In this Order —  
"Board" means the Board of the Fund referred to in paragraph 5;  
"Fund" means the Praslin Development Fund established under paragraph 3;  
"member" means a member of the Board.
3. There is hereby established a Special Fund to be known as the Praslin Development Fund.
4. The objects of the Fund are —
  - (a) to finance the development projects in Praslin;
  - (b) to take such action as may be necessary for the purposes of subparagraph (a);
5. (1) The Fund shall be administered by a Board consisting of —
  - (a) such number of officers of the Ministry responsible for Finance as may be appointed by the President;
  - (b) such number of persons resident in Praslin as may be appointed by the President;
  - (c) such other persons as may be appointed by the President.

(2) The President shall appoint one of the members appointed under subparagraph (1) to be the Chairman of the Board.
6. The Fund shall consist of —
  - (a) any money paid into the Fund by any person or organisation in or outside Seychelles;
  - (b) any money lawfully accruing to the Fund;
  - (c) any money paid into the Fund from the Consolidated Fund.
7. (1) The decision of the Board shall be by consensus of all the members.  

(2) Subject to subparagraph (1), the Board may regulate its own meetings and proceedings.
8. (1) The Board shall open and maintain an account with a financial institution in Seychelles and all moneys of the Fund shall be paid into that account.  

(2) Any withdrawal of money from the account for the purposes of the fund shall require the signatures of at least 2 members.

9. (1) The Board shall keep proper books and accounts of the moneys of the Fund and shall prepare for each financial year a statement of accounts.

(2) The accounts and the statement of accounts of the Fund shall be audited every year by an auditor appointed by the Board.

(3) Notwithstanding subparagraph (2), the accounts and the statement of accounts of the Fund may be audited by the Auditor General.

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**La Digue Development Fund Order**

S.I. 42 of 1997  
S.I. 96 of 2008

*[9th June, 1997]*

1. This Order may be cited as the La Digue Development Fund Order.
2. In this Order —  
  
"Board" means the Board of the Fund referred to in paragraph 5;  
  
"Fund" means the La Digue Development Fund established under paragraph 3;  
  
"member" means a member of the Board.
3. There is hereby established a Special Fund to be known as the La Digue Development Fund.
4. The objects of the Fund are —
  - (a) to finance the development projects in La Digue;
  - (b) to take such action as may be necessary for the purposes of subparagraph (a).
5. (1) The Fund shall be administered by a Board consisting of —
  - (a) such number of officers of the Ministry responsible for Finance as may be appointed by the President;
  - (b) such number of persons resident in La Digue as may be appointed by the President;
  - (c) such other persons as may be appointed by the President.  
(2) The President shall appoint one of the members appointed under subparagraph (1) (a) to be the Chairman of the Board.
6. The Fund shall consist of —
  - (a) any money paid into the Fund by any person or organization in or outside Seychelles;
  - (b) any money lawfully accruing to the Fund;
  - (c) any money paid into the Fund from the Consolidated Fund.
7. (1) The decision of the Board shall be by consensus of all the members.

(2) Subject to subparagraph (1), the Board may regulate its own meetings and proceedings.

**8.** (1) The Board shall open and maintain an account with a financial institution in Seychelles and all moneys of the Fund shall be paid into that account.

(2) Any withdrawal of money from the account for the purposes of the Fund shall require the signatures of at least 2 members.

**9.** (1) The Board shall keep proper books and accounts of the moneys of the Fund and shall prepare for each financial year a statement of accounts.

(2) The accounts and the statement of accounts of the Fund shall be audited every year by an auditor appointed by the Board.

(3) Notwithstanding subparagraph (2), the accounts and the statement of accounts of the Fund may be audited by the Auditor General.

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### **La Plaine Saint André Ecomuseum Trust Fund Order**

*[8th September, 1997]*

**1.** This Order may be cited as the La Plaine Saint André Ecomuseum Trust Fund Order, 1997.

**2.** In this Order —

"Board" means the Board of the Fund referred to in paragraph 5;

"Fund" means the La Plaine Saint André Ecomuseum Trust Fund established under paragraph 3;

"member" means a member of the Board.

**3.** There is hereby established a Special Fund to be known as the La Plaine Saint André Ecomuseum Trust Fund.

**4.** The objects of the Fund are —

(a) to carry out the renovation and rehabilitation of the planter's house, pavilions, out buildings and grounds of La Plaine Saint André situated at Anse Aux Courbes;

(b) to refurnish the planter's house with period furniture and replace such items as paintings, pictures, vases, lamps etc.;

(c) to preserve and present a typical element of Seychelles national heritage.

(d) to take such action as may be necessary or conducive to the protection, preservation and improvement of La Plaine Saint André Ecomuseum.

**5.** (1) Subject to subparagraph (2), the Fund shall be administered by a Board consisting of—

(a) the Minister responsible for Finance;

(b) the Minister responsible for Culture;

- (c) the Principal Secretary of the Ministry responsible for Finance;
- (d) the Principal Secretary of the Ministry responsible for Culture;
- (e) the Director of the la Plaine Saint André Ecomuseum.

(2) The Minister responsible for Finance, the Minister responsible for Culture, the Principal Secretary of the Ministry responsible for Finance, and the Principal Secretary of the Ministry responsible for Culture may, in writing, each delegate a public officer to represent them on the Board and the public officer shall have all the powers of the member of the Board who made the delegation.

6. The Fund shall consist of —

- (a) any money lawfully accruing to the Fund;
- (b) any funds raised from public activities organised with the approval of the Board;
- (c) such other money as may be paid into the Fund by any person or organisation.

7. (1) The decisions of the Board shall be by a majority of votes of all the members.

(2) Three members shall constitute a quorum for any meeting of the Board.

(3) Subjects to subparagraph (1) and (2), the Board may regulate its own meetings and proceedings.

8. (1) The Board shall open and maintain an account with a financial institution in Seychelles and all moneys of the Fund shall be paid into that account.

(2) Any withdrawal of money from the account for the purposes of the Fund shall require the signatures of at least 2 members.

9. (1) The Board shall keep proper books and accounts of the moneys of the Fund and shall prepare for each financial year a statement of accounts.

(2) The accounts and the statement of accounts of the Fund shall be audited every year by an auditor appointed by the Board.

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### **Share and Care Fund Notice**

S.I. 3 of 1999

*[18th January, 1999]*

1. This Notice may be cited as the Share and Care Fund Notice, 1999.

2. In this Notice —

"Board" means the Board of the Fund referred to in paragraph 5;

"Fund" means the Share and Care Fund established under paragraph 3;

"member" means a member of the Board.

3. There is hereby established a Fund to be known as the Share and Care Fund.

4. The objects of the Fund are —
  - (a) to promote the spirit and practice of helping people in need;
  - (c) involve the people of Seychelles in assisting individuals and groups that may not qualify for assistance under existing Government programmes and schemes.
  
5. The Fund shall be administered by a Board consisting of the President and such other members as may be appointed by the President.
  
6. The Fund shall consist of —
  - (a) any money paid into the Fund by any person or organisation in or outside Seychelles; and
  - (b) any money lawfully accruing to the Fund.
  
- 7.(1) Any decision of the Board shall be by consensus of the members.  
  
(2) Subject to subparagraph (1), the Board may regulate its own meetings and proceedings.
  
- 8.(1) The Board shall open and maintain an account with a financial institution in Seychelles and all the moneys in the Fund shall be paid into that account.  
  
(2) Any withdrawal of money from the Fund shall require the signatures of at least 2 members designated by the Board.
  
- 9.(1) The Board shall keep proper books and accounts of the moneys of the Fund and shall prepare for each year a statement of accounts.  
  
(2) The accounts and the statement of accounts of the Fund shall be audited every year by an auditor appointed by the Board.
  
10. The Share and Care Fund Order, 1999 published in the Officer Gazette of 18th January, 1999 is hereby revoked.

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**National AIDS Trust Fund Notice**

*[18th March 2002]*

1. This Notice may be cited as the National AIDS Trust Fund Notice.
  
2. There is hereby established a Fund to be known as the National AIDS Trust Fund (hereinafter referred to as the "the Fund").
  
3. The objects of the Fund shall be —
  - (a) to promote national interest in and commitment to the prevention and control of HIV and AIDS, and the care of those who are infected or affected by HIV and AIDS;

- (b) to mobilise resources for HIV and AIDS programmes;
- (c) to promote and support national programmes on HIV and AIDS.

**4.** The Fund shall consist of —

- (a) any money lawfully accruing to the Fund;
- (b) any money raised from public activities organised by (or with the approval of) the Board of the Fund;
- (c) such other money as may be paid into the Fund by any person or organisation.

**5.** (1) Subject to subparagraph (2), the Fund shall be administered by a Board consisting of -

- (a) the Principal Secretary of the Ministry of Health (Chairman);
- (b) the Principal Secretary of the Ministry of Finance (alternate Chairman);
- (c) such other member as the Ministry may in consultation with the Minister responsible for Health appoint for such terms as the Minister may in like manner determine at the time of appointment, to represent —
  - (i) the Private Sector;
  - (ii) people affected by HIV and AIDS;
  - (iii) non-governmental organisations;
  - (iv) the medical profession.

(2) The Principal Secretary responsible for Health and the Principal Secretary of the Ministry responsible for Finance may, in writing, each delegate a public officer to represent them on the Board and the public officer shall have all the powers of the member of the Board who made the delegation.

**6.** (1) The decisions of the Board shall be taken by the majority of vote of its members.

(2) Subject to subparagraph (1), the Board may regulate its own meetings and proceedings.

**7.** (1) The Board shall open and maintain an account with a financial institution in Seychelles and all moneys of the Fund shall be paid into that account.

(2) Any withdrawal of money from the account for the purposes of the fund shall require the signatures of at least 2 members.

**8.** (1) The Board shall cause to be kept proper books and accounts of the moneys of the Fund and shall prepare for each calendar year a statement of accounts.

(2) The accounts and the statement of accounts of the Fund shall be audited every year by an auditor appointed by the Board.

(3) The Board shall on or before the 30th April in each year send to the Minister responsible for Finance a copy of the statement prepared under subparagraph (1), together with a copy of the report made by the auditor on the statement, in respect of the preceding year.

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## National Emergency Foundation Notice

S.I. 20 of 2005

*[18th April 2005]*

1. This Notice may be cited as the National Emergency Foundation Notice.
2. In this Notice-  
  
“Board” means the Board of the Fund referred to in paragraph 6;  
  
“Fund” means the Fund established by paragraph 3.
3. There is hereby established a Fund to be known as the National Emergency Foundation.
4. (1) The objectives of the Fund are-
  - (a) to raise funds from Governments, private individuals, corporations, associations and other institutions or bodies in Seychelles and elsewhere;
  - (b) to use the funds to assist persons in cases of emergencies, such as floods, fires, tsunamis, land slides and other natural causes;
  - (c) to provide temporary relief to small businesses which have suffered significantly through above causes by extending short term loans for purchase of equipment, raw materials or related products;
  - (d) to assist other charitable organisations in achieving the above objectives.  
(2) The Board shall have the power to do all things necessary for or incidental to the achievement of the objectives or the Fund.
5. (1) The Fund shall consist of-
  - (a) any money paid into the Fund by any person or organization in or outside Seychelles; and
  - (b) any money lawfully accruing to the fund.
6. (1) The Fund shall be administered by a Board consisting of 3 public officers and 4 persons representing the private sector and non-governmental organisations appointed by the President.
  - (2) The President shall appoint a chairman from among the members of the Board.
  - (3) Subject to subparagraph (4), a member of the Board shall hold office for a term of 3 years and may be re-appointed.
  - (4) If a vacancy occurs in the membership of the Board, the President shall appoint a member having regard to subparagraph (1) for the remaining period of the term of office of the member vacating office.
7. (1) The Board shall meet at least once in each month.

(2) Three members of the Board shall constitute a quorum for a meeting of the Board.

(3) The decisions of the Board shall be made by a majority of the votes of the members present and voting at a meeting of the Board and, in the event of an equality of votes, the chairman shall have a casting vote.

(4) Subject to subparagraphs (1) to (3), the Board shall regulate its proceedings.

8. The Board may consult and cooperate with the relevant Ministries and other authorities in implementing its decisions.

9. (1) The Board shall open and maintain an account with a financial institution and all moneys of the Fund shall be paid into the account.

(2) Any withdrawal of money from the account shall require the signatures of at least two members of the Board designated by the Board.

10. (1) The Board shall keep proper books and accounts of the moneys of the Fund and shall prepare for the period from 28<sup>th</sup> December 2004 to 31<sup>st</sup> December 2005 and for each subsequent year a statement of accounts.

(2) The accounts and statement of accounts of the Fund shall be audited by the Auditor General.

(3) The Board shall cause a copy of the audited accounts of the Fund to be published in a daily newspaper.

11. This Notice shall be deemed to have come into operation on 28<sup>th</sup> December, 2004.

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### **Seychelles Heritage Fund Order**

S.I. 34 of 2007

*[15th October 2007]*

1. This Order may be cited as the Seychelles Heritage Fund Order.

2. In this Order-

“Act” means the Seychelles Heritage Foundation Act, 2006;

“Board” means the Board of the Seychelles Heritage Fund;

“Foundation” means the Seychelles Heritage Foundation;

“Fund” means the Seychelles Heritage Fund established under paragraph 3;

“member” means a member of the Heritage Board.

3. There is hereby established a Special Fund to be known at the Seychelles Heritage Fund.

4. The objects of the Fund are-

(a) to identify conserve and promote the cultural heritage of Seychelles;

- (b) to encourage broader public participation in activities designed to promote the cultural heritage of Seychelles;
  - (c) to generate resources necessary for achievement of the purpose of the Act and to utilize them for such purpose;
  - (d) to manage heritage sites specified in the Schedule of the Act having regards to their value to cultural tourism;
  - (e) to endeavor to win international support for activities designed to promote the heritage of Seychelles;
  - (f) to promote research into and education on various aspects of the national heritage; and
  - (g) to advise government on matters relating to the cultural heritage of Seychelles.
5. (1) The Fund shall be administered by the Heritage Board consisting of-
- (a) the Chief Executive Officer of the Foundation who shall be the Chairman of the Heritage Board.
  - (b) the Managing Director of Seychelles Heritage Foundation;
  - (c) eight members of the Board of Directors of the Foundation.
- (2) In the event the Chairman is absent at any meeting of the board, he shall inform the Managing Director in writing who amongst the members shall preside in the meeting.
6. The Fund shall consists of-
- (a) any money lawfully accruing to the Fund;
  - (b) any funds raised from public activities organized with the approval of the Board;
  - (c) such other money as may be paid into the Fund by any organization.
7. (1) The decision of the Board shall be by consensus of all the members.  
 (2) Subject to paragraph (1), the Board may regulate its own meetings and proceedings.
8. (1) The Board shall open and maintain an account with a financial institution in Seychelles and all moneys of the Fund shall be paid into the account.  
 (2) Any withdrawal from the account for the purpose of the Fund shall bear the signatures of at least 2 members.
9. The Board shall cause to be kept proper books and accounts of the Fund, and shall be audited every year by an auditor appointed by the Board.

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**National Major Games Trust Fund Notice**

S.I. 29 of 2008

*[13th May 2008]*

1. This Notice may be cited as the National Major Games Trust Fund Notice.
2. In this Notice-  
 "Fund" means the National Major Games Trust Fund;  
 "Board" means the Board of the Fund established under paragraph 6;  
 "members" means members of the Board.

3. There is hereby established a Fund to be known as the National Major Games Trust Fund (hereinafter referred to as “the Fund”).

4. The objects of the Fund shall be to-

- (a) promote national interest in and commitment to Seychelles’ hosting of Major Games;
- (b) mobilize resources for the hosting of Major Games by Seychelles;
- (c) promote and support national programmes directly involved with the hosting of Major Games.

5. The Fund shall consist of-

- (a) any money lawfully accruing to the Fund;
- (b) any money raised from public activities organized by or with the approval of the Board of the Fund;
- (c) contributions by private individuals or companies;
- (d) such other money as may be paid into the Fund by any person or organization.

6. (1) Subject to subparagraph (2) the Fund shall be administered by a Board consisting of-

- (a) the Principal Secretary responsible for sports (Chairman);
- (b) the Chief executive officer of the National Sports Council (alternate Chairman);
- (c) such other members as the Minister may, in consultation with the Minister responsible for sports appoint for such terms as the Minister may in like manner determine at the time of appointment to represent-
  - (i) the private sector;
  - (ii) people involved with Major Games;
  - (iii) Non-governmental organisations; and
  - (iv) The sporting profession.

(2) The Principal Secretary responsible for sports and the Principal Secretary responsible for finance may, in writing, each delegate a public officer to represent them on the Board and such public officer shall have all the powers of the member who made the delegation.

7. (1) The decisions of the Board shall be taken by the majority vote of its members.

(2) Subject to subparagraph (1), the Board may regulate its own meetings and proceedings.

8. (1) The Board shall open and maintain an account with a financial institution in Seychelles, and all moneys of the Fund shall be paid into that account.

(2) Any withdrawal from the account for the purpose of the Fund shall require the signatures of at least two members.

9. (1) The Board shall cause to be kept proper book and account of the moneys of the Fund and shall prepare for each calendar year a statement of accounts.

(2) The accounts and statement of accounts of the Fund shall be audited every year by an auditor appointed by the Board.

(3) The Board shall, on or before the 30<sup>th</sup> of April of each year, send to the Minister responsible for finance a copy of the statement prepared under subparagraph (1), together with a copy of the report made by the auditor on the statement in respect of the preceding year.