National profile on Occupational Safety and Health

Seychelles

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National Profile on Occupational Safety and Health Seychelles
Preface

I am pleased to present the second occupational safety and health profile for Seychelles. The profile aims to summarize the current situation regarding occupational safety and health (OSH) in the country, including national policy, laws and regulations, compliance, training and education, OSH activities of workers’ and employers’ organizations, and occupational accidents and disease statistics and their reporting systems. The profile is also intended to provide the necessary information as a baseline for developing policy, action plans, measures aimed at the continuous strengthening of the national OSH system, and the progressive provision of OSH services to all workers and sectors.

In working towards national socio-economic development, Seychelles has strengthened its national OSH systems over the past decade, and in particular the legislative framework to enhance safety and health at work for workers in all sectors. It is also progressively implementing the ratified ILO OSH Conventions, in particular the Occupational Safety and Health and the Working Environment Convention, 1981 (No. 155). It has further taken steps to strengthen the national OSH system in line with the Global Strategy on Occupational Safety and Health adopted by the ILO and its constituents in 2003, which forms the foundation for the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and its accompanying Recommendation (No. 197). The contents of the profile have been discussed actively and collectively by representatives of government, employers’ and workers’ organizations and other stakeholders at national tripartite and stakeholders’ meetings before its adoption.

I wish to express my sincere appreciation to the Labour Department in the Ministry of Labour and Human Resource Development, the Association of Seychelles Employers and the Seychelles Federation of Workers’ Unions for their support in preparing the profile. Our special thanks should go to Mr Jimmy Finesse, the consultant, for compiling the profile. Special thanks also go to the many experts from government, workers’ and employers’ organizations, and from technical institutions, who provided information and data in support of this profile. I also wish to express my appreciation for the leadership and support provided by the ILO Safe-Work department and the ILO Country Office in Antananarivo, in the course of developing the profile. I extend special thanks to the SIDA-funded project “Linking safety and health at work to sustainable economic development: From theory and platitudes to conviction and action” for the financial and logistical support in the compilation and publication of this profile.

I hope that the profile will be useful for all relevant government units, employers’ and workers’ organizations, non-governmental organizations, academic institutions, and all those who are concerned with workers’ safety and health in Seychelles, and that it will contribute to the creation of safe and healthy workplaces for all workers in the country.

Franklin Muchiri
Senior Occupational Safety and Health Specialist
ILO Decent Work Technical Support Team; Pretoria
Executive summary

The preparation of a national occupational safety and health (OSH) profile is an essential step in the process of building a good national OSH programme. The profile is an inventory of all the tools and resources available in a country to implement and manage OSH, and is designed to promote the data necessary for setting national priorities for action aimed at the progressive and continual improvement of workplace safety and health. The profile is to be used not only as a basis for identifying priorities for action but also as a tool for measuring progress over time, through its periodic updating. It could also become a key management tool for the continual improvement of national OSH systems.

The main elements of a national OSH profile have already been proposed in Report IV(1) on the Promotional Framework for Occupational Safety and Health presented to the 93rd session of the International Labour Conference, 2005. The National Profile for Seychelles moves along the same lines. It has been drafted through a process of consultation involving all the national designated authorities concerned with the different aspects of OSH, mainly the Ministry of Labour and Human Resource Development, the Occupational Health Unit within the Ministry of Health, National Statistics Bureau, the Social Affairs Department, and the organizations of employers and workers.

Since the beginning of the twentieth century, the safety and health of workers have been a matter of legal concern. The earliest legislation pertaining to occupational health in Seychelles dates back to June 1978. The current OSH legislation was updated in July 2000, as described in Chapter 1, and reflects many of the requirements and provisions contained in major International Labour Organization Conventions related to OSH. However, there are still weaknesses in the legislation that call for a complete review – a process that the Ministry of Labour and Human Resource Development has now started in consultation with the representatives of employers’ and workers’ organizations and other stakeholders.

Implementation bodies at national level and their respective responsibilities are thoroughly dealt with in Chapter 3. Their strengthening should be analysed in the light of the best possible use of structures that exist already, and of feasible ways to improve their cooperation and functioning on a sustainable basis. Education, training and information mechanisms and institutions play a vital role in the progressive construction of a national OSH system, as described in Chapter 7. They are essential tools in the process of raising awareness of hazards and preventive action at all levels, and, considering the country’s needs in this respect, should be given top priority.

The active involvement and participation of employers and workers in the development of a strong safety culture should never be forgotten. Special activities aimed at these target groups are envisaged. In addition, because Seychelles is a country where micro, small and medium-sized enterprises, together with agriculture, employ a very large percentage of the working population, it is timely to identify priorities for the development of a national OSH action programme, also taking into account these and other sectors that are key to driving national economic and social development. Continued assistance from the ILO and WHO to Seychelles in this endeavour is envisaged.
Currently, a major deficiency in Seychelles is the lack of systematic actions to tackle the issue of recording, notification and publication of occupational accidents and diseases. Also, there is insufficient legislation to deal with under-reporting of occupational accidents. These topics are covered in Chapter 13 of the profile, and are an area for priority focus.

Seychelles has the capabilities to step up its efforts to have a safety management system that will cover all sectors of employment. However, some uncontrollable factors, such as constant changes in the higher management team of the Ministry of Labour and Human Resource Development, have led to long delays in moving forward in a steady manner.
<table>
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<th>Description</th>
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<td>ACGIH</td>
<td>American Conference of Governmental Industrial Hygienists</td>
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<td>ADB</td>
<td>African Development Bank</td>
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<tr>
<td>AIDS</td>
<td>acquired immune deficiency syndrome</td>
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<td>ASE</td>
<td>Association of Seychelles Employers</td>
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<td>AU</td>
<td>African Union</td>
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<td>CIS</td>
<td>International Occupational Safety and Health Information Centre</td>
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<td>COMESA</td>
<td>Common Market for Eastern and Southern Africa</td>
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<td>DRDM</td>
<td>Division of Risk and Disaster Management</td>
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<td>DWCP</td>
<td>Decent Work Country Programme</td>
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<td>FEAS</td>
<td>Federation of Employers’ Associations of Seychelles</td>
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<td>GDP</td>
<td>gross domestic product</td>
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<td>HIV</td>
<td>human immunodeficiency virus</td>
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<td>IAEA</td>
<td>International Atomic Energy Agency</td>
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<td>IDC</td>
<td>Island Development Company</td>
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<td>ILO</td>
<td>International Labour Organization</td>
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<td>IOC</td>
<td>Indian Ocean Commission</td>
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<td>IRA</td>
<td>Industrial Relations Act 1994</td>
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<td>ISCO</td>
<td>International Standard Classification of Occupations</td>
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<td>ISO</td>
<td>International Organization for Standardization</td>
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<td>NAC</td>
<td>National AIDS Council</td>
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<td>NCCE</td>
<td>National Consultative Committee on Employment</td>
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<td>NOSCP</td>
<td>National Oil Spill Contingency Plan</td>
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<td>OSB</td>
<td>Occupational Safety Board</td>
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<td>OSH</td>
<td>occupational safety and health</td>
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<td>POP</td>
<td>persistent organic pesticides</td>
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<td>PPE</td>
<td>personal protective equipment</td>
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<td>SADC</td>
<td>Southern African Development Community</td>
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<td>SBS</td>
<td>Seychelles Bureau of Standards</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<td>SENPA</td>
<td>Small Enterprises Promotion Agency</td>
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<td>SITZ</td>
<td>Seychelles International Trade Zone</td>
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<td>SLA</td>
<td>Seychelles Licensing Authority</td>
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<tr>
<td>SME</td>
<td>small and medium-sized enterprises</td>
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<tr>
<td>SR</td>
<td>Seychelles rupee</td>
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<td>SSB</td>
<td>Seychelles Security Benefits</td>
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<tr>
<td>SWOT</td>
<td>strengths, weaknesses, opportunities and threats</td>
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<tr>
<td>TLV</td>
<td>threshold limit values</td>
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<td>UNAIDS</td>
<td>Joint United Nations Programme on HIV/AIDS</td>
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<td>UNEP</td>
<td>United Nations Environment Programme</td>
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<td>WB</td>
<td>World Bank</td>
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General data

Geography

The Republic of Seychelles consists of over 116 islands scattered over 1 million square kilometres of sea in the middle of the Western Indian Ocean. The Seychelles archipelago is divided into two distinct collections: the Mahé group, 43 islands in all, granitic with high hills and mountains and the outlying islands; and the coralline group, numbering 73 or more, for the most part only a little above sea level. Mahé, the most important island lies, between 4 degrees south latitude and 55 degrees east longitude. It is 27 km long and 11 km wide, rising abruptly from the sea to a maximum altitude of 905 metres in the mountain of Morne Seychellois.

Two other islands of major importance as regards size and population are Praslin, 33.6 km from Mahé, and home to the unique Coco de Mer; and La Digue, 48 km away, with its bullock cart transport and the only remaining sanctuary of the “veuve” – the Seychelles Paradise flycatcher.

In spite of the close proximity of Seychelles to the equator, the climate is healthy. The shade temperature varies little throughout the year, the hottest months being March and April, and the coolest being July and August. The rainfall varies considerably from island to island, and from year to year. Most of the rainfall occurs during the hot months, when the northwest trade winds blows. The islands are outside the hurricane zone, and thunderstorms are rare, and mild when they do occur.

Total population

Population projections since the first profile show that if fertility, mortality and immigration remain at the levels they were at in the mid-1990s, the size of the population will continue to grow. At the last census in 2010 the total population was 89,700. An interesting statistic shows that the majority of the population is now young adults (see Appendix 1). The projection for 2027 shows that the population is expected to grow to around 105,000 in total. The challenge for Seychelles now is to ensure that fertility is sustained at the replacement level, so as to moderate the rate of population ageing and maintain a balanced age structure.

Total economically active population, labour force, employment 2010

Appendix 2 lists the employed population by industry 2007 to 2010. In 2010 the total workforce in Seychelles was 44,159, which represents about half the population.

Appendix 3 shows the percentage distribution of the population by industrial sector and sex, employed in the government and parastatals, for the whole of 2010. From these data, it can be concluded that the majority of the working population is in the private sector.
Literacy levels
According to the 2010 population census, the literacy rates for the population aged 12 years and over were 94 per cent for males and 95 per cent for females. This is as depicted in Appendix 6.

Gross domestic product (GDP)
Seychelles is a small island economy in the Indian Ocean, with a GDP of 150,031 rupees per capita for the year 2011, according to the Seychelles Bureau of Statistics. In comparison the GDP for 2009 was 132,115 rupees.
1. **National regulatory framework**

1.1. **Constitution of the Republic of Seychelles**

The parent legislative framework is the Constitution of the Republic of Seychelles (21 June 1993). This includes several articles referring to decent work:

- Article 35: The State recognises the right of every citizen to work and to just and favourable conditions of work, and with a view to ensuring the effective exercise of these rights the State undertakes:

- Article 35(a): to make necessary measures to achieve and maintain a high and stable level of employment, as is practicable, with a view to attaining full employment;

- Article 35(d): to make and enforce statutory provisions for safe, healthy and fair conditions of work, including reasonable rest, leisure, paid holidays, remuneration which guarantees, as a minimum, dignified and decent living conditions for the workers, and their families, fair and equal wages for work of equal value without distinction and stability of employment;

- Article 35(e): to promote machinery for voluntary negotiations between employers and workers or their organisation with a view to the regulation of conditions of employment by means of collective agreements;

- Article 35(f): to promote the establishment and use of appropriate machinery for conciliation and voluntary arbitrations for the settlement of labour disputes.

1.2. **The labour laws**

These are the basic laws in Seychelles that regulate employment and other matters connected with labour in the Republic of Seychelles. The legislation covers labour, safety, employment and industrial relations, and includes:

- the Employment Act, 1995;
- the Conditions of Employment Regulations, 1991;
- the Industrial Relations Act, 1994;

The Employment Act, 1995, and the Conditions of Employment Regulations, 1991, cover the following aspects of employment:

- contract of service;
- termination of contract;
- termination notices;
- protection of wages;
- employment of young persons;
- duties and obligations of employers and workers.
The areas directly related to safety and health at work include:

- maximum number of working hours;
- rest periods;
- prohibition of additional employment;
- overtime hours;
- annual leave;
- compassionate leave;
- sick leave;
- maternity leave;
- prohibition of employment of young persons.

1.3. **OSH legislative framework**

Government legislation is in place in Seychelles to promote the OSH for workers in the workplace.

The main aims of OSH legislation in Seychelles are to:

- protect and promote workers’ safety and health by preventing and controlling occupational diseases and accidents, and by eliminating occupational factors and conditions hazardous to safety and health at work;
- develop and promote safe and healthy work, working environment and work organization;
- enhance workers’ physical, mental and social well-being;
- monitor work practices, and enforce established legislation.

OSH legislation in Seychelles is enforced by the Labour Monitoring and Compliance Section of the Ministry of Labour and Human Resource Development. It applies to all workers, including workers of the government and self-employed persons, and to all employers, including the government.

Domestic workers, and seamen while at sea, are exempted under the current OSH laws.

1.3.1. **Occupational Safety and Health Decree, Chapter 151, 1978.**

This is the principal law covering OSH. It makes provisions for the safety, health and welfare of persons employed in factories and other related workplaces. It covers:

- the employers’ duty to ensure the safety and health of all their workers, and of other persons who have access to the workplace;
- the workers’ duty to cooperate with the employers in complying with the laws, and to take all reasonable care not to endanger themselves, or others who might be affected by the work being carried out;
- the steps to be taken before operating a construction site or factory;
- the guarding of dangerous machines;
1. National Regulatory Framework

■ emissions to the working environment;
■ the handling of dangerous materials;
■ the use of appropriate protective clothing;
■ the training of persons to work at any machine that may cause injury.

The Decree also gives the Minister of Labour and Human Resource Development the power to make any regulation that he or she thinks is needed, and to appoint officers to enforce the OSH legislation. An appointed officer has the power to issue an improvement notice if an employer is contravening any provisions of the legislation, and a prohibition notice where there is any immediate threat to the safety or health of workers.

There are many deficiencies in the existing Occupational Safety and Health Decree. For example, it focuses mainly on factories, and does not cover other sectors fully. It is recommended that the whole Decree be reviewed. The Ministry of Labour and Human Resource Development has identified this shortcoming, and is in the process of reviewing the Decree.

1.3.2. Occupational Safety and Health (Construction Industry, Confined Space and Welding) Regulations, 1991

These regulations apply for the purpose of protecting workers working in the construction industry, or in confined spaces, and those working as welders in any workplace. They cover:
■ the erection of solid scaffolding, boards, working platforms, safety nets and belts;
■ good housekeeping, safe site access, electrical safety, and the use of personal protective equipment (PPE);
■ safe working in confined spaces, which include ships’ holds, tanks, manholes, cold storage and culverts;
■ the safe erection of temporary structures.

1.3.3. Occupational Safety and Health (Miscellaneous) Regulations, 1991

These apply to all premises except those that are covered under the Occupational Safety and Health (Construction Industry, Confined Space and Welding) Regulations, 1991. They make provision for safe access and egress to and from a workplace, safe working in confined space, and safe stairways and ladders.

1.3.4. Occupational Safety and Health (Health and Welfare) Regulations, 1991

These regulations apply to all workplaces. They cover:
■ good housekeeping;
■ overcrowding in work premises;
■ a reasonable comfort zone temperature in a workroom or other premises;
■ an effective drainage system for any work process or activity that renders the working place wet;
■ sanitary conveniences for all workers;
■ washing facilities with clean running water, soap and towels;
■ supply of drinking water in the workplace;
■ sufficient lighting in the workplace;
■ eating facilities;
■ seating facilities;
■ accommodation for clothing (lockers and changing rooms);
■ lifting of heavy loads;
■ maximum noise levels to which workers can be exposed;
■ exposure to radiation;
■ personal protective clothing;
■ first aid facilities;
■ evacuation of the sick and seriously injured.

1.3.5. Occupational Safety and Health (Amendment) Regulations, 1999

According to this amendment, an employer must ensure that any accident occurring at a workplace that results in the death of a worker, or in absence from work for 3 or more days’ sick leave, must be reported to the Labour Department within 48 hours of occurrence, on the prescribed form as stipulated under Section 32 (2) of the regulations.

1.3.6. Occupational Safety and Health (Health and Welfare) (Amendment) Regulations, 2003

These amendments make provisions for the erection of safety and warning signs in all workplaces to warn against hazards. The signs must be displayed in appropriate locations, and workers must be properly instructed as to the meaning and importance of these signs.

Safety signs may have one of these four colours: red for prohibition, blue for mandatory, green for information, and yellow for warning.

1.3.7. Other relevant OSH legislation

Other relevant OSH legislation includes:
■ the Occupational Safety and Health (Medical Examinations) Regulations, 2003;
■ the Occupational Safety and Health (Safety Officers) Regulations, 2012;
■ the Occupational Safety and Health (Dock Work) Regulations, 2012.
1.4. Other related laws

1.4.1. Pesticides Control Act, 1996

This Act, which comes under the Ministry of Health, makes provision for the prevention of damage to health and the environment by dangerous chemicals, and for the better protection of workers, members of the public and the environment against these chemicals.

All persons who import, export, manufacture, sell, store, distribute or trade in a dangerous chemical must hold a permit. They must possess all information necessary to determine the nature and characteristics of the chemical substance. The Act also makes provision for the establishment of a Pesticides Board, which is chaired by the Ministry of Health.

The Act is dealt with in more detail in Section 6.5.

1.4.2. Public Health Act, 1987

This Act is administered by the Ministry of Health.

Under Section 76(1) of the Act, a medical officer of health, a health inspector, or any person generally or specially authorized by a medical officer of health may at any time in daylight enter any land or premises and inspect it in order to ascertain the existence, nature and extent of any nuisance or part thereof or of anything thereon or therein which may be conductive to any nuisance or to the infestation of the owner or occupier of a premises.

1.4.3. Water Works Act, 1991

This Act provides for and regulates the supply of water to the public. The Public Utilities Cooperation is the authority that has the power to prohibit the use of water for any purpose or specified purposes.

1.4.4. Town and Country Planning Act, 1987

Under this Act, no person shall erect any building or development on any public land unless he or she first obtains permission to do so from the planning authority. Every person who intends to erect or make any alterations to a building must notify the local authority in writing of his or her intentions. This notice must specify the class or nature of the building and its use, the materials to be used, sanitary fittings, water fittings, and any machinery intended to be installed. Elevation drawings are required. No construction is permitted until approval is obtained.

1.5. Ratification of ILO Conventions on OSH

Seychelles has been a member State of the ILO since 1977, and has ratified four Conventions relating to OSH. These are listed in Table 1. They include the Occupational Safety and Health Convention, 1981 (No.115) which is the principal OSH Convention.
Table 1
Ratification of ILO Conventions on OSH

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<thead>
<tr>
<th>No.</th>
<th>Convention title</th>
<th>Date of entry into force</th>
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<tr>
<td>01</td>
<td>Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152)</td>
<td>June 2005</td>
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<tr>
<td>02</td>
<td>Occupational Safety and Health Convention, 1981 (No. 155)</td>
<td>May 2005</td>
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<td>03</td>
<td>Occupational Health Services Convention, 1985 (No. 161)</td>
<td>June 2005</td>
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<td>04</td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
<td>June 2005</td>
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In the first profile in 2006 there was mention of Convention 187. It was stated that “Seychelles is actively preparing for internal consultations on the ratification of ILO Convention No. 187, Promotional Framework for Occupational Safety and Health.” To date, this Convention has not been ratified; however, it was addressed in a workshop for Safety Week 2011, which showed commitment from the Ministry of Labour and Human Resource Development.

It is recommended that the Ministry speed up its effort to ratify and domesticate Convention No. 187, in order to move forward in safety and health development.
2. **National policy**

The Ministry of Labour and Human Resource Development in collaboration with employers’ and workers’ organizations has drafted a national safety and health policy for government, employers and workers to demonstrate their full commitment to OSH in Seychelles. A good national OSH policy will benefit the entire country, as it will be the basis of all OSH matters, and will be a step towards developing a good safety management system for Seychelles, improved OSH performance, economic prosperity and a good working environment, thereby improving the standard of living of the people of the Republic of Seychelles.

The policy has not yet been implemented, but it has been finalized, and should come into force after the various stakeholders, including employers’ and workers’ organizations, have endorsed it. When implemented, it will represent the foundation from which OSH goals and objectives, performance measures, and other system components will be developed.

2.1. **Objectives**

The objectives of national policy are to consolidate the prevention of accidents and work-related illnesses through consultative mechanisms at enterprise and national levels, adhering to all legal provisions and regulations, and providing relevant information, education and training; and to ensure the protection, maintenance and promotion of the safety, health and well-being of all workers, in all occupations and to ensure that the working conditions and environment are conducive to good health and productivity.

2.2. **HIV/AIDS workplace policy**

The HIV pandemic is one of the most significant challenges to health, development, and economic and social progress facing the world of work today. The impact of HIV and AIDS has eroded decades of development gains, has undermined economies, and has destabilized societies.

HIV is expected to continue to be a leading cause of mortality and morbidity in many countries and populations, not least within the small working population in Seychelles.

The workplace is well positioned to contribute to a response, as it offers an entry point to reach young and adult populations. The national HIV/AIDS workplace policy, developed in 2007 by the Ministry of Labour and Human Resource Development, and adopted by various stakeholders, offers guidance to government, employers and workers to help them develop HIV/AIDS workplace policies and programmes.
3. **Coordination, cooperation and collaboration**

3.1. **Ministry of Labour and Human Resource Development**

National policies and activities are coordinated in ministerial groups at government level. The leading OSH authority is the Labour Monitoring and Compliance Section of the Ministry of Labour and Human Resource Development. The Section coordinates its activities mostly in adhoc negotiations with the other ministries and social partners, but primarily in the Occupational Safety Board (see below), which constitutes a broad consultative mechanism with social partners and other relevant stakeholders.

The Minister provides the political and executive leadership. The Director-General, Labour Relations and Employment Promotions, is responsible for labour relations issues. The Division liaises in all matters of labour administration with other agencies, such as the Association of Seychelles Employers, the Seychelles Federation of Workers’ Unions, and other governmental and non-governmental organizations, namely the Ministry of Health and Social Services, the Ministry of Education, the Ministry of Environment and Energy, the Seychelles Agricultural Agency, and the Seychelles Bureau of Standards.

OSH is a shared responsibility. Therefore the Ministry works with several other stakeholders:
- the Ministry of Health and Social Services;
- the Ministry of Environment and Energy;
- the Ministry of Education;
- the Seychelles Bureau of Standards;
- the Federation of Employers’ Associations of Seychelles;
- the Seychelles Fire and Rescue Services Agency;
- the Seychelles Licensing Authority;
- the Seychelles Pesticides Board.

The Labour Department within the Ministry of Labour and Human Resource Development is divided into two divisions: the Labour Relations Division and the Employment Promotion Division.

3.1.1. **Labour Relations Division**

The Labour Relations Division promotes and maintains industrial peace and stability in Seychelles by providing a legal framework to balance the interests of employers and workers. It investigates claims and complaints relating to salary matters, unfair termination, redundancy and other terms and conditions of employment in respect of all workers other than domestic workers, military personnel, and civil servants.
The Division formulates policies on industrial relations, and reviews employment and labour laws regularly, to ensure their continued relevance to both employers and workers. It also provides advisory services to the Seychelles Federation of Workers’ Unions and the Association of Seychelles Employers on matters of relevance to employment law.

Specifically, its remit is to:

- ensure that working conditions as stipulated in the Employment Act and subsequent legislation and regulations are being respected at all times;
- ensure compliance with the Occupational Safety and Health Decree and other relevant legislation and regulations;
- establish standards for the protection of public health, safety, security and the working environment from the potential adverse effects of ionizing radiation;
- harmonize and streamline national capabilities for occupational exposure control, and improve the provision of dosimeter and associated services;
- promote effective dialogue between employers, workers and government, with a view to fostering sound industrial relations;
- propose, implement and reinforce legislation for the maintenance of good industrial relations;
- establish and maintain systems for industrial relations best practices in workplaces;
- implement information, education and communication programmes for the promotion of good industrial relations;
- ensure the protection of workers’ fundamental rights in accordance with national legislation and ratified international conventions;
- advise workers and employers on matters of relevance to employment law.

3.1.2. Employment Promotion Division

The main responsibilities of the Employment Promotion Division are to:

- ensure the implementation of the national employment policy;
- ensure proper control and management of non-Seychellois employment, in line with established procedures;
- facilitate the response to changes in demand in the labour market;
- formulate and implement the government’s localization policy;
- advise other agencies on available local labour for the employment of non-Seychellois under the Tourism Investment Act;
- collect and analyse data on expatriate employment for the preparation of reports;
- survey expatriate requirements in specific industries;
- conduct orientation sessions on employment matters at school level.

3.1.3. Enforcement constraints

Labour inspection services in many developing countries are grossly understaffed and under-equipped, and lack both transport and equipment. The Labour Monitoring and Compliance Section in the Ministry of Labour and Human Resource Development is no exception.
3. Coordination, Cooperation and Collaboration

In order to strengthen inspection, the Ministry of Labour and Human Resource Development should provide appropriate inspection tools for supervising the application of national OSH laws and ratified ILO-OSH conventions, as well as providing adequate resources to the Section.

3.2. Decent Work Country Programme (DWCP)

The DWCP provides the means to focus on strengthening OSH in the country, reviewing the OSH laws and domesticating the ILO Conventions ratified by the Seychelles government. The national OSH policy is being finalized, and consideration given to ratifying ILO Convention 187 the Promotional Framework for Occupational Safety and Health, 2006, in line with ILO standards.

3.3. Occupational Safety Board

The Occupational Safety and Health Decree, 1978, Chapter 151, section 11, stipulates that the Minister shall establish an Occupational Safety Board.

The purposes of the Board are:
- to advise and assist the Minister in his or her functions under the Decree, and perform such other functions as may be assigned to it by the Minister;
- to review OSH standards in Seychelles;
- to advise on OSH legislative proposals, and review existing legislation;
- to advise on measures to be adopted by the Labour Department, with a view to improving the existing system for enforcing OSH legislation;
- to encourage collective participation by everyone to contribute actively in preventing occupational incidents, injuries, accidents and diseases;
- to promote the effective protection of vulnerable groups of workers;
- to promote care for and support of workers infected by HIV/AIDS;
- to produce a report for the Minister, at the end of each year, outlining the activities of the Board for the year;
- to meet at least four times a year to discuss and report on the state of OSH in Seychelles.

Advice to the Minister is provided after members of the Board have reviewed new conventions and SADC documents, as well as the relevant code of practice. The Board represents the highest coordinating body on OSH at the national level.

The composition of the Board is as follows:
- the chairperson;
- the vice-chairman;
- three members representing the government;
- three members representing employers;
- three members representing workers;
- a specialist, to be appointed by the Minister.
The members of the Board, and its secretary, are appointed by the Minister, after consultation with employers’ and workers’ representatives. The Board may also invite any person with relevant knowledge or experience in the appropriate field to provide assistance as it may require. However, such a person will have no voting rights.

The chairman and other Board members are appointed for a period of three years, and may be reappointed as determined by the Minister. A member may resign at any time, or the Minister may declare his or her post vacant, if in the Minister’s opinion the member is unfit to continue in office, or is incapable of performing his or her duties.

There should be at least five members present for a quorum at any Board meeting; this should include the chairman and at least one member from each of the three groups.

The Decree prescribes that the Board may regulate its proceedings as it thinks fit, but that it must meet at least once every two months.

Since it was established, the Board has reviewed several ILO Conventions and Recommendations with a view to using them for updating national legislation on OSH and improving working conditions. They include:

- the Occupational Safety and Health (Dock Work) Convention, 1979 (No.152), and its Recommendation, 1979 (No. 160);
- the Occupational Safety and Health Convention, 1981 (No.155), and its Recommendation, 1981 (No. 164);
- the Safety and Health in Construction Convention, 1988 (No. 167), and its Recommendation, 1988 (No. 175);

3.4. National Consultative Committee on Employment

The NCCE is a body that meets for regular consultation with regard to employment. One of its objectives is to provide a regular and organized means by which representatives of the government and employers’ and workers’ organizations may consult on matters of industrial relations and employment of national concern.

The composition of the NCCE’s board comprises a chairman and vice-chairman, six government representatives, three representatives from the employers’ organization, and three representatives from the workers’ organization.

3.5. Department of Environment

The Department of Environment within the Ministry of Environment and Energy is responsible for environmental management policy, covering sewerage and waste disposal systems, the control of air quality, noise and water pollution, and hazardous chemicals and poisons. The Department is involved in activities relevant to OSH to ensure a quality working environment in Seychelles.
3.6. **Annual Safety Week**

The Republic of Seychelles faces challenges in terms of resource constraints, but its compactness provides opportunities for close working relationships. Over the years, it has established a culture of tripartism and partnership that has served it well. This is clearly evident in the consultation and involvement of employers and workers in OSH matters.

A good example is the annual Safety Week event. Since Safety Week was established in 1999, tremendous efforts have been made to promote OSH at work. This progress has been based largely on comprehensive cooperation between employers and workers to:

- create a positive and proactive approach towards improving workplace conditions;
- promote safe work attitudes and procedures;
- empower workers and employers on matters relating to the prevention of occupational accidents and diseases.

Safety Week is described in more detail in Section 11.2.

3.7. **At enterprise level: safety and health committees**

Many workplace hazards are complex in nature, but particularly those relating to chemical and biological agents. With the continued increase in economic development in Seychelles, health and safety protection requires a systems approach – one that goes beyond merely looking at specific machines and processes.

Therefore provision is made under the Occupational Safety and Health (Safety Officers) Regulations, 2012 (S.I. 6 of 2012), which stipulate that every employer of 50 or more workers must establish a safety and health committee, and that the establishment must also appoint a full-time safety and health officer.

The committee comprises representatives of both the employer and the workers. The Regulations stipulate that the chairperson should be a senior member of the management, and that the vice-chairperson is designated by the workers.

The functions of the OSH committee are to:

- promote cooperation between employer and workers in achieving and maintaining safe and healthy working conditions;
- make proposals to the employer on matters regarding the safety, health and welfare of workers;
- seek specialist advice from any person, whether employed by the employer or not, on any matter related to the safety, health and welfare of workers;
- make recommendations to the employer on training requirements and education programmes for particular workers or groups of workers;
- discuss occupational accidents, dangerous occurrences and occupational diseases, and make recommendations to the employer.

Safety committees have now been established in a number of industries: Indian Ocean Tuna Limited, the Public Utilities Corporation, Allied Builders Seychelles Limited, Laxmanbhai & Co. Seychelles (Pty) Ltd, and the Seychelles Trading Company Ltd.
Some establishments are complying with international OSH standards understanding that having good safety and health systems, practices and track record is a competitive advantage.
4. **OSH technical standards, guidelines and management systems**

Seychelles has no developed standards of its own; it uses a mixture of ILO standards and those of the United States. Both ILO exposure limits and the American Conference of Governmental Industrial Hygienists (ACGIH) threshold limit values (TLVs) are used.

ILO guidelines and codes of practice are also applied in guiding employers and workers to achieve adequate safety in the workplace, particularly in the management of noise, radiation, and technological disasters. For chemicals, the criteria and guidance notes of the UK’s Health and Safety Executive are used.

ILO Conventions have been the basis for the provisions contained in the relevant OSH legislation.
5. OSH implementation system, means and tools

5.1. Labour Monitoring and Compliance Section

The primary goal of the Labour Monitoring and Compliance Section is to safeguard the safety and health of workers in Seychelles. It is recognized that all workers have a fundamental right to a workplace that neither impairs their health nor imperils their safety.

As stipulated under the Constitution of the Republic of Seychelles (Article 35), the State recognizes the rights of every citizen to work and to just and favourable conditions of work, and with a view to ensuring the effective exercise of these rights the State undertakes to make and enforce statutory provisions for safety, healthy and fair conditions of work.

The mission of the Labour Monitoring and Compliance Section is to evaluate and control factors that affect workers and workplaces, in order to create a working environment that is to the highest standards, based on ILO and International Atomic Energy Agency standards.

The Section is responsible for enforcing OSH provisions for workers employed in offices, factories, construction sites and other workplaces in the Republic of Seychelles. Specifically, this entails:

- securing enforcement of the legal provisions relating to working conditions;
- protecting workers while engaged in their work, in areas such as working hours and wages;
- supplying technical information and advisory services to employer and worker organizations on the most effective means of complying with the legal requirements;
- bringing to the notice of local authorities any defects or abuses not covered by the existing legislation;
- collecting statistics on occupational accidents;
- investigating workplace complaints and labour disputes;
- supporting industry safety and health committees, safety officers, and safety and health representatives;
- acting as secretariat to the Occupational Safety Board.

The Section keeps records of OSH issues, and of the results of its inspections. This information is collected for every registered establishment at least once a year by the labour inspectors, and recorded on two forms that give details of the establishment and of workers, respectively.

The characteristics of each establishment that are collected cover:

- the number of fully fledged workers (male and female);
- the number of persons over 63 (if any) (male and female);
- the number of trainees (male and female);
The characteristics of workers that are recorded are:

- name;
- date of birth;
- sex;
- occupation;
- date engaged;
- type of employment;
- hours worked;
- salary.

Occupation is coded according to the International Standard Classification of Occupations (ISCO). The type of employment is coded as permanent, part-time or fixed-term. The hours worked refer to the hours actually worked during the previous week. Salary is the basic wage for a month or a week (calculated as 5 or 6 working days), but converted into an hourly rate.

Until now there has been no processing of these data, and no publication is intended as yet.

The Labour Monitoring and Compliance Section has built strong partnerships with other government departments, international agencies, non-governmental organizations, trade unions, and the private and parastatal sectors.

### 5.2. Enforcement and inspection system

The inspectors of the Labour Monitoring and Compliance Section provide technical leadership and coordination at the national level through the Section’s advisory services and regulatory enforcement. They cooperate directly with employers and workers at both national and enterprise levels. They also cooperate with other relevant government institutions and parastatals, such as the Ministry of Health, the Ministry of Education, and the Ministry of Environment and Energy.

There are some qualified inspectors within the Ministry of Labour and Human Resource Development, but they still need training to further develop their knowledge in safety and health. The total numbers of inspectors in the Labour Monitoring and Compliance Section are listed in Table 2.

Under the Occupational Safety and Health Decree, Chapter 151, section 23, an inspector may:

(a) enter at any reasonable time (or at any time in a dangerous situation) any premises which he has reason to believe it is necessary for him to enter;

(b) call for and obtain the assistance of a police officer if he apprehends any resistance to the exercise of his powers;
(c) take with him any other person duly authorized by the Minister, and any equipment or materials;

(d) make such examination and investigations as may be necessary;

(e) take such samples, measurements and photographs and make such recordings as he may consider necessary;

(f) require any person who he has reasonable cause to believe to be able to give any information relevant to any examination or investigation under paragraph (d) to answer such questions as the officer thinks fit to ask and to sign a declaration of the truth of his answers provided that no such answers shall be admissible in evidence against that person or his spouse;

(g) issue and require compliance with any improvement or prohibition notice which it may be his duty to serve;

(h) exercise any other power which is necessary for the effective performance of his duties.

Inspection is conducted in the following economic sectors:

- trade and commerce;
- agriculture and fisheries;
- business services;
- transport and communication;
- hotels and tourism;
- construction and quarrying;
- government departments and organizations.

Emphasis in inspections is placed on promotion and advisory activities, rather than on enforcement.

The total number of visits for the years 2010 and 2011, including OSH inspections, was 1,298 (see Table 3). Most visits were made on Mahé Island; very few inspections were conducted in the outstations (Praslin and La Digue) or other outlying islands.

The Occupational Health Unit in the Ministry of Health (see Section 5.6.2 below) carries out similar promotion, prevention and inspection activities in the workplace, but does not have legal authority to enforce the OSH legislation.

### Table 2

**Numbers of inspectors in the Labour Monitoring and Compliance Section**

<table>
<thead>
<tr>
<th>Position</th>
<th>Number of inspectors</th>
<th>Qualifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director, Labour Monitoring and Compliance Section</td>
<td>One</td>
<td>Masters in Occupational Safety and Health</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Postgraduate Diploma in Occupational Safety and Health</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Postgraduate Diploma in Radiation Safety and Security</td>
</tr>
<tr>
<td>Senior Employment Officer</td>
<td>One</td>
<td>Diploma in Environmental Health Science</td>
</tr>
<tr>
<td>Employment Officer</td>
<td>One</td>
<td>BSc in Environmental Health Science</td>
</tr>
<tr>
<td>Assistant Employment Officer</td>
<td>Three</td>
<td>Advance diploma in Occupational Health and Safety</td>
</tr>
<tr>
<td>Office Assistant</td>
<td>One</td>
<td>Certificate in Office Management</td>
</tr>
</tbody>
</table>

Source: Labour Monitoring and Compliance Section
5.2.1. Best practices workplace

OSH inspectors conduct visits to workplaces as part of the activities for Safety Week. The workplace that demonstrates the best safety and health practices wins awards at the end of the week.

5.2.2. Radiation Protection Unit

The Government has plans to establish a radiation protection unit within the Labour Monitoring and Compliance Section to regulate all matters to do with:

- incidents and developments in the area of illicit trafficking and other unauthorized activities involving nuclear and other radioactive materials in Seychelles;
- compliance with the Radiation Safety and Security Act, and with other relevant international standards and codes of practice approved by the International Atomic Energy Agency;
- ensuring that working conditions and the environment as stipulated in the Radiation Safety and Security Act and subsequent legislation are being respected at all times;
- measures to be taken to reach or restore the required level of safety standards as prescribed under the Radiation Safety and Security Act and Regulations.

The Radiation Protection Unit will be responsible for:

- conducting safety assessment and safety analysis;
- issuing, amending, suspending or revoking authorizations on radiation safety and security;
- ensuring that workers have maximum protection against the risks associated with exposure to ionizing radiation;
- performing systematic safety reassessment or periodic safety reviews over the lifetime of facilities;
- enforcing regulatory requirements;
- carrying out regulatory inspections;
- ensuring that corrective actions are taken if unsafe or potentially unsafe conditions are detected;
- initiating, formulating and reviewing policies and legislation relating to radiation safety and security;
- providing training and other educational activities on radiation safety and security.

### Table 3
Total inspection visits

<table>
<thead>
<tr>
<th>Type of inspection</th>
<th>2011*</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Routine</td>
<td>184</td>
<td>667</td>
</tr>
<tr>
<td>Follow up</td>
<td>81</td>
<td>122</td>
</tr>
<tr>
<td>Investigation</td>
<td>61</td>
<td>183</td>
</tr>
<tr>
<td>Total</td>
<td>326</td>
<td>972</td>
</tr>
</tbody>
</table>

* Most of the inspectors were on training in 2011.
Cooperation will be established with the Technical Section of the Seychelles Bureau of Standards to:
- maintain radiation-monitoring equipment;
- operate or identify analytical laboratories and equipment;
- assist with the reading of personal dosimeters;
- calibrate measuring equipment.

The Labour Monitoring and Compliance Section will:
- assist the Radiation Protection Unit in conducting health and safety inspections;
- issue authorizations and notification certificates for radiation facilities.

### 5.3. ILO-OSH management system

All over the world, it has now been realized that legislation alone cannot guarantee an accident-free environment; and there is therefore the need to promote pro-active approaches that are based on voluntary application of OSH management systems that are integrated into the core objectives of organizations.

It is recommended that Seychelles adopt the ILO-OSH management system. Better identification of hazards, their risk evaluation and control through the comprehensive framework of an OSH management system are essential in ensuring an accident-free industrial environment.

The positive impact of introducing the ILO-OSH 2001 technical standards will:
- guide the development of voluntary arrangements to strengthen compliance with regulations and standards, leading to continual improvement in OSH performance;
- guide the development of both national and tailored guidance on OSH management systems to respond appropriately to the real needs of organizations, according to their size and the nature of their activities;
- motivate all members of the organization – particularly employers, owners, managers, workers and their representatives – in applying appropriate OSH management principles and methods to continually improve OSH performance.

### 5.4. OSH research institutes and laboratories

There is currently no OSH research institute or laboratory in Seychelles that has the capacity for research and assessment work related to the determination of worker exposure to various of occupational hazards (analysis of air samples, biological samples, audiology testing, etc.), or for awareness creation and advice to all parties on occupational safety and health.
5.5. **OSH information centre**

Seychelles needs to establish an OSH information centre. This will enable the Labour Monitoring and Compliance Section to:

- facilitate proper and effective OSH management in Seychelles;
- create linkages to ILO-CIS and other institutions;
- facilitate research to influence national practices in the design of OSH programmes in order to address potential working environmental hazards;
- update the information using internal, local and international sources;
- collect, process, produce and disseminate OSH information for trade unions, health and safety practitioners, students, and the public in general.

Most developing countries are in a poor position in regard to collecting, retrieving and using relevant OSH data, both global and local. In Seychelles there is a need to strengthen the information support services and make them more efficient. For this purpose, continued international cooperation with ILO-CIS is essential in order to assist in establishing an information centre, and in training the documentation officer.

5.6. **Occupational health services, Ministry of Health**

5.6.1. **Health Department**

The Ministry of Health is responsible for ensuring high standards of health care through the regulation of all health-care institutions and establishments. It formulates national health policies, coordinates the development and planning of the private and public health sectors, and regulates health standards.

It is also responsible for the prevention and control of non-communicable and communicable diseases in Seychelles through epidemiological surveillance, research, investigation and control of epidemic diseases.

5.6.2. **Occupational Health Unit**

The Occupational Health Unit in the Health Department within the Ministry of Health is responsible for the promotion of occupational health and industrial hygiene in Seychelles.

The main activities that the Unit carries out are:

- monitoring the working environment, with a view to maintaining safe and healthy working conditions;
- pre-placement medical examinations of new workers to determine their suitability for specific jobs;
- periodic medical examinations of new workers to detect adverse trends that may be caused by the worker or the working environment;
- occupational health education of both management and workers on their responsibilities to maintain health and safety in the workplace;
- medical examinations of pilots and air traffic controllers;
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- medical examinations for Australian, New Zealand and Canadian visas;
- examining referred patients for means-testing assistance and disability;
- assessing all expatriates before they take employment in Seychelles;
- assessing workers, and making appropriate recommendations for those wishing to retire early from their jobs;
- medical examinations of IDC workers before they go to the outer islands;
- providing medical advice over the telephone;
- medical examinations of expatriate workers.

The staffing of the Unit, as at the time of compiling this report, is listed in Table 4.

### Table 4

**Occupational Health Unit staff**

<table>
<thead>
<tr>
<th>Position</th>
<th>Number</th>
<th>Nationality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational health doctor</td>
<td>Two</td>
<td>Seychellois</td>
</tr>
<tr>
<td>Specialist occupational health nurse</td>
<td>Two</td>
<td>Seychellois</td>
</tr>
<tr>
<td>Occupational health nurse</td>
<td>Two</td>
<td>Seychellois</td>
</tr>
</tbody>
</table>

Source: Occupational Health Unit, Ministry of Health

5.7. **Compensation arrangements**

When a worker is required by a medical practitioner to be confined to hospital or similar institution, he or she is entitled to 30 days’ paid leave sick. He or she may be entitled to an additional 30 days’ paid sick leave if requested by a medical practitioner.

Seychelles originally had a Workmen’s Compensation Ordinance, which dated back to pre-independence time. It was found not to be in workers’ best interest. One of the main problems with the Ordinance was that the courts decided on claims. This involved substantial legal costs, and unacceptable delays meant that many workers did not live long enough to enjoy their compensation.

The Ordinance was repealed in 1979, just after independence, and is now replaced by the Social Security Act, 2008.

5.7.1. **Social Security Act, 2008**

Under the Social Security Act, 2008, there are procedures for different claims for benefits. A worker, once injured at work, will have to go through different procedures; his or her case will be referred to a medical board before approval is granted for him/her to be considered for a benefit as prescribed under the existing Social Security Act. However, a claim does not mean automatic entitlement to a benefit, and even after an award under the Social Security Act, a worker may still sue the employer for further damages.
5.7.2. Types of benefits

Table 5 lists the various types of benefits from the Social Security Fund, and the normal rates of payment.

<table>
<thead>
<tr>
<th>Social Security Benefits</th>
<th>Payment Rate (SR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maternity</td>
<td>2 120 per month</td>
</tr>
<tr>
<td>Sickness</td>
<td>2 120 per month</td>
</tr>
<tr>
<td>Injury</td>
<td>2 120 per month</td>
</tr>
<tr>
<td>Level of subsistence</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(supplementary benefit, Social Security Benefits Act)</td>
</tr>
<tr>
<td>Orphan and abandoned</td>
<td>1 280 per month</td>
</tr>
<tr>
<td>child</td>
<td></td>
</tr>
<tr>
<td>Funeral benefit</td>
<td>Up to 1 600 for each death</td>
</tr>
<tr>
<td>Invalidity (standard rate)</td>
<td>2 021</td>
</tr>
<tr>
<td>Survivor's, including</td>
<td>2 120 per month</td>
</tr>
<tr>
<td>widows, widow's,</td>
<td></td>
</tr>
<tr>
<td>industrial death</td>
<td></td>
</tr>
<tr>
<td>Retirement pension</td>
<td>2 550 per month</td>
</tr>
<tr>
<td>Dependants' benefit</td>
<td></td>
</tr>
<tr>
<td>adult</td>
<td>1 120 per month</td>
</tr>
<tr>
<td>each child</td>
<td>1 010 per month</td>
</tr>
<tr>
<td>Disablement benefit</td>
<td>1 550 per month</td>
</tr>
</tbody>
</table>

The benefits of direct relevance to workers’ compensation are as follows:

- **Injury benefit.** This consists of periodic payments to an employed person who is rendered temporarily incapable of work by injury or a prescribed disease that occurred in the course of, or arose out, of employment. A person applying for injury benefit must provide a medical certificate, and evidence of employment status, to the satisfaction of the Social Security Fund. Injury benefit is payable for each working day on which the beneficiary is incapable of work, for up to 130 working days.

- **Disablement benefit.** This consists of periodic payments to an employed person who is partially or totally incapable of work, following a period of entitlement to injury benefit.

- **Invalidity benefit.** This consists of periodic payments to a person who is partially or totally incapable of work. A person applying for invalidity benefit must provide evidence of the degree of incapacity, as shown on the medical certificate issued by the Social Security Medical Board. He or she must also provide evidence that his or her family income does not exceed his family subsistence level, and must complete a declaration of income for each month the benefit is received. Invalidity benefit is payable for each working day, for up to 130 working days.

As an example, Table 6 shows the total amounts of disablement benefit paid in 2011. This list lacks detail. The lack of adequate information makes it very difficult to know how many individuals who have been injured at work have received financial assistance.
It is recommended that the National Bureau of Statistics work together with the Social Security Agency to improve their compilation of annual statistics, to better reflect the areas and circumstances in which financial assistance has been given.

Table 6
Disability benefit paid for year ending December 2011

<table>
<thead>
<tr>
<th>Month</th>
<th>Number of payments</th>
<th>Amount paid (SR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>58</td>
<td>41 005</td>
</tr>
<tr>
<td>February</td>
<td>60</td>
<td>41 430</td>
</tr>
<tr>
<td>March</td>
<td>60</td>
<td>42 095</td>
</tr>
<tr>
<td>April</td>
<td>60</td>
<td>26 325</td>
</tr>
<tr>
<td>May</td>
<td>60</td>
<td>26 325</td>
</tr>
<tr>
<td>June</td>
<td>60</td>
<td>26 325</td>
</tr>
<tr>
<td>July</td>
<td>60</td>
<td>42 265</td>
</tr>
<tr>
<td>August</td>
<td>60</td>
<td>42 265</td>
</tr>
<tr>
<td>September</td>
<td>53</td>
<td>44 055</td>
</tr>
<tr>
<td>October</td>
<td>53</td>
<td>42 705</td>
</tr>
<tr>
<td>November</td>
<td>54</td>
<td>42 745</td>
</tr>
<tr>
<td>December</td>
<td>54</td>
<td>42 745</td>
</tr>
<tr>
<td>Total for the year</td>
<td>692</td>
<td>460 285</td>
</tr>
</tbody>
</table>

Source: Social Protection Agency.

All these benefits are paid on a scale decided by the government, and are reviewed from time to time in line with the cost of living index.

The Occupational Safety Board, which is of tripartite composition (see Section 3.3), has agreed to streamline the workmen’s compensation laws and schemes to ensure that workers do not have to get involved in tedious legal battles to secure payment of what is rightfully due to them. It is interesting to note that it was the employers who proposed this harmonization.

5.8. Poison control centre

There is no existing poison control centre in Seychelles. However, the Ministry of Health collects information on toxicity in patients.

It is recommended that the Ministry of Health and the Ministry of Labour and Human Resource Development carry out a study to establish the extent of highly toxic chemicals in the country, and to ascertain whether there is a need to establish a poison control centre.
6. **Promotion and elimination programmes**

The Ministry of Labour and Human Resource Development, in collaboration with its social partners, has organized short-term training to provide workers, employers and the public with training and the capacity to prevent injuries and diseases. However, the programmes that are in place do not cover all the areas of interest under this topic.

The benefits of OSH programmes will strengthen the national economic base through a healthier and safer workforce and reduced occupational accidents and diseases, and improved management of industrial activities with regard to improved productivity and efficiency.

### 6.1. Employment of women

Regulation 18 of SI 34 of 1991 states that a female worker under a contract of continuous employment or, subject to sub-regulation (3), under a contract for a fixed term or part-time female workers is entitled to a total of 14 weeks’ paid maternity leave, of which not less than 10 weeks shall be taken after the date of confinement, and to 4 weeks’ unpaid maternity leave to be taken either before or after paid maternity leave.

### 6.2. Child labour

The Republic of Seychelles became the first country to formally ratify the Worst Forms of Child Labour Convention, 1999 (No. 182), which was adopted unanimously by the International Labour Conference in 1999.

#### 6.2.1. Legislative framework

Child labour is a phenomenon around the world that needs to be dealt with firmly, and the government of Seychelles has long recognized the need to protect children from hazardous employment. Several legal instruments have been issued to protect children from socio-economic exploitation, and to ensure that they develop to their fullest potential. These include the Constitution of the Republic of Seychelles, the Children’s Act, and the Education Act.

- Though the Conditions of Employment Regulations, 1991 made under the Employment Act, 1990 sets 15 years of age as the minimum employment age, it also provides a proviso for the engagement of school children between 12-14 years of age on approval by the Competent Officer, for work schemes organized by schools on vocational training during holidays and for light and non-recurrent jobs outside school hours.
- The Conditions of Employment Regulations 1991 made under the Employment Act, 1990 requires that, no young person shall be employed in a hotel, guesthouse, boarding house,
any place where tourists are accommodated, restaurant, shop, bar, nightclub, dance hall, discotheque or similar place of entertainment or on a ship or aircraft.

- Regulation 22(3): A person shall not employ another under the age of 21 years in a gaming house or casino.
- Regulation 22(2) prohibits night work for persons below 18 years between the hours of 10 p.m. and 5 a.m.
- Regulation (4) states that the competent officer, an officer appointed under Section 74(2) of the Employment Act, 1995, may, exceptionally, grant special written permission for the employment of any person aged 15 to 17 years in a place listed in sub-regulation (1) or between the hours of 10 p.m. and 5 a.m.

6.3. Silicosis and asbestosis diseases

At present there are no programmes from the Ministry of Health for the elimination of silicosis or asbestosis diseases. This is mainly because the use of asbestos has not been common in Seychelles, and asbestos based materials are very rarely imported.

6.4. Violence and sexual harassment at work

There are no employment laws in Seychelles that specifically address violence or sexual harassment at work. However, partial cover is stipulated under the Employment Act, 1995, section 46B, which states:

- An employer shall not commit any act of harassment against a worker.

In the review of the employment regulations there will be increased coverage of harassment, and also of discrimination and victimization.

6.5. Persistent organic pesticides

The Seychelles government recognizes the negative impact of persistent organic pesticides (POPs) in degrading the environment. POPs are managed through two separate government agencies: the Ministry of Environment and Energy, and the Ministry of Health.

6.5.1. Pesticides Board

The Ministry of Health is the custodian of the Pesticides Control Act, 1996. The Pesticides Board advises the ministries and government departments on matters relating to the manufacture, import, export, sale, disposal, handling, distribution or use of pesticides, and on the grant of permits or licences for such activities.

According to the Pesticides Control Act:

- No pesticide shall be imported into the country without the approval of the Board.
- No pesticide shall be imported or exported except at an entry or exit point designated by the Minister by notice published in the Government Official Gazette.
6. Promotion and Elimination Programmes

No person shall sell, offer for sale or supply any pesticide unless it is labelled in accordance with the Act.

The Pesticides Board is not a tripartite body; the appointment of members is made by the Ministry of Health for a term of two years. The membership of the Board represents:

- the Ministry of Environment and Energy;
- the Seychelles Licensing Authority;
- the Ministry of Labour and Human Resource Development;
- the Seychelles Bureau of Standards;
- the Ministry of Health.

The Ministry of Health bears the offices of chairperson and registrar of the Board. Under the Act the Seychelles Bureau of Standards (SBS) is the certified laboratory to undertake the necessary laboratory tests on pesticides.

The Seychelles Licensing Authority (SLA) is responsible for issuing licences to importers, and it has the mandate to revoke a licence if this is requested by other governmental bodies such as the Ministry of Health, the Ministry of Environment, and related ministries and agencies.

Although pesticide handling is regulated under the Pesticides Control Act, and the responsibilities of the stakeholders are clear, enforcement of the Act is weak. Customs officers, who have the responsibility to regulate the importation and exportation of goods in and out of the country, are not members of the Pesticides Board. The Pesticides Board needs to appoint a representative from the Seychelles Customs Authority to be a member of the Board.

6.6. Programmes to combat HIV/AIDS in the workplace

HIV/AIDS is seriously endangering the long-term goals of our society. It is a disease that does not discriminate; it is found in every age group and race, and in both men and in women. Although the disease cannot be spread by casual contact, there may be prejudice and fear both at work and outside the workplace, and workers with HIV/AIDS may face discriminatory attitudes and practices both from employers and from their fellow workers. They therefore need emotional support as well as practical support from employers, unions and all stakeholders.

In Seychelles, HIV/AIDS is already affecting and will continue to affect that section of the population that comprises people in their economically and socially most active years, with family members who are dependent on them—which is, the working sector of the population. HIV/AIDS statistics for the years 2000–2011 are listed in Appendix 5. The Seychelles government, employers and trade unions have redoubled their efforts in working together to improve general health and safety conditions, irrespective of the cause or nature of the hazard or disease.

The Tripartite Steering Committee on HIV/AIDS, comprising government, employers and trade unions, was established in 2008 to work on a draft policy for protecting workers affected by HIV/AIDS. The policy will be based on the principles and application of the ILO Code of Practice on HIV/AIDS. It will apply to all employers and workers, including applicants for work, within both the public and private sectors. It will also apply to all aspects of work, whether formal or informal.
The Committee helps to promote a rights-based approach, focusing on reducing stigma and discrimination in the workplace. Its duties and responsibilities are:

- working in partnership with all stakeholders, people living with HIV and other actors, to develop and implement policies and programmes to protect workers from HIV infection, and to facilitate equal access to care, treatment and support and social protection for all those who are living with or affected by HIV and AIDS in Seychelles;
- to protect the rights and dignity of workers, their families, and all people living with HIV/AIDS, in the world of work in the private, formal, informal and all sectors of the economy;
- to strengthen HIV prevention in the workplace, covering the formal and informal economies, communities, and engaging the private sector and people living with HIV;
- to enable employers and workers to develop practical approaches for undertaking or expanding prevention programmes for workers in both the formal and informal economies;
- to apply social protection approaches and models, and understand their importance in contributing to preventing HIV and mitigating its impact on people living with or affected by HIV;
- to contribute to national efforts against HIV/AIDS;
- to ensure that national AIDS plans include the world of work, and that labour policy and legislation address the implications of HIV/AIDS;
- to promote better conditions in the workplace, based on promoting a culture of risk prevention;
- to promote social dialogue, the dissemination of information and sharing of best practice, and other educational/promotional activities, building partnerships between the parties involved;
- to provide a systematic framework to help the workplace integrate HIV/AIDS and OSH management systems into wider policy and management arrangements.

No specific programme has yet been developed specifically for the workplace, but the Ministry of Health is actively educating the population through various activities throughout the year. The only activity directed at the workplace is a rapid testing programme, where health officers randomly visit different workplaces. We need to conduct and promote health educational programme at workplace level instead of only conducting medical test random check.

6.7. Action programmes for promoting OSH in hazardous sectors

The most hazardous sectors identified in the Seychelles are construction and the fishing industry – notably the loading and unloading of tuna at the fishing port. Most occupational accidents reported are from the fishing industry, in view of the lack of a code of conduct or other standards in this particular industry.
To support the prevention of accidents and diseases generally in the sector, the Occupational Safety and Health (Dock Work) Regulations, 2012, have been introduced – based on the principles of the ILO Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152), – in order to address OSH issues.

| It is recommended that the Minister of Labour and Human Resource Development expedite implementation of these regulations, because from the statistics it can be concluded that most accidents and incidents occur in the port sector. |

6.8. Informal sector

The informal sector is the one where the need is greatest, but it is the one that is least served in terms of OSH.

The Occupational Safety and Health Decree, Chapter 151, applies wherever work is performed under a contract of employment, including self-employed and contract workers, but not domestic servants.

The current Decree covers all workplaces in Seychelles, irrespective of whether an organization falls under the Seychelles International Trading Zone sector, and regular inspections are carried out in such enterprises. However, there are constraints on workplace coverage, in that regular inspection visits are not made to small enterprises or the informal sector.

This is partly because the existence of such workplaces is often unknown (officially) to the relevant authority responsible for safety. Other reasons are inadequate manpower and budgetary constraints.
The National Institute of Health and Social Studies runs courses in OSH at both the diploma and certificate levels. Most practising safety and health officers in Seychelles are graduates of the Institute.

7.1. Training organized by employers’ and workers’ organizations

The Association of Seychelles Employers, in collaboration with the Ministry of Labour and Human Resource Development, conducts regular training programmes on OSH. The topics covered include first aid, stress, and HIV/AIDS. Workers’ organizations also run training programmes on OSH for their members, in collaboration with the Ministry of Health, the Ministry of Environment and Energy, and the Ministry of Education, and at times with the ILO.

7.2. Specialized technical, medical and scientific institutions with links to various aspects of OSH

The Seychelles Bureau of Standards is responsible for implementing and applying standards on personal protective equipment, such as gloves, footwear and helmets, and on machinery using both local and International Standards Organization (ISO) criteria. There are at present no specific scientific OSH institutions in Seychelles.

7.3. Overall national level of human resources active in OSH

The numbers of people active in the field of OSH are listed in Table 7. These are people working either in the public sector or in the private sector, and in one way or another involved in the promotion of OSH at national level.

Table 7

Human OSH resources at national level

<table>
<thead>
<tr>
<th>Human resource</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational health nurses</td>
<td>4</td>
</tr>
<tr>
<td>Occupational hygiene specialist</td>
<td>1</td>
</tr>
<tr>
<td>Workplace-level safety and health officers</td>
<td>25</td>
</tr>
<tr>
<td>OSH officers, Ministry of Labour and Human Resource Development</td>
<td>5</td>
</tr>
</tbody>
</table>

Sources: Ministry of Health; Ministry of Labour and Human Resource Development
8. **Emergency preparedness and its organization**

The general responsibilities for managing major disasters are coordinated by the Division of Risk and Disaster Management (DRDM), within the Ministry of Environment and Energy. A task force, comprising a committee of top officials, ensures that immediately after heavy rain, wind etc., information on the general situation throughout the country is made available to supporting agencies.

8.1. **National oil spill emergency response**

The Department of Environment of the Ministry of Environment and Energy has a National Oil Spill Contingency Plan (NOSCP).

The purpose of the NOSCP is to provide the organizational structure and procedures for preparedness and response to oil spills. It covers the roles, duties and responsibilities of the relevant parties, and urges all the parties concerned to continually discuss, develop and agree on response strategies to a range of spill scenarios, and to integrate their individual existing contingency plans.
9. **Statistics on occupational accidents and diseases**

The Occupational Safety and Health (Amendment) Regulations 1999 requires an employer or person in charge of any premises to report any accident, dangerous occurrence, occupational poisoning, injury or disease within those premises to the Labour Monitoring and Compliance Section of the Ministry of Labour and Human Resource Development within 48 hours. The employer is also required to keep a record of all accidents and dangerous occurrences reported. Such reporting should increase the scope and effectiveness of the investigation of causes of occupational accidents and diseases, and the identification and implementation of preventive measures.

Evidence shows that the current system for recording of occupational accidents and diseases does not conform to the ILO Code of Practice on recording and notification of occupational accidents and diseases. There is no proper recording procedure for occupational diseases; such diseases are not being recorded in Seychelles.

The numbers of notified accidents recorded by the Labour Monitoring and Compliance Section in 2010 and 2011 are listed in Table 8, and the types of injury caused by these accidents are analysed in Table 9.

Overall, a total of 235 occupational accidents were reported in Seychelles for 2010 and 2011. It is likely that the total might have been nearly double this figure if all accidents had been reported in accordance with the stated legislation. From interviews with a number of employers, it is clear many do not report accidents, as they claim they were not aware that they needed to do so.

<table>
<thead>
<tr>
<th>Table 8</th>
<th>Reported occupational accidents in 2010 and 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sector</td>
<td>2011</td>
</tr>
<tr>
<td>Parastatal</td>
<td></td>
</tr>
<tr>
<td>Construction and quarrying</td>
<td>–</td>
</tr>
<tr>
<td>Transport and communication</td>
<td>15</td>
</tr>
<tr>
<td>Business services</td>
<td>–</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>–</td>
</tr>
<tr>
<td>Trade and commerce</td>
<td>3</td>
</tr>
<tr>
<td>Hotels and tourism</td>
<td>–</td>
</tr>
<tr>
<td>Agriculture, fishing and forestry</td>
<td>–</td>
</tr>
<tr>
<td>Public services</td>
<td>–</td>
</tr>
<tr>
<td>Total parastatal sector</td>
<td>18</td>
</tr>
</tbody>
</table>
## Sector

<table>
<thead>
<tr>
<th>Sector</th>
<th>2011</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Private</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture, fishing and forestry</td>
<td>3</td>
<td>–</td>
</tr>
<tr>
<td>Trade and commerce</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>Transport and communication</td>
<td>20</td>
<td>29</td>
</tr>
<tr>
<td>Hotels and tourism</td>
<td>21</td>
<td>10</td>
</tr>
<tr>
<td>Construction and quarrying</td>
<td>12</td>
<td>17</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>20</td>
<td>11</td>
</tr>
<tr>
<td>Business services</td>
<td>6</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total private sector</strong></td>
<td><strong>82</strong></td>
<td><strong>77</strong></td>
</tr>
<tr>
<td><strong>Public</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public services</td>
<td>12</td>
<td>–</td>
</tr>
<tr>
<td>Agriculture, fishing and forestry</td>
<td>–</td>
<td>24</td>
</tr>
<tr>
<td><strong>Total public sector</strong></td>
<td><strong>12</strong></td>
<td><strong>24</strong></td>
</tr>
<tr>
<td><strong>Overall total</strong></td>
<td><strong>112</strong></td>
<td><strong>123</strong></td>
</tr>
</tbody>
</table>

Source: Labour Monitoring and Compliance Section.

## Table 9  
Types of injury from occupational accidents

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>5</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>February</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>9</td>
<td>20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>March</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>5</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>April</td>
<td>1</td>
<td>–</td>
<td>1</td>
<td>10</td>
<td>13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>May</td>
<td>–</td>
<td>1</td>
<td>–</td>
<td>9</td>
<td>13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>June</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>9</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>July</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>11</td>
<td>9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>August</td>
<td>–</td>
<td>1</td>
<td>–</td>
<td>6</td>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>September</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>16</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>October</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>4</td>
<td>8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>November</td>
<td>–</td>
<td>1</td>
<td>–</td>
<td>13</td>
<td>15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>December</td>
<td>–</td>
<td>–</td>
<td>–</td>
<td>13</td>
<td>7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>110</td>
<td>120</td>
<td></td>
</tr>
</tbody>
</table>

Source: Ministry of Labour and Human Resource Development.
The existing system for recording and notification of occupational accidents and diseases in Seychelles should be improved to respond to the current needs and requirements of the ILO Code of Practice on the Recording and Notification of Occupational Accidents and Diseases. This code provides useful guidance for competent authorities in developing a more effective system for reporting, recording and notification of accidents and diseases at the enterprise, national and international levels, and for compiling statistical data at the national level.

Most occupational accident cases are in port handling activities, which are classified in Table 8 under the heading Transport and communication. This is due mainly to a lack of proper inspection in these areas; the available inspectors are not fully trained in the risks and hazards of the port industry.

The inspectors in the Labour Monitoring and Compliance Section need to be trained in hazard identification and implementation of effective risk control measures in the port industry. They will then be able to provide effective advice as well as ensuring compliance with legislation.
10. **Employers’ and workers’ organizations**

The employers’ and workers’ organizations in Seychelles are, respectively, the Association of Seychelles Employers and the Seychelles Federation of Workers’ Unions. Currently, no programme on occupational safety is in place for either organization.

10.1. **Participation in national tripartite dialogue**

The Occupational Health and Safety Decree, Chapter 151, makes provision for social dialogue: hence members of the Seychelles Federation of Workers’ Unions are selected on a proportional representation basis to participate at tripartite meetings.

Both the Seychelles Federation of Workers’ Unions and the Association of Seychelles Employers are represented at the tripartite steering committee for the SADC/ILO project on workplace discrimination and stigmatization of persons living with HIV/AIDS. They are also represented on both the National AIDS Council and the Occupational Safety Board for Occupational Safety and Health.

10.2. **Workers’ organizations**

There is only one trade union in Seychelles as from April 2012, the Seychelles Federation of Workers’ Union. According to statistics provided by the union it has around 5,000 members, representing all sectors of the economy.

10.3. **Association of Seychelles Employers**

The Association of Seychelles Employers (ASE) is the only employers’ organization that is financed by members’ subscriptions. Registered by the Registrar of Associations in 1978, it currently has 38 registered members out of a potential membership of 500+ employers.

10.4. **OSH elements in collective bargaining**

The Seychelles Federation of Workers’ Unions and the Association of Seychelles Employers have included safety and health in their collective agreements, as part of the general working conditions and environment.
11. Regular activities related to OSH

11.1. National initiatives

The World Day of Safety and Health at Work is a global event that is celebrated annually on 28 April.

This event is observed in Seychelles, organized by the Labour Monitoring and Compliance Section with the collaboration of the ILO, and the full participation of the social partners and other stakeholders. Activities to mark the day include poster and pamphlet distribution, exhibitions, panel discussions, and radio and TV programmes.

Other annual events that are celebrated regularly, and are relevant to safety and health, although not totally focused on them, include Labour Day, World Health Day, Environment Day and World AIDS Day. The last of these is celebrated on 1 December, and draws wide participation nationally, probably because HIV/AIDS is regarded as a workplace issue and a development challenge.

11.2. Safety Week

Safety Week was originally established in 1999. Its aims and objectives are to:

- develop a culture of safety at the workplace and in the community;
- promote safety awareness among employers and workers, and the public in general;
- empower health and safety officers and representatives with knowledge and skills in managing OSH at work.

For Safety Week 2011, the theme adopted was that chosen by the ILO, which was “Occupational Safety and Health Management Systems”, with the slogan “A tool for continual improvement”.

To commemorate Safety Week 2011, a workshop was organized in collaboration with ILO to educate occupational safety and health officers on their obligations under the ratified Occupational Safety and Health Conventions, and to promote the ratification of the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). It was also an occasion to recognize those organizations that have demonstrated commitment to safety and health at work.

With the technical assistant of the ILO, the workshop brought together participants from government, employers’ representatives and workers’ representatives, and other strategic stakeholders in the field of OSH in Seychelles.

To ensure total integration and full participation, the workshop included technical presentations, plus active group and plenary discussions.
11.3. **Trade union OSH activities and initiatives**

The Seychelles Federation of Workers’ Unions and individual organizations regularly organize awareness-raising campaigns to promote safety and health at work. Some organizations use such events to call attention to problems of a specific sector or occupation or a theme of concern. For example, the workers’ organization has actively campaigned against drug abuse in the workplace, in collaboration with the national agency for the prevention and treatment of substance abuse.
12. **International collaboration**

The government of Seychelles is actively collaborating, within the limit of its resources, with the various international organizations in successfully organizing and hosting various events related to safety, health and the environment. For the specialized UN agencies these include:

- events on safety, health and the environment and HIV/AIDS for the ILO;
- events related to health for the WHO;
- events related to the environment for UNEP;
- events related to HIV/AIDS for UNAIDS.

There is also collaboration with regional bodies such as the African Union (AU), and sub-regional bodies such as the Southern African Development Community (SADC), the Common Market for Eastern and Southern African (COMESA), and the Indian Ocean Commission (IOC). Seychelles is benefiting from the implementation of a sub-regional project on HIV/AIDS funded by the African Development Bank (ADB) and the IOC.
13. **Situation analysis**

The analysis of collected data, statistics and reports, including interviews with the key stakeholders, has been summarized in the following SWOT analysis, taking cognizance of the most important strengths, weaknesses, opportunities and threats related to OSH system in Seychelles.

13.1. **Strengths**

- The Labour Monitoring and Compliance Section has the portfolio for labour, health and safety in Seychelles.
- There is a flexible inspection routine; inspectors can arrange their own schedules.
- The Section is responsible for the enforcement of safety and health and labour laws in Seychelles.
- Joint inspections are conducted with social partners.
- Inspectors have the mandate to enter any workplace at any time.
- Staff in the section are well motivated.
- There is good teamwork in the section; staff are happy to ask for assistance from each other.
- There are two graduates with an Advanced Diploma in Occupational Safety and Health, a staff member with a degree in environmental health, and one with a degree in health and safety and a masters in strategic management.
- The Section can deal with grievances at first hand in the workplace.
- Staff are provided with uniforms, and protective clothing.
- The Labour Monitoring and Compliance Section enforces the Radiation Safety and Security Act.
- Notification of all radioactive sources are reported to the Ministry of Labour and Human Resource Development.
- Calibration of X-ray machines in the medical sector is carried out in Seychelles.

13.2. **Weaknesses**

- There is a need for more inspectors.
- There is a need for more measurement equipment.
- The safety and health legislation is outdated.
- There is no vehicle attached to the Section for officers to attend to emergency cases.
- There is a lack of joint inspection visits with all stakeholders.
There is a lack of promotion and incentives: for example, staff should be given incentives for completing a course successfully.

There is a lack of inter-agency cooperation, for example when seeking information.

The Section is sometimes asked to perform irrelevant duties that are not mandated under the legislation, or which pertain to the Ministry.

Despite comprehensive legislation with a wide coverage, the SME and informal sectors, where the need is greatest, are not covered, owing to a shortage of trained manpower, particularly in the OSH inspectorates.

Despite the threat from chemical exposure, there is no OSH/industrial hygiene laboratory, owing to budgetary and technical constraints.

There is no research institute for OSH.

The Occupational Health and Safety Decree, Chapter 151, covers all workplaces, both public and private. However, certain sectors, including maritime, still need specific regulations and OSH monitoring to ensure the provision of better conditions of service for the workforce.

The Occupational Health and Safety Decree, Chapter 151, necessitates a wide coverage of workplaces by OSH inspectors, but the acute shortage of staff, combined with a lack of capacity-building and enhancement in terms of regular, continuous and advanced training opportunities, leads to an overload of extra work, such as attending meetings and organizing seminars and workshops.

There is a lack of a desirable recognition and professional status given to OSH.

There is a lack of technical specialists in the Occupational Health Unit in the Ministry of Health with specialized training and experience in such fields as occupational hygiene, ergonomics and industrial toxicology.

There are long delays in approval of policies and regulations within the Ministry of Labour and Human Resource Development.

There is a lack of proper recording of OSH information on accidents and diseases.

There is a lack of investment in new, modern technologies and equipment for better monitoring of the work environment.

There is no CIS information centre in the Labour and Monitoring and Compliance Section to offer a better service to the public.

There is no occupational hygienist, and thus there is a lack of monitoring and evaluating of physical, chemical, and biological hazards in the working environment.

13.3. Opportunities

The introduction of innovative approaches, such as OSH self-audit, will ensure proper monitoring of the work environment by employers, with the cooperation of workers.

Capacity building and enhancement, in the form of constructive and continuous training programmes for the staffs of both the Labour Monitoring and Compliance Section and the Occupational Health Unit in the Ministry of Health, will enable them to function more efficiently.
13.4. **Threats**

- The current economic climate is a threat to the Seychelles economy, which is export oriented, and dependent on tourism, offshore and related services. This situation will affect OSH in Seychelles both directly and indirectly. This could be in the form of massive layoffs of workers and decreased productivity, especially in key industries such as the hotel and hospitality industry.

- Inflationary trends are another threat to OSH in terms of increases in the cost of production as a result of price increases, especially for petroleum and related products.

- There is a threat of sea piracy towards Seychelles’ fishermen.
14. Recording and notification of occupational accidents and diseases

The National Occupational Safety and Health Profile for Seychelles compiled in 2006 noted that the absence of reliable information about the incidence of occupational accidents and diseases was a major obstacle to curbing the appalling toll of work-related deaths and injuries that continue to plague the country.

The report also recommended that the existing system for recording and notification occupational accidents and diseases in Seychelles be improved to respond to the current needs and requirements of the ILO Code of Practice for the recording and notification of occupational accidents and diseases.

In this respect, improvement of the recording, notification and classification of occupational safety and health accidents, diseases and incidents was adopted as priority number three at the National Tripartite Workshop on OSH Profiles and the National Programme for Seychelles, in March 2006.

To date, however, Seychelles still has no policy or mechanisms in place: thus there is no proper recording, notification or classification of OSH accidents and incidents, and the recording of occupational diseases is non-existent.

The Ministry of Labour and Human Resource Development and the Ministry of Health should devise a strategic plan for recording, notification and classification of occupational diseases.

As the Ministry of Labour and Human Resource Development is the main authority for OSH, it should take the leading role, and introduce a special schedule to the main Occupational Safety and Health Decree.

The Ministry of Labour and Human Resource Development should place more emphasis on the reporting of occupational accidents and occurrences.

14.1. Legal, institutional and administrative arrangements

The Labour Monitoring and Compliance Section within the Ministry of Labour and Human Resource Development is responsible for and has the power to issue regulations, orders and other instructions and procedures for the reporting, recording and notification of occupational accidents and diseases.
Its scope of coverage includes the following sectors:

- health;
- transport and communications;
- construction and quarrying;
- trade and commerce;
- hospitality and tourism;
- finance and business.

The OSH legislation in Seychelles makes provision only for the notification and investigation of occupational accidents, and not for occupational diseases.

14.2. **Scope of coverage and definitions**

Seychelles needs to establish a national system for the recording and notification of occupational accidents and diseases, in order to:

- increase the scope and effectiveness of investigation of the causes of occupational accidents and diseases, and the identification and implementation of preventive measures;
- establish the general principles and reinforce and channel various national activities into nationally consistent systems of collecting reliable information on occupational accidents and diseases, with a view to promoting international comparability;
- improve the comprehensiveness and analysis of statistics on occupational accidents and diseases.

In accordance with the Occupational Health and Safety Decree (Amendment) Act, 1999, the occurrences of occupational accident and diseases and events covered are as follows:

- The place where the worker usually takes his/her meals; or
- The place where the worker usually receives his/her remuneration.
- That result in death or personal injury involving loss of working time.
- Traffic accidents in which workers are involved during working hours and which occur in the course of paid work are considered as occupational accidents.

14.3. **Classification of information**

At present, Seychelles does not have a system for classifying recorded OSH information and notifications. The Ministry of Labour and Human Resource Development should promote the development of a classification system for physical, chemical and biological exposures in the working environment. The Ministry’s Labour Monitoring and Compliance Section, through the Occupational Safety Board, should determine the concepts and terminology relating to the recording and notification of occupational accidents, occupational diseases, accidents, dangerous occurrences and incidents. These should be consistent with international agreements and recommendations, and should promote the harmonization of methodologies and the comparability of statistics.
14.4. **Arrangements at national level**

To date, Seychelles has no proper system for notification at the national level. National laws or regulations should require employers to establish and maintain records on occupational accidents, occupational diseases, commuting accidents, dangerous occurrences and incidents, as determined by the competent authority.

To ensure that all required data and information are collected systematically, and to provide the methodology for investigating occupational accidents, occupational diseases, dangerous occurrences and incidents, national laws or regulations should prescribe which data and information are to be recorded. Where forms are used for this purpose they should be standardized.

14.5. **Arrangements at government level**

Although reporting of occupational injuries is required under the Occupational Safety and Health Decree Chapter 151, very few cases that occur in the government sector are actually reported to the Labour Monitoring and Compliance Section.

This shortcoming needs to be addressed urgently, as it is, potentially, a significant gap in the documentation of the national profile. Inevitably, it could also affect the proper planning of the national OSH programme.

14.6. **Arrangements at enterprise level**

There are no proper penalties in the OSH regulations for employers who fail to report occupational accidents. The Ministry, along with all its social partners, should be more proactive in educating employers on the need to report occupational accidents and incidents.

- Arrangements should be made at enterprise level, and workers should cooperate with their employers in fulfilling the obligations thus placed upon them.
- Workers and their representatives in the enterprise should be provided with adequate information on measures taken by the employer to implement the OSH policy and established principles, and should consult their representative organizations about such information.
- Workers and their representatives in the enterprise should be given appropriate training in the implementation of the established principles.
- Measures for implementation of the policy should not involve any expenditure for workers.
- Whenever two or more employers undertake activities simultaneously at one workplace, they should cooperate in making effective arrangements for implementation of the policy. The competent authority should prescribe the general procedures for this cooperation when necessary.
- Arrangements should be made at enterprise level to enable workers to comply with the requirements for reporting any occupational injury, suspected case of occupational disease, commuting accident, dangerous occurrence or incident.
- The employer should establish a system within the enterprise to carry out immediate and thorough investigations of reported occupational accidents, occupational diseases, and dangerous and incidents.
14.7. **Situation analysis**

This section is intended to provide a preliminary analysis of the collected data, and to summarize key points and elements.

### 14.7.1. **Strengths**

- The Ministry of Labour and Human Resource Development has built strong partnerships with other government departments, international agencies, non-governmental organizations, trade unions, and the private and parastatal sectors.
- There is a keen interest in the ratification and domestication of OSH Conventions.

### 14.7.2. **Weaknesses**

- No consistent system for collecting reliable information on occupational accidents, occupational diseases, commuting accidents, dangerous occurrences and incidents.
- No general principles of and uniform procedures for the reporting, recording and notification of occupational accidents, occupational diseases, commuting accidents, dangerous occurrences and incidents, and implement them in all branches of economic activity, and in all enterprises.
- No adequate penalties for violations of national laws and regulations concerning legislation on reporting and notification of occupational accidents and diseases.
- No guidance provided by the Labour Monitoring and Compliance Section to employers and workers to help them comply with their legal obligations regarding, recording and notification of occupational accidents and diseases.
- No list of diseases prescribed through the OSH legislation, comprising at least the diseases enumerated in the most recent version of Schedule I to the Employment Injury Benefits Convention, 1964.
- No mechanism in place to ensure appropriate means and measures, so that the prescribed list of occupational diseases is made known and available to physicians, health services, insurance institutions, employers and workers, and their representative organizations.
- Lack of cooperation with self-employed persons in control of the establishment where they are contracted to work, to enable notification of occupational accidents, occupational diseases, commuting accidents and dangerous occurrences.
- Occupational accidents are not properly investigated, and national laws do not specify arrangements for the participation of all parties concerned. Therefore no corrective measures or advice could be implemented, and no recommendations could be made to the organizations.
- Occupational diseases are not being recorded or published. The country does not have any concrete statistics on occupational diseases on which to base any programmes.

### 14.7.3. **Opportunities**

- The Ministry of Labour and Human Resource Development can develop a policy and system for the recording and notification of occupational accidents and diseases.
It can develop programmes to reinforce various national activities on collecting reliable information on occupational accidents, occupational diseases, commuting accidents, dangerous occurrences and incidents.

There should be clear statistical reports on the numbers of occupational diseases in the country, and programmes can be developed to minimize the level of such diseases.

The Occupational Health and Safety Decree Chapter 151 can be reviewed in line with the OSH Conventions ratified by the government.

14.7.4. Threats

Lack of accurate information to educate and sensitize worker on the dangers and hazards involved or associated with different occupations.
### Appendix 1: Population and vital statistics

<table>
<thead>
<tr>
<th></th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total resident Population ('000)'</strong></td>
<td>85.0</td>
<td>87.0</td>
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<td>- Male</td>
<td>43.2</td>
<td>45.0</td>
<td>45.0</td>
<td>45.9</td>
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<tr>
<td>- Female</td>
<td>41.8</td>
<td>42.0</td>
<td>42.3</td>
<td>43.8</td>
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<tr>
<td><strong>Age composition (%)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Under 15 years</td>
<td>19.9</td>
<td>19.7</td>
<td>19.8</td>
<td>19.8</td>
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<tr>
<td>- (15–44) years</td>
<td>42.6</td>
<td>43.9</td>
<td>43.5</td>
<td>44.8</td>
</tr>
<tr>
<td>- (45–64) years</td>
<td>15.5</td>
<td>16.5</td>
<td>17.2</td>
<td>18.3</td>
</tr>
<tr>
<td>- 65 years and over</td>
<td>7.0</td>
<td>6.9</td>
<td>6.8</td>
<td>6.8</td>
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<tr>
<td><strong>Median age (Years)</strong></td>
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<td>29.0</td>
<td>30.0</td>
<td>30.0</td>
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<td><strong>Dependency ratio</strong></td>
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<td>439.0</td>
<td>421.0</td>
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<td><strong>Geographical Distribution ('000)</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>- Mahe</td>
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<td>76.3</td>
<td>77.5</td>
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<tr>
<td>- Praslin</td>
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<td>7.6</td>
<td>8.5</td>
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<tr>
<td>- La Digue &amp; Outer Islands</td>
<td>3.3</td>
<td>3.5</td>
<td>3.5</td>
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<td><strong>Vital Statistics</strong></td>
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<td></td>
</tr>
<tr>
<td>- Number of registered:</td>
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<td></td>
</tr>
<tr>
<td>- Live births</td>
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<td>1,546</td>
<td>1,580</td>
<td>1,504</td>
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<td>- Death</td>
<td>630</td>
<td>662</td>
<td>684</td>
<td>664</td>
</tr>
<tr>
<td>- Marriages of which:</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>- Residents</td>
<td>405</td>
<td>450</td>
<td>450</td>
<td>459</td>
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<tr>
<td>- Visitors</td>
<td>676</td>
<td>798</td>
<td>753</td>
<td>981</td>
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<td>- Divorces</td>
<td>140</td>
<td>145</td>
<td>145</td>
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<tr>
<td>- Crude birth rate</td>
<td>17.6</td>
<td>17.8</td>
<td>18.1</td>
<td>16.8</td>
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<tr>
<td>- Total fertility rate</td>
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<td>2.3</td>
<td>2.4</td>
<td>2.1</td>
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<tr>
<td>- Crude death rate</td>
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<td>7.6</td>
<td>7.8</td>
<td>7.4</td>
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<tr>
<td>- Infant mortality rate</td>
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<td>12.9</td>
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<td>14.0</td>
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<tr>
<td>- Marriage rate (residents)</td>
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<td>5.1</td>
<td>5.1</td>
<td>5.1</td>
</tr>
<tr>
<td>- Divorce rate</td>
<td>1.6</td>
<td>1.7</td>
<td>1.7</td>
<td>1.7</td>
</tr>
<tr>
<td>**Projected population ('000)'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2022</td>
<td>2027</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>49.8</td>
<td>51.9</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>51.0</td>
<td>53.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>100.8</td>
<td>105.7</td>
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</table>
### Projected Population Age composition (%)

<table>
<thead>
<tr>
<th>Age Group</th>
<th>2022</th>
<th>2027</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 15 years</td>
<td>22.8</td>
<td>22.0</td>
</tr>
<tr>
<td>(15–44) years</td>
<td>43.9</td>
<td>42.6</td>
</tr>
<tr>
<td>(45–64) years</td>
<td>25.0</td>
<td>25.0</td>
</tr>
<tr>
<td>65 years and over</td>
<td>8.3</td>
<td>10.4</td>
</tr>
</tbody>
</table>

1. From 2002–2009 the mid-year estimate has been rebased on the 2002 census figure.
2. For 2007–2009: calculated based on the 2002 Census and on the following assumptions: Island population distribution similar to that of 2002.
3. Figures for 2010 have been adjusted and rebased on the 2010 Census results.

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**Population Pyramid, Mid 2012**

**Population Estimates**

![Population Pyramid Diagram](image-url)
## Appendix 2: Labour workforce

<table>
<thead>
<tr>
<th></th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total employment (Number)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Sectors</td>
<td>39,572</td>
<td>41,342</td>
<td>41,891</td>
<td>44,159</td>
</tr>
<tr>
<td>- Government Sector</td>
<td>11,417</td>
<td>10,913</td>
<td>9,305</td>
<td>8,799</td>
</tr>
<tr>
<td>- Private Sector</td>
<td>22,417</td>
<td>24,833</td>
<td>27,721</td>
<td>30,508</td>
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<tr>
<td>- Parastatal Sector</td>
<td>6,136</td>
<td>5,596</td>
<td>4,865</td>
<td>4,852</td>
</tr>
<tr>
<td><strong>Primary Sector, of which:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Agriculture, forestry, fishing</td>
<td>1,046</td>
<td>953</td>
<td>738</td>
<td>480</td>
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<tr>
<td><strong>Secondary Sector, of which:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Manufacturing</td>
<td>4,455</td>
<td>4,170</td>
<td>4,419</td>
<td>4,570</td>
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<tr>
<td>- Electricity &amp; Water</td>
<td>1,087</td>
<td>1,013</td>
<td>859</td>
<td>988</td>
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<tr>
<td>- Quarrying &amp; Construction</td>
<td>4,273</td>
<td>5,744</td>
<td>6,646</td>
<td>5,677</td>
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<tr>
<td><strong>Tertiary Sector, of which:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Distributive Trade</td>
<td>2,851</td>
<td>2,778</td>
<td>2,943</td>
<td>3,620</td>
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<tr>
<td>- Hotels &amp; Restaurants</td>
<td>5,728</td>
<td>6,030</td>
<td>6,349</td>
<td>7,887</td>
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<tr>
<td>- Transport, storage, communication</td>
<td>3,917</td>
<td>4,242</td>
<td>4,307</td>
<td>3,358</td>
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<td>- Services</td>
<td>16,215</td>
<td>16,412</td>
<td>15,630</td>
<td>17,580</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Average monthly earnings (Rupees)</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Sectors</td>
<td>4,015</td>
<td>4,645</td>
<td>5,958</td>
<td>6,987</td>
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<tr>
<td>- Government Sector</td>
<td>4,216</td>
<td>4,650</td>
<td>5,340</td>
<td>6,929</td>
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<td>- Private Sector</td>
<td>3,669</td>
<td>4,387</td>
<td>5,915</td>
<td>6,693</td>
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<tr>
<td>- Parastatal Sector</td>
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<td>5,781</td>
<td>7,365</td>
<td>8,959</td>
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<td><strong>Primary Sector, of which:</strong></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>- Agriculture, forestry, fishing</td>
<td>3,541</td>
<td>3,888</td>
<td>4,107</td>
<td>4,513</td>
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<td><strong>Secondary Sector, of which:</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Manufacturing</td>
<td>3,306</td>
<td>4,100</td>
<td>5,086</td>
<td>5,772</td>
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<td>- Electricity &amp; Water</td>
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<td>4,747</td>
<td>5,591</td>
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<tr>
<td>- Quarrying &amp; Construction</td>
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<td>5,429</td>
<td>6,618</td>
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<td><strong>Tertiary Sector, of which:</strong></td>
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<tr>
<td>- Distributive Trade</td>
<td>3,073</td>
<td>3,527</td>
<td>4,250</td>
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<td>- Hotels &amp; Restaurants</td>
<td>3,972</td>
<td>4,838</td>
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<td>- Transport, storage, communication</td>
<td>5,688</td>
<td>6,510</td>
<td>9,088</td>
<td>8,914</td>
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<td>- Services</td>
<td>4,275</td>
<td>4,836</td>
<td>5,878</td>
<td>7,252</td>
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</table>

1. Averages – totals do not always add up due to rounding
## Appendix 3:
### Average number of workers, 2010

<table>
<thead>
<tr>
<th>ISIC</th>
<th>Industry</th>
<th>Government</th>
<th></th>
<th></th>
<th></th>
<th>Parastatal</th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Female Local</td>
<td>Expatriate</td>
<td>Male Local</td>
<td>Expatriate</td>
<td>Female Local</td>
<td>Expatriate</td>
<td>Male Local</td>
<td>Expatriate</td>
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<tr>
<td>A</td>
<td>Agriculture, forestry, fishing</td>
<td>57</td>
<td>–</td>
<td>32</td>
<td>1</td>
<td></td>
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<tr>
<td>C</td>
<td>Manufacturing</td>
<td>7</td>
<td>–</td>
<td>5</td>
<td>–</td>
<td></td>
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<tr>
<td>D</td>
<td>Electricity, gas, steam and air conditioning supply</td>
<td>24</td>
<td>–</td>
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<td>E</td>
<td>Water supply; sewerage, waste management and remediation activities</td>
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<td>1</td>
<td>415</td>
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<tr>
<td>G</td>
<td>Wholesale and retail trade; repair of motor vehicles and motorcycles</td>
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<td>H</td>
<td>Transportation and storage</td>
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<td>46</td>
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<td>Information and communication</td>
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<td>Financial and insurance activities</td>
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## Appendix 4: Literacy

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1. Includes three private schools with combined (creche/primary/secondary)
2. Figures do not include school for the exceptional child
### Post Secondary Non Tertiary

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### Special Education

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### Literacy Rate (aged 12 plus) (%)

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1. Includes Polytechnic study areas, and the following training centres:
   - ITC – Industrial Training Centre
   - MTC – Maritime Training Centre
   - FTC – Farmers Training Centre
   - NCA – National College of the Arts
   - SHTTC – Seychelles Hospitality & Tourism Training Centre / Seychelles Tourism Academy (STA)
   - SIT – Seychelles Institute of Technology
   - CHS – Centre for Health Studies
   - NIE – National Institute of Education

2. 2010 Estimates based on 2010 Population & Housing Census results

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Source: Ministry of Health
National profile on Occupational Safety and Health

Seychelles