

UNEMPLOYMENT RELIEF SCHEME ACT

[3rd April, 1995]

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Establishment of the Unemployment Relief Scheme
4. Participants of the Scheme
5. Approved projects
6. Unemployment Relief Scheme Fund
7. Regulations
8. Transitional

Short title **1.** This Act may be cited as the Unemployment Relief Scheme Act.

Interpretation **2.** In this Act -

"approved project" means a project approved under section 5;

"Chief Executive" means the person acting or discharging the functions of such office in the Ministry responsible for the administration of this Act;

"gainful employment" means employment for gain or reward otherwise than as a participant of the Scheme on an approved project;

"Scheme" means the Unemployment Relief Scheme established by section 3;

"valid reason" means such reason as the Chief Executive considers to be valid in any particular case and includes distance from home to place of work, old age, bad health, the need to care for young children and previous disagreement with a person offering gainful employment.

Establishment **3.** There is hereby established the Unemployment Relief Scheme to
of the provide employment on approved projects to participants of the Scheme.
Unemployment
Relief Scheme

Participants of **4.(1)** A person shall be eligible to become a participant of the Scheme
the Scheme if the person -

(a) is a citizen of Seychelles; and

(b) is unemployed; and

(c) has registered with the Ministry as a person seeking employment.

(2) Where a person eligible to become a participant of the Scheme under subsection (1) has failed without valid reason to utilise opportunities for other gainful employment or has been offered other gainful employment and has refused without valid reason to accept the offer, the person shall for a period of six months from the date of failure or refusal cease to be eligible to become a participant of the Scheme.

(3) Where a participant of the Scheme has, during the period in which the person is a participant, failed without valid reason to utilise opportunities for other gainful employment or been offered other gainful employment and has refused without valid reason to accept the offer, the participant shall cease to be a participant of the Scheme and shall cease to be eligible to become a participant for a period of six months from the date of failure or refusal.

(4) The Chief Executive shall decide whether a person has failed to utilise opportunities for other gainful employment without valid reason or refused to accept an offer of other gainful employment without valid reason and the decision shall be served on that person.

(5) Any person aggrieved by a decision of the Chief Executive under subsection (4) may within 14 days of the date of service of the decision appeal to the Minister against the decision and the Minister may affirm or vary the decision.

(6) The Chief Executive shall review or cause to be reviewed the eligibility of a person to continue as a participant of the Scheme on the expiration of each period of six months of the person's participation in the Scheme.

(7) In subsections (2), (3) and (4) "other gainful employment" means gainful employment other than in an approved project.

Approved projects **5.** The Minister may approve projects on which employment may be provided under this Act to the participants of the Scheme.

Unemployment Relief Scheme Fund **6.(1)** For the purposes of the Scheme, there is hereby established an Unemployment Relief Scheme Fund, in this section referred to as the "Fund".

(2) There shall be paid into the Fund -

(a) such sums as may be authorised by the Minister responsible for the administration of the Social Security Act, to be paid out of the Social Security Fund established under that Act;

(b) such other sum as may be provided by the Government for the purposes of this Act or as may be received by the Minister for the purposes of this Act.

(3) There shall be paid out of the Fund -

(a) all payments made to the participants of the Scheme under this Act;

(b) all expenses properly incurred in the administration of this Act.

(4) For each financial year of the Fund, the Minister shall cause to be kept proper books of account and other books and records in relation thereto in which shall be recorded all the financial transactions of the Fund.

(5) The accounts of the Fund shall be audited by the Auditor General.

(6) As soon as the accounts of the Fund are audited pursuant to subsection (5), the Minister shall submit to the Minister responsible for the administration of the Social Security Act a report on the operation of the Fund for the financial year covered by the audit together with a copy of the report of the Auditor General for that year.

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

Provided that the first financial year of the Fund shall end on 31st December next following the date of commencement of this Act.

Regulations

7. The Minister may make regulations for carrying into effect the provisions of this Act and without prejudice to the generality of the foregoing may make regulations prescribing -

- (a) the minimum hours of work on an approved project;
- (b) the rates of payment to participants of the Scheme; and
- (c) the manner in which applications may be made to participate in the Scheme.

Transitional

8.(1) Notwithstanding the repeal of the Unemployment Fund Act by this Act -

- (a) any moneys in the Unemployment Fund established under that Act shall, on the date of commencement of this Act, vest in the Unemployment Relief Scheme Fund established under this Act;
- (b) any moneys due to the Unemployment Fund referred in paragraph (a) on the date of commencement of this Act, shall be paid into the Unemployment Relief Scheme Fund referred to in that paragraph;
- (c) any moneys due from the Unemployment Fund referred to in paragraph (a) on the date of commencement of this Act shall be paid out of the Unemployment Relief Scheme Fund referred to in that paragraph.

NO SUBSIDIARY LEGISLATION

