

**MISCELLANEOUS (REPEAL OF STATUTES) BILL, 2021**

*(Bill No. 44 of 2021)*

**OBJECTS AND REASONS**

The President of the Republic, in his address to the Nation on the 1<sup>st</sup> of February, 2021, announced the restructuring of Government statutory and other public bodies.

In consequence to the said announcement, Government proposes to dissolve the National Council for the Elderly and the National Council for Disabled Persons and transfer the functions to the Ministry of Family Affairs.

In order to give effect to the announcement it is proposed to repeal the the National Council for the Elderly Act (Act 2 of 2018) and the National Council for Disabled Persons Act (Cap 138).

On the repeal of the National Council for the Elderly Act and the National Council for Disabled Persons Act, the Councils established thereunder shall stand dissolved and their functions shall be assumed and discharged by the Ministry of Family Affairs, all its employees shall become employees of the Government, and the assets of the Councils shall vest into, and become assets of the Government of Seychelles and all liabilities and obligations incurred by the Councils prior to the repeal shall be deemed to have been incurred by the Government of Seychelles;

The Bill seeks to achieve the above objectives.

**Dated this 21<sup>st</sup> day of September, 2021.**

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

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**ARRANGEMENT OF SECTIONS**

**Sections**

1. Short title
2. Repeal of the National Council for the Elderly Persons Act, 2018
3. Repeal of the National Council for Disabled Persons Act, Cap 138
4. Continuation of employment with the Government
5. Assets, liabilities and contracts
6. Effect of repeal
7. Transitional provisions

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*(Bill No. 44 of 2021)*



**A BILL**

**FOR**

**AN ACT to provide for the Repeal of The National Council for the Elderly Act, 2018 (Act 2 of 2018) and The National Council for Disabled Persons Act, Cap 138; and provide for matters incidental thereto, or connected therewith.**

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

**Short title**

**1.** This Act may be cited as the Miscellaneous (Repeal of Statutes) Bill, 2021.

**Repeal of National Council for the Elderly Act, 2018 (Act 2 of 2018)**

2. The National Council for the Elderly Act, 2018 (Act 2 of 2018) is hereby repealed.

**Repeal of Cap 138**

3. The National Council for Disabled Persons Act, Cap 138, is hereby repealed.

**Continuation of employment with the Government**

4. Notwithstanding any law, a person employed with the Councils established under the repealed Acts, shall on the date of the repeal of the repealed Acts, continue his or her employment with the Government of Seychelles within the Ministry of Family Affairs on terms and conditions no less favourable than those existing immediately prior to the date of the repeal of the repealed Acts until such terms and conditions are amended, varied or repealed in accordance with the Public Service Orders or any scheme of service applicable to employees of the Government.

**Assets, liabilities and contracts**

5. On the coming in operation of this Act —

- (a) all movable or immovable properties, assets, rights, interests and privileges acquired, accrued by, or vested in, the Councils established under the repealed Acts shall stand transferred to and vested in the Government of Seychelles;
- (b) all liabilities and obligations incurred by the Councils established under the repealed Acts prior to the date of this Act shall be deemed to have been incurred by the Government of Seychelles;
- (c) any contract or agreement executed by any of the Councils established under the repealed Acts prior to the date of the coming of operation of this Act shall continue to have effect in accordance with its terms as if it was originally made and entered into by the Government of Seychelles; and

- (d) any right, privilege obligation or liability acquired or incurred by a person under any of the repealed Acts shall not be affected by the repeal and any legal investigation, legal proceedings or remedy in respect of such right, privilege, obligation or liability may be instituted, continued or enforced by or against the Government of Seychelles.

### **Effect of repeal**

6. The mention of the particular matters referred to in sections 4 and 5 shall not be held to prejudice or affect the general application of section 31 of the Interpretation and General Provisions Act (Cap 103) with regard to the effect of repeal.

### **Transitional provisions**

7. On the commencement of this Act, the members of the Councils established under the repealed Acts shall cease to be the members of the Council or of the Board of the Council, as the case may be, and shall vacate his or her office; and the members of the Councils shall not be entitled to claim any compensation for the premature termination of the terms of his or her office or of any contract of service with the Councils or the Government.