

**NATIONAL AIDS COUNCIL OF SEYCHELLES (REPEAL)  
BILL, 2023**

*(Bill No. 4 of 2023)*

**EXPLANATORY STATEMENT OF THE OBJECTS OF AND  
REASONS FOR THE BILL**

The National AIDS Council of Seychelles Act, 2013 (the “Act”) established the National AIDS Council of Seychelles (the “Council”) as a body corporate.

The mandate of the Council is to promote, implement, coordinate, monitor and evaluate programmes and measures to limit or prevent the spread human immunodeficiency virus (HIV) and acquired immunodeficiency syndrome (AIDS).

The affairs of the Council are managed and administered by a Board consisting of representatives of various public or statutory authorities or private organisations.

As part of the restructuring of Government and public bodies, Government proposes to dissolve the Council and distribute its functions between the Ministry of Health and public bodies under the responsibility of the Minister for Health.

The object of the Bill is to repeal the Act.

On the repeal of the Act —

- 1) the Council will dissolve and its functions shall be distributed, taken over and discharged by the Ministry of Health and designated public bodies under the responsibility of the Minister for Health;
- 2) the employees of the Council shall become employees of the Government and the designated public bodies; and

- 3) the assets of the Council shall vest into, and become assets of the Government of Seychelles and all liabilities and obligations incurred by the Council prior to the repeal shall be deemed to have been incurred by the Government of Seychelles.

**Dated this 12<sup>th</sup> day of May, 2023.**

**PEGGY VIDOT  
MINISTER FOR HEALTH**

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**ARRANGEMENT OF SECTIONS**

**SECTIONS**

1. Short title
2. Repeal of Act 13 of 2013
3. Continuation of employment
4. Assets, liabilities and contracts
5. Effect of repeal
6. Transitional provisions

**NATIONAL AIDS COUNCIL OF SEYCHELLES (REPEAL)  
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**A BILL**

**FOR**

**AN ACT TO PROVIDE FOR THE REPEAL OF THE NATIONAL AIDS COUNCIL OF SEYCHELLES ACT, 2013 (ACT 13 OF 2013) AND TO PROVIDE FOR OTHER INCIDENTAL OR CONNECTED MATTERS.**

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

**Short title**

1. This Act may be cited as the National Aids Council of Seychelles (Repeal) Bill, 2023.

## **Repeal of Act 13 of 2013**

2. The National Aids Council of Seychelles Act, 2013 is repealed.

## **Continuation of employment**

3. Notwithstanding any law and the Public Service Orders, a person employed with the National Aids Council of Seychelles under section 22 of the repealed Act, on the date of the repeal of the Act, shall continue his or her employment with the Government of Seychelles in the Ministry of Health, or with a public body under the responsibility of the Minister for Health on terms and conditions no less favourable than those subsisting immediately prior to the date of the repeal of the Act until these terms or conditions are amended, varied or repealed in accordance with the Public Service Orders or any scheme of service applicable to employees of the Government or the designated public bodies.

## **Assets, liabilities and contracts**

4. Upon the coming into operation of this Act —
- (a) all movable or immovable properties, assets, rights, interests and privileges acquired, accrued by, or vested in, the National AIDS Council of Seychelles under the repealed Act shall stand transferred to and vested in the Government of Seychelles;
  - (b) all liabilities and obligations incurred by the National AIDS Council of Seychelles 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 the National AIDS Council of Seychelles prior to the date of the repeal of the 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 the repealed Act 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**

5. The mention of the particular matters referred to in sections 3 and 4 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**

6. Upon the commencement of this Act —
- (a) the members of the Board of the National AIDS Council of Seychelles shall cease to be members and shall vacate their offices; and
  - (b) the members of the Board shall not be entitled to claim any compensation for the premature termination of the terms of their respective offices, or of any contract of service with the National AIDS Council of Seychelles or the Government of Seychelles.