

MISCELLANEOUS AMENDMENTS ACT, 2023

(Act 22 of 2023)

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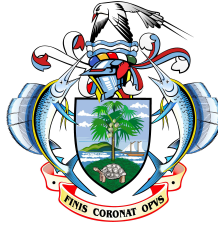
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MISCELLANEOUS AMENDMENTS ACT, 2023

(Act 22 of 2023)



I assent

A handwritten signature in black ink, appearing to read "Wavel", with a horizontal line underneath.

Wavel Ramkalawan
President

8th November, 2023

AN ACT TO MAKE AMENDMENTS TO CERTAIN ENACTMENTS; AND TO REPEAL THE MALARIA ACT, CAP. 120; MARRIAGE OF THE BRITISH SUBJECTS (FACILITATES) ACT, CAP. 123; MEDICAL APPEAL BOARDS ACT, CAP. 125; PARASTATAL CORPORATION ACT, CAP. 154; AND SEYCHELLES SECURITY GUARDS SERVICE PENSION ACT, CAP. 222.

ENACTED by the President and the National Assembly.

**PART 1
PRELIMINARY**

Short title

1. This Act may be cited as the Miscellaneous Amendments Act, 2023.

PART 2

SEYCHELLES HUMAN RIGHTS COMMISSION ACT

Amendment of the Seychelles Human Rights Commission Act

2. Section 6(2)(b) of the Seychelles Human Rights Commission Act, 2018 is repealed.

PART 3

MALARIA ACT

Repeal of Malaria Act

3. The Malaria Act, Cap. 120, is repealed.

PART 4

MEDICAL APPEAL BOARDS ACT

Repeal of Medical Appeal Boards Act

4. The Medical Appeals Board Act, Cap. 125, is repealed.

PART 5

PUBLIC HEALTH AUTHORITY ACT

Amendment of section 8

5. Section 8(1)(c) of the Public Health Authority Act, 2013, is amended by repealing the words “30 consecutive days” and substituting therefor the words “10 consecutive days”.

PART 6

QUARANTINE ACT

Revision of the Quarantine Act

6. In this Part, the “principal Act” means the Quarantine Act, Cap. 197.

Amendment of Act

7. The principal Act is amended by repealing the word “President”, wherever it appears, and substituting therefor the word “Minister”.

Amendment of section 2

8. Section 2 of the principal Act is amended by inserting in the proper alphabetical order, the following definition —

““Minister” means the Minister responsible for health;”

Amendment of section 9

9. Section 9 of the principal Act is amended in subsection (1) by repealing the words “paid by the Quarantine Authority to the Principal Secretary of the Ministry of Finance to the credit of general revenue” and substituting therefor the words “paid into the Consolidated Fund.”

PART 7

MENTAL HEALTH CARE ACT

Amendment of section 52 of the Mental Health Care Act

10. Section 52 of the Mental Health Care Act, 2020, is amended —

- (a) in subsection (1) by repealing the words “5 years or a fine not exceeding SCR50,000” and substituting therefor the words “2 years or a fine of level 3 on the standard scale,” ;
- (b) in subsection (2) by repealing the words “imprisonment for a term of 15 years or a fine not exceeding SCR50, 000” and substituting therefor the words “a term of imprisonment not exceeding 5 years or a fine of level 5 on the standard scale, or to both such fine and imprisonment.”

PART 8

PESTICIDES CONTROL ACT

Amendment of section 22 of the Pesticides Control Act

11. Section 22 of the Pesticides Control Act, Cap. 164, is amended by repealing the words “R10, 000” and substituting therefor the words “level 2 on the standard scale”.

PART 9

SEYCHELLES SECURITY GUARDS SERVICE PENSION ACT

Repeal of Seychelles Security Guards Service Pension Act

12. The Seychelles Security Guards Service Pension Act, Cap. 222, is repealed, but any right acquired by a person under this Act shall not be affected by the repeal.

PART 10

**MARRIAGE OF THE BRITISH SUBJECTS (FACILITIES) ACT
ORDER IN COUNCIL, 1916**

Repeal of the Marriage of the British Subjects (Facilities) Act

13. The Marriage of the British Subjects (Facilities) Act, Order in Council, 1916 Cap. 123, is repealed.

PART 11

CENSUS ACT

Revision of the Census Act

14. In this Part, the “principal Act” means the Census Act, Cap. 25.

Amendment of section 5

15. Section 5 of the principal Act is amended —

(a) by repealing subsection (1)(b) and substituting therefor the following —

“(b) every person in charge of a hospital, prison or any public, charitable, religious or educational institution;”

(b) in subsection (3) by repealing the words “Collector of Customs” and substituting therefor the words “Commissioner of Customs”.

Amendment of section 8

16. Section 8 of the principal Act is amended by repealing the words “a fine not exceeding five hundred rupees” and substituting therefor the words “a fine of level 2 on the standard scale”.

**PART 12
CIVIL STATUS ACT****Revision of the Civil Status Act**

17. In this Part, the “principal Act” means the Civil Status Act, Cap. 34.

Amendment of section 2

18. Section 2 of the principal Act is amended by repealing the definition “gazetted”.

Repeal of section 93

19. Section 93 of the principal Act is repealed.

Amendment of section 108

20. Section 108 of the principal Act is amended by repealing the words “parents or other”.

Amendment of section 109

21. Section 109 of the principal Act is amended by repealing the words “the provisions of this Act” and substituting therefor the words “the laws of Seychelles”.

Amendment of section 113

22. Section 113 of the principal Act is amended by repealing the words “a fine not exceeding one thousand rupees or imprisonment for any term not exceeding two years” and substituting therefor the words “a fine of

level 3 on the standard scale or to imprisonment not exceeding 2 years, or to both a fine and a term of imprisonment”.

Amendment of section 115

23. Section 115(3) of the principal Act is repealed.

Repeal of section 121

24. Section 121 of the principal Act is repealed.

PART 13

NATIONAL IDENTITY CARDS ACT

Revision of the National Identity Card Act

25. In this Part, the “principal Act” means the National Identity Card Act, Cap. 294.

Insertion of new section 4A

26. The principal Act is amended by inserting immediately after section 4 the following as section 4A —

“Issue of National Identity Card to non-resident citizen

4A.(1) Notwithstanding anything to the contrary in this Act, the Chief Officer of Civil Status may issue a National Identity Card to a citizen of Seychelles who is not a resident on application made under section 5.

(2) The National Identity Card issued under subsection (1) shall be in Form 1 of Part I of the Schedule and shall bear a National Identity Number.

(3) A National Identity Card issued under subsection (1) shall be valid for a period of ten years from the date of its issue.

Amendment of section 5

27. Section 5 of the principal Act is amended by inserting immediately after subsection (4), the following new subsections —

“(5) An application made under section 4A shall be supported by documentary proof of citizenship of Seychelles of the applicant.

- (6) The address of an applicant under section 4A shall be —
- (a) the residential address of the applicant in Seychelles; or
 - (b) the address where he last resided before leaving to reside overseas; or
 - (c) in the case of an applicant who had not resided in Seychelles, the residential address in Seychelles of his parent or where his parent is not resident in Seychelles, the address where his parent last resided before leaving to reside overseas.”

Amendment of section 9

28. Section 9 of the principal Act is amended —

- (a) in subsection (1) by repealing the words “subsections (2) and (3)” and substituting them with the words “subsections (2), (3) and (4)”;
- (b) in subsection (2), by renumbering paragraphs (b) and (c) as paragraphs (d) and (e), respectively;
- (c) by inserting immediately after paragraph (a), the following new paragraphs —
 - “(b) to law enforcement authorities for the purposes of prevention or detection of crime, or in the interest of national security;
 - (c) to a public authority with the consent of the applicant or the holder of a National Identity Card or upon

request of the public authority for the purpose of administration of Government;”

- (d) by inserting immediately after subsection (3), the following new subsection —

“(4) For the purpose of subsection (2)(c), “public authority” means a Ministry, department, division or agency of the Government or any other body which is carrying out a governmental function or service.”

Amendment to section 10

29. Section 10 of the principal Act is amended by repealing the figure “R5000” wherever it appears and substituting it with the words “level 1 on the standard scale”.

PART 14

PARASTATAL CORPORATIONS ACT

Repeal of the Parastatal Corporations Act

30. The Parastatal Corporations Act, Cap. 154, is repealed.

PART 15

LAW COMMISSION ACT

Amendment of section 4 of the Law Commission Act

31. Section 4 of the Law Commission Act, 2022, is amended —

- (a) in subsection (1) —
- (i) by repealing paragraph (b) and substituting therefor the following —
- “(b) the President of the Court of Appeal or where the President of the Court of Appeal decides otherwise, a Justice of Appeal or a person qualified as a Justice of Appeal or a person who

held judicial office proposed by the President of the Court of Appeal of Seychelles.”

- (ii) by repealing paragraph (c) and substituting therefor the following —

“(b) the Chief Justice or where the Chief Justice decides otherwise, a Judge or a person qualified as a Judge or a person who held judicial office proposed by the Chief Justice;”

PART 16

SEYCHELLES INTELLIGENCE SERVICE ACT

Amendment of section 4

32. Section 4 of the Seychelles Intelligence Act, 2018 is amended by inserting immediately after subsection (4), the following new subsections —

- “(5) Notwithstanding anything in this Act or any other law, land or lease may be registered in the name of the Service.
- (6) Disposal of land or lease registered in the name of the Service shall not be made and registered without the written approval of the Council.”.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 31st October, 2023.



Mrs. Tania Isaac
Clerk to the National Assembly