

S.I. 8 of 2026

CONTROL OF SUPPLIES AND SERVICES ACT

(Cap 49)

**Control of Supplies and Services (Maximum Wholesale and
Retail Mark-up) Order, 2026**

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Control of Supplies and Services (Maximum Wholesale and Retail Mark-up) Order, 2026

In exercise of the powers conferred by section 2 of the Control of Supplies and Services Act, the President hereby makes the following Order —

Citation

1. This Order may be cited as the Control of Supplies and Services (Maximum wholesale and Retail Mark-up) Order, 2026.

Duration of Order

2. (1) This Order shall be valid for a period of one year from the date of commencement.

(2) The President may, if he or she considers it appropriate in the circumstances, extend the duration of the Order for such further period as he or she may determine.

Maximum Mark-up on articles

3. (1) Any person engaged in wholesale business shall not supply any article specified in Columns 1 and 2 of the Schedule to a retailer exceeding the mark-up calculated in terms of paragraph 4 of this Order.

(2) Any person engaged in retail business shall not sell or attempt to sell or supply any article specified in Columns 1 and 2 of the Schedule exceeding the mark-up calculated in terms of paragraph 4 of this Order.

(3) Any person who contravenes the provisions of sub paragraph (1) or (2), commits an offence and shall be liable to a fine of level 2 under the Schedule 1 of the Criminal Offences (Standard Scale of Fines) Act 2021.

Maximum wholesale and retail mark-up

4. (1) For the purposes of this Order, —

(a) the maximum wholesale mark-up shall be-

(i) 18% for perishables including cold goods; and

(ii) 15% for dry goods;

(b) the maximum retail mark-up shall be —

(i) 18% for perishables including cold goods; and

(ii) 15% for dry good,

in respect of articles specified in Columns 1 and 2 of the Schedule.

(2) The wholesale mark-up specified in paragraph (1)(a) shall be considered after the point of customs clearance or ex-works price for local production.

(3) The retail mark-up shall be considered on the price declared on the wholesale invoice.

Enforcement Unit

5. (1) The President may for the purposes of effective enforcement of this Order, establish an Enforcement Unit consisting of such number of officers as he or she may consider necessary from the following entities —

- (a) the Customs Division of the Seychelles Revenue Commission established under the Seychelles Revenue Commission Act (Cap.322);
- (b) the Fair Trading Commission established under the Fair Trading Act, 2022 (Act 12 of 2022) ; and
- (c) the Seychelles Licensing Authority established under the Licenses Act (Cap.113).

(2) The President shall designate one member from among the above as the Head of the Enforcement Unit.

(3) The Head of the Enforcement Unit shall be responsible for the oversight, coordination and supervision of all investigations and enforcement activities undertaken by the Enforcement Unit.

(4) The members of the Enforcement Unit shall have all the powers necessary to give effect to the provisions of this Order.

Request for accounts or other documents

6. Any person engaged in wholesale or retail business supplying or selling any article specified in Columns 1 and 2 of the Schedule shall, on request by a member of the Enforcement Unit, provide any books, accounts or any other document relating to the supply or sale of such article.

Permission to enter premises

7. (1) Any person engaged in wholesale or retail business supplying or selling any article as specified in Columns 1 and 2 of the Schedule shall permit any member of the Enforcement Unit to enter, inspect the premises in which the business is carried out.

(2) A member of the Enforcement Unit entering the premises under sub – paragraph (1), shall have the powers to take copies of any book, account or document maintained by the person engaged in wholesale or retail business in the premises.

(3) The person engaged in wholesale or retail business in the premises shall afford all possible assistance to the member of the Enforcement Unit to carry out his or her functions under this Order.

(4) The person engaged in wholesale or retail business in the premises shall not hinder, obstruct, prevent or attempt to hinder, obstruct or prevent any member of the Enforcement Unit by exercising, discharging or performing their powers, duties and functions under this Order.

Minister to issue directions

8. (1) The Minister responsible for Trade may, issue any directions to the Enforcement Unit in respect of any matter relating to the enforcement of the provisions of this Order.

(2) The members of the Enforcement Unit shall give effect to any direction issued by the Minister under paragraph (1).

Offences and penalties

9. Any person who —

- (a) contravenes the provisions of this Order; or
- (b) hinders, obstructs, prevents or attempts to hinder, obstruct or prevent any member of the Enforcement Unit by exercising, discharging or performing their powers, duties and functions under this Order,

shall be liable on conviction to a fine of level 2 under Schedule 1 of the Criminal Offences (Standard Scale of Fines) Act, 2021.

Compounding of offences

10. (1) Where the Head of the Enforcement Unit is satisfied that an offence under this Order has been committed by any person and the person admits to committing the offence, accepts liability for the commission of the offence and agrees in writing to the matter being dealt with under this paragraph, the Head of the Enforcement Unit, in consultation with the Attorney General, may compound the offence in lieu of instituting legal proceedings by accepting a sum of not more than the maximum fine specified for the offence.

(2) A sum of money received under this paragraph shall be dealt with as though it were a fine imposed by a Court.

(3) The Head of the Enforcement Unit shall jointly determine the sum of money to be paid by the offender having due regard to the provisions of this Order, the nature, circumstances, extent and gravity of the offence, the past behavior of the offender and the financial benefit accrued to the offender from the violation.

(4) Upon determination of the sum of money under sub paragraph (3), the Head of the Enforcement Unit shall sign the compounding agreement and serve it on the offender, who shall pay the sum of money within 14 days from the date of service of the compounding agreement.

(5) In the event that the offender fails to pay the sum of money within the period set out in paragraph (4), the compounding agreement shall be void and the judicial proceedings shall be instituted or continued against the offender.

(6) Upon payment of the sums determined under paragraph (3), the compounding of any offence under paragraph (1) shall be filed in court and thereupon any proceedings in connection with the commission of the offence which are pending shall be noted as compounded and the offender absolutely discharged.

(7) The compounding of an offence under paragraph (6) shall be conclusive and final and no court proceedings shall be instituted for that offence.

(8) In any proceedings brought against any person for an offence under this Order, it shall be a defence if the person proves that the offence has been compounded under this section.

Schedule

Column 1	Column 2
Dry Goods	Perishable goods and cold goods
Lentils	Potatoes
Salt	Onions
Sugar	Oranges
Sunflower oil	Apples
Rice	Garlic
Flour	Sausages
Pasta	Yogurt
Juice	Margarine
Tea	Milk
Cereal	
Biscuits	
Toilet paper	
Napkin and napkin liners (Diapers)	
Baby wipes	
Dishwashing paste	

MADE this 6th day of March, 2026

DR. PATRICK HERMINIE
PRESIDENT
