

INTRODUCTION

This document is not a substitute to the Licensing Act or any regulation but as a guideline for application of licence.

This information booklet and the individual leaflets have the objective of setting out briefly the requirements which have to be complied with to enable the consideration and granting of licences as early as possible by the Seychelles Licensing Authority.

Once these essential requirements are met, there should be no valid reason for the delay in approving licences. In fact applicants who complied with such conditions on submission of their applications have normally had their licence approved within a reasonable period of time. It is expected that the period is to be further reduced for a few days with the simplification of the present licensing procedures.

Licensing activities are classified under the following

- (i) Services – Health Services, Professional and General Services
- (ii) Trade
- (iii) Goods, Animals and Vessels
- (iv) Premises
- (v) Fishing activities
- (vi) Road Transport/Vehicles
- (vii) Manufacturing
- (viii) Broadcasting & Telecommunication

Explanations of the pre licensing requirements are given in the above-mentioned order. In many cases the requirements in respect of licences falling under the respective schedule are similar.

It is the intention of the Authority to facilitate the processing and consideration of licences and the conduct of business and services within the spirit of promoting businesses and the Seychelles as an International Business Centre.

SCHEDULE OF LICENSABLE ACTIVITIES**GENERAL SERVICES – SCHEDULE 1**

- (A) Aircraft Agent
Auctioneer and Appraiser
Advertising Agent
- (B) Baker
Building Contractor (Class 1, 11, 111 and 1V)
Barber
Beautician
Block maker
Blacksmith
Butcher
Bookkeeper
- (C) Carpenter
Commission Agent
Car Washer
Clearing Agent
Company Secretary
Computer Technician
- (D) Debt Collector
Draughtsman
- (E) Electrician/Electrical Contractor
Employment Agencies
- (G) Garage Owner/Motor Mechanic
- (H) Health Services
Hairdresser
- (L) Labour Contractor
- (M) **Medical Health Services**
- Dentist
 - Medical Practitioner
 - Pharmacist

- Optometrist
- Optician
- Physiotherapist
- Dental Technologist
- Radiographer
- Laboratory Technologist
- Nurse

Mason
Motor Mechanic (Freelance)

- (P)** Plumber
Pest Control Services
Patent Agent
Painter
Panel Beater

Professional Services

Accountant
Architect
Auditor
Computer Consultant
Engineer (any branch of engineering)
Mechanical Engineer
Estate Agent
Land Surveyor
Legal Practitioner or Notary
Marine and Cargo Surveyor
Quantity Surveyor
Veterinary Surgeon

- (R)** Refrigeration Mechanic
Repairer of Electrical Apparatus
Repairer of Non Electrical Apparatus

- (S)** Shipping Agent

- (T)** Tax Agent
Trademark Agent

- (V)** Ventilation mechanic

- (W)** Wireman
Welder

LICENCES FOR SERVICES - GENERAL

APPLICATIONS AND REQUIRED DOCUMENTS

An application for a licence to provide services as listed on pages 2 to 4, must be submitted to the Seychelles Licensing Authority. The application must be accompanied by

- (i) Proof of suitable qualification, competence, skill or relevant experience to provide such a service. In the case of professional services a degree, diploma or the equivalent qualification is required. However in exceptional circumstances Diploma or Certificate in exceptional circumstances Diploma or Certificate plus proven experience may be considered.
- (ii) Where the applicant is a partnership, the partner or partners must be suitably qualified as referred to at (i) above.
- (iii) Where the applicant is a body corporate, proof has to be provided to the Authority that the corporate body has in its employment or contracted to employ a person or persons possessing or experience required to carry out such an activity.
- (iv) Licence and processing fees.
- (v) Proof of premises owner/lessee
- (vi) Where premises is required for such an activity, planning approval is required and subsequently Certificate of Occupancy.

Planning permission/Certificate of Occupancy may not be required if the person is to undertake such services on a small scale at home or at an existing premises e.g Accountant, Bookkeeper or on a freelance basis.

However, in respect of the following licences the respective premises has to comply with Planning and Health's requirements or other statutory requirements in force.

- **Health Services**
- **Baker**
- **Barber/Hairdresser**
- **Beautician**
- **Block maker**
- **Butcher**
- **Garage Owner**
- **Panel Beater**
- **Pest Control Services**

If documents are in order and the premises is ready a licence to provide services can be granted within a few days.

Some of the services licences have also to meet certain special statutory requirements basically to register as such under the specific Regulation or Act and pass the prescribed test or examination.

- Auctioneer and Appraiser provide the security plus approval of the Ministry of Finance .
- Driving Instructor (passed the prescribed examination)
- Electrician (passed the prescribed examination)
- Estate Agent (has to be registered as such under the Estate Agents Act (Cap 246)
- Legal Services (Admitted to practice)
- Health Services/Medical Practitioner and Dentist (Admitted to practice and register with the Seychelles Medical and Dental Council)
- Tax Agent (register with the Tax Agent's Board)
- Wireman (pass the prescribed examination)
- Shipping Agent

In respect of shipping Agent's licence there is a quota of seven, which has been fully met.

In view of the limited size of the market, the quota is considered to be important in ensuring the orderly conduct of business and exercise better control. The quota is subject to review as the scale of business increases.

However applicants for the licence is expected to satisfy the Ministry of Tourism and Transport that they have experience of the shipping business and the integrity to provide a good service to maintain and promote the good image of Seychelles.

A new licence regulations dealing with the requirements of Shipping Agent Licence will be issued in the future.

Non-Seychellois Applicants

In the case of a non-seychellois wishing to provide professional or any other services such as Civil Engineering, Medical, Architecture, Legal etc, it must be pointed out that information on these licences are mainly for Seychellois. However the exception is when it forms part of an investment programme. An association or partnership with an existing Seychellois professional or company providing such service is recommended. The non-seychellois must obtain the required gainful occupation permit from the Immigration authorities before the licence can be granted.

The Authority through its advisory service can provide specific and detailed information to any interested persons and this can be done by calling at the office to see the Licensing Officer dealing with the subject.

These are applicable to licences known as Professional Services, Health Services Licences and Building Contractor Class 11 (Please refer to page 15-16, 22-25 and 26-34).

Licence Fees

The licence fees are prescribed in the Licences (Services) Regulations 1991 and they are as follows:

1. Processing an application R50/-

<u>Type of Service</u>	<u>Validity of Licences</u>
<ol style="list-style-type: none"> 2. Licence fee to provide <ol style="list-style-type: none"> (a) Services as an Auctioneer and Appraiser (b) Services as a Patent or Trade Mark Agent (c) Services as an Advertising Agent (d) Services as an Aircraft Agent (e) Services as a Baker (f) Services as a Barber or an Hairdresser (g) Services as a Beautician (h) Services as a Blacksmith (i) Services as a Block maker (j) Services as a Bookkeeper (k) Services as a Building Contractor – <ol style="list-style-type: none"> A. Class 1 B. Class 11 	<p style="text-align: center;">1 Year</p> <p>R 500</p> <p>R 2000</p> <p>R 500</p> <p>R5,000</p> <p>R 500</p> <p>R 500</p> <p>R 500</p> <p>R 100</p> <p>R 100</p> <p>R 1,000</p> <p>R10,000</p> <p>R 5,000</p>

C. Class 111	R 2,500
D. Class 1V	R 500
(l) Services as a Butcher	R 500
(m) Services as a Car Washer	R 500
(n) Services as a Carpenter	R 100
(o) Services as a Clearing Agent	R 500
(q) Services as a Commission Agent	R 500
(aa) Services as a Company Secretary	R1,000
(ac) Services as a Debt Collector	R 500
(ad) Services as a Draughtsman Class I & Class II	R 800
Class III	R 400
Class IV	R 300
(ae) Services as a Driving Instructor	R 500
(af) Services as an Electrician	R 1000
(ag) Services as a Fish Monger	R 500
(ah) Services as a Garage Owner	R 500
(ai) Services as a Labour Contractor	R 5000
(aj) Services as a Mason	R 100
(ak) Services as a Motor Mechanic	R 500
(al) Services as a Painter	R 100
(am) Services as a Panel Beater	R 500

(an) Services as a Plumber	R 500
(ao) Services as a Refrigeration Mechanic	R 500
(ap) Services as a Repairer of Electrical Apparatus	R 500
(aq) Services as a Repairer of Non-electrical Apparatus	R 500
(ar) Services as a Shipping Agent	R5000
(as) Services as a Tax Agent	R1000
(at) Services as a Welder	R 500
(au) Services as a Wireman	R 100
(av) Pest Control Services	R1000
(aw) Printer	R3000

BUILDING CONTRACTOR AND ARTISAN LICENCES

LICENSABLE ACTIVITIES

The following activities in the field of construction are licensable

- Building Contractors Class 1 to 111
- Building Maintenance Contractor Class 1V
- Artisans (Carpenters, masons and Painters)

The licensing of these activities are to assist in maintaining standard of services by ensuring that only companies, partnership and individuals who are serious and with qualifications and experience in Building Construction and Civil Works are granted the respective licences.

2. ESSENTIAL REQUIREMENTS

An application for one of the following licences must be accompanied by documents shown against the type of licence.

Type of Licence

Documents Required

Building Contractor (Class 1)

Proof that overall supervision of construction work will be provided by a qualified Civil/Building Engineer or Architect on a full time basis. The name, qualification and experience of the Engineer or Architect to be provider to the Authority.

A minimum of 3 years in the construction industry is required. List of building construction equipment available and proof of premises of operation office/workshop.

Building Contractor (Class 11)

Proof that overall supervision will be provided by at least a qualified and experience Building Technician Engineer or Architect with an HND/OND/ONC qualification or the equivalent plus a minimum of 3 years experience.

3. DOCUMENTS TO ACCOMPANY APPLICATION OR REQUEST FOR UPGRADING

The following documents should accompany an application for a Building Contractor Licence.

- Educational certificates.
- University/Polytechnic/College/Degree, Diploma or Certificates.
- Professional Institution of Society Member Certificate (if any).
- Any other relevant training certificates.

- References (from current employer, previous employers, clients, consultant worked for etc.).
- Curriculum Vitae.
- Previous Licence held if any (local or foreign).
- Memorandum, of Association and Certificate of Incorporation if a company.
- Certificate of Business Registration if a partnership.
- List of assets (plant and equipment) or intended equipment to be purchased on obtaining the licence.
- Proof that the applicant has the necessary finance to start the business or continue in the case of upgrading of licence.

Artisans

- | | | |
|-----|-----------|---|
| i) | Mason | Grade 1 or grade 11 trade test or the equivalent or proven experience supported by relevant references. |
| ii) | Carpenter | Grade 1 or grade 11 trade test or the equivalent or proven experience supported by relevant references. |
| ii) | Painter | trade test or the equivalent or proven experience supported by relevant references. |

In the case of carpenters and joiners who intend to be involved in manufacturing of furniture, door or other wooden materials, this activity falls within a manufacturing licence and suitable premises is required.

The name, qualification and experience of the Technician Engineer or Architect is to be provided. List of building construction equipment available and proof of premises of operation office/workshop.

Building Contractor (Class 111)

Trade Test Certificate grade 1, a Building technician or the equivalent with 5 years experience in the construction industry at supervisory level. List of building construction equipment available and proof of premises of operation office/workshop.

Building Maintenance Contractor (Class IV)

Trade Test Certificate grade 1 or grade 11 and proof of experience in minor building work and maintenance. If the applicant is a company, the certificate of incorporation and memorandum of association has to be attached to the licence application or the certificate of registration, if a partnership.

In special circumstances an applicant with years of proven experience may be considered for Building Contractor Class 11 licence after being interviewed by a panel made up of at least an Architect and Engineer in the Ministry of Land Use and Habitat during which the applicant is expected to demonstrate a sound understanding of building construction practice including building drawings and a proven track record.

However it is advisable that notwithstanding the above that in seeking upgrading, the applicant should obtain the services of a qualified Technician Engineer to provide him with technical support even on a part time basis.

4. SCHEDULE OF WORKS

The following schedules of works (conditions) are applicable to each class of licences.

BUILDING CONTRACTOR CLASS 1

Permitted to carry the following works

1. Major Construction Works

- Multi-storey residential building including flats, condominiums etc.
- Multi-storey non-residential office and administrative institutional and assembly buildings.
- Multi-storey building for agriculture, industry, trade and commerce.
- Multi-storey hotels and other tourist development.
- Full renovation works of existing multi-storey buildings, dwelling houses, offices, shops, stores, etc, extension and expansions, alterations and improvements and including provision of extra rooms i.e. toilets, bathrooms, kitchen, bedrooms etc.
- Swimming Pools.
- Major (International Tendering) Civil Engineering/Building Projects).

2. Advanced Construction Works

- 2.1 Dwelling houses exceeding 93sqm (100 sq. ft) in area including split-level houses, double-storey houses, duplex houses, semi-detached houses, row houses.

3. **Intermediate Construction Works**

- 3.1 Single-storey dwelling houses not exceeding 93 sqm in (1000 sq. ft) in area ("Permitted Development" houses)
- 3.2 Sundry environmental landscaping works (no height restrictions) i.e. gates, fences, fence walls, parapet walls, retaining walls etc.

4. **Minor Construction Works**

- 4.1 Sundry small detached out houses not exceeding 10sqm in area and 3.7m in height i.e. external/toilets bathrooms/kitchen/tool stores/chicken coops/pig sties etc.
- 4.2 Sundry minor decorative and recreational landscaping works i.e. flag stoning, footpaths, steps, parking, birdbaths etc.

5. **Repairs and Maintenance**

- 5.1 Repairs and maintenance, minor improvements, decoration of existing structures/buildings/dwelling houses/offices/shops/stores etc.

CLASS 11

Conditions

1. **Advanced Construction Works**

- 1.1 Dwelling houses exceeding 93sqm (1000 sq. ft) in area including split-level houses, double-storey houses, duplex houses, semi-detached houses, row houses, terrace houses
- 1.2 Double-storey residential buildings.
- 1.3 Double-storey non-residential office and administrative buildings.
- 1.4 Double-storey building for agriculture, industry, trade and commerce
- 1.5 Double-storey institutional buildings.
- 1.6 Double-storey assembly buildings.
- 1.7 Double-storey guesthouses and similar minor tourist development.
- 1.8 Renovation works of existing building max, double-storey dwelling houses, offices, shops stores etc, and including provisions of extra rooms i.e. toilets, bathrooms, kitchens, bedrooms etc.

2. **Minor Construction Works**

- 2.1 Sundry small detached outhouses not exceeding 10sqm in area and 3.7m in height i.e. external toilets/bathroom/kitchen/tool stores / chicken coops/pig sties etc.

- 2.2 Sundry minor decorative and recreational landscaping works i.e. flagstoning, footpaths, steps, parking spaces, birdbaths etc.
- 3. **Repairs and Maintenance**
 - 3.1 Repairs and maintenance, minor improvements, decoration of existing tructure/buildings/dwelling houses/offices/shops/stores etc.

BUILDING CONTRACTOR CLASS 111

Permitted to carry out the following works

- 1. **Immediate Construction Works**
 - 1.1 Single-storey dwelling houses not exceeding 93sqm (1000 sq. ft) in area ("Permitted Development" houses).
 - 1.2 Sundry environmental landscaping works (no height restrictions) i.e. gates, fences, fence walls, parapet walls, retaining wall etc.
 - 1.3 Single-storey building used for agricultural industry, trade and commerce not exceeding 185 sqm in area and not exceeding 6 metres in height i.e. offices, shops, stores, workshops.
 - 1.4 Renovation works of existing single-storey building, dwelling houses, offices shops, stores etc, total extensions or expansion not exceeding 1/6 in volume of such building i.e. alterations and improvements and including provision of extra i.e. toilets, bathrooms, kitchen, bedrooms etc.
- 2. **Minor Construction Works**
 - 2.1 Sundry small detached outhouses not exceeding 10sqm in area 3.7m in height i.e. external toilers/bathrooms too stores/chicken cops/pig sties etc.
 - 2.2 Sundry minor decorative and recreational landscaping works i.e. flagstoning, footpaths, steps, parking spaces, birdbath etc.
 - 2.3 Sundry minor environmental landscaping works not exceeding 1.2m (4ft) in height i.e gates, fences, fence walls, parapet walls, retaining walls.
 - 2.4 Renovation works of existing single storey building, dwelling houses, offices, shops, stores etc, within the curtilage or parameters (no extensions not expansions) of such building i.e. alterations and improvements and including provision of extra rooms i.e toilets, bathrooms etc.

3. **Repairs and Maintenance**

- 3.1 Repairs and maintenance, minor improvements, decoration of existing structures/buildings/dwelling houses/offices/shops/stores etc.

BUILDING MAINTENANCE CONTRACTOR (CLASS 1V)

Permitted to Undertake the Following Works

4. **Minor Construction Works**

- 4.1 Sundry small-detached outhouses not exceeding 10sq meter in area and 3,7 meters in height i.e. external toilets/bathrooms/kitchen/tool stores/chicken coops/pig sties.
- 4.2 Sundry minor decorative and recreational landscaping works i.e flag stoning, footpaths, steps, parking spaces, bird-baths etc.
- 4.3 Sundry minor environmental landscaping works not exceeding 1.2 meters (4ft) in height i.e gates, fences, fence walls, parapet walls, retaining walls etc.
- 4.4 Renovation works of existing single storey building, dwelling houses, offices, shops, stores etc within the curtilage or parameters (no extensions not expansions) of such building i.e alterations and improvements and including provision of extra rooms i.e toilets, bathrooms, kitchen, bedrooms etc.

5. **Repairs and Maintenance**

- 5.1 Repairs and maintenance, minor improvements, decoration of existing structures/buildings/dwelling houses/offices/shops/stores etc.

5. **LICENCE CONDITIONS IN ADDITION TO SCHEDULE OF WORKS**

A licence to provide services as a Building Contractor or Building (Maintenance) Contractor shall in addition to any other conditions, which the Authority may specify in the licence, be subject to the following conditions.

- a) Shall carry out work in accordance with scope and conditions of their licence;
- b) ensure that there is a written contract with the client relating to the work to be carried out, including the contract fee and expected date of completion of work;
- c) provide good quality of services or work and respect the deadline for completion of work agreed with clients;
- d) provide services in accordance with the scope of the work stipulated in the licence;

- e) of good conduct in the course of providing services;
- f) be courteous to persons availing its services and ensure that its employees do likewise;
- g) the premises including workshop or yard used by the contractor in connection with his building operations shall meet the requirements and standards set by the Ministry of Health;
- h) Keep and maintain his licensed place or premises in a state of cleanliness at all times;
- i) all materials shall be stored in such a manner and in such a state as to prevent the emission of noxious or offensive effluvia there from;
- j) ensure that adequate care and precaution is taken when carrying out construction work on or near any public road or in public road or in public place to prevent members of the public from sustaining injuries or loss of life;
- k) shall be acquainted with the guidelines issued by the Ministry responsible for public works and the current practices and standards relevant to the services under the licence;
- l) where the licence holder is a corporate body or a firm, the licence holder must inform the Authority in writing of any change of Management, Directors, Partners and Shareholders during the validity of the licence;
 - (i) in respect of a company where there is a change in the employment of the person or persons qualified to provide the services, the licensee shall submit to the Authority the full name of the person or persons employed together with the documents required under schedule of Regulations 5;
 - (ii) a firm where there is a change of partner, to provide proof to the satisfaction of the Authority that the partner is qualified to provide the service.

After being granted the Licence, the licence holder shall within two months of the issue of the Licence inform the Authority of the address of its workshop/yard used by the contractor in connection with his of its building operations.

6. **BUILDING MAINTENANCE CONTRACTOR**

As far as possible Building maintenance should be done by Holders of the Class 1V Licence.

7. SCHEDULE OF WORK OF MASONS AND CARPENTERS

A mason should carry out all types of masonry work and a carpenter all types of carpentry work. They **should not undertake full responsibility for a unit of construction.**

8. UPGRADING OF CLASS OF LICENCE

In respect of an application for upgrading from say class 11 to class 1, the applicant must meet the requirements of the class 1 contractor referred to above.

9. ESSENTIAL CONDITIONS OF THE MINISTRY OF LAND USE AND HABITAT TO BE FOLLOWED

The following conditions are to be complied with in pursuance of condition 5 (k) stipulated above

- to comply with instructions issued by authorized officers of Physical Planning related to Building Regulations of the Town and Country Planning Act
- to notify Physical Planning of Ministry of Land Use & Habitat before
 - a) laying of any concrete in foundations
 - b) covering of any foul drain and septic tanks
 - c) laying of any concrete to reinforced concrete works
- ensure that prior Planning Approval for the proposed work has been given.
- to notify commencement of work.
- to provide a visitors book on site for recording comments by authorized officers from Physical Planning of Ministry of Land Use & Habitat
- to produce a set of approved drawings on site to authorized officers of Physical Planning.

10. LICENCE FEES

The licence fees in force are as follows:

Processing an application	R50
Licence fee to provide services as a	1 Year
a) Building Contractor Class 1	R10,000
b) Building Contractor Class 11	R 5,000
c) Building Contractor Class 111	R 2,500
d) Building Maintenance Contractor	R 500

GARAGE OWNER'S LICENCE AND MECHANIC LICENCE

APPLICATION FOR A LICENCE AND DOCUMENTS REQUIRED

- (1) In the case of existing premises the applicant must apply for a change of use certificate from the Planning Authority in the Ministry of Land Use And Habitat.
- (2) In respect of new premises the applicant must apply and obtain Planning permission and eventually certificate of occupancy from the Planning Authority to build and use the premises as a Garage.

On obtaining (1) and (2) above the applicant should submit an application on the prescribed form for such a licence to the Seychelles Licensing Authority together with the following documents.

1. Certificate of Occupancy from Planning Authority (new premises).
2. Certificate of Change of Use (existing premises).
3. Lese Agreement (if renting premises)
4. Certificate of Competency as a motor mechanic or suitable reference to show that he has been employed as such.
5. Licence fee of R500 per annum and processing fee of R50.

In addition to a garage owner's licence a motor mechanic licence is required in order to carry out motor vehicle repair, bodywork, servicing and maintenance and the applicant should submit an application for such a licence to the SLA together with the relevant certificate as a motor mechanic and reference of previous employment.

Granting of the Licence

If the application form is correctly completed and accompanied by the required documents and are in order the licence shall be granted.

MOTOR MECHANIC AND GARAGE OWNER

A holder of a licence to provide services as a garage owner or motor mechanic granted under the Licences (Services) Regulations shall on application made to the Authority and subject to sub regulation (2);

- (a) be assigned a trade number; and
- (b) be issued with a pair of trade plates bearing those numbers,

for the purposes specified in section 6 of the Road Transport Act and such garage owner or motor mechanic shall for the purposes of that section be deemed to be the holder of a motor dealer's vehicle licence.

An applicant under sub regulation (1) shall satisfy the Authority that there is in force a policy of insurance (Motor Trade), in conformity with the Motor Vehicle Insurance (Third Party Risks) Act in respect of motor vehicles.

The application shall be accompanied by

Application fees, R2, 000

Addition trade plate, R300 for each plate

Replacement of trade plate, R200 for each plate.

Provisions of regulation 10 (2), (3), (4) and (5) of the Licences (Motor Vehicle Dealers) Regulations 1996 with the necessary changes shall apply to a garage owner or motor mechanic as they apply to the holder of a motor vehicle dealer's licence and the garage owner or motor mechanic shall comply with the provisions of the Road Transport Act and regulations made there under when using a vehicle for the purposes of sections 6 of Road Transport Act.

MOTOR MECHANIC (FREELANCE)

A motor mechanic licence can be granted to operate on a freelance basis and can be applied separately.

Licence Fee

The licence fee is R500 per annum and processing fee of R50.

LICENCE TO PROVIDE HEALTH SERVICES

LICENSABLE ACTIVITIES

1. Dentist
2. Medical Practitioner
3. Pharmacist
4. Optometrist
5. Optician
6. Physiotherapist
7. Dental Technologist
8. Radiographer
9. Laboratory Technologist
10. Nurse

Qualification for Licence

An application for a licence to provide health services may be granted to an individual preferably a Seychellois, a Partnership or Body Corporate.

- (i) In the case of the individual the person must be a qualified and registered medical doctor, or a qualified and registered dental surgeon, or a qualified optometrist, optician, physiotherapist or pharmacist, dental technologist or audiographer, laboratory technologist or Nurse.
- (ii) Has not less than three years of working experience after qualification in the public or private health sector locally or abroad.
- (iii) In the case of a partnership, the partners must be qualified as at (i) and (ii) above. In the case of a body corporate, proof must be given to the satisfaction of the Authority that the Body corporate has in its employment qualified personnel as referred to at (i) and (ii) above.

Doctors, dentists and other Health Care professional working with the Government are not permitted to engage in private practice.

Application for Licence

Before submitting an application for a licence, the interested person must first apply to the Principal Secretary Ministry of Health for approval in order to undertake such practice. If approval is granted the person should then apply for the required licence enclosing the following documents.

- (a) a letter of approval granted by the Ministry responsible for Health for provision of health services by the applicant;
- (b) in the case of an individual, being a dentist or a medical practitioner, a copy of the Certificate of registration as a dentist or a medical practitioner granted by the Seychelles Medical and Dental Council, certified to be a true copy by the Register of the Council;
- (c) in the case of an individual, being a pharmacist, a certificate granted by the Ministry responsible for Health that the applicant is a pharmacist within the meaning of the Pharmacy Act;
- (d) in the case of individual, being a nurse, a copy of the certificate of registration as a nurse granted by the Seychelles Nurses and Midwives Council, certified to be a true copy by the Registrar of the Council;
- (e) in the case of an individual, not being an individual referred to in paragraph (b), (c) or (d), a certificate granted by the Ministry responsible for Health, that the individual has the necessary qualification and experience to provide the health services specified in the application;
- (f) in the case of a firm, the documents referred to in paragraph (b), (c), (d) or (e) depending on the type of health services specified in the application, in respect of each of the partners of the firm;
- (g) in the case of a corporate body, written proof that it has in its employment persons eligible for the certificate referred to in paragraph (b), (c), (d) or (e) depending on the type of health services specified in the application;
- (h) certificate of occupancy from the Planning Authority in the case of new premises or Change of Use certificate in the case of an existing premises;
- (i) the respective licence and processing fees stipulated on page 25.

Upon the Authority being satisfied that the application and documents required are in order the licence shall be granted.

Condition of the Licence

The holder of a licence under these Regulations

- (a) shall comply with the *guidelines issued by the Ministry responsible for Health on practices and standards required to be complied with in health care;
- (b) in the case of a dentist or medical practitioner, shall be subject to the Code of Practice and issued by the Seychelles Medical and Dental Council;

- (c) in the case of a nurse, shall comply with the Code of Practice for nurses prescribed under the Nurses and Midwives Act;
- (d) in the case of health services, other than those specified under paragraph (b) or (c), shall comply with the Code of Practice approved and issued by the Ministry responsible for Health for those health services;
- (e) shall display the licence at a conspicuous place at the principal place of business of the holder.

Restriction on the Scope of Activity

The Authority shall not grant a licence under these Regulations to

- (a) an individual who
 - (i) is less than 18 years old;
 - (ii) is an undischarged bankrupt;
 - (iii) has, within the last 5 years immediately preceding the application, been convicted of an offence involving dishonesty;
 - (iv) is employed in the public service as a full time employee;
 - (v) does not have post qualification working experience of at least 3 years in the public service or the private sector, either in or outside Seychelles.
- (b) a firm, where any of its partners is disqualified from obtaining a licence under paragraph (a) and where the firm does not have a place of business in Seychelles.

Extended Scope of Licence

Notwithstanding the Licences (Trade) Regulations, the holder of a licence under these Regulations may, subject to the Trades Tax Act, import and sell any goods where the holder satisfies the Authority that the holder is required to supply them as a part of the service for which the holder holds a licence.

Additional Premises

- (1) A firm or a corporate body licensed under these Regulations to provide health services may, with the permission of the Authority, provide such services in any premises in addition to the premises in which it has its principal place of business.
- (2) The Authority shall, before it grants permission under subsection (1) comply with regulation 6.

Suspension or Revocation of Licence

The Authority may

- (a) on the recommendation of the Medical and Dental Council suspend or revoke the licence granted under these Regulations to a dentist or medical practitioner where the dentist or medical practitioner.
 - (i) contravenes any provision of the Code of Practice referred to in regulation 1 (b);
 - (ii) display lack of knowledge, skill or judgment in the professional care of a patient;
 - (iii) shows serious disregard for the welfare of the patient;
 - (iv) has ceased to be registered in the Register of Medical Practitioners and Dentists in the exercise of the disciplinary powers of the Medical and Dental Council;
- (b) on the recommendation of the Seychelles Nurses and Midwives Council suspend or revoke the licence granted under these Regulations to a nurse where the nurse has contravened any provision of the Code of Practice for nurses prescribed under the Nurse and Midwives Act (p);
- (c) on the recommendation of the Ministry responsible for Health, suspend or revoke the licence granted under these Regulations to a pharmacist, acupuncturist, dental technologist, homeopath, laboratory technologist, optician, optometrist, physiotherapist or radiographer where such person has contravened the Code of Practice referred to in regulation 7 (d).

Fees

- | | | |
|----|--|-------|
| 1. | Processing an application | R500 |
| 2. | Licence fee | |
| | (a) Dentist, medical practitioner, pharmacist, optometrist | R3000 |
| | (b) Dental technologist, optician, laboratory technologist, Physiotherapist and radiographer | R1500 |
| | (c) Nurse | R 500 |
| | (d) Each additional premises | R2000 |

Note: Health services are licensable under Licences (Health Services) Regulations 1996 (S.I 64).

PROFESSIONAL SERVICES LICENCES

Definition of Professional Services

“Professional Services” means the following services –

- (a) Services which a legal practitioner or notary would provide in ordinary course of business as a legal practitioner or notary including the provision of legal advice to and representation in courts of clients as a legal practitioner and preparation attestation and certification of documents as a notary;
- (b) Services as an Accountant or Auditor, which include maintaining and preparation of accounts, financial analysis, providing accounting and financial advice as a Accountant and the examination of documents and accounting records and review of methods and procedures as an Auditor for the issue of an opinion as to the correctness or fairness of the documents so examined and reviewed;
- (c) Services as a Quantity Surveyor, which would include the estimation of quantities required, obtaining of materials and evaluating work done for construction work;
- (d) Services as an Estate Agent, which would include the valuating, buying and selling property and leasing and managing of property for customers;
- (e) Services as an Engineer in any branch of Engineering including civil, mechanical, marine, aviation, electrical and electronics;
- (f) Services as an Architect, which would include the designing and supervision of the construction of buildings;
- (g) Services as a Land Surveyor which would include the surveying, measurement and mapping of land and determining the boundaries, extent and ownership of land;
- (h) Services as computer consultant which would include tasks performed by computer system designer and analyst, computer programmers and computing professionals classified as those with a sound general knowledge of both computer hardware and software;
- (i) Services as a marine and cargo surveyor, which would include the inspection and surveying of ships and cargo and valuation of its present state either for insurance purposes or settlement of a claim;
- (j) Services as a Veterinary Surgeon, which would include treatment of diseased or injured animals and provision of preventive animal health care;

Services Requiring a Licence

Notwithstanding any written law and subject to sub regulation (2) no person shall charge a fee or receive any other consideration in cash or in kind for providing professional services unless he holds a licence under these regulations.

- (a) legal Practitioner and Notary
- (b) services as an Architect
- (c) services as an Engineer
- (d) services as an Estate Agent
- (e) services as a Land Surveyor
- (f) services as a Quantity Surveyor
- (g) services as a Veterinary Surgeon
- (h) services as a Computer Consultant

Sub regulation (1) shall not apply to an individual

- (a) who is employed by the holder of a licence to provide professional services and who in the course of the employment with and for and on behalf of the holder of a licence to provide professional services provides a service for which a holder of the licence is licensed under sub regulation (1); or
- (b) who is employed by another person to provide professional services and who in the course of the employment provides the service to the employer.

Application and Fees

An application for a licence to provide professional services shall be in the form provided by the Authority and shall, subject to sub regulation (2) and (3) and regulation 13, be accompanied by the fees set out in Schedule 1 in respect of the professional services applied for.

A person who holds a licence to provide professional services as a legal practitioner shall not be charged a licence fee to provide professional services as a notary.

A person who applies to provide professional services in more than one premises shall be liable to pay for each additional premises the licence fee set out in Schedule 1.

Where an application for a licence is refused, the Authority shall refund the licence fee and the surcharge, if any, to the applicant.

Document to Accompany Applications

An application for a licence shall be accompanied by the documents specified in Schedule 2 as may be relevant to the professional services applied for.

Bodies to be Consulted

Before granting a licence to provide professional services the Authority shall consult.

- (a) Legal practitioner or notary -
 - (i) being an individual who is a legal practitioner, the Registrar of the Supreme Court as to whether the individual is entitled to practice as a legal practitioner and the Attorney General;
 - (ii) being an individual who is a notary, the Attorney General;
 - (iii) being a firm or company, the Registrar of the Supreme Court and the Attorney General;
 - (iv) The Bar Association of Seychelles;
- (b) in the case of an Accountant or Auditor;
 - (i) the Public Accountant Board; and
 - (ii) the Institute of Certified Accountant of Seychelles;
- (c) in the case of a Quantity Surveyor, the Principal Secretary of the Ministry responsible for Land Use And Habitat;
- (d) in the case of Estate Agent, the Estate Agent's Board;
- (e) in the case of a marine or cargo surveyor, the Ministry responsible for Transport;
- (f) in the case of a land surveyor, the Land Surveyor's Board;
- (g) in the case of a computer consultant, the Ministry responsible for the national computer policy;
- (h) in the case of a veterinary surgeon, the Ministry responsible for veterinary services;
- (i) in the case of professional services, other than those referred to in paragraph (a) to (i), the Ministry or Department, if any, regulating those services.

Restriction on Grant of Licence

The Authority shall not grant a licence under these regulations to

- (a) an individual who
 - (i) is less than 18 years old;
 - (ii) is an undischarged bankrupt;
 - or
 - (iii) has been convicted of an offence involving dishonesty.

- (b) a firm, where any of the partners of the firm is disqualified from obtaining a licence under paragraph (a) and where the firm does not have a place of business in Seychelles.

The granting of a licence is restricted to suitably qualified Seychellois applicants. A non-Seychellois applicant who is suitably qualified and experienced may be considered for a licence if the request is part of an investment project by the Government whereby the project includes the creation of employment and provision of training.

In the case of Legal Practitioner, a licence by a non-Seychellois may be considered from an experienced practitioner in conjunction with a licensed practitioner in Seychelles for a particular case only.

Extended Scope of Licence

Notwithstanding the Licence (Trade) Regulations, the holder of a licence under these Regulations, may subject to the Trades Tax Act, import and sell any goods specified in the licence where the holder is required to supply the goods as part of the service for which the holder holds a licence.

Conditions of the Licence

The holder of a licence under these Regulations shall:

- (a) in the case of professional services as a legal practitioner, comply with Legal Practitioner Act (Cap 111);
- (b) in the case of professional services as a notary, comply with the Notaries Act (Cap 149);
- (c) in the case of professional services as a Land Surveyor, comply with the Land Survey Act (Cap 109);
- (d) in the case of professional services as an Estate Agent, comply with the Estate Agent Act (Cap 73);
- (e) comply with the Code of Conduct prescribed by the regulatory body for the relevant professional services and, in the absence of a regulatory body, by the Authority;
- (f) in the case of professional services as a Veterinary Surgeon, comply with the guidelines issued by the Minister responsible for Veterinary Services in respect of practices and standards required for providing such services;
- (g) in the case of professional services as an architect, land surveyor, estate agent, civil engineer or quantity surveyor, comply with the guidelines issued by the Ministry of Land Use And Habitat in respect of the standard and practices for providing such services;

- (h) in the case of professional services as an accountant, auditor, computer consultant, marine and cargo surveyor or an engineer, other than a civil engineer, comply with the guidelines issued by the Authority in consultation with the relevant public bodies and professional associates;

Suspension, Revocation or Non Renewal of Licence

The Authority may suspend or revoke a licence under these Regulations where the holder has contravened any conditions of the licence or, in case of an application for renewal, refuse the renewal where the applicant has contravened the conditions of the licence that had expired.

Display of Licence

The holder of the licence under these Regulations shall display the licence at the principal place of business of the holder and, where the holder is authorized to provide services in more than one premises, shall display a copy of the licence in each of those additional premises.

Validity and Non-Transferability of Licence

The Authority may grant a licence under these Regulations for a period of one year or three years.

A licence under these Regulations is not transferable.

Surcharge

A person who was the holder of a licence to provide professional services and who applies, after the expiration of the licence, for a licence to provide the same service shall, unless the Authority is satisfied that the holder had.

During the period between the expiration of his previous licence and the application, ceased to provide such professional services, be liable, in addition to the licence fee and any other penalty under the Act, to a surcharge equal to 10% of the licence fee for each month or part thereof which has elapsed from the date of the expiration of the previous licence and the application.

SCHEDULE 1

1.	Processing and application	R 500
		<u>1 year</u>
2.	Licence Fee	R3,000
3.	Each additional premises	R2,000

SCHEDULE 2

Legal Practitioner and Notary

Documents, which shall accompany an application:

- (a) in the case of an individual applying for a licence to provide professional legal services as a legal practitioner, a copy of the certificate of enrolment of the applicant certified by the Registrar of the Supreme Court to be a true copy hereof:
- (b) in the case of an individual applying for a licence to provide professional services as a notary, a copy of the act of appointment as a notary certified by the official Notary to the Government of Seychelles as a true copy thereof.
- (c) in the case of a firm, depending on the type of legal services for which the firm is applying the documents specified in paragraph (a) or paragraph (b) in respect of each of the partners of the firm;
- (d) in the case of a corporate body
 - (i) documentary proof to the satisfaction of the Authority that the corporate body has in its employment individuals who are enrolled as legal practitioners with the Supreme Court or have been appointed notaries under the Notaries Act, depending on the type of legal services specified in the application.
 - (ii) a true copy of the certificate of incorporation and memorandum of association.

Accountant and Auditor

- (a) in the case of an individual
 - (i) a certificate showing that the applicant possesses a degree or diploma in accounting or
 - (ii) a true copy of the certificate of incorporation and memorandum of association.

Estate Agent

- (a) in the case of an individual
 - (i) a certificate from the Estate Agents Board that the applicant is registered as an Estate Agent under section 4 of the Estate Agent Act;

and

 - (ii) a certificate from the Estate Agent Board that the applicant has furnished security in accordance with section 7 of the Estate Agent Act.

- (b) in the case of a firm, the certificate specified in paragraph (a) in respect of each of the partners of the firm;
- (c) in the case of a corporate body
 - (i) documentary proof to the satisfaction of the Authority that the corporate body has in its employment persons who satisfy the requirements of paragraph (a).
 - (ii) a true copy of the certificate of incorporation and memorandum of association.

Quantity Surveyor

- (a) in the case of an individual
 - (i) a certificate showing that the applicant possesses a degree or diploma in quantity surveying from an institution of international repute acceptable to the Authority.
 - (ii) documentary proof to the satisfaction of the Authority that the applicant has the necessary experience to practice as a quantity surveyor.
- (b) in the case of a firm, the certificate and document referred to in paragraph (a) in respect of each of the partners of the firm;
- (c) in the case of a corporate body
 - (i) documentary proof to the satisfaction of the Authority that the corporate body has in its employment persons who satisfy the requirements of paragraph (a).
 - (ii) a true copy of the certificate of incorporation and memorandum of association.

Land Surveyor

- (a) in the case of an individual
 - (i) a certificate issued by the Land Surveyor Board that the individual has qualified for the grant of a licence as a Land Surveyor;
 - (ii) documentary proof that the individual has given the security as required under section 7 of the Land Survey Act;
- (b) in the case of a firm, the certificate referred to in paragraph (a) (1) in respect of each of the partner' of the firm and documentary proof of security referred to in paragraph (a) (ii).
- (c) in the case of a corporate body

- (i) documentary proof to the satisfaction of the Authority that the corporate body has in its employment persons who satisfy the requirement of paragraph (a) (1) and the corporate body has given the security required under section 7 of the Land Survey Act.
- (ii) a true copy of the certificate of incorporation and memorandum of association.

Marine and Cargo Surveyor

- (a) in the case of an individual applying for a licence to provide professional services as a Marine Cargo Surveyor;
 - (i) a true copy of his degree or diploma in the field of Maritime studies
 - (ii) documentary proof to the satisfaction of the Authority that the applicant has the necessary experience to practice as a Marine & Cargo Surveyor.
- (b) in the case of a firm, the degree or diploma referred to in paragraph (a) (1) and documentary proof of experience referred to in paragraph (a) (11) in respect of each of the partner of the firm.
- (c) in the case of a corporate body
 - (i) documentary proof to the satisfaction of the Authority that the corporate body has in its employment persons who satisfy the requirements of paragraph (a).
 - (ii) a true copy of the certificate of incorporation and memorandum of association of the company.

Computer Consultant

- (a) In the case of an individual applying for a licence to provide professional service as a Computer Consultant a true copy of his degree or diploma in Computer Studies.
 - (ii) Documentary proof to the satisfaction of the Authority that the applicant has the necessary experience to provide such a service.
- (b) In the case of a firm the degree or diploma referred to in paragraph (a) (1) and documentary proof of experience as referred in paragraph (a) (11) in respect of each of the partners of the firm.
- (c) In the case of a corporate body.
 - (i) documentary proof to the satisfaction of the Authority that the corporate body has in its employment persons who satisfy the requirements of paragraph (a);
 - (ii) a true copy of the certificate of incorporation and memorandum of association.

Veterinary Surgeon

- (a) In the case of an individual that the applicant possessed a degree or diploma in veterinary science from an institution acceptable to the Authority.
- (b) In the case of a firm documentary proof of a degree or diploma referred to in paragraph (a) in respect of each of the partners of the firm.
- (c) In the case of a corporate body, that the corporate body has in its employment persons who qualify under paragraph (a) and a true copy of the certificate of incorporation and the memorandum of association.

Note: Professional Services are licensed under the Licences (Professional Services) regulations 1996 (S.I.97)

LICENSING OF EMPLOYMENT AGENCIES

APPLICATION FOR A LICENCE

Under section 6 of the Employment Act 1995, no persons shall carry on the activity of Employment Agency unless the person is the holder of a licence granted under the Licences Act 1986 to carry on such agency.

Application form for a licence can be obtained from the Seychelles Licensing Authority on request. Prior to applying for a licence applicant must first obtain approval/certificate of registration for the establishment of an Employment Centre from the Principal Secretary Ministry of Employment and Social Affairs.

Documents to Accompany Application

An application for a licence to carry on the business of employment agency shall be accompanied by the following documents:

- (i) a certificate of registration as an employment agency from the Ministry responsible for Employment;
- (ii) an authentic copy of the applicant's certificate of incorporation and memorandum of association under the Companies Act;
- (iii) documentary proof in the satisfaction of the Authority that the applicant is the owner or lessee of the premises;
- (iv) the licence fee;

Restriction on the Grant of Licence

No person other than a company incorporated under the Companies Act shall be eligible to apply for a licence to carry out the business as an Employment Agency.

The granting of a licence is restricted to suitably qualified Seychellois applicants. A non-Seychellois applicant who is suitably qualified and experienced may be considered for a licence if the request is part of an investment project approved by the Government whereby the project includes the creation of employment and provision of training.

Condition of a Licence

The holder of an employment agency licence shall, in addition to any other conditions which the Authority may specify in the licence, be subject to the following conditions:

- (i) comply with provision of section 8, 9, 10 and 12 of the Employment Act 1995;
- (ii) display on the premises a list of vacancies together with the essential job requirements;

- (iii) keep and maintain the premises in a good condition and provide seating facilities to persons availing the service of the licensees;
- (iv) be courteous to persons availing the services of the licensee and ensure that the employees do likewise.

Revocation and Suspension of Licence

A licence may be suspended or revoked by the Authority if there has been a breach of the condition or contravention of any provisions of the Licences Regulation and Licences Act 1986 and the Employment Act 1994.

Validity and Non-Transferability of the Licence

An employment agency licence shall be valid for a period of 12 months or 36 months from the date of the grant of the licence unless earlier revoked by the Authority.

An employment agency licence is not transferable.

Fees

The licence fees payable are as follows:

1 year	R 1,000
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GUIDELINES TO OBTAIN A LICENCE TO UNDERTAKE THE BUSINESS OF A HAIRDRESSER

Any person who is interested in obtaining a licence to undertake the business of a Hairdresser should meet the following requirements:-

Premises Required

A suitable premises (salon) is required. In the case of a new building, planning permission and certificate of occupancy must be obtained. Where the premises is part of an existing building but it has not been used as a Hairdressing Salon, the intended applicant is required to contact the Planning Authority with a view of obtaining the Planning's, change of use certificate.

The premises should be furnished with

1. seating facilities including a waiting area,
2. shelves and displaying cabinet for hair products, mirrors, hairdryers,
3. be equipped with hair washing facilities and disinfectant (liquid soap for hand washing, wall mirror and stand hairdryers for setting of hair).

The premises must be kept in a hygienic condition at all times.

The Applicant

The applicant for a licence can be an individual, partnership or a corporate body.

In the case of the individual and partnership, they must themselves be qualified and experienced hairdresser having successfully completed a course in hairdressing and design at a recognized institution and have obtained work experience of at least one year.

When applying for the licence proof of experience and qualification is required.

In the case of a company (corporate body) they must have in their employment a qualified and experienced hairdresser holding the qualification and experience required of an individual or partnership.

Documents Required

On obtaining the suitable premises referred to above, the application for the licence can be submitted to the Licensing Authority accompanying by the following documents:-

- (i). proof of ownership of premises if the owner or lease agreement if the applicant is the lessee,
- (ii). certificate of business name or in the case of a company certificate of incorporation and memorandum of association,
- (iii) the CV, certificates and references of the person who is to provide the services,
- (iv) the licence fee of R500 and processing fee of R50.

Inspection of the Premises

The Authority will arrange a joint inspection of the premises with a representative of Environmental Health Division. If the Salon is properly equipped and furnished, that is, the facilities to provide such services are in place and the signboard displayed the Inspection team can recommend the granting of the licence.

Approval of the Licence

If documents submitted with the application are in order and the Inspection Team found that the premises is to the required standard, the licence may be issued and the licensee can start the business.

Change of Management or Hairdresser

Should there be a change of management or hairdresser, the Licensing Authority should be informed and provided with full details to amend the licence issued.

SECURITY SERVICE LICENCE**GUIDELINES**

- (a) Prior to employment of the security personnel by a holder of a security services licence, clearance must be obtained from the Police in respect of the personnel.
- (b) Security personnel must have has training/experience in security related activities, or follow a course conducted by the Police for which a fee will be levied.
- (c) The services must be managed by a person who has served as middle manager in a Police Agency or other security related organizations. This provision may be dispensed of if a qualified adviser is employed by the licensee.
- (d) Security Guards will normally work in uniform approved by the Commissioner of Police, except under special circumstances with the approval of the Licensee, the client and the Commissioner of Police or his representative.
- (e) The place from which the services are to be managed and operated are to be approved by the Commissioner of Police.
- (f) An Operator/Communication Room is to be maintained on a 24 hours basis and the Telephone and Fax numbers of such room are to be communicated to the Commissioner of Police and all clients of the services.
- (g) Scope of activities/services is to be approved by the Commissioner of Police.
- (h) All equipments in use including batons, whistles, and radio, except for telephones provided by licensed Communication services provider must be approved by the Commissioner of Police.
- (i) Copies of all agreements between the Licensee and clients are to be provided to the Commissioner of Police.
- (j) Every Security Guard, whether in uniform or not, should carry an identity card which should be provided to a police officer in uniform or who produce a Police Identity Card.
- (k) Whenever police officer are called upon a scene of crime or otherwise attend to their duties and during such activities come in contact with security guards, the police officers lawful instructions are to be followed by security guards.
- (l) Access will be given to the Commissioner of Police or officer deputed by him on the Business premises, including Operator/Communication Room
- (m) Books and records of movements, or personnel and their observations while on tours/patrols, as well as of unusual occurrences must be kept and made available to the Commissioner of Police if required.

SCHEDULE OF LICENSABLE ACTIVITIES**TRADE****SCHEDULE 2****(B)**

Banking - (The Central Bank of Seychelles is the Licensing Authority)
 Betting

(C)

Coco de Mer dealer

(D)

Dive Centre
 Dive Operator

(E)

Exhibitor of Films

(G)

Games of Chance
 - Charitable Lotteries
 - Non-Domestic Gaming

(H)

Hirer of Hire craft
 Hirer of Goods
 Hirer of loaders and excavators
 Hirer of films including video films
 Hirer of ski boat, paragl or water sports equipment

(I)

Importer, Wholesale, retailer
 Importer/Wholesaler
 Insurance: Insures, Re-Insurance Agent, Insurance Broker

(L)

Liquor Off Licence, Public Bar, Members Club, Temporary Licence, Bacca or Toddy
 Licence, Bottling of Liquor and Outdoor Entertainment

(N)

Newspaper Publisher
 Newspaper Printer

(P)

Petroleum Storage
Pig Breeding
Poultry Keeping
Printer

(R)

Retailer

(S)

Ship shipchandling
Shipping Agent

(T)

Tour Guide
Tour Operator
Travel Agent

(U)

Undersea Excursion

(W)

Wholesaler

BETTING LICENCE

APPLICATION FOR LICENCE

An application for a betting licence shall be made in the prescribed form to the Seychelles Licensing Authority.

- (1) An application shall be accompanied by:
 - (a) the processing and licence fees;
 - (b) a deposit furnished in the manner specified in subparagraph (2) below of a sum R200,000 as security for the satisfaction of any judgments against the holder of the licence in relation to any act or omission connected with the licence or for the performance of any obligation of the holder in respect of any winnings of any betting activity.
 - (c) the change of use certificate from Planning Authority in respect of existing premises for betting purposes or if it is a new premises it is to be used by the certificate of occupancy.
- (2) The deposit may be furnished:
 - (i) in cash;
 - (ii) by a bank guarantee;
 - (iii) by a policy of insurance.
- (3) Where a holder of a licence fails to satisfy any judgment or perform an obligation referred to in sub regulation (1) (b), the Authority may, where the deposit is by bank guarantee or by a policy of insurance, require the bank or the insurer, to satisfy the judgment or perform the obligation.
- (4) Where by the application of (3), the deposit at any time fall short of the sum of R200, 000 the Authority may require the holder of the licence to furnish an additional deposit so as to make up the shortfall.
- (5) Where a betting licence ceases to be valid, the Authority shall return to the person who was the holder of the licence the deposit or such part thereof as is not required to satisfy a judgment or perform an obligation under subparagraph (3)
- (6) The certificate of incorporation and memorandum of association of the applicant's company under the Companies Act. Note that only a company shall be eligible to apply for a betting licence.

Scope of Licence

Notwithstanding sections 167, 170 and 173 (c) of the Penal Code, a betting licence shall authorize the holder of the licence to organize and control betting activity subject to and in accordance with the licence.

Condition of a Licence

A betting licence shall, in addition to any other conditions, which the Authority may specify in the licence, be subject to the following conditions:

- (a) the holder of the licence shall not deliver or issue a betting ticket to a person under 18 years of age or permit such person to take part in any betting, or be present, in the premises in which the betting activity is conducted;
- (b) the licence holder shall exhibit in a conspicuous place in his premises:
 - (i) a copy of the licence;
 - (ii) a notice specify the betting activity being or to be organized, the prizes offered and the rules of the betting activity;
- (c) all winnings, if in cash, shall be paid in Seychelles rupees.

Where an employee of the holder of a betting licence or any person acting on behalf of or under any arrangement with the holder of the licence contravenes any condition of the betting licence, the holder of the licence shall be liable for such contravention as if he had personally committed the contravention unless he proves that he had used due diligence and taken all reasonable steps to prevent such contravention and that the contravention was committed without his knowledge, consent or connivance.

Validity And Non-Transferability For The Licence

A betting licence shall be valid for a period of 12 months from the date of grant unless earlier revoked by the Authority.

A betting licence is not transferable.

Fees

- | | | |
|----|---------------------------|----------|
| 1. | Processing an application | R50 |
| 2. | Licence fee | R50, 000 |

COCO-DE-MER NUT DEALER'S LICENCE

Licence Application and fee Payable

Any person interested in the above-mentioned licence should submit an application to the Seychelles Licensing Authority on the prescribed form. The licence fee of R50 and processing fee of R15 are payable on submission of the application. The duration of the licence is one year and three years, at the option of the applicant.

The applicant is expected to provide proof of premises to deal in Coco-de-mer nuts and premises, which is licensed, as a retail outlet is suitable.

Consulting Bodies

The Authority will seek the comments of the Environment Division of the Ministry of Environment mainly to be able to know and monitor the activities of dealers with a view of preventing illegal sale of Coco-de-mer nuts.

Conditions

However such a licence can be granted within a week or two on application and the licensees are expected to maintain record of purchase and sale of Coco-de-mer nuts.

A licensed dealer has to comply with the conditions which are also stipulated in the Coco-de-mer (Management) Act 1978 as amended including having an approved label of each nut in his or her possession and expose for sale.

GUIDELINES FOR OBTAINING A DIVE CENTER OR DIVE OPERATOR LICENCES

1. DIVE CENTRE

1.1 SUBMISSION OF PROJECT MEMORANDUM

In the case of an interest to set up a Dive Centre a detailed Project Memorandum (business plan) should be submitted to the Seychelles Investment Bureau to be considered.

However when approving a hotel project which includes a dive center, the Ministry may request that the project to operate a dive center should be tendered with a view of ensuring that those in the diving business are aware and can tender. The business of Dive Centre should be associated with hotel.

1.2 LICENCE APPLICATION AND REQUIRED DOCUMENTS

After the approval of the project, the promoter should complete the licence application on the prescribed form and submit to Seychelles Licensing Authority together with:

- i) Licensing/Processing fees.
- ii) Valid Insurance Certificate to cover the operation, staff and claim arising thereof.
- iii) A valid contract with the hotel for the provision of Dive Operations.
- iv) Applicant must have in his employment an Open Water Instructor holding the qualifications specified in Regulation 4 of the Licences (Diving Business) Regulations, 1991.
 - the name and certificate in Diving of the open water instructor;
 - the International First Aid certificate;
 - certificate in Cardio Pulmonary Resuscitation;
- v) Certificate of seaworthiness from the Seychelles Maritime Administration in respect of the vessel to be used in connection with the business and the valid certificate of insurance.
- vi) Certificate of competency in navigation and experience of the skipper of the hirecraft (vessel).

Prior to obtaining (iii) it is expected that the hotel or promoter will first be required to tender to operate such a center.

1.3 SCOPE OF THE LICENCE

The licence of diving business:

- i) covers the use of one hirecraft only which should be used solely for purpose of that business but the holder of the licence shall ensure that vessel complies with the requirements of the Control of Hirecraft Act and the regulations made hereunder and the Licences (Trade) Regulations. If a second hirecraft is required then the operator is required to obtain a hirecraft licence.
- ii) authorize the holder of the licence to import and sell goods where the holder satisfies the Authority that the holder is required to supply them as part of the business of the dive center.

1.4 BRANCH DIVE CENTRES

- (1) The holder of a diving business licence to engage in the business of a dive center may, with the permission of the Authority, open a branch of its business in any island other than the island where it has its principal place of business.
- (2) The Authority shall not grant permission under sub regulation (1) to open a branch unless the Authority is satisfied that the proposed branch conforms to the requirements of a dive center.

1.5 CONSULTING BODIES

The Authority will arrange for inspection of the facilities/equipment needed to provide such activity. This will be done together with the Seychelles Tourism Board, the Seychelles Maritime Administration, the Coast Guard and Seychelles Bureau of Standards to ensure that the center including the hirecraft is of the required standard, that is, suitable and to the requirements of Regulation 5 of the Licences (Diving Business) Regulation 1991 and the Licences (Diving Business) (Amendment) Regulations 1996 and the Licences (Diving Business) (Amendment) Regulations 2003 before the licence can be granted.

2. DIVING CRUISE

In respect of diving cruise the same procedure as the Dive Centre should be followed with the exception of the requirement for a valid contract with the Hotel.

Note that the licence fee in respect of non-Seychellois diving cruise is R20,000 per year payable in foreign exchange. In addition to that the Diving Instructors or Dive Operators working in Seychelles territory should hold a valid gainful occupation permit issued by the Immigration Authorities.

3. DIVE OPERATOR

SUBMISSION OF REQUEST AND APPLICATION

A dive Operator is engaged in conducting diving excursions. An interested applicant should first submit a request to operate as a Dive Operator to the Seychelles Investment Bureau. The applicant must be a Dive master.

If the request is approved the applicant should submit his or her application to the Seychelles Licensing Authority together with documents referred at 1.2 (i) and (ii) and qualification is required.

3.1 PREMISES

It is recommended that the operator should have a premise where such activity can be planned and organized and where clients can make booking.

3.2 CONDITION TO BE COMPLIED WITH

The licence conditions are stated on the Licence and by the Licences (Diving) Business Regulations.

The following conditions are worthy of reproducing

- a) The Dive master or Open Water Instructor, as the case may be examines the equipment brought in by the clients to ascertain that they are in working order for the intended dive and refuses to serve unless they are in working order and safe for use;
- b) The Dive master or Open Water Instructor keeps a logbook on the number of dives made and their locations and produces the logbook for inspection by the Authority whenever required;
- c) All incidents affecting safety or leading to injuries or damage to equipment or boat are recorded in an incident logbook with details of the incident, and the logbook is made available to the Authority at any time and that whenever a report is prepared for the Professional Association of Diving Instructor, a copy thereof is submitted to the Authority;
- d) There is displayed in the office of the business a statement of the policy of the business, the emergency procedures, logbooks, form completion guidelines and other important operational information, while ensuring that all employees are trained in implementing the policy and procedures.
- e) The Dive master or Open Water Instructor is familiar with and has adequate knowledge of the Dive Site and that meteorological and maritime information (such as tide tables) is used by them;
- f) A Dive master or Open Water Instructor of the diving business is allowed to supervise not more than six budding pairs (12 divers) at a time

- g) The Dive master or Open Water Instructor verifies that the documents produced by the client in relation to the client's diving experience or qualification are genuine, and that they do one supervised dive to determine the level of experience.
- h) Whenever a boat is out for diving there is in the dive center or other business premises a clerk, receptionist or other employee who is familiar with emergency procedure;
- i) A report in writing of any diving incident, involving a person missing at sea, injury or death is sent to the Seychelles Licensing Authority within "28" or "24" hours from the time of the incident, apart from reporting it to other authorities;
- j) The maximum depth of 40 metres for all-recreational diving is strictly observed;

Furthermore that all diving cylinders must be checked by the Seychelles Bureau of Standards annually to ensure that they are conforming to section 2.1 of the Seychelles Standards SS11.

3.3 RADIO LICENCE

All Dive Centers or branches should hold a valid VHF radio licence issued by the Seychelles Licensing Authority.

3.4 LICENCE FEES

The licence fees are as follows:

Processing fee R50

(i)	as a Dive Operator	R 7,000
(ii)	as a Dive Center	R10,000
(iii)	for each branch office of a dive centre	R 1,000

In respect of Diving Cruise, which is managed or operated by non-Seychellois or where a Director or shareholder of the company is non-Seychellois, the licence fee is R20, 000 a year payable in foreign exchange on application of the licence.

4. POWER DIVING

The business of power-diving is a licensable activity. Any person interested in operating such a business should submit a detailed Project Memorandum (business plan) to the Seychelles Investment Bureau as in the case of a Dive Centre or Dive Operator in order to obtain the approval.

4.1 LICENCE APPLICATION AND REQUIRED DOCUMENTS

After the approval of the project, the promoter should complete the licence application on the prescribed form and submit to the Seychelles Licensing Authority together with:-

- An application for a Diving Business (Power Diving) licence shall be accompanied by the following documents-
 - (a) in the case of an individual applying for the licence;
 - (i) a certified copy of the Instructor's qualification issued by the Power Dive International or other recognized body;
 - (ii) letter of approval to carry on the business from Seychelles Investment Bureau;
 - (iii) a copy of the policy of insurance;
 - (iv) the annual licence fee of R2000;
 - (v) documentary proof to the satisfaction of the Authority that the applicant is the owner or lessee of the premises to be used as the office in connection with the business;
 - (b) in the case of a firm matters specified in paragraph (a) (i) in respect of each partner of the firm and documents specified in paragraph (a), (ii), (iii) and (iv) where applicable;
 - (c) in the case of a corporate body -
 - (i) a certified copy of the certificate of incorporation and memorandum of association;
 - (ii) matters specified in paragraph (a), (i), (ii), (iii), (iv) and (v);
 - (ii) documentary proof to the satisfaction of the Authority that the applicant has in employment a person having the necessary qualification referred to in paragraph (a) (i);

4.2 CONDITIONS OF THE LICENCE

The holder of a diving business (power diving) licence shall, in addition to any other conditions the Authority may specify in the licence, fulfil the following conditions-

- (a) ensure that this clients comply with the student guide of the Introductory Dive Certificate issued by Power Dive International;
- (b) ensure that the minimum age for open water introductory power diving is 12 years;

- (c) Ensure that the number of hours for introductory power-diving are from 2 to 8;
- (d) Ensure that the maximum participant: instructor ratio for open water diving activities is 6:1 for introductory power diving unless the Authority has permitted otherwise;
- (e) During open water introductory power dives ensure that participants remain in the immediate vicinity of an instructor so that physical contact can be made at any time and that when only one instructor conducts a dive “Indian file” is not permitted;
- (f) During open water introductory power dives, ensure that participants do not exceed a depth of 12 meters and that the instructor does not engage in any activity other than supervision; and that, if other activities such as video or photography are conducted, then a separate dive leader is engaged for the video or photography activities;
- (g) Ensure that prior to commencing the dive participants perform in the water, but while still on the surface, a mask clear and regulator removal and replacement, correct weight setting for neutral buoyancy and weight belt jettison maneuver; and
- (h) Issue on completion of the dive, the Introduction to Power Dive Card;

4.3 VALIDITY OF LICENCE

The licence is valid for one year but renewal on the expiry of the licence.

4.4 LICENCE FEES

The licence and processing fees are:-

Licence fee – R2,000

Processing fee R50

5. CHANGE OF OWNERSHIP/MANAGEMENT

Whenever any change of ownership or management of the diving business for which a licence has been granted or any replacement of an Open Water Instructor a Divemaster or Power Dive Instructor of such business occurs, the holder of the licence shall, within seven days of such occurrence, inform the Authority and the Seychelles Tourism Board of such change or replacement, in writing giving particulars of such change or replacement including the qualification and experience of the new manager, Open Water Instructor, Power Dive Instructor Dive master, as the case may be.

LICENCE FOR PUBLIC EXHIBITION OF FILMS

1. **Planning Approval**

In the case where new premises is to be used for such a purpose the interested person must submit to the Planning Authority a detailed planning application for approval.

Existing Premises

In respect of an existing building not used as a cinema hall the applicant is required to submit with his application the Change of Use Certificate obtainable from the Planning Authority.

2. **Licence Application and Documents Required**

If planning approval is granted and upon construction of the building the Certificate of Occupancy obtained from the Planning Authority, the applicant should then submit the licence application to the Licensing Authority together with

- a) Licensing/Processing Fees.
- b) Documents pertaining to 2 above.
- c) Documentary Proof showing that the applicant is the owner or lessee of the premises.
- d) Certificate of Incorporation and Memorandum of Association OR Certificate of Business Name

If these documents are in order and upon the production of a valid insurance policy as referred to in condition 3 (iii) below the licence is granted. The Authority may grant a licence for a period of one year or five years depending on the request made by the applicant.

3. **Condition**

However licensees have to comply with the following conditions, once the licence is granted.

- (a) The holder of the licence shall not exhibit films to the public, except in the premises specified in the licence.
- (b) The holder of the licence shall comply with the provisions of the Film Classification Board including
 - (i) to submit films before exhibition to the public for approval of the Film Censorship Board;
 - (ii) films not submitted for approval or not approved for exhibition by the Board must not be shown to the public and must not be kept on the business premises;

- (iii) the holder of the licence shall, during the currency of the licence, take out and keep in force a policy of insurance, to the satisfaction of the Authority, covering liability for injury to members of the public while on the premises use for exhibition of films to the public or for damage to their property.

Licence Fees and Validity of Licence

The licence fees are as follows:

Processing Fees R50	<u>1 year</u>	<u>5 years</u>
a) where seating accommodation is less than 100	R600	R2780
b) where seating accommodation is more than 100	R800	R3710

GAMES OF CHANGE LICENCE

1. Application For Licence

Subject to the quota not being met applicants for such a licence must have a suitable premises of operation and that such premises should comply with the Planning Authority's requirements.

If it is an existing premises not used as an office or for a game of chance, a change of use certificate is required from the Planning Authority in the Ministry of Land Use And Habitat.

If a new premises is required then the applicant must seek planning permission and when it is completed the certificate of occupancy.

An application for a game of change licence shall be made to the Seychelles Licensing Authority.

2. Quota

For the purpose of regulation gaming activities and preventing excessive gaming activities in Seychelles, the Authority has restricted the number of games of chance licence to one namely the present licence holder, Inter Lotto.

3. Fees, Deposit and Documents

An application for a game of chance licence shall be accompanied by:

- (a) certificate of Incorporation as a Company under the Company Act and the Memorandum of Association,
- (b) documents to the satisfaction of the Authority that the applicant has in its employment as manager and senior staff persons who are honest, trustworthy and reliable,
- (c) the processing fee of R200 and licence fee R1,000,000,
- (d) a deposit not exceeding R1,000,000 as security for the satisfaction of any judgments against the holder of the licence in relation to any act or omission connected with the licence or for the performance of any obligation of the holder in respect of any winnings of any game of chance.

The deposit may be furnished:

- (i) in cash
- (ii) by a bank guarantee
- (iii) by a policy of insurance
- (iv) change of use certificate (if existing premises) not already used as an office or certificate of occupancy in the case of a new building.

Where a holder of a licence fails to satisfy any judgment or perform an obligation referred to at (b) above, the Authority may, where the deposit is in cash, apply the deposit or, where the deposit is by bank guarantee or by a policy of insurance, require a bank or the insurer, to satisfy the judgment or perform the obligation.

Where by the application of the above, the deposit at any time falls short of the sum for which the deposit is furnished, the Authority may require the holder of the licence to furnish an additional deposit so as to make up the shortfall.

4. Bodies to be Consulted

Before granting a game of chance licence, the Authority shall consult:

- (a) the Ministry responsible for Finance,
 - (b) the Commissioner of Police,
 - (c) the Ministry responsible for Planning as to whether any premises in which the activity is to be conducted comply with the planning requirements under the Laws of Seychelles,
 - (d) the person in charge of the Fire Brigade as to whether the premises referred to in paragraph (c) comply with the planning requirements relating to fire precaution under the Laws of Seychelles,
- (c&d) shall not be necessary if applicant has already obtained Certificate of Occupancy or Change of Use.

5. Scope of Licence

Notwithstanding sections 167, 170 and 173 (c) of the Penal Code, a game of chance licence shall authorize the holder of the licence to organize and conduct a game of chance subject to an in accordance with the licence.

6. Restriction on Grant of Licence

No person other than a company incorporated under the Companies Act, not being an overseas company within the meaning of that Act, shall be eligible to apply for a game of chance licence.

The Authority shall not grant a game of chance licence to a company where any director of the company or its manager is an undischarged bankrupt or has been convicted of an offence.

7. Validity and Non-Transferability of Licence

Where a game of chance licence is granted for a period of 5 years, the holder of the licence shall pay the annual licence fee for a period of subsequent to the first year, on or before the beginning of each subsequent year.

A game of chance licence granted:

- (a) for a period of 1 year shall, unless earlier revoked, cease to be valid at the end of that year,
- (b) for a period of 5 years shall, where the holder of the licence,
 - (i) fails to pay the annual licence fee, unless earlier revoked, cease to be valid at the beginning of the year for which the annual licence fee is due and payable,
 - (ii) pays the annual licence fee, unless earlier revoked, ceased to be valid at the end of 5 years.

A game of chance licence is not transferable.

8. Condition of a Licence

A game of chance licence shall, in addition to any other conditions, which the Authority may specify in the licence, be subject to the following conditions:

- (1) An invitation to participate in a game of chance, the prizes offered and the rules of the game shall be published in a local newspaper or made public over the radio or television or by the display of public posters,
- (2) Tickets or cards to participate in a game of chance, other than scratch cards, shall be offered to the public not less than 3 days and not more than 30 days before the date of the game,
- (3) Each ticket or card offered for participation in a game of chance shall bear the seal of the holder of the licence,
- (4) All winning, if in money, shall be paid in Seychelles rupees,
- (5) The holder of the licence shall display in a conspicuous place in the premises in which the activity is conducted,
 - (i) a copy of the licences,
 - (ii) a notice specifying the game of chance organized, the prizes offered and the rules of the game.

Where an employee of the holder of a game of chance licence or any person acting on behalf of or under any arrangement with the holder of the licence contravenes any condition of the game of chance licence, the holder of the licence shall be liable for such contravention as if he had personally committed the contravention unless he proves that he has used due diligence and taken all reasonable steps to prevent such contravention and that the contravention was committed without his knowledge, consent or connivance.

- (6) Shall publish in a local newspaper the full name of each winner of the game of chance organized by the holder, other than scratch cards, together with the full address unless the winner has requested that the name shall not be so published,
- (7) Shall forward to the Authority the full name of each winner of a games of chance organized by the holder, other than scratch cards, together with the full address and prize won, including the full names and other particulars of the winners whose full names have not been published under paragraph (i),
- (8) Where a date has been fixed for the draw of a game of chance, shall not postpone such date either before or after such date unless for good reason published in a local newspaper and made public over the radio or television not less than 2 days prior to such date and shall not, in any event, postpone such date for a period exceeding 60 days,
- (9) Shall retain the winning tickets or cards for a period of 90 days after the draw,
- (10) Shall hand over to the Police Station at Victoria any unsold tickets or cards marked cancelled not less than two hours before the draw,
- (11) Shall pay in full all winnings in accordance with paragraph (d) to a winner in cash or by cheque (other than a post-dated cheque) immediately after a valid claim is made by the winner,
- (12) Shall ensure that tickets or cards offered for each game are of a colour different from those issued for any other game and are numbered in numerical order,
- (13) Shall ensure, at the expense of the holder, the presence of a Police Officer at each draw,
- (14) Shall prohibit any employee of the holder in participating in any games of chance organized by the holders,
- (15) Shall ensure that the employees of the holder are of good character, honest and willing to provide efficient services to participants of the games,
- (16) Shall use for the draw a machine of a type approved by the Authority and tested and certified by the Seychelles Bureau of Standards,
- (17) Shall, at the request of the Seychelles Bureau of Standards, produce the machine referred to in paragraph (xi) for periodic testing,
- (18) Shall keep a register of the sale agents of the holder of the licence and make available for inspection the register by the Authority an officer authorized by the Authority or a Police Officer.

9. Revocation or Suspension of a Licence

The Authority may suspend or revoke a game of chance licence:

- (a) Where the holder of the licence contravenes any condition of the licence,
- (b) Where the holder of the licence or the manager or any member of the Senior staff of the holder has been convicted of an offence involving dishonesty, or
- (c) Where the holder of the licence ceases to be qualified for the grant of the licence.

10. Fees

Processing Fee	R200
Annual licence fee	R1m

Note: The above-mentioned licence is granted under the Licences (Games of Chance) Regulations, 1994 S.I 60 and the Licences (Games of Chance) (Amendment) Regulations, 1996.

CHARITABLE LOTTERIES

In respect of charitable lotteries the organizer requires the permission of the Minister of Finance through this Authority as the enforcement agency.

Application for permission on the prescribed form should be made to the Licensing Authority on payment of a processing fee of R200.

Approval if granted is subject to the following conditions:

1. Publicity of the lottery shall be given over the SBC television and radio and in Seychelles Nation. The advertisement shall include details of all prizes to be won; venue, date and time the draw will take place.
2. The draw of the lottery must not be postponed. However in exceptional cases it may be but it should be made not less than seven days prior to the date of the draw. When this happens an explanation of the reason must be given to the public on SBC television, radio and Seychelles Nation. The Licensing Authority shall be informed immediately of the reasons for the postponement.
3. Draw in respect of the lottery must not be postponed for a period exceeding 60 days.
4. Only ticket counterfoils or ticket numbers, which have been sold, must be used in making the draw.
5. The tickets to be sold in connection with the lottery must be pre-printed and numbers in sequence and ticket numbers or counterfoils, which have been sold, must be used in making the draw.
6. Where the draw is done by use of machine all the numbers of tickets sold must be programmed in the machine so that numbers drawn are those, which have been sold.
7. The draw must be made during the presence of a Police Officer. The Licensing Inspector may be present at the draw.
8. The full names and addresses of all winners must be published in the Seychelles Nation Newspaper during a period not exceeding 14 days from the date the lottery was drawn.
9. A list with names and addresses of all winners and prizes won including a copy of their winning tickets must be sent to the Director of the Seychelles Licensing Authority simultaneously with the information forwarded to the Editor of the Seychelles Nation Newspaper for publication.
10. Payment of all prizes must not be made by postdated cheque. Payment in full must be made immediately after the winners are declared.
11. The machine used for drawing the numbers from must be of a type approved by the Seychelles Licensing Authority.

LICENCE CONDITIONS FOR ORGANISING OF LOTTERIES

The Holder Of The Licence/Organiser Of Lotteries Shall Comply With The Following Licence Conditions

- (i) Shall give publicity of the lottery over the SBC Television and radio and in the Seychelles Nation. The advertisement shall include details of all prizes to be won; venue, date and time the draw will take place;
- (ii) Shall publish in a local newspaper, the ticket number of each winner of the lottery organized by the holders;
- (iii) Shall forward to the Authority the full name of each winner of the lottery organized by the holder, together with the full address and prize won, including the full names and other particulars of the winners whose full names have not been published under paragraph (i);
- (iv) Where a date has been fixed for the draw of the lottery the licence holder shall not postpone such date either before or after such date without the approval of the Licensing Authority. The approval of the Authority shall not be given unless there is very good reason, which shall be made three days in advance of the date the lottery, are scheduled to be drawn;
- (v) Shall retain the winning tickets of the lottery for a period of 90 days after the draw;
- (vi) Shall hand over to the Police Station at Victoria any unsold tickets of the lottery not less than twenty four hours before the draw;

The unsold tickets shall be recorded in a Register, which shall be kept in the Manager's Office for inspection by the Licensing Authority;

The following information shall be recorded in the Register of Unsold Ticket;

Date lottery Drawn	Ticket colour	Ticket No.	Verified by Manager	Checked by Licensing Inspector
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- (vii) Shall pay in full all winnings to a winner in cash or by cheque (other than a post-dated cheque) immediately after a valid claim is made by the winner;
- (viii) Shall ensure the ticket offered for each game are of a colour different from those issued for any other game and are numbered in numerical order;
- (ix) Shall ensure, at the expense of the holder the presence of a Police Officer and Licensing Inspector at each draw;
- (x) Shall prohibit any employee of the holder in participating in any lottery organized by the holder;
- (xi) Shall ensure that the employee of the holder is of good character, honest and willing to provide efficient service to participants of the games;

- (xii) Shall use for the draw a container or machine of a type approved by the Authority and or when a machine is used it should be tested and certified by the Seychelles Bureau of Standard;
- (xiii) Shall at the request of the Seychelles Bureau of Standard, produce the machine referred to in paragraph (xi) for periodic testing;
- (xiv) Shall keep a register of the sale agents of the holder of the licence and make available for inspection the register by the Authority, an officer authorized by the Authority or a police officer.

NON-DOMESTIC GAMING LICENCE

Interpretation

Non-domestic gaming means the following activities conducted from or outside Seychelles with persons residing outside Seychelles.

- Keeping a casino
- Keeping a gaming machine
- Organizer of betting activity
- Organizer of games of chance

Approval of Project

Prior to submitting an application for a licence the promoter must submit a project to the Finance Department for consideration and approval and for the agreement of operation to be finalized and for the determination of the annual licence fees payable.

Application for the Licence

Application for the licence shall be a company incorporated in Seychelles. The application shall be accompanied by the

- (1) Memorandum of Association of the Company and the Company's certificate of incorporation.
- (2) Approval of the Project or Agreement entered into between the Government/SLA and the Operator.
- (3) Licence fees.
- (4) Proof of place of operation or point of contact in Seychelles.

Conditions of the Licence

A non-domestic gaming licence shall be subject to the following conditions:

- (a) Subject to sub regulation (2), the holder of a licence shall not accept or shall not knowingly permit any of the holder's employees to accept any tip from the persons participating in non-domestic gaming;
- (b) Subject to sub regulation (3), the holder of the licence shall not knowingly permit any of its employees to take part in non domestic gaming conduct under the licence;
- (c) The holder of the licence shall exhibit in a conspicuous place on the premises where non-domestic gaming is conducted:
 - (i) a copy of the licence;
 - (ii) a notice specifying;

- (aa) the non-domestic gaming activities conducted therein;
 - (bb) the rules of such activities;
 - (cc) the hours of opening of the activities;
- (d) The holder of the licence may pay any winnings in a currency other than Seychelles Currency;
 - (e) The holder of the licence shall keep to the satisfaction of the Minister responsible for Finance proper books of account and records of all transaction connected with the activities conducted under the licence and shall cause all such accounts and records to be audited by an auditor approved by the Minister;
 - (f) The holder of the licence shall ensure that the good name, image and reputation of Seychelles are not tarnished as a result of conducting or organizing non-domestic gaming under the licence;
- (2) Where the holder of a non-domestic gaming licence accepts for distribution to its employees tips placed in cognates or boxes provided by the holder of the licence for placing tips, the holder shall not be treated as having contravened the condition set out in sub regulation (1) (a).
 - (3) Where a person is employed by the holder of the licence as croupier to enable other persons to participate in non-domestic gaming, the holder shall not be treated as having contravened the condition set out in sub regulation (1) (b).
 - (4) Where an employee of the holder of a non-domestic gaming licence or any person acting on behalf of or under any arrangement with the holder contravenes any condition of the licence, the holder shall be liable for such contravention as if the holder had personally committed the contravention unless the holder proves that the holder had used due diligence and taken all reasonable steps to prevent such contravention and that the contravention was committed without the knowledge, consent or connivance of the holder.
 - (5) Nothing in Articles 1965 to 1967 of the Civil Code of Seychelles affects the validity of or any remedy in respect of, any promissory note, cheque, credit card or traveler's cheque which is accepted for permitting players to engage in any activities authorized under a non-domestic gaming licence.

Right of Entry

Any person authorized by the Authority or a police officer of the rank of Inspector or above may at any time:

- (a) Enter, inspect and search any premises in which any activity authorized under a non-domestic gaming licence is engaged in;
- (b) Without a warrant search any person found in such premises;

- (c) Demand that the holder of the licence produce the licence for examination;
 - (d) Inspect any book of account, record or other document required to be kept under regulation 7 (1) (e) or used in connection with any activity authorized under the licence;
 - (e) Require the holder of the licence or employee or person acting on behalf of the holder to furnish any information relating to the activities conducted under the licence, which is reasonably required for the performance of the functions under this regulation;
 - (f) Examine the equipment, supplies or other thing used in connection with the activities conducted under the licence;
 - (g) Require the holder of the licence to repair or replace any equipment found to be defective; and
 - (h) Seize and remove from such premises anything in respect of which there is reasonable ground to believe that an offence under the Act is being or has been committed.
- (2) No female shall be searched except by a female.
 - (3) A person acting under this regulation may take such other persons and things the person so acting considers necessary for the exercise of the functions under this regulation.
 - (4) The Commissioner of Taxes or any officer authorized by the Commissioner, in the exercise of functions under any written law, at any time enter the premises in which any activities under the non-domestic gaming licence are conducted and inspect books, documents and other papers for the purpose of the written law and may impound and make extracts from or copies of such books, documents or papers.

Validity of Licence

A non-domestic gaming licence shall be valid for such period, not less than five years as may be specified in the licence.

A non-domestic gaming licence may with notice to the Authority, be transferred to a person eligible under Regulation 6.

Licence Fee

The holder of the licence shall pay the annual licence fee as determined for the period subsequent to the first year, on or before the beginning of each subsequent year.

Note: The licence is issued under the Licences (Non-domestic Gaming) Regulations 1986 (S.I. 91).

HIRE OF GOODS AND PLANTS

LICENCE APPLICATION AND REQUIRED DOCUMENTS

Where an applicant has a suitable premises for the storage or display of goods or plants for hire he or she can apply to the Seychelles Licensing Authority for a hirer's licence. The application must be accompanied by the following:

- i) Licensing/Processing fees.
- ii) Certificate of roadworthiness in the case of vehicles (Plants).
- iii) Documentary proof showing that the applicant is the owner or lessee of the premises.
- iv) Valid Insurance Policy covering the insured's legal liability in respect of accidental death or bodily injury to clients arising out of the insured business.
- v) Certificate of Incorporation and Memorandum of Association OR Certificate of Business Name.

Consulting Body

This Authority may consult the Land Transport Division regarding the hire of plant particularly concerning its suitability for use on the public road.

Validity of Licence

The validity of the licence is for a period of one year or three years depending on the request made by the applicant.

If these documents are in order the licence is granted.

Licence Fees

The licence fees are as follows:

Processing fee	R50	
	<u>1 year</u>	<u>3 years</u>
Licence fee	R400	R1130

HIRER OF VIDEO CASSETTES, DVD & VCD

1. **Planning Permission**

In the case of new premises for hiring of videocassettes, DVD and VCD a detailed Planning application is required to be submitted to the Planning Authority in the Ministry of Land Use and Habitat for approval.

In respect of an existing building which has not been used for the hirer of video films or as a shop the applicant is required to obtain from the Planning Authority Change of Use Certificate.

2. **Licence Application and Documents Required**

If Planning approval is granted and on completion of the construction of the premises and obtaining certificate of Occupancy from the Planning Authority of the Change of Use Certificate in respect of an existing premises, the applicant should submit the licence application to the Licensing Authority together with:

- i) Licensing/Processing fees.
- ii) Documents pertaining to 2 above.
- iii) Documentary proof showing that the applicant is the owner or lessee of the premises.
- iv) Certificate of Incorporation and Memorandum of Association OR Certificate of Business Name.

3. **Inspection of Premises**

The premises will be inspected to ensure that it has been furnished and equipped for the purpose of hiring films.

The premises should be furnished with shelves, fire extinguisher, counter and should have a TV set / monitor VCR/VCD and DVD player for clients to be able to view the film if they wish to check on quality.

Signboard indicating the business name should be displayed.

If these documents are in order and premises suitable the licence can be granted.

4. **Licence Conditions**

It is important to note the following conditions which are applicable in respect of such a licence and which have to be complied with at all times during the validity of the licence.

- i) To submit films before hiring for the approval of the film Video Cassette Censorship Committee of the Ministry of Economic Planning.
- ii) Films available for hire must bear the stamp of approval of the Video Cassettes Censorship Committee.

- iii) Films not submitted for approval or not approved for hiring by the Committee must not be hired to the public and must not be kept on the business premises.
- iv) Any person under the age of 18 must not be employed to hire out films.
- v) Films hired must be of good quality whereby the picture can be clearly seen.
- vi) Films rated for persons of the age of 18 and above must not be hired to children.
- vii) To display the licence at a conspicuous place on the business premises specified in the licence

5. **Change of Ownership or Management**

Whenever there is any change of ownership or management of the Hirer of Video Cassettes, DVD and VCD business in the case of a business name or corporate body, the holder of the licence shall within seven days of such occurrence, inform the Seychelles Licensing Authority in writing giving particulars of such change.

6. **Licence Fees and Validity of Licence**

The licence fees are as follows:-

Processing fees	R50	
	<u>1 year</u>	<u>3 years</u>
Licence fee	R400	R1130

IMPORT, WHOLESALE AND RETAIL LICENCES

ESSENTIAL REQUIREMENTS TO BE MET

1. If premises is to be built.
 - a) Applicant must seek Planning permission first.
 - b) When the building is completed applicant must produce Certificate of Occupancy obtainable from the Planning Authority.
2. If existing premises is to be used.
 - a) a and b above are not required.
3. If premises which has not received Planning Authority's approval is to be used for importing, wholesaling and retailing for the first time.
 - a) Applicant must furnish this Authority with a copy of his change of use certificate obtainable from the Planning Authority.

- Note:** - In all cases applicant must produce proof of premises either as the owner or Lessee which is very important before the issuance of the licence.
- Certificate of Incorporation and Memorandum of Association OR certificate of Business Name.

Licence Application

It is only after complying with the above that interested applicants may apply for a licence or composite licence to either

- 1) Retail
- 2) Wholesale
- 3) Import and Retail
- 4) Import and Wholesale
- 5) Import/Wholesale and Retail

This will depend on the applicant.

In the case of 3, 4 & 5 above, separate retail and wholesale licence would be required if applicant wishes to retail or wholesale in more than one outlet.

Scope of the Licence

Subject to the approval of SLA, the licensee can trade in all or any of the following categories of goods applied for, approved and included in the licence issued.

- 1) Food, Beverages, (non-alcoholic)
 - 1a) Flour, Sugar and rice *
 - 1b) Meat and edible meat offal, fresh, frozen or chilled*
 - 1c) Edible fruits and vegetables (fresh only)*
 - 1d) Alcohol*
 - 1e) Household Items

- 1f) Furniture
- 2) Building materials and hard wares
- 2a) Blasting Explosives*
- 3) Mineral fuels and oils.
- 4) Medicals and pharmaceutical products*
- 5) Cosmetics
- 5a) Souvenir and gift items.
- 6) Agriculture Products (Excluding 1a)
- 6a) Plants and plants products including timber*
- 6b) Growing media including compos*
- 6c) Animal and animal by-products not treated*
- 6d) Dangerous Chemicals including pesticides*
- 6e) Pyrotechnic products*
- 7) Textiles and Garments.
- 8) Machinery , Equipment and Spare Parts
- 8a) Vehicles, including aircraft, sea vessels, car bodies and half-cut vehicles*
- 9) Household Electrical Appliances and Equipment.
- 10) Electronic Equipment.
- 11) Office Machinery and Equipment.
- 12) Computers.
- 13) Telecommunication Apparatus
- 13a) Satellite Dishes*
- 14) Raw Materials for further Processing.
- 14a) Glass windows and glass doors*
- 15) Tobacco products*
- 15a) Cigarettes*

All categories of goods marked with an asterisk require an Import Permit for Importation.

The Importation and sale of motor vehicles is not covered under category 8 but under the Motor Vehicle Dealer's Licence.

Applicant should state clearly what they wish to trade in and specifically categorized their requirements in accordance with numbers 1-15a above. Goods to be imported and sold must be newly manufactured or made. No used or second-hand goods are to be imported or sold unless specified in the licences.

Import Permit

Application for an Import Permit should be made to the **Import Permit Section** of the **Trade & Commerce Division**, Liberty House, Victoria, Mahe, Seychelles, Fax: 323971, Tel: 382094.

Wholesale Licence

The licence is to carry out the business of wholesaling which consists of selling to other businesses, either for resale or for business or to any person for his or her own use. The prices of goods, which are at wholesale prices, are less than retail prices.

The wholesale marked up given is around 9% on a alcohol and up to 15% on other goods.

Conditions

Holder of such a licence involving retailing is required to;

- 1) Sell to any customers' goods offered or displayed on the premises of the licensee
- 2) Mark the controlled price in force of the goods offered or displayed for sale on premises
- 3) Sell goods in accordance with Price Control Regulations in force as stipulated in the Trades Tax Regulation 1994 or as amended
- 4) Keep the premises in a hygienic condition to the standard of the Environmental Health Division of the Ministry responsible for Health.

Licence Fees

	Processing fee	<u>1 year</u>
Retail Licence	R 25	R 400
Wholesale Licence	R 50	R2,200
Import & Retail	R100	R5,400
Import & Wholesale	R100	R7,200
Retail, Wholesale & Import	R125	R7,600

Validity of Licence

All licence are valid for a period of one year from the date of issue unless earlier revoked by the Authority and licences are not transferable.

Display of Licence

The holder of a licence must display his licence at a conspicuous place at his principal place of business.

Licensing of Insurance Business**Licensable Activities**

- Insurer
- Re-insurer
- Insurance Agent
- Insurance broker

Documents To Accompany Application

An application for a licence to carry on business as an Insurer, Insurance Agent and Insurance Broker shall be accompanied by the following documents.

- (i) the certificate of registration as required under section 9 of the Insurance Act from the Insurance Authority established under section 4 of the said Act in respect of a licence as an Insurer.

- (ii) the letter of approval of the Insurance Authority as required under section 34 of the Insurance Act in respect of an application for a licence as an Insurance Agent or Insurance Broker.
- (iii) the certificate of occupancy or change of use certificate from the Planning Authority in respect of the existing or new premises to be used for the conduct of the Insurance business.
- (iv) the licence fees.
- (v) an authentic copy of the applicant's certificate of incorporation under the Company Act and the Memorandum of Association in the case of an application for an Insurer's licence and where the applicant for an Insurance Agent or Insurance Broker's licence is a company registered under the Company Act.
- (vi) an authentic copy of certificate of registration if the applicant for an Insurance Agent or Insurance Broker's licence is registered as a partnership.

If documents are in order the licence is granted.

Restriction on the Grant of Licence

No person shall carry on business as an Insurer in or from within Seychelles in respect of life business and general business insurance unless he is a company registered under the Company Act.

Cancellation of Registration or Approval

The cancellation of the registration of an Insurer or letter of approval of an Insurance Agent or Insurance Broker on the ground stipulated in the Insurance Act shall lead to the revocation of the licence issued under this regulations.

Condition of a Licence

Subject to such additional conditions, which the Authority may specify in the licence, a licence issued under these Regulations shall be subject to the provisions of the Insurance Act and regulations. Failure to comply with such a provision within a reasonable notice shall amount to a breach of the condition of the respective licence and the licence may be suspended or revoked.

Licence Fees

- | | | |
|-----|--|----------|
| (a) | Insurer other than a re-insurer | R75, 000 |
| | (i) carrying on life business as defined in section 3 (1) (a) of the Insurance Act | |

(ii)	Carrying on general business as defined in section 3 (i) (b) of the Insurance Act:	R 50, 000
(b)	A re-insurer	R100, 000
(c)	Insurer Agent	
(i)	Acting on behalf of exclusively one registered insurer	R 1, 000
(ii)	Others	R 10, 000
(d)	Insurance Broker	R 10, 000
(e)	Insurer solely carrying on insurance business relating to offshore policies	R 25, 000

LICENSING OF MOBILE RETAILERS OF TAKE-AWAY MEALS, SNACKS AND SOFT DRINKS

1. Licence Required

A take-away or mobile retail licence is required to sell take-away meals, snacks, chips cakes, ice cakes, ice cream or soft drinks in a mobile van or especially converted vehicle for that purpose.

2. Consultation Required

Any person who is interested in setting up such a business should first

- Consult the Land Transport Division on the type of vehicle to be used to ensure that the vehicle is not oversized. If a vehicle is oversized the Land Transport Division may not give approval for its use on the public road. It is recommended that the interested person should obtain the specification of the vehicle and provide them to the Land Transport Division. Since the vehicle and its facilities have to comply with Environmental Health standards as well, it is important that the advice of that Division is sought to assist the interested person to comply with their standards.

When preparing take-away meals the Environmental Health Division requires that the applicant should have a kitchen at a premise, which has the necessary facilities and that, it is kept in a hygienic condition to carry out the preparation and cooking of meals.

Detailed Environmental Health requirements should be complied with before the licence can be recommended.

- Food handlers should undergo a medical examination every year and wear protective clothing and caps.

3. Licence Application

The actual licence application is submitted to the Authority on the approved form. It should be done as soon as the vehicle is available and has been duly converted to meet Environmental Health standards and the approval of the Land Transport Division.

4. Documents to Accompany Application

The application shall be accompanied by

- The detailed specification of the vehicle including a photograph if available.
- Licence fees of R425 per year (if mobile retail).
- Licence fees of SR575 per year (if mobile take-away).
- Any approval/clearance received from the Land Transport Division and Environmental Health.

- Certificate of Incorporation and Memorandum of Association OR Certificate of Business Name

6. **Processing and Consideration of Application**

The Authority shall refer the application to its consulting bodies for comments. In the case of Environmental Health a letter that the vehicle and facilities have met their requirements, that is meals and snacks are prepared, stored and sell in a condition which make them fit for human consumption and to avoid infection and food poisoning.

The Land Transport Division besides ensuring that the vehicle is not oversized shall state the places where mobile van can operate and where it cannot as to avoid/reduce traffic congestions.

7. **Issuance of the Licence**

Where the Environmental Health and Land Transport have certified that the above requirements have been met the licence can be issued subject to comply with the following conditions:

- 1) This Authority reserves the right to change any location of business approved in the licence, which is a public place in the interest of public safety and to avoid traffic congestions.
- 2) The operation of such activities must not result in traffic congestion.
- 3) The take-away box or plate used in connection with the business must bear a rubber stamp, sticker or logo to identify the business premises where the take-away meal is prepared.
- 4) While retailing take-away meals and snacks the licence holder shall comply with the operational criteria laid down by the Ministry responsible for environmental Health and shall ensure that a high level of hygiene is maintained in the vehicle.
- 5) To display this licence in a conspicuous place in Mobile Van/vehicle.

The business can only be carried out after the issuance of the licence.

8. **Scope of the Licence**

The licence shall, subject to such conditions, which can be imposed on the licence, permit the licence holder to sell take-away meals, snacks including sandwiches, chips, and cakes. Ice cakes, ice cream and soft drinks.

LIQUOR AND OUTDOOR ENTERTAINMENT LICENCE

- 1) Bottler's licence
- 2) Public Bar licence
- 3) Member's Club licence
- 4) Off Liquor licence
- 5) Baka Bar licence
- 6) Lapire licence
- 7) Toddy Bar licence
- 8) Outdoor Entertainment licence (including the organizing of fairs, funfairs, fancy fairs, parish fete, amusement part, trade fairs, festivals and any other outdoor entertainments)
- 9) Temporary liquor licence

2. ESSENTIAL LICENCE REQUIREMENTS

With the exception of an Off Liquor licence, Outdoor Entertainment and Lapire licence, the following requirements must be complied with in order to obtain the respective above-mentioned liquor licences.

- a) Detailed planning approval from the Planning Authority in the Ministry of Land Use and Habitat (if new premises) or Change of Use Certificate if the premises has not been used before in respect of the activity referred to above.
- b) Upon construction being completed and obtaining the certificate of occupancy from the Planning Authority together with a final inspection report from the Environmental Health, the licences referred to at (1) (2) (3) and (5) can be granted. It is only in the case of a Bottler's licence that a report is required on the suitability of the product from the Seychelles Bureau of Standards for production of alcoholic drinks.

3. SUBMISSION OF APPLICATION

The application should be submitted to the Licensing Authority together with:

- i) Licensing/Processing fees as set out below plus a fee of R140 for publication of the liquor licence notice in the Nation Newspaper.
- ii) Documents pertaining to (a) & (b) above.

Note:

Where the project is to manufacture liquor other than bacca and lapire, the procedure for obtaining a manufacturing licence should be complied with.

Interested persons should request for the guidelines for obtaining such licences.

- iii) Documentary proof that the applicant is the owner or lessee of the premises.

- iv) Certificate of Incorporation and Memorandum of Association in case the applicant is a corporate body or the certificate of business registration in the case of a business name is to be used to carry on the business. However with the exception of an off liquor licence and bottler's licence, all other liquor licences will be issued in the name of the individual manager or organizer in accordance with section 6 of the Licences (Liquor) and Outdoor Entertainment Regulations 1998.
- v) The appropriate licence fees.
- vi) In the case of an application for a Members' Club, the certificate of registration of the Club, its Constitution and the list of office bearers.
- vii) In the case of an application for an Outdoor Entertainment licence
 - a) Particular of persons concerned in the organization or promotion of the outdoor entertainment activity for which the licence is applied for and the interest represented by such person;
 - b) Particulars of persons who have been invited to or agreed to participate in the outdoor entertainment activity and the interests represented by such persons;
 - c) Particulars of the purposes to which the profits of the outdoor entertainment activity intended to be applied;
 - d) Where the approval of the Commissioner of Police is required for the outdoor entertainment activity under the Public Order Act, the written approval of the Commissioner is required;
 - e) Written permission of the owner or lessee of the premises in which the outdoor entertainment activity is to be held;
 - f) A deposit with the Authority of such sum not exceeding R5, 000.

The deposit is forfeited if the rubbish, dirt, refuse thrown, deposited or placed on the premises where the outdoor entertainment was held as per the licence is not removed and the place clean within 24 hours after the completion of the occasion.

4. RESTRICTION OR GRANT OF LICENCE

The Authority shall not grant a licence to –

- a) an individual who
 - i) is less than 21 years old;
 - ii) is an undischarged bankrupt;
 - iii) has within the last five years preceding his application, been convicted of an offence involving dishonesty or immorality;

- iv) is not of good character and not a fit and proper person to hold a licence.

The Authority shall not grant a licence, other than a bottler's licence or an off-licence to a firm or body corporate.

In the case of an application for a bottler's licence or an off-licence by a firm, the Authority shall not grant the licence where any of the partners of the firm is disqualified from obtaining a licence under paragraph (4).

In the case of a company if any of the directors or managers has been convicted of an offence involving dishonesty within the 5 years preceding the date of application.

5. **SCOPE OF LICENCE**

- (a) A bottler's licence shall authorize the holder of the licence to bottle liquor, other than baka or toddy, on the premises specified in the licence and to sell liquor bottled by the holder of the licence on such conditions as the Authority may impose;
- (b) An off-licence shall authorize the holder of the licence to sell liquor, other than baka or toddy in a container, which is securely corked or stoppered to any person -

An off-liquor licence is to operate on a retail premises.

- i) in respect of premises situated at the Seychelles International Airport, on such days and at such times as the Ministry responsible for Civil Aviation may from time to time determine;
- ii) in respect of any other premises, on any day at any hour except on such hour in which the premises are required by any written law to be kept closed for the serving of customers;

for consumption on the premises of the bar;

- (c) A public bar licence shall authorize the holder of the licence to sell liquor, other than baka, toddy or lapire to any person -
 - (i) in respect of premises situated at the Seychelles International Airport, on such days and at such times as the Ministry responsible for Civil Aviation may from time to time determine;
 - (ii) in respect of any other premises, on any day at any hour;
- (d) A members' club liquor licence shall authorize the holder of the licence to sell liquor, other than baka, toddy or lapire to the members of the club on any hour for consumption on the premises of the club;

A member's club is restricted to members and their guests only.

No liquor should be sold or consumed on the premises by persons under the age of 18.

To keep and maintain a register of members which should be available for inspection by this Authority.

- (e) A baka licence shall authorize the holder of the licence to manufacture and sell only to any person on any day at any hour for consumption on the premises where the baka is sold or elsewhere provided the baka is placed in a container, which is securely corked or stoppered;
- (f) A lapire licence shall authorize the holder of the licence to manufacture and sell only lapire to any person on any days at any hour for consumption on the premises where the lapire is sold or elsewhere provided the lapire is placed in a container which is securely corked or stoppered;
- (g) A toddy bar licence shall authorize the holder to sell only toddy to any person on any day at any hour for consumption on the premises where the toddy is sold or elsewhere provided the toddy is placed in a container, which is securely corked or stoppered;
- (h) A temporary liquor licence shall only authorize the holder of the licence to sell liquor including baka, lapire or toddy in accordance with the conditions specified in the licence;

6. CONDITIONS TO BE COMPLIED WITH BY THE HOLDER OF A LICENCE, HIS AGENT OR SERVANT

- (1) The holder of a licence, his servant or agent shall not -
 - a) Employ or allow a person under the age of 18 years, or a person who has been convicted of an offence under the act or other written law at any time in force regulating or controlling the sale of liquor, to sell, or control or supervise the sale of, liquor or to have the custody or control of liquor on the premises specified in the licence;
 - b) Sell or deliver liquor, cigarettes or tobacco products to, or allow liquor to be consumed or cigarettes or any tobacco products to be used by any person under the age of 18 years on the premises;
 - c) Sell liquor to a person already in a state of intoxication;
 - d) Encourage or incite, by any means whatsoever, a person already in a state of intoxication to drink liquor on the premises specified in the licence;

- e) Permit any drunkenness, violence, drug abuse or any quarrelsome or riotous conduct of any kind to take place on the premises specified in the licence;
 - f) Keep open the premises specified in the licence for the sale any liquor during any time when the licence holder is not authorized under the licence to sell liquor;
 - h) Adulterate any liquor, which the licence holder intends to sell, or have in the licence holder's possession adulterated liquor;
 - i) Admit any person under the age of 18 years to a premises licensed as a public bar, toddy bar or at the premises licensed to manufacture and sell baka or lapire;
 - j) Dilute any liquor in the course of the lawful use other than of a bottler's licence or in the case of laipre;
 - k) Operate or use the premises for any purpose other than the purpose for which it is licensed;
- (2) The holder of an outdoor entertainment licence shall, in addition to the condition specified in sub regulation (1) -
- a) Not permit any obscene entertainment as the outdoor entertainment activity;
 - b) Ensure that the persons participating at any entertainment as performers are decently dressed;
 - c) Where it is practicable, provide toilet facilities at the place of the outdoor entertainment activity;
 - d) Subject to sub regulation (1), sell or serve alcoholic or non-alcoholic beverages in plastic cups.
- (3) The holder of a licence shall be answerable for the acts and omissions of his servant or agent and if his servant or agent commits an offence under this Act the holder of the licence and his servant or agent shall be liable to the penalties under the Act and the Authority may revoke the licence unless the holder of the licence proves to the satisfaction of the court or the Authority, as the case may be, that he used due diligence to comply with these Regulations and that the offence was committed without his knowledge, consent or connivance.
- (4) The holder of a licence to operate a public bar shall clearly and conspicuously display on the premises a list of prices of drinks on sale.

- (5) The holder of a licence shall ensure that order is maintained on the premises and shall take all precautions including the employment of suitable persons to prevent a breach of peace.
- (6) The holder of a licence other than an off-licence or bottler's licence shall personally manage the premises in respect of which the licence is granted unless otherwise authorized in writing by the Authority.
- (7) The holder of a licence shall not operate any premises unless the premise is licensed for the purpose under these Regulations.
- (8) The business of manufacturing and selling baka and lapire and operating a toddy bar shall be carried out at the location approved by the Authority so as not to cause inconvenience or annoyance to neighbours and to be at a reasonable distance from a church, school or health center.
- (9) The holder of a licence to operate a public bar, baka or lapire licence or toddy bar licence shall comply with the requirements relating to hygiene as laid down by the Ministry responsible for Health.
- (10) The holder of an outdoor entertainment licence shall -
 - a) Provide such number of bins as specified in the licence for the deposit and collection of dirt, rubbish or refuse at the place for which the licence is granted;
 - b) Collect and dispose of to the satisfaction of the Authority and within 24 hours after the completion of the occasion for which the licence was granted, the dirt, rubbish or refuse thrown, deposited or placed on that occasion at the place for which the licence was granted.
- (11) The holder of a licence to operate a public bar, members' club liquor licence, bottler's licence, toddy bar licence, baka and lapire licences or off-licence shall ensure that the premises is kept clean at all times and is maintained to the satisfaction of the Ministry responsible for Health and that the premises is maintained in good order and repair.
- (12) The holder of an off-licence or his servant shall not permit the consumption of liquor on the premises. Where a person is found consuming liquor on the premise it shall be presumed, unless proved otherwise by the licensee, that the liquor was sold by him or his servant to be consumed on the premises, and a person who is found on such licensed premises with a container including a bottle or can which has been opened shall be presumed to be consuming liquor.

7. EXPULSION OF CERTAIN PERSON

Without prejudice to any other right to refuse admission to or expel a person from the premises specified in the licence, the holder of a licence, his servant or agent shall refuse to admit, and expel from the premises any person –

- a) Who is drunk quarrelsome or disorderly;
- b) Whose presence on the premises would subject the holder of the licence, his servant or agent to a penalty under the Regulations or any other written law.
- c) Who is prohibited by a notice under sub-regulation (3) from entering the premise.

A Police Officer may, on the demand of the holder of a licence, his servant or agent, expel or help to expel from the premises any person whom the holder of a licence, his servant or agent has refused admission to, or expelled from the premises.

The Commissioner of Police may issue a notice to a person who in his opinion has on premises in respect of which there is a licence to sell liquor –

- a) Cause annoyance to any person;
- b) Caused a nuisance;
- c) Conducted himself in an indecent or disorderly manner or in a manner likely to cause a breach of the peace;
- d) Publicly done an indecent act;
- e) Used indecent or obscene language, or
- f) Solicited for immoral purposes,

Prohibiting that person for a specified period not exceeding 12 months from entering the premises specified in the notice.

The notice shall be delivered personally to the person to whom it has been issued, and a copy of the notice shall be sent to the holder of the licence relating to the premises specified in the notice.

A person to whom a notice is delivered under sub-regulation (4) shall comply with the notice.

Where a licence holder or his agent or servant suspects that a person who is about to enter a premises which is licensed, as a public bar, or toddy bar or for manufacturing and selling of baka and lapire, has any object on his person which may be used to cause harm to other, that person may be required to submit to a search by the licence holder or his servant or agent and if such person refuses to submit, admission shall be refused.

8. SUSPENSION, REVOCATION AND REFUSAL OF LICENCE

- (1) The Authority may suspend, revoke, or refuse the renewal or grant of a licence where the Authority has reasonable grounds to believe that the holder of the licence –
 - a) Has made any misrepresentation or failed to disclose any material fact in applying for the licence, and such misrepresentation or non disclosure has influenced the Authority to grant the licence;
 - b) Has acted in contravention of the Act or these Regulations;
 - c) Has acted in breach of any condition of any licence other than a temporary licence;
 - d) Has acted in breach of a condition of a temporary licence within a period of one year prior to the application for another such licence and the Authority considers the breach to be sufficiently serious as to refuse the application;
 - e) Is incapable of carrying on business under the licence;
 - f) Has failed to carry on business under the licence for a continuous period of 6 months;
 - g) Or its manager or any of its directors, where applicable, has been convicted of an offence involving dishonesty, fraud or moral turpitude; or
 - h) Any of its directors or managers where applicable, has been discourteous on at least two occasions within a period of one year, to any officer of the authority or the Ministry responsible for health, when the officer was performing any official function under the Act or these Regulations;
- (2) Before the Authority suspends, revokes or refuses the grant or a renewal of a licence under this regulation, the Authority shall call upon the holder of the licence or applicant to show cause and having considered any representation inform its decision to the holder or applicant as the case may be.
- (3) Where a licence is suspended, the holder shall, notwithstanding any appeal against the suspension cease to carry on the business under the licence
- (4) Where the licence is revoked, the holder shall, pending the decision of any appeal, cease to carry on the business under the licence.

9. (1) **POWERS OF ENTRY AND SEARCH**

Police Officer not below the rank of sergeant or person authorized in writing by the Authority may at any time enter and search any premises in respect of which a licence has been issued, for the purpose of preventing or detecting the commission of any offence under the Act.

(2) A Police Officer furnished with written authority of a judge, magistrate, a justice of the peace or the Registrar of the Supreme Court may enter and search any premises whatsoever, in which he has reason to suspect that an offence under the Act is being, or is about to be, committed;

(3) If on any search made under these Regulations any liquor be found which, it is reasonable to suspect, was kept at the place searched for the purpose of unlawful sale, such liquor and the vessel containing the same may be seized and removed by or under the Authority of a police officer or the person authorized by the Authority making the search.

10. (1) **SURCHARGE**

A person who was the holder of a licence other than a temporary licence and who applies after the expiration of the licence, for the same type of licence shall, unless the Authority is satisfied that he had, after the expiration of his licence ceased to carry on the sale of liquor, be liable, in addition to the licence fee and any other penalty under the Act, to a surcharge equal to 10 per centum of the licence fee for each month or part of a month constituting the period between the date of the expiration of the licence and the date of the application.

11. (1) **CLOSING DOWN OF PREMISES**

The Commissioner of Police may, by notice in writing addressed to a holder of a licence require the holder of the licence to close down the premises at such times or for such period as the Commissioner of Police may think necessary for the maintenance and preservation of law and order and inform the Authority of such action.

(2) If any riot or tumult occurs or is reasonable expected to occur any police officer not below the rank of Inspector may in writing require the holder of a licence whose premises is situated in or near the place where such riot or tumult occurs or is expected to occur, to close the premises during such period as such police officer may think necessary for the maintenance and preservation of law and order, and inform the Authority in writing of the action taken under this regulation.

(3) Any person failing to comply with any request made under this regulation shall be guilty of an offence under section 19 of the Act and on conviction be liable to the penalty under section 20 of the Act.

12. OBSTRUCTION

No person shall prevent, hinder or obstruct a police officer or a person authorized by the Authority in the performance of such officer's or person's functions under these regulations.

13. VALIDITY OF LICENCE

With the exception of a Temporary Liquor Licence other liquor licence are valid for one year only but are renewable.

14. LICENCE FEES

The licence fees are as follows:-

1)	For processing an application for a licence, other than a temporary licence a toddy and baka licence	R50
2)	For processing an application for	
2a)	Bottler's licence	R500
2b)	Off licence	R300
2c)	Public Bar licence	R1,500
2d)	Member's Club licence	R1,500
2e)	Toddy licence	R50
2f)	Baka licence	R400
2g)	Lapire licence	R100
3	For permission to transfer a licence to other premises	R50
4.	Temporary liquor licence for a day or night	R50
5.	An Outdoor Entertainment licence	
i)	For a period of one day	R500
ii)	For a period exceeding one day and not exceeding 3 days	R1,500
iii)	For a period exceeding 3 days but not exceeding 12 months.	R5,000

15. A TEMPORARY LIQUOR LICENCE

This licence is granted only where a suitable indoor premises is to be used to sell liquor on a temporary basis for a day or two.

The holder of the licence must ensure that alcoholic and non-alcoholic beverages are sold in plastic cups.

The licence fee per day or night is R100.

Note

The sale or consumption of liquor is governed by the Licences (Liquor and outdoor Entertainment) Regulation 1998 a copy of which can be obtained from this Authority on payment of R10.

GUIDELINES FOR OBTAINING A BAKA OR LAPIRE LICENCE

1. ENQUIRY FOR THE LICENCE

Any person who wants to carry out the business of selling baka or lapire or both should call at the Seychelles Licensing Authority's Office to be informed of the requirements to be complied with in order to obtain such a licence or contact the Desk Officer on telephone 283444 ext 425 to request for a copy of the guidelines.

The person interested may also contact the District Environmental Health Officer to seek and obtain guidance on the health standard to be complied with.

The person shall inform the Authority in writing of his or her firm intention either to manufacture and sell or sell baka or lapire or both and when the premises will be ready for inspection.

The person shall submit his or her application for the licence in the prescribed form attached, which shall be processed, to the Police, District Administrator and Environmental Health. Upon inspection of the premises, the consulting bodies referred to above shall submit its comments to the Authority within 14 days for consideration. The Licensing Inspector responsible for the district where the applicant is seeking the licence shall also visit the premises to ensure compliance with the licensing regulations.

If all the following requirements are met the applicant will be granted the licence.

If there are still some shortcomings to be met, the applicant will be granted the licence.

2. STANDARD TO BE MET

2.1 Premises

Manufacturing, storing and sale.

2.2 Condition of Surrounding of a Premises

A person who owns, operates or is in charge of a baka or lapire manufacturing premises shall keep the ground surrounding the premises free from any condition which may give rise to contamination of the product prepared therein. He/She shall ensure that the ground is in particular free from:

- Old and improperly stored household equipment, refuse, overgrowth and accumulation of wastewater;
- Sugar is added to the mush in a thoroughly clean container such as a plastic or drum and the product is covered and allowed to stay 2-4 days;

- Warm water around 50 degrees Celsius is then added to the mix. There is no fix rate for the quantity of basic ingredients used i.e sugar, water and fruits, pulses or potatoes.
- The mix is then sieved to remove most of the pulp but a small amount is usually left with the juice for fermentation.
- The product is then allowed to ferment and sugar is added regularly in small amounts during that process. No adulterant should be used.
- Fermentation may last for one, two or three weeks and this is usually assessed organoleptically.
- The product should be stored in clean and covered containers until immediately prior to sales when it should be filled in clean bottles washed in potable water and detergent.

3. MANUFACTURING PROCESS (BAKA)

As for baka product, the sugar cane is washed thoroughly and then crushed to extract the juice. The juice is then placed in a clean container for 3 to 4 weeks to allow fermentation.

The product should be stored in clean and covered containers until immediately prior to sale. Then it should be filled in clean bottles or mugs ready for sale.

4. PERSONAL HYGIENE

Any person engaged in the manufacturing process shall undergo the food handler's medical examination.

He/She shall wear clean outer garments and be at least provided with an apron and a cap or hair net.

He/She shall observe a high level of personal hygiene such as frequent washing of the hands. Keeping the finger nails short and clean, avoiding smoking when preparing the product, avoiding picking the nose, scratching the hair, licking the fingers and he shall take all reasonable precautions to prevent contamination to the product, equipment and surfaces that the product may come into contact with.

5. OWNERS OR LESSEE OF THE PREMISES

The applicant must be the owner of the premises or if not the owner holds a lease agreement approving the use of the premises for such a purpose.

6. DOCUMENTS TO ACCOMPANY APPLICATION

- i) proof of ownership of the premises;
- ii) where the applicant is not the owner, a copy of the lease agreement as the lessee.
- ii) The licence and processing fees referred in paragraph 8 of the guidelines.

7. **THE LICENCE**

The licence shall be issued only to an individual for a period of one year and renewal on expiry of the licence shall be made if the premises are up to the required standard and licence conditions and regulations have not been breached.

8. **LICENCE FEES**

The fees payable on application for the licence are as follows:

Processing fee	R50/-
Baka	R450 per year
Lapire	R100

A sum of R140 is payable for the publication of the liquor baka licence application and this should be accompanied with the licence fee.

If the licence is not approved, reason for non-approval is given and the licence fee paid is refunded to the applicant.

Surcharge

A surcharge of 10% of the licence fee is payable for late payment of licence following the expiry of the licence from 2 days onwards.

▪ **Notes:-**

Monitoring of Hygienic Standards of the premises

- The Environmental Health Section shall do monitoring of hygienic standards.

Designated Laboratory

- The monitoring of medical, microbial and physical parameters of the product shall be done by certain designated laboratories, namely the Public Health Laboratory and the Seychelles Bureau of Standards.

UNDERSEA EXCURSIONS LICENCE

SUBMISSION OF PROJECT MEMORANDUM

Before any person can provide undersea excursions as a business activity he or she must submit a detailed Project Memorandum to Seychelles Investment Bureau for consideration.

Application for a Licence

On approval of the Project the applicant should submit to the Authority the licence application in the prescribed form. The applicant has to satisfy the Authority.

Bodies to be Consulted

The Authority shall before granting a licence under these Regulations consult the Seychelles Tourism Board.

Condition of the Licence

A holder of a licence shall ensure

- (a) That the policy of insurance referred to in regulation 3(b) is kept in force during the validity of the licence;
- (b) That the equipment used by the holder of the licence is safe and in good working condition and is periodically inspected and tested by the officials of the Authority or appointed by the Authority for this purpose;
- (c) That the operations are conducted in an area specified in the licence;

Scope of the Licence

A licence as an operator of undersea excursions enables the holder of the licence to engage as an organizer of undersea excursions.

A licence granted under these Regulations shall specify the activity for which the licence is granted.

Validity of Licence

A licence granted under these Regulations is valid, unless revoked earlier, for a period of 12 months from the date of grant.

Licence fees

The following licence fees are payable:

- (a) as an operator of Undersea excursions R3,000
- (b) as an organizer of Undersea excursions R3,000

NEWSPAPER PUBLISHER AND NEWSPAPER PRINTER'S LICENCES

APPLICATION FOR A LICENCE

An application for a publisher's licence should be submitted to the Seychelles Licensing Authority and must be accompanied by the following documents.

- i) A bank guarantee or an insurance cover of SR100,000 or cash as security for the satisfaction of any judgment against the holder of the licence in respect of any matter printed in a newspaper under the licence. An insurance cover can be obtained from the State Assurance Corporation of Seychelles or other licensed insurer.
- ii) An affidavit, which has been signed and sworn before a Judge in terms of Section 3 of the Newspaper Act (Cap 251).
- iii) The appropriate licence fees.
- (iv) If publishing or printing of the newspaper is to be done on a new premises or existing one for which no change of use certificate has been granted, this Authority in addition to the following documents required above shall request the applicant to obtain Planning permission/change of use certificate.

On compliance with (i) to (iv) above the Authority shall grant the licence.

A licence may be for a period of 1 year or 5 years as may be requested by the applicant.

Conditions

- (1) A newspaper publisher's licence and a newspaper printer's licence shall, in addition to any conditions which the Authority may specify in the licence, be subject to the following conditions -
 - (a) the licensee shall comply with the provisions of the Newspaper Act (Cap 251);
 - (b) the licensee shall comply with any directions issued by the Ministry responsible for information in relation to the publication and printing of the newspaper;
 - (c) the licensee shall comply with any orders issued by a court in respect of the publication and printing of the newspaper; and
 - (d) in the case of a newspaper printer's licence, the licensee shall, in addition, print or cause to be printed at the foot of the last page of each copy of the newspaper, his name and address of the place of printing;
 - (e) the licensee shall display the licence in a conspicuous place at the principal place of business.

Licence fees

The licence fees are as follows:

	1 year SR	5 years SR	Processing Fees SR
A daily newspaper	5000	23,200	50
A weekly newspaper	4000	18,560	50
A fortnightly newspaper	3500	16,240	50
A monthly newspaper	3000	13,920	50
A quarterly newspaper	2500	11,600	50
A half-yearly newspaper	2000	9,200	50
An annual newspaper	1000	4,640	50
Newspaper printer's licence	3000	13,920	50

Scope of the Licence

A newspaper printer's licence shall also authorize the holder of that licence to provide services as a printer.

WATERSPORTS – OPERATOR’S LICENCE

SUBMISSION OF PROJECT MEMORANDUM

Before any person can provide water sports as a business activity he or she must submit a detailed Project Memorandum to the Seychelles Investment Bureau for consideration.

The provision of water sports activities include paragliding, skiing, windsurfing, boat excursions, any sailboard sporting activities but do not presently covered scuba diving.

APPLICATION FOR A LICENCE

On approval of the Project the applicant should contact Seychelles Maritime Administration to obtain a seaworthiness certificate of the boat and equipment. This is in addition to any survey, which is required for insurance purposes.

The applicant should then submit the licence application to the Licensing Authority with

- i) the Certificate of Seaworthiness
- ii) licensing / Processing fees
- iii) valid Insurance Certificate covering the operation and any claim arising thereof.
- iv) a valid contract with the hotel for the provision of water sports where the hotel beach front is to be used for such purpose.

If these documents are in order, the licence is granted.

HIRER OF HIRECRAFT

Submission of Project Memorandum

Before any person can operate a hirecraft as a business activity he or she must submit a detailed Project Memorandum to the Seychelles Investment Bureau for consideration.

The operation of hirecraft includes excursions and fishing but does not include diving business.

Application for a Licence

On approval of the Project the applicant should contact Seychelles Maritime Administration to obtain a seaworthiness certificate of the boat and equipment. This is in addition to any survey, which is required for insurance purposes.

The applicant should then submit the licence application to the Licensing Authority with:-

- i) letter from the Seychelles Investment Bureau approving the hirecraft project;
- ii) the certificate of seaworthiness from the Seychelles Maritime Administration;
- iii) licence / processing fees;
- iv) valid Insurance Certificate covering the operation and any claim for damages, injury and loss of life;
- v) where the distance is in excess of 10 miles the applicant has to furnish this Authority with proof that has in his employment a registered coxswain.

If these documents are in order the licence is granted

HIRECRAFT SHOULD BE EQUIPPED WITH RADIO

A radio licence VHF/SSB is required. The licence fee is R310 per radio

Scope of Licence

A holder of a hirecraft licence when the hirecraft is more than 12 meters long is authorized to:

- (i) provide meals
- (ii) sell liquor, tobacco and soft drinks to clients. Liquor and tobacco should not be sold to any persons under the apparent age of 18.

However any waste arising out of the activities should be properly disposed of so as to maintain a clean environment.

LICENCE FEES AND VALIDITY OF LICENCES

The licence fees are as follows:

		1 year
A.	where the hirecraft belongs to a Seychellois	
AA.	the craft, not being a beach craft, does not exceed 3m	R 500
AB.	the craft, not being a beach craft, exceeds 3m but does not exceed 12m	R 1,500
AC.	the craft, not being a beach craft, exceeds 6m but does not exceed 9m	R 4,000
AD.	the craft, not being a beach craft, exceeds 9m but does not exceed 12m	R 6,000
AE.	the craft, not being a beach craft, exceeds 12m does not exceed 20m	R 8,000
AF.	the craft, not being a beach craft, exceeds 20m	R10,000
AG.	the hirecraft is a beach craft (including wind-surfing boards, sail boards,beach sport crafts, operator of paragliding)	R 100
AF	Hirer of waters sport equipment	R 400
B.	where the hirecraft does not belong to a Seychellois each of the fee specified in sub-item A is doubled.	

The processing fee is R50 per application.

LICENCE FOR PETROLEUM STORAGE AND SALE

APPLICATION FOR A LICENCE

1. NEW PREMISES

In the case of where a new premises is required for petroleum storage and sale a detailed planning application is required to be submitted to the Planning Authority in the Ministry of Land Use And Habitat for approval.

An application for licence for petroleum warehouse fixed supply pump or moveable supply pump shall be submitted to the Licensing Authority on the prescribed application form accompanying by the following.

2. Certificate of Occupancy from the Planning Authority together with a final inspection report from the Environmental Health and Fire Services which also may be given direct to the Authority.
3. Licence and processing fees.
4. Documentary proof that the applicant is the owner or lessee of the premises.

If these documents are in order the licence is granted.

EXISTING PREMISES

In respect of an existing building which has not been used for this purpose the applicant is required to produce with his application the Change of Use Certificate obtainable from the Planning Authority and 3 and 4 above.

Subsequently the licence can be granted.

LICENCE FEES AND VALIDITY

The licence fees are as follows:

Processing fee R50		
Licence fees	<u>1 year</u>	<u>3 years</u>
- petroleum warehouse;	R 500	R1, 140
- fixed supply pump to store petroleum other than kerosene;	R 200	R 560
- fixed supply pump to store kerosene;	R 100	R 280
- movable supply pump to store petroleum other than kerosene;	R 150	R 425
- movable supply pump to store kerosene;	R 100	R 280
- dealing in or sale of petroleum where storage capacity exceeds 1000 litres;	R2, 000	R5, 640
- dealing in or sale of petroleum where storage capacity is less than 1000 litres.	R50	R 140

*At present all the petrol service stations are owned by **SEYPEC** and any person interested must first obtain a service agreement with them.

PIG BREEDING AND POULTRY KEEPER'S LICENCES

1. Interested applicant must first discuss the project with the Director of Livestock Development Division or his staff for the Ministry of Agriculture And Natural Resources at Union Vale, Tel 322219 who would assist in ensuring that the proposed pig breeding center or poultry keeping meets with the requirements of the Ministry as to the number of pigs to breed, broilers to keep and the number of layers and suitability of premises for such purpose in pursuance of the Ministry of Agriculture objective to promote and maintain the development of livestock to satisfy national demand.
2. Interested applicants must first obtain suitable premises. By this it is meant a non-residential or not a densely populated area approved for pig breeding and poultry keeping.
3. Applicants have to seek Planning permission before setting up the proposed center for keeping poultry and breeding pigs.

DEFINITIONS

“Poultry”

means broiler or layer chicken, duck or turkey.

“Pig Breeding Centre”

means a premises used for breeding pigs by the holder of a licence.

4. In addition to Planning permission, applicants have to seek the approval of the Environmental Health who should inspect the premises and ensure that it is suitable for use for keeping poultry and pig breeding and moreover that it complies with the public health requirements.

Once all the formalities (1-4 above) have been complied with and that there are no adverse recommendations it is only then that applicants can submit applications for their respective licence.

Note

All applications must be submitted together with all the necessary documents received from various Consulting Public Bodies (2-4 above).

If all necessary procedures have been complied with a licence is issued without delay.

CRITERIA FOR EXPANSION

1. The farm owner's managerial skill/attitude will be evaluated.
2. Evaluation of the following

Infrastructure

- Location of farm
- Physical condition of existing buildings
- Bird/rat proofing
- Ventilation
- Workflow
- Orientation

Logistics

- Farm access
- Transport
- Water/Electricity

Equipment

- Feeders, drinkers, brooder – Ratio utilization as per norms recommended.
- Level or sophistication
- Proper utilization and adjustments

Management

- Farm hygiene
- On farm Disease Control measure
- Stocking rates
- Feeding
- Used litter storage/disposal

Production

- Mortality %
- Live weight at end of cycle
- Record keeping
- Disposal of live birds

CRITERIA FOR NEW APPLICANTS

1. Application in writing - first come first serve basis.
2. General Interview by / Director and Technicians of the Poultry Development Section.
3. Project Memorandum of intended activity.
4. Location of proposed farm.
5. Site visit with MOH, MANR and Planning.
6. Financial Status.
7. Qualification and or Experience.

Conditions to be complied with by holders of Pig Breeding Licences

The holder of a licence to breed pig shall:

- (a) Purchase or acquire pigs for breeding only from a pig genetic center.
- (b) Sell or dispose of pigs other than pigs purchased or acquired for breeding, except to the holder of a permit to fatten pigs with the written authorization of the Director of Livestock Development.
- (c) Cause all boars born in his pig-breeding centre to be castrated within 21 days of their birth in the manner determined by the Director of Livestock Development.
- (d) Abide by written standard practices and guidelines for pig breeding which are known as "Code of Practice" by the Director of Livestock Development.
- (e) The development shall not give rise to nuisance by reasons of noise / smell / dirt and fumes to any adjoining properties and its occupiers thereof.

Note: (e) above also applies to Poultry keeping.

PIG BREEDING**Criteria for new applicants (Breeding & Fattening)**

1. Application in writing – first come, first serve basis.
2. General Interview by Director and Technicians of the Pig and Cattle Development Sections.
3. Project Memorandum of intended activity (especially for pig breeding).
4. Location of proposed farm.
5. Site visit with MOH, MANR, Planning.
6. Financial Status.
7. Qualifications and or Experience.

POULTRY KEEPING

The holder of a licence to keep Poultry under these regulations:

- (a) Shall not import any Poultry except with the written authorization of the Director of Livestock Development.
- (b) Shall not sell or otherwise dispose of Poultry, as the case may be, except to the Seychelles Marketing Board in accordance with the written authorization of the Director of Livestock Development.
- (c) Shall keep the premises used for keeping Poultry, as the case may be, open for inspected by the Director of Livestock Development.
- (d) Shall comply with the written standard practices and guidelines for keeping Poultry, which the Director of Livestock Development issues from time to time.

LAYERS

At present 64 licensed layer operators exist with farm sizes ranging from 150 to 33,000 layers.

The Ministry of Agriculture is responsible to maintain control on the total number of commercial layer Day Old Chicks which can be produced and distributed yearly. The Ministry will assess the egg situation in the country every six months and authorize accordingly any new operations requested or existing operations of 6000 birds (including replacers) will be allowed. The rational is to localize the environmental pollution impact.

The criteria for expansion of existing operations or establishments of new ones are basically similar to that prescribe for Broiler Production. In this case egg production rather than live weight figures will be assessed.

Licence fees

	<u>1 year</u>	<u>3 years</u>
	R	R
<u>PIG BREEDING</u>	R200	R560
<u>POULTRY KEEPING</u>		
Broiler of Layers	R100	R280
Duck	R100	R280
Turkey	R100	R280

Processing fee for both licences are R50.

VALIDITY OF LICENCE

Both licences are valid for a period of 1 year and 3 years from the date of issue unless earlier revoked by the Authority and are not transferable.

DISPLAY OF LICENCE

The holder of a licence must display his licence at a conspicuous place at his principal place of business.

FATTENING OF PIGS

No persons are allowed to fatten pigs under a pig breeding licence, except under and in accordance with a pig-fattening permit granted by the Ministry of Agriculture and Natural Resources.

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SEYCHELLES LICENSING AUTHORITY