

SHIP CHANDLER'S LICENCE

1. **APPLICATION FOR LICENCE**

A licence to engage in the business of Ship Chandling shall only be granted to an applicant who has obtained a private bonded warehouse and a security bond of not less than R150, 000 approved by the Commissioner of Taxes under the Trades Tax Legislation.

“Private Bonded Warehouse” in this context means a place appointed by the Commissioner of Taxes in terms of the trades tax legislation whether store, house, shed, yard, dock or other warehouse may be lodged for the purpose of victualing ships bound for a place outside Seychelles or subject to the Regulations pending payment of trades tax.

The application shall be accompanied by written proof of a private bonded warehouse security bond and licence and processing fees.

2. **VALIDITY OF LICENCE**

A Ship Chandler's licence is valid for 12 months and it is not transferable except with the prior written consent of the Authority.

3. **LICENCE FEE**

The licence fee for Ship Chandling is R2, 250 per annum and the processing fee is R50.

4. **SCOPE OF LICENCE**

A licence to engage in the business of ship handling shall enable the holder to import goods required for the business without the need of an import licence provided that such goods are exclusively for selling and delivering to the ship in accordance with Trades Tax Regulations.

5. **CONDITIONS OF LICENCE**

A holder of a ship chandling licence shall

- (a) not sell or otherwise dispose of goods imported tax-free or purchase or obtain in exchange tax free from a ship, for the purpose of or in connection with the business except in accordance with the trades tax legislation.
- (b) not attempt to purchase or take in exchange from ship goods, which, under the trades tax legislation a ship is prohibited from selling or exchanging for other goods, without the consent of the Commissioner of Taxes.

- 6. Where a Ship Chandler requests or wants stores and provision to be supplied to the ship outside the working days and hours he should be subject to the fees applicable for services of Trades Tax Officers as specified in Part xv Regulations 239.

7. Imported goods supplied and sold to any ship or boat shall be at wholesale mark up approved in the Trades Tax Regulations in force to which may be added to the cost of transport.
8. Comply with the requirements of the Taxation Division concerning the enforcement of the provisions relating to trades tax or connected therewith and the Port and Marine Division in relation to the administration and proper control and discipline at the Port.
9. There is an administration charge for the bonded warehouse in which is presently R10, 000.
10. Where there is a necessity for the ship chandler to buy goods from a ship in port to supply to another ship in port he may do so with the approval of the Commissioner of Taxes and in no way should the goods leave the Port of Victoria without the payment of trades tax.

SHIPPING AGENT LICENCE

Shipping Agent is a Licensable activity.

No person shall carried out the business of a Shipping Agent without a licence issued by this Authority.

DEFINITION OF SHIPPING AGENT

“Shipping Agent” means a person who acts as a local representative of an owner or charterer of a ship and whose functions include preparing shipping documents, arranging shipping space and insurance, dealing with Customs and Port Authorities, attending to administrative matters and needs of the ship and servicing in port of call on behalf of the owner or charterer.

Application for the licence

There is currently a quota of seven Shipping Agent Licences, which has been met. The quota is determined by the Ministry responsible for Port and Marine Services having regard to the interests of good management and the reputation of the Port.

Subject to the availability of quota, an application for a licence shall be accompanied by the following documents: -

- (a) a certified copy of the certificate of incorporation and the memorandum of association of the company;
- (b) records showing that the company has in its employment persons with suitable educational qualifications and not less than five years experience in a shipping agent's functions;
- (c) proof of security furnished under regulation 6;
- (d) documents showing that the applicant is the owner or lessee of the premises to be used for the proposed services;
- (e) documents showing that an owner will engage the applicant as a shipping agent;
- (f) the licence fee of R5, 000 and processing fee of R100.

Security to be furnished

- (1) An applicant for a licence shall furnish in a sum of money, not exceeding R800, 000, determined by the Authority for the satisfaction of any judgment that may be given against the licensee in relation to any act or omission connected with the licensee's work as a shipping agent or for the discharge of any obligation.
- (2) Such security may be furnished by

- (a) a deposit of the sum of money with the Authority;
Or
- (b) a bank guarantee,
Or
- (c) a policy of insurance to the satisfaction of the Authority.

Application of security

Where a licensee fails to satisfy any judgment or discharge an obligation referred to in paragraph 4, the Authority may, where the security has been furnished in cash, apply the money, or where a bank guarantee or a policy of insurance has been furnished require the bank or the insurer, as the case may be, to satisfy the judgment or discharge the obligation.

Eligibility

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 licence.

Ministry to be consulted

The Authority shall consult the Ministry responsible for Port and Marine Services before granting a licence.

Period of licence

The Authority may grant a licence either for a period of one year or a period of three years

Consideration of licence

On meeting the above requirements and the Ministry responsible for Port and Marine recommends or has no objection to the granting of the licence, the Authority shall grant the licence.

CONDITIONS OF LICENCE

It shall be the duty of the licensee –

- (a) to keep any bank guarantee or policy of insurance given as security in force during the period of validity of the licence;
- (b) to obtain the approval of the Authority whenever an employee referred to in regulation 5 (b) is replaced;
- (c) to inform the Authority of any change of Directors subsequent to the date of the application;
- (d) to show courtesy and observe good conduct in all dealings;

- (e) to comply with the provisions of the Harbour Act and Regulations made there under in respect of the vessel which the licensee represent;
- (f) to inform the Authority of the termination by the owner of the licensee's appointment as shipping agent.

SUSPENSION, REVOCATION AND NON RENEWAL OF LICENCE

- (1) The Authority may suspend, revoke or refuse to renew a licence if the licensee -
 - (a) has made any misrepresentation or failed to disclose any material fact in the application and thereby persuaded the Authority to grant the licence;
 - (b) has acted in contravention of the Act or these Regulations or in breach of any condition of a licence;
 - (c) is incapable of providing services authorized by the licence;
 - (d) has constantly been providing poor services;
 - (e) has not acted as a shipping agent for a continuous period of 6 months.
 - (f) or its manager or any of its directors has been convicted of an offence involving dishonesty, fraud or moral turpitude.
- (2) The Authority shall, before taking action under sub regulation (1) call upon the licensee or the applicant to show cause, and after considering any representations, communicate its decision to the licensee or the applicant as the case may be.
- (3) Where a licence is suspended, the licensee shall, cease to act as a Shipping Agent during the period of suspension regardless of any appeal that is pending against the suspension.
- (4) Where a licence is revoked, the licensee shall cease to act as a Shipping Agent regardless of any appeal that is pending.

Surcharge

A person who was a licensee and applies after the expiry of the licence for a new licence shall, unless the Authority is satisfied that the person had, during the period between the date of expiry of the licence and the date of application ceased to act as a Shipping Agent, be liable in addition to the licence fee and any other penalty under the Act, to a surcharge equal to 10 percent of the licence fee for each month or part thereof constituting that period.

TOUR OPERATOR AND TRAVEL AGENT LICENCES

1. BEFORE A TOUR OPERATOR'S LICENCE CAN BE GRANTED

Submission of Project Memorandum

Before any Company can operate as a Tour Operator or Travel Agent the interested person must submit a detailed Project Memorandum to the Seychelles Investment Bureau for consideration.

2. APPROVAL OF PROJECT

If the project is approved and the promoter is ready to commence the business then the following documents referred to below should be submitted to the Seychelles Licensing Authority.

3. DOCUMENTS TO ACCOMPANY THE LICENCE APPLICATION

(a) Tour Operator

- (i) a certified copy of the certificate of incorporation and the memorandum of association of the Company;
- (ii) the approved letter of the project referred to at (2) above;
- (iii) the qualification and experience of the manager of the tour operator;
- (iv) bank guarantee as required under Regulation 6 which is a sum of not less than R1m or such lesser sum as may be determined by the Authority, in form of a bank guarantee;
- (v) Planning permission/certificate of occupancy in the case of a new building to be used for that purpose or where there has been a change of use of current building or part of it;
- (vi) the licence and processing fees of R2050

(b) Travel agent

In the case of a travel agent's licence the above documents are required with the exception of the security and if the applicant is not a company but a partnership the business registration certificate.

4. CONSIDERATION OF LICENCE

The application for the licence will be examined to ensure that all required documents have been submitted.

A joint inspection of the proposed premises (tour operator or travel agent's office will be made with representative of the Seychelles Tourism Board.

Subject to the premises being found suitable and proper signboard is in place the licence can be granted.

5. **LICENCE FEE AND VALIDITY**

- (a) The Authority may on an application grant a Tour Operator/Travel Agent licence for up to a period of 1 year or 5 years.
- (b) The licence fees per annum for Tour/Travel Agent is SR2, 000/- each including a processing fee of SR50/- and whereas for a period of 5 years the licence fees is SR9280/- for each of the licence.

6. **RESTRICTION ON POWER OF AUTHORITY TO ISSUE LICENCE**

The Authority shall not grant a licence under these Regulations to –

(i) in the case of a travel agent licence

- (a) an individual who -
 - (i) is under 18 years old?
 - (ii) is an undischarged bankrupt?
 - (iii) has, within the last five years preceding his application, committed any offence involving dishonesty;
 - (iv) Is not a resident of Seychelles?
- (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 its principal of business in Seychelles;
- (c) a company, which is not incorporated under the laws of Seychelles.

(ii) in the case of a tour operator licence

- (a) other than a company incorporated under the Companies Act with not less than 2/3 of its shares being held by citizens of Seychelles.

7. **SCOPE OF LICENCE**

A tour operator's activities include the following

- (i) making directly or indirectly arrangements for the carriage of clients baggage or goods by any means whatsoever.
- (ii) making arrangements for lodging, transport or other services relating to travel of persons within Seychelles or who arranges entertainment, sight seeing, excursion or guide services, whether such arrangements are made on the basis of comprehensive, all-inclusive rate or on the basis of separate charges in respect of each service provide.

8. **CONDITIONS TO BE COMPLIED WITH BY TOUR OPERATOR DURING THE VALIDITY OF THE LICENCE**

- (1) an applicant must be a limited company incorporated in Seychelles under the Company Act and 2/3rd of its shares be owned by Seychellois nationals. The Board of the Company must meet in Seychelles and control must be exercised in Seychelles.
- (2) the company must have a paid up capital of R300, 000. After its business operation the company must always maintain a minimum net worth of capital R300, 00. If the company falls below this amount it will be required to top up the capital deficit by a Banker's Guarantee.
- (3) The applicant (the company) must also provide a minimum sum of SR1.0m as security in the form of a banker's guarantee to the Licensing Authority. The Authority reserves its right to vary the amount of security according to the circumstances of each application.
- (4) The company must secure a suitable office and produce documentary proof to support the suitability of the office for conduct of the Tour Operator Business.
- (5) The office must be either purchased by the company or lease for a minimum period of two years.
- (6) A prominent signboard, depicting only the registered name of the company, shall be posted at the entrance to the office.
- (7) In addition to complying with the above conditions, the holder of a licence to carry on business as a tour operator shall:
 - Keep records showing:
 - i) the name and address of each tourist handled;
 - ii) the date such bookings were received;
 - iii) the number of arriving tourist handled with details of –
 - a) overseas tour operators involved;
 - b) dates and flight of arrival; and
 - c) country of origin of tourists;
- (8) the number of passengers booking on tours and excursions and sources of bookings;
- (9) the number and method of transfer to and from the airport on international flights;

- (10) the gross income and expenses incurred in hotel bookings, car hire bookings, tours, excursions and transfers;
- (11) Within three months of the end of each year, or whenever requested by the Ministry responsible for Tourism submits in such form as may be provided, a return showing the particulars set out in paragraph (a);
- (12) Display at a conspicuous place on the premises where he is carrying on business for the information of the public a list, in easily legible form, of the charges for the services he is providing under the licence;
- (13) Display the licence granted under these Regulation at a conspicuous place at his principal place of business;
- (14) In the case of a company, notify the Authority of any change in the ownership of its shares or any change of its directors or in its management.
- (15) In the case of a firm, notify any change or partner in the firm; (applicable to travel agents only).
- (16) In all advertising materials in respect of any shopping or sight-seeing tour provided the particulars set out in Schedule 2 of the Licences (Tour Operator and Travel Agent) Regulations 1987;
- (17) Where the licensee intends to terminate the business as a tour operator, not less than three months before terminating the business, notify the Ministry responsible for Tourism and the Authority in writing of his intention to this effect.
- (18) The holder of a licence to carry on business as a tour operator shall not:
 - a) open a new place of business or change the location of the place of business in respect of which the licence was granted without first obtaining the written approval of the Authority.
 - b) Make misleading or inaccurate statements, claim or otherwise.
 - c) charge prices in respect of services provided by him in excess of those fixed by the Minister responsible for Tourism, where such prices have been so fixed.
- (19) ensure that the premises in which the business is carried out conform to the requirements of the Ministry responsible for tourism;
- (20) ensure that its premises are used exclusively for the conduct of its business as a tour operator and that no other business, whether owned by the holder of the licence or otherwise, is carried on in such premises;

9. **REVOCAION OR SUSPENSION OF THIS LICENCE**

The Authority may or suspend or revoke a licence granted under these Regulations where the Authority has reasonable grounds to believe that the holder of the licence has contravened any conditions of the licence.

10. **POSSIBILITY OF INVESTMENT FOR TOUR OPERATOR**

Tour Operator can invest in major tourism projects, which small investors cannot afford to do and which are not a threat to the small tourism businesses (i.e. will not result in them being pushed out or taken over).

Each investment proposed by a tour operator is to be treated individually on a case-by-case basis.

11. **TRAVEL AGENTS**

11.1 **CONDITIONS TO BE COMPLIED WITH BY TRAVEL AGENTS**

The interested person must first submit a project memorandum to the Seychelles Investment Bureau to be considered. The project memorandum should seek to justify such an activity with emphasis on new markets to be tapped. If the project is approved then an application for travel agent licence can be made to the Seychelles Licensing Authority but approval will be subject to meeting condition referred to below.

11.2 The holder of a licence to carry on business, as a Travel Agent shall, in addition to any other condition which the Authority may specify, comply with the conditions set out in paragraphs 4,5,6, (14), (15), (17) & (20).

12. **SCOPE OF LICENCE**

A travel agency licence permits the holder to sell tickets for travel by land, sea or air as well as accommodation, car hire, theatre tickets and travel related services. It also allows the licensee to act as a "General Sales Agent" for airlines and other travel companies.

13. **CHANGE OF OWNERSHIP AND MANAGEMENT**

The current licence holder shall inform the Seychelles Tourism Board and the Seychelles Licensing Authority of any change of directors, shareholders and of the General Manager.

14. **VALIDITY OF LICENCE**

The licence is valid for one year but is renewable. However it is not transferable.

GUIDELINES FOR OBTAINING A TOURIST GUIDE LICENCE

1. SUBMISSION OF PROJECT TO THE SEYCHELLES INVESTMENT BUREAU

Any person who is interested in obtaining a tourist guide licence should first contact the Seychelles Investment Bureau to submit their project for consideration.

Upon approval, the applicant is informed as well as the Seychelles Licensing Authority.

2. APPLICATION FOR A LICENCE

An application for a tourist guide licence shall be made on the prescribed form to the Seychelles Licensing Authority.

The application shall be accompanied by the following:

- (i) First aid certificate.
- (ii) Business name registration certificate if the applicant is not an individual.
- (iii) Certificate of successful completion of the tourist guide course by individual applicant or by each partner in the case of a partnership (where there is more than one partner) from the Ministry of Tourism and Transport.
- (iv) Licence fee of R1, 000/- for one year's licence or R4, 640/- for the five-year's licence.
- (v) Insurance policy of the business covering personal injury and damage to their property while on tour.

A person shall not apply for a licence unless the person or in the case of a firm, each of the partners of the firm –

- (a) has successfully completed a course of training as a tourist guide by the Authority in consultation with the Ministry responsible for Tourism.
- (b) has successfully completed a course of training in first aid approved by the Authority.

3. **BODY TO BE CONSULTED**

Before granting of a tourist guide licence, the Authority shall consult the Ministry responsible for Tourism.

Where the project has been approved, consultation is to ensure that the operator is ready and capable of providing a good quality of service.

4. **DETERMINATION ON THE SUITABILITY OF THE APPLICANT**

The Authority in consultation with the Ministry responsible for Tourism may in determining the suitability of the applicant for a licence, take into consideration the following matters:

- (a) the applicant has attained the age of eighteen years at the time of making the application
- (b) the applicant is physically and mentally fit and is free from any infectious disease
- (c) the applicant has no criminal record
- (d) the applicant's ability and competence to act as a tourist guide, and
- (e) any other matter as the authority deems necessary to take into consideration in determining the applicant's suitability.

5. **RESTRICTION OF GRANT OF LICENCE**

The Authority shall not grant a licence to a body corporate. This means that only individuals and partnerships are eligible to apply

6. **SCOPE OF THE LICENCE**

A tourist guide licence shall also authorize the holder of the licence to organize the meeting, transporting and lodging of tourist in licensed accommodation.

A licence to carry on business as a tour operator shall enable the holder of the licence to engage in the business of a tourist guide subject to and in accordance with the licence.

Note - A tourist guide may be allowed to have a car or jeep or a 15 – seater bus to use solely in connection with the business if approved under the project seeking government's approval to provide such services

The vehicle shall be licensed in the business name of tourist guide and shall have its acronym clearly displayed on the vehicle.

7. **CONDITIONS OF A LICENCE**

A tourist guide 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 attend and successfully complete a course of training for tourist guides as may be required by the Authority or the Ministry responsible for Tourism;
- (b) the holder of the licence shall comply with the code of ethics for tourist guides contained in the Second Schedule;
- (c) the holder of the licence shall while on duty or conducting tours wear a dress approved by the Authority.
- (d) the holder of the licence shall while on duty or conducting tours wear the authorization card approved by the Authority;
- (e) where the holder of the license uses or keeps any premises for the purpose of the business, the holder shall display a copy of the licence in a conspicuous place to any shop or trading premises:
- (f) the holder of the licence shall not receive or solicit from a tourist or any other person any payment for the purpose of bringing any tourist for shopping to any shop or trading premises;
- (g) the holder of the licence shall take out and keep in force a policy of insurance to the satisfaction of the Authority covering a tourist or any other person conducted on a tour for personal injury and damage to their property.

8. **OFFICE PREMISES**

It is expected that the holder of a tourist guide licence should have an office premises, telephone and fax machine to facilitate contact.

9. **VALIDITY AND NON-TRANSFERABILITY OF THE LICENCE**

A tourist guide licence shall be valid for a period of 1 year or five years from the date of issue unless earlier revoked by the Authority.

A tourist guide licence is not transferable.

10. **SUSPENSIONS OR REVOCATION OF LICENCE**

If any licensed tourist guide –

- (a) has made any misrepresentative or has failed to disclose any fact at the time of applying for a licence, and such misrepresentation or non-disclosure, would have influenced the Authority to licence him in pursuance of section.

- (b) Has failed to attend or successfully completed such further course of training or pass such further tests of proficiency as may be required.
- (c) Has failed to wear the authorization card or has allowed any other person to wear the authorization card.
- (d) Has acted in contravention of the provision of the Licences Act.
- (e) Has contravened any of the conditions of his licence imposed under Regulation 6.
- (f) Is, in the opinion of the Authority incapable by reason of illness or otherwise of acting as a tourist guide.
- (g) Has not performed the functions of a tourist guide for a continuous period of six months.
- (h) has been convicted of any offence involving dishonesty, fraud or moral turpitude.

The Authority may suspend the licence granted and withdraw the authorization card for such period as may be determined or revoke the licence.

Notwithstanding his right of appeal under section 15 of the Licences Act 1986, where the Authority suspends, revokes or refuses to renew a licence, he shall immediately notify the tourist guide concerned in writing of his decision.

Any licensed tourist guide whose licence has been suspended pursuant to regulation 8 ***Note** – The Licences (Tourist Guide) Regulation 1996 (S1 21) shall not during the period of suspension act as a tourist guide.

Any licensed tourist guide whose licence has been revoked shall immediately cease to act as a tourist guide in any circumstances.

10. **SURCHARGE**

A person who was the holder of a tourist guide licence and who applies, after the expiration of the licence, for a tourist guide licence shall, unless the authority is satisfied that he had, during the period between the expiration of his previous licence and his application ceased to carry on the activity for which he was previously licensed, 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 of which has elapsed from the date of expiration of the previous licence and the date of the lodging of his application.

SCHEDULE 1**LICENCE FEE****1 year: 5 years**

R500/- R2, 300/-

SECOND SCHEDULE**CODE OF ETHICS FOR LICENSED TOURIST GUIDES**

1. A licensed tourist guide shall always be well groomed, courteous, honest, trustworthy and dedicated.
2. A licensed tourist guide shall not use abusive language or be involved in any fights or squabbles with the tourist or any other person at any time in the exercise of his duty.
3. A licensed tourist guide shall not bad-mouth or criticize his colleagues, any establishment or organization, the Government or its policies and campaigns or any other person in the exercise of his duty.
4. A licensed tourist guide shall not be involved in any conduct or act, which is prejudicial to the professional image of the tourist industry in Seychelles or in the image and good name of the country.
5. A licensed tourist guide shall always safeguard his reputation and professional image as a licensed tourist guide.
6. A licensed tourist guide, shall have good public relation and shall maintain friendly relations and cooperation with other tourist guides whether local or foreign.
7. A licensed tourist guide shall always try to understand the character and needs of the tourists or any untoward danger or unnecessary risk due to his actions or omissions.
8. A licensed tourist guide shall exercise his duty with due care to ensure that the tourist or any person under his care are not placed under any untoward danger or unnecessary risk due to his actions or omissions.
9. A licensed tourist guide shall not leave the tourist or any person under his care any time in the exercise of his duty.
10. A licensed tourist guide shall always update his information and materials on the history and culture of the country and on Government policies for the better and effective exercise of his duty.

SCHEDULE 3**GOODS, ANIMALS AND VESSELS**

- Coin Operated Machines
- Gaming Machines
- Vessels specified in Regulations made under this Act.

COIN OPERATED MACHINES**LICENCE REQUIREMENTS**

1. In the case of a new premises to be used as a centre or games room for non-gambling activities a detailed planning application is required to be submitted to the Planning Authority in the Ministry of Land Use And Habitat for consideration.
2. If planning approval is granted and upon construction being completed and obtaining Certificate of Occupancy (from the Planning Authority) the applicant should submit the licence application to Licensing Authority together with:
 - a) Licensing / Processing fees.
 - b) Documents pertaining to 2 above.
 - c) Documentary proof showing that this applicant is the owner or lessee of the premises.

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

In respect of an existing building the applicant is required to produce with his application form a change of use certificate obtainable from the Planning Authority and (a) & (b) above. Subsequently the licence can be granted.

PLACEMENT OF COIN OPERATED MACHINES ON LICENSED / APPROVED PREMISES

A dealer in coin operated machines or licensee of a premises (games room) may apply for a licence for the use of one or more coin-operated machines on his or her premises. The dealer must obtain the written permission of the licensee in order to apply for a licence.

Coin operated machines may also be placed on approved premises but such a specific requests be made in the application for a licence.

Licensed and approved premises are hotel, guesthouse, public bar, nightclub, member's club and community / social centers or any other places approved by the Seychelles Licensing Authority.

LICENCE FEES

	<u>1 year</u>
(i) to keep a juke-box	R200
(ii) to keep a vending or slot machine	R200
(iii) to keep a coin-operated machine not otherwise specified	R200
(iv) for the transfer of a coin-operated machine to another premises	R100

GAMING MACHINES LICENCE

LICENSING AND QUOTA

Under the Licences (Gaming Machines) Regulations 194 (S.I.38 of 1994), which came into force on The 9th May 1994 the activity of keeping a gaming machine, can be carried out only with a licence issued by the Seychelles Licensing Authority.

Until recently such a licence was granted for slot machines under the Licences (Coin Operated Machines) Regulations 1987 but strictly speaking the coin operated machines are not gaming machines and hence the need for a new Regulations to cover the use of gaming machines other than in Casinos.

The Regulations provide that for the purpose of exercising control and ensuring that there is no excessive gambling, a limit may be prescribed on the maximum number of gaming machines to be used. However apart from Casinos, there is at present a quota of only 200 gaming machines in one gaming centre in Victoria. (Namely Amusement Centre).

CONDITIONS OF LICENCE

Notwithstanding the limit on the number of gaming machines, which can be permitted, the main conditions, which have to be fulfilled in order to be considered for such a licence, are

- (i) an applicant should be a company incorporated under the Companies Act 1972.
- (ii) the premises must be suitable and up to the required standard for such activity.
- (iii) payment of licence fees.

Furthermore the licence is subject to the following conditions:

- (a) shall not permit a person under 18 years of age to take part in gaming on the premises;
- (b) shall not knowingly permit any person who is in any way
 - (i) concerned in the management, regulation, supervision, control or administration of any gaming in any premises or of a casino in or outside Seychelles;
 - (ii) employed by a licensee or in any casino in or outside Seychelles;
 - to take part in gaming on the premises.
- (c) shall not permit on the premises any gaming -
 - (i) which contravenes any conditions of the gaming machine licence.

- (d) shall refuse to admit to and shall expel from the premises any person -
 - (i) who is drunk, violent, quarrelsome or disorderly
 - or
 - (ii) whose presence on the premises would make the licensee liable to a penalty under the Act or any other law
- (e) shall exhibit in a conspicuous place in the premises -
 - (i) a copy of the gaming machine licence;
 - (ii) a notice specifying -
 - (aa) the number of gaming machines and maximum stakes;
 - (bb) rules of any games played; and
 - (cc) the hours of opening.
- (f) shall keep an inventory of all the gaming machines kept on the premises and shall on transfer from the premises any such machines without the authorization of the Authority.

It provides the right of entry to the premises to ensure that the premises is kept to a good standard and in accordance with health and licensing requirements.

LICENCE FEE AND VALIDITY

The licence is valid for a period of one year or five years but subject to the payment of the annual licence fee of R1, 000 per gaming machine and a processing fee of R200.

LICENCES (VESSELS)

- a) Ferry Vessel
- b) Trade Vessel
- c) Plying Boat

REQUIREMENTS AND LICENCE APPLICATION

The following requirements must be met in order to obtain the respective above-mentioned licences.

1. The applicant should contact the Seychelles Maritime Administration (Port and Marine Division) to discuss his or her project. If acceptable the applicant should arrange
 - (i) to have the plying boat surveyed and be fit and suitable for use as such;
 - (ii) that the plying boat satisfies the requirements and carries the equipment laid down in by law:

In the case of ferry vessels, the Seychelles Maritime Administration (Harbour Master) must provide a certificate that the vessel is equipped and has been surveyed and marked where necessary with load lines;

2. An application for a licence to keep a trade vessel or ferry vessel shall also be accompanied by a copy of the certificate of registry certified to be a true copy by the Harbour Master.
 - (b) the Certificate of seaworthiness in addition to:
 - (i) Licensing / Processing fees
 - (ii) Valid Insurance Certificate (applicable to ferry Vessel and Plying Boat).

If these documents are in order the licence is granted.

LICENCE FEES

The following licence fees are payable;

1. Processing an application for a licence	R25
2. Licence fee	
a) plying boat	
(i) fitted with a motor	R1, 000
(ii) other plying boat	R1, 000
b) trade vessel	R2, 000
c) ferry vessel	R2, 000

SCHEDULE 4
PREMISES

Cafeteria

Catering Services

Casino

Dancing Hall

Discotheque

Hotel

Guesthouse

Nightclub

Restaurant

Self-Catering Establishment

Take-Away

GUIDELINES TO OBTAIN

- An Hotel Licence
- A Guesthouse Licence
- A Self-Catering Establishment Licence
- A Restaurant Licence
- A Cafeteria Licence
- A Luxury Villa Licence

PRE-LICENSING REQUIREMENTS

A person who is interested to obtain one of the licences referred to above must submit:

- a) A detailed Project Memorandum to the Seychelles Investment Bureau to be considered.
- b) A person who intends to make an extension involving additional rooms to any existing hotel, a luxury villa or a self-catering establishment shall comply with (a) above.

However the interested applicant for (a) and (b) above may first wish to contact and discuss with the Seychelles Tourism Board to check and apply for room allocation in view of limit on room capacity.

On approval of the project detailed planning application is required to be submitted to the Planning Authority in the Ministry of Land Use and Habitat for consideration and approval.

2. DOCUMENT REQUIRED AND LICENCE APPLICATION

If planning approval is granted, the promoter shall proceed with the construction of the establishment. Upon construction being completed and the Certificate of Occupancy from the Planning Authority obtained, the applicant should submit the licence application to the Licensing Authority together with:

(1) Hotel, guesthouse, luxury villa and self-catering establishment

- (I) in the case of an individual applying for a licence to keep or manage a hotel, a luxury villa, guest house or self-catering establishment -
 - a) A certified copy of a certificate showing that the applicant possesses a degree or diploma in hotel management from an institution of international reputation acceptable to the Authority.
 - b) Documentary proof to the satisfaction of the Authority that the applicant has the necessary experience and finance to keep and manage the type of hotel referred to in the application.

- c) Where the number of hotel rooms is less than 25 and the hotel is categorized as a small hotel, the applicant shall be required to provide only documentary proof to the satisfaction of the Authority that the applicant has the necessary experience in hotel management to keep or manage this type of establishment and the necessary finance to keep and manage the hotel.
 - d) The processing / licence fees as set out in appendix 1.
 - e) Documents showing that the hotel has been registered as a business name under the Registration of Business Names Act.
 - f) In the case of any application for a licence to keep or manage a new hotel, luxury villa or self-catering establishment or one which has been renovated -
 - i) planning approval and certificate of occupancy that the premises comply with all the planning requirements under the laws of Seychelles;
 - ii) certificate from the person in charge of Fire Brigade that the premises comply with all the planning requirements relating to fire protection under the laws of Seychelles;
 - iii) letter of approval to carry on the project from the Seychelles Investment Bureau.
- (II) In the case of a firm -
- The documents specified in paragraph 2 (1) (a) and (b) or (c), where applicable, in respect of each of the partners of the firm and documents specified in paragraph 1 (l), (e) and (f) where applicable, the certificate of registration of the firm and licence fees as specified in paragraph 1 (l) (d).
- (III) in the case of a corporate body -
- i) A true copy of the certificate of incorporation and memorandum of association.
 - ii) Documentary proof to the satisfaction of the Authority that the applicant has in employment persons including the manager of the hotel possessing a degree or diploma from an institution of international repute acceptable to the Authority and having the necessary experience to keep the type of hotel referred to in the application.
 - iii) Proof that the applicant has the necessary finance to keep and manage the type of hotel referred to in the application.

- iv) Proof of necessary experience referred to in paragraph 1 (l) (c) where applicable.
- v) Documentary proof to the satisfaction of the Authority that the applicant is the owner or lessee of the premises;
- vi) If a licence requested is for a newly constructed or renovated hotel, luxury villa or self-catering establishment documents specified in paragraph 1 (i) (f).

(2) Restaurant and Cafeteria

- (i) In the case of an individual applying for any type of licence referred to above and specified in the application, documentary proof to the satisfaction of the Authority that -
 - (a) the applicant has the necessary experience and finance to keep and manage the type of establishment to which the application refers;
 - (b) the business name of the establishment has been registered under the Registration of Business Names Act;
 - (c) that the applicant is the owner or lessee of the premises;
 - (d) that the premises to be used as a restaurant or cafeteria business has been approved by the Ministry responsible for Health as satisfying the health requirements under the laws of Seychelles;
 - (e) in the case of an application for a licence to keep and manage an establishment in a new premises or a premises, which has recently been renovated, the following documents;
 - (i) planning approval and certificate of occupancy that the premises comply with all the planning requirements under the laws of Seychelles;
 - (ii) certificate from the person in charge of the Fire Brigade that the premises comply with all the planning requirements relating to fire protection under the laws of Seychelles;
 - (iii) a letter of approval to carry on the project from the Seychelles Investment Bureau.
- (ii) In the case of a firm
 - (a) the documents specified in paragraph 2 (i) (a) in respect of each of the partners of the firm and documents specified 2 (i) (c) and (d) where applicable;

- (b) the certificate of registration of the firm and the licence fees as specified in Schedule 1.
- (iii) In the case of a corporate body
 - (a) a true copy of the certificate of incorporation and memorandum of association;
 - (b) documents specified in paragraph 2 (i) (a), (c), (d) and (e) and the licence fee specified in Schedule 1;
 - (c) documentary proof to the satisfaction of the Authority that the applicant has in employment persons having the necessary experience to keep the type of establishment to which the application refers;
 - (d) documentary proof to the satisfaction of the Authority that the applicant is the owner or lessee of the premises;

3. **INSPECTION OF PREMISES**

Before the licence can be granted, representatives of the Seychelles Tourism Board, Ministry of Health, Fire Services and the Licensing Authority must inspect the premises.

The premises must comply with the physical and operational criteria of the Ministries and fire safety standards for the operational licence to be granted.

4. **SCOPE OF LICENCE**

The holder of the following licences namely hotel, luxury villa or guesthouse is permitted to sell liquor, tobacco products and matches. In respect of a hotel, luxury villa and guesthouse to keep a restaurant or more than one.

The keeping of a restaurant or a cafeteria authorizes the holder of the licence to sell liquor, cigarette products and matches to any person taking meals in the restaurant or cafeteria.

The licence holder may be eligible for a take-away licence or catering services licence if the facilities meet the requirements of the Ministry responsible for Health.

5. **RESTRICTION ON SALE OF LIQUOR AND CIGARETTES**

The holder of a licence or the servant or agents of the holder of a licence shall not sell liquor, cigarette and tobacco, products or allow liquor to be consumed or cigarette or any tobacco products to be used on the premises by any person under the age of 18 years.

6. **CLASSIFICATION OF HOTEL**

The Seychelles Tourism Board may classify and grade hotels based on the following criteria :-

- Five Stars
- Four Stars
- Three Stars
- Two Stars
- One Stars

Hotels with less than 24 rooms shall be known as “small hotels” and hotel comprising 25 rooms or more shall be known as “large hotels”.

7. **RE-CLASSIFICATION OF HOTEL**

Where the Authority is informed by the Seychelles Tourism Board that a hotel is not being kept or managed in conformity with the standard of a hotel of the class to which such hotel belongs and recommends reclassification, the Authority, upon giving notice thereof to the holder of the licence, remove the hotel from class or grade and place it in a lower class or grade.

The re-classification or re-grading of a hotel shall not take effect until –

- (a) the expiration of ten days from the date of the notice thereof; and
- (b) in the case where an appeal had been made against the re-classification or re-grading of a hotel within the period of ten days referred to in paragraph (a), the appeal has been determined and such re-classification or re-grading has been confirmed.

8. **CHANGE OF MANAGEMENT OR OWNERSHIP**

Where there is any change in management or the ownership of an establishment for which a licence has been granted, the holder of the licence shall notify the Authority and the Seychelles Tourism Board in writing of the particulars of such change within ten days of the occurrence of the change.

The holder of a licence of a hotel shall not change the name of the hotel without the prior written approval of the Seychelles Tourism Board.

In respect of any change involving the acquisition of shares by non-Seychellois and the manager is to be a non-Seychellois, Gainful Occupation Permit (GOP) from the Immigration Department must first be obtained before a licence to operate / manager the establishment can be granted.

9. **CONDITIONS TO BE COMPLIED WITH**

Notwithstanding any condition which the Authority may specify in the licence a licence to keep a hotel, guesthouse, self-catering establishment, cafeteria and restaurant is subject to the following conditions:

The holder of a licence shall, in addition to any other conditions the Authority may specify in the licence, fulfill the following conditions –

- (i) In the case of a licence to keep or manage a hotel, luxury villa, self-catering establishment or restaurant -
 - (a) ensure that the premises comply with the physical standards laid down by the Planning Authority and the Seychelles Tourism Board
 - (b) ensure that the premises comply with the standards of hygiene laid down by the Ministry responsible for Health;
 - (c) make necessary arrangements with the Solid Waste and Cleaning Agency or other licensed refuse collector approved by the Solid Waste and Cleaning Agency for the rubbish from the premises and to ensure that the area surrounding the premises is kept clean;
 - (d) ensure that the premises is kept or managed by a person qualified to manage the particular type of premises;
 - (e) provide employees with a standard form of dress and a name badge to be worn while on duty;
 - (f) ensure that the prices charged in respect of accommodation, set meals, drinks and services are not in excess of those approved or fixed by the Seychelles Tourism Board under regulation 18;
 - (i) making derogatory or unfair references to any other person licensed to keep or manage a hotel, luxury villa, self-catering establishment or restaurant or to any premises as a hotel, luxury villa, self-catering establishments or restaurant;
 - (ii) permitting any gaming, drunkenness, drug abuse or disorderly conduct of any kind to take place within the premises;
- (i) In the case of a licence to keep or manage a cafeteria -
 - (a) avoid making derogatory or unfair references to any other person licensed to keep a cafeteria;
 - (b) ensure that the premises comply with the physical standards laid down by the Planning Authority and the Seychelles Tourism Board
 - (c) ensure that the premises comply with the standards of hygiene laid down by the Ministry responsible for Health;
 - (d) ensure that the premises is kept or managed by a person qualified to manage that particular type of premises;

10. **MAINTENANCE OF PREMISES**

Every licensed premises shall at all times be kept clean and shall be maintained in good order and repair.

11. **DISPOSAL OF REFUSE**

No refuse or filth shall be disposed in any part of the premises except in refuse bins

12. **FIRE FIGHTING EQUIPMENT**

Fire-fighting equipment shall be installed and maintained and staircases and exits shall be provided and maintained in all licensed establishments to the satisfaction of the Ministry responsible for Fire Services;

Where lifts are provided, they shall be kept in good and safe operational condition;

All staircases, passages, landings and exits shall be kept clear of obstructions and doors shall be so constructed and fitted as to be capable of being readily opened.

13. **POWER TO REFUSE ADMISSION**

(1) The holder of a licence to keep or manage hotel, self-catering establishment, restaurant, cafeteria, shall refuse to admit to, and shall expel from the premises any person

- (i) who is drunk, violent, quarrelsome or disorderly;
- (ii) whose presence on the premises would make the holder of the licence liable to a penalty under the Act or any other written law, or;
- (iii) who is prohibited by a notice under subregulation (2) from entering the premises;
- (iv) who refuse to submit to a search under regulation 23.

(2) The Commissioner of Police may issue a notice to a person who has been expelled from or refused admission on more than one occasion to the premises under sub regulation – (1) and who, in the opinion of the Commissioner of Police, has on the premises -

- (a) caused annoyance to any person;
- (b) caused a nuisance;
- (c) behaved in a manner likely to cause a breach of peace;
- (d) behaved in a disorderly or indecent manner;
- (e) publicly done an indecent act;

- (f) used indecent or obscene language; or
- (g) solicited for immoral purposes;

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

- (3) A notice under sub-regulation (2) shall be delivered personally to the person to whom it is addressed and copies of the notice together with a photograph of the person banned shall be sent to all licence holders of such premises and to the Authority.
- (4) A person to whom a notice has been delivered under sub-regulation (3) who fails to comply with notice shall be guilty of an offence and liable to imprisonment for 2 years.
- (5) A police officer may, on the demand of the holder of the licence or the manager of the premises, expel or help to expel from the premises any person who has been refused admission to, or expelled from the premises or who has been issued with a notice under this regulation.

14. **SUSPENSION, REVOCATION AND NON-RENEWAL OF LICENCE**

- (1) The Authority may suspend, revoke, or refuse to renew a licence to keep or manage a hotel, self-catering establishment, restaurant, café, cafeteria business or provide catering services where the Authority has reasonable ground 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 thereby influenced the Authority to grant the licence;
 - (b) has acted in contravention of this Act;
 - (c) has contravened any conditions of the licence;
 - (d) is incapable of providing the services authorized by the licence;
 - (e) has not carried on the business for which the licence was granted for a continuous period of 6 months;
 - (f) or the manager or any of the directors or the licence holder has been convicted of an offence involving dishonesty, fraud or moral turpitude;
 - (g) or the manager or any of the directors of the licence holder has been discourteous on at least two occasions within a period of one year to any officer of the Authority or the Seychelles Tourism Board when the officer was performing any duties under this Act.

- (2) Where the Authority suspends, revokes or refused renewal of a licence, the Authority shall give the licence holder or the applicant an opportunity of making representations and having considered such representations, inform its decision to the licence holder or the applicant as the case may be.
- (3) Where a licence is suspended or revoked, the licence holder shall cease to carry on the licensed activity whether an appeal against the suspension or renovation of the licence has been preferred or not.

15. **VALIDITY OF LICENCE**

- (1) Except as is provided for in sub-regulation (2), a licence shall be valid for 12 months from the date of issue unless earlier revoked by the Authority, and is not transferable.

16. **LICENCE FEES**

The licence fees are set out in schedule 1

Note: The licensing of these activities is governed by the Licence (Accommodation, Catering and Entertainment Establishments) Regulation 2001

Appendix 1**LICENCE FEES**

1.	Processing fee for an application for a licence	R75
2.	Licence fee to keep or manage a cafeteria	R800
3.	Licence fees to keep or manage a hotel	R310 per room per year.
	In the case of an existing premises of not less Than 14 rooms previously licensed as a guesthouse	R160 per room per year
4.	Licence fee to keep or manage a luxury villa	R310 per room per year.
5.	Licence fee to keep or manage a restaurant for each cover	R15
6.	Licence fee to keep or manage a self-catering Establishment	R160 per room per year.

LICENCE TO OPERATE A DISCOTHEQUE / NIGHTCLUB

PRELICENSING REQUIREMENTS

Any person interested in setting up the business of managing or keeping a discotheque or nightclub, in order to obtain such a licence should submit.

- a) a detailed Project Memorandum to the Seychelles Investment Bureau to be considered.
- b) on approval of the project detailed Planning application is required to be submitted to the Planning Authority in the Ministry of Land Use and Habitat for approval.

However approval of the project and obtaining of planning permission is subject to the discotheque or nightclub be fully sound proofed.

2. **DOCUMENTS REQUIRED AND LICENCE APPLICATION**

If Planning approval is obtained and upon construction being completed and obtaining the Certificate of Occupancy from the Planning Authority, the application for the licence should be submitted to the Licensing Authority.

The application should be accompanied by the following

- 1) Licensing / Processing fees of SR1175
- 2) Planning approval and Certificate of Occupancy;
- 3) Documentary proof showing that the applicant is either the owner or lessee of the premises.
- 4) Name, certificates and experience of the Manager;
- 5) A list of all staff to be employed showing their position of employment, ID number and Date of Birth to ensure that no staff under the age of 18 is employed in the discotheque and nightclub.

3. **CONSULTATION WITH PUBLIC BODIES**

The Licensing Authority shall on receipt of the application for a licence consult the following public bodies:

- a) the Seychelles Tourism Board as to whether the premises satisfy the requirements laid down by the Board for the licence applied for;
- b) the Commissioner of Police;
- c) the Ministry responsible for Health as whether the premises comply with all health requirements under the laws of Seychelles;

- d) Fire Services – the premises comply with the fire safety regulations;
- e) SBS and Ministry of Environment – that the premises is soundproofed thus complying with the control of noise regulations.

The premises should have parking space and be landscaped with some flowers plants or potted plants.

Following the receipt of recommendation from the bodies referred to above and subject to complying with the following regulations, the licence can be issued.

4. **THE REGULATIONS**

4.1 Interpretation

“Discotheque or Nightclub” means a place of entertainment where the dancing to the accompaniment of recorded music or a live music take place and offering drinks, or a floor or stage show to which persons are admitted on payment of a fee or otherwise.

4.2 Restriction on 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 undercharged bankrupt;
 - iii) is not a fit and proper person to hold a licence due to his bad character or physical infirmity;
 - iv) has, within the five years preceding the date of the application, been convicted of any offence involving dishonesty or immorality;
 - v) does not have the qualification and experienced referred to in Regulation 3 (b);
- b) to a firm, if any of the partners of the firm is disqualified from obtaining a licence under paragraph (a), (i) to (v).
- c) to a company -
 - a) if any of its directors or manager has been convicted of an offence involving dishonesty within the 5 years preceding the application, and
 - b) if the manager is not qualified under paragraph (a), (iii) and (iv).

4.3 Extended Scope of Licence

A licence to keep or manage a discotheque (nightclub) shall, subject to these and any written law controlling and regulating the sale of liquor, in so far that they are not inconsistent with these regulation, Regulations also authorize the holder of the licene to sell liquor, cigars, cigarettes, tobacco and matches to any person on any day at any time for consumption or use on the premises of the discotheque (nightclub).

The licence holder shall take the necessary precautions to ensure that there is law and order on the premises to safeguard the security of its clients and its reputation.

4.4 Condition of Licence

The holder of the licence shall, in addition to any other conditions the Authority may specify in the licence, fulfill the following conditions:

- a) ensure that the premises comply with the standards of hygiene laid down by the Ministry responsible for Health;
- b) ensure that the premises is kept or managed by a person qualified to manage the particular type of premises;
- c) provide employees with a standard form of dress and a name badge to be worn while on duty;
- d) that the premises with the exception of Dancing Hall comply with the physical standards laid down by the Seychelles Tourism Board and the Ministry responsible for Health. However the physical standards of the Seychelles Tourism Board shall not be applicable to premises licensed for used as a dancing hall;
- e) shall clearly and conspicuously display on the premises a list of prices of drinks on sale;
- f) the holder of a licence to keep or manage a discotheque, nightclub at at all times ensure -
 - i) that the premises conform with the planning requirements;
 - ii) in the case of an application for a new licence to keep and manage a discotheque the premises shall be sound proofing as certified by the Planning Authority. In the case of a renewal of a licence the Authority shall impose condition on the licence issued for the premises to be made soundproofing within a period of twelve months or on application for the renewal of the licence;

- iii) in the case of a licence to keep or manage a discotheque, employ at least two security officers at any time during or such number as may be decided by the Authority according to the capacity of the discotheque and nightclub and dancing hall;
- g) **the licensee shall not admit any person under the age of 18 years to the premises licensed as a Discotheque or Nightclub;**
in pursuance of sub regulation (g) the licensee shall require that any person who is seeking admission to the discotheque, nightclub to produce an identity card which shows that the person seeking admission is 18 years of age and above;
- h) failure to provide such proof shall result in the person not being granted admission to the discotheque;
- i) it shall not be a defence on the part of the licence holder that the person appeared to be an adult;

The holder of a licence to keep and manage a discotheque 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.

4.5 Maintenance of Premises

Every licensed premise shall at all times be kept clean and shall be maintained in good order and repair.

4.6 Disposal of Refuse

No refuse or filth shall be deposited in any part of the premises except in refuse bins.

4.7 Fire Fighting Equipment, etc

Fire fighting equipment shall be installed and maintained and staircases and exists shall be provided and maintained in all licensed establishments to the satisfaction of the Ministry responsible for Fire Services.

Where lifts are provided, they shall be kept and maintained in accordance with the legal requirements.

All staircase, passages, landings and exits shall be kept clear of obstructions and doors shall be so constructed and fitted as to be capable of being readily opened.

4.8 Use of Metal Detector

The holder of the licence to keep or manage a discotheque or nightclub shall buy and use a metal detector for the purpose of detecting any object which may be use to cause harm to others or to endanger the life of others on the person seeking admission to the discotheque or nightclub.

If any object which considered to be harmful to other or liquor is found on the person seeking admission the licence holder of his servant shall refuse admission.

4.9 Power to Refuse Admission

The holder of a licence to keep or manage a discotheque or night club shall refuse to admit, and shall expel from the premises any person –

- i) who is drunk, violent, quarrelsome or disorderly;
 - ii) whose presence on the premises would make the holder liable to a penalty under the act or any other law, or
 - iii) who is prohibited by a notice under sub regulation (2) from entering the premises;
 - iv) who fails to produce his or her identity card;
 - v) who refuses to be searched or where an object considered to be harmful is found on his or her body in exercise of Regulation concerning the use of metal detector.
- (2) The Commissioner of Police may issue a notice to a person who has been expelled from or refused admission on more than one occasion to the premises under sub regulation (1) and who, in the opinion of the Commissioner of Police has on the premises -
- a) cause annoyance to any person;
 - b) cause a nuisance;
 - c) conducted himself or herself in a manner likely to cause a breach of peace;
 - d) behaved in a disorderly or indecent manner;
 - e) publicly done an indecent act;
 - f) used indecent or obscene language; or
 - g) solicited for immoral purposes;
- prohibiting that person for a specified period not exceeding 12 months from entering the premises specified in the notice.

- (3) A notice under sub regulation (2) shall be delivered personally to the person whom it is addressed and copies of the notice shall be sent to the holder of the licence of the relevant premises and to the Authority.
- (4) A person to whom a notice has been delivered under sub regulation (3) shall comply with the requirements of that notice.
- (5) A Police Officer may, on the demand of the holder of the licence or the manager of the premises, expel or help to expel from the premises any person who has been refused admission to, or expelled from, the premises who has been issued with a notice under this regulation.
- (6) A notice issued by the Commissioner of Police under sub regulation 2 shall be enforceable in all discotheques and nightclubs. The Commissioner of Police inform all holders of such licences as well as circulate to them **photograph** of the person banned.
- (7) Where a holder of a licence or a member of the staff of a holder of a licence suspects that a person who is about to enter a discotheque or nightclub is carrying on him an object which may be used to cause harm, that person may be required to submit to a search and if the person refuses to so submit, the person may be refused admission.
- (8) A female employee or agent of the Licence holder shall search a female person seeking admission to a discotheque or nightclub, if the need arises.

4.10 Suspension, Revocation and Non-renewal of discotheque or night club licence

- (1) The Authority may suspend, revoke or refuse to renew a licence to keep or manage a discotheque or night club 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 thereby influenced the Authority to grant the licence;
 - b) has acted in contravention of the Act or these Regulations;
 - c) has contravened any conditions of any licence;
 - d) is incapable of providing the services authorized by the licence;
 - e) has not carried on the business for which he has been granted a licence for a continuous period of 6 months;
 - f) or its manager or any of its directors has been discourteous on at least two occasions within a period of one year to any officer of the Authority or the Seychelles Tourism Board or Environmental Health ,when officer was performing any duties under the Act or these Regulations.

- (2) Where the Authority suspends, revokes or refuses renewal of a licence, the Authority shall give the holder of the licence or applicant an opportunity of making representations and, having considered such representations, inform its decision to the holder or the applicant as the case may be.
- (3) Where a licence is suspended or revoked, the holder of the licence shall cease to carry on the licensed activity whether an appeal against the suspension or revocation of the licence has been preferred or not.

4.11 Offensive Weapon is prohibited in Night Club or Discotheque

- (1) No person except a Police Officer on duty or any other persons under the Authority of the Commissioner of Police shall be allowed to enter a premises licensed as a night club or discotheque with an offensive weapon namely any article made or adapted to be used for causing harm to other persons or to be endanger the life of others including an axe, hatchet, gun, pistol, revolver, cutlass, dagger, knife, penknife or pocket knife and club.
- (2) Any person found with such offensive weapon on the premises is liable to be apprehended, as it is a cognizable offence.
- (3) Sub regulation 11 shall no be applicable to the licence holder, his servant or agent when using such objects, as applicable, which can be regarded as falling within the definition offensive weapon for the purpose of maintaining the premises or in the provision of services within the scope of the licence.
- (4) Any person who contravenes this regulation is guilty of an offence and is liable on conviction to a fine of not less than R5, 000 and not exceeding R50, 000 or to imprisonment for two years.
- (5) It shall constitute a breach of the condition of the licence holder if an offensive weapon is found or used inside the premises of the licence holder which could have been detected by a metal detector required under regulation.

4.12 Power of Entry Inspection and Search

- (1) Any person authorized by the Authority or a Police Officer not below the rank of sergeant may, at any time, enter a licensed premises or any building or place reasonably suspected of being used for the purpose of a discotheque or nightclub for the purpose of ensuring compliance with these Regulations and may make such search and inspection as is considered necessary.
- (2) Without prejudice to the generality of the powers referred to in sub regulation (1) any such person or officer may: -

- a) inspect register and other documents kept by the licence holder or occupant and take a copy for the purpose of carrying out an investigation under these regulations.
- b) inspect the building and all parts thereof and the facilities for sanitation and take photograph if necessary.
- c) question the holder of the licence or occupants and employees.

4.13 Exemptions

These regulations shall not apply when

- a) a premises which is licensed to keep and manage a discotheque or nightclub holds;
 - i) a private function;
 - ii) or in the case of the premises being used to hold an indoor sporting competition, fashion show or cultural show or other show where there is no restriction on the age of admission to 18 years and above provided that no liquor shall be sold, delivered and consumed on the premises where such activity is taking place.

5. VALIDITY OF LICENCE

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

6. LICENCE AND PROCESSING FEES

The following fees are payable on application of the licence

Licence fee **R1, 100**

Processing fee **R75**

GUIDELINES TO OBTAIN A TAKE-AWAY LICENCE

1. **A LICENSABLE ACTIVITY**

Any person who is interested in setting up a take-away business is required to be in a possession of a valid licence to do so.

2. **DEFINITION OF TAKE-AWAY BUSINESS**

“Take-Away Business” means the business of preparing or selling meals to be consumed elsewhere than on the premises.

3. **REQUIREMENTS TO BE MET TO OBTAIN THE LICENCE**

i) Planning Authority's approval

The business of take-away requires a premises. In the case of a newly constructed building planning permission and certificate of occupancy must be obtained for the use of the premises as a take-away establishment. Where it is an existing building not previously used as such, the applicant must obtain a change of use certificate from the Planning Authority.

ii) Environmental Health conditions to be met

The premises should have a good standard of hygiene;

- A hood fitted with an extractor fan must be erected over the cooking area.
- A double bowl sink must be provided.
- Both hot and cold running water must be provided to the above.
- A wash hand basin with soap dispenser must be provided.
- The floor must be covered of non-slippery ceramic floor tiles.
- The walls above the sink and preparation table must be tiled to a height not less than one meter above the table.
- The preparation table must be of stainless steel or terrazzo.
- Adequate shelves and racks must be provided for storage of utensils and food commodities.
- An enclosure built outside the kitchen must be provided for storage of liquid petroleum gas.
- A separation must be provided between the counter and the kitchen. It is preferable that this is built of blocks and plastered.
- A service hatch must be provided through this partition wall mentioned above.

- All kitchen wastewater must be drained through a grease trap and finally into a soak away pit.
- A covered plastic bins must be provided for collection and storage of refuse before final disposal.

ii a) Personal Hygiene

All food handlers should observe the following:

- a) Wear clean outer garments, which should include white caps or hairnets, white shirts and trousers and white apron. Other light materials may be accepted.
- b) Avoid wearing jewellery on the finger whilst handling food.
- c) Keep the fingernails short and clean.
- d) Avoid handling food with open / septic cuts or wounds on the hand. Disposable gloves should be used in such instances.
- e) Avoid handling food if infected with flu, with a running nose or if having symptoms of gastro intestinal illness.
- f) Undergo pre-employment and periodic medical examinations and must be able to provide the fitness certificate upon request from relevant authorities.
- g) The periodic medical examination comprises of complete reviews carried out every two years and in addition, the examination of stool at six months interval.

iii) PUC's requirements

If the take-away is situated in Victoria adequate provision must be made for the discharge of the wastewater emanating from the proposed business.

Generally all wastewater must be drained in a septic tank and soak away or other appropriate system such as the public sewer if available.

iv) Fire Safety Requirements

Fire extinguishers should be provided in the kitchen and serviced on a regularly basis.

4. **DOCUMENTS REQUIRED AND LICENCE APPLICATION**

If Planning approval is granted and upon construction being completed and obtaining certificate of occupancy (from the Planning Authority) together with a final inspection report from the Ministry responsible for Environmental Health and the Fire Safety reports, the applicant should submit the licence application to the Licensing Authority together with the following:

- i) Licensing and Processing fee
- ii) Documentary proof showing that the applicant is the owner or lessee of the premises.
- iii) The Manager of the business and list of staff, proof of vocational training is required in respect of the cook to be employed in the take-away establishment.

Basically the documents required are:

- i) Planning approval;
- ii) Clearance from Environmental Health regarding suitability of premises;
- iii) Proof that the applicant is an experienced cook or the applicant is to have in his employment a qualified / experienced cook. Details of his or her experience are to be provided.

If these documents are in order the licence is granted.

5. **SCOPE OF LICENCES**

The keeping of a take-away authorizes the holder of the licence to sell soft drinks and snacks on the take-away premises.

6. **CONDITIONS TO BE COMPLIED WITH**

Notwithstanding any conditions, which the Authority may specify in the licence to keep a take-away, is subject to the following conditions:

- a) If there is any change in management including the manager in charge or director and shareholder of the company or partnership you are requested to inform the Authority in writing;
- b) you are requested to make necessary arrangement with SWAC and or another licensed refuse collector for the disposal of rubbish from your premises, you are to ensure that the area surrounding your premises are kept clean and a bin should be placed on the premises;
- c) not sell or permit the consumption of liquor on the premises licensed as a take-away;.
- d) ensure that the premises comply with the physical standards laid down by the Planning Authority.
- e) ensure that the premises comply with the standards of hygiene laid down by the Ministry responsible for Health including that it is kept clean and as well as the area surrounding the premises;
- f) ensure that the premises is kept or managed by a person qualified to manage that particular type of premises;

- g) that the take-away box or plate used by the take-away business to supply meals bears a stamp, sticker or logo to identify the business premises where the take-away meal is sold;
- h) that no seating facilities are provided for the consumption of food on the premises of the take-away business.
- i) Keep any premises as a take-away business premises unless the premises are licensed for this purpose;
- j) make derogatory or unfair reference to any other person licensed to keep or engage in a take-away business;
- k) to display this licence at a conspicuous place on a business premises specified in the licence.

7. **FEES**

The annual licence and processing fees

Processing fee	R75
Licence fee	R500

8. **SURCHARGE**

A surcharge of 10% is payable for each month or part thereof on late payment of the licence fee. However it is a breach of the licence condition not to renew the licence before the expiry of the licence.

GUIDELINES TO OBTAINING A CASINO LICENCE

LICENCE APPLICATIONS AND QUOTA

In order to control gambling and gaming activities in Seychelles, the Government has set a quota of three casinos on Mahe and Praslin.

Normally the procedure for obtaining a licence within the quota system is as follows:-

1. The submission of a detailed Project Memorandum to the Seychelles Investment Bureau to be considered.
2. On approval of the Project detailed Planning application is required to be submitted to the Ministry of Land Use & Habitat for approval.
3. On completion of the casino and obtaining Certificate of Occupancy from the Planning Authority together with a final inspection report from the Seychelles Tourism Board and Environmental Health of the Ministry of Health, the applicant should submit the licence application to Licensing Authority together with:-
 - a) the licence and processing fees amounting to R1.05m;
 - b) documents pertaining to 3 above.
 - c) documentary proof showing that the applicant is the owner or lessee of the premises;
 - d) proof that the management staff is suitably qualified and experience in the gaming business including the cvs, diploma / certificate and references in respect of the General Manager and his assistant;
 - e) proof that the applicant has the necessary finance to carry on the casino business, comprising documents as regards the financial background, resources, stability and integrity of the applicant;
 - f) documents showing that the directors, manager and assistant manager of the company have sufficient skill and experience to establish and maintain an efficient casino business;
 - g) proof that the applicant is the owner or lessee of the premises referred to in paragraph (c);
 - h) The licence fee specified in Schedule 1;
 - i) testimonials, covering a period of at least five years preceding the date of the application, to the fact that the directors, manager and assistant manager of the applicant company are of good character;

A joint visit will be carried out to ensure that the facilities and equipment are available and well displayed. If that is the case and documents referred to above are in order the licence is granted.

Licence Conditions

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

- a) the licensee shall not permit a person under 18 years of age to take part in gaming in the casino or be present in a casino;
- b) subject to sub-regulation (3) the licensee shall not or shall not knowingly permit any other person to take part in gaming at the casino -
 - i) if that person is not present in the casino at the time when the gaming takes place there; or
 - ii) on behalf of another person who is not present in the casino at that time.
- c) subject to sub regulation (4), the licensee shall not knowingly permit any person who is in any way -
 - i) concerned in the management, regulation, supervisor, control or administration of the casino or of the other casino in or outside Seychelles; or
 - ii) employed in the casino or any other casino in or outside Seychelles: to take part in the playing of any game in the casino
- d) subject to regulation (5), the licensee shall not accept or shall not knowingly permit any of his employees to accept any tip in the casino:-
- e) the licensee shall not permit any gaming -
 - i) which is not authorized by the casino licence; or
 - ii) which contravenes any conditions of the casino licence, to take place in the casino;
- f) the licensee shall not pay compel or induce any person to accept any winnings in foreign currency:
- g) subject to sub regulation (6) and except in accordance with the condition of the casino licence, the licensee shall not in any place or shall not knowingly permit any other person in the casino to -
 - i) make any loan to any person;
 - ii) otherwise allow any credit to any person;
 - iii) release or discharge on another person's behalf the whole or part of any debt;
 - iv) accept a promissory note;
 - v) pledge any property;

either –

- (aa) for enabling any person to take place in gaming in the casino;
or
 - (bb) in respect of any losses incurred by any person in gaming in the casino;
- h) the licensee shall refuse to admit to and shall expel from the casino any person -
 - i) who is drunk, violent, quarrelsome or disorderly;
or
 - ii) whose presence in the casino would make the licensee liable to a penalty under the Act or any other law;
- l) the licensee shall exhibit in a conspicuous place in the casino -
 - i) a copy of the casino licence;
 - ii) a notice specifying -
 - (aa) the games, gaming machines and maximum stakes approved by the licence;
 - (bb) rule of any game played in the casino;
and
 - (cc) the hours of opening of the casino;
- j) the licensee shall keep to the satisfaction of the Minister responsible for Finance, proper books of accounts and records of all transactions connected within the operation of the casino and shall cause all such accounts and records to be audited by an auditor approved by the Minister.
- (2) The Authority may in a casino licence -
 - a) specify the number of tables authorized for the playing of games;
 - b) specify the numbers and type of gaming machines authorized and the maximum stakes for those gaming machines;
 - c) specify the games permitted to be played and the maximum stakes for those games:
 - d) specify matters relating to the method of operation of the games or gaming machines;
 - e) stipulate the operation of the casino with decency, dignity, good taste and honesty;

- (3) Where in a game which involves playing or staking against a bank, if a person acting on behalf of the licensee and present in the casino at the time, holds the bank or has a share or interest in it, the licensee shall not be treated as having contravened the condition set out in sub regulation (1) (c).
- (4) Where a person is employed by the licensee as a croupier to enable other persons to play the game, the licensee shall not be treated as having contravened the conditions set out in sub regulation (1) (d).
- (5) Where the licensee accepts for distribution to a person employed in the casino tips placed in cagnottes or boxes.
- (6) The payment or acceptance of payment by way of cheque (which is not a post dated cheque), a credit card, or a traveller's cheque for cash or tokens for enabling a person to take part in gaming in a casino shall not be treated as a contravention of the condition set out in sub regulation (1) (h).
- (7) Where a licensee accepts payment in the manner set out in sub regulation (6),

he shall within a period as may be specified in the conditions in the casino licence, cause the cheque or traveller's cheque to be delivered to a bank for payment or collection or cause the credit card voucher to be remitted for collection, as the case may be.

Where there is change in the composition of the Board of Directors or in the management of the company holding the licence, the company shall notify the Authority in writing the particulars of such change within ten days of its occurrence and comply with the requirements of regulation 3A (d), (e) and (h)

- (8) 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 traveller's cheque, which is accepted in exchange for cash or tokens to be used by a player in gaming in a casino.

Staff and Training

The licensee shall:-

- (1)
 - a) employ a sufficient number of persons who are suitably qualified to ensure the efficient operation of the casino;
 - b) provide the employees with training in rules and procedures of the games, table procedures and other aspects of gaming relevant to casino operations;

in accordance with such guidelines as may be communicated to the licensee in writing by the Authority.

Validity of Licence

An annual licence is granted which can be renewed on expiry.

Licence Fees

An annual licence fee of R1m in addition to a processing fee of R500.

SCHEDULE 5

FISHING

- Local Fishing Vessel other than those exempted under Fisheries Act, 1986
- Foreign Fishing Vessel
- Fishmonger
- Fishing Net
- Homnard (Lobster)

LOCAL FISHING VESSEL

LICENCE APPLICATION

An application for such a licence should be made to the Seychelles Licensing Authority .

The application must be accompanied by

- i) the licence and processing fees:
- ii) certificate of registration of the fishing vessel from the Seychelles Fishing Authority.

If the application is properly completed and required documents have been provided the licence is granted.

Licence Fee and Validity of Licence

The licence is valid for a period of one year. The licence fee is R100 and processing fee R25.

In most if not all cases this type of licence is granted.

Note: Local Fishing Vessel licence is subject to conditions stipulated under Regulation 7 of the Fisheries Regulations, 1987.

FOREIGN FISHING VESSELS

ESTABLISHED PROCEDURES FOR THE ISSUING OF A FOREIGN FISHING LICENCE

1. FOR LONGLINERS & PURSE SEINERS UNDER PRIVATE AGREEMENT

(i) Processing of applications

- a) The vessel's agent as a legal representative should complete the application form and forward it to SFA for calculation of the license fee and approval for a licence.
- b) The application form is then forwarded to SLA by the agent together with a processing fee of SR250 and subsequently the licence fee payable in US dollars by bank transfer.
- c) Upon production of receipts from the Accounts Section the licence is issued and SFA and the coastguard are immediately informed by telefax.

2. FOR LONGLINERS & PURSE SEINERS UNDER GOVERNMENT AGREEMENT

(i) Processing of applications

- a) The vessel's agent as a legal representative should complete the application form and forward it to SFA for quotation of the license fee and approval for a license.
- b) The application form is then forwarded to SLA by the agent together with a processing fee of SR250 and subsequently the licence fee payable in US dollars by bank transfer.
- c) Upon production of receipts from the Accounts Section the licence is issued and SFA and the coastguard are immediately informed by telefax.

(ii) The License fees payable

This is decided upon by SFA depending on the various agreements in existence

- Notes:**
1. Licence fees should be paid to the Central Bank of Seychelles Federal Reserve Bank of New York.
 2. All foreign fishing vessels are allocated a number by SFA, which serves as a means of identification both for surveillance and monitoring payment of licence. SLA and SFA would coordinate with each other regarding issuing of licence and payment of licence fees.
 3. Licence fees are subject to be reviewed in line with the fishing agreements in force.

FISHMONGER LICENCE

LICENCE REQUIREMENT

The requirement for such a licence is that the applicant should have a vehicle with proper storage facilities for the preservation of fish while being transported for delivery. e.g. a container where the fish can be kept on ice. This if such a business involves the delivery of fish.

Business of Fixed Premises

If the business is to be carried out on a fixed premises for the sale of fish, Planning permission is required and the certificate of Occupancy. The premises should contain cooling and storage equipment for the preservation of fish acceptable by Environmental Health to be of a hygienic standard.

Approval of Licence and Fee

Once these requirements have been met, an application for a licence can be made on the prescribed form to the SLA and on payment of the licence fee of R500 and processing fee of R50 the licence shall be granted.

Validity of Licence

The validity of the licence is between a period of one year and three years at the option of the applicant.

HOMMARD LICENCE

A Homnard Licence is issued on production of a certificate of approval from the Seychelles Fishing Authority.

It is a seasonal licence granted during October and November of the year. The period for the granting of such a licence is determined by SFA after being satisfied that the current stock of lobsters is not being deplcicit.

The annual licence fee is R500.

SCHEDULE 6**ROAD TRANSPORT VEHICLES**

- Driving Instructor
- Motor Vehicle Licence within the meaning of the Road Transport Act
- Motor Vehicle's Dealer
- Driving Licence
- Hirer of Self-drive Vehicles
- Hirer of Public Omnibus
- Hirer of Commercial Vehicles
- Hirer of Bicycles
- Taxi Operators Licence
- International Driving Permit (Licence)

VEHICLE LICENCE (ROAD TAX)

- Motor Cycle
- Private and Public Motor Vehicle
- Tractor
- Mobile Crane
- Tracked Motor Vehicle
- Commercial Motor Vehicle
- Public Motor Vehicle
- Self Drive Hire Vehicle
- Trailer.

LICENCES OBTAINABLE AT THE COUNTER (SLA)

The following licences are obtainable at the SLA's Office (Counter)

- Driving
- Hirer of Commercial Vehicle
- International Driving Permit
- Vehicle (Road fund)

Applicants must produce a certificate of competency in the case of an application for new driving licence or in the case of a renewal, no document is required.

The SLA has up to date record of all holders of driving licences and can renew them on payment of the prescribed fee of R250 for a one-year licence and R550 for a five-year's licence.

A driving licence may also be obtained on production of a foreign driving licence acceptable by the Authority.

Seychelles International Driving Permit can be obtained on production of the valid Seychelles driving licence and such licence is to be used overseas.

Vehicle licences are granted on production of valid insurance certificate and certificate of roadworthiness and the payment of the licence fees.

LICENCE FEES

The following are the prescribed licence fees.

1. **(a) Processing an application –**

(i)	for a licence, other than a taxi licence	R50
(ii)	for a taxi licence	R100
(b)	for registration of a public motor vehicle or a commercial motor vehicle	R100
(c)	for registration of a private motor vehicle	R100
(d)	for registration of a motor cycle	R100
(e)	for registration of a bicycle	R10
(f)	for registration of any other vehicle, not being a bicycle, tricycle or a vehicle in respect of which a registration fee is specifically provided for	R100
(g)	for change of registration number of a motor vehicle	R1, 000

2. **Licence fee -**

(a) Vehicle licence		
(i)	motor cycle with or without side car	R1 per cc subject to a minimum fee of R200.
(ii)	private and public motor vehicle (other than motor cycles, tractors, mobile cranes and tracked motor vehicles)	R1 per cc subject to a minimum fee of R1, 000.
(iii)	tractor	R1 per kg subject to a minimum fee of R1, 000.

(iv)	mobile crane	R1 per kg subject to a minimum fee of R1, 000
(v)	tracked motor vehicle and other vehicles on wheels (not elsewhere specified) including excavator, loader handler shovel, grader, digger, road roller and heavy duty vehicle	R1 per kg subject to a minimum fee of R5, 000.
(vi)	commercial motor vehicle, where the vehicle is used or intended to be used for the conveyance of goods in connection with the trade or business of the owner of the vehicle or business	R1 cc per subject to a minimum fee of R800
(vii)	commercial motor vehicle, where the vehicle is used or intended to be used for the conveyance of goods for hire	R1 cc per kg subject to a minimum fee of R1, 000
(viii)	public motor vehicle (fee additional to that specified in subparagraph (ii)	
	a) omnibus	R100
	b) taxi	R8, 400
(ix)	self-drive hire vehicle other than motor cycles (fees additional to that specified in subparagraph (ii)	R500
(x)	trailer	R200
(xi)	bicycle or tricycle	R40
(xii)	international vehicle certificate	R1, 000
(b)	Motor vehicle driving licence -	
(i)	for 12 months	R200
(ii)	for 60 months	R500
(iii)	Seychelles International driving licence for one year only	R500
(c)	Motor dealer's vehicle licence -	
(i)	the licence and a general trade number	R2, 000

- (ii) for each additional general trade number R300
- (iii) replacement of trade plate, for each trade plate R200

(d) Other fees -

- (i) replacement of self-driving hire vehicle identification plate R100
- (ii) duplicate licence, where not provided otherwise R50

DRIVING INSTRUCTOR'S LICENCE

APPLICATION AND DOCUMENTS REQUIRED

An application to provide services as a Driving Instructor should be submitted on the prescribed form to the SLA together with the licence fee of R500 and processing fee of R50 for a one-year licence.

The applicant is expected to have a good driving records and not less than four years experience as a driver preferably including in providing of driving instructions.

All those who are interested to apply for their licence must submit their names to the Land Transport Division following which examinations will be set.

Furthermore, the applicant is expected to pass a driving instructor test administered by the Land Transport Division with a pass mark of 70%.

A training course is available and conducted under the auspices of the Land Transport Division. Registration to attend such a course may be made to the Director General's Office, Land Transport Division.

On meeting the above-mentioned requirements and also that the person must be of good conduct and not convicted of any offence involving dishonesty, fraud or moral turpitude, the Authority shall grant the applicant a driving Instructor's licence.

However driving instructors are not allowed to provide driving lesson within the limit of Victoria from Mondays to Fridays between the hours of 7 to 8.30 am from 16 hrs to 17 hrs.

The licence is valid for 1 year only.

HIRE OF SELF-DRIVE VEHICLES

The Government thus the removal of the quota system has liberalized the car hire business. However each new operator must start with a minimum of 5 new vehicles in his/her fleet and a maximum of 28 plus two chauffeur driven cars. Car hire operators should be Seychellois citizens residing in Seychelles.

PROCEDURE FOR OBTAINING A LICENCE

The procedure for obtaining a licence is as follows:

1. The submission of a detailed Project Memorandum to the Seychelles Investment Bureau for consideration.
2. On approval of the Project and in the case of new premises detailed Planning application is required to be submitted to the Planning Authority in the Ministry of Land Use And Habitat for approval.
3. If Planning approval is granted and upon construction being completed and obtaining Certificate of Occupancy (from the Planning Authority) together with a final inspection report from the Land Transport Division and Tourism Division, the applicant should submit the licence application to the Licensing Authority together with:
 - (i) Licensing / Processing fees
 - (ii) Documents pertaining to 2 & 3 above
 - (iii) Documentary proof showing that the applicant is the owner or lessee of the premises.

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

In respect of an existing building which has not been used for car hire operation the applicant is required to submit with his application form a change of use certificate obtainable from the Planning Authority and (i), (ii) and (iii) above. Subsequently the licence can be granted.

Scope of the Licence

The holder of such a licence is allowed to operate their own garage for the sole maintenance and repair of cars in their fleet.

They can make arrangements with a licensed garage owner / mechanic to repair and maintain their vehicles. However, the Authority will need written proof of such arrangements.

Type of Vehicle for Hire

A motor vehicle having a seating capacity for not more than five passengers, excluding the driver.

A motor vehicle for this purpose excludes bicycle, tricycle and motorcycle.

Restriction of number, Age and Type of Hired Vehicles

The Authority may restrict the number, age and type of hired vehicles, which the licensee may own and operate, and subject to the preceding provisions of this subparagraph, prescribing the minimum number of vehicles, which the licensee shall operate within six weeks of the grant of the licence.

With the exception of VIP cars vehicles in the fleet must not be older than five years.

However the use of left hand drive vehicles is not permitted in Car hire fleet, on the grounds of road / public safety.

Licence conditions to be complied with

A licensee shall –

- (a) operate the trade as a hirer in a premises approved by the Authority;
- (b) provide a telephone in the premises and maintain a 24 hour call-out service;
- (c) keep the premises open and adequately staffed from 8.00 am to 4.00 pm on each day, other than a public holiday, from Monday to Friday and from 8.00 am to 12 noon on Saturday, Sunday and on any other public holidays;
- (d) furnish the Authority the name of the person managing the trade;
- (e) furnish the name and address of the garage or the person at which or by whom the hire vehicles are serviced;
- (f) maintain the hired vehicles in good condition and keep a maintenance record of the vehicles;
- (g) be courteous to persons availing the services of the licensee and ensure that the employee of the licensee do likewise;
- (h) enter into a written contract of hiring with a person taking out on hired a hire vehicle from the licensee and furnish a copy of the contract to such person;
- (i) ensure that the written contract referred to in subparagraph (h) contains the number of the telephone provided under subparagraph (b);
- (j) ensure that the hire vehicles are licensed and insured;
- (k) ensure that each employee of the licensee carry, while discharging the functions of the employee, an identification badge containing the name of the employee and that of the licensee;
- (L) where the licensee is a company, any of its directors or shareholders, shall not have any share or interest in the self-drive hire vehicle trade of any other hirer of self-drive hire vehicles.

Standard for Chauffeur driven Cars

The criteria for the operations of 2 VIP cars are that they should be chauffeur driven at all times. The cars should be out of the normal top of the range, that is the “Flagship” of the brand cars. The vehicles have to be saloon type with 4 doors, spacious and 4 persons should be comfortably seated. The engine capacity should be at least 2500cc or more.

In order to ensure comfort and top class service to the clients, the car hire operators should ensure that their car, which are used for that purpose, should be fully air-conditioned, fitted with powered windows and other accessories such as mobile phones. The chauffeur should be attired in smart uniforms. They should have a good knowledge of spoken English and French.

The cars need not be new and will not be bound by the five years limit as imposed on other cars. The importation of such cars will be subjected to 10 percent trades tax.

Licence Fees

The fees payable for a self-drive car hire operators are as follows:

Processing fee is R50.

- (i) Vehicle licence - R1 per cc for each vehicles in the Car Hire fleet subject to a minimum fee of R1, 000.
- (ii) Additional fee of R500 per vehicle every six months.

Public Omnibus

The hire of Public Omnibus is the monopoly of SPTC with the exception of buses used by tour operators solely for the transportation of tourists and public transport in La Digue.

The fee payable is R100 per annum and this is additional to road fund licence of R1 per cc.

Hirer of Commercial Vehicles

This licence is granted on application provided the applicant produces his certificate of Roadworthiness and Insurance policy to cover such activity and pay the licence fee of R1 per cc subject to a minimum fee of R1, 000.

A hirer’s licence is for the transport of goods but not passengers for reward and should be renewed annually.

HIRER OF BICYCLES

Any person interested in operating the business of hiring of bicycles is advised to discuss or submit his or her proposal to the Seychelles Licensing Authority who may consult the Land Transport Division .

Subject to meeting the under mentioned conditions, the applicant can submit the licence application to the Licensing Authority together with the following documents.

- (i) Licensing / Processing fees
- (ii) Valid Insurance Certificate.
- (iii) Proof of premises of operation either as the lessee or owner.

In respect of bicycle hire on La Digue there is an existing quota on the number of bicycles that each operator must have namely:

- (i) The maximum number of bicycles licensed per operator should be 70.
- (ii) The minimum number of bicycles licensed per operator should be 40.

However in certain cases an applicant may be given permission to commence the business with a fleet of 20 bicycles provided the number is increased to 40 by the date of the renewal of his or her licence.

Each licensed hotel is allowed a bicycle for each room to be used free of charge by their clients. If these documents are in order the licence may be granted.

However for safety reason hiring of bicycles is not granted within the limit of the town of Victoria.

The Licences fees are as follows:

	<u>1 year</u>	<u>3 years</u>
Processing fee R50		
Licence fee	R400	R1, 130

BICYCLE LICENCE

Under the Licences (Road Transport) (Amendment) (No.2) Regulations, 1996 with effect from 1st January 1997 all owners of bicycle are required to hold a licence for the use of a bicycle on the public road.

The decision to re-licence bicycles has been made after much concern about public safety with a view of helping to make the roads safer and avoid accidents which may result in injuries or death or damage to property.

The Licences (Road Transport) regulations provides that the bicycle shall be tested by the police or an officer designated by the Licensing Authority. Bicycles will be tested at Police Stations or at the SLA's Offices on Mahe and Praslin.

The applicant for a bicycle licence will have to -

- (1) register the bicycle
- (2) ensure that it is subject to a test of roadworthiness, which is carried out at the SLA or any Police Stations.
- (3) take out a policy of third party liability insurance which is available at the SLA's Office on payment of an annual premium of R50.
- (4) pay for a registration fee of R10 and the licence fee of R40 for each bicycle per year.

Hirers of bicycles will not be required to take out an individual insurance policy for each bicycle. They will use their existing insurance policy for the business.

The following fees are also payable when a transfer or duplicate licence.

- (i) R10 for transfer of the registration of a bicycle or tricycle.
- (ii) R10 for duplicate licence for a bicycle or tricycle.

A bicycle licence should be issued in the name of a person of the age of 18 and above. However there is no age limit to ride a bicycle on the public road.

On payment of the licence fee a waterproof sticker for the year the licence is due will be issued and this sticker will have to be affixed to the front of the bicycle. The bicycle licence is to be kept under the saddle of the bicycle. The colour will depend on the year for example 1997 the sticker is yellow and for 1998 the sticker will be red.

Any person who rides a bicycle on the public road without a licence is committing an offence.

TAXI OPERATOR LICENCE

The business of taxi operation in Seychelles is permitted on obtaining of a licence issued by the Licensing Authority.

A Taxi Operator Licence is granted subject to complying with the following conditions and code of ethics at all times during the validity of the licence:-

Conditions for the granting of licence

A person may be granted a taxi operator licence unless if he / she is:

- (1) a Seychellois;
- (2) 24 years old;
- (3) medically fit to drive a taxi;
- (4) in possession of a class 3 driving licence including a minimum of five years experience of driving;
- (5) the owner of the vehicle which is to be operated as a taxi;
- (6) the vehicle to be used as a taxi must be in a good condition approved by the Land Transport Division;
- (7) of good character and has not been convicted of an offence involving dishonesty or for any serious traffic or other criminal offence. Where the applicant has been convicted of three or more minor traffic offences he or she shall not be considered for a taxi operator licence unless it is strongly recommended by the Commissioner of Police who considers that notwithstanding the offences he or she is suitable to be licensed as such;
- (8) able to read and understand basic English language;
- (9) able to put the taxi vehicle in operation within a period of not more than six months after being informed of the approval of licence;
- (10) fully conversant with the highway code of Seychelles; and
- (11) has a general knowledge of his / her country especially location of tourism related business premises and other places of interest for tourists;

Taxi Operator's Code of Conduct

Personal

A licensed taxi operator shall:-

1. A licensed taxi operator shall -

- (a) always be courteous and helpful;
- (b) always be well-groomed and dressed in long trousers when on duty;
- (c) not use abusive language or be involved in any fight or quarrel with a passenger or any other person whilst on duty;
- (d) not be involved in any conduct prejudicial to the reputation of the tourism industry of Seychelles or to the good name of the country;
- (e) maintain friendly relations with and cooperate with other taxi operators and tourism establishments;
- (f) always try to understand the character and needs of the passengers;
- (g) exercise due care to ensure that a passenger or any other person is not placed in danger;
- (h) not leave a passenger before the completion of the hire;
- (i) not pick or choose passengers, or refuse any hire without a valid reason;
- (j) not solicit for passengers;
- (k) not smoke inside the taxi whilst it is on hire;
- (l) not consume alcoholic drinks to or whilst on hire.

Operational

2. A licensed taxi operator shall -

- (a) ensure that his vehicle is kept in a good and clean condition;
- (b) maintain the vehicle in a sound mechanical and roadworthy condition;
- (c) display the operator's licence number, with the name and photograph of the authorized driver on the dash board;
- (d) have valid insurance cover at all times in respect both the passengers and the property;
- (e) maintain all tyres, including spares, inflated in accordance with the manufacturer's recommendations;
- (f) not hinder nor obstruct other taxi drivers from picking up passengers;
- (g) produce vocational licence upon demand;
- (h) not ignore would be passenger queuing at a taxi stand;

- (i) not request any commission from shops, hotels, guesthouses, restaurants, etc. not solicit for any tips;
- (j) not overcharge passengers. Taxi meters shall be used at ALL times when a passenger is in the taxi. The fares indicated on the meter shall be the maximum chargeable.
- (k) a receipt book shall be carried at all times and a receipt shall be issued at the request of the client:
- (l) not permit the taxi to be driven by any person other than a second named or relief driver;
- (m) shall respect all the regulations relating to the operation of taxi queues where these are available;
- (n) shall cooperate to ensure that public is served.

General

3. A taxi operator shall observe all relevant Road Transport Regulations and Regulations pertaining to taxis;
4. Any taxi must operate a minimum of 56 hours per week...
5. Taxi operators shall be examples of good road users and practise high standards of safe, efficient and courteous driving at all times.
6. The taxi operators shall sit general knowledge tests as well as driving and vehicle tests, as and when necessary in order to improve their services;
7. Taxi operators shall accept the Ministry responsible for Transport or the Licensing Authority as an arbitrator in case of any dispute with a client.

Obligation of Taxi Operator

It shall be the duty of every holder of a taxi licence, second driver and relief driver to attend and complete the Taxi Operator's course of training conducted by the Ministry responsible for Land Transport, prior to the granting or the renewal of a taxi licence.

Licence Fees

The taxi licence fee is as follows

R8, 400 per annum or
R700 per month

This is in addition to the road fund licence of R1 per cc, subject to a minimum fee of R1,000

Subject to the availability of vacancies and if the candidate meets the above-mentioned conditions, a taxi operator's licence may be granted.

Relief Driver

A relief driver has to meet the same conditions as a taxi operator including being of good conduct, in possession of a class three driving licence and a minimum of three years driving experience.

Second Driver

The Taxi Operator may, with the approval of the Licensing Authority, appoint a Second Driver to assist him or her in carrying out the taxi business. The hours of work shall be determined by the owner-driver.

If the Authority is not satisfied with the conduct and attitude of the second driver and in which case there has been a breach of the licence condition, the Authority shall request the owner-driver to nominate a suitable replacement.

Named Driver

In view that the owner of the car is the taxi operator he or she may appoint a named driver to drive the vehicle for private purposes only. The taxi operator shall seek the approval of the Authority in writing to appoint the named driver. In doing so he or she shall arrange for an application form to be completed and forwarded to this Authority together with four photographs plus R100 for processing fee. Only the taxi operator's spouse, son, daughter, or parent can be appointed as named driver. However only one member of the family referred to above at a time shall be appointed. When driving the taxi vehicle the named driver shall cover the taxi sign on the roof of the vehicle.

MOTOR VEHICLE'S DEALER LICENCE GUIDELINES TO APPLICANTS

1. **INTERPRETATION**

“Motor Vehicle’s Dealer” means a person who, as a trade or business, manufactures, imports, sells or otherwise deals with motor vehicles or trailers or for a fee or commission, act as an agent for the import of any motor vehicles or trailers.

2. **LICENCE TO CARRY ON THE BUSINESS OF MOTOR VEHICLE DEALER**

No person shall be engaged in the business of a Motor Vehicle’s Dealer unless he is the holder of a licence granted under the Licences Act to carry out such a business.

3. **MANUFACTURING / ASSEMBLING OF VEHICLES**

In the case of manufacturing / assembling of vehicles, interested persons should submit a project memorandum to the Ministry of Economic Planning for consideration of the project before a licence can be granted. In doing so the following information should be provided.

- letter of guarantee of supply of spare parts;
- an example of the Warranty Certificate you would issue to your customers;
- a letter of authorization from the Original manufacturer authorizing you to assemble its products in Seychelles;
- a certificate that the make of the vehicle to be assembled has been tested by the overseas manufacturer and found suitable for use on public roads.

In addition to the project approval, the Authority has to consult the Land Transport Division and the Ministry of Finance.

*Note that no used vehicles can be imported into the country without the approval of the Ministry of Finance. At the moment import permit is granted exceptionally.

4. **APPLICATION FOR A MOTOR VEHICLE LICENCE**

Prior to making an application for a Motor Vehicle’s Dealer Licence, which may not involve the assembling of vehicles, the interested person may submit his or her company’s proposal to the Ministry of Finance and the Land Transport Division for consideration depending on if concession is needed.

An application for a Motor Vehicle’s Dealer licence shall be made in the form provided by this Authority and shall be accompanied by the fee set out in the Schedule and the documents specified in regulation 4.

A licence to carry on business as a Motor Vehicle’s Dealer shall enable the holder of the licence to engage in the business of a Motor Vehicle’s Dealer subject to and in accordance with the licence.

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

5. **BODIES TO BE CONSULTED**

Before granting a Motor Vehicle's Dealer licence, the Authority shall consult –

- a) the Ministry responsible for Finance
- b) the Ministry responsible for Transport and Environment

6. **DETERMINATION ON THE SUITABILITY OF THE APPLICANT**

The Authority in consultation with the Ministry responsible for Land Transport and the Ministry responsible for Finance may in determining the suitability of an applicant for a licence under these Regulations, take into consideration the following matters:

- a) the Directors of the company applying for the licence have no criminal records and the person employed or to be employed by the company as the manager;
- b) the Directors or the Manager of the company have the competence to act as a Motor Vehicle's Dealer;
- c) any other matter the Authority deems necessary to take into consideration in determining suitability for the granting of the licence;

7. **RESTRICTION OF THE GRANT OF LICENCE**

No person other than a company incorporated under the Companies Act 1972, not being an overseas company within the meaning of that Act, shall be eligible for a Motor Vehicle's Dealer licence.

The Authority shall not grant a licence under these Regulations to

- i) a company where the Manager of the company applying for the licence does not have the experience in such a field;
- ii) a company, where any of its Directors and the manager has within the last five years immediately preceding the application been convicted of an offence involving dishonesty.

8. **SCOPE OF THE LICENCE**

A Motor Vehicle's Dealer licence shall authorize the holder of the licence to import wholesale, retail, deal in vehicles and spare parts and act as commission agent in respect of any services rendered involving motor vehicles and accessories. For retailing of spare parts the Motor Vehicle's Dealer shall be granted a retail licence.

9. **DOCUMENT TO ACCOMPANY APPLICATIONS**

An application for a Motor Vehicle's Dealer licence shall be accompanied by –

- a) the certificate of incorporation and memorandum of association of the company;
- b) planning permission or certificate of occupancy from the Ministry responsible for Planning that the premises to be used for trading as a Motor Vehicle's Dealer complies with the requirements of planning under the laws of Seychelles;
- c) the fee specified in Schedule 2;
- d) proof of the experience of the Manager or its Directors in such a business;
- e) a document to the satisfaction of the Authority showing that there is a policy of insurance (motor trade) under the Motor Vehicles insurance (Third Party Risks) Regulations in respect of motor vehicles in force on the date of application;
- f) a lease agreement or proof of ownership of the premises to be used to carry out the business;
- g) bank statement showing the funds available under Regulation 12 and the working capital to be used to import vehicles and spare parts.

10. **TRADE NUMBER AND TRADE PLATE**

- 1) The Authority may in granting a motor vehicle dealer's licence, if requested by the holder for the purpose specified in section 6 of the Road Transport Act -
 - a) assign to the holder a trade number; and
 - b) issue to the holder a pair plates bearing those numbers.

And the holder shall be deemed to be the holder of the motor dealer's vehicle licence.
- 2) The Authority may issue to the holder of a motor vehicle dealer's licence, if applied for by the holder, additional trade plates on payment of the fee specified in Schedule 1.
- 3) A trade plate issued under sub regulation (1) (b) -
 - a) shall be of the colour, form and dimension specified in Schedule 2;
 - b) shall be manufactured only by a person authorized by the Ministry responsible for Land Transport;
 - c) shall remain the property of Government and be surrendered to the Authority within 15 days of -

- (i) the expiration or revocation of the motor vehicle dealer's; or
 - (ii) the holder other wise ceasing to be a motor vehicle dealer.
- 4) The trade plates issued under regulation (1) (b) or (2) shall not be used by the holder of the motor vehicle dealer's licence except for the purposes specified in section 6 of the Road Transport Act and between 6 am and 6 pm on any day.
- 5) The holder of a motor vehicle dealer's licence shall, when using a motor vehicle or trailer for the purposes specified in section 6 of the Road Transport Act, display on each such vehicle, at the front and at the rear, a trade plate issued under regulation (1) (b) or (2) so as to be clearly visible to other persons.

11. **SURCHARGE**

A person who was the holder of a 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 during the period between the expiration of his previous licence and his application, ceased to operate as a Motor Vehicle's Dealer 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 date of the lodging of his application.

12. **CONDITION OF A LICENCE**

A holder of a motor vehicle dealer's licence shall –

- a) have a working capital of R600, 000 or, where there is documentary proof to the satisfaction of the Authority of credit facilities for a period of not less than 6 months granted to the holder by any person outside Seychelles, a working capital of R300, 000;
- b) ensure a regular supply of vehicle spare parts for the customers of the holder and the ability to order them when so requested by the customers;
- c) display the licence in a conspicuous place on the premises, where the activities under the licence are carried out;
- d) be courteous to persons availing its services and ensure that its employees do likewise;
- e) when acting as an importer of a motor vehicle or trailer for purpose of sale to any of its customers at the customer's request;
 - (i) enter into written contract with the customer which shall specify the cost. Including the freight of the vehicle in Seychelles currency and the expected date of delivery of the vehicle in Seychelles;
 - (ii) request and accept payment for same only in Seychelles Currency;

- (iii) ensure delivery of the vehicle in Seychelles within a period of not exceeding 4 months from the date of the contract;
- (f) when acting as an agent for a fee or commission for the import of a vehicle or trailer for any of its customers at the customer's request, not demand a fee or commission in excess of 15% of the cost including the freight of the vehicle and only accept payment of the fee or commission in Seychelles currency;
- (g) keep in force during the validity of the licence, the policy of insurance referred to in regulation 4 (e);
- (h) where the holder has been deemed to be the holder of a motor dealer's vehicle licence shall comply with the provision of the Road Transport Act and regulations made there under as are applicable to a motor dealer's vehicle licence;

13. **VALIDITY AND NON-TRANSFERABILITY OF THE LICENCE**

A Motor Vehicle's Dealer licence is valid for a period of 12 months from the date of grant unless earlier revoked by the Authority.

A Motor Vehicle's Dealer licence is not transferable.

14. **SUSPENSION, REVOCATION OR NON RENEWAL OF LICENCE**

- (1) The Authority may suspend, revoke or refuse renewal of a motor vehicle dealer's 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 the misrepresentation or non-disclosure has influenced the Authority to grant the licence.
 - b) has acted in contravention of the Licences Act and these Regulations;
 - c) has contravened any of the conditions of the licence or of the licence that had expired before the application for renewal;
 - d) is incapable of providing the services authorized by the licence;
 - e) has not acted as a Motor Vehicle's Dealer for a continuous period of six months;
 - f) or its manager or any of its directors has been convicted of an offence involving dishonesty, fraud or moral turpitude;
 - g) or its manager, any of its directors or any of its employees has been discourteous to any officer of the Authority when the officer is performing any official duties under the Act or these Regulations.

- (2) Where the Authority suspends, revokes or refuses renewal of a motor vehicle dealer's licence, the Authority shall forthwith inform its decision to the holder of the licence or the applicant for its renewal.
- (3) Where a motor vehicle dealer's licence is suspended, the holder shall, notwithstanding any appeal there from, cease to act as a motor vehicle dealer during the period of suspension.
- (4) Where a motor vehicles dealer's licence is revoked, the holder shall, notwithstanding any appeal there from and subject to the decision on the appeal, cease to act as motor vehicle dealer.

15. **DUPLICATE LICENCE PLATE**

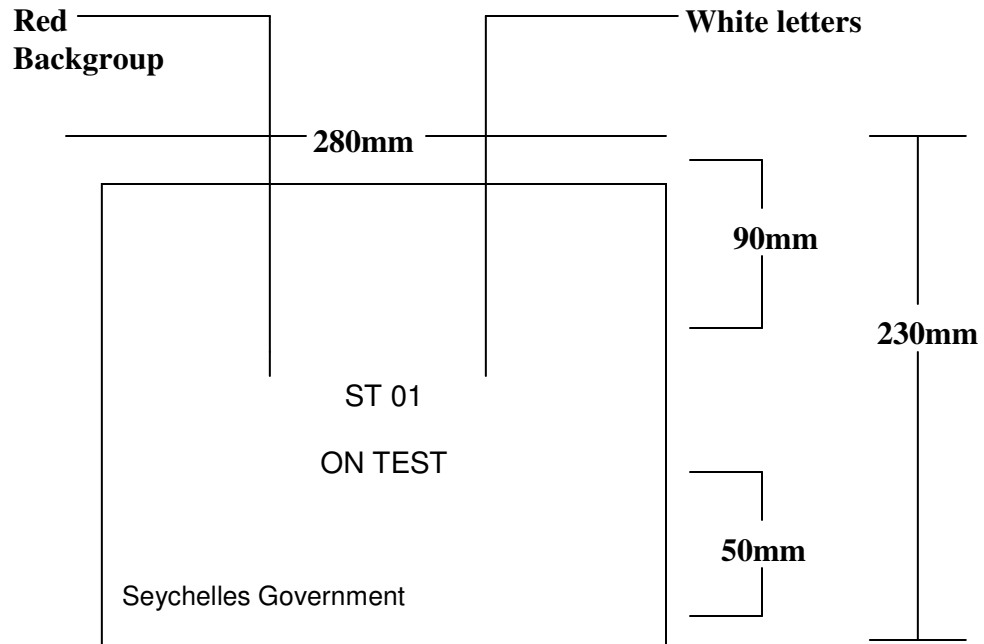
The Authority may, on application in the form provided by the Authority and on payment of the prescribed fee, issue a duplicate copy of a licence or a replacement of a plate issued under these regulations where the licence or plate has been lost, destroyed or defaced or where the writing on the licence or plate has been altered by fading or otherwise.

16. **RIGHT OF ENTRY**

Any person authorized by the Authority may at any time enter the premises being used to carry out the business as a Motor Vehicle's Dealer or in connection with the business to inspect any book of account, record or other documents and take copies for the purposes of ensuring compliance with these Regulations.

No person shall prevent or obstruct a person authorized by the Authority in the performance of his function under the Act or these Regulations.

**SCHEDULE 1
TRADE PLATE**



THE MARKING "ST" ARE TO BE REVETED ONTO THE PLATE THE MARKING "ON TEST" IS TO BE PAINTED ON THE PLATE THE MARKING "Seychelles Government: IS TO BE STAMPED.

SCHEDULE 2

FEES

Motor Vehicle Dealers

Processing Fee	R100
Licence Fee	R10, 000
Additional Trade Plates	R300 for each
Replacement of Trade Plates	R200 for each

MANUFACTURING ENTERPRISES**MANUFACTURING / INDUSTRIAL (LARGE SCALE)****ESSENTIAL REQUIREMENTS TO BE COMPLIED WITH**

Any proposal involving assembling and manufacturing of products should be submitted to the Seychelles Investment Bureau for approval. This should be in the form of a Project Memorandum.

LICENCE APPLICATION

1. The submission of a detailed Project Memorandum to the Seychelles Investment Bureau for consideration.
2. On approval of the Project a detailed Planning application is required to be submitted to the Planning Authority in the Ministry of Land Use and Habitat.
3. If Planning approval is granted and upon construction being completed and obtaining certificate of occupancy from the Planning Authority, the applicant should submit the licence application to Licensing Authority together with:
 - a) Licensing / processing fees.
 - b) Documents Pertaining to 2 & 3 above.
 - c) Documentary proof showing that the applicant is the owner or lessee of the premises.

If these documents are in order, the licence can be granted within a short period of time.

In respect of an existing building the applicant is required to produce with his application for a change of use certificate obtainable from the Planning Authority and (a), (b) and (c) above. Subsequently the licence can be granted.

LICENCE FEES

Processing fee R50

	<u>Validity of Licences</u>		
	1 year	5 years	10 years
Where the projected annual turnover of the manufacturing enterprises will exceed R500, 000	R5, 000	R23, 200	R46, 400

*Small Enterprise Promotional Agency (SEnPA) has a small Business Bureau Service, which assists in the preparation of project memoranda and the promotion of management training. You may wish to contact them on Tel No: 323151

MEDIUM SIZE SCALE INDUSTRIES

A manufacturing enterprise is considered to be of medium size where the annual turnover exceeds R100, 000 but not R500, 000.

Licence Requirements

Any person interested to set up an enterprise should

1. Obtain approval of the Seychelles Investment Bureau. This is essential to allow the Ministry to appraise and approve the project particularly if Government's support and trades tax concession is required before making such a request to the Ministry of Finance.
2. Obtain detailed planning permission from the Planning Authority.

Licence Application

Upon completion of the factory or workshop and obtaining certificate of occupancy the applicant should submit the licence application to this Authority. The application must be accompanied by

- (i) certificate of occupancy and
- (ii) a letter of endorsement / approval of the enterprise from the Ministry of Economic Planning.
- (iii) licensing and processing fees.

If the application is in order and fully supported by the required documents referred to above the licence can be approved.

Licence Fees

Processing fee R50

	1 year	5 years	10 years
--	--------	---------	----------

Where the projected annual turnover of the manufacturing enterprise will exceed R100, 000 but not exceed R500, 000

	R2, 000	R9, 280	R18, 560
--	---------	---------	----------

Manufacturing (Small Scale)

A manufacture enterprise is considered to be on a small scale where the annual turnover does not exceed the sum of R100, 000

These enterprises are:

- a) Food items:
(Cakes, samoosa, moulouk, ice cake and other snacks)

- b) crafts.

Interested persons who wish to carry out small-scale activities falling within (a) and (b) above should contact the Small Enterprise Promotion Agency (SenPA) for registration.

If the applicant is then advice by SenPA to apply for a licence, he/she may contact the Licensing Officer at SLA to submit his/her application.

Any small-scale activity should be dealt with by SenPa.

Licence Fee

Processing fee R50

	1 year	5 years	10 years
Where the prospected annual turnover Of the manufacturing enterprise			
a) will exceed R100, 000	R500	R2, 320	R4, 640

BROADCASTING AND TELECOMMUNICATIONS LICENCES

- VHF Radio (Marine Services)
- Private Channel
- SSB Radio
- Amateur Radio
- Other Telecommunication Apparatus
- VHF Radio
- Citizen Band Radio
- Radio set in Wireless Intercom System

LICENCE APPLICATION

1. An application for a licence in respect of any Maritime, Land Mobile and Walkie Talkie should be submitted to the SLA. A copy of the Radio specification, the model and serial numbers of the equipment should accompany the application.
2. In addition to the above, all new Amateur radio licence applications should be accompanied by a copy of the applicant's International Licence or the current licence and passport.
3. The applicant has to submit the licence application together with:
 - a) Licensing / Processing fees
 - b) Documents pertaining to 1 or 2 above in the case of Amateur Radio.
 - c) In the case of VHF and MF/HF maritime Radio Telephone Stations applicant must be able to provide a certificate of proficiency for operators of radio maritime services.

Consulting Body

The Authority shall consult the Department of Information Technology & Communications (Communications Division)). If the application is recommended, the Authority shall approve the licence.

Licence Fees

The licence fees payable are as follows:

Processing fee R10

Annual Licence fee –

- | | |
|---|-------|
| ▪ Amateur Radio (short term) not exceeding 3 months | R500 |
| ▪ Amateur Radio (1 year) | R1000 |
| ▪ VHF Radio (1 year) | R300 |

- SSB Radio (1 year) R300
- VHF Radio (Marine Service)
- Common Channel R300 per set per year
- Private Channel R500 per set per year up to 10 sets and R300 Per set per year for each set in excess of 10 sets.

- 1) **Establishment of Broadcasting Service Licence**
- 2) **Engage in Broadcasting**
- 3) **Establishment of a Telecommunications Service**

Submission of Project to Government for Consideration

In respect of a licence to establish a broadcasting service or engage in the establishment of a telecommunication service any person or company interested in any of the above-mentioned licence must first submit a project to the Department of Information Technology & Communications (Communications Division) providing specification and justification for a proper appraisal of the project and consideration by the Government.

Planning Permission

If the project is approved the interested person should seek Planning permission and then Certificate of Occupancy in respect of the construction and use of the building for such a purpose.

Licence Application

On obtaining planning permission and certificate of occupancy and upon the recommendation of the Communications Division) of the Department of Information Technology & Communications , the application for the licence can be formally submitted. The Authority shall grant the licence subject to such conditions as may be considered necessary and in the public interest for the establishment of such a service.

In the case of the application not being properly completed or not accompanied by the required documents the application cannot be considered.

Licence Fee

Not less than R800, 000 as may be agreed upon by the Ministry of Finance.

CRITERIA FOR APPROVAL OF SITE FOR ERECTION OF A SATELLITE DISH

- A maximum of one (1) satellite dish antenna shall be permitted per principal residential structure except multi-residential units where there should be a sharing arrangement.
- Satellite dish should not be located on vacant parcels.
- The dish can only be installed in a rear yard.
- The positioning of the dish on the property shall be such that:
 - a) Any edge of such antennae shall not be located closer to any side or rear plot line than a distance equal to the diameter of dish;
 - b) The dish antennae shall not be higher than the main building on the property on which the dish is situated;
 - c) Any edge of the antenna shall not be located farther than a distance equal to two times the diameter of the dish from the main wall of the main building on the property where the dish is installed; unless camouflaged.
 - d) It would not cause any neighborhood conflicts (e.g. encroachment on neighboring plot, public domain instruction, and effects on bordering structures).
 - e) It requires minimum tree felling.
- The dish antenna shall contain no advertising or signage that is discernible from a distance of 3 meters or more.
- The satellite dish, including supporting structures, and accessory equipment, shall be located, designed and painted or be of a colour so as to minimize visual impact on adjacent properties and from public streets, beaches, right-of-way and bodies of water. To the extent that screening does not interfere with the reception of satellite, the dish shall be screened through the use of landscaping or architectural features that harmonize with the elements and characteristics of the property and adjacent properties.
- Dish antennae shall meet all manufactures' specification. The miscellaneous hardware such as brackets, turnbuckles, clips and similar equipment subject to rust or corrosion, shall be protected with a zinc coating by either galvanizing or sheradising process after forming or by use of stainless steel fittings. These finishes are selected to guard against corrosion and to protect the elements against electrolytic action due to the joining of dissimilar metals.

Exceptional Approval

Upon submission of site plan, the Authority may grant an exception from the strict application of any of the provisions, which imposes an impediment to clear signal reception, upon determining that:

- (i) The location of foliage on adjacent property not owned by the applicant, structures, or living trees, will cause an impediment to clear signal reception by the satellite dish antenna;
- (ii) The exception requested is the minimum exception that is needed to permit clear signal reception by satellite dish antenna; and
- (iii) The criteria in this section cause the applicant a practical difficulty in erecting and utilizing the requested satellite dish antenna.

Note: The criteria may be amended or changed as and when the Government considers it necessary.

LICENCE TO INSTALL A SATELLITE BROADCASTING RECEIVER OR SATELLITE DISH

The installation and use of satellite TV dishes is a licensable activity.

Licences may be granted to:-

- Hotel / tourism establishments and other establishments such as leisure / sport centers.

However dishes for business establishments, which exceed 1.8 metres, require planning permission.

Individuals can obtain an application form to apply for installation of a satellite dish at his or her home. However the maximum size of the dish is 2.4 metres.

The applications form for the licence must be support by a specification of the dish to be installed.

LICENCE FEES

Individuals – Dish size of up to 1.8m	R1, 200 per year
Individuals, small hotels, Guesthouse of 10 rooms or Leisure centers, Dish size of greater than 1.8m or more approved by Telecom but less than 2.5m	R2, 000 per year
Other hotels and large establishment Dish greater than 2.5m in size	R5, 000 per year

Revised Satellite Dish Policy

The Government has restricted the installation of satellite dishes since the size of the dish required to receive an acceptable signal level is 2.4m. The Government felt that proliferation of large dishes could result in the degradation of the environment and spoil the scenic beauty of the islands. However, with technological advancement, it is now possible to receive a high quality satellite television signal with smaller dishes. **On various occasions individuals have sought permission to install satellite dishes in excess of 1.5m in diameter due to the poor signal quality reception in bad weather or cloudy conditions.** As a result of this development the Government has reviewed its policy, thus allowing individuals to install a satellite dish of **2.4m** or less, at their residence for personal use.

Leisure centers, small hotel or guesthouse (10 rooms or less) would be allowed to install satellite dishes of diameter of greater than 1.8m or more but less than 2.5m. The Government would continue to consider requests for installation of dishes of more than 2.5m in diameter in the following cases:

- a) Large hotels / tourism establishments on Mahe, Praslin, and La Digue and on the Outer Islands.
- b) Organization / individuals in areas, which are not covered by SBC e.g. Outer Islands.
- c) For official uses in Embassies and other diplomatic missions and at the residence of the Ambassadors only.
- d) Any other case that may deserve exception to the above policy guidelines.

The applications form the licence must be supported by a specification of the dish to be installed. For any approved satellite dish, the licensee will be requested to revert to a smaller dish size, should the received satellite signal become stronger. It has been found appropriate that an environmental levy and an annual license fee be established. **The license fee, for an individual who wants to install dishes of maximum size of 2.4m for personal use, is SR2000 or for up to 5 years at SR8000** and that for a leisure center, small hotel or guesthouse (10 rooms or less) is SR2000 for a dish of 1.8m or more but less than 2.5m.

However, the other hotels and large establishment will continue to pay a license fee of SR5000. The environmental fees vary according to the size of the dish as required by the Trade Tax Regulations, 2002 (S.I.3 of 2002).

Taxes and Environment Levy

LICENCE FEES

PURPOSE	SIZE	LICENCE FEE
Personal Usage	$D \leq 1.8\text{m}$	SR1, 200
Personal Usage	$D \geq 1.8\text{m} \leq 2.4$	SR2, 000
Leisure Centre, Small Hotel, Guesthouse – (10 rooms or less)	$1.5\text{m} < D \leq 2.5\text{m}$	SR2, 000
Large Hotel or Establishment	$D > 2.5\text{m}$	SR5, 000

ENVIRONMENTAL FEES

The environmental fees vary according to the size of the dish as required by the Trade Tax Regulations 2002 (S.I. 3 of 2002).

SIZE	ENVIRONMENTAL FEE
0m – 1.5m	SR 1, 000
1.6m – 2.5m	SR 5, 000
2.6m – 3.5m	SR10, 000
3.6m or more	SR15, 000

LICENCE FEES

The applicable Trade Tax on all imported satellite dishes is 25%.

Satellite TV Licence Application Guidelines

(For Private Use)

Section 6 of the Licences Act (Cap 113) confers the powers upon the Seychelles Licensing Authority (SLA) to issue licences subject to the Broadcasting and Telecommunication Act, 2000.

Application Process

- Any individual who wishes to install and operate a satellite dish for TV/radio reception should obtain an official licence application form from the Seychelles Licensing Authority.
- The applicant fully completes the licence application form and forwards it to SLA, accompanied with the initial licence fee and non-refunded processing fee of SR10 in cash or cheque made payable to SLA. Incomplete application forms will not be accepted.
- All first time licence application forms be accompanied with the requirements listed below, otherwise it will be considered incomplete.
 - Diameter of satellite dish shall not exceed 2.4m.
 - Detailed technical description of the satellite dish/decoder system shall accompany the licence application form. Make, model and serial number of both the satellite dish and decoder are also required.
 - A sketch or plan of the location where the satellite dish would be installed.
 - Site and location plan (site plan should be hand drawn sketch to scale and indicating the location of the dish on the property).
- Documentation to prove ownership of property otherwise permission from the owner to install the dish.
- Seychelles Licensing Authority shall arrange for a joint inspection to be conducted by:
 - Ministry of Environment (MoE);
 - Ministry of Land Use and Habitat (MLUH);
 - Department of Information Technology & communications (Communications Division)
 - Seychelles Licensing Authority (SLA).

The applicant shall inform of a suitable date and time for the inspection.

- At the conclusion of the inspection, SLA approves or rejects the Application.

- If the application is not approved, the applicant is informed accordingly by SLA and only the licence fee will be refunded, otherwise the licence certificate is prepared and issued by SLA, including the conditions of usage.
- The processing of the licence would be done within one week after submission of the licence application form for those applicants from Mahe and for the other islands it may take a little longer, in the event approval is granted.
- A follow-up inspection shall also be conducted after the satellite dish has been installed to ensure that the installation conforms to the approved method.
- Amendments to existing licences, which include relocation or repositioning of the dish, must be indicated on the licence application form by ticking the appropriate box. Application for amendments will require the submission of the same documents as required for first time licence applications.
- When an amendment is approved, the existing licence must be surrendered for replacement. In case of theft, you may be eligible for an amendment/renewal if a declaration to that effect is made to this Authority.
- The satellite dish licensee shall inform SLA if the equipment changes ownership.
- Note that satellite dishes are inspected on an annual basis.

GUIDELINE FOR PRIVATE PRACTICE IN SEYCHELLES

1. The Practitioner

- 1.1 A licence to provide full time private health service through any permitted health facility may be granted to:
- a) Any Seychellois with medical or dental qualification registered with the Seychelles Medical and Dental Council (SMDC) and with a minimum of three years experience in the public or private health sector, locally or abroad;
 - b) A qualified and where applicable registered, nurse, pharmacist, optometrist, optician, laboratory technologist, radiographer, physiotherapist, and any other allied health care professional with a minimum of three years post qualification experience.
 - c) Expatriate Health Care Professionals under special circumstances (See 1.7).
- 1.2 The decision of the Ministry of Health will be conveyed to the Seychelles Licensing Authority (SLA)
- 1.3a Those without the three years experience following qualification cannot apply for a licence for private practice on their own, but can join any existing private practice.
- 1.3b Such recruited medical, dental, nursing or paramedical staff will work under the licence granted to the recruiting private health institution and will not require a separate licence.
- 1.4 A Seychellois granted a licence to operate a private health facility will be allowed to recruit medical or paramedical personnel such as nurses, radiographer, etc..., from abroad or locally, subject to their registrability, where applicable.
- 1.5 No medical, dental, nursing or paramedical staff working within Government service will be permitted to work in the private health sector.
- 1.6 Local companies which wish to employ their own health professionals, must adhere to the minimum required standards as given in these Regulations. Such Companies or Parastatals are required to apply to the Ministry of Health (MOH) through the Commissioner of Health Services (CHS) or equivalent, for approval to operate their own health facility.
- 1.7 Applications received from expatriates wishing to invest in setting up diagnostic service/hospital will be considered individual on their own merits by the Ministry of Health (MOH), prior to approving and recommending to the SLA to grant a licence.

2. The Facility

- 2.1 Approval will be granted to provide private health care through any of the following health care facilities:
- a) Clinic/Dental Surgery/Health Centre

- b) Polyclinic
 - c) Medical Nursing Home
 - d) Social Nursing Home
 - e) Hospital (General or Specialist)
 - f) Diagnostic Centres
 - g) Any other Government approved facility
- 2.2 Any of the above facilities may be permitted to have satellite clinics as an extension. Mobile clinics or services perse will not be permitted, but a practitioner may provide a mobile service as long as he/she has a base clinic.
- 2.3 All health care facilities are to conform to the minimum standards established by the MOH with regards to structural, functional and staffing requirements. Applicants will be informed by the MOH of the stipulated minimum acceptable requirements before approval is granted to operate the service applied for. Guidelines of the minimum structural and functional requirements for clinic, dental surgery and laboratory services are given in the annex.
- 2.4 There will be no limitation on the geographical location of any health care facility.
- 2.5 The minimum staffing requirements for a medical or dental practitioner's clinic will be:
- a) a registered nurse; and
 - b) record clerk/receptionist/nursing assistant or dental assistant.

3. **Quality of Care**

- 3.1 In line with the policy of the MOH, quality of care will be linked to programmes related to processes and outcomes of care as the Quality Assurance Unit develops them.
- 3.2a an inspectorate would be set up by the MOH to monitor the quality of care in the public and private health sector.
- 3.2b The inspectorate will consist of: The Commissioner of Health Services, the Director General DPC, the Medical Officer of Health, the Director of Nursing and any others co-opted by the CHS.
- 3.3 The inspectorate may visit and inspect the premises of a practitioner at a mutually agreed time.
- 3.4 Fitness to practice will be determined by the appropriate Council following necessary investigations.
- 3.5 The inspectorate shall report to the Licensing Authority and the MOH for appropriate action if there is gross or repeated violations of the minimum established standards.
- 3.6 The private health sector is to collaborate with the Medical Audit Unit of the MOH in any medical audit to be carried out from time to time subject to the confidentiality of their patients.

- 3.7 Only disposable syringes and needles are to be used in the Private Sector.
- 3.8 Disposing of Medical Waste is to be done under arrangements with the MOH.
- 3.9 When patients referred by Private Institutions are discharged from the Victoria Hospital, the discharge summary will be sent to both the Private Practitioner and the patient's doctor at the District Health Centre.

4. **Quantity of Care**

- 4.1 All health care activities undertaken in the public health sector can also be carried out by the private health sector subject to the MOH being satisfied that the private health sector can meet the required standards stipulated for that particular service. For the time being, EPI immunizations will be confined to the Ministry of Health.
- 4.2 Services for Termination of Pregnancy (TOP) however, will continue to be limited to Victoria Hospital for cases approved by the Board for TOP, as statutorily required.
- 4.3 The private health sector can order medicines for their practice outside the MOH's own national formulary. However, the medicines they import should be those from the national formulary of the country of import. The national regulatory body for drugs would decide the list of countries whose national formulary would be acceptable.
- 4.4 The private health sector cannot import controlled drugs directly, but is permitted to purchase these from the MOH. Accurate records are to be maintained by the private sector for all dangerous drugs and when called upon, it should be able to provide all records including the name of patients to whom dangerous drugs are administered.
- 4.5 A private practitioner may send a patient to collect a prescription at the MOH's dispensaries and the patient will pay the charges for the prescription.
- 4.6 Private pharmacies may import but dispense only on prescription of a registered Practitioner any drugs not meant for sale over the Counter.
- 4.7 The private practitioner will have access for government diagnostic other support services such as laboratory, radiology, etc. Fees for such services will be charged to the practitioner and not the patient.
- 4.8 The MOH may purchase services from the private health sector, where necessary.
- 4.9 The private practitioner shall undertake to carry out the following:
 - a) provide access to the CHS or his agent of notes or information relation to his or her patient with the consent of the concerned patient or his/her guardian.
 - b) notification, not later than one week, to the Statutory Medical Officer of Health, of communicable disease including sexually transmitted diseases.
 - c) notification of all health statistics to the MOH, once a month.

- d) the maintenance of good clinical notes and records and an updated register of controlled drugs.
 - e) the use of the practitioner's own headed stationary for requests for MOH services such as x-rays, laboratory and the issuing of pharmaceutical prescriptions.
- 4.10 Any private practitioner wishing to make complaints about another practitioner, whether in public or private practice, on matters relating to patient care, professional conduct or performance, shall direct the complaints to the CHS or the SMDC.
- 4.11 In the performance of his duties, the CHS or equivalent may delegate to other senior professionals any of the tasks outlined above, consult any individual or professional body and establish any working group or committee to advise and assist him.
- 4.12 Private practitioners will regulate their own fees for the services they provide in the private health sector.

GUIDELINES FOR REGISTRATION AND LICENSING OF MOTOR VEHICLES

An application for registration of a motor vehicle shall be submitted on the prescribed form (a copy of which is attached at appendix I)

Step 1. The application form should be completed by the applicant or a person acting on his or her behalf, stamped and signed by the authorized person at the Vehicle Testing Station.

Step 2. The completed application form duly stamped and signed should be submitted at the Licensing Authority's counter or appointed counter together with the following documents.

Copy of the valid import permit if the vehicle has been imported or certificate of manufacture if it has been assembled locally.

A valid certificate of insurance covering the vehicle against third party risks and a certificate of road worthiness (as per specimen appendix II)

The vehicle licence is valid for one year.

An application for a vehicle licence shall be submitted to the Senior Licensing Officer or the Assistant Senior Licensing Officer or the duly appointed officer at the Vehicle Testing Station for consideration and approval. If there is doubt the application shall be referred to the Manager Inspectorate and Enforcement or a person appointed by the Managing Director for a decision.

RENEWAL OF VEHICLE (ROAD FUND) LICENCE

The applicant for the renewal of a vehicle licence must produce the following documents:

- a) a valid certificate of insurance covering the vehicle against third party risks and a certificate of roadworthiness from the Vehicle Testing Station.
- b) the licence fee as set in the schedule of fees a copy of which is at appendix III) namely
 - (i) private and public motor vehicle R1 per cc subject to a minimum fee of R1, 000.
 - (ii) commercial motor vehicle R1 per kg subject to a minimum of R800.

*Government vehicles maybe granted a free licence on the request of the Head of Department but if the vehicle is sold then the licence fee is payable.

Note: A holder of a vehicle licence should at least one month prior to the expiry of his or her licence make an appointment with the Vehicle Testing Station and ensure with his or her mechanic that his or her vehicle is checked and if there are essential repairs they are carried out in preparation for the road worthiness test to minimize the risk of failing the test.

*(Not applicable from 2005)

The certificate of roadworthiness or fitness is valid for up to 30 days before the application for the licence.

Transferability of Licence

A vehicle licence, other than self-drive hire vehicle licence is transferable with the consent of the Authority.

Transfer of Licence from Private to Commercial Vehicle

An application for the transfer of a private vehicle to a commercial vehicle shall be made in writing to this Authority setting out the reasons. If it is to be used in connection with one's business the applicant shall provide proof of that business to the satisfaction of this Authority.

The following definitions are appended below to provide a better understanding of the licensing of vehicles.

Definition

- "Private vehicle" means any vehicle not being a public or commercial vehicle;
- "Commercial vehicle" means a vehicle used or intended to be used for the conveyance of goods, either for hire or in connection with the trade or business of the owner of the vehicle;
- "Public omnibus" means a motor vehicle other than a taxi or a self-drive hire vehicle used for conveying passengers for hire or reward whether at separate fares or otherwise.

Therefore any vehicle owned by a business organization, which is not for the conveyance of goods, cannot be licensed as a commercial vehicle. A taxi is licensed as a public vehicle.

Change of Vehicle Registration Number

An application for change of vehicle number shall be granted on payment of a fee of R1, 000.

This means that the owner of the vehicle whose vehicle is S2344 but wants to change it to a different or new number must pay the fee for change of registration number.

Licence Fees

The fees payable for a self-drive car hire operators are as follows:

- (i) Vehicle licence, R1 per cc for each vehicle in the Car Hirer fleet subject to a minimum fee of R1, 000.
- (ii) Additional road fund licence fee for use as self-drive vehicle R500 per vehicle every six months.

Testing and Licensing of Vehicles for Hire

A vehicle in the Car Hiring fleet shall be tested at the Vehicle Testing Station every six months and certificate of roadworthiness and licence fee of R500 paid to the Authority for renewal of the licence.

Hirer of Commercial Vehicles

This licence is granted on application using the prescribed form (a copy of which is attached at appendix I) provided the applicant produces his certificate of Roadworthiness and Insurance policy to cover such activity and pay the licence fee of R1 per kg subject to a minimum fee of R1000.

A hirer's licence is for the transport of goods but not passengers for reward and should be renewed annually.

The application together with the required documents shall be examined by the Assistant Senior Licensing Officer and submitted to the Senior Licensing Officer or during her absence by the Manager Inspectorate and Enforcement for approval. If both are absent the Assistant Senior Licensing Officer shall approve the application and then inform the Senior Licensing Officer.

*This is payable at the SLA's Office at the end of the month.

Hirer of Public Omnibus

Hiring of Public Omnibus is the monopoly of SPTC with the exception of buses used by tour operators solely for the transport of Hotels tourists and public transport in La Digue, which has been privatised.

The fee payable is R100 per annum and this is additional to road fund licence of R1 per cc.

However the same procedure is applicable as the registration and licensing of vehicles but Officer for approval.

Surcharge

A 10% surcharge is payable immediately following the expiry of a licence. This being 10% of the licence fee for each month or part thereof.

In case where there is a request for non-payment of surcharge this must be submitted in writing to the Director giving the reason why surcharge should not be paid.

However if the person has used his vehicle, or carry the business for which he or she is licensed no exemption can be given to payment of surcharge.

It is the duty of the Licensing Clerks, Licensing Officer and other staff to ensure payment of surcharge when it is applicable.

Appendix IV**HEALTH REQUIREMENTS FOR MOBILE SNACK / TAKE-AWAY VANS/VEHICLES****1.0 CONSTRUCTION**

A mobile snack van or the retailing of take-away meals and snacks shall be suitably designed and constructed to facilitate easy maintenance and sanitary production of food.

It should meet with the following requirement:-

- (a) The floor, walls and ceiling of the van shall be so constructed that they can be adequately cleaned and maintained to ensure that it is in a clean and good state of repair.
- (b) The areas or working spaces between equipment shall be unobstructed (at least 2m square per employee in area).
- (c) Have sufficient lighting in all areas where food or food ingredients are examined, processed or stored and where equipment and utensils are cleaned and shall have a minimum of power of 300 Lmx.
- (d) Have sufficient ventilation, which shall be assisted by artificial as extractor fans to minimize odour, extract noxious fumes or vapour to prevent contamination of food and to provide a comfortable working environment to the employees.
- (e) Where necessary it should have effective screening against pest and animal or insects.

2.0 THE FOLLOWING GENERAL FACILITIES SHALL BE PROVIDED

- (a) A supply of potable water provided from a storage tank and piped to the stainless steel sink, which shall be easily accessible. The tank shall be such that no contamination may occur and it shall be positioned to allow easy cleaning and disinfecting.
- (b) Facility shall be provided to collect wastewater from the sink.
- (c) Adequate storage facilities such as shelves or cabinet shall be provided for storage of shelf stable food raw materials and food ingredients. The cabinet shall be so constructed, that is, small and does not serve as a harborage place for rodent and other pest.
- (d) Fridge and/or deep freezer shall be provided to store and raw products which needs chilled or frozen storage.
- (e) Adequate facilities shall be provided for hot holding of ready-to eat food such as Bain-Maree and warming cabinet. These facilities shall be able to maintain the temperature of the food at 60 degrees Celsius or higher.

- (f) The work surfaces or worktops shall be of impervious, non-corrosive and washable material such as stainless steel or other synthetic approved food contact materials. In addition, adequate cutting boards shall be provided, one for cooking.

Adequate detergent shall be available for washing of equipment and utensils.

Liquid bactericidal soap shall be provided for hand washing and disposable paper towel for the drying of hands.

Clean wiping cloth shall be provided and shall be removed and washed, disinfected on a daily basis.

A refuse bin with plastic bin liner and tight fitting cover shall be provided.

The food contact faces, equipment and utensils shall be cleaned and disinfected prior to use to prevent contamination of food product on micro-organisms.

3.0 **PERSONAL HYGIENE**

All food handlers in the mobile van should observe the following:-

- (a) Wear clean outer garments, which should include white caps or hairnets, white shirts and trousers and white apron. Other light materials may be accepted.
- (b) Avoid wearing jewellery on the finger while handling food.
- (c) Keep the fingernails short and clean.
- (d) Avoid handling food with open/septic cuts or wounds on the hand. Disposable gloves should be used in such instances.
- (e) Avoid handling food if infected with flu, with a running nose or if having symptoms of Gastrointestinal illness.
- (f) Undergo pre-employment and periodic medical examinations and must be able to provide the fitness certificate upon request from relevant authorities.
- (g) The periodic medical examination comprises of complete reviews carried out every two years and in addition, the examination of stool at six months interval.

LICENSING OF COMPLEMENTARY HEALTH CARE SERVICES

No person shall charge a fee or receive any other consideration in cash or kind for providing a Complementary Health Care Service unless the person holds a licence in respect of any of the under mentioned activities.

- a) Hydro therapist
- b) Hypnotherapist
- c) Reflexologist
- d) Aromatherapist
- e) Massage
- f) Homeopath
- g) Acupuncturist
- h) Manipulative therapist
- i) Osteopath
- j) Energy therapist
- k) Colour therapist

APPLICATION FOR A LICENCE

An application form for a licence to carry any of the business as above can be obtained from the Seychelles licensing Authority on request.

DOCUMENTS TO ACCOMPANY APPLICATION

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

- (1) In the case of an individual, a copy of the certificate of competence in the relevant Complementary Health Care Service.
- (2) Transcript of training and proof of experience in the field of the relevant Complementary Health Care Service.
- (3) In the case of a firm, the documents referred to in paragraphs (1) and (2) in respect of each of the partners of the firm and the certificate of registration of the firm.
- (4) In the case of a corporate body, written proof that it has in its employment persons holding the documents referred to in paragraph (1) and (2) relating to the Complementary Health Care Services specified in the application, and the certificate of incorporation and memorandum of association of the corporate body.
- (5) In the case of a new or recently renovated premises, a copy of the certificate of occupancy issued by the Ministry responsible for Physical Planning.

CONSULTATION OF MINISTRY OF HEALTH

The Authority shall refer applications for the grant or renewal of licences to the Ministry of Health and the Ministry shall be responsible for the assessment of the suitability of the premises that the applicant intends to use and the standard of the applicant's practice.

The Ministry shall thereafter transmit the application to the Authority with its recommendation or other observations.

CONDITIONS OF THE LICENCE

The holder of a complementary health care licence shall, in addition to any other conditions, which the Authority may specify in the licence, be subject to the following conditions:

- (a) shall comply with the Code of practice of Professional Conduct and Standards of Practice issued by the Ministry of Health and supplied to the holder of the licence.
- (b) Shall display the licence at a conspicuous place at the principal place of business of the holder and where such holder is authorized to provide services at any additional premises. He shall also display a copy of the licence at such additional premises.
- (c) Shall at all times keep and maintain the licensed place or premises and facilities in a state of cleanliness.
- (d) Shall have on display the various consultation fees applicable.

REVOCATION AND SUSPENSION OF LICENCE

The Authority may in consultation with the Ministry of Health refuse to renew, suspend or revoke a licence granted where the holder of the licence:-

- (i) has acted contrary to the rules of Professional Conduct and of Standards of Practice;
- (ii) has displayed lack of knowledge, skill or judgement in the professional care of a patient;
- (iii) has shown serious disregard for the welfare of a patient; or
- (iv) has ceased to provide the services for a continuous period of six months.

LICENCE FEES

The fees payable are as follows:-

Processing an application R 500

Licence fee	1 year
a) - acupuncturist	R 3,000
- manipulative therapist (chiropractor)	R 3,000
- homeopath	R 3,000
- osteopath	R 3,000

Each additional premises for services referred to above R 2,000

b) - hydrotherapist	R 1,500
- reflexologist	R 1,500
- hypotherapist	R 1,500
- aromatherapist	R 1,500
- massage therapist	R 1,500
- energy therapist	R 1,500
- colour therapist	R1,500

Each additional premises for services referred to above R 1,000.

Issued : June 2005

SEYCHELLES LICENSING AUTHORITY