

Seychelles

Constitutional Appointees' Emoluments Act

Act 5 of 1993

Legislation as at 30 June 2012

FRBR URI: /akn/sc/act/1993/5/eng@2012-06-30

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PDF created on 21 February 2024 at 16:17.

Collection last checked for updates: 30 June 2014.

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Constitutional Appointees' Emoluments Act

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Seychelles

Constitutional Appointees' Emoluments Act Act 5 of 1993

Commenced on 25 October 1993

[This is the version of this document as it was at 30 June 2012 to 31 March 2014.]

[Act 5 of 1993; Act 7 of 2008; Act 15 of 2009; Act 8 of 2011]

1. Short title

This Act may be cited as the Constitutional Appointees' Emoluments Act.

2. Salary and gratuity of the Ombudsman

There shall be paid to the Ombudsman—

- (a) a monthly salary of R23,000 payable in arrears; and
- (b) at the end of each year or, where the appointment terminates before the end of a year, on the termination thereof, a gratuity of an amount equal to 15% of the total salary paid for that year or for that part of the year, as the case may be.
- (c) Upon vacating the office of Ombudsman otherwise than by being removed under article 165 of the Constitution, a gratuity of an amount equal to 25% of the total salary earned during the period of office.

3. Salary, allowance and gratuity of the Auditor General

There shall be paid to the Auditor-General—

- (a) a monthly salary of R27,000 payable in arrears together with any monthly allowance provided for in the scheme of service applicable to the Department of Audit; and
- (b) at the end of each year or where the appointment terminates before the end of a year on the termination thereof, a gratuity of an amount equal to 15% of the total salary and allowance paid for that year or for part of that year, as the case may be;
- (c) Upon vacating the office of Auditor General otherwise than by being removed under article 165 of the Constitution, a gratuity of an amount equal to 25% of the total salary earned during the period of office.

4. Salary and gratuity of the Electoral Commissioner

There shall be paid to—

- (a) the Chairperson of the Electoral Commission a monthly salary of R23,000 payable in arrears;
- (b) each other member of the Electoral Commission a monthly salary of R5,800 payable in arrears;
- (c) at the end of each year or where the appointment terminates before the end of a year, or the termination thereof, a gratuity of an amount equal to 15% of the total salary paid for that year or for that part of the year, as the case may be; and
- (d) at the end of the seven years otherwise than by being removed under Article 165 of the Constitution, a gratuity of an amount equal to 25% of the total salary earned during the period of being a member of the Electoral Commission.

- (2) The provisions related to the benefits, right and privileges of the Electoral Commissioner earned and accrued, shall be saved and preserved.

[Please note: numbering as in original.]

5. Salary of the members of the Constitutional Appointments Authority

There shall be paid to—

- (a) the Chairman of the Constitutional Appointments Authority a monthly salary of R8,800; and
- (b) each other member of the Constitutional Appointments Authority a monthly salary of R5,800,

6. Salary of the members of the Public Service Appeal Board

There shall be paid to—

- (a) the Chairman of the Public Service Appeal Board a monthly salary of R11,700; and
- (b) each other member of the Public Service Appeal Board a monthly salary of R5,800.

7. Salary of the Attorney General

There shall be paid to the Attorney General—

- (a) a monthly salary of R28,000 payable in arrears; and
- (b) at the end of each year or where the appointment terminates before the end of a year, on the termination thereof, a gratuity of an amount equal to 25% of the total salary paid for that year or for that part of the year, as the case may be;
- (c) Upon completion of every 5 years or part thereof in the case of vacation otherwise than by being removed under article 165 of the Constitution, the Attorney General shall be paid a gratuity of an amount equal to 50% of salary earned during that period.
- (d) if a Seychellois of an amount equivalent to national, upon ceasing to hold office, a pension of an amount equivalent to 5/12 of 1% of the monthly salary of that office, or, of any other designated office specified under [section 8\(1\)](#) of this Act, in respect of each completed month of service up to a maximum of 180 months, subject to [section 8\(3\)](#), (4), and (5) of this Act.

8.

- (1) For the purposes of this section, a "designated office" means an office occupied by any of the following appointees—
 - (a) Designated Minister;
 - (b) Speaker of the National Assembly;
 - (c) Chief Justice;
 - (d) President of the Court of Appeal;
 - (e) Minister;
 - (f) Attorney-General;
 - (g) Leader of Government Business;
 - (h) Leader of the Opposition;
 - (i) Deputy Speaker of the National Assembly;
 - (j) Member of the National Assembly;

- (k) Justice of Appeal;
- (l) Puisine Judge;
- (2) "pension" means a monthly pension payable to an appointee specified under subsection (1).
- (3) No pension shall be payable to any appointee specified under subsection (1)—
 - (a) before the 1st day of January, 2008; and
 - (b) unless the appintee has served a minimum aggregate period of 48 months in one or more of the designated offices, after 21st June, 1993 and has ceased to hold such office;
- (4) The pension payable to an appointee specified udner subsection (1)-
 - (a) shall be suspended during any period the appointee takes up a post in the public service of Seychelles;
 - (b) shall not affect in any way the right to a pension that an appointee may have contributed to the Seychelles Pension Fund or any other pension.
- (5) An appointee specified under subsection (1) may draw only one pension at any given time, which shall be the highest that the appointee is entitled to

9.

The salary, gratuity and pension paid under this Act shall be exempt from tax on income or profits.