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Gazette Supplements of 2021 are published by Order.

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	Financial Services Authority (Exemption) Notice, 2021. (S.I. 54 of 2021)	8.00

PUBLIC PROCUREMENT (AMENDMENT) BILL, 2021

(Bill No. 30 of 2021)

OBJECTS AND REASONS

This Bill seeks to amend sections 14 and 99 of the Public Procurement Act, 2008, (Cap. 305).

The purpose of the amendment is to confine the appointment of representatives to the National Tender Board and the Review Panel, to persons that have the necessary expertise and competence to effectively manage the affairs and responsibilities of the Board and the Panel.

Dated this 16th day of July, 2021.

**FRANK D.R. ALLY
ATTORNEY-GENERAL**

PUBLIC PROCUREMENT (AMENDMENT) BILL, 2021

(Bill No. 30 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Amendment of section 14 of Cap 305
3. Amendment of section 99
4. Transitional provisions

PUBLIC PROCUREMENT (AMENDMENT) BILL, 2021

(Bill No. 30 of 2021)



A BILL

FOR

AN ACT to amend the Public Procurement Act, 2008 (Cap. 305).

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Public Procurement (Amendment) Act, 2021.

Amendment of Section 14 of Cap 305

1. Section 14 of the Public Procurement Act, 2008 (Cap. 305) (hereinafter referred to as the “principal Act”) is amended by —

- (a) renumbering subsections (2) and (3) as subsections (3) and (4);
- (b) repealing subsection (1), and substituting therefor the following subsection —

“(1) The President on the recommendation of the Minister shall appoint to the Board —

- (a) a chairperson; and
 - (b) 6 other members, of which 3 members shall be from the private sector.
- (c) by inserting after subsection (1) the following subsection —

“(2) The members appointed under subsection (1) shall be persons of integrity, possessing qualifications and experience in public administration, general economics, legal matters, finance, engineering or technical fields.”

Amendment of Section 99

3. Section 99 of the principal Act is amended —

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

“(1) There shall be a Review Panel whose members shall be appointed by the President on recommendation of the Minister, consisting of —

- (a) a Chairperson; and
- (b) 4 other members, of which 2 members shall be from the private sector.”

- (b) by repealing subsection (2) and substituting therefor the following —

“(2) The members appointed under subsection (1) shall be persons of integrity, possessing qualifications and experience in public administration, general economics, legal matters, finance, engineering or technical fields.”

Transitional provisions

4. On the commencement of this Act —

- (a) the members of the Board and the Review Panel, established by sections 14 and 99 of the Public Procurement Act, 2008 prior to the commencement of this Act, shall cease to be members as such and shall vacate their office; and
- (b) such members shall not be entitled to claim any compensation for the premature termination of the term of their office or of any contract of service.

S.I. 53 of 2021**EMPLOYMENT ACT***(Cap 69)***Employment Act (Exemption) Order, 2021**

In exercise of the powers conferred by section 4 of the Employment Act, the Minister responsible for employment, makes the following Order —

Citation

1. This Order may be cited as the Employment Act (Exemption) Order, 2021.

Exemption

2. A worker specified in column 1 of the Schedule is exempt from the provisions of the Regulation specified in the corresponding entry in column 2 for the maximum hours of overtime per month specified in column 3 subject to the conditions set out in column 4.

Exemption of employer

3. Where a worker is exempted from a provision of the Act or Regulation specified in column 2 of the schedule, the employer of that worker is exempt from the application of the provision.

SCHEDULE

Column 1 Workers	Column 2 Regulation	Column 3 Maximum hours of overtime per month (including the 60 hours)	Column 4 Conditions
Seychelles Land Transport Agency in its Asphaltting Unit	Regulation 6(1) of the Employment (Conditions of Employment) Regulations (S.I. 34 of 1991)	100	• Approval to perform 100 hours additional overtime per month, which is inclusive of the 60 hours of overtime permitted under regulation 6(1).

			<ul style="list-style-type: none"> • The exemption shall be valid for a period of 5 years from the date of coming into operation of this Order. • A worker shall not be obliged to perform overtime.
A worker of Pilgrims Security Ltd	Regulation 6(1) of the Employment (Conditions of Employment) Regulations (S.I. 34 of 1991)	100	<ul style="list-style-type: none"> • Approval to perform 100 hours additional overtime per month, which is inclusive of the 60 hours of overtime permitted under regulation 6(1). • The exemption shall be valid for a period of 1 year from the date of coming into operation of this Order • A worker shall not be obliged to perform overtime.

MADE this 30th day of June, 2021.

**PATRICIA FRANCOURT
MINISTER OF EMPLOYMENT
AND SOCIAL AFFAIRS**

S.I. 54 of 2021**FINANCIAL SERVICES AUTHORITY ACT***(Act 19 of 2013)***Financial Services Authority (Exemption) Notice, 2021**

WHEREAS section 23 of the Financial Services Authority Act, 2013 (hereinafter 'the Act') requires, under subsection (2), that a licensee appoints an individual approved by the Authority as its compliance officer to oversee the licensee's compliance to the requirements under subsection (1) of section 23;

AND WHEREAS the Financial Services Authority deems it unnecessary that an appointment under section 23 is made for certain licensees based on the reasons hereunder listed —

- (a) an appointment is not required owing to the nature of the business of the licensees; or
- (b) the licensees are employed by other licensees who are required to appoint compliance officers in their businesses;

AND WHEREAS section 35 bestows upon the Authority power to exempt specified licensees or specified classes of licensees from the requirements under this Act;

NOW THEREFORE in exercise of the powers conferred by section 35(b) of the Act, the Financial Services Authority hereby exempts the following persons from the requirements of section 23(2) of the Act —

- (a) a person who is issued a licence under section 6 of the International Trade Zone Act (Cap 277);
- (b) a person who is granted a licence under section 6 of the Hire Purchase and Credit Sale Act, 2013 (Act 21 of 2013);
- (c) a company which is issued with a special licence under section 9 of the Companies (Special Licences) Act (Cap 253);

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- (d) a person who is granted a fund licence, under section 3 of the Mutual Fund and Hedge Fund Act (Cap 285);
 - (e) an individual who is granted a licence under section 52 of the Securities Act (Cap. 208), to carry on business as —
 - (i) a representative of a securities dealer; or
 - (ii) a representative of an investment advisor.

MADE this 14th day of July, 2021.

DAMIEN THESEE
FINANCIAL SERVICES AUTHORITY

PUBLIC PROCUREMENT (AMENDMENT) BILL, 2021

(Bill No. 30 of 2021)

OBJECTS AND REASONS

This Bill seeks to amend sections 14 and 99 of the Public Procurement Act, 2008, (Cap. 305).

The purpose of the amendment is to confine the appointment of representatives to the National Tender Board and the Review Panel, to persons that have the necessary expertise and competence to effectively manage the affairs and responsibilities of the Board and the Panel.

Dated this 16th day of July, 2021.

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ENACTED by the President and the National Assembly.

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- (a) renumbering subsections (2) and (3) as subsections (3) and (4);
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“(1) The President on the recommendation of the Minister shall appoint to the Board —

- (a) a chairperson; and
 - (b) 6 other members, of which 3 members shall be from the private sector.
- (c) by inserting after subsection (1) the following subsection —

“(2) The members appointed under subsection (1) shall be persons of integrity, possessing qualifications and experience in public administration, general economics, legal matters, finance, engineering or technical fields.”

Amendment of Section 99

3. Section 99 of the principal Act is amended —

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

“(1) There shall be a Review Panel whose members shall be appointed by the President on recommendation of the Minister, consisting of —

- (a) a Chairperson; and
- (b) 4 other members, of which 2 members shall be from the private sector.”

- (b) by repealing subsection (2) and substituting therefor the following —

“(2) The members appointed under subsection (1) shall be persons of integrity, possessing qualifications and experience in public administration, general economics, legal matters, finance, engineering or technical fields.”

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4. On the commencement of this Act —

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- (d) a person who is granted a fund licence, under section 3 of the Mutual Fund and Hedge Fund Act (Cap 285);
 - (e) an individual who is granted a licence under section 52 of the Securities Act (Cap. 208), to carry on business as —
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**PATRICIA FRANCOURT
MINISTER OF EMPLOYMENT
AND SOCIAL AFFAIRS**
