

Seychelles

Public Officers' Ethics Act, 2008

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Act 79 of 2008

Legislation as at 31 December 2015

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## Public Officers' Ethics Regulations, 2008

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# Seychelles

## Public Officers' Ethics Act, 2008

# Public Officers' Ethics Regulations, 2008

## Act 79 of 2008

Commenced on 27 October 2008

*[This is the version of this document at 31 December 2015.]*

*[S.I. 79 of 2008; S.I. 39 of 2009]*

### 1. Citation

These Regulations may be cited as the Public Officers' Ethics Regulations, 2008.

### 2. Interpretation

In these Regulations—

“**the Act**” means the Public Officers' Ethics Act, 2008;

“**Commission**” means the Public Officers' Ethics Commission;

“**declaration**” means a declaration of income; assets and liabilities.

### 3. Officers to make declaration

Pursuant to section 26(e) of the Act, all public officers holding posts ranked at the equivalent of Director (SP54-59 in the public sector salary scale) and above, by whichever name their positions are known in their relevant organisations, shall be public officers for the purposes of making declarations of income, assets and liabilities under the Act.

### 4. Duty of organisations

Any organisation prescribed by regulations made under the Act, shall provide the Commission with a list of its public officers at the commencement of the Act and thereafter promptly inform the Commission each time a person leaves the public service or becomes a public officer to whom the Act applies.

### 5. Duty to provide feedback in prescribed time

An appropriate body or person to whom the Commission has referred a case of contravention of the Code of Conduct and Ethics, shall within the time prescribed by the Commission, provide feedback of the disciplinary action taken.

### 6. Time frame for making declarations

(1) The first declaration required under section 27(1) of the Act shall be made—

(a) within three months after the commencement of the Act; or

(b) for a person who becomes a person to whom the Act applies on a later date, within three months of such later date.

(2) Declaration of income, assets and liabilities held both in Seychelles and abroad shall be made on the form specified in the Schedule.

- (3) A person who—
- (a) is required to make declaration under the Act shall make a declaration on or before the 31st December of every year; and
  - (b) makes a first declaration on or after the 1st October in the year of the first declaration, shall make subsequent declarations after the year of the first declaration pursuant to paragraph (a).

*[regulation 6(3) repealed and substituted by regulation 3 of [SI 39 of 2009](#) with effect from 23 March 2009]*

## 7. Retention

Any declaration made to the Commission shall be retained for five years after which it shall be returned to the person who made the declaration in the sealed envelope.

## 8. Destruction of uncollected declarations

Any declaration not collected, after reasonable notice is given to the person who made the declaration to do so, shall be destroyed in its sealed state in a manner considered most appropriate by the Commission.

### Schedule 1 (Regulation 6(2))

*[Schedule 1 repealed and substituted by regulation 2 of [SI 39 of 2009](#) with effect from 23 March 2009]*

### ***Public Officers' Ethic Commission***

FORM POEC/DIAL/1

### ***Confidential***

### **Declaration of income, assets and liabilities**

As at 11.08.08 (Commencement date of Act [14 of 2008](#)) [Section 27 (1)]

*[Please use additional sheet whenever necessary in completing this form]*

### **[Part One] Income (Seychelles and abroad)**

#### 1.1 Particulars of the public officer

Surname: \_\_\_\_\_ Forenames: \_\_\_\_\_

Previous surname (if any): \_\_\_\_\_ Date of Birth (dd-mm-yyyy) \_\_\_\_\_

Presidential address: \_\_\_\_\_

Current Employer: \_\_\_\_\_

Post title: \_\_\_\_\_ Salary Band(SP) \_\_\_\_\_

Telephone (s): \_\_\_\_\_

Gross monthly remuneration in this post (basic salary plus all allowances): SR \_\_\_\_\_

Date of first appointment to the public service (where applicable) (dd-mm-yyyy) \_\_\_\_\_

**1.2 Membership of Boards of Parastatals Organisation or other organisations of State**

Please give below details of your membership of Boards of Parastatal Organisations or other organs of State.

Name of Organisation	Status (Chairman/ Director/ Member or Trustee)	Date of Appointment	Average monthly Board fee (SR)

**1.3 Private business interests:**

Please give below details of interests that you may have in any private business-locally and abroad.  
(Provide similar details in case of more than 3 businesses.)

Particulars	Business 1	Business 2	Business 3
Business Name or Reference			
Status of Public Officer (e.g. Partner, Sole Proprietor, Shareholder, Board Director/Member or Other (Please state))			
Amount Invested	SR.	SR.	SR.
Number of Shares or proportion of shares held	___ shares ___ %	___ shares ___ %	___ shares ___ %
Income derived from any business during the last 12 months	SR.	SR.	SR.
Remarks			

**1.4 Other employment of public officer:**

If you are engaged in any employment other than those indicated at sections 1.1 to 1.3 above please give details below: (Employment includes any part-time employment and employment from which you may currently be on leave of absence).

Name of Employer		
Nature of occupation or services rendered		
Period of Employment	From: To:	Any relevant comments:
Approximate income from this activity during the last 12 months	SR	

**1.5 Other sources of income:**

Please indicate any local or overseas sources of income that you may have, e.g. receipts of rent, interests from bills, bonds and other investments where annual receipts from individual activities exceeds SR25,000.

Description of income (e. g rent, interests, etc.)	Annual income from this source (SR)

**[Part two] Assets and liabilities [In Seychelles and abroad]****2.1 Details of bank accounts:**

Name and Address of Bank(s)	Account Number(s)	Type of Account(s)	Balance on declaration date (state relevant currency)

**2.2 Money lent by public officer to others:**

(All amounts in excess of SR25,000 should be declared).

To whom lent (with dates)	Amount lent (state relevant currency)

**2.3 Details of moveable of property used for transportation:**

Registration Number(s)	Description (e.g. car, pickup, boat)	Date purchased	Purchase Price (SR)

**2.4 Insurance policies:**

Name of insurance company	Type of policy	Maturity date	Insured amount

**2.5 Bills, bonds and other securities:**

Details of Securities	Maturity Date	Amount

**2.6 Details of immovable property:**

(e.g. house, business premises, property etc.)

Type of property	Where situated	Title number if applicable	Date of acquisition	Purchase price (SR)	Estimated market value (SR)



**2.7 Other property, including leasehold interests owned by the public officer and held by another person:**

Description of property	By whom being held	In what capacity being held	Estimated market value of property (SR)

*Note: Item 2.8 does not apply to the first declaration under the Act.*

**2.8 Previously declared Assets disposed of since last declaration:**

Description of Assets	Reference/ Registration/ Title Number	Date Disposed	Sale/ Disposal Price (SR)

**2.9 Liabilities:**

(including loans, overdrafts etc)

Description of Liabilities	To whom liable	Amount owed (SR)

**2.10 Others:**

Public Officer may use the following empty space for any other assets or liabilities not covered above or any comments they wish to make on the above declarations.

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**2.11 Declaration:**

(To be made in the presence of the Receiving Officer) [Section 30 of Act [14 of 2008](#)]

I declare that the particulars stated by me herein on pages 1 to 5 and any pages appended as part of this declaration are to the best of my knowledge, true, accurate and complete.

Signature of Public Officer \_\_\_\_\_

Date: \_\_\_\_\_

**2.12 Statement of receiving officer/witness to the declaration:**

I confirm that this declaration was signed in my presence and sealed by me on the date stated below.

Name of Witness/Receiving Officer \_\_\_\_\_

Signature of Witness/Receiving Officer \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

[REF: \_\_\_\_\_]

*[Note: This declaration is to be folded on the following dotted line and handed to the Receiving Officer with the above facing upwards]*