

CIVIL CODE OF SEYCHELLES (AMENDMENT) ACT, 2021

(Act 25 of 2021)

ARRANGEMENT OF SECTIONS

Sections

1. Short title and Amendment of Act 1 of 2021
2. Insertion of a new section 2A
3. Insertion of new section 3A
4. Amendment of article 3
5. Amendment of article 157 (3)
6. Amendment of article 158(1)
7. Amendment of article 158 (2)
8. Amendment of article 158 (3)
9. Insertion of new article 158 (6)
10. Amendment of article 159 (1)(a)
11. Amendment of article 774 (b)
12. Amendment of article 774(c)
13. Amendment of article 818 (2)
14. Amendment of article 819(1)
15. Amendment of Article 835
16. Amendment of article 1000



CIVIL CODE OF SEYCHELLES (AMENDMENT) ACT, 2021

(Act 25 of 2021)



I assent

A handwritten signature in black ink, appearing to read 'Wavel', followed by a horizontal line.

Wavel Ramkalawan
President

28th June, 2021

AN ACT to amend the Civil Code of Seychelles Act, 2020 (*Act 1 of 2021*).

ENACTED by the President and the National Assembly.

Short title and Amendment of Act 1 of 2021

1. This Act may be cited as the Civil Code of Seychelles (Amendment) Act, 2021, and amends the Civil Code of Seychelles Act, 2020, (*Act 1 of 2021*) (hereinafter referred to as the “principal Act”) and the Schedule to the principal Act called the Civil Code of Seychelles (hereinafter referred to as the “Civil Code of Seychelles”).

Insertion of new section 2A of the principal Act

2. The principal Act is amended by inserting immediately after section 2 the following new section —

Application of jurisprudence of civil law

2A. “Nothing in this Act shall invalidate any principle of jurisprudence of civil law or inhibit the application thereof in Seychelles except to the extent that it is inconsistent with the Civil Code of Seychelles Act.”.

Insertion of new section 3A

3. The principal Act is amended by inserting immediately after the new section 2A the following new section —

Accrued or lost rights

3A.(1) The repeal of the Civil Code of Seychelles Act (Cap 33) does not —

- (a) affect the previous operation of the repealed Civil Code of Seychelles Act or anything duly done or suffered under it;
- (b) affect any right, interest, privilege, obligation or liability acquired or accrued under the repealed Civil Code of Seychelles Act, unless affected under any law;
- (c) affect any legal proceedings or remedy in respect of any right, interest, privilege, obligation or liability referred to in paragraph (b).

(2) No loss of right, interest, privilege or obligation occurring prior to the date of commencement of the Civil Code of Seychelles Act, 2020 (Act 1 of 2021) shall be deemed revived by the Civil Code of Seychelles Act, 2020 (Act 1 of 2021).

Amendment of article 3

4. Article 3 of the Civil Code of Seychelles is amended by inserting after the definition of “Code” the following new definition —

“Curator” means the Curator appointed under the Curatelle Act, 2021, unless the context otherwise requires.

Amendment of article 157 (3)

5. Article 157(3) of the Civil Code of Seychelles is amended by inserting after the word “house” the words “or at any other place”.

Amendment of article 158 (1)

6. Article 158 (1) of the Civil Code of Seychelles is amended by inserting after the word “house” wherever it appears, the words “or at any other place”.

Amendment of article 158 (2)

7. Article 158 (2) of the Civil Code of Seychelles is amended by inserting after the word “residence”, the words “or at such other place”.

Amendment of article 158 (3)

8. Article 158 (3) of the Civil Code of Seychelles is amended by inserting after the word “residence”, the words “or other place”

Insertion of new article 158 (6)

9. The Civil Status (Celebration of Marriage Fees) Regulations, 2019 (S.I. 64 of 2019) shall apply to the celebration of a marriage under this article.

Amendment of article 159 (1)(a)

10. Article 159 (1)(a) of the Civil Code of Seychelles is amended by inserting after the word “house”, the words “or at such place”.

Amendment of Article 774 (b)

11. Article 774 (b) of the Civil Code of Seychelles is amended by as follows —

- (a) by repealing the semi-colon and substituting therefor a full stop; and
- (b) by inserting the following after the full stop —

“Such agreement shall be registered at the Mortgage and Registration Office and as soon as possible thereafter a notice of the appointment shall be published in the *Gazette*.”

Amendment of Article 774 (c)

12. Article 774 (c) of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “Curator”.

Amendment of article 818 (2)

13. Article 818 (2) of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “Curator”.

Amendment of article 819 (1)

14. Article 819(1) of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “Curator”.

Amendment of Article 835

15. Article 835 of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “Curator”.

Amendment of article 1000

16. Amendment of article 1000 of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “Curator”.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 23rd June, 2021.

A handwritten signature in black ink, appearing to read 'T. Isaac', written in a cursive style.

Mrs. Tania Isaac
Clerk to the National Assembly