

Seychelles

Means-Testing Board Act

Act 6 of 1995

Legislation as at 30 June 2012

FRBR URI: /akn/sc/act/1995/6/eng@2012-06-30

There may have been updates since this file was created.

PDF created on 21 February 2024 at 17:18.

Collection last checked for updates: 30 June 2014.

[Check for updates](#)



About this collection

The legislation in this collection has been reproduced as it was originally printed in the Government Gazette, with improved formatting and with minor typographical errors corrected. All amendments have been applied directly to the text and annotated. A scan of the original gazette of each piece of legislation (including amendments) is available for reference.

This is a free download from the Laws.Africa Legislation Commons, a collection of African legislation that is digitised by Laws.Africa and made available for free.

www.laws.africa
info@laws.africa

There is no copyright on the legislative content of this document.
This PDF copy is licensed under a Creative Commons Attribution 4.0 License (CC BY 4.0). Share widely and freely.

Means-Testing Board Act

Contents

1. Short title	1
2. Establishment of the Board	1
3. Constitution of the Board and meetings	1
4. Functions of the Board	2
5. Staff, accommodation and equipment of the Board	2
6. Report of the Board	2
7. Application for welfare assistance or services	2
8. Offences	2
9. Regulations	3

Seychelles

Means-Testing Board Act

Act 6 of 1995

Commenced on 17 April 1995

[This is the version of this document at 30 June 2012 and includes any amendments published up to 30 June 2014.]

1. Short title

This Act may be cited as the Means-Testing Board Act.

2. Establishment of the Board

There is hereby established the Means-Testing Board hereafter in this Act referred to as the "Board".

3. Constitution of the Board and meetings

- (1) The Board shall consist of—
 - (a) a representative of the Ministry responsible for Social Affairs, nominated by the Minister responsible for Social Affairs, who shall be the Chairman of the Board;
 - (b) a representative of the Ministry responsible for Finance nominated by the Minister responsible for Finance;
 - (c) a representative of the Ministry responsible for Education nominated by the Minister responsible for Education;
 - (d) a representative of the Ministry responsible for Local Government nominated by the Minister responsible for Local Government;
 - (e) a representative of the Ministry responsible for Health nominated by the Minister responsible for Health;
 - (f) such other persons of proven integrity nominated by the Minister.
- (2) Where a Ministry referred to in subsection (1) is responsible for more than one subject matter referred to in that subsection, the representative of that Ministry nominated by that Minister shall represent on the Board all such subject matters.
- (3) The Minister shall publish in the *Gazette* the names of the members of the Board constituted under subsection (1) and the members shall hold office for a period of two years from the date of the publication.
- (4) In the case of a vacancy in the membership of the Board, other than on expiration of the period of office, the Minister who nominated the member who vacated membership shall nominate another person to fill the vacancy and on the publication in the *Gazette* of the name of the person so nominated, the person shall hold office for the unexpired period of membership of the member who vacated membership.
- (5) The Board shall meet not less than once every two months and at such other times as the Chairman may determine.
- (6) One half of the number of members of the Board shall constitute a quorum for any meeting of the Board.
- (7) The Chairman or, in the absence of the Chairman, a member elected by the members present to preside at the meeting, shall preside at a meeting of the Board.

- (8) Subject to this Act, the Board shall regulate its own proceedings.
- (9) The members of the Board may be paid such allowances as the Minister may determine.

4. Functions of the Board

- (1) The functions of the Board are—
 - (a) to formulate, subject to the approval of the Minister, a standard measure for provision of welfare assistance and services to persons in need;
 - (b) to review each year, subject to the approval of the Minister, the standard measure formulated for the immediately preceding year;
 - (c) to determine in accordance with the standard measure formulated or reviewed under paragraph (a) or paragraph (b), the level of assistance required by a person in need;
 - (d) to review any determination made under paragraph (c).
- (2) The Board may require any person to furnish the Board such information as may be required for the performance of its functions under subsection (1).
- (3) The Board may delegate any of its functions to any member or an officer of the Board.

5. Staff, accommodation and equipment of the Board

The Minister may provide the Board with the necessary staff, office accommodation and other equipment required for the performance of its functions.

6. Report of the Board

The Board shall prepare in respect of each year a report of its activities for the period ending on 31st December of that year and submit a copy of the report to the Minister on or before 30th March of the immediately following year.

7. Application for welfare assistance or services

- (1) Any person who applies for welfare assistance or services may apply to the Board to determine the level of assistance required by the person.
- (2) On an application under subsection (1) the Board shall, after considering all the circumstances of the applicant and having regard to the standard measure formulated or reviewed under [section 4](#), make a determination of the level of assistance required by the applicant.
- (3) Any person aggrieved by a determination of the Board under subsection (2) or a review of the determination may appeal to the Minister against the determination or review within 21 days of being notified by the Board of the determination or review.
- (4) The Board shall comply with any decision made by the Minister on an appeal under subsection (3).

8. Offences

- (1) Any person who fails to furnish to the Board any information when required by the Board under [section 4](#)(2) is guilty of an offence and liable on conviction to a fine of R1500.
- (2) Any person who in an application under [section 7](#)(1) makes a statement which to the knowledge of the person is false is guilty of an offence and liable on conviction to a fine of R5000.
- (3) Where any person is convicted of an offence under subsection (2), the court convicting the person may in addition to any penalty imposed under that subsection order the person to refund to the

Repay any sum paid to the person as welfare assistance, or the monetary value of any welfare services provided, pursuant to the application in respect of which the false statement is made.

- (4) A person convicted of an offence under subsection (2) shall cease to receive any welfare assistance or services with effect from the date of conviction.

9. Regulations

The Minister may make regulations for the better carrying into effect the purposes and provisions of this Act.