[19th April 2017]

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Supplement to Official Gazette



CONSTITUTION OF THE REPUBLIC OF SEYCHELLES (EIGHTH AMENDMENT) ACT, 2017

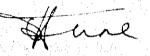
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13



Danny Faure President 18th April, 2017

AN ACT to alter the Constitution.

ENACTED by the President and the National Assembly.

1. This Act may be cited as the Constitution of the Short title Republic of Seychelles (Eighth Amendment) Act, 2017.

Supplement to Official Gazette

[19th April 2017]

2. The Constitution of the Republic of Seychelles is amended as follows —

as last amended by Act 4 of 2016

(a) in Article 55—

(i) by repealing clause (1) and substituting therefor the following clauses —

"(1) Where the office of the President becomes vacant by reason of the death or resignation of the President or by reason of the President ceasing to hold office under article 53 or article 54 or article 110(3), the Vice-President shall discharge the functions of the office of the President until a person is elected under article 51 to the office of the President.

A person who would, but (2)for that person's death, have been declared elected as President at the Presidential election and the person designated as the Vice-President of the first-mentioned person shall be deemed to have been the President and Vice-President respectively, holding office immediately before the death of the first-mentioned person and accordingly, such Vice-President shall discharge the functions of the office of President until a person is elected under article 51 to the office of the President."; ebodinania ar EDA X.i.

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(ii) by repealing clause (2);

(iii) by inserting in clause (3) before the words "clause (2)" the words "clause (1),";

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(i) (i) (i) by repealing clause (11);

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(ii) –

by repealing clause (12) and substituting therefor the following clause -----

"(12) Where there is a vacancy in the office of the President under article. 55 (1) the Vice-President shall discharge the functions of the office of the President until a person is elected under article 51 to the office of the President.";

by repealing clause (13) and (iii) – substituting therefor the following clause —

(13) The Vice-President shall receive such salary, allowance, gratuity and pension as may be prescribed by an an analytic decided Act and the salary, allowance, gratuity ad a transferred and fail or pension shall be a charge on the Consolidated Fund.":

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(i)

by repealing in clause (5) the words "and gratuity" and substituting therefor bing to be line and a the words", gratuity and pension";

(*ii*) by repealing in clause (6) the words "or gratuity" and substituting therefor the words ", gratuity or pension":

(d) by inserting after clause (5) of Article 82, the following clause

15

(i)

"(6) A proportionately elected member who ceases to be a member of the National Assembly by virtue of Article 81(1) (h) (i), shall not have the right to make an application under clause 1(b).

in Article 83-(e)

> by repealing in clause (6) the words "and gratuity" and substituting therefor the words ", gratuity and pension";

> by repealing in clause (7) the words "or gratuity" and substituting therefor the words ", gratuity or pension";

in Article 84-(f)

(i)

by repealing in clause (4) the words "and gratuity" and substituting therefor the words ", gratuity and pension";

by repealing in clause (5) the words "or gratuity" and substituting therefor the words", gratuity or pension";

by inserting after Article 84 the following (g) article----

Government Government Business who shall be elected **Business** by the National Assembly from among its members in accordance with this article and the Standing Orders.

> (2) A person is eligible to be elected to the Office of Leader of Government Business if the person is a

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[19th April 2017]

Supplement to Official Gazette

member of the political party which nominated the incumbent President for election, and only members of the National Assembly who are members of that party may vote in the election.

(3) A person elected to the office of Leader of Government Business shall vacate the office —

> (a) if the person ceases to be a member of the National Assembly;

ested of the person is elected in anti-anti-action of the office of Speaker or Deputy Speaker;

> (c) if the person resigns by notice in writing addressed to the Speaker; or

(d) where the members of the tribuy of a solid product of the same of the National Assembly pair activation operation from the contract, entitled to vote at an entering and a second s pass a resolution whereas with gashaoorge of Scherecherse requiring the person to vacate the office.

To many interview (4) An Act may provide for the The relates of sales of salary, allowances, gratuity and pension of the Leader of Government Business.

(5) The salary, allowances, gratuity or pension payable to the Leader of Government Business shall not be less than should depend of the those payable to a Minister and shall be a there is a second of charge on the Consolidated Fund.

17

Supplement to Official Gazette

18

[19th April 2017]

(6) Subject to Article 105(3), where a person is elected Leader of Government Business and in addition to this article is entitled to receive under any other provision of the Constitution a salary, allowance, gratuity or pension, the person shall not, while holding the office of Leader of Government Business be concurrently entitled to receive the salary, allowance, gratuity or pension under this article or any other provision of the Constitution but may opt to receive the salary, allowance, gratuity or pension under either this article or any other provision of the Constitution.":

> (h) in article 105-

substantial (i) is by repealing in clause (1) the words and gratuity" and substituting therefor the words ", gratuity and pension"

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(ii) by repealing in clause (2) the words "or we to show on this bad gratuity" and substituting therefor the words ", gratuity or pension";

(iii) in clause 3 by repealing the words "or define de bereier the" and substituting therefore a coma, by inserting after the words "Leader of Opposition" the words "Leader of Government Business" and by deleting the words "or gratuity" and substituting therefor the words ", gratuity or pension";

and had been the last of the second states set flashe (i) by repealing in Article 115A(1) the words "four members" and "seven candidates" and

substituting therefor the words "six members" and "nine candidates" respectively;

19

(j) by inserting after clause (4) of Article 115C the following clause —

"(4A) The pension payable to the Chairperson of the Commission shall be prescribed by or under an Act and the pension shall be a charge on the Consolidated Fund.";

(k) by deleting in clause (1) of Article 133 the words "and gratuity" and substituting therefor the words ", gratuity and pension";

in Article 140-

(1)

- (i) in clause (1)
 - A. by repealing the words "three members" and substituting therefor the words "five members";
- B. by repealing in subclause (a), the words "one member" and substituting therefor the words "two members";
 - C. by repealing in subclause (b), the words "two members" and "third member" and substituting therefor the words "four members" and "fifth member" respectively;
- (*ii*) in clause (3)—
- A. by repealing the words "two members" at both the places they

 Supplement to Official Gazette [19th April 2017]
appear and substituting theref the words "four members";
B. by repealing the words "thi member" and substitutin therefor the words "fift member";
C. by repealing the words "not le than two and not more than thro candidates" and substitutir therefor the words "not less tha four and not more than fiv candidates";
D. by inserting after the wor "President" appears for the secon time the words ", in consultation with the Speaker and the Chi Justice";
(iii) in clause (4) —
A. in subclause (a), by repealing the words "appoint a member" an "appoint the member" ar substituting therefor the word "appoint the members" at bo places;
B. in subclause (b), by repealing the words "appoint a member" and substituting therefor the word "appoint the members";
C. in subclause (c), by repealing the words "two members" ar substituting therefor the word "four members";

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[19th April 20	017]	Suppleme	ent to Official	Gazette	21
	D.	words "th	(d), by repeal ird member therefor the er";	" and	
	E. .	words "third places t	e (e), by repea 1 member" at 1 h e y a p p e a therefor the per";	both the r and	
(m)	by repeal substitutir	ing clause (4)	4) of Article 1 e following cla	44 and use—	4
	and pension be prescrisalary, al	on payable to ibed by or u lowance, gr	y, allowance, the Ombudsm inder an Act atuity or pen ge on the Cons	an shall and the sion so	
I certify that th by the Nationa	is is a correct Assembly of	ct copy of the on 11th April,	Bill which wa 2017.	s passed	
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		Ms. Jutta Clerk to t	Alexis the National A	ssembly	

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