

SEYCHELLES AGRICULTURAL AGENCY (REPEAL) BILL, 2021

(Bill No. 58 of 2021)

OBJECTS AND REASONS

1. The Seychelles Agricultural Agency Act, 2009 (*the said Act*) was enacted to provide for the establishment of the Seychelles Agricultural Agency, to provide for its composition, functions and mandates and provisions for the development and promotion of agriculture and for matter connected therewith or incidental thereto.
2. The President, in his address to the Nation on the 1st February, 2021, made announcement of restructuring of statutory and other parastatal bodies.
3. In order to give effect to the announcement made by the President, it is proposed to repeal the Act and doing away with the Agency and entrust its functions to be administered by the Ministry responsible for Agriculture.
4. The Bill also provides for the necessary transitional and savings clause and consequential amendments to achieve the above objectives and.

Dated this 29th day of OCTOBER, 2021.

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

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ARRANGEMENT OF SECTIONS

Sections

1. Short title
2. Repeal of Cap 309
3. Continuation of employment
4. Assets, liabilities and contracts
5. Effect of repeal
6. Consequential Amendments of Act 4 of 2019

Schedule 1- Consequential Amendments

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A BILL

FOR

AN ACT TO REPEAL THE SEYCHELLES AGRICULTURAL AGENCY ACT, 2009 *CAP 309*.

ENACTED by the President and the National Assembly.

Short title

1. This Act may be cited as the Seychelles Agricultural Agency (Repeal) Act, 2021.

Repeal of Cap 309

2. The Seychelles Agricultural Agency Act, *Cap 309* is hereby repealed.

Continuation of employment

3. Notwithstanding any law, a person employed with the Seychelles Agricultural Agency on the date of the repeal of the Act shall continue his or her employment with the Government on terms and conditions no less favourable than those subsisting immediately prior to the date of the repeal of the Act until these are amended, varied or repealed in accordance with any scheme of service applicable to employees of the Government.

Assets, liabilities and contracts

4. On the repeal of this Act —

- (a) all movable or immovable properties, assets, rights, interests and privileges acquired, accrued by, or vested in, the Seychelles Agricultural Agency under the repealed Act shall stand transferred to and vested in the Government of Seychelles;
- (b) all liabilities and obligations incurred by the Seychelles Agricultural Agency prior to the date of this Act shall be deemed to have been incurred by the Government of Seychelles;
- (c) any contract or agreement executed by the Seychelles Agricultural Agency prior to the date of the repeal of the Act shall continue to have effect in accordance with its terms as if it was originally made and entered into by the Government of Seychelles; and
- (d) any right, privilege obligation or liability acquired or incurred by a person under the repealed Act shall not be affected by the repeal and any legal investigation, legal proceedings or remedy in respect of such right, privilege, obligation or liability may be instituted, continued or enforced by or against the Government of Seychelles.

Effect of repeal

5. The mention of the particular matters referred to in sections 3 and 4 shall not be held to prejudice or affect the general application of section 31 of the Interpretation and General Provisions Act (Cap 103) with regard to the effect of repeal.

Consequential Amendments of Act 4 of 2019 and Act 10 of 2014

6. The Control and Protection of Dogs Act, 2018, and the Animal and Plant Biosecurity Act, 2014 are amended to the extent specified in the Schedule to this Act.

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

(Section 6)

Amendment of section 2 of the Control and Protection of Dogs Act, 2018

1. The Control and protection of Dogs Act, 2018 (Act 4 of 2019) is hereby amended in section 2 by repealing the definition of “Competent Authority” and substituting therefor with the following —

“ “Competent Authority” means the Department of Agriculture;”.

Amendment of section 2 and 4(1) of the Animal and Plant Biosecurity Act, 2014

2. The Animal and Plant Biosecurity Act, 2014 is hereby amended as follows —

- (i) by repealing the definition of “Agency” and substituting therefor with “Agency” means the Agency, Ministry, Department of Government or a public body as designated under section 4(1);”;

(ii) by repealing section 4(1) and substituting therefore with the following —

“ **4.(1)** The Department of Agriculture shall be the Agency responsible for Biosecurity for the purposes of this Act;”.