

EMPLOYMENT (AMENDMENT) BILL, 2025

(Bill No. 23 of 2025)

EXPLANATORY STATEMENT OF THE OBJECTS AND REASONS OF THE BILL

1. The object of this Bill is to remove the requirements of appraisal for the purpose of calculation and payment of the 13th month pay and for certain consequential amendments in furtherance of the said amendment.
2. The Bill seeks to achieve the above objectives.

Dated this 24th day of November, 2025.

**IDITH SHARON ALEXANDER
MINISTER FOR EMPLOYMENT
AND HUMAN RESOURCE PLANNING**

EMPLOYMENT (AMENDMENT) BILL, 2025

(Bill No. 23 of 2025)

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title
2. Amendment of section 46C of the Employment Act (Cap.69)
3. Repeal of section 46D
4. Amendment of section 76

EMPLOYMENT (AMENDMENT) BILL, 2025
(Bill No. 23 of 2025)



A BILL
FOR

AN ACT TO AMEND THE EMPLOYMENT ACT (CAP. 69)

ENACTED BY THE PRESIDENT AND THE NATIONAL ASSEMBLY

Short title

1. This Act may be cited as the Employment (Amendment) Act, 2025.

Amendment of section 46C of the Employment Act (Cap.69)

2. The Employment Act (Cap. 69) (hereinafter referred to as the “principal Act”) is amended in section 46C as follows —

- (a) by repealing subsection (7) and therefor substituting the following subsection —

“(7) A worker receiving less than the prescribed salary and who is in employment with an employer in the course of the corresponding year and who ceases his or her employment prior to 31st December of the corresponding year, shall be paid a thirteenth month pay in proportion to the period of service, inclusive of the probationary period, where applicable, upon cessation of employment unless —

- (a) the worker was on probation and the worker terminated his or her employment during the probationary period;
- (b) the worker was on probation and his or her employment was terminated on grounds of unsatisfactory performance;
- (c) the worker’s employment was terminated on the grounds of a serious disciplinary offence.”;

- (b) by inserting after subsection (10), the following subsections —

“(11) Notwithstanding the provisions of this Act, —

- (a) an employer may pay thirteenth month pay to his or her Seychellois worker whose monthly salary is less than the prescribed salary and who does not qualify for a thirteenth month pay under this Act;
- (b) an employer may pay thirteenth month pay to his or her Seychellois worker whose monthly salary is in excess of the prescribed salary; and if the thirteenth month pay so paid under this paragraph is in excess of the prescribed salary, the amount in excess of the prescribed salary shall not be an exempt emolument under the Income Tax and Non-Monetary Benefits Act (Cap. 273).

(12) Subject to the provisions of paragraph (b) of subsection (11), the thirteenth month pay paid under this section shall be an exempt emolument under the Income Tax and Non-Monetary Benefits Act (Cap. 273).”.

Repeal of section 46D

3. Section 46D is repealed.

Amendment of section 76

4. Section 76 of the principal Act is amended in paragraph (dd) by repealing after the figures and letter “46C”, the words, figures and letter “or section 46D”.