

**PREVENTION OF DRUG ABUSE AND REHABILITATION
AGENCY BILL, 2025**

(Bill No.25 of 2025)

EXPLANATORY STATEMENT OF OBJECTS AND REASONS

The Bill seeks to establish an Agency for coordinating the activities of various institutions and organisations engaged in the prevention of drug and alcohol abuse, treatment of drug users and rehabilitation of drug and alcohol addicts.

Dated this 1st day of December, 2025.

**VINSENT S. PERERA
ATTORNEY-GENERAL**

**PREVENTION OF DRUG ABUSE AND REHABILITATION
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**PREVENTION OF DRUG ABUSE AND REHABILITATION
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(Bill No. 25 of 2025)



A BILL

FOR

AN ACT TO ESTABLISH AN AGENCY FOR COORDINATING THE ACTIVITIES OF VARIOUS INSTITUTIONS AND ORGANISATIONS ENGAGED IN THE PREVENTION OF DRUG AND ALCOHOL ABUSE, TREATMENT AND REHABILITATION OF PEOPLE ADDICTED TO DRUGS AND ALCOHOL AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

ENACTED BY THE PRESIDENT AND THE NATIONAL ASSEMBLY

PART I – PRELIMINARY

Short title and commencement

1. This Act may be cited as the Prevention of Drug Abuse and Rehabilitation Agency Act, 2025 and shall come into operation on such date as the President may, by notice in the *Gazette*, appoint.

Interpretation

2. In this Act, unless the context otherwise requires, —

“Agency” means the Prevention of Drug Abuse and Rehabilitation Agency established under section 3;

“approved facility” means a place declared under this Act to be an approved facility for the purposes of drug testing, the assessment of drug dependency, or the provision of outpatient treatment or harm reduction services to drug dependent persons, including syringe and needle exchange programmes;

“approved institution” means a place declared under this Act to be an approved institution for the purposes of inpatient treatment and rehabilitation of drug dependent persons or residential education and social reintegration programmes for drug users;

“Board” means the Board of the Agency established under section 6;

“Chairperson” means the Chairperson of the Board;

“Chief Executive Officer” means the Chief Executive Officer of the Agency appointed under section 11;

“Deputy Chief Executive Officer” means the Deputy Chief Executive Officer of the Agency appointed under section 13;

“drug” means any substance, including alcohol other than food that provides nutritional support, and which, when inhaled, injected, smoked, consumed, absorbed via a patch on the skin, or dissolved under the tongue causes a physiological change in the body;

“drug abuse, alcohol abuse or substance abuse” means a patterned use of a drug, alcohol or any other intoxicating substance, in which the user consumes the substance in amounts or with methods that are harmful to the user or others, and is a form of substance-related disorder;

“drug dependent person” means a drug dependent person as defined in the Misuse of Drugs Act, 2016 (Act 5 of 2016);

“Member” means the member of the Board of the Agency;

“Minister” for the purposes of this Act means the President;

“Vice-Chairperson” means the Vice-Chairperson appointed by the President under section 6.

PART II - PREVENTION OF DRUG ABUSE AND REHABILITATION AGENCY

Establishment of Prevention of Drug Abuse and Rehabilitation Agency

3. There is hereby established an Agency to be known as the Prevention of Drug Abuse and Rehabilitation Agency which shall be a body corporate with perpetual succession and a common seal capable of suing and being sued in its own name.

Objects of the Agency

4. The objects of the Agency are —

- (a) improvement of national coordination for identifying and addressing drug use and its harms, sharing of information on innovative approaches towards developing effective responses;
- (b) promoting participatory processes that facilitate community engagement and involvement in identifying and responding to key drug and alcohol issues;
- (c) developing and sharing of data and research that support evidence-based interventions;
- (d) developing new and innovative responses to prevent uptake, delay the first use and reduce harmful levels of drug and alcohol use by building community knowledge of drug related harms and increasing access to treatment services;
- (e) facilitating treatment service planning, reducing exposure to licit drugs, and alcohol particularly to young people so as to prevent their misuse;
- (f) developing responses that restrict or regulate the availability of drugs and alcohol;
- (g) identifying and responding to challenges arising from new supply modes through the internet, postal services and other emerging technologies;
- (h) working with those at the point of supply for licit drugs and alcohol, chemicals and equipment to minimise their misuse and opportunities for diversion to unlawful use;
- (i) supporting nationally consistent legislative and regulatory responses, particularly for border control and challenges inhibiting inter-jurisdictional collaboration;
- (j) enhancing use and sharing of intelligence to identify and respond to emerging trends and issues within and outside the Republic; and
- (k) reducing the adverse health, social and economic consequences associated with drug and alcohol use by enhancing harm reduction approaches.

Functions and powers of the Agency

5.(1) The functions of the Agency are —

- (a) to advise the Government on matters of prevention, treatment and rehabilitation of drug and alcohol abuse;
- (b) to formulate and review a National Drugs Master Plan and a National Alcohol Policy, strategies and long term plans for prevention, treatment, harm reduction and rehabilitation of persons affected by drug and alcohol abuse;
- (c) to formulate and review in collaboration with all related local stakeholders and international organisations and societies, national standards for prevention, treatment, harm reduction and rehabilitation of persons affected by drug and alcohol abuse;
- (d) to monitor, assess and ensure compliance with the national standards for prevention, treatment, harm reduction and rehabilitation of persons affected by drug and alcohol abuse;
- (e) to prepare and submit to the President a National Progress Report concerning the prevention, treatment, harm reduction and rehabilitation of persons affected by drug and alcohol abuse;
- (f) to consider reports on intervention by relevant agencies and organisations concerned with prevention, harm reduction and rehabilitation of persons affected by drug and alcohol abuse;
- (g) to coordinate collection of statistics on reported cases of drug and alcohol abuse; and
- (h) to develop and maintain a National Database for statistics on reported cases of drug and alcohol abuse.

(2) Institutions or organisations engaged in the prevention and rehabilitation of drug or alcohol abuse that are receiving financial grants from the Government or the Agency shall furnish quarterly reports to the Agency.

(3) Notwithstanding subsection (2) the Agency may request on an *ad hoc* basis if in the view of the Agency such a report is deemed necessary.

(3) For the purpose of subsection (2) and (3), the Agency shall devise the format, manner and procedures to be used for the reporting requirements.

(4) A failure to furnish a report under subsection (2) or (3) when due shall be a ground for not providing financial grants or withdrawal of any approval given to the institutions or organisations specified under that subsection.

(5) Subject to this Act and any other written law, the Agency may do all things necessary for, or reasonably ancillary or incidental to, the carrying out of its duties, functions and powers under this Act or any other written law.

(6) Subject to this section if the Agency in its opinion considers that an institution or organisation engaged in the prevention and rehabilitation of drug or alcohol abuse is causing harm or likely to cause harm to the public in the manner of its operation or intervention, the Agency may issue an order to the institution, organisation or person asking them to desist or correct the harmful practice.

(7) A person who refuse to comply with an order issued under subsection (6), commits an offence and is liable upon conviction to a fine not exceeding SCR 50,000.

PART III - BOARD OF THE AGENCY

Establishment and membership of the Agency

6.(1) There shall be a Board of the Agency consisting of —

- (a) the Chairperson who shall be the Secretary of State for Prevention of Drug Abuse and Rehabilitation;
- (b) a representative from the Mental Health Care Agency;
- (c) a representative from Ministry of Health;
- (d) a representative from the Ministry of Social Affairs;
- (e) a representative from the Citizen Engagement Platform Seychelles;
- (f) a representative from the Seychelles National Youth Council; and
- (g) a former drug or alcohol addict.

(2) The President shall appoint a person having such qualifications and experience as may be prescribed as the Vice Chairperson of the Board.

(3) The President shall publish the names of the Chairperson, Vice-Chairperson and members of the Agency in the *Gazette*.

(4) A person appointed under this section shall hold office for a period of five years and shall be eligible for re-appointment.

(5) The President may terminate the appointment of the Vice-Chairperson in such manner as may be prescribed.

Functions of the Board of the Agency

7.(1) The Board is the governing body of the Agency and, subject to the oversight of the Minister, shall be responsible for —

- (a) reviewing the policy and strategies of the Agency and monitoring and overseeing their implementation;
- (b) monitoring and overseeing the management of the Agency with the objective of ensuring that —

- (i) the funds of the Agency are utilised economically and efficiently;
 - (ii) the internal management and the implementation of the annual policy of the Agency is adequately carried out;
 - (iii) the Agency functions in accordance with the principles of good governance, fulfils its statutory obligations and properly discharges its functions;
- (c) approving the Agency's accounts under section 17.
- (2) In the performance of its functions, the Board may —
- (a) establish such committees as it considers appropriate on such terms and conditions as it may determine; and
 - (b) delegate such duties as it considers necessary to the Chief Executive Officer.

Meetings of the Board of the Agency

8.(1) The Board shall meet at least once in every 3 months at such place and time as may be determined by the Chairperson.

(2) The meetings of the Board shall be presided over by the Chairperson.

(3) In the absence of the Chairperson at a meeting of the Board, the Vice-Chairperson shall preside and, in the absence of both the Chairperson and Vice-Chairperson, the Members present shall elect a Member to act as Chairperson for that meeting.

(4) The quorum of the meeting shall be 5.

(5) At any meeting for the conduct of business, the Board shall decide by a majority vote of the Members present and, in the event of equality of votes, the Chairperson shall have a casting vote.

(6) The Chairperson shall at any time convene a special meeting of the Board upon receipt of a requisition signed by at least 3 members calling upon him or her to do so, and such meeting shall be held not later than fourteen days after receipt of the requisition.

(7) No act or proceedings of the Board shall be invalid by reason of any vacancy among its Members or any defect in the appointment of a Member.

(8) Notwithstanding anything contained in this section, the Chairperson may, in any matter he or she considers exceptional, make arrangements for a decision of the Board to be taken on such matter through a process of consultation without the need for an actual meeting.

(9) Subject to the provisions of this section, the Board shall regulate its own proceedings.

Terms and conditions of appointment of Vice-Chairperson and Members

9.(1) The salaries, allowances, benefits and other terms and conditions of service of the Vice-Chairperson shall be determined by the Government's remuneration policy.

(2) The salaries, allowances, benefits and other terms and conditions of service of a Member under section 6 (1) shall be determined by the Government's remuneration policy.

Financial assistance by Agency

10.(1) The Agency may grant annual financial assistance to any approved facility, approved institution, any hospital, rehabilitation centre or organisation engaged in education, campaigning and the promotion of awareness of the effects of drug abuse, alcohol abuse or substance abuse or the treatment, alleviation, de-addiction and rehabilitation of drug dependent persons or persons affected by drug or alcohol abuse or substance abuse, subject to such terms and conditions as may be prescribed.

(2) Notwithstanding the provisions of any other written law and subject to the provisions of this Act, the Agency is hereby vested with the implementation and oversight of the treatment and rehabilitation of drug dependent persons or persons affected by drug or alcohol abuse or substance abuse.

PART IV - ADMINISTRATION OF THE AGENCY

Appointment and functions of Chief Executive Officer

11.(1) There shall be a Chief Executive Officer of the Agency who shall be appointed by the President on the recommendation of the Board.

(2) The salaries, allowances, benefits and other terms and conditions of service of the Chief Executive Officer shall be determined by the Government's remuneration policy.

(3) The Chief Executive Officer shall not, while holding the office of Chief Executive Officer, discharge the duties of any other office of emolument in the Republic.

(4) The Chief Executive Officer shall be an *ex officio* member of the Board without right to vote and shall attend all the meetings of the Board.

Responsibilities of the Chief Executive Officer

12. Subject to the direction, control and supervision of the Board, the Chief Executive Officer —

- (a) shall be responsible for the implementation of the decisions of the Board and for the effective management and carrying out of the affairs of the Agency;
- (b) shall be responsible for the administration and operation of the Agency and supervision of staff of the Agency;
- (c) may sign documents on behalf of the Agency;

- (d) may delegate any function of the Chief Executive Officer to the Deputy Chief Executive Officer or any employee of the Agency; and
- (e) shall perform such other duties as may be assigned or delegated to him or her by the Board.

Appointment and responsibilities of the Deputy Chief Executive Officer

13.(1) There shall be a Deputy Chief Executive Officer of the Agency who shall be appointed by the President on the recommendations of the Board.

(2) The salaries, allowances, benefits and other terms and conditions of service of the Deputy Chief Executive Officer shall be determined by the Government's remuneration policy.

(3) (a) The Deputy Chief Executive Officer shall act in the office of the Chief Executive Officer —

- (i) during the vacancy in the office of the Chief Executive Officer;
- (ii) during any period in which the Chief Executive Officer is absent from duty for any reason or is unable to perform the functions of that office;

(b) The Deputy Chief Executive Officer shall perform such other functions as the Chief Executive Officer may delegate.

Termination of appointment of the Chief Executive Officer and the Deputy Chief Executive Officer

14. The President may, on the recommendations of the Board, terminate the appointment of the Chief Executive Officer or the Deputy Chief Executive Officer, as the case may be, who—

- (a) has been guilty of any misconduct, default or breach of trust in the discharge of any duties;
- (b) is an undischarged insolvent or bankrupt;
- (c) is convicted of an offence and sentenced to a term of imprisonment of three months or more;
- (d) is absent from three consecutive meetings of the Board without leave of the Chairperson; or
- (e) is mentally or physically incapable of carrying out the functions under this Act.

PART V - FINANCE, ACCOUNTS AND REPORTS

Funds of the Agency

15. The funds of the Agency shall consist of —
- (a) such monies as may be appropriated by the National Assembly pursuant to an Appropriation Act for the purposes of the Agency;
 - (b) any monies received by the Agency by way of donations, gifts or grants from any legal source whether domestic or foreign; and
 - (c) any proceeds from sale, lease or transfer of movable or immovable property of the Agency.

Accounts and audit

16.(1) The financial year of the Agency shall be the calendar year.

(2) The Agency shall maintain proper accounts and other relevant records and prepare a statement of accounts in the form and manner approved by the Auditor-General.

(3) The accounts of the Agency shall be audited by the Auditor-General in accordance with Article 158 of the Constitution.

(4) Where the accounts and the statement of accounts of the Agency in respect of a financial year have been audited, the Agency shall furnish, not later than 3 months after the end of the financial year, to the Minister and the Minister responsible for finance, a copy of the statement together with a copy of any report by the Auditor-General on the statement of accounts or on the accounts of the Agency.

Annual report

17. The Agency shall, as soon as possible after the expiration of each financial year and in any event not later than the 31st day of March in any year, submit to the Minister, and the Minister responsible for finance, an annual report dealing generally with the administration and its activities during the preceding financial year and the Minister shall cause the report to be laid before the National Assembly.

PART VI - MISCELLANEOUS PROVISIONS

Application of certain provisions of Penal Code

18. The Chairperson, Vice-Chairperson, a Member, the Chief Executive Officer, the Deputy Chief Executive Officer or an employee of the Agency or any other person acting under the direction of the Agency shall be deemed to be employed in the public service for the purpose of sections 91 to 96 of the Penal Code (*Cap. 158*).

Protection of action taken in good faith

19. A suit or other legal proceedings shall not lie against the Board, Chairperson, Vice-Chairperson, Members and the Chief Executive Officer, the Deputy Chief Executive

Officer or other employees of the Agency for any action taken or intended to have been taken in good faith in pursuance of the provisions of this Act.

Regulations

20.(1) The Minister may make regulations for carrying out the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the regulations may provide for—

- (a) declaring any place to be an approved institution and providing for the management, maintenance and inspection of approved institutions, including approved residential programmes;
- (b) the control, supervision, release on temporary leave, aftercare and social reintegration of persons who have been admitted to an approved institution;
- (c) declaring any place to be an approved facility and providing for the conditions of services provided by approved facilities, including drug testing, assessment, treatment, and harm reduction services such as syringe and needle exchange programmes; and
- (d) any other matters which are required to be prescribed.

Transitional provisions

21. From the coming into operation of this Act, notwithstanding the provisions of any other written law, the administration, management and functions of the institutions, units or programmes of the Division of Substance Abuse Prevention, Treatment and Rehabilitation within the Ministry of Health shall vest in the Agency.

Transfer of staff to the Agency

22. Notwithstanding any law, a person employed with the Division of Substance Abuse Prevention, Treatment and Rehabilitation within the Ministry of Health immediately prior to the date of the commencement of this Act shall be deemed transferred to, and shall continue his or her employment with the Agency on terms and conditions not less favourable than those subsisting immediately prior to the date of the commencement of this Act until these are amended, varied or repealed in accordance with the Public Service Orders or any scheme of service applicable to employees of the Government, as the case may be.