



## SCRUTINY OF BILLS COMMITTEE REPORT

### **Marine Spatial Planning Bill 2026**

#### **1.0. Introduction**

In accordance with Standing Order 66, Marine Spatial Planning Agency Bill 2026, was presented to the Legislature with a notice from the Minister responsible for the environment. The Bill was published in the Gazette as Bill 5 of 2026 and subsequently referred to the Scrutiny of Bills Committee on Wednesday 25<sup>th</sup> March 2026. The First Reading of the Bill was done on the 31<sup>st</sup> March 2026.

#### **2.0. Object**

The Bill seeks to;

- Establish an Agency that will be responsible for marine spatial planning throughout the territory of Seychelles and the Exclusive Economic Zone of Seychelles and for matters related therewith.

#### **3.0. Constitutionality**

The Committee found the Bill to be constitutionally sound.

#### **4.0. Deliberations of the Committee**

The Committee was informed by the sponsors of the following;

- That Seychelles had made a commitment to protect its waters in 2012 and in 2016 Seychelles completed the world's first Depth-for-Nature-Conversion.

- In 2024 there were extensive consultations with bilateral sectors on Seychelles Marine Spatial Planning (SMSP) governance.
- The Seychelles Marine Spatial Plan was one of the requirements for the Depth-for-Nature-Conversion.
- In mid-2025, aspect of the SMSP started in 2018 with consultation with stakeholders, where the stakeholders had strongly recommended for the creation of a Marine Spatial Planning Agency.
- The recommendation by the stakeholder was brought before the cabinet and approved in 2018, and a Bill was drafted in 2020 but encountered delays due to the 2020 pandemic and other factors.
- The Bill was once again presented and received approval by the cabinet in February,2026.
- There are key international requirements that will be achieved by the SMSP Bill which will be realised with the creation of the Agency.
- Concerns were raised by a Member of the Committee as to whether the proposed Agency represents a major structural reform, the sponsors indicated that the Seychelles Marine Spatial Planning Agency (SMSPA) does not represent a major structural reform in ocean governance. The status quo of responsibilities and mandates of other agencies remains. The SMSPA's mandate is coordination of existing responsibilities and oversight of implementation of the SMSP and all its components.
- Concerns were also raised by a Member that too much power was given to the President to appoint Members on the Agency, casting adverse effect on the appointments as it seems too political. The Sponsors indicated that the appointments to the Agency made by the President are made in consultation with the Minister and the Executive Committee, the Executive Committee maintains balanced representation between government and civil society, helping to limit undue political influence and ensure appropriate checks and balances for sound governance.
- The Executive Committee shall consist of SMSA, Seychelles Fisheries Authority and Seychelles Coast Guard.

- A concern was raised by a Member that Section 19 of the Bill might cause duplications of duties with other Agencies. It was explained that Section 19 of the Bill came about as a concession resulting from inter-agency consultations to reaffirm and explicitly underscore that the proposed Agency has a specific role relating to the oversight and coordination of the marine spatial planning cycle in Seychelles and not broader issues of maritime affairs and ocean governance.
- A Member inquired whether the staff and the structures of the proposed Agency are efficient enough to carry out its mandate, the Sponsors clarified that a number of the functions of the Agency are to be carried out through the functions of the Management Committee (implementation) and Scientific Committee (scientific aspects), respectively. These structures permit the Agency to be composed of a very streamlined, yet professionally strong staff.
- A Member noted that the Agency's mandate is 'overstretched', the Sponsors strongly reiterated that the key functions of the Agency are oversight and coordination in respect of marine spatial planning implementation.
- Existing functions of regulators remain intact and would not be assumed by the Agency. The Agency would, in its capacity and within its scope, contribute to the review processes to ensure compliance with the MSP.
- As the marine spatial plan covers Seychelles' entire maritime area, the Agency needs to have oversight of overall compliance with the marine spatial plan in what would otherwise be a fragmented regulatory landscape, hence its mandate is not 'overstretched'.

- The Sponsors explained why “*Registered NGOs with demonstrated expertise*” were included in the Bill. It is a safeguard, as a result of stakeholder consultations, which identified a possible risk of external influence.
- A Member expressed his views that community groups which are not registered NGO’s are isolated from being a part of the Agency, The Sponsors stated that community groups and other stakeholders were included in the decade-long stakeholder consultations that formed the planning phase of the SMSP, they will accordingly be included in and presented with opportunities for engagement throughout the marine spatial planning cycle.
- Concerns were further raised by a Member as to whether cooperation with other Agencies will be achieved due to different priorities of these Agencies with the current proposed MSPA, the Sponsors clarified that the Agency’s structure is composed of the Executive and Management Committees and is designed to ensure that its key role as a coordinating mechanism is effectively realised, and that there is no duplication of efforts, preserving existing implementation and enforcement mandates.

## **5.0 Recommendations**

The Scrutiny of Bills Committee identified minor amendments to the Bill, and accordingly recommends that the Chairperson waive the requirement under Standing Orders 72 (1) which requires a 72-hours’ notice of amendments, to enable a Member of the Committee to present the simple amendments to the House during the Committee Stage.

OFFICIALS FOR BILLS COMMITTEE MEETING

- Ms Marie-May Jeremie      Minister for Environment.
- Ms. Rabia Somers          SMSP Unit.
- Ms. Mithila Mudalige      Compliance Officer
- Mr Victor Hill.              Representative of the AG's Office

Members Present;

- Hon'ble Johan Loze.
- Hon'ble Churchill Gill.
- Hon'ble Sylvanne Lemiel.
- Hon'ble Trevor Louise.
- Hon'ble John Hoareau.
- Hon'ble Colin Tirant.
- Hon'ble Sathya Naidu.

Members with Remarks/Questions;

- Hon'ble Trevor Louise.
- Hon'ble John Hoareau.

Annex 1

**Proposed Amendments  
Marine Spatial Planning Agency Bill**

Clause	Proposed Amendments
<b>6(9)</b>	<p>To delete the word “<i>poor</i>” where it appears after the words “<i>due to</i>” and replacing it with the word “<i>ill</i>”; to thus read as follows:</p> <p>Where the Chairperson, Vice-Chairperson or any Member of the Executive Committee is temporarily unable to perform the functions of his or her office due to <b>ill</b> health, other infirmity, absence from Seychelles or any other cause, the President shall appoint a person having regard to the provisions of subsection (1) to act in the place of the Chairperson, Vice-Chairperson or member as the case may be.</p>
<b>13(1)</b>	<p>To delete the word “<i>may</i>” where it appears after the word “<i>Agency</i>” and replacing it with the word “<i>shall</i>”; to thus read as follows:</p> <p>The Agency <b>shall</b> establish a Scientific Committee whose functions shall be to provide scientific guidance and advice to the Management Committee.</p>
<b>16(3)</b>	<p>To substitute the word ‘<i>in</i>’ after the word ‘<i>laid</i>’ and replace it with the word ‘<i>before</i>’; to thus read as follows:</p> <p>The Minister shall, within 30 days of receiving the Agency’s audited statement of accounts, annual report and the report of the Auditor General on the statement of accounts, specified under subsection (2), cause them to be laid <b>before</b> the National Assembly.</p>
<b>17(1)</b>	<p>To delete the words ‘<i>or any matter that may affect public interest</i>’; to thus read as follows:</p>

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	<p>The Minister may, in writing give general or special directions to the Agency regarding the performance of its functions under this Act or any other written law administered by it.</p>
<b>22(1)</b>	<p>To delete the words '<i>Public Service Bureau</i>' and substituting with the words '<i>Department of Public Administration</i>'; to thus read as follows:</p> <p><b>Department of Public Administration</b> may, by an order transfer, the required employees from the Ministry to the Agency for its initial functioning.</p>