

S. I. 22 of 1987

LICENCES ACT, 1986

(Act 3 of 1986)

**Licences (Trade) Regulations, 1987**

In exercise of the powers conferred by sections 16(2) and 21 of the Licences Act, 1986, the President, being the Minister responsible for Finance, hereby makes the following Regulations —

1. These Regulations may be cited as the Licence (Trade) Regulations, 1987. Citation

2. An application for a licence to trade shall be in the Form provided by the Authority. Application

Licence Authority

3. (1) The licence to trade shall be a licence to trade — form of licence
- (a) as an importer;
  - (b) as a wholesaler;
  - (c) as a retailer;
  - (d) as a hirer of —
    - (i) self-drive hire vehicles;
    - (ii) public omnibus; or
    - (iii) commercial vehicle used or intended to be used for the conveyance of goods, to which the Road Transport Act applies;
  - (e) as a hirer of hirecraft to which the Control of Hire Craft Act applies;
  - (f) as an operator of paragliding or commercial ski boat, or hirer of water sports equipment, to which the Beach Control Act applies; Cap. U4
  - (g) as a hirer of films including video films;
  - (h) as a hirer of any goods or vehicles other than a hirer referred to in paragraph (d), (e), (f) or (g).

Bodies to be  
consulted

(2) The licence to trade shall

- (a) in the case of a licence to trade referred to in sub-regulation (1) (a), (b) or (c), specify the category or class of goods for which the licence is granted and the address where the trade is to be carried on;
- (b) in the case of a licence to trade referred to in sub-regulation (1) (d), (e), (f), (g) or (h), specify the category or class of operation or hiring for which the licence is granted and the address where the trade is to be carried on.

(3) The Authority may grant a licence to trade in more than one class of trade specified in subregulation (1).

4. Before granting the licence, the Authority shall consult—

- (a) the Ministry responsible for Planning as to whether the trade premises comply with all requirements of planning under the laws of Seychelles;
- (b) the Ministry responsible for Health as to whether the trade premises conform to the public health requirements under the laws of Seychelles;
- (c) where necessary, the officer in charge of the Fire Brigade as to whether the trade premises comply with all planning requirements relating to fire protection under the laws of Seychelles;
- (d) the Ministry responsible for Defence;
- (e) in the case of a licence under regulation 3(1) (a), (b) or (c), the Seychelles Marketing Board on matters within its purview;
- (f) in the case of a hirer under regulation 3(1) (d), the Ministry responsible for Transport;
- (g) in the case of a hirer under regulation 3(1) (e), the Harbour Master as to whether the hirecraft complies with the requirements under the Control of Hire Craft Act and, where a hire craft is required to be fitted with a wireless receiver or transmitter,

Cap. 208

whether there is a valid licence for the receiver or transmitter;

- (h) in the case of a hirer under regulation 3(1) (f), the Ministry responsible for the administration of the Beach Control Act as to whether the requirements under that Act have been complied with;
- (i) in the case of a hirer under regulation 3(1) (g), the Ministry responsible for Information on matters within its purview;

in the case of a hirer under regulation 3(1) (h), the Ministry or Department having the control or management of goods, or vehicles as to whether all the requirements of law have been complied with.

5. (1) The Authority may in a licence under regulation 3(1)(d) specify —

- (a) conditions —
  - (i) in relation to the type of insurance and the extent of the insurance cover which the licensee shall keep in force in relation to the hire vehicles;
  - (ii) restricting the number and type of hire vehicles which the licensee may own and operate; (iii) requiring the affixing of the identification plates to the hire vehicles;
- (b) any other conditions which it may deem fit to impose.

(2) The licence under regulation 3(1) (d) shall be subject to the condition that the holder of the licence shall comply with the provisions of the Road Transport Act and the Regulations made under that Act relating to the vehicles.

(3) The Authority may, in a licence under regulation 3(1) (e) specify —

- (a) conditions —
  - (i) restricting the number of passengers;
  - (ii) restricting the area of operation;

Cap. 144

Conditions of  
trade licence  
under  
regulations  
(f), (g) and (h)

Cap. 226

(iii) requiring additional equipment; (iv) relating to standard or accommodation and tourist amenities;

(v) requiring the licensee to take out and keep in force a policy of insurance to the satisfaction of the Authority covering the passenger and crew of the hirecraft, and the public, for personal injury and for damage to their property;

(c) rates for charter or hirecraft approved by the Minister responsible for Tourism.

(b) any other conditions which the Authority may deem fit to impose;

(4) A licence under regulations 3(1) (e) shall be subject to the condition that the holder of the licence shall comply with the provisions of the Control of Hire Craft Act and the Regulations made under that Act.

(5) The Authority may, in a licence under regulation 3(1) (f), specify —

(a) conditions —

(i) to ensure the safety of a skier, flyer, boat crew and land crew;

(ii) to ensure the safety of the public and other users of the beach and inshore waters;

(iii) restricting or otherwise specifying the area and time of operations;

(iv) specifying the necessary equipment including tow rope, harness, boat or safety equipment, suitable engines for the proper and safe operation of water skiing and paragliding;

(v) requiring the licensee to take out and keep in force a policy of insurance to the satisfaction of the Authority covering the water skier, paraglider, the ski boat and paragliding crew, and the public, for personal injury or damage to their property.

(b) any other conditions which the Authority may deem fit to impose.

(6) A licence under regulation 3(1) (f) shall be subject to the condition that the holder of the licence shall comply with the provisions of the Beach Control Act and Regulations made under that Act. CaP 144

(7) The Authority may in a licence under regulation 3(1) (g), specify —

(a) conditions —

(i) requiring the licensee to submit the films before hiring for the approval of the Ministry responsible for Information which is hereby empowered to call for, examine and rate any film and approve it with or without excision therefrom;

(ii) prohibiting the hiring of films which have not been approved by the Ministry responsible for Information or otherwise than in accordance with its approval.

(b) any other condition which the Authority may deem fit to impose.

(8) The Authority may in a licence under regulation 3(1) (h), specify —

( ) conditions —

(i) requiring the licensee to take out and keep in force a policy of insurance to the satisfaction of the Authority covering —

A. the passengers in the vehicle and the public for personal injury and damage to their property; and

B. damage to goods being carried by the vehicle;

(ii) in relation to storage of goods, their disposal and quality control;

(b) any other condition which the Authority may deem fit to impose.

6. (1) An application for a licence to trade shall, subject to subregulation (2), be accompanied by the fees set out in the Schedule.

(2) A person who was the holder of a licence and who applies, after the expiration of the licence, for the same type of licence shall, unless the Authority is satisfied that he had, during the period between the expiration of the licence and his application, ceased to carry on the activity for which he was previously licensed, be liable, in addition to the licence fee and any other penalty under the Act, to a surcharge equal to 10% of the licence fee for each month or part thereof which has elapsed from the date of the expiration of the previous licence and the date of the lodging of his application.

(3) Where an application for a licence is refused, the Authority shall refund the licence fee and the surcharge to the applicant.

7. (1) A licence to trade shall be valid for a period of 12 months from the date of grant unless earlier revoked by the Authority and is, subject to subregulation (2), non-transferable.

(2) The Authority may, on the application of the holder of a licence and after consulting the relevant bodies specified in regulation 4, authorise, subject to such conditions as it thinks fit, the holder of the licence to transfer the activities under the licence to another premises.

## SCHEDULE

*Reg. 6(1)*

### FEES

1. Processing an application for a licence, other than a licence to trade as a retailer	— R. 50
2. Processing an application for a licence to trade as a retailer	— R. 25
3. Licence fee as an importer	— R. 5000
4. Licence fee as a wholesaler	— R. 2200
5. Licence fee as a retailer	— R. 400

5. Licence fee as a retailer	-- R. 400
6. Licence fee as a hirer of self-drive hirer vehicles	— R. 500
7. Licence fee as a hirer of public omnibus	— R. 500
8. Licence fee as a hirer of commercial vehicles specified in regulation 3(1) (d) (iii)	— R. 500
9. Licence fee for a hirer of hirecraft to which the Control of Hire Craft Act applies —	
(i) where the hirecraft belongs to a Seychellois —	
A. craft not exceeding 3m	— R. 500
B. craft not exceeding 3m but not exceeding 6m	— R. 1500
C. craft exceeding 6m but not exceeding 9m	— R. 4000
D. craft exceeding 9m but not exceeding 12m	— R. 6000
E. craft exceeding 12m but not exceeding 20m	— R. 8000
F. craft exceeding 20m	— R. 10000
G. beach craft (including wind-surfing boards, sail boards and the beach sport craft)	— R. 100
(ii) where the hirecraft does not belong to a Seychellois, each of the fees specified in subparagraph (i) is doubled.	
10. Licence fee for an operator of paragliding, commercial ski boat and hirer of water sports equipment	— R. 400
11. Hirer of films	— R. 400
12. Hirer of bullock carts	— R. 20
13. Hirer of loaders and excavators	— R. 400
14. Hirer of other goods not otherwise specified	— R. 400.
MADE this      day of	, 1987.

F. A. RENE,  
PRESIDENT.