

Officer, officers or employees of the Seychelles Bureau of Standards constituted under the repealed Act which were validly done, taken or granted under any written law or under and in accordance with the repealed Act shall continue to have effect in accordance with their terms or until amended, annulled or withdrawn in accordance with the written law.

(2) Upon coming into operation of this Act —

- (a) all employees of the Seychelles Bureau of Standards in employment immediately before the coming into operation of this Act shall upon the coming into operation of this Act be transferred to the Bureau on the same terms and conditions as applied to them previously;
- (b) all property, assets and liabilities of the Seychelles Bureau of Standards constituted under the repealed Act existing immediately before the coming into operation of this Act shall, upon the coming into operation of this Act, be vested in the Bureau, and the Bureau shall have all powers necessary to take possession of, recover and deal with such assets and discharge such liabilities.

I certify that



SEYCHELLES BUREAU OF STANDARDS ACT, 2014

(Act 2 of 2014)

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commits an offence and is liable on conviction to a fine not exceeding SCR100,000 or imprisonment for a term not exceeding two years, or both.

32.

SEYCHELLES BUREAU OF STANDARDS ACT, 2014

(Act 2 of 2014)

An Act to repeal and replace the Seychelles Bureau of Standards Act, 1987 to make better provision for the development, promotion and maintenance of standardisation and for matters connected therewith or incidental thereto.

ENACTED by the President and the National Assembly.

PART I - PRELIMINARY

1. This Act may be cited as the Seychelles Bureau of Standards Act, 2014 and shall come into operation on such date as the Minister may, by Notice published in the Official Gazette, appoint.

Short title and
commencement

2. In this Act —

“Board” means the Board of the Seychelles Bureau of Standards constituted under section 5;

“Bureau” means the Seychelles Bureau of Standards established by section 3;

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

“commodity” means an article, product or thing which is the subject of trade and commerce;

“conformity assessment” means the procedure used to determine, directly or indirectly, that the relevant requirements in a technical regulation or a standard are fulfilled;

“inspector” means a person appointed under section 21(1) as an inspector;

“mandatory standard” means a Seychelles Standard declared mandatory under section 17(1);

“mark” includes any device, brand, heading, label, ticket, name, signature, word, letter or numeral or any combination thereof;

“Minister” means the Minister responsible for Industry;

“premises” means —

- (i) a place where any business, industry, production or trade is carried on by a person whether by himself or through an agent;

30. Notwithstanding any provision in any other law or in an undertaking in respect of disclosure of information, a

(ii) any part of a dwelling used for the purpose of carrying on any business, industry, production or trade;

(iii) a place where any

technical, operational, clerical or supervisory work on contract or for monthly salary, daily wages, whether the terms of employment be expressed or implied.

PART II - THE BUREAU

3. There is hereby established the Seychelles Bureau of Standards which shall be a body corporate.

4. The functions of the Bureau shall be to —

- (a) promote standardisation in industry and commerce;
- (b) prepare draft standards and to declare them as Seychelles Standards;
- (c) to make arrangements or provide facilities for the examination and testing of commodities and any material or substance from which or with which they may be manufactured, produced, processed or treated and for the manner of such manufacture, production, processing or treatment;
- (d) provide for use of standard marks;
- (e) provide for the assessment of manufacturing, process or management systems and the certification thereof;
- (f) provide for the examination, testing and calibration of instruments, appliances, apparatus, weights

Seychelles for the purpose of determining whether the commodities comply with the provisions of this Act or any other law dealing with standards or technical regulations;

- (h) levy such fees and charges for the performance of its functions as may be prescribed;
- (i) coordinate the international, regional and bilateral relations with other standardisation organisations;
- (j) conclude agreements with standardisation organisations in other countries;
- (k) maintain a national information centre on matters of standardisation, industry, science and technology;
- (l) collect and collate information on research and development of relevance to Seychelles and evaluate and disseminate research findings;
- (m) maintain relationships with corresponding

research and development organisations
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- (p) assist the Ministry responsible for trade with the implementation of the provisions of trade agreements to which Seychelles is a party;
- (q) prepare, implement and execute, at the request and subject to the directions of the Minister, programmes in areas of industry, science and technology not inconsistent with the provisions of this Act; and

- (h) three members from the academia or civil society with sufficient knowledge and expertise in business

(9) The Chairperson or any member may be removed from the office by the President, if any of them —

- (a) is adjudged insolvent;
- (b) is convicted of any offence involving moral turpitude;
- (c) is

- (c) ensures that as far as possible the latest technological developments are considered;
- (d) ensures that Seychelles Standards are harmonized with relevant international or regional standards;
- (e) contains an appeal procedure for resolving disputes relating to the development of standards.

(2) Where the Bureau intends to declare, amend or revise a Seychelles Standard, it shall prepare a draft standard in accordance with the procedure formulated under subsection (1).

(3) Where a commodity, process or practice in respect of which a draft standard prepared is under the control or supervision of any Ministry or Government department, the Bureau shall consult the relevant Ministry or Department.

(4) The Bureau shall, by a notice published in a local newspaper and by other means determined by the Bureau, give wide publicity to the draft standard prepared pursuant to subsection (2), and specify in such notice a place for the inspection of the draft standard.

(5) Any person

- (f) approve the annual report for the previous year before submission to the Minister; and
- (g) advise and make recommendations to the Minister on matters related to standardisation, conformity assessment and metrology.

9. The Minister may give the Bureau directions in writing on the policy to be followed by the Bureau in the performance of its functions and the Bureau shall comply with those directions.

10.(1) Where the Board deems it desirable that any matter relating to its functions or the functions of the Bureau be referred to a committee for advice, for the efficient performance perfor4rc.0000 TDinis231e