

Mutual Funds

Guidelines



FINANCIAL SERVICES AUTHORITY

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1. Introduction

These guidelines have been prepared to provide assistance in matters pertaining to the application and licensing of mutual funds under the Mutual Fund and Hedge Fund Act, 2008 (the Act). These guidelines also provide a summary of the Act, thus it is not intended to be comprehensive nor replace or override any legislative provisions. Applicants and licensees are therefore advised to read these guidelines in conjunction with the Act. Any question or queries may be directed to:

The Managing Director
Financial Services Authority
P.O Box 991
Roche Caiman, Mahé
Republic of Seychelles

Attn: Funds and Investment Services Manager

All application forms and other documents are available from the Authority's website (www.fsaseychelles.net).

2. Scope of the Act

Per the definition of the Mutual Fund and Hedge Fund Act, a mutual fund:

- (a) collects and pools investor funds for collective investment purposes including hedge funds or with the aim of spreading investment risks; and
- (b) issues equity interests enabling investors in the mutual fund to receive or have the right to receive a portion of profits or gains derived from the investments.

This definition also includes "an umbrella fund whose equity interests are split or segregated into different funds or sub-funds" and "a hedge fund".

It is important to note that for the purpose of the Act an equity interest is one which is redeemable or re-purchasable at the option of the investor. The Act therefore does not apply to closed-end funds.

3. Types of Mutual Fund

The Act makes a distinction between 3 main types of funds:

- (a) Private fund
- (b) Professional fund
- (c) Public fund

Exempt Foreign Fund:

The Act also makes provision for an exemption from the licensing requirement in cases where the applicant is incorporated overseas and is appropriately licensed in a Recognised Jurisdiction (referred to as "Exempt Foreign Fund").

3.1 Private Fund

A Private Fund licence may be issued to a mutual fund which meets the following criteria:

- its constitutional documents specify that it will not have more than 50 investors or
- its constitutional documents specify that the making of any invitations to the public to subscribe for or purchase shares in the fund is prohibited; or
- invitation is to be made on a private basis

In accordance with the Act, an invitation is made on a private basis when it is made:

- to specified persons or specified ascertainable class of persons and is not calculated to result in shares becoming available to other persons
- by reason of a private client or business relationship between the person making the invitation and the investor; or
- it is designated as a private fund by Regulations.

3.2 Professional Fund

The Act defines a Professional Fund as:

- a mutual fund in which shares can only be held by professional investors; and
- the initial minimum investment amount per each investor is at least US\$100,000 or its equivalent in any other convertible currency.

A professional investor is defined as -

- a person whose ordinary business or employment involves, whether for his own account or the accounts of others the acquisition or disposal of property of the same kind or substantially the same kind as the property of the relevant fund;
- a person who has a net worth, whether individual or jointly with his spouse exceeding US\$ 1,000,000 or its equivalent in any other convertible currency; and has signed a declaration to such effect and whereby he also consents to being treated as a professional investor;
- a bank licensed under the Financial Institutions Act, 2004 or under the corresponding law of a recognised jurisdiction;
- a mutual fund licensed under this Act or under the corresponding law of a recognised jurisdiction;
- an insurance company licensed in Seychelles or under the corresponding law of a recognised jurisdiction; or
- a securities dealer or stock broker licensed in Seychelles or under the corresponding law of a recognised jurisdiction.

3.3 Public Fund

The Act defines a Public Fund simply as a mutual fund which is not a Private or a Professional Fund. Every licensed public fund must have at least –

- two natural persons as directors, in the case of a company, which is resident in or outside Seychelles
- two natural persons as general partners or two natural persons as directors of one or more corporate general partners, in the case of a partnership, which is resident in or outside Seychelles
- two natural persons as trustees or two natural persons as directors of corporate trustees, in the case of a unit trust, which is resident in or outside Seychelles

Failure to comply with the above is an offence and liable on conviction to a fine of \$50,000.

3.4 Exempt Foreign Fund

An Exempt Foreign Fund is a fund which holds a current licence or other authorisation to operate as a mutual fund issued under the laws of a recognised jurisdiction and which is administered by a person holding a Seychelles Fund Administrator's Licence.

4. Structuring mutual funds

Funds licensed in Seychelles may be structured as:

- (a) a company incorporated in Seychelles or in a recognised jurisdiction¹
- (b) a limited partnership registered in Seychelles or in a recognised jurisdiction
- (c) a unit trust registered in Seychelles or in a recognised jurisdiction

including without limitation:

- (i) a company incorporated under the International Business Companies Act, 1994
- (ii) a company incorporated under the Companies Act 1972
- (iii) a company incorporated under the Companies (Special Licence) Act, 2003
- (iv) a company incorporated under the Protected Cell Companies Act, 2003
- (v) a limited partnership registered under the Limited Partnership Act, 2003
- (vi) a unit trust registered under the International Trusts Act, 1994

5. Application and Licensing of Mutual Funds

Any mutual fund operation in or from the Seychelles must be duly licensed under the Act, unless an exemption has been granted by the Authority under section 3(14) of the Act.

5.1 Application requirements

An application submitted to the Authority for a Fund Licence must comprise of the following documents:

- Covering Letter signed by the proposed fund administrator
- A completed Application Form
- The relevant application fee
 - Private Fund : US\$500
 - Professional Fund : US\$750
 - Public Fund : US\$1,000
- The current or latest draft offering document and any other marketing material of the applicant
- Certified true copies of the constitutional documents of the applicant
- Personal Questionnaire Form completed by each director, general partner or trustee, of the applicant (whichever is applicable)
- A written consent by the proposed administrator as per section 3.(3)(d) of the Act
- A written consent by the proposed auditor as per section 3.(3)(e) of the Act
- Three year financial forecast or cash flow statements
- In the case of an existing fund, its audited financial statements for the past three years
- Certified true copies of the Auditor's certificate of membership and certificate of Good Standing as per section 2 of the Act.

The Authority will only process an application if the application fee has been submitted. During processing of the application, the Authority may request for additional information or supporting documents for the purpose of determining the application.

¹ The list of recognised jurisdiction is given in Schedule 6 of the Mutual Fund and Hedge Fund Act, 2008.

A person who supplies, to the Authority, information in connection with an application which he knows or reasonably knows is false or misleading, is guilty of an offence and liable to conviction to a fine of US\$25,000.

5.2 Granting of a licence

The Authority will not grant a licence unless it is satisfied that:

- the applicant is fit and proper
- each operator, promoter and administrator of the applicant is a fit and proper person
- the fund will be administered by persons with sufficient expertise
- the business of the fund and any offer of shares in it will be carried out in a proper manner
- the fund is in compliance with the Act
- the fund is fit and proper to be approved as a licensed fund
- the custodian of the fund is a financial institution licensed under the Financial Institutions Act, 2004 or a trustee services provider licensed under the International Corporate Services Providers Act, 2003, or such other person as the authority may approve
- the fund's administrator is separated and independent of the custodian
- the investors of the fund are entitled to have their shares redeemed or purchased by the fund in accordance with the constitutional documents of the fund

It should however be noted that the Authority has a discretion in granting or refusing a licence. It may in dealing with an application take into consideration matters other than those mentioned above.

Should the application be successful, the Authority will issue the licence (with any conditions stated at the back of the licence) upon payment of the relevant annual licence fee. The licence fees payable are as follows:

- Private Fund Licence: US\$500
- Professional Fund Licence: US\$750
- Public Fund Licence: US\$1000

6. Application for exemption

An application for exemption from the requirement to obtain a fund licence may be submitted by a fund which:

- (a) is licensed under the laws of a Recognised Jurisdiction and is in Good Standing
- (b) is administered by a person holding a Seychelles fund administrator's licence; and
- (c) is incorporated or otherwise established and domiciled outside Seychelles; and
- (d) Either –
 - (i) has an initial minimum investment per investor of not less than \$ 100,000 or its equivalent in any other convertible currency; or
 - (ii) has its equity interests listed on a stock exchange of a recognised jurisdiction

6.1 Application Requirements

An application for exemption (i.e. Exempt Foreign Fund) submitted to the Authority must comprise of the following documents:

- Covering Letter signed by the proposed fund administrator
- A completed Application Form
- The application fee of US\$1500
- Certified copy of current valid licence or other authorisation to operate as a mutual fund under the laws of a recognised jurisdiction
- Certificate of good standing from an Overseas Regulatory Authority in a Recognised Jurisdiction
- The current or latest draft offering document and any other marketing material
- Three year financial forecast or cash flow statements of the fund

The Authority will only process an application if the application fee has been submitted. During processing of the application, the Authority may request for additional information or supporting documents for the purpose of determining the application.

A person who supplies, to the Authority, information in connection with an application which he knows or reasonably knows is false or misleading, is guilty of an offence and liable to conviction to a fine of US\$25,000.

6.2 Granting of Exemption

To qualify for an exemption, the applicant must provide evidence satisfactory to the Authority showing –

- (i) that the fund is in good standing and holds a current licence or other required authorisation to operate as a mutual fund issued under the laws of a recognised jurisdiction; and
- (ii) that the fund is in compliance with Section 3.(14)(c) of the Act

Should the application be successful, the Authority will issue a written notification that the Authority has approved the fund's application for exemption from the licensing requirement of section 3(1) of the Act.

7. Renewal of fund licence and exemption

Any fund licence or approval for exemption granted under the Act is valid for a period of one year and must be renewed – annually.

The Authority will only renew a fund licence upon:

- the payment of the annual licence fee; and
- the submission of a declaration of compliance as per Schedule 2 of the Act
 - **omitting the statement** "To: The Central Bank of Seychelles"
and replacing with "To: The Financial Services Authority"

The Authority will only renew an approval for exemption upon:

- the payment of the annual exemption renewal fee
- the submission of a declaration of compliance as per Schedule 4 of the Act;
 - **omitting the statement** "To: The Central Bank of Seychelles"
and replacing with "To: The Financial Services Authority"

and

- the submission of up to date evidence showing that the fund is in good standing and holds a current licence or other required authorisation to operate as a mutual fund issued under the laws of a recognised jurisdiction and that either –
 - it has an initial minimum investment per investor of not less than \$ 100,000 or its equivalent in any other convertible currency; or
 - it has its equity interests listed on a stock exchange of a recognised jurisdiction

A licensed fund or an Exempt Foreign Fund must ensure that the formalities for renewal are undertaken well ahead of the expiry date of the licence or exemption. It is an offence to operate as a mutual fund without a valid licence or exemption.

Failure to renew the licence or approval for exemption on time will attract an additional fee equivalent to one twelfth of that annual fee for each month or part thereof during which the annual fee remains unpaid.

8. Fund Administrator

A Seychelles licensed fund must be administered by a licensed Seychelles Fund Administrator or an Approved Foreign Administrator.

An Exempt Foreign Fund must be administered by a licensed Seychelles Fund Administrator.

9. Custodian

A mutual fund is required to entrust the safekeeping of its assets to a custodian which may be:

- a licensed bank under the Financial Institutions Act, 2004
- a licensed trustee services provider under the International Corporate Service Providers Act, 2003; or
- such other financial institution or person in or outside Seychelles, as may be approved by the Authority.

Applicants are expected to consider the fitness and propriety of their proposed custodians. Due consideration should be given to the custodian's honesty, integrity, competence and financial soundness, taking into account the particular requirements of the fund's business. In particular, a fund's custodian should:

- have a sound track record
- have experience in providing custodian services
- have ample resources (infrastructure, office space, personnel) to provide such services
- have adequate internal controls systems and procedures
- be functionally separate and independent of the mutual fund's administrator

10. Agent for service

A licensed fund which is not incorporated or otherwise established in Seychelles must have an agent for service in Seychelles. The agent may be a licensee under the International Corporate Service Providers Act, 2003 or under the Financial Institutions Act, 2004 or any other body approved in writing by the Authority. Failure to comply constitutes an offence and liable on conviction to a fine of \$25,000.

11. Accounting Records

Every licensed fund must maintain adequate accounting records and prepare financial statements in respect of each financial year in accordance with generally accepted accounting principles. The accounting records and financial statements must be available for examination by the Authority or any

person duly authorised by the Authority. Failure to comply constitutes an offence and liable on conviction to a fine of \$25,000.

12. Audited Accounts

Every licensed fund must have its accounts audited annually according to the International Financial Reporting Standards. The Act allows for licensees incorporated under the Companies Act, 1972 to appoint a foreign auditor subject to the Authority's approval.

Every licensed public fund must ensure that copies of its annual audited financial statements are provided to, or made available for examination by all its investors.

Both, licensed funds and Exempt Foreign Funds must submit to the Authority its audited accounts within 4 months of the end of each financial year or within such extension period allowed by the Authority. However, the Authority may by written notice exempt an Exempt Foreign Fund from submitting its audited accounts, if the Authority has received satisfactory evidence that there is no such legal requirement in the recognized jurisdiction in which the fund operates..

Failure to comply with these requirements constitutes an offence and in relation to a licensed fund and Exempt Foreign fund, liable on conviction to a fine of \$25,000 and \$50,000 respectively.

Section 17(1 of the Act) provides the authority the power, at any time, to direct a licensed fund to have its accounts audited and submitted to the Authority.

13. Auditor

The Act allows for the appointment of foreign auditors. Derogation to the Companies Act, 1972 is provided for in that a company incorporated under that Act can appoint a foreign auditor subject to Authority's approval.

An auditor must promptly notify the Authority in writing, if in the course of carrying out an audit of the accounts of a licensed fund, becomes aware or has reason to believe that the mutual fund –

- (a) is or is likely to become unable to meet its debts as and when they fall due
- (b) is carrying on business or is winding up its business voluntarily in a manner that is prejudicial to its investors or creditors; or
- (c) is carrying on business without keeping any or sufficient accounting records to allow its accounts to be properly audited.

14. Notification of changes by licensed funds

A licensed fund must notify the Authority of any of the following changes within 14 days of its occurrence:

- (a) in the case of a licensed fund incorporated or otherwise established in Seychelles, a change in the address of its registered office in Seychelles
- (b) in the case of a licensed fund which is not incorporated or otherwise established in Seychelles
 - (i) a change of its agent for service or of the address of such agent in Seychelles
 - (ii) a change of the address of the fund's registered office overseas
- (c) a change of name or address of-
 - (i) each director of the fund, if the fund is a company

- (ii) each trustee of the fund, if the fund is a trust
- (iii) each general partner of the fund, if the fund is a limited partnership.

Failure to comply with these requirements constitutes an offence and liable on conviction to a fine of \$25,000.

15. Notification of changes by Exempt Foreign Funds

An Exempt Foreign Fund must notify the Authority of any of the following changes within 14 days of its occurrence:

- (a) a change in the address of the fund's principal place of business overseas
- (b) a change in the address of the fund's registered office overseas

An exempt foreign fund must immediately notify the Authority in writing if its licence or other required authorisation to operate as a mutual fund in a recognised jurisdiction is revoked or otherwise terminated.

Failure to comply with these requirements constitutes an offence and liable on conviction to a fine of \$50,000.

16. Conditions to a fund licence

The operator of a licensed fund must ensure that in carrying on business in or from Seychelles the mutual fund complies with the conditions contained in its licence. Failure to do so constitutes an offence and is liable on conviction to a fine of \$50,000.

17. Identification of Clients

A licensed fund must at all times know and be able to identify its investors and be able to identify the beneficial owners of its investors which are companies or other entities. Failure to comply constitutes an offence and liable on conviction to a fine of \$25,000.

18. Offering document

The contents of every offering document must be in accordance with section 7.(2) of the Act.

When any information contained in the offering document ceases to be accurate, the licensed fund must, within 21 days of the change occurring, publish an amendment and provide a copy of such amendment to each of its investors and to the Authority.

A licensed public fund which intends at any time to make an invitation to the public or a material change to an offering document previously approved by the Authority must, prior to making such invitation or material change, file the proposed offering document or amendment, with the Authority for approval accompanied by the applicable fee (i.e. US\$250).

19. Appointment, resignation or removal of Director or officer

A licensed fund must notify the Authority of the resignation or removal of any director or officer and such notification should include a description of the circumstances of the departure.

Section 4 requires the register to contain the name and address of each director and therefore needs to be updated by the Authority.

20. Role of the Authority

The Authority is conferred powers of supervision over the mutual funds administrators and the mutual funds by the Act and may in carrying out its supervisory functions:

- (a) issue directions to licensees
- (b) request information or documents from licensees
- (c) revoke a mutual fund licence
- (d) require the replacement of any promoter or operator of a licensed mutual fund
- (e) impose, amend or revoke conditions on an administrator licence
- (f) appoint a person to advise a licensed mutual fund on the proper conduct of its affairs
- (g) appoint a person to assume control of the affairs of a licensed mutual fund
- (h) revoke the approval given to an Exempt Foreign Fund

The Act also imposes duties on the Authority, most notably, the duty not to disclose any information to a third party except where authorised under a written law.

21. Official Search

The Authority maintains separate registers for each type of fund licensed and a register of Exempt Foreign Fund, which are open for public inspection. Any person may make a search on the public register upon payment of the prescribed fee of US\$75. Any person can obtain a declaration of official search under the seal of the Authority in respect of any licensed fund or Exempt Foreign Fund containing the information referred to in Section 4(3) and 4(4) respectively upon payment of the prescribed fee of US\$100.

22. Exemptions and concessions

Schedule 9 of the Act grants exemptions and concessions from the applicability of certain legislative enactments

▪ **Business Tax Act**

The Business Tax Act does not apply to licensed and exempt funds unless the licensed fund is a company under the Companies (Special Licence) Act, 2003, in which case a tax rate of 1.5% will be applicable on the income of the fund.

No withholding tax is payable on dividends and/or interest payable.

▪ **Immovable Property Transfer Restriction Act**

The restriction in Section 4 of the Immovable Property Transfer Restriction Act, the effect of which it requires a non Seychellois to seek sanction from the Ministry of National Development prior to leasing an immovable property in Seychelles, does not apply to funds and exempt foreign funds.

▪ **Social Security Act**

The Social Security Act was replaced in 2010 by the Income and Non-Monetary Benefits Tax Act, 2010.

Under the Income and Non-Monetary Benefits Tax Act, 2010:

- The rate of Income Tax Payable by an employed person (citizen and non-citizen of Seychelles) in respect of emoluments is 15% of the gross amount of emoluments.

- The rate of tax payable by employers is 20% of the value of a non-monetary benefit provided to an employed person. Non-monetary benefits are described under the Fourth Schedule of the Income and Non-Monetary Benefits Tax Act, 2010.

- **Stamp duty Act**

A mutual fund is exempt from the payment of stamp duty on all instruments evidencing transactions in respect of shares or debt obligations and on all transfers of other property to or by the fund.

It should be noted that the exemption does not extend to the transfer of or interests in immovable property in Seychelles.

- **Trades Tax Act**

The Act grants exemption from the payment of trades tax (customs duty) on all imported furniture and equipment (including computers, communication equipment) used by the licensee, in its office in Seychelles, in connection with the business of operating a mutual fund.

Appendix 1 is a list of furniture and equipment to be exempt under the Act. It should be noted that some of the goods on the list may already attract 0% tax rate.

- **Goods and Services Act**

The GST Act is not applicable to mutual funds in its entirety.

- **Immigration Decree**

The Act allows a mutual fund to employ expatriate employees up to 50% of its total number of employees.

- **Exchange Control Act**

The provisions of the Exchange Control Act do not apply to mutual funds.

- **Foreign Earnings Act**

The Foreign Earnings Act is not applicable to a licensed or exempt fund in its entirety.

23. Administrative procedures with regards to Schedule 9

This section provides administrative procedures in relation to the concessions and exemptions provided for in Schedule 9 of the Act.

23.1 Conditions for Duty Concession

- A mutual fund must submit to the Authority, a list of office equipment, furniture and stationery requirements of its office.
- The Authority shall approve a quota limit for each mutual fund based on the expected volume of activities and type of service offered following consultation with the mutual fund.
- Orders in excess of the quota limit will only be considered for approval if justifiable reasons are provided to the Authority.

- An updated list of the office requirements must be lodged with the Authority on an annual basis before consideration for exemptions can be given.
 - Office equipment and furniture are replaceable when they have reached their economic useful life, are beyond reasonable repair or not meeting the quality standard desired by the mutual fund:

Economic Useful Life means that the asset has fully depreciated and the depreciation method used is in line with the Business Tax Act.
Beyond Reasonable Repair means that the asset has had frequent breakdown and/or servicing during a month and actual costs of repair are substantial.
 - A mutual fund has to provide justification to the Authority for replacement of office equipment, stationary and furniture, which have reached their economic useful lives, are beyond reasonable repair, their quality of output is not to the required standard and/or out of stock.
 - Disposal of office equipment, furniture have to be lodged with the Authority and once approved, all tax liabilities must be paid before the asset is disposed (refer to procedures in relation to disposal).
- A mutual fund has to maintain an asset register for all assets purchased.
- The Authority shall approve duly concession only if the goods are consigned to the Licensee and/or separate invoices and BOE are presented in the case of group orders.

NOTE: A mutual fund shall not comply with the provisions of the Trades Tax Act in relation to obtaining an Import Permit and other requirements set out by the Ministry of Finance in relation to importation of goods. It is important to consult on tax/duty concessions prior to confirming an order, if in doubt. All tax-exempt items must be located in offices and/or premises and are subject to inspection by the Authority or the Tax Division.

23.2 Processing of Goods for Duty Concession

- 1) A set of 5 documents each containing the Bills of Entry (BOE), invoices, shipping documents must be submitted to the Authority for "Endorsement" for Duty Exemption prior to presentation of document to the Trades Tax Division. A full set of the BOE is kept by the Authority. The remaining 4 copies are given to the mutual fund for processing at Trades Tax Custom Office at the Airport or New Port.
- 2) During clearance of goods, a designated officer of the licensee must be physically present and must ensure that the Custom Officer declares any short landing and/or damage of goods.
- 3) When the goods enter the licensee's premises after being cleared by the Trades Tax Custom office, a designated officer must inspect the goods again and any items that have gone missing during transit should be reported to the Authority, immediately. Trades Tax shall apply on any missing items thereafter and the fund will be liable.
- 4) After the Goods have been cleared and delivered to the fund's office, a copy of the Processed Trades Tax Bill of Entry and any variation order made by Trades Tax Division should be forwarded to the Authority by the next working day.

NOTE: A fund is required to keep well documented and updated records of the items exempted from Taxes. These records should include inventory of fixed assets, stationery imported and goods disposed of, and must be available at all times for inspection. Tax will apply for any item unaccounted for.

23.3 Processing Disposal of Duty Concession Goods

Disposal of office equipment and furniture have to be lodged with the Authority and once approved, all tax liabilities must be paid before the asset is disposed of.

Mutual funds must observe the following guidelines:

- (a) Submit their request for disposal to the Authority in typed format indicating the item, the quantity, the cost value, present market value, reasons for disposal, and manner in which they are going to dispose the item.
- (b) The Authority will consider the application and may inspect the items to be disposed of in the process.
- (c) If the approval is being considered positively, the licensee must prior to disposal settle the Duty payable with Tax Office and forward a copy of duty payment to the Authority. The Authority will then give the final approval.

NOTE: A licensee must not destroy or dispose any office equipment, furniture, or stationery exempted from customs duty unless written approval is given by the Authority.

23.4 Payment of Business Tax

The tax payable by a licence holder in respect of its income shall be collected at source by the Authority and remitted to the Seychelles Revenue Commission.

23.5 Guide to Recruitment

- 1) A foreign worker should be recruited outside Seychelles.
- 2) The person making an application for a Gainful Occupation Permit (GOP) must undergo a compulsory Medical Examination. This should be done prior to entering into Seychelles. However, if the person is already in Seychelles, an appointment with the Occupational Health Unit of the Health Authority can be obtained for the person to undergo all relevant tests.

The medical fitness test is required to be submitted in the form contained in Appendix A. Other information required to be submitted are tests for the following:

- HB%
- HIV Test
- Hepatitis B Test
- VDRL Test
- Urine-Routine and Microscopic Exam
- X-ray chest PA view

All of the original copies of laboratory and x-ray results must be submitted to the Occupational Health Unit to certify that the person has passed the medical fitness test.

A **fee of SR 350** is payable to the Occupational Health Unit for processing and medical endorsement.

If the medical test is conducted at the Occupational Health Unit a **fee of SR 1175** is payable to the Occupational Health Unit.

- 3) The Authority must be informed of the employment of foreign workers 28 days prior to entry of the employee into Seychelles.
- 4) Request for foreign employment must be lodged to the Authority and upon approval. The following documents and information would be required:

- Medical fitness certificate presented in the format prescribed by the Ministry of Health, plus original test result of the following:
 - HIV, PPR, Hepatitis B, HB WBC DC, urine, stool & chest X-ray
 - Contract & condition of employment unless defers from the standard conditions/contract
 - Passport number, date of birth, nationality, marital status and date of arrival into Seychelles.
 - Statistical information on employees (local and foreign)
 - Signed GOP Application Form
- 5) In addition to the above, the fund administrator should liaise with the Occupational Health Unit of the Health Authority in respect of the prospective employee to enter into Seychelles on the basis of the Medical fitness certificate presented. Based on Unit's recommendation, the Authority will extend approval for entry of the employee into Seychelles to the Immigration Division.
 - 6) Notwithstanding the above, the licensee has to ensure that employees present themselves to the Occupational Health Unit of the Ministry of Health for a medical fitness test within one month of arrival into the country.
 - 7) Please note that the issuance of a visa upon arrival of the employee does not automatically constitute residency in Seychelles. An application for a GOP should be made. Approval to reside in Seychelles during the period of employment is the prerogative of Immigration Division.

23.6 Application of Gainful Occupation Permit (GOP or Work Permit)

- 1) After the Health Authority has endorsed health clearance of the prospective employee, the licensee must submit the following document to the Authority for GOP concession as per Schedule 10 of the Mutual Fund and Hedge Fund Act, 2008.
 - Health Clearance letter
 - 2 copies of employee's passport, (one copy to be retained by the Authority)
 - 4 passport size photographs, (one to be retained by the Authority)
 - A Copy of the fund administrator's licence and other relevant document
 - Completed GOP Application Form
- 2) The Authority will then issue a formal letter to Immigration Division through the licensee whereby same letter should be forwarded to Immigration Division along with a set of documents as specified in par 9.6.1 above. The fund administrator must submit to Immigration along with the documents above, a **processing fee of SCR1000**.
- 3) Please note that employee can enter into Seychelles unless he/she is in possession of a copy of the GOP for presentation on his arrival to immigration officers.
- 4) A copy of the GOP should be forwarded to the Authority once approved by Immigration Division.
- 5) Same process is applied for Renewal of a GOP. Please note that the expired GOP certificate should be forwarded with the renewal application.

23.7 Surrender of Work Permit- Termination of Employment or End of Contract

The Authority must be notified in writing of the termination of employment or end of contract of foreign employees and the Work Permit of these employees must be surrendered to the Authority.

24. Seychelles Pension Fund Contribution

A licensee shall pay Seychelles Pension Fund Contribution in respect of an employee who is a citizen of Seychelles.

As from 1 January 2012, the 1% pension contribution payable by employer and 1% contribution by employee have been revised to 1.5% by employee and 1.5% by employer or SR50 whichever is the greater to add up to 3% of the total contribution.

The mandatory contribution should be deducted from the employee's monthly salary and remitted to the Fund through the Seychelles Revenue Commission.

For more information contact the Seychelles Pension Fund on:

Chief Executive Officer
Seychelles Pension Fund
Caravelle House
PO Box 576 ,
Victoria ,
Mahe ,
Seychelles

Tel (248) 294699

Fax (248)224740

E-mail addresses: spsdir@seychelles.net

Appendix 1

List of Equipment and Furniture

Office Equipment

- Photocopier
- Fax Machine
- Table or Electric Emboss Seal
- Binding Machine
- Franking Machine
- Laminating Machine
- Shredders
- Guillotine/Trimmers
- Air-condition (1 per office) unless Office has Centralised air-condition
- Air Humidifier
- Telephone Set (Fixed)
- Heavy Duty Punch
- Heavy Duty Staplers

Security Equipment

- Security Camera
- Security lock and other office Security Devices

IT Equipment

- Personal Computers
- Laptop (limited to one per managerial staff)
- Printers
- Scanners
- Computer Servers
- Network Cables
- Wireless Network Devices
- Network Switches
- Network Routers
- Computer Peripheral such as diskette, CD, backup tapes, Keyboard, Screen
- CD/DVD Writers
- Modems

Conferencing Equipment

- TV, DVD
- Projector LCD/Overhead,
- Projector Screen,
- Video Camera/Recorder
- Video conferencing Equipment
- Small HI Set
- Carry Case for Above

Office Furniture

- Office Desk
- Office Chares
- Side Table
- Conference Table & Chairs

- Rubber Chair Mat
- Reception chair/table
- Filing Cabinet/Cupboards
- Office Storage Cupboard
- Desk end Pedestals
- Book shelves
- Rotary Filing units
- Calculators
- Desk Trays
- Date stamps and other office stamps
- Blinds/Curtain
- Carpets
- White Board
- Year Planner
- Flip Chart
- Advertising Panel stand and display units
- Literature/Brochure stand