

**CONSOLIDATED TO 30 JUNE 2012**

**LAWS OF SEYCHELLES**

Act 11 of 2006

**SEYCHELLES HERITAGE FOUNDATION ACT**

*[26th December, 2006]*

**ARRANGEMENT OF SECTIONS**

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3. Establishment of Seychelles Heritage Foundation
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## SCHEDULE

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1. This Act may be cited as the Seychelles Heritage Foundation Act.
2. In this Act —
  - “Board” means the Board of Directors of the Foundation appointed under section 5;
  - “Foundation” means the Seychelles Heritage Foundation established by section 3;
  - “member” means a member of the Board;
  - “Minister” means the Minister responsible for culture.
3. There is hereby established a foundation called the Seychelles Heritage Foundation which shall be a body corporate.
4. The objects of the Foundation shall be —
  - (a) to identify, conserve and promote the cultural heritage of Seychelles;
  - (b) to encourage broader public participation in activities designed to promote the cultural heritage of Seychelles;
  - (c) to generate the resources necessary for the achievement of the purposes of this Act and utilize them for such purposes;
  - (d) to manage heritage sites specified in the Schedule having regard to their value to cultural tourism;
  - (e) to endeavour to win international support for activities designed to promote the heritage of Seychelles;
  - (f) to promote research into and education on various aspects of the national heritage; and
  - (g) to advise the Government on matters relating to the cultural heritage of Seychelles.
- 5.(1) The affairs of the Foundation shall be administered by a Board of Directors.
  - (2) The Board shall consist of a chairperson and 8 other members appointed by the President for such term not exceeding 3 years as the President may determine.
- 6.(1) The Board shall meet at such times and places as may be determined by the chairperson.
  - (2) A quorum of a meeting of the Board shall be 5 members.

- (3) At any meeting of the Board at which the chairperson is not present, the members present shall elect one of their number to be the chairperson of that meeting.
- (4) Decisions of the Board shall be taken on a majority of the votes of the members present and voting but on an equality of votes the chairperson shall have a casting vote.
- (5) Subject to the preceding provisions of this section, the Board may regulate its own procedure.
- 7.** All deeds, acts and documents of the Foundation shall be signed by the chairperson and one other member of the Board.
- 8.** The Minister may give the Board general directions in writing relating to the performance of functions by the Board and the Board shall comply with such directions.
- 9.** The Board shall where necessary act in consultation with other organisations involved in activities connected with the cultural heritage and, in particular, with the National Monuments Board.
- 10.(1)** The funds of the Foundation shall consist of —
  - (a) monies voted by the National Assembly for the use of the Foundation;
  - (b) monies accruing to the Foundation from its activities;
  - (c) monies received by the Foundation by way of loans, gifts, donations or grants.
- (2) The funds of the Foundation shall be applied in defraying the expenses of the Foundation connected with the objects of the Foundation and payment of remuneration of members and staff of the Foundation and repayment of any debt.
- 11.(1)** The Board shall cause to be kept proper accounts and books and records in relation thereto in which shall be recorded all the financial transactions of the Foundation.
  - (2) The financial year of the Foundation shall be from 1<sup>st</sup> January in any year to 31st December next following.
  - (3) The accounts of the Foundation shall be audited by the Auditor General in accordance with article 158 of the Constitution.
- 12.(1)** The Foundation shall appoint a chief executive officer of the Foundation and other staff on such terms and conditions as it may determine.

- (2) The Minister may, at the request of the Board, release officers of the Ministry on secondment to the Foundation on such terms and conditions as may be agreed with such officers and the Foundation.
- 13.** The Board shall draw up a plan of work for each financial year and obtain the approval of the Minister before implementing the plan.
- 14.** The Board shall, within a period of 2 months after each financial year, submit a report on the activities of the Foundation during that financial year to the Minister.
- 15.** The members of the Board or the officers and agents of the Foundation shall not be subject to any civil or criminal liability in respect of any act done or omission made in good faith in the performance of their functions under this Act.
- 16.(1)** All legacies and donations for the benefit of the Foundation shall be exempt from stamp duty under the Stamp Duty Act.
- (2) The income of the Foundation shall be exempt from any tax imposed under the Business Tax Act.
- 17.** The Minister may, in consultation with the Board, make regulations for carrying into effect the principles and provisions of this Act and for amending the Schedule.

**SCHEDULE**

Section 4(d)

Ex-Plantation House, La Plaine, Au Cap  
 Creole Village, Val de Pres, Au Cap  
 Mission Ruins, Mission, Sans Soucis  
 Bel Ombre Treasure site

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**NO SUBSIDIARY LEGISLATION**  
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