

**CIVIL CODE (AMENDMENT) BILL, 2021**

*(Bill No. 28 of 2021)*

**OBJECTS AND REASONS**

The object and purpose of the Bill is to amend the Civil Code Act of Seychelles, 2020, (*Act 1 of 2021*) to—

- (a) to insert the amendments that were made to the Civil Status Act (Cap. 34) by the Civil Status (Amendment) Act, 2018, (*Act 6 of 2018*) and which were inadvertently omitted in the Civil Code of Seychelles Act, 2020 (*Act 1 of 2021*);
- (b) align the provisions of the Civil Code of Seychelles, which is a schedule to the Civil Code of Seychelles Act, 2020, (*Act 1 of 2021*) with the provisions of the Curatelle Bill, 2021, 1, under which the Curator will appoint executors and fiduciaries.

**Dated this 21st day of June, 2021.**

**FRANK D.R. ALLY  
ATTORNEY-GENERAL**

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**CIVIL CODE (AMENDMENT) BILL, 2021***(Bill No. 28 of 2021)***ARRANGEMENT OF SECTIONS****Sections**

1. Short title and Amendment of Act 1 of 2021
2. Insertion of a new section 2A
3. Amendment of article 3
4. Amendment of article 157 (3)
5. Amendment of article 158(1)
6. Amendment of article 158 (2)
7. Amendment of article 158 (3)
8. Insertion of new article 158 (6)
9. Amendment of article 159 (1)(a)
10. Amendment of article 774 (b)
11. Amendment of article 774(c)
12. Amendment of article 835
13. Amendment of article 818(2)
14. Amendment of article 819(1)
15. Amendment of article 821
16. Amendment of article 1000

**CIVIL CODE (AMENDMENT) BILL, 2021**

*(Bill No. 28 of 2021)*



**A BILL  
FOR**

**AN ACT to amend the Civil Code Act of Seychelles, 2020 (Act 1 of 2021).**

**ENACTED** by the President and the National Assembly.

**Short title and Amendment of Act 1 of 2021**

**1.** This Act may be cited as the Civil Code (Amendment) Act, 2021, and amends the Civil Code of Seychelles Act, 2020, (*Act 1 of 2021*) (hereinafter referred to as the “principal Act”) and the Schedule to the principal Act called the Civil Code of Seychelles (hereinafter the “Civil Code of Seychelles”).

**Insertion of new section 2A**

2. The principal Act is amended by inserting immediately after section 2 the following new section —

**Application of jurisprudence of civil law**

“Nothing this Act shall invalidate any principle of jurisprudence of civil law or inhibit the application thereof in Seychelles except to the extent that it is inconsistent with the Civil Code Act of Seychelles.”

**Amendment of article 3**

3. Article 3 of the Civil Code of Seychelles is amended by inserting after the definition of “Code” the following new definition —

“Curator” means the Curator appointed under the Curatelle Act, 2021, unless the context otherwise requires.

**Amendment of article 157 (3)**

4. Article 157(3) of the Civil Code of Seychelles is amended by inserting after the word “house” the words “or at any other place”.

**Amendment of article 158 (1)**

5. Article 158 (1) of the Civil Code of Seychelles is amended by inserting after the word “house” wherever it appears, the words “or at any other place”.

**Amendment of article 158 (2)**

6. Article 158 (2) of the Civil Code of Seychelles is amended by inserting after the word “residence”, the words “or at such other place”.

**Amendment of article 158 (3)**

7. Article 158 (3) of the Civil Code of Seychelles is amended by inserting after the word “residence”, the words “or other place”

**Insertion of new article 158 (6)**

8. The Civil Status (Celebration of Marriage Fees) Regulations, 2019 (S.I. 64 of 2019) shall apply to celebration of a marriage under this article.

**Amendment of article 159 (1)(a)**

9. Article 159 (2)(a) of the Civil Code of Seychelles is amended by inserting after the word “house”, the words “or at such place”.

**Amendment of Article 774 (b)**

10. Article 774 (b) of the Civil Code of Seychelles is amended by as follows —

- (a) by repealing the semi-column and substituting therefor a full stop; and
- (b) by inserting the following after the full stop

“Such agreement shall be registered at the Mortgage and Registration office and as soon as possible thereafter a notice of the appointment shall be published in the *Gazette*”;

**Amendment of Article 774 (c)**

11. Article 774 (c) of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “curator”.

**Amendment of Article 835**

12. Article 835 of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “curator”.

**Amendment of article 818 (2)**

13. Article 818 (2) of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “curator”.

**Amendment of article 819 (1)**

**14.** Article 819(1) of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “curator”.

**Amendment of article 821**

**15.** Amendment of article 821 of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “curator”.

**Amendment of article 1000**

**16.** Amendment of article 1000 of the Civil Code of Seychelles is amended by repealing the word “court” and substituting therefor the word “curator”.