

PUBLIC SERVICE SALARY ACT, 2013

(Act 25 of 2013)

ARRANGEMENT OF SECTIONS

SECTIONS

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SECOND SCHEDULE



PUBLIC SERVICE SALARY ACT, 2013

(Act 25 of 2013)

I assent



A handwritten signature in black ink, appearing to read 'Michel'.

J. A. Michel
President

31st December, 2013

AN ACT to provide for a uniform salary structure for the public service of Seychelles and for matters connected therewith or incidental thereto.

ENACTED by the President and the National Assembly.

1.(1) This Act may be cited as the Public Service Salary Act, 2013.

Short title and commencement

(2) The provisions of this Act in relation to the public service, except for those provided in subsection (3), shall come into operation on the 1st day of April, 2014.

(3) The provisions of this Act in relation to the posts specified under the Second Schedule shall come into operation on the 1st day of July, 2014.

Interpretation

2. In this Act, unless the context otherwise requires, —

- (a) “Employment Act” means the Employment Act (Cap 69);
- (b) “Minister” means the Minister responsible for public administration;
- (c) “national minimum wage” means the national minimum wage specified by or under the Employment Act;
- (d) “public service” means employment in the Government of the Republic of Seychelles, whether such employment is in the executive, legislature, judiciary or any other constitutional position or authority carrying out or performing a governmental function but does not include bodies specified in the Schedule to the Public Enterprise Monitoring Commission Act, 2013;
- (e) “Public Service Salary Table” means the Public Service Salary Table referred to in section 4;
- (f) “Regulations” means the regulations made under this Act;
- (g) “salary band” means a salary band as specified in the Public Service Salary Table;
- (h) “Schedule” means a Schedule appended to this Act.

3.(1) The provisions of this Act shall have overriding effect notwithstanding anything inconsistent contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

Act to override other laws

(2) Without prejudice to subsection (1), the provisions of this Act shall be in addition to and in derogation of any other written law for the time being in force.

4.(1) There is hereby established, in the First Schedule, a Public Service Salary Table specifying therein the salary structure for the public service of Seychelles.

Public Service Salary Table

(2) The salary contained in the Public Service Salary Table does not include any allowance, gratuity or other benefit, by whatever name called.

(3) The salary for a given salary band and step in the Public Service Salary Table is the minimum salary payable under this Act for a post evaluated, or deemed to be evaluated, as commensurate with that band and step in the Table.

(4) The salary enhancement beyond the minimum salary payable may be made from time to time, based on good performance, experience or other factor in accordance with an approved scheme of service.

5.(1) The Public Service Salary Table consists of a table of 20 rows and 15 columns.

Basic principles of Public Service Salary Table

(2) Each row in the Public Service Salary Table represents a salary band labeled in ascending hierarchical order from salary band-1 to salary band-20.

(3) Each column in a salary band shall be known as a step, and 15 steps shall be labeled in progressive order from step 1, the basic salary in each salary band, to step 15, the maximum salary in that band.

(4) The percentage increase of salary from one step to the next step in the salary band shall be uniform.

(5) The salary at step 1 in the salary band-20 shall not exceed 20 times of the corresponding salary at step 1 in the salary band-1.

(6) The salary bands 1 to 10 shall be used to determine the basic salary level for positions in the public service, including all positions below the level of chief executive officer and certain other constitutional positions.

(7) The pay levels for the positions referred to in subsection (6), except constitutional posts, shall be determined by formal job evaluation in accordance with the system of job evaluation approved by the Department of Public Administration, from time to time.

(8) The salary bands 11 to 16 shall be used to determine the salary levels for the chief executive officers and certain other positions in the public service, including constitutional posts specified in Part A of the Second Schedule.

(9) The salary bands 17 to 20 shall be used to determine the salary levels of persons holding constitutional posts specified under Part B of the Second Schedule.

Salary in case
of promotion
or transfer

6.(1) Where a person holding any position in the public service is promoted to a higher position, or transferred to any other position, within the public service, the salary of such person shall, except where it is otherwise provided for by law, be fixed in such manner keeping in view such principles as the Department of Public Administration may, from time to time, determine.

(2) The salary progression of a member of the public service under this Act shall, except where it is otherwise

provided for by law, take effect on and from such date and in such manner as the Department of Public Administration may, from time to time, determine.

7.(1) The salary structure under the Public Service Salary Table shall be revised at least once in every 5 years by such person or body as the Minister may, in consultation with the President, determine.

Revision of
Public
Service
Salary Table

(2) The revision of the Public Service Salary Table under this section may, *inter alia*, include—

- (a) the various components of the Public Service Salary Table, including, the salary grades, percentage of progression from one step to another, ratio of the base salary, levels of salary bands and system of job evaluation; and
- (b) such other matters which the Minister may consider expedient or appropriate.

(3) The person or body, as the case may be, referred to in subsection (1) shall, within such period as the Minister may direct, complete the revision of the Public Service Salary Table and submit recommendations to the Minister.

(4) For the purposes of implementing the recommendations referred to in subsection (3), the Public Service Salary Table contained in the First Schedule may be amended from time to time.

8. Any person employed in, or elected to, the public service of Seychelles, on the coming into operation of the Public Service Salary Table, shall not be affected adversely and shall continue to enjoy the salary not less favourable than those enjoyed by them before the coming into operation of the Public Service Salary Table.

Members of
public service
not be affected
adversely

Compliance of national minimum wage

9. The salary contained at step 1 of the salary band-1 shall, in no case, be less than the national minimum wage specified under the Employment Act.

Contracting out

10. Any contract or agreement whether made before or after the commencement of this Act whereby an employed person relinquishes any right conferred by this Act shall not be valid or enforceable in any court, in so far as it purports to deprive him or her of such right.

Application of Public Service Orders

11.(1) The Public Service Orders, except where it is otherwise provided for by law, shall apply to any matter under this Act in so far as such Orders are consistent with this Act and in case of any inconsistency contained therein, the provisions of this Act shall prevail.

(2) The Department of Public Administration may, from time to time, rescind, supersede or amend the Public Service Orders referred to in subsection (1) in such manner as it may consider appropriate.

Salary in case of re-appointment or re-election to a constitutional post

12. Where there is a discontinuation in office by a person holding any post specified in the Second Schedule, otherwise than by being removed from office in pursuant to the Constitution, and the person is re-appointed or re-elected to any constitutional post, the aggregate number of years for which the person had held office in the constitutional post prior to such discontinuation shall be taken into consideration while determining the salary of that person.

Regulations

13. The Minister may, in consultation with the President, make regulations, consistent with this Act, for all matters which by or under this Act are required or necessary to be provided for in giving effect to the provisions of this Act.

[Sections 2(e) and 4(1)]

FIRST SCHEDULE
PUBLIC SERVICE SALARY TABLE

POST	(Base) Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
Band 20	81,278	83,064	83,857	84,657	85,483	86,341	87,105	87,937	88,776	89,624	90,491	91,340	92,215	93,096	93,985
Band 19	71,348	72,030	72,717	73,411	74,112	74,820	75,534	76,255	76,983	77,713	78,447	79,209	79,966	80,729	81,500
Band 18	61,871	62,461	63,058	63,666	64,281	64,901	65,500	66,126	66,757	67,394	68,037	68,687	69,343	70,005	70,674
Band 17	53,652	54,164	54,681	55,203	55,730	56,261	56,800	57,342	57,889	58,442	59,001	59,563	60,132	60,706	61,286
Band 16	46,525	46,969	47,418	47,870	48,327	48,789	49,254	49,725	50,190	50,679	51,165	51,651	52,144	52,642	53,145
Band 15	40,345	40,730	41,119	41,511	41,908	42,308	42,712	43,119	43,531	43,947	44,366	44,790	45,217	45,649	46,085
Band 14	34,985	35,319	35,657	35,997	36,341	36,688	37,038	37,392	37,748	38,109	38,473	38,840	39,211	39,585	39,963
Band 13	30,338	30,628	30,920	31,215	31,513	31,814	32,118	32,425	32,734	33,047	33,362	33,681	34,002	34,327	34,655
Band 12	26,308	26,559	26,813	27,069	27,327	27,588	27,851	28,117	28,386	28,657	28,930	29,207	29,485	29,767	30,051
Band 11	22,813	23,031	23,251	23,473	23,697	23,923	24,152	24,382	24,615	24,850	25,087	25,327	25,569	25,813	26,059
Band 10	19,783	19,972	20,162	20,355	20,549	20,745	20,943	21,143	21,345	21,549	21,755	21,962	22,172	22,384	22,598
Band 9	17,155	17,319	17,484	17,651	17,819	17,990	18,161	18,335	18,510	18,687	18,865	19,045	19,227	19,410	19,596
Band 8	14,876	15,018	15,162	15,306	15,452	15,600	15,749	15,899	16,051	16,204	16,359	16,515	16,673	16,832	16,993
Band 7	12,990	13,023	13,147	13,273	13,400	13,528	13,657	13,787	13,919	14,052	14,186	14,321	14,458	14,596	14,735
Band 6	11,186	11,293	11,401	11,510	11,620	11,731	11,843	11,956	12,070	12,185	12,301	12,419	12,537	12,657	12,778
Band 5	9,700	9,793	9,887	9,981	10,076	10,172	10,270	10,368	10,467	10,566	10,666	10,767	10,872	10,976	11,081
Band 4	8,412	8,492	8,573	8,655	8,738	8,821	8,905	8,990	9,076	9,163	9,250	9,339	9,428	9,518	9,609
Band 3	7,294	7,364	7,434	7,505	7,577	7,649	7,722	7,796	7,871	7,946	8,022	8,098	8,175	8,253	8,332
Band 2	6,325	6,386	6,447	6,508	6,571	6,633	6,697	6,760	6,825	6,890	6,956	7,022	7,089	7,157	7,225
Band 1	5,485	5,538	5,590	5,644	5,698	5,752	5,807	5,862	5,918	5,975	6,032	6,090	6,148	6,206	6,266

FIRST SCHEDULE

[Sections 2(e) and 4(1)]

PUBLIC SERVICE SALARY TABLE

[6th January 2014]

Supplement to Official Gazette

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POST	(Base) Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
Band 20	82,278	83,064	83,857	84,657	85,465	86,281	87,105	87,937	88,776	89,624	90,479	91,344	92,215	93,096	93,985
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Band 18	61,871	62,461	63,058	63,660	64,267	64,881	65,500	66,126	66,757	67,394	68,038	68,687	69,343	70,005	70,674
Band 17	53,652	54,164	54,681	55,203	55,730	56,262	56,800	57,342	57,889	58,442	58,990	59,563	60,132	60,706	61,286
Band 16	46,525	46,969	47,418	47,870	48,327	48,789	49,254	49,725	50,199	50,679	51,163	51,651	52,144	52,642	53,145
Band 15	40,345	40,730	41,119	41,511	41,908	42,308	42,712	43,119	43,531	43,947	44,366	44,790	45,217	45,649	46,085
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Band 12	26,308	26,559	26,813	27,069	27,327	27,588	27,851	28,117	28,386	28,657	28,930	29,207	29,485	29,767	30,051
Band 11	22,813	23,031	23,251	23,473	23,697	23,923	24,152	24,382	24,615	24,850	25,087	25,327	25,569	25,813	26,059
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Band 4	8,412	8,492	8,573	8,655	8,738	8,821	8,905	8,990	9,076	9,163	9,250	9,339	9,428	9,518	9,609
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Band 2	6,325	6,386	6,447	6,508	6,571	6,633	6,697	6,760	6,825	6,890	6,956	7,022	7,089	7,157	7,225
Band 1	5,485	5,538	5,590	5,644	5,698	5,752	5,807	5,862	5,918	5,975	6,032	6,090	6,148	6,206	6,266

SECOND SCHEDULE*[Sections 1(3) and 5(8) and (9)]***PART A
SPECIFIED PUBLIC OFFICES IN THE
PUBLIC SERVICE**

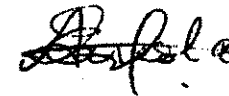
1. Members of the National Assembly
2. Chairman of the Constitutional Appointments Authority
3. Ombudsman
4. Auditor General
5. Chairperson of the Electoral Commission
6. Chairman of the Public Service Appeal Board
7. Master of the Supreme Court
8. Members of the Constitutional Appointments Authority
9. Members of the Public Service Appeal Board
10. Members of the Electoral Commission

**PART B
SPECIFIED CONSTITUTIONAL POSTS**

1. President of the Republic
2. Vice-President of the Republic
3. Speaker of the National Assembly
4. Chief Justice of the Supreme Court
5. President of the Court of Appeal
6. Designated Minister
7. Ministers
8. Attorney-General
9. Leader of the Government Business in the National Assembly

10. Leader of the Opposition in the National Assembly
11. Justices of the Court of Appeal
12. Judges of the Supreme Court
13. Deputy Speaker of the National Assembly

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 19th December, 2013.



Azarel Ernesta
Clerk to the National Assembly