

FORMALITIES TO OBTAIN A LICENSE TO OPERATE A COMMERCIAL ESTABLISHMENT

All requirements for hospitality establishments with the exception of point 2 (overleaf) are valid. More information can be obtained from the Seychelles Licensing Authority.

COMMUNICATION BETWEEN PROJECT COORDINATOR AND OWNER/MANAGEMENT

It is in the interest of promoters, developers and operators should ensure that there is constant rapport between the project coordinator and the prospective hotel management personnel. This is to ensure that should there be delays in construction works that may impact on the opening schedule of the establishment, all stakeholders are informed to avoid inconveniences.

COMMUNICATION BETWEEN PLANNING AUTHORITY AND PROJECT COORDINATOR

The project coordinator must also maintain good rapport with the Planning Authority and ensure that completion notices are submitted well in advance to allow officers to organise in good time, occupancy visit (s) to avoid last minute and stressful rushes.

It is recommended that the project coordinator organises pre-occupancy visits involving all concerned agencies so that the latter's requirements are taken into consideration in good time and implemented well before a final occupancy visit is carried out for certification.

LICENSE APPLICATION

Applications for operational licenses to the Seychelles Licensing Authority must be lodged well in advance to allow for processing formalities to be done within the shortest possible delay.

For additional information or clarification on occupancy matters contact the Planning Authority on telephone: - (+248) 4674612 or email us at planningauthority@gov.sc



GUIDE TO OBTAIN AN OCCUPANCY CERTIFICATE AND LICENCE TO OPERATE



For any additional information or clarification on matters concerning permits Contact the Planning Authority on (+248) 4674444 OR Email us at: gserret@mluh.gov.sc or bjeanbaptiste@mluh.gov.sc



PRODUCED BY:

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SEYCHELLES PLANNING AUTHORITY
MINISTRY OF HABITAT, INFRASTRUCTURE AND
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DEVELOPMENTS REQUIRING OCCUPANCY

The **Town and Country Planning Act (CAP 237)** is a legislation that controls physical development in Seychelles. It requires all completed approved habitable structures prior to their occupation, to be issued with a Certificate of Occupancy.

This aims to guide promoters, developers and business operators who wish to occupy structures other than the usual private dwellings with information on procedures to obtain a Certificate of Occupancy prior to occupying completed structures.

Unless a certificate of occupancy is issued by the Seychelles Planning Authority for approved and completed developments, in addition to obtaining a valid license from the Seychelles Licensing Authority for commercial developments, it is illegal to occupy or carry out any operation on a premise including accommodating and/or accepting paying guests/clients. It is unlawful to occupy buildings without a Certificate of Occupancy and a person is liable to conviction.

OBTAINING A CERTIFICATE OF OCCUPANCY

1. Individuals applying for a Certificate of Occupancy must have in his/her possession an application approved by the Seychelles Planning Authority.
2. The development must be carried out with strict adherence to the approved plans and conditions. A commencement notice must be submitted at least *48 hours* to the Planning Authority Liaison Office located on the ground floor, Independence House in Victoria or the Ministry responsible for Planning Authority on Praslin prior to commencement of works.

A Commencement Notice ceases to be valid after 15 days from the date of submission to the Planning Authority after which a fresh notice has to be re-submitted before the commencement of the works, if the works does not commence within the 15 days.

3. When an approved project incorporates structural works, reinforcement notices must be submitted *48 hours* prior to commencement of concrete works. The notice ceases to be valid after *7 days* from the date of submission, after which a fresh notice must be submitted prior to concreting works, if the works does not commence within the *7 days*.

All structural works, on completion of any approved project, must be certified and the certificate, deposited with the Planning Authority by the SLA-licensed engineer responsible for the project.

4. On completion of construction works, a completion notice must be submitted to the Planning Authority.
5. On receipt of the completion notice, Planning Authority officers will organise a joint visit with the pertinent consulting agencies to ensure that all the conditions of approval for the project have been fully respected prior to issuance of a Certificate of Occupancy for the new structure.

Certificates of Occupancy may only be granted when all works are satisfactorily completed and in conformity with requirements of all visiting consulting agencies.

PARTIAL OCCUPANCY

Partial occupancies are not encouraged but may be considered on merits. In such cases, requests shall be subjected to strict examination of the structure and approval conditions. This is necessary given that the development may still form part of a construction site which may be hazardous to occupiers.

FORMALITIES TO OBTAIN A HOSPITALITY ESTABLISHMENT LICENSE FROM THE SEYCHELLES LICENSING AUTHORITY

Licenses to operate licensable businesses in Seychelles are only issued by the Seychelles Licensing Authority (SLA). The Seychelles Licensing Authority headquarters is located in Orion Mall in Victoria.

Part requirements for a license to operate a hospitality establishment or any structure for commercial purposes is a Certificate of Occupancy certificate issued by the Planning Authority.

1. The individual applying for a license must produce a set of original of Planning Authority approval documents and Certificate of Occupancy issued by the Seychelles Planning Authority as proof that the premises comply with all requirements.
2. Documentary proof to the satisfaction of the Seychelles Licensing Authority that the manager or operator of the premises possesses adequate and required academic qualifications from a recognised institution. Appropriate experience relevant to the type of establishment referred to in the application is required.
3. Documentary proof to the satisfaction of the Seychelles Licensing Authority that the firm or corporate body is the owner or lessee of the premises.
4. Documentary proof to the satisfaction of the Seychelles Licensing Authority that the promoter has the necessary experience and capital to manage the type of establishment referred to in the application.
5. Documents showing that the establishment has registered as a business under a business name in line with the *Registration of Business Name Act*.
6. A true certified copy of the Certificate of Incorporation and memorandum of association of the corporate body or, in case of a firm, the certificate of registration.

Sanction for the lease agreement from the Ministry responsible for Lands in the event that the promoter/developer and operator are non-Seychellois.

For a license to be granted, the tourism establishment must be in a good state of operation and in conformity with the requirements of all referral agencies concerned. Recommendations from these agencies should be favorable before a license can be issued.

