



# **Seychelles Maritime Academy**

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## **CHARTER**

# Preamble

## 1. Introduction

The school was established as a technical school with assistance from the French Government in 1979. In 1983, after the establishment of the Seychelles Polytechnic, it was merged into the Polytechnic as the School for Maritime Studies.

In 1999, the School of the Maritime Studies had a change of name and it became Maritime Training Centre (MTC) and it was transferred under the Ministry of Agriculture and Natural Resources. From 1979 to December 2011, the MTC was housed in a building at Mont Fleuri, which was previously used as a military barrack in the 1940's.

In February 2012, MTC moved to its new location at Providence. The Academy is equipped with excellent modern facilities and is ideally located with easy access to the sea. The new building was officially opened on 15<sup>th</sup> June 2012 by His Excellency, the President of Seychelles Mr. James Alix Michel.

## 2. Vision Statement

*An International accredited centre of excellence in maritime education and training.*

## 3. Mission Statement

The Seychelles Maritime Academy shall provide quality maritime training and professional qualification for participants on par with international standards leading to career paths in the maritime and related industry both locally and at international level.

## 4. Core Values

The core values of the Seychelles Maritime Academy are as follows:

**Excellence** We strive to meet the highest standard in the maritime industry by communicating and improving on the range of programmes on offer, the quality of staff as well as the standard of service offered to our clients.

**Ethics** We are committed to the highest standard of respect, honesty, accountability and professionalism. We expect the conduct of our professional staff and learners to be based on mutual trust and respect and to be driven by the highest ethical standard.

**Team Work** We value teamwork as an integral approach in bringing together a range of professionals for decision-making and collaborative action. We believe in discussing and sharing knowledge, experience and supporting our staff and learners to achieve their full potential ambition.

**Service** We are committed in offering the highest standard of service to our staff, learners and clients and by doing so we aim to promote and sell the centre as a well-established maritime institution.

**Diversity**

We embrace the diversity of staff and learners and value their necessity in the creation of an environmentally safe and supporting, welcoming service to our clients.

# CHARTER FOR SEYCHELLES MARITIME ACADEMY

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## 1. Interpretation

In this Charter, unless the context otherwise requires –

- (a) “Act” means the Tertiary Education Act (Act 12 of 2011);
- (b) “Board” means the governing Board of the Seychelles Maritime Academy;
- (c) “Charter” means this Charter;
- (d) “Commission” means the Tertiary Education Commission” established under section 3(1) of the Act;
- (e) “Director” means the Director of the Seychelles Maritime Academy appointed in accordance with section 30 (1) of the Act;
- (f) “financial year” means any period of twelve months beginning on 1<sup>st</sup> January in any year;
- (g) “learner” means a person registered by the Seychelles Maritime Academy for the purpose of obtaining a qualification or part qualification from the Seychelles Maritime Academy;
- (h) “Lecturer” means a member of the Seychelles Maritime Academy teaching staff;
- (i) “Management committee” means the management committee of the Seychelles Maritime Academy established under Clause 20.1(a);
- (j) “Minister” means the Minister responsible for Education and “Ministry” is construed accordingly;
- (k) “Professional Centre” has the meaning given to it by section 2 of the Act;
- (l) “Rules” mean rules made under Clause 32. Rules are made by the Director of the PC with the approval of the Board and govern **operational matters** of the institution;
- (m) “Seychelles Maritime Academy” or “Academy” means the Professional Centre referred to in Clause 2 of this Charter;
- (n) “Statute” means statutes made under Clause 32. Statutes are **institutional policies** adopted by a majority of two thirds of the members of the PC Board and approved by the Tertiary Education Commission, which regulate the affairs of the PC including its administration and the administration of its activities.

## **The Seychelles Maritime Academy**

### **2. The Seychelles Maritime Academy**

The Seychelles Maritime Academy, established in 1979 by the Government of Seychelles, is to become through this Charter a fully fledged professional centre and is to be known henceforth as the SEYCHELLES MARITIME ACADEMY.

### **3. Location of Seychelles Maritime Academy**

The Seychelles Maritime Academy is located at Providence, Mahe, Seychelles.

### **4. Responsibility to Ministry**

Subject to section 5(4) and 9(1) of the Act, the Seychelles Maritime Academy shall be responsible to the Minister in the performance of its functions.

### **5. Objects of the Seychelles Maritime Academy**

The object of the establishment of the Seychelles Maritime Academy is to prepare trades persons and technicians of practical orientation capable of working in specific fields of work (seafarers for merchant shipping and fishing industry).

### **6. Functions of the Seychelles Maritime Academy**

The functions of the Seychelles Maritime Academy are to –

- a) Formulate programmes conforming to the guidelines for subject areas provided by recognised authorities including IMO where applicable
- b) Offer and deliver programmes to learners enrolled by the Seychelles Maritime Academy
- c) Select and conduct appropriate research activities
- d) Award qualifications
- e) Publish academic and other literature

### **7. Powers of the Seychelles Maritime Academy**

In carrying out its objects and in the performance of its functions, the Seychelles Maritime Academy may, subject to the provisions of the Act –

- (a) establish its own procedures for delivering learning programmes
- (b) determine its own organizational structure, internal rules, the number of academic staff, research workers and administrative and other employees, their rights and duties and their terms and conditions of employment in compliance with the relevant laws;
- (c) elect governance bodies;
- (d) enrol and dismiss learners;

- (e) establish forms of co-operation with local and foreign enterprises and other organisations;
- (f) manage, use and dispose of their property;
- (g) keep data on enrolment, records of achievements, awards made to learners and other relevant matters, and
- (h) charge fees

## **8. Promotion of equality of opportunity**

The Seychelles Maritime Academy shall, in the attainment of its objects, the performance of its functions and the exercise of its powers, promote equality of opportunity among learners and its employees.

## **9. Areas of study and modalities of the learning programmes offered**

9.1 The Seychelles Maritime Academy may confer diplomas, certificates and other awards up to level 6 on the National Qualifications Framework in the fields of maritime and fisheries. The mode of delivery shall be full, part time or through any other mode as directed by the Board with the consent of the Ministry.

9.2 Seychelles Maritime Academy may deliver courses or programmes beyond level 6 of the NQF in partnership with recognised Universities/Colleges.

## **10. Procedures for developing, offering and discontinuing learning programmes**

10.1 The Seychelles Maritime Academy shall develop programmes as per the approved government policy.

10.2 Learning programmes shall be developed according to needs identified by the national human resource development agency, in line with quality assurance standards established, and approved by the Ministry on the recommendation of the Board.

10.3 Programmes on offer shall be discontinued on the recommendations of the Board subject to the approval of the Commission.

## **11. Fees**

11.1 The Seychelles Maritime Academy reserves the right to charge fees in accordance with Government policy and as directed by the Board.

11.2 The structure and procedure for charging such fees shall be provided for in the statutes of the Seychelles Maritime Academy.

## **12. Rights and interests of learners**

12.1 The Seychelles Maritime Academy recognises the rights and interests of learners and in particular the rights and interests specified in sections 34 (admission of learners), 35 (learners' rights), 37 (representation of learners) and 38 (protection of learners' interests) of the Act and commits itself to the protection of such rights and interests by putting in place the necessary mechanisms therefor.

12.2 In order to ensure compliance with the provisions of the Act specified in sub-clause 12.1, the following matters shall be provided for by the statutes of the Seychelles Maritime Academy –



- (a) the **conditions governing the admission of learners** to the Seychelles Maritime Academy;
- (b) the **procedure to discontinue and renew studies** with the Seychelles Maritime Academy;
- (c) the procedure for retaking examinations, courses or programmes;
- (d) the **procedure for learners to seek and obtain information** from the Seychelles Maritime Academy on matters of concern;
- (e) the **power of a body representing learners to request reconsideration of decisions** taken by the Seychelles Maritime Academy on issues affecting learners or to appeal against such decisions and the procedure for making such requests or appeals;
- (f) alternative arrangements to be made by the Seychelles Maritime Academy in the event that the Seychelles Maritime Academy ceases to provide a learning programme and the procedure for making such arrangements.

### **13. Duties of learners**

The Seychelles Maritime Academy takes cognizance of the duties and responsibilities of learners and in particular the duties and responsibilities specified in sections 36 of the Act, and shall use all reasonable endeavours to ensure that –

- (a) **learners fulfil their duties and responsibilities;**
- (b) comply with provisions of the Act and any other law; and
- (c) **observe** this Charter and any Statutes and Rules made thereunder, **and any other regulations of the Seychelles Maritime Academy.**

## **Board of Seychelles Maritime Academy**

### **14. Governance of Seychelles Maritime Academy**

The Seychelles Maritime Academy shall be governed by a Board which shall perform the functions and exercise powers conferred to it by this Charter and the Act.

### **15. Appointment and Constitution of Board of the Seychelles Maritime Academy**

15.1 Where the Government and/or the Ministry responsible for the Seychelles Maritime Academy has entered in strategic partnership with an international foreign tertiary education and training institution for the governance and management of the Seychelles Maritime Academy, the membership of the governance body shall reflect the provisions of the strategic partnership for the period of the validity of the partnership.

15.2 The members of the Board shall be appointed by the Minister on the recommendation of the Tertiary Education Commission.

15.3 The Board shall comprise–

- (a) **academic staff ???** who shall make up 40% (inclusive of management and academic staff) of the members of the Board;
- (b) representatives of learners; and
- (c) representatives of the service area or industry related to the operations of the Professional Centre who shall make up not less than 40% of the members of the Board.

15.4 The **Board shall consist of** –

- (a) a Director who shall be the Chief Executive Officer of the Professional Centre;
- (b) an Assistant Director;
- (c) representatives of programme heads;
- (d) representatives of learners; and
- (e) representatives of the service area or industry related to the operations of the Professional Centre;

15.5 The Board shall appoint from among its members of the Board –

- (a) a Chairperson and;
- (b) a Vice Chairperson;

15.6 For the purposes of sub-clause 15.3(a), “academic staff” includes head of programme, lecturers and instructors.

## 16. Functions of the Board of the Seychelles Maritime Academy

The functions of the Board are to:

- (a) prepare the strategic plan of the Seychelles Maritime Academy;
- (b) adopt and submit amendments to the Charter to the Commission;
- (c) approve heads of programme in a manner prescribed by the Charter;
- (d) establish the procedures for the induction of academic staff and learners;
- (e) establish procedures for the recruitment and performance appraisal of the academic staff;
- (f) approve and present learning programmes for approval by the Seychelles Qualifications Authority and the Commission;
- (g) establish procedures for programme development and quality assurance aimed at improving the quality of education and training and related services provided by the Seychelles Maritime Academy;
- (h) approve programmes for the promotion of applied research;
- (i) consider the Director’s annual report and the annual income and expenditure estimates, and approve them;
- (j) approve rules and internal procedures of the Seychelles Maritime Academy and documents regulating the administration of academic affairs;
- (k) establish committees as it deems fit for the purpose of assisting it to perform its functions; and
- (l) manage and regulate the finances and investment of funds, and the property of the Seychelles Maritime Academy including intellectual property with the approval of the Commission; and
- (m) inform the academic community and the public of its decisions and activities as provided for in the charter in accordance with section 29(7) of the Act.

## 17. Term of Office of members of Board and re-appointment

17.1 The term of office of the members of the Board other than *ex officio members* shall be **3 years**,

PROVIDED that, where a representative of learners who is appointed as a member of the Board, ceases to be a learner, by reason of having completed the learning programme for which he or she was enrolled at the Professional Centre, another learner may be appointed to replace him or her as member of the Board:

PROVIDED FURTHER that, a learner appointed to replace another as a member of the Board in the circumstances described in the proviso above, shall only be appointed for the remainder of the term of the first appointed learner.

17.2 A member of the Board is eligible for re-appointment upon expiry of the term of office of that member.

## 18. Meetings of the Board

18.1 The frequency of meetings of the Board, the quorum for and procedure for convening such meetings shall be as provided for in the Statutes.

18.2 Subject to sub-clause 18.3, the Chairperson of the Board shall preside at meetings of the Board, and in his absence, the Vice Chairperson shall preside.

18.3 At a meeting of the Board at which the Chairperson and the Vice Chairperson of the Board are not present, the members present shall appoint from among themselves, a member to preside.

18.4 Except as otherwise provided by this Charter or in the Act, any matter to be determined at a meeting of the Board shall be determined by a majority of the members present and voting.

18.5 Except as otherwise provided by this Charter or in the Act, the Board shall regulate its own proceedings.

18.6 The Board shall cause to be kept, in such manner and form as the Board determines, full and accurate minutes of proceedings at its meetings.

## 19. Management committees

19.1 The following Committees are established to oversee the day to day running of the Seychelles Maritime Academy–

- (a) a **Management Committee**, the object of which is to manage the administrative and academic functions of the Professional Centre and which shall have as its Chairperson, the Director;
- (b) an **Academic Committee**, the object of which is to coordinate the academic matters of the institution. The Director may chair the Academic committee or direct the Assistant Director to chair the Academic committee.

19.2 Statutes shall provide for –

- (a) the membership of the Committees and terms of reference of members;
- (b) meetings of such Committees including the quorum and procedure for such meetings;  
and
- (c) any other matter relating to such Committees.

19.3 The Board may, in accordance with procedures prescribed in the Statutes, establish other Committees to assist it in the performance of its functions, and a Committee so established shall be answerable to the Board.

## **20. Students' Council**

20.1 There is established a Students' Council to represent the learner community and to act as the main forum through which learners may express their views.

20.2 The Council shall operate under the general direction of the Board, as may be prescribed by the statutes.

## **Administration**

### **21. Appointment of Director**

21.1 There is a Director who is to be appointed by the Minister on the terms and conditions of service prescribed by the Statutes

21.2 The director is appointed under sub-clause 21.1 shall possess such qualifications as are determined by the Statutes.

21.3 If the office of the Director becomes vacant, a person may be appointed by the Minister to perform the functions of Director until a permanent appointment is made.

### **22. Functions, Duties and Responsibilities of Director**

22.1 The Director shall have overall responsibility for managing and directing the Seychelles Maritime Academy in its education and training, administrative, financial, personnel and other activities and in particular shall -

- (a) be responsible for the matters specified in subsection 30(3) of the Act;
- (b) have such other functions as the Board may from time to time determine.

22.2 The Director may, in writing, delegate any of his or her functions to any other officer and such officer shall be answerable to the Director for the performance of those functions.

22.3 The Director shall be responsible for the general conduct and discipline of the students and staff of the Seychelles Maritime Academy and for enforcing compliance to provisions of the Statutes and Rules or other regulations of the Seychelles Maritime Academy relating thereto.

## 23. Staff of the Seychelles Maritime Academy

23.1 The Seychelles Maritime Academy shall have the following staff –

- (a) an Assistant Director appointed in accordance with section 30(6) to:
  - i. Deputise in the absence of the Director
  - ii. Assist and advise the Director
  - iii. Take and implement Director's and Board's decisions
  - iv. Teach minimum of 8 hours per week (theory or practical)
  - v. Responsible for overall development and management of all programmes
  - vi. Participate on the panel of selection of students for their respective programmes
  - vii. Liaise with student support in organising extra-curricular activities
  - viii. Monitor staff attendance and performance within the institution
  - ix. Assist Administrative manager to organise activities for betterment of the institution and its students
  - x. Attend Management Committee meetings
- (b) Heads of Programmes appointed in accordance with section 31(1) of the Act who shall be responsible for the learning programmes and the curriculum of the programme area and perform such other functions assigned by the Director;
- (c) an Administrative Manager appointed in accordance with section 32(1) of the Act, to oversee all administrative matters and who shall be responsible to the Board and the Director for the performance of the functions specified in section 32(2)(a) to (i);
- (d) academic and professional staff which shall include lecturers, instructors and such other staff as may be recommended by the Board, whose duties shall include those specified in section 33(2) and (3) of the Act;
- (e) such other staff including administrative staff, as the Board on the advice of the Director, may consider necessary for the effective functioning of the Seychelles Maritime Academy.

23.2 The staff of the Seychelles Maritime Academy shall be appointed by the Minister with the approval of the Board, in accordance with procedures prescribed by the Statutes.

23.3 The staff of the Seychelles Maritime Academy are subject to the authority of the Board acting through the Management Committee and the Director.

23.4 The terms and conditions of employment and duties and responsibilities of the staff of the Seychelles Maritime Academy shall be as prescribed in the Statutes.

23.5 The Seychelles Maritime Academy promotes a culture of equality and opportunity among its staff and to that end –

- (a) staff is empowered to exercise initiative and responsibility in their roles, and to achieve the highest level of competence;

- (b) the Seychelles Maritime Academy undertakes to foster the abilities of a diverse staff by providing fair, open and consistent promotion and development practices and procedures.

#### **24. Performance of duties during the incapacity of senior officers**

24.1 In the event of the incapacity or absence of the Director, the functions of the Director are to be performed by –

- (a) the Assistant Director; or
- (b) in the absence of the Assistant Director, the Administrative manager;
- (c) in the absence of the Administrative manager, as prescribed by the Statutes.

24.2 In the event of the incapacity or absence of any senior officer, the Management Committee may appoint a suitable person to perform the duties of the incapacitated or absent officer.

24.3 For the purposes of this Clause –

- (a) “absence” means absence from Seychelles; and
- (b) “incapacity” means the inability for any reason to perform the functions of the office held.

#### **25. Appointment of Committee for the settlement of disputes**

25.1 The Board shall appoint a Committee for the settlement of disputes arising between the Seychelles Maritime Academy and employees or learners of the Seychelles Maritime Academy.

25.2 The Committee shall advise the Board on any matter referred to it and the Board shall take decisions with respect to such matters in accordance with the recommendations of the Committee.

25.3 The Statutes shall prescribe –

- (a) the terms of reference and tenure of office of members of the Committee;
- (b) the procedure for settlement of disputes and the implementation of decisions.

### **Financial Provisions**

#### **26. Funds and resources**

Subject to section 40(1) of the Act, funds and resources of the Seychelles Maritime Academy may be derived from –

- (a) Funds provide by government
- (b) tuition and other fees;
- (c) donations and grants;
- (d) endowments;
- (e) gifts and trusts;
- (f) income from auxiliary activities such as consultancies; and
- (g) such other sources as the Seychelles Maritime Academy may determine.

However the source of such funds must not be such as to compromise the integrity of the Seychelles Maritime Academy or to present a conflict of interest to it.

## **27. Use and disposal of funds**

The funds of the Seychelles Maritime Academy shall be used and disposed of in accordance with procedures prescribed by the Statutes which shall be in conformity with the objects and functions of the Seychelles Maritime Academy.

## **28. Budget/ Estimates of Expenditure**

The Director of the Seychelles Maritime Academy shall, not later than 2 months before the start of each financial year, submit a proposed budget/estimates of expenditure to the Board for approval, prior to its submission of the budget/estimates of expenditure to the Commission for review and for its recommendation to the Minister for approval in accordance with section 42(1) of the Act.

## **29. Financial Reports**

29.1 The Director shall submit an annual financial report to the Board in each financial year.

29.2 The Director shall submit an annual report on the Professional Centre's activities as well as an annual income and expenditure estimate to the Tertiary Education Commission in accordance with section 30(3)(g) of the Act.

29.3 The Director shall annually publish a statement of income and expenditure for the preceding year as prescribed in the Statutes in accordance with section 42(2) of the Act.

## **30. Accounts and audit**

30.1 The Management Committee shall cause proper books and records of account of the income, expenditure and assets of the Seychelles Maritime Academy to be kept.

30.2 The Board shall cause the accounts of the Seychelles Maritime Academy to be audited annually in accordance with Article 158 of the Constitution.

## **Miscellaneous**

### **31. Appeals**

Review of or appeals against decisions of the Board, Management Committees or other governance and management bodies or officers of the Seychelles Maritime Academy which affect employees or learners shall be made in accordance with procedures prescribed by the statutes.

### **32. Statutes and rules**

32.1 The Board may make Statutes to regulate the affairs of the Seychelles Maritime Academy, including its administration and the administration of its activities.

32.2 Statutes shall be –

(a) made by the Board by a resolution passed by a majority of two thirds of all the members present and entitled to vote at a Board meeting specifically convened for that purpose; and

(b) approved by the Commission,

and may be amended or revoked in the same manner.

32.3 Notwithstanding sub-clause 32.1, operational matters of the Seychelles Maritime Academy may be provided for by Rules made by the Director with the approval of the Board.

32.4 Rules made under sub-clause 32.3 may be amended or revoked in the same manner as they were made.

### **33. Amendment of the Charter**

This Charter may be amended by the Minister on the recommendation of the Commission after consulting the Board of the Seychelles Maritime Academy of which at least two-thirds have assented to the proposed amendments.



