

S.I. 35 of 2025

TOURISM DEVELOPMENT ACT, 2019

*(Act 8 of 2019)***Tourism Development (Accommodation Establishments)
(Amendment) Regulations, 2025**

In exercise of the powers conferred by section 18 of the Tourism Development Act, the Minister responsible for Tourism hereby makes the following regulations —

Citation

1. These regulations may be cited as the Tourism Development (Accommodation Establishments) (Amendment) Regulations, 2025.

Amendment of regulation 2

2. The Tourism Development (Accommodation Establishments) Regulations, 2020 (hereinafter referred to as “the principal regulations”) is hereby amended as follows —

- (a) by inserting after the definition of the term “carrying capacity”, the following terms and their definitions —

““developer” means an individual, company, or organisation responsible for a development;

“development” means the process of preparing a site or constructing a building or changing the character of an existing structure by coordinating various stakeholders to bring the project from concept to completion;”;

- (b) by inserting after the definition of the term “management contract”, the following terms and their definitions —

““management company” means an entity hired, pursuant to a formal written management contract, by the owner of a

hotel or by the hotel itself if it operates as its own entity, to manage and oversee the day-to-day operations of the hotel;

“mixed use development” means development that integrates multiple uses and functions, combining residential, commercial, and tourism-related activities within the same structure or facility;”;

- (c) by inserting after the definition of the term “non-Seychellois”, the following definition —

““room” means a bedroom within an accommodation establishment intended for the accommodation of guests for overnight stays and which meets the requirements of a bedroom pursuant to the Tourism Development (Standards) Regulations, 2019;”;

- (d) by inserting after the definition of the term “carrying capacity” the following term and its definition —

““change of use” means the process by which the primary function of a building or an existing structure, is altered from its designated use whether residential or commercial, to an accommodation establishment;”.

Amendment of regulation 3

3. Regulation 3 of the principal regulations is amended in sub regulation (2) by inserting after paragraph (f) the following paragraph —

- “(g) a determination of the size of an accommodation establishment shall be based on the number of rooms contained therein, with those establishments comprising between 1 and 24 rooms classified as “small,” those comprising between 25 and 50 rooms classified as “medium,” and those comprising 51 or more rooms classified as “large”.”.

Amendment of regulation 6

4. Regulation 6 of the principal regulations is amended as follows —

- (a) by inserting after sub regulation (3), the following sub regulation —

“(4) The minimum permissible parcel size for the development of an accommodation establishment shall be no less than 600 square metres.”.

- (b) by deleting the marginal heading thereof and substituting therefor the following heading —

“Location, access and parcel size”.

Amendment of regulation 8

5. Regulation 8 of the principal regulations is repealed and substituted by the following —

“8.(1) A developer shall not undertake a mixed use development project pertaining to an accommodation establishment and a residential facility which are intended to be located on the same parcel.

(2) Notwithstanding sub regulation (1), the developer may undertake a development project where —

- (a) an accommodation establishment is to be established on the same parcel of land on which a residential facility is located provided that —
- (i) a separate and distinct means of access is made available for each facility;
- (ii) the residential facility is intended for the exclusive occupancy of the owner or manager of the accommodation; and

(iii) no portion of the owner's or manager's residential facility is let out;

(b) self-contained condominium units of which a hotel is to be comprised and which may be sold on a freehold basis are designed to co-function on the same parcel of land, within the same building or on the same block as part of a mixed use development.

(3) The provisions of paragraph (b) of sub regulation (2) shall be applicable exclusively to hotel establishments wherein a management company is engaged.

(4) The developer shall ensure that the percentage of the total number of rooms within privately owned villas and self-contained condominium units which can be sold on a freehold basis against the total number of rooms within a hotel, inclusive of such units, shall not exceed —

(a) 40 percent where the promoter is a non-Seychellois;

(b) 50 percent where the promoter is a Seychellois.

(5) The developer shall ensure that at least 50% of the percentages of the total number of rooms within privately owned villas or self-contained condominium units referred to in paragraphs (i) and (ii) of subregulation (4) are integrated into the hotel's operational system whether or not the developer is Seychellois.

(6) Privately owned villas or self-contained units included in the hotel's rental pool must be branded under the same hotel brand as the main establishment.”.

Insertion of new regulation 11

6. The following new regulation is inserted immediately after regulation 10 of the principal regulations —

“11. A person intending to submit an application for a change of use shall comply with the minimum requirements specified in the Tourism Development (Standards) Regulations made under section 18 of the Act.”.

MADE this 30th day of April, 2025.

**SYLVESTRE RADEGONDE
MINISTER OF FOREIGN AFFAIRS
AND TOURISM**
