



SEYCHELLES MARITIME SAFETY AUTHORITY

ACCESS TO INFORMATION 2018

ANNUAL REPORT FOR THE YEAR 2024

PUBLISHED AND SUBMITTED 20th JANURAY 2025

**(SECTION 54 STATISTICAL REPORT AND SECTION 55
CATEGORIES OF INFORMATION REPORT
STANDARD FORMAT)**

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INFORMATION COMMISSION

INTRODUCTION

The Seychelles Maritime Safety Authority (SMSA) operates as a regulatory and supervisory body under the Ministry of Transport, with a primary focus on ensuring safe and lawful maritime activities within Seychelles' waters. The operations of SMSA can be broken down into several key areas:

Regulation and Licensing: SMSA is responsible for regulating maritime affairs, which includes issuing operating licenses for various marine activities such as ferries, dive centers, dive operators, and other commercial water sports. Additionally, it administers the registration of seafarers and ships to ensure compliance with safety standards.

Safety Oversight: The authority's core mission is to promote safety at sea. This involves developing and enforcing regulations that govern maritime operations, conducting inspections, and ensuring that vessels meet international safety standards.

Maritime Security: SMSA plays a crucial role in maintaining maritime security by implementing measures to prevent illegal activities at sea, including piracy and smuggling. It collaborates with international organizations to enhance security protocols.

Pollution Prevention: Another significant aspect of SMSA's operations is the prevention of marine pollution. The authority develops policies aimed at protecting marine ecosystems from pollution caused by shipping activities and other maritime operations.

International Representation: As the focal point for Seychelles in matters related to the International Maritime Organization (IMO), SMSA represents the country in international maritime discussions and ensures that Seychelles adheres to global maritime conventions and protocols.

Capacity Building: SMSA is involved in enhancing its operational capabilities through training programs for personnel involved in maritime safety and management, thereby improving overall governance in the sector.

Policy Development: The authority also engages in policy formulation to align national maritime practices with international standards, ensuring sustainable development within the blue economy framework.

In summary, the operations of the Seychelles Maritime Safety Authority encompass regulation, safety oversight, security measures, pollution prevention efforts,

international representation, capacity building initiatives, and policy development aimed at fostering a safe and efficient maritime environment.

- The Information Officer for the Seychelles Maritime Safety Authority (SMSA) is Mr. Andy Gobine. He holds the position of Deputy Chief Executive Officer and is responsible for handling access to information requests in accordance with the Access to Information Act, 2018.

MISSION AND VISION OR MANDATE OF THE ORGANISATION

MISSION

A small island developing state with an international maritime presence on par with the best international standards and practices.

VISSION

A leading maritime authority driving seychelles international maritime aspirations.

VALUES

Forward thinking, Integrity, Respect, Service
Excellence, Team Work

ANNUAL REPORT REQUIREMENTS (AS PER SECTION 54 OF THE ACCESS TO INFORMATION ACT)

SR No	ATI ACT REQUIREMENTS	No
1)	The total number of ATI requests for access received;	44
2)	<u>TYPE OF INFORMATION</u>	
	The number of requests for personal information	0
	The number of request for public domain information	0
	The number of request for third party information	0
	The number of request for commercial and confidential Information	4
	The number of request for law enforcement information	39
	The number of request for privileged documents	0
	The number of request for protection of life and safety of an individual information	0
	The number of request for National Security and defence	0
	The number of request for International relations	0
	The number of request for Economic interest of the state	0
	The number of request for Academic or professional examination and recruitment process information	0
	The number of request for proposal submitted to Cabinet	0
3)	The number of requests for access granted in full;	0
4)	The number of requests for access refuse in full;	0
	The number of requests for access refuse in part;	0
5)	The number of times each provision of Part III (EXEMPTIONS) was relied on to refuse access in full;	0

	The number of times each provision of Part III (EXEMPTIONS) was relied on to refuse access in part;	0
6)	The number of request abandoned after request	0
7)	The number of request but no records exist	2
8)	The number of cases in which the periods stipulated in section 11 were extended in terms of section 12;	0
9)	The number of review applications lodged with the head of the information holder;	0
10)	The number of reviews lodged on the ground that a request for access was regarded as having been refused in terms of section 14;	0
11)	The number of cases in which, as a result of a review, access was given to information;	0
12)	The number of requests transferred to another Public Body	0

**Where is not applicable insert "0" or "N/A"*

I.	<p>A description of the steps or efforts taken by the head of the body to encourage all officers of that body to comply with the provisions of this Act;</p> <p>0</p>
II.	<p>Any facts which indicate an effort by the body to administer and implement the spirit and intention of the Act according to its submitted plan;</p> <p>0</p>

III.	<p>Particulars of any penalties imposed against any person under this Act; YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> (If yes, list down)</p>
IV.	<p>Particulars of any disciplinary action taken against any person under this Act; YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> (If yes, list down)</p>

THE CATEGORIES OF INFORMATION (AS PER SECTION 55 OF THE ACCESS TO INFORMATION ACT)

Example of categories of Information as per Section 5 (1) & (2) of ATIA (delete or add to the list)

LIST OF CATEGORIES	LOCATION OF THE INFORMATION
1. manuals, policies, procedures or rules or similar instruments which have been prepared for, or are used by, officers of the body in discharging that body's functions, exercising powers and handling complaints, making decisions or recommendations or providing advice to persons outside the body with respect to rights, privileges or benefits, or to obligations, penalties or other consequences, to or for which persons may be entitled or liable;	www.smsa.sc
2. the name, designations and other particulars of the Information Officer of the public body, including his or her contact details and electronic addresses where persons may submit requests for information;	Mr. Andy Gobine Deputy Chief Executive Officer Trinity House Email; andy.gobine@smsa.sc
3. any prescribed forms, procedures, processes and rules for engagement by members of the public with the public body	N/A
4. the particulars of any arrangement, statutory or otherwise, that exists for consultation with, or representation by, members of the public in relation to the formulation or implementation of its policies, or similar documents;	N/A
5. where meetings of the public body, including its boards, councils, committees or similar other bodies are open to members of the public, the process for direct or indirect engagement and where a meeting is not open to the public, the contents of submissions received, the process for decision making and decisions reached	N/A
6. detailed information on the design and execution of any subsidy programmes implemented with public funds, including the amounts allocated and expended, the criteria for accessing the subsidy, and the beneficiaries	N/A

7. all contracts, licences, permits, authorisations and public-private partnerships granted by the public body;	Maritime License System
8. reports containing the results of surveys, studies or tests, including scientific or technical reports and environmental impact assessment reports, prepared by the public body;	Director Technical
9. The particulars of its organisations, functions and duties;	SMSA Head Office
10. Information containing interpretations or particulars of acts or policies administered by the body;	Legal Department
11. Details of its processes and procedures for creating, keeping, organizing and maintaining information;	Quality Manager
12. A list of all the categories of information held by it or under its control;	Quality Manager
13. A directory of its employees including their powers, duties and titles, indicating the permanent staff, the temporary staff and the outsourced staff, recruitment procedures and vacancies;	Human Resources Department
14. The salary band for each public employee and officer, including the system of compensation as provided in its laws, and the procedures followed in its decision-making process, including channels of supervision and accountability;	Human Resources Department
15. A description of the composition, functions, and appointment procedures of the boards, councils, committees, and other bodies consisting of two or more persons, constituted for the purpose of advice to or managing the public body;	SMSA Board Secretary
16. Detailed travel and hospitality expenses for each employee and officer, and gifts, hospitality, sponsorships or any other benefits received by each employee and officer;	Human Resources Department
17. The detailed actual budget, revenue, expenditure and indebtedness for the current financial year, including all related estimates, plans, projections and reports, including audit reports;	Accounts Department
18. The annual report submitted to the information commission under section 54 of this act;	Information Officer
19. Any other relevant information	

CHALLENGES

1. Staffing Challenges

One of the primary difficulties faced by the Seychelles Maritime Safety Authority (SMSA) in implementing the Information Act is related to staffing. The role of an Information Officer is critical in ensuring compliance with the provisions of the Act, which mandates transparency and access to information. However, there are several challenges associated with staffing:

- **Limited Human Resources:** The SMSA face constraints in hiring sufficient personnel who are trained and knowledgeable about information management and data protection laws. This can lead to an overload on existing staff, resulting in delays in processing requests for information.
- **Training Needs:** Existing staff may require additional training to fully understand their responsibilities under the Information Act. This includes understanding how to handle sensitive information, respond to public inquiries effectively, and maintain compliance with legal standards.
- **Retention Issues:** High turnover rates can exacerbate staffing problems, as experienced personnel leave for better opportunities elsewhere. This loss of institutional knowledge can hinder the effective implementation of the Information Act.

2. Financial Constraints

The implementation of the Information Act also presents financial challenges for SMSA:

- **Budget Limitations:** Adequate funding is essential for training programs, hiring additional staff, and upgrading technology systems that facilitate information management. Budget constraints may limit these necessary investments.
- **Cost of Compliance:** Ensuring compliance with the Information Act often requires investment in new systems or processes for managing records and responding to information requests. These costs can be significant, especially for a government body operating within a limited budget.
- **Resource Allocation:** Balancing resources between various operational needs while ensuring compliance with the Information Act can create tension within the organization. Prioritizing funding for compliance-related activities over other essential services may not always be feasible.

3. Operational Challenges

Operationally, SMSA faces several hurdles:

- **Public Awareness and Engagement:** There may be a lack of awareness among citizens regarding their rights under the Information Act. This can lead to fewer requests for information than anticipated, making it difficult for SMSA to gauge its effectiveness in promoting transparency.
- **Information Management Systems:** The absence of robust information management systems can complicate efforts to track and respond to requests efficiently. Implementing such systems requires both financial investment and technical expertise.
- **Legal Ambiguities:** Unclear guidelines or ambiguities within the Information Act itself can lead to inconsistent application across different departments within SMSA. This inconsistency can undermine public trust and hinder effective communication between government bodies and citizens.

4. Challenges Faced by Information Officers

As an Information Officer at SMSA, specific challenges arise:

- **High Workload:** With limited staff resources, an Information Officer may find themselves overwhelmed by requests for information, leading to potential delays in responses that could violate statutory timelines.
- **Complexity of Requests:** Some requests may involve complex data sets or sensitive information that requires careful consideration before disclosure. Navigating these complexities while adhering to legal requirements adds pressure on officers.
- **Interdepartmental Coordination:** An effective response often necessitates collaboration with other departments within SMSA or even other governmental bodies. Coordinating this effort can be time-consuming and challenging due to differing priorities or communication barriers.

In summary, while implementing the Information Act at Seychelles Maritime Safety Authority aims at enhancing transparency and accountability, various staffing issues, financial constraints, operational challenges, and specific difficulties faced by Information Officers significantly impact its effectiveness.

RECOMMENDATIONS

The Information Act is designed to promote transparency, accountability, and public access to information held by government bodies, including the Seychelles Maritime Safety Authority (SMSA). Implementing this act effectively requires a comprehensive approach that addresses operational structures, staffing needs, and associated costs.

2. Operational Structure

To ensure compliance with the Information Act, SMSA should establish a dedicated unit responsible for managing information requests and overseeing compliance with the act. This unit would be tasked with:

- **Developing Policies and Procedures:** Clear guidelines must be established for how information requests are processed, including timelines for responses and criteria for exemptions.
- **Creating an Information Management System:** An effective system should be implemented to catalog and manage documents, making it easier to retrieve information when requested.
- **Regular Training Programs:** Staff should receive ongoing training on the provisions of the Information Act to ensure they understand their responsibilities regarding information handling.

3. Staffing Recommendations

The successful implementation of the Information Act will require adequate staffing levels:

- **Support Staff:** Additional administrative support may be necessary to assist with data entry, document retrieval, and communication with requesters.
- **Continuous Professional Development:** Regular workshops and seminars should be organized to keep staff updated on changes in legislation or best practices in information management.

4. Cost Considerations

Implementing the Information Act will incur various costs that need careful planning:

- **Budget Allocation:** A specific budget should be allocated for training programs, technology upgrades (such as software for managing requests), and additional personnel if needed.
- **Technology Investments:** Investing in an efficient document management system can streamline operations but may require significant upfront costs.

- **Ongoing Operational Costs:** There will also be recurring costs associated with maintaining systems, conducting training sessions, and processing information requests.

5. Challenges Faced by Information Officers

As an Information Officer within SMSA, several challenges may arise during the implementation of the Information Act:

- **Public Awareness:** Many citizens may not be aware of their rights under the act or how to submit requests effectively. This lack of awareness can lead to frustration among requesters.
- **Resource Limitations:** Limited staffing or budget constraints can hinder timely responses to information requests, potentially leading to non-compliance with statutory deadlines.
- **Balancing Transparency with Confidentiality:** Officers must navigate complex situations where sensitive information might conflict with public access rights. Determining what constitutes exempt information can be challenging.
- **Training Gaps:** Continuous professional development is crucial; however, finding time and resources for training amidst regular duties can pose difficulties.

In conclusion, implementing the Information Act within SMSA requires a structured approach focusing on operational efficiency, adequate staffing levels, financial planning, and addressing potential challenges faced by information officers.

1) DECLARATION

I declare that in accordance to Section 54 of the Access to Information, Act 2018, the Annual Report are to the best of my knowledge, true, accurate and complete as per the requirements.

Mr. Andy Gobine

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Name of Information Officer



Signature

20/1/25

Date

I confirm that this Annual Report is verified and true, accurate and complete to my knowledge as the Head of Information Holder of Seychelles Maritime Safety Authority on the date stated below.

Mr. Daniel Adam

.....

Name of Head of Information Holder



Signature

Dated this 20 of JANUARY, 2025



OFFICIAL STAMP