

## **Rules and procedures for the Seychelles Bar Examinations for 2023**

### **1. Examining period**

The examining period for the Examination for Admission of Attorneys at law (the Bar Examination) in terms of section 20 of the Legal Practitioners Act will run over a period of two weeks, on dates to be announced in the Government Gazette, with examinations being held every consecutive work day except the Wednesday of that week (the 'Wednesday break'). Where there is a public holiday on any scheduled examination day, the examination that would have been held on that day will be held on the immediate next day, and the Wednesday break will be forfeited.

For example: Examinations will ordinarily be on Monday, Tuesday, Thursday, and Friday.

Where there is a public holiday in the week, examinations will be held on each day of that week except the public holiday.

I.e., Monday, Tuesday, Wednesday, (No Examination: Public Holiday), Friday.

### **2. Time of the examinations and duration**

Each examination will begin at 9:00 am and will conclude at 12:10 pm. Each examination will be 3 hours long, with an additional 10 minutes of reading time allocated at the beginning of the examination period. During the 10 minutes reading time, examinees may make notes on their examination question papers, but may not begin writing on their answer papers.

### **3. Schedule of examinations**

The examinations will be held as follows:

#### **Week 1:**

*Paper 1:* Civil Code of Seychelles Book II and Book III

*Paper 2:* Seychelles Code of Civil Procedure

*Paper 3:* Property Law

- (1) Immovable Property (Judicial Sales) Act
- (2) The Immovable Property (Transfer Restriction) Act
- (3) The Land Registration Act
- (4) The Mortgage and Registrations Act

*Paper 4:* Criminal Procedure Penal Code/Penal Code

#### **Week 2:**

*Paper 5:* General Principles of the Law of Evidence

*Paper 6:* Commercial Code and Company Law

*Paper 7:* Civil Code of Seychelles - Book I (Family Law) and all laws to be read as part thereof

*Paper 8:* Constitutional and Administrative Law

## RULES AND PROCEDURES FOR THE BAR EXAMINATION

### **4. Structure of each paper**

Each examination will contain eight (8) questions and the Examinee will be required to answer five (5) questions according to the instructions given in the paper.

### **5. Venue for the writing of each paper**

5.1. The examinations will be held in the Training room of the Supreme Court Annexe, Ile Du Port.

5.2. Examinees should report to the Auditorium of the Palais de Justice by 8.30am on the day of the examination and will be assigned to a seat within the venue.

### **6. Applying to write the Bar Exam**

6.1. Persons wishing to apply to write the Bar Examination may apply in writing to the Registrar of the Supreme Court enclosing a certified copy of their certificate of completion of a qualifying degree in law, and payment in the form of cash of an examination fee of SR.5000.00 (five thousand rupees).

6.2. No Applications to write the Bar Examination will be accepted and processed after the closing date stipulated in the Government Gazette unless a formal request is submitted to and approved by the Board of Examiners.

6.3. No applications will be accepted and processed two weeks prior to the date of the first examination.

6.4. The Board of Examiners reserves the right, by way of public notice and where no prejudice will be caused to potential applicants, to adjust the application deadline in exceptional and unforeseen circumstances.

### **7. General Rules for the examinations**

7.1. Examinees will be permitted to bring the following into the examination room:

7.1.1. pens and pencils, erasers, highlighters or markers, rulers or any other stationery which the examinee may desire in a clear pencil case or clear plastic bag;

7.1.2. a bottle of water or other drink in a sealable container.

7.2. Examinees may not bring any Acts, written notes or writing paper into the examination room. They will be provided with plain, ruled paper for each examination. Anything found to contain notes in the examination room will be confiscated.

7.3. Examinees may not bring any satchels, handbags, or any other form of bag into the examination room.

7.4. Examinees may not bring a mobile phone into the examination room.

7.5. Examinees may leave the examination venue to go to the bathroom with the permission of the invigilator of the examination.

7.6. Upon completing the examination, the examinee must ensure that each page of their examination book is numbered and bound with the pages in the correct order. The Examinee shall return their completed booklet to the invigilator before being permitted to leave the venue.

7.7. No person will be permitted to leave the venue within the final 15 minutes of the examination period.

Any individual who fails to comply with any of these rules will be reported to the Board of Examiners for determination of any sanction to be imposed against that examinee.

## RULES AND PROCEDURES FOR THE BAR EXAMINATION

### **8. Examination results**

The examination results will be announced by the Board of Examiners on 15<sup>th</sup> January 2024 by publication of a list of the names of successful candidates on a notice to be posted in the Palais de Justice, and examinees will receive personal notification of their results by letter from the Registrar of the Supreme Court (examinees may elect to receive this letter by email and should indicate this preference in their letter of application).

### **9. Passing the Bar Examination**

An Examinee must pass all eight examinations in order to be issued with a certificate of completion of the Bar Examination. A “pass” is a grade of 50% or above. A “fail” grade is 49% or below.

### **10. Oral Examinations**

- 10.1. Examinees who fail only one examination but achieve 48% or 49% will be notified by the Registrar of a time to sit an oral examination in that subject.
- 10.2. Oral examinations will be to determine whether that examinee should pass the subject in question.
- 10.3. Oral examinations will be held within one week of the announcement of the examination results except with the permission of the Board of Examiners.

### **11. Re-sitting examinations**

- 11.1. If an Examinee fails only one examination paper with a failure grade of 47 and below, he/she will be permitted to re-sit that Paper regardless of their failing grade. However if an individual fails more than one of the eight examinations during any of the examining periods, that individual will be required to take all of the examinations again.
- 11.2. The Registrar will inform candidates of a schedule of when re-sittings of the various examinations will be held in the Palais de Justice.
- 11.3. Results from the re-sit will be made available to the Examinees within two weeks from the date of the re-sit.

### **12. Inability to sit one or more examinations**

- 12.1 Where an Examinee is unable to sit some or all of the examinations in an examining period due to
  - (a) severe illness;
  - (b) circumstances beyond their control which render it impossible to write the examination(s); or
  - (c) for any other good cause which may be shown;that person may write to the Board of Examiners, providing reasons for his or her inability to sit the examinations, and the Board may either refund the examination fee paid by the examinee or defer the examinations to be taken by the examinee to the following year.
- 12.2 Where possible, this application should be made prior to the scheduled sitting of the examination(s) to be missed.

Agreed by the Board of Bar Examiners on 02<sup>nd</sup> November 2023