

BUDGET MEASURES

EXPLANATORY NOTES

MAIN PROVISIONS TO BE INCLUDED IN –

THE

FINANCE (MISCELLANEOUS PROVISIONS) BILL 2021

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A.1. Income Tax

(a) Self-Employed Assistance Scheme

In order for a self-employed individual to benefit from the Self-Employed Assistance Scheme, he or she should be paying the Contribution Sociale Généralisée (CSG) as from 1 July 2021.

Moreover, the self-employed individual will also be required to submit an income tax return. In this context, the Mauritius Revenue Authority (MRA) will devise a simple return whereby a self-employed person whose income does not exceed the basic income exemption threshold will be able to declare only an estimate of income derived during the year.

(b) Assistance to Small and Medium Enterprises (SMEs) for Salary Compensation

The Income Tax Act will be amended to cater for the decision of Government to refund to an SME the salary compensation paid to its employees, that is a maximum of Rs 375 per employee monthly, for the period January to June 2021. The amendment will be effective as from 1 January 2021.

An SME which is an export-oriented enterprise will be refunded a maximum of Rs 235 per employee monthly.

The maximum salary compensation of Rs 375 will be extended for the period 1 July 2021 to 30 June 2022.

This assistance is not payable to an SME for a particular month if it has benefitted from the Wage Assistance Scheme in that month.

(c) Deduction for Dependent who is a Bedridden Next of Kin

Since last year, a taxpayer is allowed to claim as dependent a bedridden next of kin who is in his care.

It will be clarified that any financial assistance provided to the bedridden person under the National Pensions Act such as basic retirement pension, basic invalidity pension, carer's allowance and contributory invalidity pension will not be taken into account in determining his eligibility as a dependent.

(d) Contributions to COVID-19 Vaccination Programme Fund

Individuals and enterprises contributing to the COVID-19 Vaccination Programme Fund will be allowed to deduct the amount contributed from their taxable income at the time of submission of their income tax return.

An individual may carry forward any unrelieved deduction in an income year for a maximum period of two successive income years.

(e) Double Deduction of Expenditure Incurred on Research & Development (R&D)

In order to encourage our local companies to export on the African market, a manufacturing company will be entitled to a double tax deduction in respect of expenditure incurred for market research and product development targeting the African market.

(f) Premium Visa

A Premium Visa Scheme has been introduced with the objective to encourage eligible foreigners to come for long stay in Mauritius for a period of at least one year with the possibility of renewal.

To make this Scheme attractive and also to avoid any administrative hurdles, a holder of a Premium Visa, spending 183 days or more in the Republic of Mauritius, will be subject to income tax as follows –

- (i) the Mauritian-sourced income of a Premium Visa Holder (e.g. emoluments for work performed remotely in Mauritius) will be taxed on a remittance basis, that is in the same manner as foreign-sourced income;
- (ii) money spent in Mauritius through the use of foreign credit or debit cards by the holder of a Premium Visa will not be deemed to have been remitted to Mauritius; and
- (iii) income brought and deposited in a bank account in Mauritius will be liable to tax except if a declaration is made by the holder of a Premium Visa that the required tax has been paid thereon in his country of origin or residence.

These amendments will be backdated to take effect as from 1 November 2020.

(g) Tax Holiday

Asset/Fund Manager

A 5-year tax holiday is granted on emoluments of an asset manager, a fund manager or asset and fund manager who manages an asset base of not less than USD 100 million and who has been issued with a certificate on or after 1 September 2016.

Holders of a certificate issued on or after 1 September 2016 will be exempted from tax on their emoluments for an additional 5 years while new certificate holders will be eligible to a tax holiday of 10 years.

In addition, the threshold of USD 100 million in respect of asset base being managed by an Asset/Fund Manager will be reduced to USD 50 million.

(h) Foundations and Trusts

The Income Tax Act will be amended to ensure that foundations and trusts benefitting from a preferential tax regime comply with the OECD standards, including substantial activity requirements.

(i) Tax payment under Advance Payment System

The method for computing tax liability of companies under the Advance Payment System will be amended to cater for companies which are subject to corporate tax at a lower rate than the 15% standard tax rate.

(j) Tax payment under Current Payment System

The method for computing tax liability of a self-employed individual under the Current Payment System will be amended to cater for those persons who are subject to tax at the lower rate of 10%.

(k) Investment Tax Credit

It will be clarified that any unrelieved investment tax credit of a manufacturing company may be carried forward for 10 years.

(l) Small Enterprise paying Presumptive Tax

A small enterprise is eligible, at its option, to pay a presumptive tax of 1% of its turnover and is not required to declare its chargeable income. It will, therefore, be clarified that such an enterprise is exempted from Corporate Social Responsibility (CSR) obligation.

(m) Deferral of tax payment

The Income Tax Act will be amended to ratify the decision for the –

- (i) income tax liability of companies under the Advance Payment System (APS) due in November 2020 up to May 2021, to be deferred until 30 June 2021; and
- (ii) advance payment of personal income tax by self-employed individuals under the Current Payment System (CPS) in the income year 2020/2021 to be deferred up to October 2021, that is at time of submission of their income tax return.

(n) Corporate Social Responsibility

A company is allowed to use 25% of its CSR Funds to implement a CSR Programme or finance a non-governmental organisation implementing a CSR Programme in the specified priority areas of intervention.

The list of priority areas of intervention will be extended to include the restoration of a building designated as a national heritage under the National Heritage Fund Act 2003.

(o) Tax on Winnings

The 10% tax imposed on winnings will cover also winners of Lotterie Vert.

(p) Gambling Levy

The Levy paid by gambling operators as per Section 114 of the Gambling Regulatory Authority Act will not be allowed as a deduction for income tax purposes.

A.2. Property Tax

(a) Tax on Transfer of Leasehold Rights in State Lands for hotels

To enable hotels built on State lands and in financial distress to restructure and attract equity financing, the rate of tax on transfer of leasehold rights will be halved. Thus, the current tax rate of 20% payable equally by the buyer (10%) and the seller (10%) will be reduced to 5% each.

This reduction will apply for a period of 2 years starting as from 1 July 2021.

(b) Tax on Transfer of Leasehold Rights in State Lands

The sale of a residential unit in a project developed on State land relating to senior living under the Property Development Scheme will be exempted from the payment of tax on transfer of leasehold rights in State lands.

(c) Waiver of 50% of Registration Duty on Electric Autocycle/Motorcycle

The Registration Duty Act will be amended to ratify the waiver of 50% of registration duty payable to the Registrar-General's Department on the first registration of an electric autocycle/motorcycle purchased before 31 March 2021.

In order to benefit from the waiver, the deed of sale should be registered on or before 31 December 2021.

The registration duty payable before and after the waiver will be as follows –

Autocycle/ Motor cycles of a power rating capacity	Registration duty payable upon First Registration in Mauritius	
	Current	50% Waiver
Not exceeding 1.5 kW	1,000	500
Exceeding 1.5 kW but not exceeding 7.5 kW	2,500	1,250
Exceeding 7.5 kW	3,300	1,650

(d) VAT payable on the Acquisition of an Immovable Property

Value Added Tax (VAT) is payable on the transfer of a commercial or industrial building. It will be clarified that land duties and taxes will be levied on the value of the immovable excluding any VAT payable.

This amendment will be backdated to take effect as from 1 January 2021.

A.3. Home Ownership Refund Scheme

Under the Scheme, a Mauritian Citizen acquiring, in financial year (FY) 2021-2022, a house, an apartment or bare land to construct a residential unit will be eligible to a payment representing 5% of the declared value of the immovable property up to a maximum of Rs 500,000 per property acquired.

The payment will be in respect of the purchase of residential properties in the financial year and the refund will be granted even if the purchaser has been exempted from payment of registration duty on the acquisition of the property. If the property is sold within a period of one year of the date of acquisition, the amount received under the Scheme will have to be refunded.

A.4. Lease of State Lands

Deferment of Rental for Tourist-Related Activities on State Lands

The annual rental payment for industrial leases of State lands is presently payable in advance by 31 July of each financial year. The payment date will be changed to 30 June that is at the end of a financial year for –

- (a) a hotel including a hotel under construction;

- (b) a guest house, a tourist residence and a domaine holding a tourist accommodation certificate issued under the Tourism Authority Act;
- (c) a holder of a tourist enterprise licence or an operator licensed by the Tourism Authority; and
- (d) a business operating a seaplane and other similar tourist-related businesses.

Thus, for the upcoming financial year the due date for payment for those categories of lessees will be 30 June 2022 instead of 31 July 2021.

A.5. Business Facilitation

(a) Sale of Serviced Land

The promoter of a project under the Smart City Scheme is presently allowed to sell one plot of serviced land not exceeding 2,100 m² to a non-citizen holder of Occupation permits, Permanent Residence Permit or a Residence Permit.

The time limit will be extended for another period of two years, that is, up to 30 June 2024 instead 30 June 2022. This measure will be extended to the Property Development Scheme (PDS).

The non-citizen will have to complete the construction of a residential building within a period of 5 years. The total area of all plots of serviced land for sale should not exceed 25% of the land area planned for the construction of residential properties.

(b) National Regeneration Programme

An area regeneration plan approved by the Economic Development Board (EDB) under the National Regeneration Programme (NRP) is currently valid for a period of 2 years.

The validity period will be extended to 5 years to give ample time for approved projects to benefit from the package of incentives under the NRP.

(c) Invest Hotel Scheme

Currently, the sale of units in an approved hotel development under the Invest Hotel Scheme is limited to 60% of the total number of units in the hotel. This limit will be increased to 80% of the total number of units.

The Invest Hotel Scheme will allow owners to occupy their units for a total period of 180 days instead of 90 days in a year. In the case of owners holding a Premium Visa, there will be no restriction in terms of the number of days that they can occupy their units.

(d) Integrated Resort Scheme (IRS)/Real Estate Scheme (RES)

To create a level playing field with other property schemes and accelerate the sale of a few remaining IRS/RES units, registration duty on the sale of an IRS or RES residential property will be levied at the rate of 5% or USD 70,000 whichever is the lower.

Certain provisions of the repealed IRS and RES regulations will be reinstated to enable sale of remaining immovable property in those projects.

A.6. Training Levy under the Human Resource Development Act

(a) Waiver of surcharge

Surcharges payable in respect of the Training Levy will be reduced by 80% provided that an application for the reduction is made to the MRA on or before 30 June 2021 and the outstanding Training Levy together with the balance of surcharges is paid on or before 31 March 2022.

(b) Allowable Expenditure

Eligible SMEs will be allowed to use their unutilised contribution of training levy with the Human Resource Development Council (HRDC) to finance external business advisory services up to a maximum amount of Rs 50,000 per annum.

This will allow enterprises which have been negatively impacted by the COVID-19 pandemic to restructure their business model by resorting to, for example through independent financial services or a business review from professional consultants.

This measure will apply for a period of 2 years starting as from 1 July 2021.

A.7. COVID 19 Confinement Period

Various enactments will be amended to cater for the impact of the second wave of the novel coronavirus (2019-n CoV) in Mauritius, the infectious disease commonly known as COVID-19, as a result of which Mauritius underwent a second confinement starting from 10 March 2021, and to provide for matters connected, consequential and related thereto.

A.8. Levy on Mogas and Gas Oil

An additional levy of Rs 2 per litre of Mogas and Gas Oil will be applied as from 1 July 2021 to finance the cost of COVID-19 vaccines.

A.9. Excise Duty

(a) Alcoholic products

Effective as from 12 June 2021, the following rates of excise duty on alcoholic products will be applicable –

Alcoholic Product	Current	New
Beer (per litre)		
Up to 9 degrees	Rs 39.60	Rs 43.60
Above 9 degrees	Rs 55.10	Rs 60.60
Spirit Cooler (per litre)	Rs 51.70	Rs 56.90
Fruit Wine (per litre)	Rs 32.10	Rs 35.30
Made Wine (per litre)	Rs 68.80	Rs 75.70
Wine of grapes (per litre)		
In Bulk for Bottling Purposes	Rs 110.60	Rs 121.70
In Bottle	Rs 194.00	Rs 213.40
Champagne (per litre)	Rs 924.00	Rs 1,016.40
Rum (per litre of absolute alcohol)	Rs 544.00	Rs 598.40
Cane Spirits (per litre of absolute alcohol)	Rs 544.00	Rs 598.40
Whisky (per litre of absolute alcohol)		
In Bulk for Bottling Purposes	Rs 1,051.00	Rs 1,156.00
In Bottle	Rs 1,680.00	Rs 1,848.00
Liqueur (per litre of absolute alcohol)	Rs 369.60	Rs 406.60

(b) Tobacco products

Effective as from 12 June 2021, the following rates of excise duty on tobacco products will be applicable -

Tobacco Products	Current	New
Cigars (per kg)	Rs 17,662	Rs 19,430
Cigarillos (per thousand)	Rs 10,313	Rs 11,345
Cigarettes (per thousand)	Rs 5,111	Rs 5,625

(c) Excise Duty on Sugar Sweetened Products

- (i) The tax of 6 cents per gramme of sugar on locally manufactured and imported non-staple sweetened products, which was announced in the Annex to the Budget Speech 2020-21, will be effective as from 1 July 2022.
- (ii) Sugar-sweetened products with total sugar content of up to 4 grammes per 100 grammes or 4 grammes per 100 millilitres will be exempted from the tax.
- (iii) Fruit purées for infants will be excluded from the coverage of the tax.

(d) Motor Vehicles

- (i) The excise duty rebate scheme on motor vehicles currently being granted will be extended for a further period of one year up to 30 June 2022. The rebate scheme is as follows -
 - a. **a motor car up to 1,000 cc (whether hybrid or not):** 40% rebate on the excise duty payable on the motor car; and
 - b. **a motor car (whether hybrid or not) above 1,000 cc, double/single space cabin vehicle and van:** 30% rebate on the excise duty payable on the motor vehicle.
- (ii) The 5% excise duty on electric vans of up to 180kW used solely for the transport of goods will be abolished.
- (iii) A beneficiary of a duty exempted motor vehicle will be allowed to benefit from another duty exempted motor vehicle within a period of 4 years provided that the full amount of duties and taxes exempted on the current motor vehicle is reimbursed.
- (iv) A motor vehicle with an internal combustion engine and electric assistance for propulsion, other than one charged by plugging to an external source, will be subject to the same rate of excise duty as a hybrid motor vehicle.

A.10. Customs Duty

(a) Customs tariff liberalisation commitments taken by Mauritius

The commitments which will be implemented during FY 2021-22 are as follows -

- (i) the last phase of tariff reduction for finished goods will come into operation as from 1 January 2022 for the following Agreements -
 - a. the Interim Economic Partnership Agreement with the European Union;
 - b. the Economic Partnership Agreement between the Eastern and Southern African States and the United Kingdom; and
 - c. the Free Trade Agreement between Mauritius and Turkey;
- (ii) the second phase of tariff reduction, with effect from 1 January 2022, for the following Agreements -
 - a. the Free Trade Agreement between Mauritius and China; and
 - b. the African Continental Free Trade Area Agreement;
- (iii) the second phase of tariff reduction, with effect from 1 April 2022, under the Comprehensive Economic Cooperation and Partnership Agreement between Mauritius and India.

(b) Customs duty rebate on buses

The 30% customs duty rebate currently being granted on buses will be extended for a further period of one year up to 30 June 2022.

A.11. Value Added Tax

- (a) It will be clarified that the preparation and supply of dumplings made up of meat, fish, squid, crab, chicken, vegetables or milk, whether cooked or uncooked, to final consumers is zero-rated for VAT purposes.
- (b) The National Empowerment Foundation and the New Social Living Development Ltd will be made exempt bodies for VAT purposes in respect of the construction of social housing.
- (c) The remittance of 0.4% of net VAT collection credited by MRA on a quarterly basis into the Film Promotion Fund will be discontinued.
- (d) The following criteria will be applicable for refund of VAT on construction of a house or residential apartment:
 - (i) the cost of construction of a residence or the purchase price of the residence should not exceed Rs 3 million;
 - (ii) the aggregate limit on the amount of refund will be Rs 300,000;
 - (iii) the household income eligibility threshold for the refund will be Rs 1 million per annum; and
 - (iv) the refund will be applicable on the construction or purchase of a first residence.

The above criteria will be applicable for new construction or purchase.

A.12. Duty Free Shops and Deferred Duty and Tax Scheme (DDTS) Shops

The authorisation granted last year to Duty Free Shops and DDTS shops to sell goods on the local market without any limit on quantity but with payment of duties and taxes will be extended up to 30 June 2022.

A.13. Passenger Fee and Passenger Solidarity Fee

The Passenger Fee and Passenger Solidarity Fee will be levied in dollar instead of rupee as follows –

(a) Passenger Fee

Passengers	Current		Proposed	
	Passengers whose journey originally starts from Reunion, Madagascar, Seychelles or Comoros	Other passengers	Passengers whose journey originally starts from Reunion, Madagascar, Seychelles or Comoros	Other passengers
	Rs	Rs	\$	\$
Children below 2 years	0	0	0	0
Children aged 2 and above but below 12 years	300	700	7.50	17.50
Passengers aged 12 years and above	600	1400	15	35

(b) Passenger Solidarity Fee

Passengers travelling in:	Current	Proposed
	Rs	\$
Economy class	40	1
Other classes	80	2

A.14. Tax Administration

(a) Tax Administration: Income Tax

(i) Tax Arrears Settlement Scheme (TASS)

The Tax Arrears Payment Scheme has been re-introduced. The Scheme provides for full waiver of penalties and interest where tax arrears, outstanding as at 31 October 2020 under the Income Tax Act, the VAT Act and the Gambling Regulatory Authority Act, are paid in full by 31 December 2021 and provided the taxpayer registers under the Scheme by 30 June 2021.

Taxpayers having assessments pending before the Assessment Review Committee, the Supreme Court or Judicial Committee of the Privy Council, and who wish to take advantage of the scheme, may do so by withdrawing the case before these institutions.

As regard SMEs, the scheme will remain open to them up to December 2021.

(ii) Statement of Financial Transactions

The monetary thresholds for submission of information by banks, non-bank deposit taking institutions, insurance companies and money changers to the MRA through a statement of financial transactions will be reduced by half.

Thus, a bank or a non-bank deposit taking institution shall report to the MRA a deposit made by an individual, a société or succession exceeding Rs 250,000 or deposits exceeding in the aggregate Rs 2 million in a year. As regards a corporate, the threshold will be Rs 500,000 and Rs 4 million respectively.

A money changer or an exchange dealer shall report any foreign currency transaction equivalent to Rs 100,000 or more. An insurance company, on its part, shall disclose to the MRA, insurance premium exceeding Rs 250,000 paid in respect of a person.

(iii) Tax on Winnings

Licensed operators shall submit a statement of the amount of winnings exceeding Rs 20,000 paid to any person instead of Rs 50,000.

(iv) Arm's Length Test

The Arm's Length Test as provided for in the Income Tax Act for domestic companies shall equally apply to Global Business Companies.

(v) Submission of Return by Self-Employed Individuals

All self-employed individuals will be required to submit an income tax return.

(vi) Request for Information

It will be possible for MRA to request information from taxpayers to be provided electronically.

MRA will also be allowed to conduct virtual meetings with taxpayers through a teleconferencing device.

(vii) Tax Ruling

The time limit of 30 days for MRA to issue a tax ruling shall run as from the date additional information sought by the MRA is received from the applicant.

(viii) Record Keeping

The types of records that a person in business should keep at its premises and make available for audit purposes to the MRA shall be stipulated in regulations.

(ix) Exchange of Information with Treaty Partners

In order to improve exchange of information with Treaty partners, penalties will be introduced for companies which fail to comply with MRA requests relating to exchange of information.

(b) Tax Administration: Customs Act

- (i) Presently, a fee of Rs 300 is payable for amendments to be made to the aircraft/ship cargo manifest. This fee will not be applicable for amendments arising due to causes beyond the control of the master or agent of the aircraft or ship such as natural calamities.
- (ii) MRA Customs will carry out the inspection of aircrafts/ships on a risk-management basis provided that the master/owner of the aircraft/ship has submitted all the required information in advance.
- (iii) MRA Customs will be empowered to issue clearance to any departing aircraft/ship electronically with a view to reducing cost and dwell time.
- (iv) Given that an increasing number of parcels of minimal value are being imported/exported by economic operators through post and courier services and it is an administrative hassle to make a Bill of Entry for each transaction, provision will be made to allow them to submit a consolidated Bill of Entry for such goods imported/exported by air during a month.
- (v) Provision will be made to allow electronic submission of bill of lading and other documents required for clearance of goods.
- (vi) Where an administrator, executor, receiver or liquidator is appointed to manage or wind up the business of a person transacting business with customs, he will have to inform MRA Customs of his appointment within 15 days.

- (vii) Provision will be made for MRA Customs to be required to keep all documents in its possession for at least 5 years.
- (viii) Duty free sales will be allowed between a duty-free shop and a Customs Approved Storeroom (duty free warehouse for aircraft supplies).
- (ix) Provision will be made for penalty and interest to be applicable in case of non-payment of duties and taxes by the due date under the Deferred Payment Scheme.
- (x) Failure by the master or agent of an aircraft or ship to amend his cargo manifest to account for any discrepancy between the manifested cargo and landed cargo within 5 working days after the vessel has been berthed or the aircraft has landed, a penalty of Rs 500 per day of non-compliance, subject to a maximum of Rs 5,000 will be applicable. An aggrieved person will have a right of appeal against the penalty.
- (xi) In the context of the fight against money laundering and financing of terrorism, definitions for jewellery, precious metal and precious stone will be introduced in line with those in the Financial Intelligence and Anti-Money Laundering Act. In addition, it will be clarified that MRA Customs has the power to enforce customs laws where there is suspected money laundering involving precious stones and metals or any goods of high value.
- (xii) It will be clarified that goods may be imported for a maximum period of twelve months under the Temporary Admission Scheme. However, the maximum period will be three years for goods imported in connection with the implementation of a project.

- (xiii) The maximum warehousing period for goods entered in a bonded warehouse during the period 2 November 2019 to 31 December 2020 was extended from 24 to 36 months from the date of entry with effect from 23 March 2020. The objective was to give additional time to importers to sell their goods in view of the difficult economic situation due to the COVID-19 pandemic. Amendment will be made to the Customs Act with retrospective effect.

(c) Tax Administration: Customs Tariff Act

The VAT Act stipulates that any provision of tax exemption granted to a statutory corporation or any other person in existing or new legislations, other than revenue legislations, is null and void. However, in the Customs Tariff Act and Excise Act, the provision is restricted to a statutory corporation. This omission will be corrected.

(d) Tax Administration: Excise Act

- (i) A manufacturer may require multiple excise licences if he engages in different types of economic activities. Currently, separate applications have to be made for each category of excise licence. With a view to reducing processing time, henceforth only a single application will be required for all excise licences. However, the fee for each excise licence will remain payable.

- (ii) Provision will be made to allow manufacturers of sugar sweetened products to submit a consolidated Bill of Entry for goods warehoused and cleared during a month to reduce their administrative burden given that these manufacturers clear goods in small quantities every day. Taxes will have to be paid within 5 working days from the end of that month.
- (iii) The provisions regarding penalty and rate of interest payable on late payment of excise duty will be harmonised with those applicable under the Customs Act.
- (iv) MRA Customs will be empowered to recover erroneous payments made to exporters/recyclers in respect of waste PET bottles exported/recycled.
- (v) Consequential to the banning of single use plastic products subject to excise duty with effect from 15 January 2021, the validity period of excise licences granted to importers/manufacturers of such products, which was due to expire on 31 December 2020, was extended until 14 January 2021. Amendment will be made with retrospective effect for this extension.

(e) Tax Administration: Value Added Tax Act

- (i) The time limit of 30 days for MRA to give ruling on VAT issues will run as from the date of submission of all documents and information requested by MRA.
- (ii) Provision will be made to allow a taxpayer to submit electronically any information requested by MRA.

(f) Tax Administration: Registrar-General's Department

Tax on transfer of leasehold rights in State land

It will be clarified that the tax on transfer of leasehold rights in State land payable on the transfer of shares in a company which holds such rights will be computed by reference to the percentage of shares transferred.

(g) Tax Administration: Mauritius Revenue Authority Act

(i) Securing presence of a Retired Government Valuer or any other person at the Assessment Review Committee (ARC)

The law will be amended to compel the attendance and production of documents before the ARC by any person including a retired Government officer.

(ii) Lodging of Representations

A taxpayer will be allowed to make representation to the Assessment Review Committee without any payment where an objection was lapsed by the MRA because the taxpayer has failed to provide requested information.

(iii) Money Laundering

Money laundering in the MRA Act will be given the same definition as in the Financial Intelligence and Anti-Money Laundering Act.

(iv) Independent Tax Panel

The Director-General of the MRA will not be required to seek the authorisation of the Independent Tax Panel under the Assessment Review Committee (ARC) to issue assessments under Revenue laws in cases of fraud or non-submission of tax return by a taxpayer.

Any aggrieved taxpayer will still be entitled to the normal objection and appeal process.

A.15. Public Financial Management

(a) Performance Based Budgeting

To further strengthen accountability and transparency in the management of public funds, the Budget Estimates Document 2021/2022 now includes Strategic Overviews of Ministries. It provides an overview of their strategic directions for public service delivery over the next three fiscal years with the funds appropriated by the National Assembly.

The rationale behind the change in the budget presentation is in line with Government's objective to consolidate public finances and focus on results and improvement in service delivery.

The budgetary focus will shift from an input-based annual activity to a performance-based exercise that improves the efficiency and effectiveness of resources and lays the foundation for the modernisation of public financial management.

(b) Enhancing Reporting Responsibilities

To ensure greater transparency in the management of public funds, a centralised dashboard on the website of the Ministry of Finance, Economic Planning and Development (MOFEPD) will be set up to capture the Annual Report on Performance of all Ministries/Departments.

(c) Strengthening Internal Audit and establishing Risk Management in the Public Sector

As an important component in public financial management system, the structure, effectiveness and function of internal audit will be improved through capacity development so as to provide quality internal audit services to Government in meeting its objectives.

Furthermore, a formal risk management framework will be established in the Public Sector to support Ministries/Departments in setting out the overall architecture for the management and mitigation of risks.

The Internal Control Cadre and the Audit Committees will assist Accounting Officers in establishing the risk management framework.

(d) Management of Statutory Bodies

A Central database on financial and non-financial information of state-owned enterprises (SOEs) will be developed to improve the recording, monitoring and sharing of information between relevant entities and facilitate decision making.

(e) Asset Management in the Public Sector

To ensure that state assets are managed and utilised in the most efficient and effective way, Accounting Officers will be required to develop –

- (i) appropriate asset management strategies, including annual maintenance programme; and
- (ii) a replacement plan for assets on priority basis, taking into account their economic life.

(f) Enhancing the process for Payroll System

In line with Government policy to digitalise the public sector, an electronic Payroll system (e-Payroll system) has been developed to automate the processing of payroll by Ministries/Departments and ensure business continuity in Government operations. With the operationalisation of the e-Payroll, Public Officers will access their payslips electronically.

Financial Instructions will be issued to set out the procedures in the processing of Salaries and Wages and the process for managing the e-Payroll system.

(g) Procurement and Warehousing Process

To ensure that procurement and warehousing processes in Ministries/Departments are carried out efficiently and effectively, instructions will be issued to set out the procedures to be followed by Ministries and Department.

(h) Ensuring Consistency in Reporting

With a view to ensuring consistency and avoid duplication in the content of the Annual Reports as well as to address the timeframe for audit of Financial Statements, amendments will be brought to the Statutory Bodies (Accounts and Audit) Act, Local Government Act and Rodrigues Regional Assembly Act.

Part B – Other Budget Measures

B.1. Accelerating Project Delivery in the Public Sector

In order to accelerate project delivery as well as bringing efficiency in public spending and management of contracts, the following measures will be implemented -

- (a) the PSIP Unit of MOFEPD will be consolidated to regroup all Public Investment Management functions. This reinforced Unit will be responsible, amongst others, to –
 - (i) compile an integrated national investment plan which will include not only public sector projects, but also private projects that are facilitated by the EDB and projects being undertaken through the Public-Private Partnership route;
 - (ii) carry out project screening and appraisal, follow up and monitor implementation thereof and identify and address constraints and bottlenecks and report progress on a monthly basis; and
 - (iii) ensure capacity development for project implementation at public bodies' level and develop a centre of excellence on project implementation based on lessons learnt from past experience;
- (b) MOFEPD will issue a call for expression of investment intentions from line ministries in September of each year to allow adequate time for proper preparation of projects. The objective being to get a stream of projects ready for implementation for the following financial year;

- (c) Line Ministries will be required to update –
 - (i) an online and secure digital platform, to be made available by MOFEPD, which will guide them towards a systemic and methodical approach for project preparation and management; and
 - (ii) an online project monitoring system to be made available by MOFEPD to track progress of implementation including constraints and bottlenecks;
- (d) MOFEPD will create and maintain, with the assistance of Development Partners, a databank of qualified experts, comprising Project Managers and Consultants to assist public bodies in project preparation, bidding exercise, contract management and supervision. Public bodies may hire their services as and when required after conducting a Request for Proposals exercise through a fast track mechanism;
- (e) the Procurement Policy Office (PPO) will –
 - (i) seek the assistance of the Government of India to replicate their methodology for preparing estimates by setting up a regularly updated dynamic schedule of rates for Mauritius. This will address the problem of bids received being substantially above cost estimates;
 - (ii) require Public Bodies to prepare Bill of Quantities for all capital projects to enable more realistic budget provisioning, effective as from July 2021;
 - (iii) issue directives on emergency procurement to strengthen accountability and transparency in public procurement;

- (iv) require Public Bodies to –
 - a. inform the PPO of works contract exceeding Rs 50 million awarded to contractor within 7 days following the issue of the letter of acceptance; and
 - b. submit to the PPO a progress report of works and that of the Performance Review Committee in relation to major projects on quarterly basis. The report should be submitted within 15 days following the end of each quarter;
- (v) publish a database comprising the number and value of works contracts awarded to contractors and their history of poor performance online. This will monitor the performance of contractors and to ensure these contractors are not awarded with contracts exceeding their implementation capacity. These will be used for appropriate action to be taken against defaulting contractors in future bidding exercises;
- (vi) amend the conditions of contract to provide for sanctions where contractors have not submitted their claims as per the agreed terms of the contract. This will address the complaints from public bodies that funds have to be carried forward because some contractors take unreasonably long time to submit claims; and

- (vii) introduce a Sustainable Public Procurement Framework to ensure public bodies considers the environmental and social impact of their procurement decisions. The framework will be implemented in a phased manner, starting with the procurement of vehicles, cleaning materials, cleaning services, paper products and IT equipment as from January 2022. Thereafter, sustainable procurement for civil works and consultancy services will be implemented as from January 2023;
- (f) the Public Procurement Act will be amended to –
 - (i) introduce new procurement methods, namely electronic reverse auction and competitive negotiations;
 - (ii) provide for termination of contracts by public bodies or suppliers where there is fundamental breach of contracts;
 - (iii) specify the procurement methods to be used during cases of extreme urgency; and
 - (iv) allow for sharing of information, relating to procurement proceedings, to public institutions conducting investigations;
- (g) the Public-Private Partnership (PPP) Act will be reinforced to increase private sector participation in public projects;
- (h) the PPP Act will be simplified to accelerate implementation of PPP projects with large commercial components; and
- (i) a PPP Toolkit comprising PPP templates will be issued with the assistance of the African Legal Support Facility (ALSF).

B.2. Reviewing the Grading Structure and Grade Ceilings for Contractors

The grading structure and grade ceilings for contractors will be reviewed. The new ceilings will be revised to a 3-tier grading structure, from Small to Large to allow contractors to venture into bidding for higher value projects. It will also ease the pressure on contractors to constantly seek an upgrade in order to be able to bid for higher value projects. This new system would open opportunities for SME contractors, in particular, to secure more projects within their capability and expertise.

The revised grading designation and value of contract which a contractor is allowed to undertake will be as follows –

Grading Designation	Value of contract which a contractor is allowed to undertake (Exclusive of VAT)
Large	Up to any amount above Rs 500 million
Medium	Up to Rs 500 million
Small	Up to Rs 10 million

B.3. Promoting Renewable Energy and Energy Efficiency

With the aim of reducing the importation of fossil fuels, lowering carbon emissions, the deployment of renewable energy as well as use of electric vehicles will be encouraged and new energy efficiency norms will be introduced. In this respect, the following measures will be implemented -

- (a) a detailed feasibility study will be carried out on –
 - (i) the implementation of offshore windfarms and for the setting up of mini hydro power plants; and
 - (ii) safe disposal and recycling of used solar panels and batteries;

- (b) the uptake of Electric Vehicles will be promoted to support the transition to zero emission road transport by –
 - (i) allowing owners, of electric vehicles, be it households or businesses, to install a PV system not exceeding 10 kW to charge their vehicles and export any surplus to the grid; and
 - (ii) setting up a scheme to encourage private investment in fast charging infrastructure points across the island;
- (c) importation of non-inverter type air conditioners will be banned in a phased manner by 2024, starting with those with capacity of at least 36,000 BTU as from January 2022;
- (d) the Energy Efficiency Management Office will issue guidelines for the proper installation and maintenance of air conditioners;
- (e) the existing ban on importation of incandescent light bulbs of at least 75 watts will be extended to all incandescent light bulbs used for general lighting in order to pave the way for more energy efficient lighting; and
- (f) all public institutions will be required to reduce their electricity consumption by at least 5% of its current electricity consumption. The Energy Efficiency Management Office will establish procedures to monitor energy efficiency and consumption.

B.4. Managing Electronic and Electrical Wastes

Guidelines will be established under the Environment Protection Act for better management of electronic and electrical wastes in close partnership with private sector organisations.

B.5. Enhancing our Banking and Financial Services Sectors

A new regulatory framework will be introduced to further facilitate banking institutions to set up centres for shared services including asset management and treasury management activities, amongst others, for the region from Mauritius.

The MAUCAS platform set up to allow for real time payments will be upgraded into its next phase of development.

The Bank of Mauritius will –

- (a) issue a new guideline in respect of the usage of Application Programming Interface (APIs) to support open banking initiatives;
- (b) establish a Climate Change Centre under its Sustainability Agenda in line with latest practices at foreign Central Banks;
- (c) have the mandate of the Macro-Prudential Authority of Mauritius; and
- (d) be empowered to set up a centralised bank account holders registry so as to facilitate investigations into serious financial crimes.

The scope of the partial exemption tax regime will be broadened to cover investment dealers and other type of leasing activities.

For the setting up of Family Offices, the need for a Global Business licence will be eliminated.

Request for Certificate of good standing from the Registrar of Companies for Global Business Companies will be extended to cover legal advisers and accounting firms.

The Bank of Mauritius (BOM) and the Financial Services Commission (FSC) will -

- (a) issue Regulatory Sandbox Licenses for activities falling under their respective purviews;
- (b) set up a common platform for fitness and propriety of investors and professionals operating in the sector;
- (c) revamp the existing framework for investment banking activities; and
- (d) set up a single desk for all FinTech related applications.

B.6. Promoting the Mauritius International Financial Centre

The EDB will establish a dedicated commission for financial services to devise and monitor an effective and timely promotional and reputation management strategy for Mauritius as an International Financial Centre (IFC).

Moreover, the BOM will enlist the services of an international consulting firm to chart the strategy for the 'Future of Banking' in and from Mauritius.

B.7. Business Facilitation

To further improve the business environment for our investors and foster further economic development, the following measures will be implemented.

- (a) The Business Registration Act will be amended to cater for an electronic Business Registration Card.
- (b) The Economic Development Board Act, the Business Registration Act and the Mauritius Revenue Authority Act will be amended to facilitate sharing of information between these agencies.
- (c) The Mauritius Fire and Rescue Service (Fire Safety Plan and Fire Certificate) Regulations 2018 will be amended to review the types of premises and nature of business that should hold a fire certificate.
- (d) Trade fee will no more be tagged to date of start of business but become due two Financial Years after registration of the business. Part of a Financial Year will be considered as one Financial Year. The Local Government Act will be amended so that trade fees payable with respect to classified trades do not apply to any person holding a Tourist Enterprise License and Global Business Companies not having a physical office in Mauritius.
- (e) A notice-based registry for movable collaterals will be created and the legal framework to facilitate access to finance through movable assets will be reviewed.

- (f) The Food Act will be amended to cater for the recognition of private food testing laboratories, accredited either by MAURITAS or international accrediting bodies, to perform analysis of food or microbiological examinations of food, in order to determine the fitness of food.

B.8. Expediting Access to Public Utilities

- (a) The Central Electricity Board (CEB) and Central Water Authority (CWA) will be empowered to compulsorily obtain wayleave in case of silence of the owners for extension of their network.
- (b) The CEB will expedite electricity connection process by reviewing and streamlining its online application system, including implementing an internal processing and monitoring system to ensure electronic internal processing and automatic allocation of resources, and publication of statistics on all types of new connection.
- (c) The CWA will invest in a new front end and back end system to enable online application for a new water connection and automatic processing of same. The processes will be streamlined to ensure a new water connection is completed within 14 calendar days. Statistics will be published accordingly.

B.9. Reforming the Judiciary

The Courts Act and relevant legislations will be amended, after consultation with the Honourable Chief Justice, to introduce time limits for judgements and rules on adjournments. In the same vein, modern case management techniques will be implemented, and the court management systems upgraded.

B.10. New Incentives Framework

To benefit from the following incentives, companies will have to register with the EDB.

Investment Certificate	
Incentives	<ul style="list-style-type: none"> • 8-year tax holiday (New Companies) • Exemption from payment of Registration Duty and Land Transfer Tax for the purchase of immovable property for business purposes (New Companies) • Payment of VAT on Plant, machinery, and equipment & Construction of purpose-built building and plant and equipment (excluding vehicles) for research and development: <ul style="list-style-type: none"> ○ Zero-rated for provision of healthcare, nursing and residential care services ○ Exempt for others • 5% Tax credit over 3 years in respect of capital expenditure incurred on new plant and machinery (manufacturing company only) until 30 June 2023. • Eligibility for schemes and services offered by the Industrial Financial Institution (Leasing)
Sectors/ Activities Concerned	<ul style="list-style-type: none"> • Aquaculture • Industrial fishing • Seafood processing • High tech Manufacturing • Pharmaceutical Research and Manufacturing • Agro Processing • Food Processing • Healthcare, Biotechnology and Lifesciences • Nursing and Residential Care • Digital Technology and Innovation • Marina • Tertiary education • Seeds production • Others, as may be approved by the EDB

Export Development Certificate	
Incentives	<ul style="list-style-type: none"> • 3% income tax on export of goods • Freight Rebate Scheme • Trade Promotion and Marketing Scheme • Subsidy on the cost of Credit Guarantee Insurance Premium • Preferential Port and Handling Charges
Premium Investor Certificate	
Incentives	<ul style="list-style-type: none"> • To be negotiated with EDB, recommended by Technical Committee and approved by the Minister of Finance on- <ul style="list-style-type: none"> ○ Land and Buildings ○ Infrastructure and public facilities ○ Supply of utilities and telecommunications facilities ○ Fiscal incentives ○ Other taxes, duties, fees, charges and levies ○ Labour requirements, including foreign labour ○ Permits and Licenses ○ Training Grants
Eligibility	<ul style="list-style-type: none"> • Minimum investment of Rs 500 million, except for pharmaceuticals.

B.11. Extending the Export Credit Insurance Scheme

The eligibility criteria for the Export Credit Insurance Scheme will be extended to Freeport Operators heavily impacted by COVID-19. This proposal shall be effective up to June 2022.

B.12. Setting up a Business Regulatory Review Council

A Business Regulatory Review Council (BRRC) will be set up under the aegis of MOFEPD. Assisted by the EDB as its executive arm, the Council will have the mandate to address regulatory and administrative reform needs, advise Government on regulatory policy, and will have the power to recommend and instruct regulatory bodies for implementation.

B.13. Facilitating Trade

- (a) A Trusted Trader Programme will be introduced where importers with a good history of compliance will be able to register for a Certificate allowing them to import goods without the need for permits for each import.
- (b) Public Sector Agencies concerned with the Trusted Trader Programme are, namely, the -
 - (i) National Agricultural Products Regulatory Office;
 - (ii) National Plant Protection Office;
 - (iii) Dangerous Chemicals Control Board;
 - (iv) Ministry of Environment, Solid Waste Management and Climate Change;
 - (v) Food Import Unit;
 - (vi) Information and Communication Technologies Authority;

- (vii) Mauritius Standards Bureau;
 - (viii) Division of Veterinary Services;
 - (ix) Ministry of Commerce and Consumer Protection;
 - (x) Ministry of Blue Economy, Marine Resources, Fisheries and Shipping;
 - (xi) Radiation Safety and Nuclear Security Authority; and
 - (xii) Pharmacy Board.
- (c) With respect to certain controlled goods requiring a pre-shipment import clearance, relevant legislations will be amended to provide for release of goods, where under exceptional or justifiable cases those goods had been shipped prior to the pre-shipment clearance provided that those goods meet standard requirements.

B.14. Occupation Permit

- (a) EDB will partner with an international firm with expertise in residency planning to promote and attract more High Net Worth Individuals to Mauritius, including investors, professionals, and retirees.
- (b) EDB will develop a dedicated website for marketing the different residency schemes available for non-citizens, fitted with systems for applying relevant residency permits.

- (c) EDB will enhance its social media presence and increase its presence in the international media to promote the work-live-retire concept.
- (d) A dedicated concierge service will be set up at the airport to provide a seamless experience to investors and retirees entering Mauritius.
- (e) A privilege club scheme will be implemented providing a range of incentives to Occupation Permit holders and retirees, ranging from privilege access to hotels, golf courses, restaurants, private medical institutions and others.
- (f) A Smart Card will replace the current paper-based Occupation Permit.
- (g) The validity of the Occupation Permit for Professional will be extended 3 to 10 years in line with investors, self-employed, and retired non-citizens.
- (h) Non– citizens holding an Occupation Permit as a Professional will be given the flexibility to switch job without having to submit a new application provided the minimum criteria are met.
- (i) Non-citizens holding an OP as self-employed will be allowed to incorporate a one-man company and employ administrative staff.

- (j) The criteria for young professional Occupation Permit will be reviewed and the list of qualifying activities will be removed.
- (k) Spouse of OP holders willing to invest or work in Mauritius will be exempted from applying for an Occupation Permit or a work permit.
- (l) The maximum age limit of 24 years for dependent children will be waived.
- (m) Where an application for an Occupation Permit requires views and recommendations of a ministry or public sector agency, the latter shall within 5 working days from the date of a request from EDB submit its views or recommendations to the EDB. Where no reply is received within the set timeframe, it shall be considered there is no-objection from the Ministry or public sector agency. The Economic Development Board Act will be amended accordingly.
- (n) The monthly salary applicable for an Occupation for professionals in financial services will be brought down to Rs 30,000. However, this will be limited only for fund accounting and compliance services by a company holding a license from the FSC, and the professional will need to have at least 3 years relevant work experience.

- (o) The requirement for OP applicants to arrive in Mauritius on a business visa to be issued with a permit be waived. A non-citizen will be eligible for an OP irrespective of his visa category when he arrived in Mauritius.
- (p) A non-citizen who purchases or otherwise acquires an apartment used, or available for use, as residence, in a building of at least 2 floors above ground floor, provided the purchase price is not less than USD 375,000 will be issued with a residence permit, including for his dependents, and exempted from the requirement of a work or occupation permit.
- (q) The Economic Development Board Act will be amended to finetune its registration and deregistration process. Consequential amendments will be made to the Immigration Act and other relevant legislations.

B.15. Permanent Residence Permit

- (a) Holders of a 10-Year Permanent Residence Permit will have the validity automatically extended to cover a 20-Year period.
- (b) Holders of a Permanent Residence Permit will be able to renew their permits and they will be given the flexibility to switch category between investor, professional and retired.

B.16. Work Permit

- (a) The Work Permit will be extended allowing Mauritians and non-citizen residents to bring foreign carers and maids to work in Mauritius.
- (b) The legislative framework will be amended to include MOFEPD in the delivery process of work permits.

B.17. Extending the I-Council Project

The Ministry of Local Government and Disaster Risk Management in collaboration with the Ministry of Information Technology, Communication and Innovation is extending the I-Council project to all local authorities to improve effectiveness and efficiency of services being delivered to the public. The I-Council will be completed by June 2022 and is expected to improve services through the following modules –

- (a) Council Project Management System;
- (b) Scavenging Service Management System;
- (c) Drain Management System;
- (d) Maintenance of Assets Management System;
- (e) Road Management System;
- (f) Urban Planning Management System;
- (g) Street Lighting Management System; and
- (h) Bare Land Management System.

B.18. Optimizing Water Conservation and Usage

- (a) To optimise on water conservation and water recycling, car-wash operators, who are being billed by CWA under non-domestic tariff, will benefit from concessional financing up to Rs 1 Million from the Development Bank of Mauritius Ltd to invest in water recycling and rain water harvesting system.
- (b) CWA will treat water released by CEB hydro power stations which represents significant source of treated water. The project will be implemented in phases starting with Magenta and Ferney Hydro Power Station.

B.19. Developing Marine Biotechnology

The Mauritius Oceanography Institute will launch an expression of interest in collaboration with the EDB for strategic alliance in the field of marine exploration, characterisation and commercialisation. A partnership framework will be devised to ensure protection of Intellectual Property and genetic assets in Mauritius.

B.20. Alleviating hardships of the Sugar Cane Planting Community

To alleviate the hardship of the sugar cane planting community, payment of CESS will be suspended for Crop 2021 and the Mauritius Cane Industry Authority will acquire equipment for harvesting sugar cane of small planters.

B.21. Additional Support to Non-Sugar Planters

(a) Refund on Sheltered Farming Nets

Registered planters undertaking cultivation under sheltered farming units over a minimum area of 500 m² will be eligible for a refund of up to a maximum of Rs 50,000 per beneficiary on purchase of greenhouse nets.

(b) Grant on Acquisition of Solar Powered Cold Rooms

A grant of 50% up to a maximum of Rs 400,000 will be provided on the cost of purchase and installation of solar powered cold rooms, by registered planters cultivating on a minimum of one hectare of land.

B.22. Protecting our Local Artists

A Public Art Policy will be implemented to allow local artists to display or perform in public places including the metro stations, bus stations, common public areas, public parks.

The Public Procurement Act will be amended to make it compulsory for Public Bodies to procure tokens from registered local artists only.

B.23. Sustaining Car Operators in the Tourism Sector

The Public Service Vehicle Licence fee for buses, minivans and contract cars will be waived and the licence will be extended for a further one year until 30 June 2022 to provide financial relief to Destination Management Companies and Car Rental companies.

The replacement of executive cars by operators in the tourist sector is currently 12 years. Since these vehicles are normally used for special purposes which entail a low mileage, the replacement of the vehicles will be 12 years or 40,000 kilometres, whichever higher.

Part C – Other Legislations

C.1. Asset Recovery Act

The Asset Recovery Act will be amended to –

- (a) provide that a restraining order, confiscation order, restriction order or a recovery order issued under the Asset Recovery Act will not apply to any property which is the subject-matter of an Unexplained Wealth Order issued under the Good Governance and Integrity Reporting Act;
- (b) empower the Enforcement Authority, which is the Financial Intelligence Unit (FIU) under the Asset Recovery Act, to apply for a Restraining Order to protect a property in which the offender has a lawful interest;
- (c) enable the FIU to nominate a suitably qualified person as Trustee in respect of a property subject to a restraining order;
- (d) make it conditional that a property under a restraining order can only be disposed where directed by the FIU and with a Judge's approval;
- (e) remove the requirement for a Trustee to obtain the consent of every person known to have an interest in a property when the Trustee decides to realise or otherwise deal with the property;
- (f) harmonise the provisions on exclusion of property from Restriction Orders and those on Recovery Orders;

- (g) define “reporting person” as a bank, financial institution, cash dealer or member of a relevant profession or occupation in line with Financial Intelligence and Anti Money Laundering Act; and
- (h) require the FIU to notify relevant persons of Restraining and Restriction Orders granted under the Asset Recovery Act.

C.2. Bank of Mauritius Act

The Bank of Mauritius Act will be amended to –

- (a) empower the BOM to –
 - (i) enter into agreement or arrangement with relevant entities to enable it to discharge of its functions; and
 - (ii) issue guidelines, directives, rules or instructions on the issuance of sustainable bond, including blue and green bonds, in Mauritius;
- (b) empower the Mauritius Credit Information Bureau (MCIB) to provide credit scoring as a value-added service;
- (c) protect the BOM, MCIB or any person providing information, for the purpose of credit scoring, from any liability for acts done in good faith for that purpose;
- (d) empower the BOM to set up a Central Registry of Accounts in order to collect data with a view to enhancing collaboration and cooperation among supervisory authorities and law enforcement agencies. Consequential amendments will be made to the Banking Act;

- (e) authorize the BOM to regulate and supervise financial institutions or start-ups providing relevant services under the FinTech Regulatory Sandbox licence issued by the BOM, with such consequential adaptations as may be required to give thereto;
- (f) authorize the BOM to open accounts for persons licensed under the National Payment Systems Act or for such other persons as may be required;
- (g) empower the BOM to prescribe the framework under which digital currency is to be issued by the Bank and held or used by the public; and
- (h) make it an offence for any person who makes, counterfeits, or alters a digital currency, or uses a counterfeit digital currency and provide for the applicable sanctions.

C.3. Banking Act

The Banking Act will be amended to –

- (a) review the eligibility criteria of issuers of money market instruments to promote the development of a domestic market for money market instruments;
- (b) allow a financial institution to appoint a firm of auditors after 3 years of the last audit assignment of the firm instead of 5 years;

- (c) set out the criteria for granting an extension to a financial institution on the appointment of its firm of auditors for an additional period of up to 5 years for a branch or subsidiary of a foreign bank;
- (d) allow for disclosure of information with the Central KYC and Accounts Registry and while reporting alleged or suspected offences;
- (e) extend examination of the operations and affairs of financial institutions to cover their affiliates;
- (f) replace, in Section 7, the words “financial institution” by the word “applicant” to correctly reflect that the section applies to a new application;
- (g) define “Fintech”, “Regulatory Sandbox”, “Regulatory Sandbox Authorisation” and “Regtech”;
- (h) establish the framework for applying for a Regulatory Sandbox Authorisation; and
- (i) authorise the BOM to set up fintech innovation hubs and digital labs for the banking sector.

C.4. Borrower Protection Act

The Borrower Protection Act will be amended to provide that an immovable property offered as security also covers fixed charges placed on that property.

C.5. Business Registration Act

The Business Registration Act will be amended to provide for the payment of a fee for amendments to a business registration card.

C.6. Civil Service Family Protection Scheme Act

The Civil Service Family Protection Scheme Act will be amended to correct a gender issue in relation to a contributor.

C.7. Civil Status Act

The Civil Status Act will be amended to -

- (a) empower the Registrar of Civil Status to take corrective administrative actions where required;
- (b) empower the Deputy Registrar of Civil Status to facilitate the day to day administrative running of the Division;
- (c) allow for the issuance of civil documents online;
- (d) enable the pre-registration of births so as to avoid tardy declarations;
- (e) prohibit parents from giving a name which is meaningless, offensive or embarrassing to a child;
- (f) harmonise the notification of birth form so that public hospitals and private health institutions use the same form to notify the Civil Status Division of the birth of a child;
- (g) provide a section enabling the sharing of information with the FIU;

- (h) provide for the payment of allowance and fees to the Chairperson and Members of the Muslim Family Council as may be determined; and
- (i) introduce the charging of fees for the use of the Marriage Hall for the celebration of civil marriages.

C.8. Companies Act

The Companies Act will be amended to –

- (a) specify that “FIU” and “Suspicious Transaction Report” have the same meaning as in Financial Intelligence and Anti-Money Laundering Act;
- (b) comply with requirements of Financial Action Task Force (FATF) regarding the protection of companies from terrorist financing abuse by -
 - (i) introducing grounds on which the Registrar of Companies may refuse registration or serve a notice of intention to remove a company from the Register;
 - (ii) monitoring of company service providers and reporting of suspicious transactions;
 - (iii) sharing of information with law enforcement agencies and institutions involved in the prevention of money laundering, combating of terrorism financing and proliferation financing in Mauritius and abroad;
 - (iv) conducting outreach and educational programs;

- (v) effective supervision on all entities falling under the purview of the Registrar of Companies through the application of proportionate and dissuasive sanctions; and
- (vi) protection of companies limited by guarantee from terrorist financing abuse by, amongst others -
 - a. authorising the Registrar of Companies to issue guidelines;
 - b. empowering the Registrar of Companies to conduct examinations and investigations; and
 - c. providing for sanctions for non-compliance and offences committed under the Companies Act;
- (c) remove the requirement for a company to include certain information in relation to its subsidiaries in its annual report in line with the Code of Good Governance where disclosure is only for holding companies;
- (d) provide that a public company having not more than 50 members may be converted into a private company;
- (e) include that other categories of persons, including a representative of the company or any person qualified to act as company secretary under Section 165 of the Companies Act, to request a current standing certificate; and
- (f) remove the restriction on companies limited by guarantee not to have more than 50 members.

C.9. Co-operatives Act

The Co-operatives Act will be amended to ensure that –

- (a) Co-operative societies do not dispose of assets, which have been directly or indirectly funded by Government, without the express approval of the Registrar of Co-operative Societies; and
- (b) State lands vested in Co-operative societies are used diligently and serve the purpose for which they had been made available.

C.10. Courts Act

The Courts Act will be amended to –

- (a) allow witnesses in relation to financial crime offences or AML/CFT cases to testify in Court through live video or live television link system;
- (b) provide for agreement of facts between the Prosecution and the Defence in relation to any criminal proceedings before the Financial Crimes Division to avoid the need for parties to adduce evidence that may be contested; and
- (c) provide that money laundering offences under the Dangerous Drugs Act be triable before the Financial Crimes Division.

C.11. Dangerous Chemicals Control Act

In line with the recommendations of the Commission of Enquiry on Drug Trafficking Report, the Dangerous Chemicals Control Act will be amended to -

- (a) harmonise definitions with the Customs Act and enable sharing of information between the Ministry of Health and Wellness and the MRA and any other public sector agency;
- (b) provide for recordkeeping of retail transactions for dangerous chemicals; and
- (c) provide the MRA with powers of inspection and entry.

C.12. Dangerous Drugs Act

The Dangerous Drugs Act will be amended to -

- (a) harmonise definitions with the Customs Act in view to control and limit manufacture of drugs/controlled substances;
- (b) empower the MRA to effect seizure in case of unlawful manufacture of substances and perform inspections on premises dealing with dangerous drugs; and
- (c) clarify on the application of orders made under the Dangerous Drugs Act, the Asset Recovery Act or the Good Governance and Integrity Reporting Act with regards to forfeiture of any money obtained in respect of offences made under the Dangerous Drugs Act.

C.13. Economic Development Board Act

The Economic Development Board Act will be amended to –

- (a) empower its Chief Executive Officer to monitor businesses holding a Regulatory Sandbox licence to ensure that the licensee is complying with the terms and conditions of the licence;
- (b) refer the monitoring and supervision of the licensee to such regulatory or other competent authority as may be determined by the technical committee;
- (c) discontinue the conduct of regulatory impact assessments;
- (d) enlarge the functions of the EDB to cover communication of economic measures;
- (e) review the composition of the Board of the EDB. The Board will comprise a maximum of 12 members. A representative of the Ministry of Housing and Land Use Planning and the Ministry of Finance, Economic Planning and Development will be nominated;
- (f) review the registration and deregistration process and criteria;
- (g) provide the process for suspension and revocation of a Freeport Certificate, e-Commerce Certificate and Regulatory Sandbox Licence; and
- (h) review the method of execution of documents.

C.14. Environment Protection Act

The Environment Protection Act will be amended to –

- (a) replace the representative of the National Development Unit by a representative of the Prime Minister’s Office on the Board of the National Environment and Climate Change Fund; and
- (b) increase fines in relation to offences.

C.15. Financial Intelligence and Anti-Money Laundering Act

The Financial Intelligence and Anti-Money Laundering Act (FIAMLA) will be amended to -

- (a) include the Registrar of Companies in the definition of “Registrars” to allow the Companies and Business Registration Department to exchange information in relation to Non-Profit Organisations with the FIU;
- (b) exclude, from the definition of “financial institution”, entities registered as reporting issuer which do not conduct any financial activities;
- (c) clarify the meaning of “Member firm” in line with the Financial Reporting Act;
- (d) allow for lodging of predicate offence and money laundering offence under a single information even if the investigations are being conducted by different investigatory authorities;
- (e) include private pension schemes under the purview of the FIAMLA;

- (f) review the definition of “financial institution” to include a qualified trustee as defined under the Trusts Act instead of only referring to the Trusts Act;
- (g) provide that decisions of regulatory bodies as defined in FIAMLA shall take effect immediately after 21 days of the decision;
- (h) require a reporting person to provide information to its regulatory body even if the person is not carrying out the listed activities under the FIAMLA;
- (i) empower the FIU to impose administrative sanctions on law practitioners who fail to comply with Anti Money Laundering and Combatting the Financing of Terrorism (AML/CFT) requirements;
- (j) provide for the establishment of a Core Group on AML/CFT;
- (k) provide for the National Committee on AML/CFT to be chaired by the Supervising Officer of the Ministry responsible for the subject of money laundering; and
- (l) provide for the establishment of an Interagency Coordination Committee to promote effective cooperation and coordination among its members in the implementation of the international standards on AML/CFT and proliferation.

C.16. Financial Reporting Act

The Financial Reporting Act will be amended to –

- (a) extend the scope of sanctions against auditors and increase the fine to Rs 1 million and imprisonment to 5 years;
- (b) restrict an audit firm to audit the accounts of a listed company for a period of more than 7 years over an aggregated period of 10 years. Provision will be made to cater for an auditor who is already engaged with a listed company and for sanctions in case of non-compliance;
- (c) empower the Financial Reporting Council to compound offences with the consent of the Director of Public Prosecutions; and
- (d) increase the fine to Rs 500,000 for –
 - (i) failing to submit financial statements, annual report and report on corporate governance; and
 - (ii) providing professional services while not being registered as a member firm.

C.17. Financial Services Act

The Financial Services Act will be amended to –

- (a) define “Fintech”, “Regulatory Sandbox”, “Regulatory Sandbox Authorisation” and “Regtech”;
- (b) establish the framework for applying for a Regulatory Sandbox Authorisation;

- (c) authorise the FSC to set up such fintech innovation hubs and finnovation and digital labs for the non-banking financial services sector;
- (d) allow issue of shares of less than 5% in a licensee without the approval of the FSC unless such issue results in a change in control in the licensee;
- (e) authorise the FSC to require the Official Receiver, a Liquidator, Provisional Liquidator, Administrator or Special Administrator to provide the FSC with information relating to its licensee or past licensee for the discharge of its functions;
- (f) allow service of notice for administrative sanction be also done through a registered usher or by encrypted electronic mail in addition to registered post;
- (g) remove Self-Regulatory Organisations (SROs) from the purview of the decision of the Review Panel given that the Panel cannot hear applications regarding SROs;
- (h) extend the possibility to request for a certificate of good standing from the FSC to all its licensees, and to legal practitioners and accounting firms with the consent of the licensee;
- (i) allow the FSC to exchange information with a supervisory body or any other public sector agency for the administration of their respective Acts and for the FSC to discharge its functions; and

- (j) authorise the FSC to regulate and supervise financial institutions or start-ups providing relevant services under the FinTech Regulatory Sandbox licence issued by the FSC, with such consequential adaptations as may be required to give thereto.

C.18. Fisheries and Marine Resources Act

The Fisheries and Marine Resources Act will be amended to –

- (a) provide for the implementation of resolutions adopted in international conservation and management organisations/agreements;
- (b) include penalties pertaining to offences committed in respect of different sections of the Fisheries and Marine Resources Act;
- (c) introduce measures and conditions on the exploration of untapped resources in the Exclusive Economic Zone of Mauritius through exploratory fishing; and
- (d) provide for registration of fiberglass vessels of 24 metres or more intended to be used for fishing and related activities.

C.19. Fishermen Investment Trust Act

The Fishermen Investment Trust Act will be repealed as the Fishermen Investment Trust has not been operating since 2014.

C.20. Forests and Reserves Act

The Forests and Reserves Act will be amended to ensure that natural drains are preserved.

C.21. Foundations Act

The Foundations Act will be amended to ensure compliance with the requirements of Financial Action Task Force on –

- (a) protecting Non-Profit Organisations (NPOs) from being misused by terrorist organisations, by, amongst others -
 - (i) authorising the Registrar of Companies to issue guidelines;
 - (ii) empowering the Registrar of Companies to conduct examinations and investigations; and
 - (iii) providing for sanctions for non-compliance and offences committed under the Foundations Act;
- (b) the grounds for removal of a foundation from the register kept by the Registrar of Companies non-filing of an amended Charter;
- (c) the opportunity for foundations to take remedial actions when they have failed to meet disclosure requirements of beneficial ownership information;
- (d) undertaking of outreach and educational programs; and
- (e) sharing of information with law enforcement agencies and institutions involved in the prevention of money laundering and combating of terrorism financing and proliferation financing, in Mauritius or abroad.

C.22. Freeport Act

The Freeport Act will be amended to –

- (a) allow third-party freeport developers to provide space to an enterprise outside the Freeport zone for manufacturing and storage of goods;
- (b) introduce display showroom as an authorised freeport activity to allow freeport operators to promote and market their products to potential buyers; and
- (c) empower the MRA, in consultation with EDB, to extend the warehousing period of 24 months for goods imported into the freeport zone for a further maximum period of 36 months under such terms and conditions as MRA may determine.

C.23. Gambling Regulatory Authority Act

The Gambling Regulatory Authority (GRA) Act will be amended to –

- (a) introduce definitions of “gross proceeds”, “gross stakes” and “gross takings”;
- (b) align the definition of “suspicious transaction” with the requirement of the action plan of the FIAMLA recommendations;
- (c) set up a Horse Racing Division which will be responsible for the regulatory and governance functions of horse racing as recommended in the Parry Report;

- (d) make it a legal requirement for a local pool promoter or an agent of a foreign pool promoter to be a company;
- (e) empower the GRA to extend the validity period for claiming a lottery prize in the case of the covid-19 period or other national disaster or calamity;
- (f) allow the GRA to prescribe the category of officers in respect of licensees other than a horse racing organiser who shall require Personal Management Licence;
- (g) exempt the premises of amusement machines operators from the requirement for Police clearance prior to the issue of a licence. These premises will now be inspected by the Gambling Investigators of the GRA;
- (h) empower the board to take disciplinary action against its licensees for failing to comply with the anti-money laundering and terrorism financing and proliferation guidelines issued by the GRA;
- (i) allow bookmakers licenced to conduct fixed odds betting on football matches taking place outside Mauritius to effect payment of the licence fee in four instalments as is currently the case for casino and Gaming House licencees;
- (j) in the case of “Loterie Vert”, to provide for –
 - (i) a security to be furnished by the operator, as is the case for other licencees; and
 - (ii) the payment of 47.16% of the net proceeds by the operator to MRA at such times as specified in the licence;

- (k) provide for the introduction of digital gaming in the gambling industry for local operators;
- (l) allow the operator of Mauritius National Lottery to conduct lottery and lottery games through remote communication on terms and conditions to be prescribed;
- (m) make it a legal requirement for any shareholder holding more than 50% of the shares in a Public Limited Company with a horse racing organiser licence to be fully compliant with all the provisions of the Act governing the horse racing organiser;
- (n) empower the board to direct a non-compliant majority shareholder to dilute its shareholding to less than 50% in the Public Limited Company holding the horse racing organiser licence;
- (o) make it an offence for a licensed bookmaker conducting fixed odds betting on local races to subdivide his business and create other independent sub-operators under the same licence;
- (p) make it an offence for holders of a personal management licence or any member or associate member of a horse racing organiser to place bets illegally;
- (q) limit the number of terminals on the premise of a bookmaker conducting fixed odds betting on local races to three terminals; and

- (r) increase the rates of duties and taxes for the following licencees –

Licensee	Duties and Taxes	
	From	To
HORSERACING		
Bookmaker conducting fixed odds betting on local race at the race course and -		
(a) where the bookmaker operates inside the stand	12% of gross stakes	14% of gross stakes
(b) where the bookmaker operates outside the stand	12% of gross stakes	14% of gross stakes
Bookmaker conducting fixed odds bet through remote communication	12% of gross stakes	14% of gross stakes
Totalisator operator at the race course, outside the racecourse, operating bets through remote communication, conducting local race inter-totalisator betting or conducting foreign race inter-totalisator betting	12% of gross stakes	14% of gross stakes
FOOTBALL		
Bookmaker conducting fixed odds betting on foreign football matches	12% of gross stakes	14% of gross stakes
OTHER		
Sweepstake organizer	12% of gross proceeds	14% of gross proceeds
Local pool promoter	12% of gross stakes	14% of gross stakes
Agent of foreign pool promoter	12% of gross stakes	14% of gross stakes
Limited pay out machine operator	12% of gross takings or Rs 1 million, whichever is higher	14% of gross takings or Rs 1 million, whichever is higher

C.24. Human Resource Development Act

The Human Resource Development Act is amended to –

- (a) authorise the MRA to remit directly to the HRDC the amount of training levy accruing to the National Training Fund; and
- (b) define the term “tourism sector” as in the Income Tax Regulations 1996.

C.25. Immigration Act

The Immigration Act will be amended to enable the Passport and Immigration Office to share information of non-citizens to concerned stakeholders for verification purposes.

C.26. Income Tax Act

The Income Tax Act will be amended to –

- (a) broaden the scope of partial exemption tax regime to cover licensed investment dealers and activities relating to the leasing of locomotives and train including rails leasing;
- (b) extend the existing incentive to employees of licensees of the FSC who are issued with an Asset Manager Certificate; or a Fund Manager Certificate; or an Asset and Fund Manager Certificate, on or after 1 September 2016, to those managing an asset base of USD 50 Million or above;
- (c) provide that dividend paid by a non-resident to another non-resident is not taxable in Mauritius;

- (d) extend the R&D tax incentive scheme (double deduction) expiring in June 2022 by 5 years, that is, to June 2027;
- (e) extend the tax holiday on Family Offices and Fund and Asset Managers from 5 years to 10 years;
- (f) exclude foreign limited partnership which is a non-tax resident from the need to submit a return of dividend; and
- (g) ensure that Foundations and Trusts benefitting from a preferential tax regime comply with the OECD standards including substantial activity requirements.

C.27. Information and Communication Technologies Act

The Information and Communication Technologies Act will be amended –

- (a) to improve the regulatory framework that has been deployed since the ICT sector was liberalized in 2004 in relation to the promotion of competition within the sector and to improve compatibility in the local legislation vis a vis the international commitments taken at the level of World Trade Organisation; and
- (b) for the reconstitution of the ICT Advisory Council.

C.28. Insolvency Act

The Insolvency Act will be amended to require a liquidator to provide information to the FSC for the discharge of its functions and obligations under an arrangement or agreement for the exchange of information.

C.29. Insurance Act

The Insurance Act will be amended to –

- (a) allow the FSC to –
 - (i) exempt, on specified conditions, a person categorised as a small private company from its reporting obligations; and
 - (ii) extend the time period for doing an act or thing required under the law;
- (b) allow individuals and insurance agents categorised as small private companies to file their financial summaries in a specified format;
- (c) require an insurer to ensure that its insurance agents are at all times in good standing in terms of fees and reporting obligations;
- (d) cater for licensing and regulatory requirements for Third-Party Administrators;
- (e) provide for the establishment of the National Insurance Claims Database for the purpose of promoting confidence in the insurance industry and ensuring the fair treatment of policy holders; and
- (f) require any Insurer providing motor insurance business to furnish information required by the FSC.

C.30. Land Drainage Authority Act

The Land Drainage Authority Act will be amended to empower the Land Drainage Authority to issue enforcement notice to public bodies and other stakeholders for non-maintenance of the drainage infrastructures falling within their jurisdiction.

C.31. Limited Liability Partnerships Act

The Limited Liability Partnerships Act will be amended to provide that a Limited Liability Partnership may be removed from the register in case appropriate beneficial ownership information has not been provided to the Registrar of Limited Liability Partnerships.

C.32. Limited Partnerships Act

The Limited Partnerships Act will be amended to provide that a Limited Partnership may be removed from the register in case appropriate beneficial ownership information has not been provided to the Registrar of Limited Partnerships.

C.33. Local Government Act

The Local Government Act will be amended to empower Public Bodies designated by the Land Drainage Authority to construct drains in privately owned land where storm water accumulates and represents high flooding risks.

C.34. Mauritius Agricultural Marketing Act

The Mauritius Agricultural Marketing Act will be amended to –

- (a) provide for new definitions in the context of the coming into operation of the National Wholesale Market, which shall be administered and operated by the Agricultural Marketing Board;

- (b) enlarge the functions and powers of the Agricultural Marketing Board for the proper regulation of the National Wholesale Market and setting the terms and conditions to provide access to the National Wholesale Market to registered users;
- (c) stabilize the price of any product that the Agricultural Marketing Board may deal with; and
- (d) protect the employees of the Agricultural Marketing Board and its Board in the discharge of their duties as per the Mauritius Agricultural Marketing Act.

C.35. Mauritius Institute of Training and Development Act

The Mauritius Institute of Training and Development Act will be amended to provide for a representative of the Ministry responsible for the subject of education to be member of the Board of the Mauritius Institute of Training and Development for improved synergy between mainstream education and Technical and Vocational Education and Training.

C.36. Mauritius Qualifications Authority Act

The Mauritius Qualifications Authority (MQA) Act will be amended to allow the Authority to provide accreditation to non-award courses, for them to qualify for refund from HRDC.

C.37. Mauritius Research and Innovation Council Act

The Mauritius Research and Innovation Council (MRIC) Act will be amended to extend the mandate of the MRIC to conduct research on identified national-priority thrust areas in order to strengthen our research ecosystem.

C.38. Mauritius Revenue Authority Act

The Mauritius Revenue Authority Act will be amended to allow for tax information to be accessible to law enforcement agencies for the purpose of conducting investigations under relevant Acts.

C.39. Merchant Shipping Act

The Merchant Shipping Act will be amended to build resilience against potential maritime casualties.

C.40. Morcellement Act

The Morcellement Act will be amended to provide for a representative of the Land Drainage Authority to be member of the Morcellement Board.

C.41. National Payment Systems Act

The National Payment Systems Act will be amended to –

- (a) provide for the setting up of a National Payment Systems Committee which shall act as an advisory body to the BOM in the exercise of its oversight function in respect of the national payment systems; and
- (b) include breach of regulations as an offence.

C.42. Non-Citizens (Employment Restriction) Act

The Non-Citizens (Employment Restriction) Act will be amended to –

- (a) increase the fine and term of imprisonment and introducing other sanctions in cases where an employer contravenes the Act by employing absconding or illegal foreign workers;
- (b) delete the section relating to applications for work permit in respect of activities such as Artificial Intelligence (AI), Fintech, robotics, etc;
- (c) provide for the issue of a provisional permit, subject to conditions, in cases where the process for renewal of work permit has been delayed;
- (d) provide for the issue of a special permit, on humanitarian grounds, to a victim or presumed victim of trafficking or a foreign worker in a stranded situation; and
- (e) indicate that the term “victim of trafficking” has the same meaning as in the Combating of Trafficking in Persons Act.

C.43. Non-Citizens (Property Restriction) Act

The Non-Citizens (Property Restriction) Act will be amended to provide that -

- (a) no approval is required from the Prime Ministers’ Office (PMO) for disposal of property under the EDB Schemes (e.g. Property Development Scheme, Integrated Resort Scheme) but only for EDB to notify the Prime Minister’s Office of such disposal;

- (b) non-citizens seek the authorisation of the PMO for, among others, obtaining title or continuous use of immovable property in Mauritius; and
- (c) no authorisation of the PMO is required for only the initial 20-year lease.

C.44. Ombudsperson for Financial Services Act

The Ombudsperson for Financial Services Act will be amended to –

- (a) empower the Ombudsperson to notify the issue of instructions and guidelines or impose requirements on financial institutions;
- (b) extend the delay during which a financial institution has to communicate its decision to an aggrieved financial services consumer following written representations made by him to the financial institution from 10 days to 30 days;
- (c) empower the Ombudsperson to reject a complaint where the complainant does not have sufficient interest in the matter; and
- (d) remove the requirement imposed on a complainant to make a sworn statement on waiving his right of initiating civil proceedings before any Court in respect of a complaint, for the Ombudsperson to hear and determine the complaint.

C.45. Pensions Act

The Pensions Act will be amended to review the composition of the Public Pensions Advisory Committee in view of the technical nature of issues discussed at its level.

C.46. Pharmacy Act

The Pharmacy Act will be amended to -

- (a) empower the Education Committee to advise the Pharmacy Board on the qualifications, examinations, training and registration of Pharmacy Technicians following the recommendations in the Report of the Director of Audit 2019/2020;
- (b) provide for the keeping of a prescription book in view to record all prescriptions which are dispensed; and
- (c) provide for the definition of "Antibiotic Drug".

C.47. Prevention of Corruption Act

The Prevention of Corruption Act will be amended to –

- (a) extend the validity of an Attachment Order from 60 days to 180 days; and
- (b) provide for realisation of assets, which are subject to an Attachment or Seizure Order, to facilitate asset recovery.

C.48. Prevention of Terrorism Act

The Prevention of Terrorism Act will be amended to empower the Commissioner of Police to apply for Account Monitoring Orders.

C.49. Private Pension Schemes Act

The Private Pension Schemes Act will be amended to –

- (a) set out, under the defined contribution scheme, that a reserve which is not held as a guarantee can be used by the scheme to smooth out investment returns; and
- (b) require that audited financial statements of a private pension scheme be prepared in accordance with International Financial Reporting Standards.

C.50. Protected Cell Companies Act

The Protected Cell Companies Act will be amended to extend the use of the Protected Cell structure to domestic companies and to include such other activities as may be prescribed.

C.51. Public Collections Act

The Public Collections Act will be amended to –

- (a) extend the period for reporting to the Commissioner of Police on funds raised by way of a public collection and the manner in which they have been disposed from 1 month to 6 months after completion of the public collection; and
- (b) review the fine to a maximum of Rs 500,000 and imprisonment term to a maximum of 5 years when a person has committed an offence under the Public Collections Act.

C.52. Real Estate Agent Authority Act

The Real Estate Agent Authority Act will be amended to require a licensed real estate agent to register himself with the FIU within 5 working days of his registration with the Real Estate Agent Authority. Failing to register within that timeframe will be considered as an offence.

C.53. Reform Institutions Act

The Reform Institutions Act will be amended to give effect to the banning of cigarettes in prisons.

C.54. Registration of Associations Act

The Registration of Associations Act will be amended to –

- (a) increase the value of a property that would require a special resolution before being disposed, pledged, mortgaged or charged by a registered association from Rs 3,000 to Rs 45,000;
- (b) increase the limit of expenditure for which a registered association would require the approval of a general meeting from Rs 1,000 to Rs 15,000 for any one item, and from Rs 4,000 to Rs 60,000 for total expenditure in a year; and
- (c) allow the Registrar to undertake outreach and educational programmes on terrorism financing.

C.55. Rivers and Canals Act

The Rivers and Canals Act will be amended to exempt Public Bodies, designated by the Land Drainage Authority to implement drain projects, from seeking the authority of the Supreme Court to carry out works along rivers and canals.

C.56. Road Development Authority Act

To improve coordination on road matters, the Road Development Authority Act will be amended to review the composition of its Board by adding a representative of the Ministry responsible for the subject of land and one from the Land Drainage Authority. The representative of the Ministry responsible for public infrastructure will be replaced by that responsible for roads.

C.57. Roads Act

The Roads Act will be amended to –

- (a) allow for controlled advertising on the structures of flyovers or lighting poles in order to help in embellishing these structures as well as generating economic value;
- (b) revise the definition of “Minister” to cater for the change in portfolio; and
- (c) define " flyover" as a structure which carries one road over another.

C.58. Rose Belle Sugar Estate Board Act

The Rose Belle Sugar Estate Board Act will be amended to change the accounting year of the Rose Belle Sugar Estate Board from 1 January to 31 December to 1 July to 30 June to be in line with the financial year of Government and other Statutory Bodies.

C.59. Statutory Bodies Pension Funds Act

The Statutory Bodies Pension Funds Act will be amended to include the Marathi Speaking Union in the First Schedule of the Act in order to allow the institution to create a defined contribution pension scheme for its employees.

C.60. Sugar Industry Pension Fund Act

The Sugar Industry Pension Fund (SIPF) Act will be amended to allow its members to contribute towards the SIPF on the same basis as they were contributing prior to 1 September 2020.

C.61. Sugar Insurance Fund Act

The Sugar Insurance Fund Act will be amended to extend the statutory deadlines set for the declaration of an event year given the delays encountered by the Sugar Insurance Fund Board in compiling data for that purpose, following the recent confinement period.

C.62. United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act

The United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act will be amended to ensure the effective implementation of the UN Sanctions Act.

C.63. Utility Regulatory Authority Act

The Utility Regulatory Authority (URA) Act will be amended to review the composition of the Board of the URA.

C.64. Workers' Rights Act

The Workers' Rights Act will be amended to -

- (a) facilitate the enforcement of the compromise agreement;
- (b) allow payment under the Wage Guarantee Fund when the business has been placed into receivership, administration or liquidation;
- (c) facilitate the application of the payment of additional remuneration;
- (d) exclude workers earning above Rs 50,000 and employed on determinate contracts who are paid a gratuity or a compensation at the end of their contracts from the payment of severance allowance;
- (e) broaden the scope of the Workfare Programme to extend the entitlement of the transition unemployment benefit to workers who are unable to make their application within the prescribed period on ground of illness;
- (f) limit the payment of the transition unemployment benefit only to workers who are unemployed and to exclude workers who refuse offers of job placement or training for a third time;

- (g) reinforce the provision for the recovery of the transition unemployment benefit, in case of overpayment to workers;
- (h) provide for employers to refund the transition unemployment benefit paid to workers who are regularly laid off and re-employed on new contracts;
- (i) provide for the setting up of a conciliation and mediation service by the Redundancy Board;
- (j) provide that a receiver and manager or an administrator may apply to the Redundancy Board for cases of intended reduction of workforce;
- (k) extend the application of a protective order to situations where an order for the payment of severance allowance has been made by the Redundancy Board and broaden the definition of remuneration to include a claim of severance allowance lodged at the Industrial Court and any gratuity on retirement payable under the Portable Retirement Gratuity Fund;
- (l) extend the application of the Portable Retirement Gratuity Fund to jockeys and track riders engaged in horse racing activities and such other category of workers as may be prescribed;
- (m) provide that failure to submit information or document related to a charge against a worker appearing before a disciplinary hearing and failure to submit minutes of proceeding to the worker or to the person assisting the worker to be considered as an offence;

- (n) any reduction in workforce in relation to a business reorganisation should be in the best interest of the business; and
- (o) clarify the provisions of some sections of the Act for a more effective application thereof.

C.65. Miscellaneous

Some technical amendments will be brought to clarify, fine-tune, plug loopholes and harmonise various provisions in revenue laws and other enactments to provide for the implementation of measures announced in the Budget Speech as well as those contained in its Annex and for matters connected, consequential or incidental thereto.