

**ADVISORY PANEL**  
**FORMATION OF LAW FIRMS AND OPENING MAURITIUS TO**  
**INTERNATIONAL LAW FIRMS**  
**Consultations with Stakeholders: Summary of Submissions**

Meeting 2 February 2007

Mr. G. Noel, Attorney-at-Law, appeared for the International Firm Appleby. He spoke of the need for law professionals to operate through law firms. He informed the Commission he would forward a written submission regarding the opening of Mauritius to International Law Firms and the creation of Law Corporations.

Mr. I. Rajhabalee, Bar-at-Law, submitted it is high time for the Law Practitioners Act to be reviewed. The structure of the legal profession and the manner in which legal services are provided need to be assessed anew, so that our law practitioners can operate effectively in a global world. International Law Firms should be allowed to operate and compete with local firms, in line with W.T.O standards and on the basis of reciprocity.

Meeting 22 February 2007

Mr. M. Hein, Bar-at-Law, reiterated the views he had already expressed in an article in local newspapers to the effect that our local lawyers should first be allowed to team up to form law firms; Government should not immediately open Mauritius to international law firms as they can turn out to be 'predators'. With time Government can permit joint ventures to operate.

Mr. T. Koenig, Attorney-at-Law, elaborated on the merits of legal practice by a corporation or partnership and was not very happy with the idea of allowing international law firms operate here being of the view that local law firms should be permitted, as when the need would be felt for any specific expertise, to hire the services of foreign lawyers.

Mrs U. Boolell-Banymandhub, Bar-at-Law, was favourable to the idea of setting up local law firms, not very enthusiastic with permitting foreign law firms to operate here save in Joint Law Ventures with local law firms. Various memoranda she has written on the matter to the attention of the Deputy Prime Minister and Minister of Finance and Economic Development were made available to the Commission.

### Meeting 2 March 2007

Dr. M. Meetarbhan, Bar-at-Law and Chief Executive Officer of the Financial Services Commission, discussed the likely impact of opening Mauritius to international law firms on the global business sector. In his opinion, such change in the law would enable us to have in this jurisdiction one of the major players, the law firm, which has brought about the successful development of financial services in many offshore jurisdictions, and whose presence in Mauritius is lacking.

Mr. C. Benoit, Bar-at-Law, stressed the opening up to international law firms would provide local lawyers oceans of opportunities regarding the provision of global legal services.

### Meeting 9 March 2007

The Ministry of Finance and Economic Development had delegated Mr. Chellapermal, Director Financial Policy Analysis, and Mr. Oozeer, Adviser, to explain government policy on the opening of Mauritius to international law firms. They expressed the view that Mauritius will stand to gain economically from this policy as it will bring in legal work, which otherwise would not reach our shores.

They submitted a Draft Bill prepared by Ministry of Finance and Economic Development in July 2006 and the 2004 Report of the Steering Committee on the Provision of Legal Services to the Financial Services Sector.

### Meeting 16 March 2007

Mr. S. Ghurburrun, Bar-at-Law, discussed the shortcomings of the actual system of provision of legal services, in the light of the emerging international trends. He considered that by 2008 lawyers should be permitted to form LLPs [limited liability partnership] and that in 2010 international law firms could be allowed to operate as a Joint Venture with a local LLP. Mr. Ghurburrun submitted many documents to the Commission on the issues under consideration and on law practice management.

Mr. R. Uteem, Bar-at-Law, expressed the need to fuse the profession, asked the question whether the notary's profession should still exist, was favourable to the opening up of Mauritius to foreign lawyers whilst limiting the area of law in which they can practice, and the need to have them tie up with local lawyers.

Meeting 30 March 2007

Mr. N. Appa Jala, Attorney-at-Law and current Chairperson of the Mauritius Law Society, deposed. He was of the view that attorneys, as is the case under the recently elaborated Code of Ethics, should be allowed to form partnerships with other attorneys but not with members of other branches of the profession. Foreign law firms can be permitted to operate in Mauritius after having formed a Joint Venture with local lawyers or law firms (local lawyers or law firms to have at least 51% of the shares of the venture).