



LAW REFORM COMMISSION

**2023-2024 Program of
Review, Reform and Development of the Law**

(Under section 4(3) of the Law Reform Commission Act)

[July 2023]

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About the Commission

THE LAW REFORM COMMISSION OF MAURITIUS consists of –

- (a) a Chairperson, appointed by the Attorney-General;
- (b) a representative of the Judiciary appointed by the Chief Justice;
- (c) the Solicitor-General or his representative;
- (d) the Director of Public Prosecutions or his representative;
- (e) a barrister, appointed by the Attorney-General after consultation with the Mauritius Bar Council;
- (f) an attorney, appointed by the Attorney-General after consultation with the Mauritius Law Society;
- (g) a notary, appointed by the Attorney-General after consultation with the Chambre des Notaires;
- (h) a full-time member of the Department of Law of the University of Mauritius, appointed by the Attorney-General after consultation with the Vice-Chancellor of the University of Mauritius; and
- (i) two members of the civil society, appointed by the Attorney-General.

Under the direction of the Chairperson, the Chief Executive Officer is responsible for all research to be done by the Commission in the discharge of its functions, for the drafting of all reports to be made by the Commission and, generally, for the day-to-day supervision of the staff and work of the Commission.

The Secretary to the Commission is responsible for taking the minutes of all the proceedings of the Commission and is also responsible, under the supervision of the Chief Executive Officer, for the administration of the Commission.

The Commission may appoint staff on such terms and conditions as it may determine and it may resort to the services of persons with suitable qualifications and experience as consultants to the Commission.

LAW REFORM COMMISSION

Chairperson : Mr. Guinness RAMDEWAR, SA, OSK, GOSK [Attorney]

Chief Executive Officer : Mr. Sabir KADEL

Members : Representative of Judiciary

[Judge Nicholas F. OH SAN-BELLEPEAU]

Solicitor-General or his Representative

[Mr. Rajeshsharma RAMLOLL, SC]

Director of Public Prosecutions or his Representative

[Mr. Abdool Rashid AHMINE]

Mr. Yatindra Nath VARMA [Barrister]

Mr. Marie Thierry Vincent KOENIG, S.A. [Attorney]

Mr. Nicolas BOULLÉ [Notary]

Mr. Mohamed Idbal TORABALLY [Member of Civil society]

Ms. Ashna Devi GUNPUTH [Member of Civil society]

Secretary : Mrs. Saroj BUNDHUN

Staff & Human Resource

Chief Executive Officer : Mr. Sabir M. KADEL

Law Reform Cadre

Law Reform Officer/Senior Law Reform Officer : Ms. Dhan Devi SOOKUR
Mrs. Nishita Devi HORILL – GOPAUL
Ms. Beebee Nawsheen Shaseeb MUNGUR
Mr. Ghirish RAMSAWOCK

Law Reform Intern (Under STM) : Mr. Gavin DUMUR
Ms. Hooriyyah Banu RUJUB

Administrative Support Staff

Secretary to Commission : Mrs. Saroj BUNDHUN

Office Superintendent : Mrs. Marie Roseliette SOOBRAMANIA

Office Management Assistant : Mrs. Neelamani BANSRAM
: Mrs. Kajal RAMDUT

Senior Office Attendant/Technical Assistant : Mr. Subhas CHUMMUN

Driver/Office Attendant : Mr. Naraindranathsingh JANKEE
: Mr. Chundunsingh BOODOO

Explanatory Note

Pursuant to section 4(3) of the Law Reform Commission Act, the Commission has elaborated, and is submitting to the Hon. Attorney-General, its 2023-2024 Annual Program for the review of specific aspects of the laws of Mauritius with a view to their reform and/or development.

In preparing this program, the Commission has been guided by its strategic objectives, which are to ensure our laws are responsive to the needs of society in the light of the exigencies of globalization, are in conformity with our international obligations and reflect best international practices.

During the year 2023-2024, the Commission shall focus, *inter alia*, on Human Rights Standards and International Obligations, Compliance of Laws with the Constitution, the Criminal Justice System (Criminal Offences, Criminal Evidential and Procedural Rules), the Code Civil Mauricien and other Related Legislation, the Legal Framework for Business, and Environmental Law.

In addition to the international and comparative approach for bench-marking of laws, laws reviewed will also be examined from an empirical perspective by having recourse to surveys and questionnaires, and the laws reviewed will, moreover, be looked at from an economic and sociological perspective. The Commission may have recourse to Advisory Panels for interaction with stakeholders and shall also use other innovative techniques for consultation.

The following Outcomes are expected:

- (a) More accessible and user-friendly legislation that enhances public awareness, confidence and understanding of the law;
- (b) Higher quality legislation that facilitates underlying policy objectives, which meets society's contemporary needs and reflects its diverse values;
- (c) Constitutionally appropriate and consistent law that acknowledges the international human rights instruments and other treaties to which Mauritius is a party; and
- (d) The development of a legal environment that reflects the increasingly international nature of law and co-operation between legal systems.

LRC Program on Aspects of Law under Review

Aspects of Law under Review	Expected Outputs
<i>Human Rights Standards and International Obligations (protection of vulnerable groups)</i> <i>Compliance of Laws with Constitution</i> <i>Criminal Justice System (Criminal Offences, Criminal Evidential and Procedural Rules)</i> <i>Code Civil Mauricien & Other Related Legislation</i> <i>Legal Framework for Business (Declarations to the MAC [Mining, Agricultural, and Construction equipment] protocol to the Cape Town Convention)</i> <i>Environmental Law</i>	At least 8 Reports/Papers on aspects of Law reviewed containing recommendations for reform