



# LAW REFORM COMMISSION

## Brief on the Work of the Law Reform Commission

[December 2024]

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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. Rashid AHMINE]

Mr. Yatindra Nath VARMA [Barrister]

Mr. Nicolas BOULLÉ [Notary]

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

Mr. Mohamed Idbal TORABALLY [Member of Civil society]

Ms. Ashna Devi GUNPUTH [Member of Civil society]

**Secretary** : Mrs. Saroj BUNDHUN

## **Staff & Human Resources**

**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. Shaseeb MUNGUR

Mr. Ghirish RAMSAWOCK

**Law Reform Intern (Under STM)** : 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

## **Introductory Note: Background to the Mission of the Law Reform Commission**

1. The Law Reform Commission is an independent statutory body, established by an Act of Parliament in 2005. It is operational since 2006.

As far back as 1993, a law reform commission existed in Mauritius. In 2006, a new Commission was established<sup>1</sup> - in accordance with best practices that have evolved in the Commonwealth<sup>2</sup> – as it was felt that new institutional arrangements were needed in order for the Commission to meet its statutory functions.<sup>3</sup>

2. Over the past decades, one of the most significant legal innovations globally—particularly within the Commonwealth—has been the creation and evolution of law reform agencies.

The establishment of these agencies is firmly rooted in the principle of constitutionalism, which calls for the creation of independent institutions to facilitate impartial public decision-making.<sup>4</sup>

3. Law Reform Agencies are characterised by several key features: their independence, their specialised expertise, their dedication to consultation and public engagement, and their capacity to address novel and complex legal challenges.

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<sup>1</sup> The Law Reform Commission Act No. 33 of 1992, which came into force on 01 December 1992 [Proclamation No. 2 of 1993], was repealed by Law Reform Commission Act No. 26 of 2005, which came into force on 10 January 2006 [Proclamation No. 2 of 2006].

<sup>2</sup> Vide Commonwealth Secretariat Paper on “Law Reform Agencies: Their Role and Effectiveness” [LMM (05)4] presented at Meeting of Commonwealth Law Ministers and Senior Officials [Accra, Ghana, 17-20 October 2005]. In particular, Law Ministers were invited to take note of the benefits brought by independent Law Reform Agencies, and the need for differences between Law Reform Agencies and between law reform processes in different jurisdictions, according to local circumstances.

<sup>3</sup> The then Attorney-General, in his speech in the National Assembly during the 2<sup>nd</sup> Reading of the Law Reform Commission Bill No. XXIX of 2005, had this to say:

“One of the challenges faced by Government today is how to develop a meaningful strategy of law reform to ensure that laws on our statute books are not cocooned in a past which is divorced from the current social and economic realities. The law, Mr. Speaker Sir is not an end in itself, it is an instrument of social progress, a means of achieving a just and equitable society and for that to happen it must adapt to the changing needs of society ...

Mr. Speaker Sir, when we compare our Law Reform Commission Act to similar legislation in other parts of the Commonwealth, we cannot help being surprised at the brevity of our law and the inadequacy of its provisions to meet the statutory functions of the Commission as it exists to-day ...

The experience of many commonwealth jurisdictions has taught us that it is important to put in place institutional arrangements for tackling law reform in the interests of the people. Admittedly the primary responsibility of law reform rests with Government, but taken up as it is with current political matters, this role can only be fulfilled by a Law Commission adequately structured and staffed to fulfill its mandate.

The Law Reform Commission Bill provides for a newly structured Commission and addresses the defects of the present legislation.”

<sup>4</sup> Lord Steyn, Keynote Address on ‘The Role of Law Reform Agencies’ at ALRAESA Law Reform Conference [Cape Town, March 2005].

The usefulness of Law Reform Agencies for the development of the law has time and again been asserted at Commonwealth Law Ministers Meetings and Meetings of Senior Officials of Law Ministries.<sup>5</sup>

## **Functions and Powers of the Law Reform Commission**

4. The functions of the Law Reform Commission include systematically reviewing the laws of Mauritius, making recommendations for their reform and development, and ensuring, as far as practicable, that the law is clear, understandable, and accessible.<sup>6</sup>
5. The Commission has the power *inter alia* to:
  - Initiate proposals for the review, reform or development of any aspect of the law of Mauritius and to receive and consider any such proposal made or referred to it by the Attorney-General or any other person;
  - Conduct public hearings, seek comments from the public on its proposals, and consult any person or class of persons;
  - Request information from any Government department, any organisation or person in relation to the review, reform or development of any aspect of the law of Mauritius;
  - Publicise such parts of its work in such manner as it thinks expedient.<sup>7</sup>
6. In order to advise and assist it on any project, the Commission may establish an Advisory Panel presided over by a Member and consisting of persons having specialised knowledge in, or particularly affected by, the matter to be studied and such other members as the Commission may deem appropriate.<sup>8</sup>
7. By virtue of section 6(1) of the Act, the Attorney-General may, at any time, request the Commission to examine any aspect of the law of Mauritius, and the Commission shall review that aspect of the law accordingly and report to the Attorney-General thereon with its recommendations.
8. According to section 4(3) of the Act, the Commission is required to prepare and submit to the Attorney-General, at least once a year, a program for the review of specified aspects of the law of Mauritius with a view to their reform or development.<sup>9</sup>

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<sup>5</sup> *Vide* Commonwealth Secretariat Paper on “Law Reform Agencies: Their Role and Effectiveness” [LMM (05)4] presented at Meeting of Commonwealth Law Ministers and Senior Officials [Accra, Ghana, 17-20 October 2005]; Commonwealth Secretariat Paper on “Small States and Law Reform” [LMSCJ(07)11] presented at Meeting of Law Ministers and Attorneys General of Small Commonwealth Jurisdictions [Marlborough House, London, 4-5 October 2007]; Commonwealth Secretariat Paper on “Justice, Human Rights and Law Reform” [SOLM(10)(12)] presented at Meeting of Senior Officials of Commonwealth Law Ministries [Marlborough House, London, 18-20 October 2010].

<sup>6</sup> Section 4(1) of the Law Reform Commission Act.

<sup>7</sup> Section 5(2) of the Law Reform Commission Act.

<sup>8</sup> Section 8(1) Law Reform Commission Act.

<sup>9</sup> Since 2007, the Commission has submitted, at the beginning of every calendar year, its *Annual Program of Review, Reform and Development of the Law* to the Attorney-General. As from 2015, the Commission issues its annual Program in July.

9. Under section 17(1) of the Act, the Commission is required to make to the Attorney-General an annual report on its activities, which is tabled in the National Assembly.<sup>10</sup>
10. When making its recommendations, the Commission is expected to attach, where applicable and as far as practicable, a draft bill to the recommendations.<sup>11</sup>

## **Structure of the Law Reform Commission and its Resources**

### **Membership of Commission**

11. The Board of the Commission is made up as follows:
  - (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;
  - (ca) the Director of Public Prosecutions or his representative;<sup>12</sup>
  - (d) a barrister, appointed by the Attorney-General after consultation with the Mauritius Bar Council;
  - (e) an attorney, appointed by the Attorney-General after consultation with the Mauritius Law Society;
  - (f) a notary, appointed by the Attorney-General after consultation with the Chambre des Notaires;
  - (g) 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
  - (h) two members of the civil society, appointed by the Attorney-General.
12. The Members, including the Chairperson, are part-timers.
13. In accordance with section 9(2)(b) of the Law Reform Commission Act, the Chairperson convenes meetings of the Commission.

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<sup>10</sup> The Commission has each year submitted to the Attorney-General *Annual Reports on its Activities*: the annual reports cover work done during the previous financial year.

<sup>11</sup> Section 4(3) of the Law Reform Commission Act.

<sup>12</sup> Section 7 (1) of the Law Reform Commission Act, which provides for the membership of the Commission was amended by Finance (Miscellaneous provisions) Act No. 14 of 2009 by inserting, after paragraph(c), the following paragraph "(ca) the Director of Public Prosecutions or his representative".

### Human Resources of the Commission

14. The Law Reform Commission Act stipulates the appointment of a Chief Executive Officer by the Commission. Pursuant to section 11(2) of the Act, the Chief Executive Officer is tasked with overseeing all research undertaken by the Commission in the execution of its functions, preparing all reports issued by the Commission, and managing the daily supervision of the staff and overall operations of the Commission.
15. The Law Reform Commission Act also provides for the post of Secretary to the Commission. The Secretary is responsible for the taking of minutes of the proceedings of the Commission and is also responsible, under the supervision of the Chief Executive Officer, for the administration of the Commission.
16. Pursuant to section 13 of the Act, the Commission has also appointed other research and administrative support staff on its permanent and pensionable establishment. Some of them were public officers who were permanently transferred to the Commission. Others were recruited following public advertisement.
17. The Commission has the power to recruit consultants for its projects.<sup>13</sup>

### Office Premises and Facilities of the Commission

18. The Office of the Commission is located on the 13<sup>th</sup> Floor of New SICOM Building House and occupies an office space of about 450 square metres. The Commission has a conference room and a documentation centre.

### Funding of the Commission

19. The operating expenses of the Commission are met from grants provided by the National Assembly.

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<sup>13</sup> Section 14 of the Law Reform Commission Act.

Professor Robert Louis Garron, *Professeur Honoraire à l'Université Paul Cézanne (Aix-Marseille III)*, has been working for the Commission on an *ad hoc* basis as Law Reform Consultant for the reform of the Code Civil Mauricien, the Code de Commerce and the Code de Procédure Civile. Professor Romain Ollard, formerly at the Faculty of Law of the University of Réunion and now based at the Faculty of Law and Social Science of the University of Poitiers, has also worked on an *ad hoc* basis as consultant for the reform of the Criminal Code. Professor Stephanie Dijoux, of the Faculty of Law of Paris-Nanterre, has also shared her views on aspects of Code Civil Mauricien and Code de Commerce. The Commission has also employed as consultant Mr. Noel Antoine Thomasoo (Acting Chief Legal Secretary at the Attorney-General's Office).



## **Operation of the Law Reform Commission: Its Vision, Strategic Objectives and Working Methodology**

20. The Commission regards its primary function as ensuring that the laws of Mauritius align with constitutional principles, human rights standards, and the country's international obligations.
21. With Mauritius increasingly integrated into the global economy, there is growing pressure to adopt legislative frameworks that reflect international standards. Policy development can no longer occur in isolation from international norms and practices, underscoring the need for rigorous research to inform policymakers about the implications and integration of proposed legislative changes.
22. In the Commission's view, the country's legal framework should embody best international practices. To this end, the Commission is committed to conducting comparative legal research to critically assess the strengths and weaknesses of Mauritian laws in light of the experiences of other jurisdictions. Furthermore, the Commission believes that proposed solutions must, wherever possible, be supported by empirical evidence to ensure their practical efficacy.
23. The Commission's overarching vision is the development of laws that are just, fair, and efficient—laws that reflect and promote the nation's social and economic interests while addressing the challenges and opportunities posed by globalisation.
24. Consultations with all the relevant stakeholders have been regarded as crucial for the performance of the Commission's functions and have invariably been resorted to in order to develop greater awareness of legal issues and contribute to capacity building for those called upon to apply the law. The Commission regards it as imperative that it participates in workshops, conferences and seminars, and has done so as far as possible in order to develop greater awareness of legal issues.<sup>14</sup>

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<sup>14</sup> For instance,

- (1) "Criminal Process: Pre-Trial Procedures" [P. R. Domingue, Human Rights Centre, 7 May 2008];
- (2) "New legal and Regulatory Framework for the NGO Sector in Mauritius" [P. R. Domingue, Ministry of Social Security & National Solidarity, 26 March 2008];
- (3) "Consumer Law Review: Findings and Recommendations for Reform" (P. R. Domingue, CEO, 12 January 2011) [Ministry of Business, Enterprise, Cooperatives and Consumer Protection, Newton Tower 16<sup>th</sup> Floor, Port Louis];
- (4) « Perspectives de Réforme du Code Pénal » (S. Kadel, Law Reform Officer, 27 January 2011) [ODPP's Conference on Prosecutorial Standards, Seat of Bar Council, Port Louis];
- (5) "Implementation of LRC's Recommendations on Reform of Consumer Laws" (P. R. Domingue, CEO, 11 October 2011) [Ministry of Industry, Commerce and Consumer Protection, Air Mauritius Building, 6<sup>th</sup> Floor, Port Louis];
- (6) "Contribution of the Law Reform Commission to the Strengthening of Constitutionalism, Rule of Law and Democratic Governance in Mauritius" (P. R. Domingue, CEO, 9 November 2011) [ALRAESA (Association of Law Reform Agencies of Eastern and Southern Africa) Conference, Lilongwe, Malawi, 7-10 November 2011];

- (7) « Le crédit-bail & la location financière » [Prof. R- L. Garron, Ad hoc Consultant] [Conférence à l'Institute for Judicial and Legal Studies pour les Juges de la Cour Suprême (10 février 2012); Conférence au siège du Bar Council pour les membres de la profession légale et les magistrats (24 février 2012); Conférence au siège du Temple Law Professionals pour les banquiers (9 mars 2012)];
- (8) « Projet de Réforme du Droit Mauricien des Sûretés » (P. R. Domingue, CEO, 11 October 2013) [*ART (Africa Round Table) 2013*, Lusaka];
- (9) "The Law Reform Commission and its Contribution to the Development of the Mauritian Legal System" [P.R. Domingue, Institute for Judicial and Legal Studies, 7 April 2014];
- (10) « La Law Reform Commission et les droits humains » (S. Kadel, Séminaire avec l'ONG DIS-MOI, 13 mai 2014);
- (11) « La réforme du cautionnement en droit mauricien » [G. Georgijevic, Colloque Capitant « Droit des Obligations/Sûretés » (April 2015)];
- (12) « L'émancipation de la femme à l'aune du droit mauricien » [S. Kadel, *Colloque OSOI (Observatoire des Sociétés de l'océan Indien) de l'Université de la Réunion - "Dire l'océan indien"* (5 & 6 novembre 2015)];
- (13) « Le Droit Mauricien de la Consommation : ses lacunes et les projets de réforme de la LRC » [S. Kadel, *Colloque Capitant sur le Droit de la Consommation* (1 septembre 2016)];
- (14) « Propositions de la LRC pour renforcer le régime juridique de la protection du consommateur acheteur » [S. Kadel, *Colloque Capitant sur le Droit de la Consommation* (1 septembre 2016)];
- (15) « Propositions de la LRC pour la réforme de l'encadrement des opérations de crédit » [G. Georgijevic, *Colloque Capitant sur le Droit de la Consommation* (2 septembre 2016)];
- (16) « Propositions de réforme de la LRC pour mieux protéger le consommateur des atteintes à ses droits » [G. Georgijevic, *Colloque Capitant sur le Droit de la Consommation* (2 septembre 2016)];
- (17) « The Protection from Domestic Violence (Amendment) Act: Implications » [P. R. Domingue, *Working Session on Domestic Violence and on the Protection from Domestic Violence (Amendment) Act 2016*, organized by Australian High Commission and Ministry of Gender Equality, Child Development & Family Welfare, NWDC, Phoenix, 2 September 2016];
- (18) « Le Droit de la Consommation à l'ère numérique - Perspectives de Réforme » [S. Kadel, APEC (Association for the Protection of the Environment & Consumers), International Consumer Day, 15 March 2017];
- (19) « Aspects Juridiques de la Coopération Union Européenne – Maurice » [P. R. Domingue, *Colloque Union Européenne dans l'Océan Indien, modèle de puissance ou puissance modèle ? Faculté de Droit et d'Économie, Université de la Réunion*, 14 April 2017];
- (20) « Le faux et l'usage du faux en droit mauricien et les perspectives de réforme » [S. Kadel, Institute for Judicial and Legal Studies, 29 May 2017];
- (21) « Perspectives de réforme/développements constitutionnels » [P. R. Domingue, Colloque trinational (France / Allemagne / Ile Maurice) sur le « Le développement constitutionnel de Maurice en l'honneur du cinquantenaire de l'indépendance », Campus du Réduit, Université de Maurice, 14-16 Mars 2018];
- (22) « Recognition of Right to Die with Dignity & Comparative Approaches to Adoption of Laws on End-of-Life » [P. R. Domingue, International Colloquium « *Droit et Culture : Regards croisés pluridisciplinaires sur la fin de vie* », Florence, 25-27 June 2018];
- (23) « Is assisted dying a victimless crime? Reflections on the role of consent and motive in criminal law » [S. Kadel, International Colloquium « *Droit et Culture : Regards croisés pluridisciplinaires sur la fin de vie* », Florence, 25-27 June 2018];
- (24) « Judicial Independence as a constitutional and human rights imperative » [P. R. Domingue, Colloquium on Judicial Independence, Middle Temple Association (Mauritius), City Council Port Louis, 22 march 2019];
- (25) « The Translation of Law, the Case of Seychelles and Mauritius » [S. Kadel, 1<sup>st</sup> International Symposium on Translation and Knowledge Transfer: New Trends in the Theory and Practice of Translation and Interpretation (TRAK), Cordoba, Spain, 18 October 2019];
- (26) « Law of Sexual offences in France and Mauritius » [S. Kadel, Institute of Judicial and Legal Studies of Mauritius (IJLS), 10 September 2020]

25. The Commission may, pursuant to section 8 (1) (b) of the Law Reform Commission Act, set up Advisory Panels and it has done so in respect of Jury System, Establishment of Law firms, Family Law, Financial Services and Prescriptive Acquisition.
26. The Commission considers it as part of its mission that it should encourage critical thinking about the laws of Mauritius and legal practice.

To that end, the Law Reform Commission had established the “Guy Ollivry Law Reform Prize”, in honour of the first Chairperson of the Law Reform Commission, late Mr. Marie Joseph Emmanuel Guy Ollivry, QC, GOSK, a skilful barrister with insights, who remains a source of inspiration for current and future generations of lawyers. The Prize would be awarded following a “Law Reform Essay Competition”, open to undergraduate law students and postgraduate law students registered at an approved tertiary education institution in Mauritius, as well as young law practitioners, who would be invited to submit, on a theme of their choice, an essay of about 5000 words on an aspect of the law they consider is in need of reform. The “Prize” was meant to encourage critical legal writing, while generating new ideas for law reform, and would be awarded to students/young law practitioners with best insights as to an aspect of the law that is inadequate or incomplete.

An Internship Program has been established for young law graduates/postgraduates to offer them the opportunity to enhance their knowledge, skills, attitudes and ability, whilst contributing to the work of the Commission.

27. The Commission co-operates with other law reform agencies. It is a member of the Commonwealth Association of Law Reform Agencies [CALRAs] and the Association of Law Reform Agencies of Eastern and Southern Africa [ALRAESA].
28. The CEO of LRC Mauritius is an Ex Co Member of CALRAs.  
CALRAs launched, together with the Commonwealth Secretariat in October 2016 at the Commonwealth Law Ministers’ Meeting in Bahamas, a Manual on best practices regarding law reform: “Changing the Law – A Practical Guide to Law Reform”, in which the former CEO of LRC Mauritius, Mr. P. R. Domingue, was the contributor to the chapter on “Law Reform in Small States”.

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(27) “The consequences of lying about the vaccination status in civil and criminal law” [S. Kadel, University of Mauritius, 7 March 2022]

(28) “The causes of criminal irresponsibility and reform proposals” [S. Kadel, Institute of Judicial and Legal Studies of Mauritius (IJLS), 28 April 2022]

(29) “Women as sexual offenders” [S. Kadel, at the *Feminism, Law and Citizenship conference*, Paris, France (Sorbonne University), 11 July 2022]

(30) “Law of surrogacy” [S. Kadel, Institute of Judicial and Legal Studies of Mauritius (IJLS), 11 October 2022]

(31) “The Theory of Speech Acts in Contractual Clauses: Towards a Performative Contractual Ontology” [S. Kadel, the Institute of Judicial and Legal Studies, 10 November 2023]

29. On 29<sup>th</sup> and 30<sup>th</sup> June 2017, the Commission hosted the ALRAESA's Conference on "Role of Law Reform in Development."

The Conference Sessions were on:

- (1) Value & Usefulness of Law Reform Agencies to Legal Policy Development;
- (2) Challenges of Law Reform in Small States;
- (3) Constitutional Reform;
- (4) Business and Consumer Law Reform;
- (5) Reform related to Gender-based Violence; and
- (6) Reform of Law of Evidence.

The Conference was attended by 21 foreign delegates from 10 countries: 20 representatives from law reform agencies (2 from Kenya, 2 from Lesotho, 2 from Malawi, 2 from Namibia, 2 from Uganda, 2 from South Africa, 3 from Swaziland, 2 from Zanzibar {Tanzania}, 2 from Zimbabwe, and 1 from Botswana); and 1 representative from Commonwealth Secretariat (Law and Development Section).

30. At the Annual General Meeting of ALRAESA in Nairobi on 28 November 2017, LRC Mauritius was elected on the Executive Committee, as Vice-Chairperson, for a period of two years.
31. In discharging its mandate, the Commission puts a particular emphasis on the following values:
- (a) Independence: The complete independence afforded to the Commission in reviewing the law and in formulating proposals for necessary reform is rooted in constitutionalism and is the most important factor in ensuring that it fully meets its obligations under its mandate.
  - (b) Impartiality: The Commission recognises the crucial importance of carrying out its mandate in an impartial and objective way and fully adheres to these principles in all aspects of its work.
  - (c) High quality research: Research is at the core of the Commission's work. The Commission recognises the paramount need to have recourse to high quality and committed researchers (inter alia through collaborative arrangements with other law reform agencies), as well as undertaking extensive public consultation. Access to high quality information and technology infrastructure and research resources is essential to the Commission's ability to provide high-quality advice.
  - (d) Effective relationships and communication: The Commission strives to make considerable use of external legal and other experts, which may play an important role in assisting it in examining particular areas of the law. It has ongoing relationships with the Office of the Attorney-General, the Office of Director of Public Prosecutions, other Government Departments and Non-Governmental Departments having an interest in the law reform enterprise. The Commission regards the development of effective relationships in areas within its mandate as being of key importance to its work. All the reports and papers, and useful information about its work, are posted on its website.

- (e) Performance culture: The Commission firmly believes that a performance culture (accompanied by clear responsibilities and accountabilities), which sets standards of excellence and which constantly seeks to improve the way things are done, should apply to all activities undertaken in pursuance of its mandate.
  - (f) Good governance: The Commission adheres to best practices in corporate governance.
  - (g) Building and maintaining our people capability: The Commission recognises the essential contribution of all staff and other human resources, both administrative support and legal research cadre, to effective performance. It fully accepts the need to involve all staff on a partnership basis in ongoing activities and to have effective communication arrangements throughout the organisation. No effort is spared for continuous training of staff and other human resources.
32. The Commission has pledged, as part of its Strategic Planning, to address the concerns of people and organisations about the law, legal process and legal institutions by focusing its research activities and recommendations on the following objectives:
- (a) Creativity: The Commission will identify new concepts of and new approaches to law. Commission's studies will explore why principles of law, legal procedures and legal institutions may have become inadequate or outmoded. They will focus on uncovering, elaborating and recommending creative solutions such as the identification and promotion of best practices.
  - (b) Balance: The Commission will address questions of law through the lens of justice. It will research equal access to and treatment by the law and legal system to see where they do not produce in practice the equality that they proclaim in principle. In seeking to understand the causes of injustice, the Commission will consider the role of disparities in information, in resources and in power. It will advance proposals intended to ensure that the law serves the interests of all Mauritians and strives to meet their aspirations for achieving justice.
  - (c) Responsiveness: The Commission will examine how to enhance the engagement of Mauritians with the law and public institutions. Studies will investigate measures to make legal institutions more open and accessible, to reduce the cost of justice and improve the responsiveness of administrative agencies and courts. A focus on where the law succeeds in contributing to individual and social well-being will indicate where a lack of responsiveness undermines social trust and citizen involvement. The Commission will make recommendations about governance intended to renew the faith of Mauritians in the law and public institutions.
33. The Commission's priorities and strategic objectives reflect our operating environment and our commitment to work with our stakeholders and other sector agencies to achieve, in particular:
- (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, that 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 global nature of law and co-operation between legal systems.

34. Projects are selected according to the following criteria:

- (1) Importance of the issues: there is a major problem in that area of law; the law is unsatisfactory (it is unfair, unduly complex, unclear, inaccessible or outdated); and the potential benefits likely to accrue from undertaking reform are significant (it affects many people and there is a real demand for reform);
- (2) Suitability of the issues to be dealt with: the problem is predominantly legal and there is likely to be a solution; changes and improvements in the law can appropriately be put forward after legal (including socio-legal) research and consultation, and there is a fair chance that the proposed solution is likely to be implemented. This would tend to exclude subjects where the considerations are shaped primarily by political judgments;
- (3) Availability of resources in terms of both expertise and funding: legal expertise and funding are likely to be available; there is a real prospect for the project to be completed to a very high standard and in a reasonable period.

35. The Law Reform Commission, as an independent and specialist law reform agency, is able to take an inclusive, objective and professional approach to reform of the laws that govern society. It is particularly suited to topics where independent, non-partisan investigation would assist in establishing the credibility of law reform proposals, or where collaboration or consultation with a wide range of stakeholders is needed.

Projects undertaken by the Commission are usually substantial, possibly involving new concepts or fundamental review, which government agencies are sometimes unable to undertake because of time constraints and the electoral cycle.

36. Following the necessary research, discussion and consultation on any project, the Commission normally produces one of the following publications:

- (a) Discussion Paper or Review Paper or Working Paper: a thorough paper on an area of the law regarded as unsatisfactory, which contains the findings of research (analytical or empirical) and which may include proposals for reform;
- (b) Consultation Paper: this is a paper highlighting matters regarded as problematic and outlining reform options;
- (c) Issue Paper or Paper on Changes: this is a paper identifying aspects of the law in need of reform, on which interested parties are invited to make submissions;
- (d) Opinion Paper: a paper setting out succinctly the views of the Commission on an aspect of the law requiring change;
- (e) Report: This sets out the results of the Commission's research and consultation and usually makes a number of recommendations for law reform to Government.

37. Our Reports/Papers on aspects of law reviewed are invariably uploaded on our website and brought to attention of the public to generate reflection on laws and their underlying policies.

38. The Commission does not lobby for implementation of its proposals because we do not have a political agenda to serve. It does not allow itself to be dragged in the political arena. Its duty is to enlighten policy-makers and the public through opinions based on high-quality research. The contribution of independent law reform agencies to the development of the law has time and again been recognised at Commonwealth Law Conferences and at meetings of Commonwealth Law Ministers.
39. The strength of the institution lies in its membership [drawn from professionals with experience who value their independence] and its methodology [its observations/views about laws/policies are driven by research: benchmarking of best international practices on any aspect of the law; empirical research (through consultation or surveys) as to the actual practice of the law and its impact on the lives of interested parties].
40. Just as courts its opinions are based on an expertise which the lay person (or even a lawyer) does not necessarily possess and which society stands to benefit from for the orderly conduct of human affairs and socio-economic progress.

As courts it does not allow its process to be abused of by busy cranks and their cronies: there are selection criteria for deciding whether or not to embark on a review of an aspect of the law when requested to do so by a person, other than the Hon. Attorney-General.<sup>15</sup>

The Commission has, however, an advantage over courts when it expresses itself on an issue. Courts deliver their opinion based on the law “as it is”; the Commission bases its opinion on “the law as it ought to be” [having regard to best international practices and empirical impact assessments on the behaviour of those likely to be affected by the rule].

Courts give their opinions in relation to cases brought before them. The Commission does express views on matters when requested to do so by the Hon. Attorney-General or any other person but it can also, of its own initiative, convey its views on any legal issue.

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<sup>15</sup> Regarding criteria for selection of projects, *vide* para. 31.

## Current Work

41. The Law Reform Commission is currently undertaking a comprehensive review of various aspects of the legal system to ensure that the laws of Mauritius remain modern, effective, and in alignment with constitutional principles, human rights standards, and evolving societal needs. The areas under review include:

Aspects of Law under Review	Purpose
<p>Constitutional Framework/Human Rights                      Judicial System &amp; Settlement of Disputes</p> <p>[Constitution &amp; Laws related to the                      Constitution; Public Law Framework &amp;                      Human Rights Compliance]</p> <p>[Operation of Judicial System]</p>	<p><i>Examining provisions of the Constitution and statutory laws to ensure their consistency with fundamental rights, democratic principles, and the rule of law.</i></p> <p><i>Assessing the extent to which legislative and administrative frameworks align with Mauritius' international human rights obligations, including constitutional safeguards for civil liberties, political rights, and socio-economic rights.</i></p> <p><i>Evaluating procedural efficiency, judicial independence, and access to justice, with a focus on case backlog reduction, alternative dispute resolution mechanisms, and procedural fairness in both civil and criminal litigation.</i></p>
<p>Criminal Justice System                      (Offences)</p> <p>[Offences in Criminal Code and                      other legislation]</p>	<p><i>Reviewing offences under the Criminal Code and other legislative instruments to address outdated provisions, ensure proportionality in sentencing, and introduce reforms in light of emerging crimes, including cybercrime and financial crimes.</i></p>
<p>Criminal Justice System                      (Procedural and Evidential                      Rules)</p> <p>[Criminal Evidential Rules]</p>	<p><i>Assessing the rules governing criminal procedure and evidence, including standards of proof, admissibility of digital evidence, witness protection mechanisms, and fair trial guarantees.</i></p>



<p>Code Civil Mauricien &amp; other related legislation</p>	<p><i>Reviewing key provisions of the Civil Code to modernise legal principles governing obligations, property law, contract law, and family law, while ensuring consistency with contemporary legal standards.</i></p>
<p>Legal Framework for Business &amp; Law relating to Financial Services</p> <p>Legal Framework for Business</p> <p>Environmental Law &amp; Sustainability</p> <p>Law of Information Technology &amp; Internet</p> <p>Consumer Protection Laws</p>	<p><i>Examining laws governing business transactions, competition law, corporate governance, and insolvency procedures to enhance legal certainty and economic growth.</i></p> <p><i>Reviewing regulations pertaining to banking, fintech, securities law, anti-money laundering (AML) frameworks, and financial consumer protection to strengthen Mauritius' standing as a global financial hub.</i></p> <p><i>Exploring legal mechanisms to promote sustainable business practices, environmental conservation, and climate change adaptation policies.</i></p> <p><i>Reviewing legal frameworks concerning cybersecurity, data protection, electronic commerce, and the regulation of artificial intelligence to balance innovation with consumer protection and digital rights.</i></p> <p><i>Evaluating laws governing consumer rights, product liability, and fair trade practices to ensure adequate legal remedies and enforcement mechanisms for consumer welfare.</i></p>

## **Contribution of the Law Reform Commission to Legal Policy Development**

42. Since its establishment in 2006, the Commission had submitted to the Attorney-General 186 Reports and Papers on aspects of law reviewed, with recommendations for change (where appropriate): *vide* Appendices 1 and 2.
43. The recommendations were aimed at:
- (A) Strengthening the rule of law, good governance, and the human rights protection system:**
    - (1) Strengthening the rule of law;
    - (2) Consolidating good governance and democracy;
    - (3) Reinforcing the human rights protection system;
  - (B) Improving the Judicial System and Settlement of Disputes;  
Also the operation of the legal profession and the provision of legal services;**
  - (C) Modernising the civil justice system;**
  - (D) Modernising the criminal justice system:**
    - (1) Criminal investigation procedures;
    - (2) Law on Bail;
    - (3) Criminal Trial by Jury;
    - (4) Rules as to Disclosure;
    - (5) Rules as to Costs;
    - (6) Criminal Evidential Rules;
    - (7) Effective Handling of Criminal Cases; and
    - (8) Mechanism for review of miscarriages of justice and for the correction of errors;
  - (E) Renovating the criminal law in accordance with human rights norms and best international practices:**
    - (1) The Criminal Code:

- General Principles;
- Offences against the Nation, the State and the Public Peace;
- Offences against Persons;
- Offences against Property; and
- Contraventions;

(2) The Criminal Code (Supplementary) Act;

(3) Other Aspects of Criminal Law;

**(F) Modernising the Code Civil Mauricien:**

- (1) Law on Persons;
- (2) “Droit extra-patrimonial de la famille”;
- (3) Law on Succession and Matrimonial Regimes (« Droit patrimonial de la famille »);
- (4) Law on Obligations;
- (5) Law on Specific Contracts;
- (6) Property Law (including Law on “co-propriété”);
- (7) Law on “Sûretés” and Credit Transactions;
- (8) Law on Prescription; and
- (9) Aspects of Private International Law;

**(G) Improving the legal infrastructure for business:**

- (1) Reform of the Code de Commerce:
  - « Livre Premier » (« Du commerce en général »);
  - « Livre Deuxième » (« De la navigation et du commerce maritimes »);

- « Livre Troisième » (« De la navigation et du commerce aériens ») ;
- (2) Reform of Regulatory Framework for the activities of Real estate agents;
- (3) Reform of the Consumer Protection Regime; and
- (4) Domestication of Cape Town Convention on International Interests in Mobile Equipment and its Protocols.

## Conferences/ Exchange Missions / Collaboration pertaining to the work of the Commission

44. The CEO of the Law Reform Commission had the opportunity of attending and speaking at the **International Conference on Legislation and Law Reform**, which took place on the 24<sup>th</sup> and 25<sup>th</sup> of October 2024, at the headquarters of the D.C. Bar Association in **Washington, D.C.** This highly distinguished event brought together leading figures in law reform, legislation, and academia from across the globe. His presentation focused on the reform proposals advanced by the Commission regarding *faits justificatifs*, as detailed in the Report and Draft Bill on “Reform of Defences in Criminal Law” [LRC R&P 171, June 2023], with particular emphasis on the nuanced and often controversial topic of victimless crimes. This area of discussion provided a critical lens through which the broader implications of criminal law reform were explored, highlighting the importance of balancing individual freedoms with societal norms and values. This conference offered a valuable opportunity to present the work of the Mauritius Law Reform Commission to an international audience. The presentation and subsequent discussions not only highlighted Mauritius’ proactive approach to legal reform but also provided a forum for critical engagement and feedback from experts operating in diverse legal contexts.
45. The Commission took part in the “*Journées du droit 2024*”, which was held on 3 October 2024 at the Institut Français de Maurice, in collaboration with the Université Pantheon-Assas and the Institute of Judicial and Legal Studies. This event, launched for the first time in 2023 by the Ministry for Europe and Foreign Affairs, is part of a desire to promote law and its values throughout the world and in particular to raise public awareness of essential legal issues such as human rights, the fight against impunity, and the peaceful settlement of disputes. For this 2<sup>nd</sup> edition, the main theme resonates with an issue at the heart of our time: artificial intelligence (AI): How can law adapt to rapid technological advances, and what revolutions and developments do these technologies impose on our current legal frameworks. The CEO acted as Moderator on the Panel titled “*Les technologies numériques et l’intelligence artificielle : vers une révolution du droit ?*”
46. On 16 July 2024, the CEO attended, at the **Amsterdam Law School**, a day-long pre-conference which set the stage for **International Legal Ethics Conference (ILEC) 2024** by introducing participants to AI regulation in the European context and inviting them to explore its practical implications for the legal professions. In a series of collaborative sessions, participants reflected on how the forthcoming EU AI Act will regulate the future of legal practice. The sessions included the following themes: “The future of dispute resolution under the AI Act” keynote by Pietro Ortolani, Professor of Digital Conflict Resolution at Radboud University; “Exploring the impacts of Generative AI on access to justice through scenario-writing” by Kimon Kieslich; and “Relevance and implications of the AI Act for the legal profession”, by Natali Helberger, University Professor of Law and Digital Technology. From 17 to 19 July 2024, the CEO attended

the International Legal Ethics Conference 2024, focusing on “Legal Professionals in a Digitalising World”. The overarching theme of the conference was digitisation in legal practice. Speakers from different countries talked about developments in their own countries.

On 18 July 2024, the CEO presented a paper on “The Internet of Things and Criminal Investigations”. The Internet of Things (IoT) has ushered in a new era of connectivity, with a myriad of devices now interwoven into the fabric of daily life. This paradigm shift extends beyond mere technological advancement, casting significant implications for the field of criminal investigations. The paper seeks to explore the versatile role of IoT in aiding, challenging, and transforming modern criminal investigative practices. At the core of this discourse is the recognition of IoT devices as reservoirs of potential evidence. From smart home systems to wearable technology, these devices capture a wealth of data, offering unprecedented insights into human behaviours and interactions. The lecture presented case studies underscoring the instrumental role of IoT evidence in solving complex criminal cases, while also highlighting the diversity and depth of data that can be extracted. However, the integration of IoT data in criminal investigations is not without its challenges. The paper presented delved into the legal and ethical quandaries posed by IoT devices. Central to this discussion are concerns regarding privacy rights and data protection, especially in contexts where the extraction of personal data may conflict with existing legal frameworks.

## Implementation of Law Reform Commission's Recommendations

47. Final Recommendations of the Mauritius Law Reform Commission which have been implemented include:
- (a) Recommendations contained in Report on “Opening Mauritius to International Law Firms and Formation of Law Firms” [May 2007];<sup>16</sup>
  - (b) The recommendation contained in the Report on “Relationship of Children with Grand Parents and other Persons under the Code Civil Mauricien” [June 2007];<sup>17</sup>
  - (c) The recommendations in the Report on “Law on Divorce” [December 2008];<sup>18</sup>
  - (d) Recommendations of the Report on “Bail and Related Issues” [Aug 2009];<sup>19</sup>
  - (e) Recommendations and Observations of the Commission in the Report on “Prevention of Vexatious Litigation” [October 2010] and in the Opinion Paper on “Appeal by Vexatious Litigant” [April 2011];<sup>20</sup>
  - (f) The recommendations contained in the Report on “Crédit-Bail & Location Financière” [November 2011];<sup>21</sup>
  - (g) The recommendations contained in Report about “Code de Commerce (Livre Troisième) [navigation & commerce aériens]” [June 2012]<sup>22</sup> and the recommendations in Report on “Code de Commerce (Livre Premier) [about fonds de commerce & garanties autonomes]” [May 2012], subsequently reproduced in LRC’s Issue Paper on “Secured Transactions Reform” [October 2013];<sup>23</sup>
  - (h) The recommendations contained in the Report on “Mechanisms for Review of Alleged Wrongful Convictions or Acquittals” [Nov 2012] were partly approved and have been implemented;<sup>24</sup>
  - (i) The recommendations contained in the Opinion Paper about “Reform of Law on Acquisitive Prescription” [LRC\_R&P 121, March 2018];<sup>25</sup>
  - (j) In the Budget speech, at paragraph 401, reference was made to the recommendation of the Law Reform Commission in the Opinion Paper pertaining to « Reform of Judicial System of Sale by Levy » [LRC\_R&P 129, December 2018] about the *mise à prix* not to be less than 90% of the value of the immovable property when it constitutes the “*logement familial*” of the

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<sup>16</sup> The Law Practitioners (Amendment) Act No. 8 of 2008. The Act came into force on 15 Dec 2008 [P 21/08].

<sup>17</sup> The Code Civil Mauricien (Amendment) Act No. 24 of 2007.

<sup>18</sup> The Divorce and Judicial Separation (Miscellaneous Provisions) Act No. 2 of 2011. The provisions of the Act came into operation on 15 May 2011 [P 2/11].

<sup>19</sup> Bail Amendment Act No. 34 of 2011 and Judicial and Legal Provisions Act No. 3 of 2018

<sup>20</sup> The Courts (Amendment) Act No. 6 of 2011.

<sup>21</sup> The Economic & Financial Measures (Miscellaneous Provisions) (No.2) Act No. 38 of 2011.

<sup>22</sup> Code de Commerce (Amendment) Act No. 14 of 2017.

<sup>23</sup> Code de Commerce (Amendment) Act No. 9 of 2018.

<sup>24</sup> The Criminal Appeal (Amendment) Act of 2013.

<sup>25</sup> The Acquisitive Prescription Act No. 13 of 2018.

debtor, and it was announced that said recommendation would be implemented; and

- (k) Recommendations in the Discussion Paper on “The Law Pertaining to Display of Price” (LRC\_R&P 178, February 2024) have been effectively incorporated into the Finance (Miscellaneous Provisions) Bill 2024, marking a significant milestone in our ongoing efforts to enhance consumer protection and promote economic transparency.

48. Observations contained in Reports/Papers submitted by the Commission have also been taken into account by the legislature.<sup>26</sup>

49. The Recommendations and Observations of the Commission contained in other Reports and Papers are under consideration.

50. It is to be noted that, at the 62<sup>nd</sup> Meeting of the Commission, held on 6 March 2013, Members considered it would be desirable that the Attorney-General’s Office provides a response to LRC’s recommendations for changes to the law.<sup>27</sup>

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<sup>26</sup> These include:

- (a) Observations contained in the Discussion Paper on “Forensic Use of DNA” [April 2009], about appropriate legislative framework, was taken into account when DNA Identification Bill was debated in 2009 in the National Assembly;
- (b) Recommendations contained in the Report on “Local Government Reform” [June 2009] aimed at improving local democracy and good governance have been taken on board: Local Government Act No 36 of 2011;
- (c) Views expressed in Opinion Paper on “Liberalization of Usher Services” [January 2011] taken into account when the Court Ushers (Amendment) Bill 2011 was passed;
- (d) Observations in Opinion Paper on “Legal Aid Reform” [February 2011] were retained when the Legal Aid (Amendment) Bill No. VII of 2012 was passed;
- (e) Observations in Opinion Paper “Offences against Persons [Re Draft Criminal Code (Amendment) Bill]” [April 2012] retained when the Criminal Code (Amendment) Bill No VIII of 2012, which provided for termination of pregnancy in specified circumstances, was passed; the provisions of the Criminal Code (Amendment) Act No. 11 of 2012 are now in force;
- (f) Recommendations in *Report on “New Regime for Copropriété”* [November 2012] & *Report on « Copropriété des immeubles sociaux »* [August 2012]: Code Civil Mauricien 9Amendment) Act No.15 of 2018.

<sup>27</sup> Members took note that in England, the Law Commission Act 2009, which came into force on 12 January 2010, creates a duty on the Lord Chancellor to report annually to Parliament on the extent to which Government has implemented Law Commission recommendations. The Protocol between the Lord Chancellor (on behalf of the Government) and the Law Commission, which arose from the Act, sets out how Ministers of the Crown, Government Departments and the Law Commission should work together. The purpose of the Law Commission Act 2009 and the Protocol is to improve the rate at which the Commission’s recommendations for reform of the law are implemented by Government.

Members were thus of the view that it would be desirable that:

- (1) The Attorney-General’s Office could consider providing an interim response to the Commission as soon as possible and in any event within three months of submission of a Report/Paper containing final recommendations for change to the law, unless otherwise agreed with the Commission;
- (2) The Attorney-General’s Office could consider providing a full response to the Commission as soon as possible after delivery of the interim response and in any event within one year of publication of the Report/Paper unless otherwise agreed with the Commission. The response



## **Concluding Remarks: Challenges the Law Reform Commission has to address**

51. The globalisation/internationalisation of law has far-reaching implications for researchers, practitioners, policy-makers and reformers. As an institution, the Law Reform Commission must always identify new concepts and new approaches to law, and consider ways of enhancing the engagement of Mauritian with the law and public institutions. This requires of the Commission that it periodically re-designs its methodology so that it remains creative and responsive.
52. In Government Program 2015-2019, at para. 169, the Government pledged that:  
*“The Law Reform Commission will be empowered ...”*
53. At 110<sup>th</sup> Meeting of the Commission, held on 25 April 2018, Members considered changes, which can be made to the Law Reform Commission Act, so that LRC may perform its tasks more effectively and to foster trust and confidence among all its stakeholders in its usefulness and the necessity of its existence as an independent and politically neutral agency:
- (a) The Commission may be mandated to review the workings of the Constitution [*vide* Section 12 (1) of the Papua New Guinea Constitutional and Law Reform Commission Act of 2004];
  - (b) The Commission may also be empowered to submit comments on any Bill [*vide* Section 9 of the Vanuatu Law Commission Act 1980];
  - (c) The Commission may also be required to provide advice and information to Ministries and departments of the Government and other authorities or persons concerned with proposals for the amendment or reform of any branch of the law [*vide* Section 6 (c) of the Samoa Law Reform Commission Act 2008; Section 11 (b) of the Papua New Guinea Constitutional and Law Reform Commission Act 2004];
  - (d) The Commission may be empowered to summon witnesses and call for the production of documents [*vide* Section 7 (5) of the Namibia Law Reform and Development Commission Act 1991]; and
  - (e) Provision can also be made for reporting by Attorney-General on implementation of the Commission’s proposals [*vide* Sections 3A and 3B of UK Law Commissions Act 1965].

As a result of amendments made in 2009 and 2014, respectively, both the United Kingdom Government, in the form of the Lord Chancellor, and the Welsh Government are now statutorily obliged to report to Parliament/National Assembly

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- shall set out which recommendations the Attorney-General accepts, rejects or intends to implement in modified form, together with an indication as to timescale for implementation;
- (3) Should the Attorney-General’s Office be minded either to reject or substantially modify any significant recommendations, it should first give the Commission the opportunity to discuss and comment on its reasons before finalizing the decision.

for Wales on the implementation of Law Commission proposals. The statute requires the Lord Chancellor to:

‘prepare a report on

1. the Law Commission proposals implemented (in whole or in part) during the year;
2. the Law Commission proposals that have not been implemented (in whole or in part) as at the end of the year, including—
  - i. plans for dealing with any of those proposals;
  - ii. any decision not to implement any of those proposals (in whole or in part) taken during the year and the reasons for the decision.’

Similar provision is made for Wales.

In New Zealand, since 2009, there has been a binding administrative directive in place that requires the Government, if it rejects the Law Commission’s recommendations, to respond formally stating this. The minister must present the government’s response to parliament within 120 working days of the presentation of a Law Commission report to parliament. When the government accepts a Commission report it does not need to table a response, but instead begins the process of implementation, normally by having a bill introduced in Parliament.

54. In fulfilling its mandate, the Law Reform Commission of Mauritius remains steadfast in its commitment to enhancing the legal framework of the nation, ensuring that it remains responsive to contemporary societal needs and aligned with international best practices. Through its rigorous research, extensive consultations, and comparative legal analysis, the Commission has sought to uphold the principles of constitutionalism, human rights, and the rule of law. The breadth of the Commission’s work, spanning constitutional law, the judicial system, criminal and civil justice, business law, and emerging areas such as digital law and environmental sustainability, underscores its pivotal role in shaping an equitable and efficient legal landscape. However, the successful implementation of law reform requires not only well-researched recommendations but also the political will and institutional support necessary to translate them into enforceable legal provisions. The Commission, therefore, continues to advocate for structured engagement between lawmakers, policymakers, and civil society to ensure that its proposals contribute meaningfully to the evolution of Mauritius’ legal order.
55. Looking ahead, the Commission remains acutely aware of the challenges posed by globalisation, rapid technological advancements, and the increasing complexity of legal issues. The necessity of maintaining a forward-thinking approach to legal reform, integrating empirical evidence, and ensuring broad stakeholder participation will be central to its continued effectiveness. While the independence of the Commission allows it to provide objective, research-driven recommendations, its impact ultimately depends on the receptiveness of the legislative and executive branches of government. To this end, the Commission will persist in fostering dialogue, promoting legal education, and strengthening its collaborative networks with both national and international legal institutions. By doing so, it aspires to contribute to a legal framework that is just, transparent, and adaptable, ultimately reinforcing the foundations of democracy, good governance, and the rule of law in Mauritius.

## **Appendix 1: LRC's Reports/Papers on aspects of laws reviewed (chronological)**

- (1) Report (together with draft Bill) on "Opening Mauritius to International Law Firms and Formation of Law Firms/Corporations" [May 2007];
- (2) Report (together with draft Bill) on "Relationship of Children with Grand Parents and Other persons under the Code Civil Mauricien" [June 2007];
- (3) Discussion Paper on "Access to Justice and Limitations of Actions against Public Officers and the State" [June 2007];
- (4) Issue Paper "Commentary on some of the Human Rights dimensions of the Sexual Offences Bill No. VI of 2007" [June 2007];
- (5) Issue Paper on "Disclosure in Criminal Proceedings" [December 2007];
- (6) Discussion Paper on "Law and Practice relating to Criminal Investigation, Arrest and Bail" [April 2008];
- (7) Report (together with draft Bill) on "Access to Justice and Limitations of Actions against Public Officers and the State" [May 2008];
- (8) Review Paper on "The Criminal Justice System and The Rights of an Accused Person" [September 2008];
- (9) Report (together with draft legislation) on "Law relating to NGOs" [November 2008];
- (10) Issue Paper on "Equality/Anti-Discrimination Legislative Framework (*Re* Equal Opportunities Bill No. XXXVI of 2008)" [November 2008];
- (11) Working Paper on "Reform of Local Government Legislative Framework" [December 2008];
- (12) Report (together with draft Bill) on "Disclosure in Criminal Proceedings" [December 2008];
- (13) Report (together with draft Bill) about "Law on Divorce" [December 2008];
- (14) Issue Paper on "The Office of Director of Public Prosecutions [DPP] and its Operational Autonomy" [March 2009];

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- (15) Discussion Paper on “Forensic Use of DNA” [April 2009];
- (16) Report (together with draft Local Government Bill) on “Local Government Reform” [June 2009];
- (17) Report on “Bail and other Related Issues” [together with draft Bail (Amendment) Bill] [August 2009];
- (18) Issue Paper on “Social Partnership Framework” [November 2009];
- (19) Discussion Paper on “Judicial Review” [November 2009];
- (20) Issue Paper on “Evidence of Reluctant/Intimidated Witness in criminal Proceedings: Proposal for Reform of the Law” [May 2010];
- (21) Issue Paper on “Criminal Investigation: Reform of Police Procedures and Practices” [July 2010];
- (22) Background Paper on “Reform of Codes (Code Civil Mauricien, Code de Commerce & Code de Procédure Civile)” [October 2010];
- (23) Report on “Review of Aspects of Consumer Protection Law and Proposals for Reform” [October 2010];
- (24) Report on “Prevention of Vexatious Litigation” [October 2010];
- (25) Issue Paper on “Constitutional Protection of Human Rights” [October 2010];
- (26) Issue Paper on “Law as to Publicity for Appointment and Revocation of Agent and Proxy” [November 2010];
- (27) Report on “Mediation and Conciliation in Commercial Matters” [November 2010];
- (28) Opinion Paper on “Liberalization of Usher Services” [January 2011];
- (29) Opinion Paper on “Legal Aid Reform” [February 2011];
- (30) Opinion Paper on “Appeal by Vexatious Litigant” [April 2011];
- (31) Opinion Paper on “Costs in Criminal Cases” [April 2011];
- (32) Opinion Paper on “Attorney’s Commission” [April 2011];
- (33) Issue Paper on “Timeshare (Droits de Séjour à Temps Partagé)” [July 2011];

- (34) Opinion Paper on “Establishment Court of Appeal and Composition of JLSC (Judicial and Legal Service Commission)” [August 2011];
- (35) Issue Paper on “Reform of Criminal Code” [November 2011];
- (36) Issue Paper on “Establishment of Family Court and Conduct of Family Proceedings” [November 2011];
- (37) Discussion Paper on “Crédit-Bail (Leasing)” [November 2011];
- (38) Report on “Crédit-Bail & Location Financière” [November 2011];
- (39) Issue Paper on “Crédit-Bail (Leasing)” [December 2011];
- (40) Issue Paper on “Road Traffic Legislation and Penalty Points System” [December 2011];
- (41) Issue Paper on “Offences against Persons (Atteintes à la vie & à l’intégrité physique - homicides, menaces, violences)” [December 2011];
- (42) Opinion Paper on “Draft Police and Criminal Evidence Bill” [March 2012];
- (43) Opinion Paper on “Offences against Persons [*Re* Draft Criminal Code (Amendment) Bill]” [April 2012];
- (44) Discussion Paper on “the New Code de Procédure Civile” [May 2012];
- (45) Report on “Code de Procédure Civile” [May 2012];
- (46) Report on “Code de Commerce (Livre Premier) [Fonds de commerce, garanties autonomes, crédit documentaire, franchise, concession exclusive & timeshare]” [May 2012];
- (47) Report on “Code de Commerce (Livre Deuxième) [Navigation & commerce maritimes]” [June 2012];
- (48) Report on “Code de Commerce (Livre Troisième) [Navigation & commerce aériens]” [June 2012];
- (49) Issue Paper on “Party and Witness Anonymity in Civil Proceedings” [August 2012];
- (50) Issue Paper on “Offences against Persons (Autres atteintes à la personne humaine – atteintes à la vie, à l’intégrité sexuelle, à la liberté de la personne, à la dignité humaine et la personnalité, et atteintes aux mineurs et à la famille)” [August 2012];

- (51) Report on “Copropriété des immeubles sociaux” [August 2012];
- (52) Report on “Droit des Sûretés” [August 2012];
- (53) Report on “Incorporation of Provisions relating to Effets de Commerce (Lettre de Change & Billet à Ordre) in the Livre Premier of Code de Commerce” [November 2012];
- (54) Report on “New Regime for Copropriété” [November 2012];
- (55) Report on “Mechanisms for Review of Alleged Wrongful Convictions or Acquittals” [November 2012];
- (56) Issue Paper on “General Principles of Criminal Law” [February 2013];
- (57) Issue Paper on “Law of Contracts and Obligations under Code Civil Mauricien” [March 2013];
- (58) Issue Paper on “Law of Prescription under Code Civil Mauricien” [March 2013];
- (59) Issue Paper on “Personnalité Juridique & Protection de la Personne Humaine” [July 2013];
- (60) Review Paper on “Law on Surrogacy [Maternité pour autrui]” [July 2013];
- (61) Issue Paper on “Nom de famille” [July 2013];
- (62) Issue Paper on “Secured Transactions Reform” [October 2013];
- (63) Issue Paper on “Filiation” [October 2013];
- (64) Issue Paper on “Autorité Parentale” [October 2013];
- (65) Issue Paper on “Majeurs Protégés” [October 2013];
- (66) Issue Paper on “Offences against Property (1) (‘Des appropriations frauduleuses’)” [December 2013];
- (67) Issue Paper on “Offences against Property (2) (‘Autres Atteintes aux Biens’)” [December 2013];
- (68) Issue Paper on “Offences against the Nation, the State and Public Peace” [December 2013];
- (69) Issue Paper on “Contraventions in the Criminal Code” [December 2013];

- (70) Issue Paper on “Specific Contracts” [February 2014];
- (71) Issue Paper on “Successions & Libéralités” [February 2014];
- (72) Opinion Paper on “Effective Handling of Criminal Cases” [February 2014];
- (73) Issue Paper on “Filiation Adoptive” [April 2014];
- (74) Issue Paper on “Aspects of Family Law” [April 2014];
- (75) Opinion Paper on “Electoral Reform” [May 2014];
- (76) Issue Paper on “Other Aspects of law relating to Successions & Libéralités” [June 2014];
- (77) Issue Paper on “Régimes Matrimoniaux” [December 2014];
- (78) Issue Paper on “Bail d’habitation” [December 2014];
- (79) Report on “Encadrement des Opérations de Crédit” [December 2014];
- (80) Report on “Intermédiaires du commerce” [December 2014];
- (81) Paper on “Changes to Books I & II of Criminal Code (General Provisions)” [December 2014];
- (82) Paper on “Changes to Book III of Criminal Code (Offences against Nation, State & Public Peace)” [December 2014];
- (83) Paper on “Changes to Book IV of Criminal Code (Contraventions)” [December 2014];
- (84) Paper on “Changes to Provisions in Code Civil Mauricien about Louage des choses, bail à loyer et bail d’habitation” [March 2015];
- (85) Report on “Bail commercial” [March 2015];
- (86) Paper on “Changes to Book III of Criminal Code (Offences against Persons)” [March 2015];
- (87) Paper on “Changes to Book III of Criminal Code (Offences against Property)” [March 2015];
- (88) Report on “Miscellaneous Aspects of Code de Commerce” [May 2015];

- (89) Issue Paper on “Droit des biens” [June 2015];
- (90) Paper on “Changes to Book III of Criminal Code (Incorporation of Provisions on Cybercrime)” [June 2015];
- (91) Review Paper on “Statut des Personnes non-mariées vivant en couple” [October 2015];
- (92) Review Paper on “Regulation of the Activities of Real Estate Agents” [February 2016];
- (93) Paper on “Legislative Framework for the Regulation of the Activities of Real Estate Agents” [February 2016];
- (94) Interim Report on “Reform of Code Civil Mauricien (Droit des personnes)” [April 2016];
- (95) Interim Report on “Reform of Code Civil Mauricien (Droit extrapatrimonial de la famille)” [April 2016];
- (96) Interim Report on “Reform Code Civil Mauricien (Droit patrimonial de la famille)” [April 2016];
- (97) Issue Paper on “Incorporation in Code Civil Mauricien of Provisions relating to Aspects of Private International Law” [April 2016];
- (98) Review Paper on “Hague Conventions on Private International Law and Mauritian Law” [May 2016];
- (99) Interim Report on “Reform Code de Commerce” [May 2016];
- (100) Interim Report on “Reform of Criminal Code” [May 2016];
- (101) Review Paper on “Criminal Protection of Children's Rights” [May 2016];
- (102) Review Paper on “Law on Fraud” [May 2016];
- (103) Review Paper on “Comparative Approaches to Aspects of Private International Law” [March 2017];
- (104) Review Paper on “Criminal Code (Supplementary) Act” [March 2017];
- (105) Working Paper about “Reform of Law on Forgery in the Criminal Code” [March 2017];



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- (106) Discussion Paper about “Reform of Law on Embezzlement in the Criminal Code” [March 2017];
- (107) Discussion Paper about “Reform of Law on Swindling in the Criminal Code” [May 2017];
- (108) Discussion Paper about “Reform of Law on Larceny & Aggravated Larceny in the Criminal Code” [May 2017];
- (109) Discussion Paper about “Reform of Law on Responsabilité Civile in the Code Civil Mauricien” [May 2017];
- (110) Discussion Paper about “Reform of Law of Contract & Regime and Proof of Obligations in Code Civil Mauricien” [June 2017];
- (111) Paper on “Changes to Sources and Regime of Law Obligations in Code Civil Mauricien” [June 2017];
- (112) Issue Paper on “Indemnisation des victimes d’accidents de la circulation & Réforme du Droit des Assurances” [June 2017];
- (113) Discussion Paper about “Reform of Law on Destruction, Degradation and Deterioration of Property in the Criminal Code” [June 2017];
- (114) Discussion Paper about “Reform of Law on Receiving Property Obtained Unlawfully in the Criminal Code” [LRC\_R&P 114, Sep 2017];
- (115) Discussion Paper about “Reform of Law on Extortion & Blackmail in the Criminal Code” [LRC\_R&P 115, Sep 2017];
- (116) Discussion Paper about “Reform of Law relating to Fraudulent Appropriations of Property in the Criminal Code – Miscellaneous Other Offences” [LRC\_R&P 116, Sep 2017];
- (117) Discussion Paper about “Reform of Law on Willful Killing in the Criminal Code” [LRC\_R&P 117, Dec 2017];
- (118) Discussion Paper about “Reform of Law on Violence in the Criminal Code” [LRC\_R&P 118, Dec 2017];
- (119) Discussion Paper about “Reform of Law on Threats in the Criminal Code” [LRC\_R&P 119, Dec 2017];
- (120) Discussion Paper about “Reform of Law on Torture and Acts of Barbarity in the Criminal Code” [LRC\_R&P 120, Feb 2018];

- (121) Opinion Paper about “Reform of the Law on Acquisitive Prescription” [LRC\_R&P 121, Mar 2018];
- (122) Discussion Paper about “Reform of Law on Involuntary Offences against Life & Physical Integrity of Persons in the Criminal Code” [LRC\_R&P 122, April 2018];
- (123) Discussion Paper about “Reform of Law on Endangering Persons in the Criminal Code” [LRC\_R&P 123, April 2018];
- (124) Discussion Paper about “Reform of Law on Violations of Dignity and Liberty of Persons in the Criminal Code” [LRC\_R&P 124, June 2018];
- (125) Opinion Paper on “Reform of the Judicial System and other Related Matters” [LRC\_R&P 125, June 2018];
- (126) Opinion Paper about “Law on Social Media (Fake Profiles, Fake News and other Harmful Digital Communications)” [LRC\_R&P 126, Sep 2018];
- (127) Opinion Paper about “Mechanisms for Settlement of Land Disputes” [LRC\_R&P 127, Sep 2018];
- (128) Opinion Paper about “Jury System” [LRC\_R&P 128, Dec 2018];
- (129) Opinion Paper on “Reform of System of Judicial Sale by Levy” [LRC\_R&P 129, Dec 2018];
- (130) Discussion Paper about “Incorporation of Offence of Moral Harassment in the Criminal Code” [LRC\_R&P 130, Dec 2018];
- (131) Discussion Paper about “Reform of Law on Sexual Offences involving a physical contact between the Perpetrator and the Victim” [LRC\_R&P 131, Apr 2019];
- (132) Discussion Paper about “Reform of Law on Sexual Offences (not involving a physical contact between the Perpetrator and the Victim) in the Criminal Code” [LRC\_R&P 132, May 2019];
- (133) Interim Report about “Domestication Cape Town Convention on International Interests in Mobile Equipment and its Additional Protocols” [LRC\_R&P 133, June 2019];
- (134) Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Échange*)” [LRC\_R&P 134, June 2019];
- (135) Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Dépôt & Séquestre*)” [LRC\_R&P 135, June 2019];

- (136) Opinion Paper about “Reform of Law on Sexual Offences involving a physical contact in the Criminal Code” [LRC\_R&P 136, July 2019];
- (137) Report on “Domestication Cape Town Convention on International Interests in Mobile Equipment” [LRC\_R&P 137, October 2019];
- (138) Opinion Paper about “Settlement of Disputes in the Construction Industry” [LRC\_R&P 138, October 2019];
- (139) Discussion Paper about “Reform of General Principles of Criminal Law” [LRC\_R&P 139, October 2019];
- (140) Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Contrats Aléatoires*)” [LRC\_R&P 140, December 2019];
- (141) Discussion Paper about “Reform of Law on Offences against Personality” [LRC\_R&P 141, December 2019];
- (142) Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Vente*)” [LRC\_R&P 142, June 2020];
- (143) Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Prêt*)” [LRC\_R&P 143, June 2020];
- (144) Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Contrats de Prestation de Service*)” [LRC\_R&P 144, June 2020];
- (145) Discussion Paper about “CIDB's Draft Construction Contracts (Special Provisions) Bill 2017” [LRC\_R&P 145, June 2020];
- (146) Review Paper about “Compulsory Land Acquisition” [LRC\_R&P 146, August 2020];
- (147) Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Contrat de location-bail*)” [LRC\_R&P 147, August 2020];
- (148) Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Contrats de représentation*)” [LRC\_R&P 148, August 2020];
- (149) Issue Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (*Contrat de location-bail and Contrats de représentation*)” [LRC\_R&P 149, August 2020];
- (150) Opinion Paper about “Legal Professional Education & Other Matters relating to Law Practitioners” [LRC\_R&P 150, October 2020];

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- (151) Paper on “Consolidation et affermissement du droit français à travers les travaux de la Law Reform Commission de Maurice” [LRC\_R&P 151, May 2021];
- (152) Report & Draft Bill on “Contrat de Location-Bail and Contrats de Représentation” [LRC\_R&P 152, June 2021];
- (153) Review Paper on “Le crédit-bail et la location financière” [LRC\_R&P 153, June 2021];
- (154) Discussion Paper on “Miscellaneous amendments to the Criminal Code and other legislation based on provisions of the Strafgesetzbuch– StGB (German Criminal Code)” [LRC\_R&P 154, June 2021];
- (155) Review Paper on “Draft Notaries Bill and compliance of Notarial Activities with AML/CFT Regulations” [LRC\_R&P 155, October 2021];
- (156) Discussion Paper on “Opportunity of moving away from Pecuniary bail conditions” [LRC\_R&P 156, October 2021];
- (157) Issue Paper on “Incorporation of New Forms of Homicides in the Criminal Code (Femicide, Felony Homicide, Drug-Induced Homicide)” [LRC\_R&P 157, November 2021];
- (158) Review Paper on “Opportunity of having a Motor Vehicle Accident Fund in Mauritius” [LRC\_R&P 158, January 2022];
- (159) Review Paper on “Discriminatory laws against women in Mauritius” [LRC\_R&P 159, January 2022];
- (160) Report and draft Bill on “Reform of Law relating to Fraudulent Appropriations of Property in the Criminal Code (Larceny, Falsely Obtaining Credit, Extortion, Blackmail, Embezzlement, Swindling)” [LRC\_R&P 160, January 2022];
- (161) Paper on “Amendments to be brought to the Mutual Assistance in Criminal and Related Matters Act 2003 to keep it abreast with latest developments, especially in the area of interception of communications” [LRC\_R&P 161];
- (162) Discussion Paper on “Anonymity of Individuals in Court Judgments” [LRC\_R&P 162, May 2022];
- (163) Paper on “Compensation Regimes for Compulsory Land Acquisition and Return of Land Compulsorily acquired but no longer needed by the State” [LRC\_R&P 163 June 2022];

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- (164) Discussion Paper on “Legal Status of Animals in Mauritius” [LRC\_R&P 164 July 2022];
- (165) Review Paper on “Laws pertaining to tracking of funds related to illicit activities” [LRC\_R&P 165, July 2022];
- (166) Issue Paper on “Prevention of Food Waste in Mauritius: an environmental and economic Pandora’s box” [LRC\_R&P 166, September 2022];
- (167) Report on “Draft Child Adoption Bill” [LRC\_R&P 167 November 2022];
- (168) Issue Paper on “Chemical castration treatment for sex offenders” [LRC\_R&P 168, December 2022];
- (169) Issue Paper on “Concurrent and consecutive sentencing” [LRC\_R&P 169, May 2023];
- (170) Discussion Paper on “Change of Family Name” [LRC\_R&P 170, May 2023];
- (171) Report and Draft Bill about “Reform of Defences in Criminal Law” [LRC\_R&P 171, June 2023];
- (172) Report and Draft Bill on “Anonymity of Individuals in Court Judgments” [LRC\_R&P 172, June 2023];
- (173) Issue Paper on “Legibility of medical prescriptions and minimisation of medication errors” [LRC\_R&P 173, November 2023];
- (174) Issue Paper on “Autonomous criminalisation of mob justice” [LRC\_R&P 174, November 2023];
- (175) Issue Paper on “La réforme du principe de bonne foi en droit contractuel mauricien” [LRC\_R&P 175, November 2023];
- (176) Issue Paper on “Protection of the rights and interests of elderly persons in Mauritius” [LRC\_R&P 176, December 2023];
- (177) Report and Draft Bill on “Prevention of Food Waste in Mauritius” [LRC\_R&P 177, December 2023];
- (178) Discussion Paper on “The law pertaining to display of price” [LRC\_R&P 178, February 2024];

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- (179) Interim Report on “Sentencing Guidelines and Award of Civil Damages” [LRC\_R&P 179, February 2024];
- (180) La réforme de la vente en l’état futur d’achèvement [LRC\_R&P180, March 2024] ;
- (181) Criminalisation of denial of access to public beaches in Mauritius [LRC\_ R&P 181, June 2024];
- (182) Reform of Judicial System of Sale by Levy [LRC\_R&P 182, June 2024];
- (183) Discussion Paper on “Towards a comprehensive and inclusive legal framework for home-schooling” [LRC\_R&P 183, December 2024];
- (184) Issue Paper on “Reform for Inclusive Employment Practices: Proposals for Gender-Neutral Policies, Eliminating CV Photos, and Eradicating Sex and Marital Status Discrimination” [LRC\_R&P 184, December 2024];
- (185) Report and Draft Bill on “La réforme de la vente en l’état futur d’achèvement (VEFA)” [LRC\_R&P 185, December 2024]; and
- (186) Opinion Paper on “Recovery of search and rescue costs and prohibition of venturing out during natural disasters” [LRC\_R&P 186, December 2024]

## **Appendix 2: LRC's Reports/Papers on aspects of laws reviewed (thematic)**

### **(A) Strengthening the Rule of Law, Good Governance and the Human Rights Protection System**

#### **(1) Strengthening the Rule of Law**

- *Discussion Paper on "Access to Justice and Limitations of Actions against Public Officers and the State" [June 2007] & Report on "Access to Justice and Limitations of Actions against Public Officers and the State" [May 2008]*
- *Issue Paper on "The Office of Director of Public Prosecutions [DPP] and the Constitutional Requirement for its Operational Autonomy" [March 2009]*
- *Discussion Paper on "Judicial Review" [November 2009]*
- *Paper on « Consolidation et affermissement du droit français à travers les travaux de la Law Reform Commission de Maurice » [LRC\_R&P 151, May 2021]*
- *Review Paper on "Opportunity of having a Motor Vehicle Accident Fund in Mauritius" [LRC\_R&P 158, January 2022]*
- *Discussion Paper on « Legal Status of Animals in Mauritius » [LRC\_R&P 164 July 2022]*

#### **(2) Consolidating Good Governance and Democracy**

- *Working Paper on "Reform of Local Government Legislative Framework" [December 2008] & Report on "Local Government Reform" [June 2009]*
- *Report on "Law relating to NGOs" [November 2008] & Issue Paper on "Social Partnership Framework" [November 2009]*
- *Opinion Paper on "Aspects of Electoral Reform" [May 2014]*
- *Paper on "Compensation Regimes for Compulsory Land Acquisition and Return of Land Compulsorily acquired but no longer needed by the State" [LRC\_R&P 163 June 2022]*

#### **(3) Reinforcing the Human Rights Protection System**

- *Issue Paper on "Equality/Anti-Discrimination Legislative Framework (Re Equal Opportunities Bill No. XXXVI of 2008)" [November 2008]*
- *Issue Paper on "Constitutional Protection of Human Rights" [October 2010]*
- *Review Paper on "Discriminatory laws against women in Mauritius" [LRC\_R&P 159, January 2022]*
- *Issue Paper on "Prevention of Food Waste in Mauritius: an environmental and economic Pandora's box" [LRC\_R&P 166, September 2022]*
- *Report on "Draft Child Adoption Bill" [LRC\_R&P 167 November 2022]*
- *Report and Draft Bill on "Anonymity of Individuals in Court Judgments" [LRC\_R&P 172, June 2023]*
- *Issue Paper on "Legibility of medical prescriptions and minimisation of medication errors" [LRC\_R&P 173, November 2023]*
- *Issue Paper on "Protection of the rights and interests of elderly persons in Mauritius" [LRC\_R&P 176, December 2023]*
- *Report and Draft Bill on "Prevention of Food Waste in Mauritius" [LRC\_R&P 177, December 2023]*
- *Discussion Paper on "Towards a comprehensive and inclusive legal framework for home-schooling" [LRC\_R&P 183, December 2024]*

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- *Issue Paper on "Reform for Inclusive Employment Practices: Proposals for Gender-Neutral Policies, Eliminating CV Photos, and Eradicating Sex and Marital Status Discrimination" [LRC\_R&P 184, December 2024]*

**(B) Improving the Judicial System and Settlement of Disputes, the Operation of the Legal Profession and the Provision of Legal Services**

- *Report on "Opening Mauritius to International Law Firms and Formation of Law Firms/Corporations" [May 2007]*
- *Report on "Mediation and Conciliation in Commercial Matters" [November 2010]*
- *Issue Paper on "Establishment of Family Court and Conduct of Family Proceedings" [November 2011]*
- *Opinion Paper on "Establishment of Court of Appeal and Composition of JLSC (Judicial and Legal Service Commission)" [August 2011]*
- *Opinion Paper on "Liberalization of Usher Services" [January 2011]*
- *Opinion Paper on "Legal Aid Reform" [February 2011]*
- *Opinion Paper on "Reform of the Judicial System and other Related Matters" [LRC\_R&P 125, June 2018]*
- *Opinion Paper about "Mechanisms for Settlement of Land Disputes" [LRC\_R&P 127, Sep 2018]*
- *Opinion Paper about "Reform of System of Judicial Sale by Levy" [LRC\_R&P 129, Dec 2018]*
- *Opinion Paper about "Settlement of Disputes in the Construction Industry" [LRC\_R&P 138, October 2019]*
- *Discussion Paper about "CIDB's Draft Construction Contracts (Special Provisions) Bill 2017" [LRC\_R&P 145, June 2020]*
- *Review Paper about "Compulsory Land Acquisition" [LRC\_R&P 146, August 2020]*
- *Opinion Paper about "Legal Professional Education & Other Matters relating to Law Practitioners" [LRC\_R&P 150, October 2020]*
- *Review Paper on "Draft Notaries Bill and compliance of Notarial Activities with AML/CFT Regulations" [LRC\_R&P 155, October 2021]*
- *Discussion Paper on Anonymity of Individuals in Court Judgments [LRC\_R&P 162, May 2022]*
- *Interim Report on "Sentencing Guidelines and Award of Civil Damages" [LRC\_R&P 179, February 2024]*
- *Reform of Judicial System of Sale by Levy [LRC\_R&P 182, June 2024]*

**(C) Modernising the Civil Justice System**

- *Discussion Paper on "The New Code de Procédure Civile" [May 2012] & Report on "Code de Procédure Civile" [May 2012]*
- *Issue Paper on "Law as to Publicity for Appointment and Revocation of Agent and Proxy" [November 2010]*
- *Report on "Prevention of Vexatious Litigation" [October 2010] & Opinion Paper on "Appeal by Vexatious Litigant" [April 2011]*
- *Issue Paper "Party and Witness Anonymity in Civil Proceedings" [August 2012]*
- *Opinion Paper on "Attorney's Commission" [April 2011]*

**(D) Modernising the Criminal Justice System**

**(1) Criminal Investigation Procedures**

- *Discussion Paper on "Law and Practice relating to Criminal Investigation, Arrest and Bail" [April 2008]*
- *Discussion Paper on "Forensic Use of DNA" [April 2009]*



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- *Issue Paper on "Criminal Investigation: Reform of Police Procedures and Practices"* [July 2010], as well as *Opinion Paper on "Draft PACE Bill"* [March 2012]
- *Paper on « Amendments to be brought to the Mutual Assistance in Criminal and Related Matters Act 2003 to keep it abreast with latest developments, especially in the area of interception of communications »* [LRC\_R&P 161]
- *Review Paper on "Laws pertaining to tracking of funds related to illicit activities"* [LRC\_R&P 165, July 2022]

**(2) Law on Bail**

- *Report on "Bail and other Related issues"* [August 2009]
- *Discussion Paper on "Opportunity of moving away from Pecuniary bail conditions"* [LRC\_R&P 156, October 2021]

**(3) Criminal Trial by Jury**

- *Opinion Paper about "Jury System"* [LRC\_R&P 128, Dec 2018]

**(4) Rules as to Disclosure**

- *Issue Paper on "Disclosure in Criminal Proceedings"* [December 2007] & *Report on "Disclosure in Criminal Proceedings"* [December 2008], as well as *Opinion Paper on "Draft PACE Bill"* [March 2012]

**(5) Rules as to Costs**

- *Opinion Paper on "Costs in Criminal Cases"* [April 2011]

**(6) Criminal Evidential Rules**

- *Issue Paper on "Evidence of Reluctant/Intimidated Witness in Criminal Proceedings: Proposal for Reform of the Law"* [May 2010]; also *Opinion Paper on "Draft PACE Bill"* [March 2012]

**(7) Fairness of Trial & Effective Handling of Criminal Cases**

- *Review Paper on "The Criminal Justice System and The Rights of an Accused Person"* [September 2008]
- *Opinion Paper on "Effective Handling of Criminal Cases"* [February 2014]
- *Issue Paper on "Concurrent and consecutive sentencing"* [LRC\_R&P 169, May 2023]

**(8) Mechanism for Review of Miscarriages of Justice and for the Correction of Errors**

- *Report on "Mechanisms for Review of Alleged Wrongful Convictions or Acquittals"* [Nov 2012]

**(E) Renovating the Criminal Law in accordance with Human Rights Norms and Best International Practices**

- *Issue Paper on «Reform of Criminal Code»* [November 2011]
- *Issue Paper on «General Principles of Criminal Law»* [February 2013] & *Paper on "Changes to Books I & II of Criminal Code (General Provisions)"* [December 2014]
- *Issue Paper on «Offences against the Nation, the State and Public Peace»* [December 2013] & *Paper on "Changes to Book III of Criminal Code (Offences against Nation, State & Public Peace)"* [December 2014]
- *Issue Paper on "Offences against Persons (Atteintes à la vie & à l'intégrité physique - homicide, menaces, violences)"* [December 2011], *Issue Paper "Offences against Persons (Autres atteintes à la personne humaine – atteintes à la vie, à l'intégrité sexuelle, à la liberté de la personne, à la dignité humaine et la personnalité, et atteintes aux mineurs et à la famille)"* [August 2012], as

- well as Opinion Paper "Offences against Persons [Re Draft Criminal Code (Amendment) Bill]" [April 2012] and Issue Paper "Commentary on some of the Human Rights dimensions of the Sexual Offences Bill No. VI of 2007" [June 2007], and Paper on "Changes to Book III of Criminal Code (Offences against Persons)" [Mar 2015]*
- *Issue Paper on "Offences against Property (1) ("Des appropriations frauduleuses") [December 2013] & Issue Paper on "Offences against Property (2) ("Autres Atteintes aux Biens") [December 2013], as well as Paper on "Changes to Book III of Criminal Code (Offences against Property)" [Mar 2015]*
  - *Paper on "Changes to Book III of Criminal Code (Incorporation of Provisions on Cybercrime)" [June 2015]*
  - *Issue Paper on «Contraventions in the Criminal Code» [December 2013] & Paper on "Changes to Book IV of Criminal Code (Contraventions)" [December 2014]*
  - *Issue Paper on "Road Traffic Legislation and Penalty Points System" [December 2011]*
  - *Review Paper on "Criminal Protection of Children's Rights" [May 2016]*
  - *Review Paper on "Law on Fraud" [May 2016]*
  - *Interim Report on "Reform of Criminal Code" [May 2016]*
  - *Review Paper on "Criminal Code (Supplementary) Act [March 2017]*
  - *Working Paper about "Reform of Law on Forgery in the Criminal Code" [March 2017]*
  - *Discussion Paper about "Reform of Law on Embezzlement in the Criminal Code" [March 2017]*
  - *Discussion Paper about "Reform of law on Swindling in the criminal Code" [May 2017]*
  - *Discussion Paper about "Reform of Law on Larceny & Aggravated Larceny in the Criminal Code" [May 2017]*
  - *Discussion Paper about "Reform of Law on Destruction, Degradation and Deterioration of Property in the Criminal Code" [June 2017]*
  - *Discussion Paper about "Reform of Law on Receiving Property Obtained Unlawfully in the Criminal Code" [LRC\_R&P 114, Sep 2017]*
  - *Discussion Paper about "Reform of Law on Extortion & Blackmail in the Criminal Code" [LRC\_R&P 115, Sep 2017]*
  - *Discussion Paper about "Reform of Law relating to Fraudulent Appropriations of Property in the Criminal Code – Miscellaneous Other Offences" [LRC\_R&P 116, Sep 2017]*
  - *Discussion Paper about "Reform of Law on Willful Killing in the Criminal Code" [LRC\_R&P 117, Dec 2017]*
  - *Discussion Paper about "Reform of Law on Violence in the Criminal Code" [LRC\_R&P 118, Dec 2017]*
  - *Discussion Paper about "Reform of Law on Threats in the Criminal Code" [LRC\_R&P 119, Dec 2017]*
  - *Discussion Paper about "Reform of Law on Torture and Acts of Barbarity in the Criminal Code" [LRC\_R&P 120, Feb 2018]*
  - *Discussion Paper about "Reform of Law on Involuntary Offences against Life & Physical Integrity of Persons in the Criminal Code" [LRC\_R&P 122, April 2018]*
  - *Discussion Paper about "Reform of Law on Endangering Persons in the Criminal Code" [LRC\_R&P 123, April 2018]*
  - *Discussion Paper about "Reform of Law on Violations of Dignity and Liberty of Persons in the Criminal Code" [LRC\_R&P 124, June 2018]*
  - *Opinion Paper about "Law on Social Media (Fake Profiles, Fake News and other Harmful Digital Communications)" [LRC\_R&P 126, Sep 2018]*
  - *Discussion Paper about "Incorporation of Offence of Moral Harassment in the Criminal Code" [LRC\_R&P 130, Dec 2018]*
  - *Discussion Paper about "Reform of Law on Sexual Offences involving a physical contact between the Perpetrator and the Victim" [LRC\_R&P 131, Apr 2019]*
  - *Opinion Paper about "Reform of Law on Sexual Offences involving a physical contact in the Criminal Code" [LRC\_R&P 136, July 2019]*
  - *Discussion Paper about "Reform of Law on Sexual Offences (not involving a physical contact between the Perpetrator and the Victim) in the Criminal Code" [LRC\_R&P 132, May 2019]*

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- *Discussion Paper about "Reform of General Principles of Criminal Law" [LRC\_R&P 139, October 2019]*
- *Discussion Paper about "Reform of Law on Offences against Personality" [LRC\_R&P 141, December 2019]*
- *Discussion Paper on "Miscellaneous amendments to the Criminal Code and other legislation based on provisions of the Strafgesetzbuch– StGB (German Criminal Code)" [LRC\_R&P 154, June 2021]*
- *Issue Paper on "Incorporation of New Forms of Homicides in the Criminal Code (Femicide, Felony Homicide, Drug-Induced Homicide)" [LRC\_R&P 157, November 2021]*
- *Report and draft Bill on « Reform of Law relating to Fraudulent Appropriations of Property in the Criminal Code (Larceny, Falsely Obtaining Credit, Extortion, Blackmail, Embezzlement, Swindling) » [LRC\_R&P 160, January 2022]*
- *Issue Paper on "Chemical castration treatment for sex offenders" [LRC\_R&P 168, December 2022]*
- *Report and Draft Bill about "Reform of Defences in Criminal Law" [LRC\_R&P 171, June 2023]*
- *Issue Paper on "Autonomous criminalisation of mob justice" [LRC\_R&P 174, November 2023]*
- *Criminalisation of denial of access to public beaches in Mauritius [LRC\_R&P 181, June 2024]*
- *Opinion Paper on "Recovery of search and rescue costs and prohibition of venturing out during natural disasters" [LRC\_R&P 186, December 2024]*

**(F) Modernising the Code Civil Mauricien**

- *Background Paper to the Reform of the Codes [October 2010]*

**(1) Law on Persons and "Droit Extrapatrimonial de la Famille"**

- *Issue Paper on «Personnalité Juridique & Protection de la Personne Humaine» [July 2013]*
- *Review Paper on «Law on Surrogacy» ("Maternité pour autrui") [July 2013]*
- *Issue Paper on «Nom de famille» [July 2013]*
- *Report on "Law on Divorce" [December 2008]*
- *Issue Paper «Filiation» [October 2013]*
- *Issue Paper on «Filiation Adoptive» [April 2014]*
- *Issue Paper «Autorité Parentale» [October 2013]*
- *Report on "Relationship of Children with Grand Parents and Other persons under the Code Civil Mauricien" [June 2007]*
- *Issue Paper «Majeurs Protégés» [October 2013]*
- *Issue Paper on «Aspects of Family Law» [April 2014]*
- *Review Paper on "Statut des Personnes non-mariées vivant en couple" [October 2015]*
- *Interim Report on « Reform of Code Civil Mauricien (Droit des personnes) » [April 2016]*
- *Interim Report on « Reform of Code Civil Mauricien (Droit extrapatrimonial de la famille) » [April 2016]*
- *Discussion Paper on "Change of Family Name" [LRC\_R&P 170, May 2023]*

**(2) Law on Succession and Matrimonial Regimes**

- *Issue Paper on "Régimes Matrimoniaux" [December 2014]*
- *Issue Paper on « Successions et libéralités » [February 2014]*
- *Issue Paper on « Other Aspects Law of 'Successions & Libéralités' » [June 2014]*
- *Interim Report on « Reform Code Civil Mauricien (Droit patrimonial de la famille) » [April 2016]*

**(3) Law on Obligations and Specific Contracts**

- *Issue Paper on «Law of Contracts and Obligations under Code Civil Mauricien» [March 2013]*

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- *Discussion Paper about "Reform of Law on Responsabilité Civile in the Code Civil Mauricien" [May 2017]*
- *Discussion Paper about "Reform of Law of Contract & Regime and Proof of Obligations in Code Civil Mauricien" [June 2017]*
- *Paper on "Changes to Sources and Regime of Law Obligations in Code Civil Mauricien" [June 2017]*
- *Issue Paper on "Indemnisation des victimes d'accidents de la circulation & Réforme du Droit des Assurances" [June 2017]*
- *Report on "Crédit-Bail (Leasing) & Location Financière" [November 2011], as well as Discussion Paper on "Crédit-Bail (Leasing) & Location Financière" [November 2011] and Issue Paper "Crédit-Bail (Leasing)" [December 2011]*
- *Issue Paper on «Specific Contracts» [February 2014]*
- *Issue Paper on "Bail d'habitation" [December 2014] & Paper on "Changes to Provisions in Code Civil Mauricien about Louage des choses, bail à loyer et bail d'habitation" [March 2015]*
- *Discussion Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Échange)" [LRC\_R&P 134, June 2019]*
- *Discussion Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Dépôt & Séquestre)" [LRC\_R&P 135, June 2019]*
- *Discussion Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Contrats Aléatoires)" [LRC\_R&P 140, December 2019]*
- *Discussion Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Vente)" [LRC\_R&P 142, June 2020]*
- *Discussion Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Prêt)" [LRC\_R&P 143, June 2020]*
- *Discussion Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Contrats de Prestation de Service)" [LRC\_R&P 144, June 2020]*
- *Discussion Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Contrat de location-bail)" [LRC\_R&P 147, August 2020]*
- *Discussion Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Contrats de représentation)" [LRC\_R&P 148, August 2020]*
- *Issue Paper about "Reform of Law on Specific Contracts in the Code Civil Mauricien (Contrat de location-bail and Contrats de représentation)" [LRC\_R&P 149, August 2020]*
- *Report & Draft Bill on « Contrat de Location-Bail and Contrats de Représentation » [LRC\_R&P 152, June 2021]*
- *Review Paper on « Le crédit-bail et la location financière » [LRC\_R&P 153, June 2021]*
- *Issue Paper on "La réforme du principe de bonne foi en droit contractuel mauricien" [LRC\_R&P 175, November 2023]*

**(4) Property Law (including law on "Co-Propriété")**

- *Issue Paper on "Droit des biens" [June 2015]*
- *Report on "New Regime for Copropriété" [November 2012] & Report on « Copropriété des immeubles sociaux » [August 2012]*
- *La réforme de la vente en l'état futur d'achèvement [LRC\_R&P180, March 2024]*
- *Report and Draft Bill on "La réforme de la vente en l'état futur d'achèvement (VEFA)" [LRC\_R&P 185, December 2024]*

**(5) Law on "Sûretés" and Credit Transactions**

- *Issue Paper on «Secured Transactions Reform» [October 2013], as well as Report on «Droit des Sûretés» [August 2012]*
- *Report on "Encadrement des Opérations de Crédit" [December 2014]*

**(6) Law on Prescription**

- *Issue Paper on «Law of Prescription under Code Civil Mauricien» [March 2013]*

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- *Opinion Paper about "Reform of the Law on Acquisitive Prescription" [LRC\_R&P 121, Mar 2018]*

**(7) Aspects of Private International Law**

- *Issue Paper on "Incorporation in Code Civil Mauricien of Provisions relating to Aspects of Private International Law" [April 2016]*
- *Review Paper on "Hague Conventions on Private International Law and Mauritian Law" [May 2016]*
- *Review Paper on "Comparative Approaches to Aspects of Private International Law" [March 2017]*

**(G) Improving the Legal Infrastructure for Business**

**(1) Reform of the Code de Commerce**

- *Report on « Code de Commerce (Livre Premier) [fonds de commerce, garanties autonomes, crédit documentaire, franchise, concession exclusive & timeshare] » [May 2012], following Issue Paper on "Timeshare (Droits de Séjour à Temps Partagé)" [July 2011]*
- *Report on "Bail commercial" [March 2015]*
- *Report on "Intermédiaires du commerce" [December 2014]*
- *Report on "Incorporation of Provisions relating to Effets de Commerce (Lettre de Change & Billet à Ordre) in the Livre Premier of Code de Commerce" [Nov 2012]*
- *Report on "Miscellaneous Aspects of Code de Commerce" [May 2015]*
- *Report on « Code de Commerce (Livre Deuxième) [navigation & commerce maritimes] » [June 2012]*
- *Report « Code de Commerce (Livre Troisième) [navigation & commerce aériens] » [June 2012]*
- *Interim Report on "Reform Code de Commerce" [May 2016]*

**(2) Regulatory Framework for the activities of Real Estate Agents**

- *Review Paper on "Regulation of the Activities of Real Estate Agents" [February 2016]*
- *Paper on "Legislative Framework for the Regulation of the Activities of Real Estate Agents" [February 2016]*

**(3) Reform of the Consumer Protection Regime**

- *Report on "Review of Aspects of Consumer Protection Law and Proposals for Reform" [October 2010]*
- *Discussion Paper on "The law pertaining to display of price" [LRC\_R&P 178, February 2024]*

**(4) Domestication Cape Town Convention on International Interests in Mobile Equipment & its Additional Protocols**

- *Interim Report about "Domestication Cape Town Convention on International Interests in Mobile Equipment and its Additional Protocols" [LRC\_R&P 133, June 2019]*
- *Report on "Domestication Cape Town Convention on International Interests in Mobile Equipment" [LRC\_R&P 137, October 2019]*

**Appendix 3: List of Requests from Hon. Attorney-General under section 6(1) of Law Reform Commission Act (as from 2006 onwards)**

Aspect of the Law to be reviewed	
1	To review Law Practitioners Act to allow the formation of law corporations and the opening of Mauritius to international law firms [Nov. 2006]
2	To review law on disclosure in criminal proceedings [prosecution and defence disclosure] in the light of UK Criminal Procedure and Investigations Act 1996, and the Code of Practice and Guidelines issued there under [Nov. 2006]
3	Review the proposal for the putting in place of a system of “Juge d’Instruction” in order to ensure greater transparency and professionalism in the conduct of criminal investigations [Nov. 2006]
4	To review the Law and Practice relating to Criminal Investigation, Arrest and Bail [March 2008]
5	To review the grounds for divorce [Oct. 2008]
6	To review the Law on Mediation and Conciliation in commercial matters [May 2009]
7	To review the Code Civil Mauricien, the Code de Commerce and the Code de Procédure Civile, recommend reforms thereto, and draft the Codes in both English and French languages [May 2010]
8	Views sought on draft Law Practitioners (Amendment) Bill and on Institute for Judicial and Legal Studies Bill. The Bills deal with access to the profession of barrister, the training to be afforded to law practitioners, judicial and legal officers [July 2010]
9	Views sought on policy aspects of draft Asset Recovery Bill [August 2010]
10	To review Procedure for Appointment and Revocation of Agent and Proxy [Sept 2010]
11	Request for a comparative review of the law as to vexatious litigation and for views on draft Courts (Amendment) Bill, which seeks to restrain vexatious litigation [Aug 2010]
12	To submit views on drafts of the Constitution (Amendment) Bill and the Judicial and Legal Provisions Bill [Aug 2010, July 2011]
13	Views sought on attorney’s commission (which as a matter of practice is inserted by banks and other financial institutions in loan agreements/notarial deeds), and its constitutionality [Dec 2010]
14	To submit views on the Green paper “Equal Access to Justice – Reform of Legal Aid in Mauritius” [Dec 2010]

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15	To submit views on proposed amendments to Court Ushers Act [Dec 2010]
16	Views sought as to observations made by Supreme Court in <i>Sookun v State</i> (2010) SCJ 349 regarding need for reform of law as to award of costs in criminal cases [Dec 2010]
17	Views sought on draft Family Court Bill, which establishes the Family Court [which would have exclusive original civil and criminal jurisdiction in respect of family affairs] and provides for the Conduct of Family Proceedings [resort to Conciliation for the settlement of family disputes, Counselling Services to be available to parties in proceedings before the Family Court and Family Court to be empowered to secure the services of a medical expert or such other person (including a person professionally engaged in promoting the welfare of the family) for the determination of disputes] [Feb 2011]
18	Request for comparative review of penalty point system and to examine how Road Traffic Act can be amended to accommodate this concept [April 2011]
19	To submit views on draft Police and Criminal Evidence Bill [Jan 2012]
20	To consider desirability of having in Mauritius a Criminal Cases Review Commission, such as the one in UK, which would be an independent public body mandated to review possible miscarriage of justice and which could refer appropriate cases to the proper forum for review [July 2012]
21	To examine law relating to surrogacy [May 2013]
22	To review jury system in Mauritius [May 2013]
23	To examine the status of implementation of the Mackay Report 1998, coupled with relevant parts of the Sachs Report 2002, and report on the way forward towards full implementation of the recommendations made therein with respect to the Judiciary [September 2016]
24	To examine the desirability of establishing a Land Tribunal dealing with land disputes (including cases of alleged dispossession of land referred to before the Truth and Justice Commission) and with cases of compulsory acquisition of land by Government [November 2017]
25	To examine the law on Social Media and other electronic platforms (fake profiles, “ <i>usurpation d’identité numérique</i> ”, fake news and other harmful digital communications) [January 2018]
26	To review the current system of Sale by Levy and replace by another one in line with best international practices, and to examine to what extent the Bank of Mauritius proposal to set up an Asset Management Company would contribute to improving the situation in so far as defaults on repayment of loans and the recovery of amounts due to creditors on said loans are concerned [April 2018]
27	Domestication of the 2001 Cape Town Convention on International Interests in Mobile Equipment, and its Additional Protocols: the Protocol on Aircraft Equipment, 2001; the Luxembourg Protocol on Railway Rolling Stock, 2007; and the Protocol on Space Assets, 2012 [Dec 2018]

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28	To come up, by 1 August 2019, with a draft Bill containing proposals about “Reform of Law on Sexual Offences involving a physical contact between perpetrator and victim)” whilst taking into account Canadian legislation on sexual assaults (Part VIII of Criminal Code) and after consultations [May 2019]
29	To Review Legislative Framework for Settlement of Disputes in the Construction Industry [July 2019]
30	To review aspects of laws pertaining to tracking of funds related to illicit activities in order to harmonize the powers of various Enforcement Bodies and avoid duplicity of functions, as suggested by the Commission of Inquiry on Drug Trafficking in its Report [August 2020]
31	To examine the opportunity of moving away from Pecuniary bail conditions [August 2020]
32	To initiate consultations with the public and the legal profession and other relevant stakeholders in relation to Discussion Paper on “Reform of Law on Specific Contracts in the Code Civil Mauricien (Contrat de Location - Bail)” (LRC_R&P 147, August 2020) and Discussion Paper about “Reform of Law on Specific Contracts in the Code Civil Mauricien (Contrats de Représentation)” (LRC_R&P 148, August 2020), and to put up a draft Bill further to the consultations held [September 2020]
33	To review the draft Notaries Bill prepared by the Chambre des Notaires, and to report thereon to the Attorney-General (April 2021]
34	To review and identify discriminatory laws in Mauritius (including in the private Sector, and direct and indirect discrimination); and Review the Constitution (Sections 3, 16 and 75) and Equal Opportunities Act (Sections 2, 5-7) for the inclusion of a comprehensive definition of “discrimination against women”; and Whether pardon should be granted to convicted persons of Gender Based violence against women [October 2021]
35	To Prepare a Paper on amendments to be brought to the Mutual Assistance in Criminal and Related Matters Act to keep it abreast with latest developments, especially in the area of interception of communications [November 2021]
36	To examine the laws of Mauritius in relation to best practices in the Commonwealth pertaining to compulsory acquisition of land and compensation regimes; issues which need updating in relation to the current legal framework in relation to compulsory acquisition of land and the return of land which was compulsorily acquired but is no longer needed by the State; and a review of the Land Acquisition Act with a draft Bill to implement best practices as obtained in the Commonwealth [February 2022]
37	To review the Draft Child Adoption Bill and propose consequential amendments to the Civil Code in the light of provisions of the said Bill [November 2022]
38	Subsequent to the Issue Paper titled “Prevention of Food Waste in Mauritius: an environmental and economic Pandora’s box”, to consult relevant stakeholders with regards to the different initiatives and legislative strategies evaluated in the Issue Paper. And by taking into consideration the comments of the stakeholders and other relevant matters, to finalise a draft Bill on “Prevention of Food Waste Bill” [April 2023].
39	Following the Discussion Paper dated May 2022 on “Anonymity of Individuals in Court Judgments”, to submit a Bill in support of its recommendations [June 2023].



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40	To carry out an in-depth review of the current state of the laws of the Republic of Mauritius in relation to the Sale by Levy mechanisms and procedures; to submit any recommendations, including proposal(s) for legislative reform, as it may deem appropriate; and submit a draft Bill pursuant to the recommendations [August 2023].
41	With reference to Discussion Paper on “La Réforme de la vente en l’état futur d’achèvement”, to prepare a draft bill on the matter to address the shortcomings highlighted in the document [June 2024].