

**THE CONSTITUTION of the REPUBLIC OF MAURITIUS**  
**Mauritius National Assembly**  
**March 2016**

**KONSTITISION REPIBLIK MORIS**  
**Lasanble Nasional Moris**  
**Mars 2016**

**THE CONSTITUTION**  
**KONSTITISION <sup>1</sup>**  
GN 54/1968 – 12 March/Mars 1968

**ARRANGEMENT OF SECTIONS**  
**ARANZMAN SEKSION**

**CHAPTER I – THE STATE AND THE CONSTITUTION**

**SAPIT 1- LETA EK KONSTITISION**

1 The State/**Leta**

2 Constitution is supreme law/**Konstitision samem lalwa siprem**

**CHAPTER II – PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUAL**

**SAPIT II – PROTEKSION BANN DRWA FONDAMANTAL EK LIBERTE INDIVIDIEL**

3 Fundamental rights and freedoms of the individual/**Bann drwa fondamantal ek liberte individiel**

4 Protection of right to life/**Proteksion drwa lavi**

5 Protection of right to personal liberty/**Proteksion drwa pou liberte personel**

6 Protection from slavery and forced labour/**Proteksion kont esklavaz ek travay forse**

7 Protection from inhuman treatment/**Proteksion kont tretman inimin**

8 Protection from deprivation of property/**Proteksion kont deposesion propriete**

9 Protection for privacy of home and other property/**Proteksion domisil prive ek lezot dibien**

10 Provisions to secure protection of law/**Provizion pou donn garanti konsernan proteksion par lalwa**

11 Protection of freedom of conscience/**Proteksion liberte konsians**

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<sup>1</sup> \* *This Constitution was originally published as the Schedule to the Mauritius Independence Order 1968 in GN 54 of 1968. The Order was complemented in the UK by the Mauritius Independence Act 1968. The Mauritius Independence Order 1968 and the Mauritius Independence Act (UK) were last officially published in Mauritius in the Revised Laws of Mauritius 1981 Vol. 1*

Sa Konstitision-la finn pibliye premie fwa anata ki enn Sedil pou Mauritius Independence Order 1968 dan GN 54 1968. Lordonans-la finn konplete dan Rwayom-lini atraver *Mauritius Independence Act 1968*. *Mauritius Independence Order 1968* ek *Mauritius Independence Act (UK)* finn finalman pibliye ofisielman dan Moris dan *Revised Laws of Mauritius 1981, Vol. 1*.

- 12 Protection of freedom of expression/**Proteksion drwa liberte expresion**
- 13 Protection of freedom of assembly and association/**Proteksion liberte asanble ek asosiasion**
- 14 Protection of freedom to establish schools/**Proteksion liberte pou met anplas bann lekol**
- 15 Protection of freedom of movement/**Proteksion liberte sirkilasion**
- 16 Protection from discrimination/**Proteksion kont diskriminasion**
- 17 Enforcement of protective provisions/**Aplikasion bann provizion proteksion**
- 17A Payment of retiring allowances to Members/**Peyman bann alokasion retret pou bann manb Lasanble**
- 18 Derogations from fundamental rights and freedoms under emergency powers/**Violasion bann drwa ek liberte fondamantal pandan enn leta-irzans**
- 19 Interpretation and savings/**Interpretasion ek rezerv**

## **CHAPTER III – CITIZENSHIP**

### **SAPIT III - SITWAYENNTE**

- 20 Persons who became citizens on 12 March 1968/**Bann dimounn ki finn deklare sitwayin le 12 Mars 1968**
- 21 Persons entitled to be registered as citizens/**Bann dimounn ki ena drwa anrezistre zot antan ki sitwayin**
- 22 Persons born in Mauritius after 11 March 1968/**Bann dimounn ki finn ne Moris apre le 11 Mars 1968**
- 23 Persons born outside Mauritius after 11 March 1968/**Bann dimounn ki finn ne andeor Moris apre le 11 Mars 1968**
- 24 Marriage to a citizen of Mauritius/**Maryaz avek enn sitwayin Moris**
- 25 Commonwealth citizens/**Bann sitwayin Commonwealth**
- 26 Powers of Parliament/**Bann pouvwat Parlman**
- 27 Interpretation/**Interpretasion**

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### **SAPIT IV – PREZIDAN EK VIS-PREZIDAN REPIBLIK MORIS**

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- 29 The Vice-President/**Vis-Prezidan Repiblik**
- 30 Removal of the President and the Vice-President/**Revokasion Prezidan ek Vis-Prezidan**
- 30A Privileges and immunities/**Bann privelez ek iminite**
- 30B Oaths to be taken by the President and the Vice-President/**Bann serman ki Prezidan ek Vis-Prezidan bizin fer**

## **CHAPTER V – PARLIAMENT**

### **SAPIT V- PARLMAN**

#### **PART I – THE NATIONAL ASSEMBLY**

##### **PARTI I – LASANBLE NASIONAL**

- 31 Parliament of Mauritius/**Parlman Moris**
- 32 Speaker and Deputy Speaker/**Speaker ek Speaker-Adzwin**
- 33 Qualifications for membership/**Kriter elizibilite pou vinn manb**
- 34 Disqualifications for membership/**Kriter diskalifikasion pou vinn manb**
- 35 Tenure of office of members/**Dire manda bann manb**
- 36 Vacation of seat on sentence/**Siez deklare vakan swivan enn kondanasion**
- 36A Validity of previous elections/**Validite bann eleksion presedan**
- 37 Determination of questions as to membership/**Determinasion bann kestion pou vinn manb**
- 38 Electoral Commissions/**Komision Elektoral**
- 39 Constituencies/**Sirkonskripsion**
- 40 Electoral Commissioner/**Komiser Elektoral**
- 41 Functions of Electoral Supervisory Commission and Electoral Commissioner/**Fonksion Elektoral Supervisory Commission ek Komiser Elektoral**
- 42 Qualifications of electors/**Kondision kalifikasion bann elekter**
- 43 Disqualifications of electors/**Kondision diskalifikasion bann elekter**
- 44 Right to vote at elections/**Drwa vot dan bann eleksion**

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- 46 Mode of exercise of legislative power/**Mod exersis pouvwar lejislatif**
- 47 Alteration of Constitution/**Modifikasion Konstitision**
- 48 Regulation of procedure in National Assembly/**Reglemantasion prosedir dan Lasanble Nasional**
- 49 Official language/**Lang ofisiel**
- 50 Presiding in National Assembly/**Prezidans Lasanble Nasional**
- 51 National Assembly may transact business notwithstanding vacancies/**Lasanble Nasional gagn drwa delibere mem anka ena bann siez vakan**
- 52 Quorum/**Korom**
- 53 Voting/**Prosedir vot**
- 54 Bills, motions and petitions/**Bill, mosion ek petition**
- 55 Oath of allegiance/**Serman alezans**
- 56 Sessions/**Sesion**
- 57 Prorogation and dissolution of Parliament/**Prorogasion ek disolision Parlman**

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- 59 Ministers/**Bann Minis**
- 60 Tenure of office of Ministers/**Manda bann Minis**

- 61 The Cabinet/**Konsej Minis**
- 62 Assignment of responsibilities to Ministers/**Distribisyon bann responsabilite pou bann Minis**
- 63 Performance of functions of Prime Minister during absence or illness/**Ranplasman Premie Minis anka absans ek maladi**
- 64 Exercise of President's functions/**Lexersis bann fonksion Prezidan**
- 65 President to be kept informed/**Prezidan Repiblik bizin res informe**
- 66 Junior Ministers/**Bann Junior Minister**
- 67 Oaths to be taken by Ministers and Junior Ministers/**Serman ki pou pran par bann Minis ek bann Junior Minister**
- 68 Direction of government departments/**Direksyon bann departman gouvènmantal**
- 69 Attorney-General/**Attorney-General**
- 70 Secretary to the Cabinet/**Sekreter Konsej Minis**
- 71 Commissioner of Police/**Komiser Lapolis**
- 72 Director of Public Prosecutions/**Direkter Pourswit Piblik**
- 73 Leader of Opposition/**Leader Lopoizyon**
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- 74 Constitution of offices/**Kreasyon bann post**
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- 75B Powers of the Regional Assembly/**Pouvwar Lasanble Rezional**
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- 75D Rodrigues Capital and Consolidated Funds/**Fon Kapital ek Fon Konsolide Rodrig**
- 75E Alteration of certain written laws/**Modifikasyon sertain lalwa ki finn ekri**

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- 76 Supreme Court/**Lakour Siprem**
- 77 Appointment of Judges of Supreme Court/**Nominasyon bann Ziz Lakour Siprem**
- 78 Tenure of office of Judges of Supreme Court/**Manda bann Ziz Lakour Siprem**
- 79 Oaths to be taken by Judges/**Serman ki bann Ziz bizin fer**
- 80 Courts of Appeal/**Lakour Apel**
- 81 Appeals to the Judicial Committee/**Apel devan Judicial Committee**
- 82 Supreme Court and subordinate courts/**Lakour Siprem ek lezot lakour inferyer**
- 83 Original jurisdiction of Supreme Court in constitutional questions/**Ziridiksyon orizinal Lakour Siprem lor bann kestion konstitisyonel**
- 84 Reference of constitutional questions to Supreme Court/**Ranvwa bann kestion konstitisyonel devan Lakour Siprem**

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- 85 Judicial and Legal Service Commission/*Judicial and Legal Service Commission*
- 86 Appointment of judicial and legal officers/**Nominasion bann ofisie responsab bann zafer zidisier ek legal**
- 87 Appointment of principal representatives of Mauritius abroad/**Nominasion bann prinsipal reprezantan Moris**
- 88 Public Service Commission/*Public Service Commission*
- 89 Appointment of public officers/**Nominasion bann ofisie piblik**
- 90 Disciplined Forces Service Commission/*Disciplined Forces Service Commission*
- 91 Appointment in the Disciplined Forces/**Nominasion dan bann Lafors disipliner**
- 91A Public Bodies Appeal Tribunal/ **Tribinal Apel pou bann Organism Piblik**
- 92 Tenure of office of members of Commissions and the Ombudsman/**Dire manda bann manb Komision ek Ombudsman**
- 93 Removal of certain officers/**Revokasion sertin ofisie**
- 94 Pension laws and protection of pension rights/**Lalwapanasion ek proteksion drwa pansion**
- 95 Power of Commissions in relation to pensions/**Pouvwar bann Komision konsernan pansion**

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### **SAPIT IX – OMBUDSMAN**

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- 97 Investigations by Ombudsman/**Bann lanket par Ombudsman**
- 98 Procedure in respect of investigations/**Prosedir konsernan bann lanket**
- 99 Disclosure of information/**Divilgasion linformasion**
- 100 Proceedings after investigation/**Bann prosedir apre enn lanket**
- 101 Discharge of functions of Ombudsman/**Bann fonksion Ombudsman**
- 102 Supplementary and ancillary provision/**Provizion konplemanter ek anex**
- 102A –

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- 104 Withdrawals from Consolidated Fund or other public funds/**Retre depi Fon Konsolide ek lezot fon piblik**
- 105 Authorisation of expenditure/**Otorizasion pou fer depans**
- 106 Authorisation of expenditure in advance of appropriation/**Otorizasion pou fer depans avan alokasion bann fon**
- 107 Contingencies Fund/**Fon pou bann kontinzans**
- 108 Remuneration of certain officers/**Reminerasion sertin ofisie**
- 109 Public debt/**Det piblik**

110 Director of Audit/**Direkter Lodit**

## **CHAPTER XI – MISCELLANEOUS**

### **SAPIT XI – ITEM DIVER**

111 Interpretation/**Interpretasion**

112 References to public office/**Referans ek ofisie piblik**

113 Appointment to certain offices/**Nominasion pou sertain fonksion**

114 Acting appointments/**Nominasion interimer**

115 Reappointments and concurrent appointments/**Renouvelman nominasion ek nominasion paralel**

116 Removal from office/**Revokasion depi bann post**

117 Resignations/**Demision**

118 Performance of functions of Commissions and tribunals/**Fonksion bann Komision ek tribinal**

119 Saving for jurisdiction of courts/**Konservasion ziridiksion bann lakour**

120 Power to amend and revoke instruments/**Pouvwar pou modifie ek pou revok bann text reglemanter**

121 Consultation/**Konsiltasion**

122 Parliamentary control over certain subordinate legislation/**Kontrol parlamanter lor sertain lezislasion sibordone**

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### FIRST SCHEDULE/**PREMIE SEDIL**

(section 31(2))/**seksion 31 (2)**

### SECOND SCHEDULE/**DEZIEM SEDIL**

(section 86)/**seksion 86**

### THIRD SCHEDULE/**TRWAZIEM SEDIL**

(sections 21(1), 24, 30B, 55, 67 and 79)/**seksion 21(1), 24, 30B, 55, 67 ek 79**

### FOURTH SCHEDULE/**KATRIEM SEDIL**

[Repealed 31/00]/**[Aboli 31/100]**

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