

Fax: 2117566

Attn Mr ~~Ad~~ Nundlal

LEGAL SUPPLEMENT

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to the Government Gazette of Mauritius No. 92 of 8 October 2018

Proclamation No. 27 of 2018

**TO FIX THE DATE OF THE COMING INTO OPERATION OF
THE LOCAL GOVERNMENT (AMENDMENT) ACT 2018**

PARAMASIVUM PILLAY VYAPOORY

Acting President of the Republic

PARAMASIVUM PILLAY VYAPOORY – By His Excellency Mr. PARAMASIVUM
PILLAY VYAPOORY, *Grand Officer
of the Order of the Star and Key of the
Indian Ocean, Acting President of the
Republic of Mauritius*

I.S.

&c., &c., &c.

WHEREAS by section 8 of the Local Government (Amendment) Act 2018, it is enacted that –

- (a) the Act shall come into operation on a date to be fixed by Proclamation;
- (b) different dates may be fixed for the coming into operation of different sections of the Act.

NOW THEREFORE, by virtue of section 8 of the Local Government (Amendment) Act 2018, I do hereby proclaim that the said Act shall come into operation on 10 October 2018.

Given at State House, Le Réduit, this 8th day of October two thousand and eighteen.

LEGAL SUPPLEMENT

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*to the Government Gazette of Mauritius No. 92 of 8 October 2018**Government Notice No. 123 of 2018***THE LOCAL GOVERNMENT ACT****Regulations made by the Minister under sections 120C, 127A, 127B, 127C and 162 of the Local Government Act**

1. These regulations may be cited as the Local Government (Prescribed Forms) Regulations 2018.
2. In these regulations –
“Act” means the Local Government Act.
3. An application for an occupation certificate under section 120C of the Act shall be made in the form set out in the First Schedule.
4. A compliance notice issued under section 127A of the Act shall be in the form set out in the Second Schedule.
5. An enforcement notice issued under section 127B of the Act shall be in the form set out in the Third Schedule.
6. A pulling down notice issued under section 127C of the Act shall be in the form set out in the Fourth Schedule or Fifth Schedule, as the case may be.
7. These regulations shall come into operation on 10 October 2018.

Made by the Minister on 8 October 2018.

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Government Notices 2018

FIRST SCHEDULE

[Regulation 3]

APPLICATION FORM FOR OCCUPATION CERTIFICATE

(In accordance with section 120C of the Local Government Act)

To Municipal/District Council of

Details of holder of the Building and Land Use Permit (applicant)

Family/Company name

First name

Address

Mobile no.

Phone no.

Email address

BRN(where applicable)

Details of Building and Land Use Permit

Local Authority reference no.

Date permit was issued

Address of development

Building no.

Street name

City/town/village name

Site Details

Extent (M²)

TV No of Deed

PIN number

Documentation to accompany this application

Clearance certificate from the principal agent*

*(*Applicable only for buildings above 150m² in area)*

.....
Signature of applicant

.....
Date

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*Government Notices 2018***SECOND SCHEDULE**

[Regulation 4]

(Logo of Council)

(Name of Council)

(Address of Council)

(Phone number of Council)

COMPLIANCE NOTICE

(Issued in accordance with section 127A of the Local Government Act)

To:

.....

.....

(Name and address of person)

TAKE NOTICE that you have caused development works to be undertaken on the premises situate at *(address of site)* without being the holder of a Building and Land Use Permit, in breach of section 117 (1) of the Local Government Act.

You are hereby requested forthwith to –

- (a) stop all development works on the site; and
- (b) apply for a Building and Land Use Permit.

A delay of 30 days from the time of the service of this notice is being granted to you within which an application for a Building and Land Use Permit shall be made.

According to section 127G(1)(a) of the Local Government Act, it is an offence if you undertake development works without being the holder of a Building and Land Use Permit. On conviction, you will be liable to a fine of not less than 100,000 rupees and not more than

500,000 rupees and the Court will, in addition to the penalty, order you to pull down, at your own expense, the development works.

.....
Signature of Chief Executive	Date

Service of Notice

I hereby certify that a copy of the following notice was served in person upon the above named at (*address*) on the (*date*).

.....
Signature of Court Usher/Registered Usher	Signature of offender

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Government Notices 2018

THIRD SCHEDULE

[Regulation 5]

(Logo of Council)

(Name of Council)

(Address of Council)

(Phone number of Council)

ENFORCEMENT NOTICE

(Issued in accordance with section 127B of the Local Government Act)

To:

.....
.....

(Name and address of person)

TAKE NOTICE that you have caused development works to be undertaken on the premises situate at *(address of site)* which are not in accordance with the Building and Land Use Permit issued to you on *(date)*.

You have carried out *(describe the illegal works carried out in detail)* which are contrary to the approved plans.

You are hereby requested forthwith to –

- (a) stop all development works on the site; and
- (b) pull down all the illegal development works (if applicable).

A delay of 30 days from the time of the service of this notice is being granted to you within which you must pull down all the illegal development works (if applicable).

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Government Notices 2018

FOURTH SCHEDULE

[Regulation 6]

(Logo of Council)

(Name of Council)

(Address of Council)

(Phone number of Council)

PULLING DOWN NOTICE FOR FAILURE TO APPLY FOR BUILDING AND LAND USE PERMIT

(Issued in accordance with section 127C of the Local Government Act)

To:

.....
.....

(Name and address of person)

TAKE NOTICE that, pursuant to section 127A of the Local Government Act, you were served with a compliance notice for having caused development works to be undertaken on the premises situate at *(address of site)* without being the holder of a Building and Land Use Permit.

You were required, as per that compliance notice served upon you, to make an application for a Building and Land Use Permit and since you have failed to make such application, you are hereby ordered, pursuant to section 127C of the Local Government Act, to forthwith pull down the illegal development works which consist of
..... *(describe in detail the illegal works)*.

A delay of 30 days from the time of the service of this notice is being granted to you within which you must pull down all the illegal development works.

If you fail to pull down all the illegal development works within 30 days of being served with this notice, you will be prosecuted for having undertaken development works without being the holder of a Building and Land Use Permit. On conviction, you will be liable to a fine of not less than 100,000 rupees and not more than 500,000 rupees and the Court will, in addition to the penalty, order you to pull down, at your own expense, the development works.

.....
Signature of Chief Executive

.....
Date

Service of Notice

I hereby certify that a copy of the following notice was served in person upon the above named at (address) on the (date).

.....
Signature of Court Usher/Registered Usher

.....
Signature of offender

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Government Notices 2018

FIFTH SCHEDULE

[Regulation 6]

(Logo of Council)

(Name of Council)

(Address of Council)

(Phone number of Council)

**PULLING DOWN NOTICE FOR HAVING UNDERTAKEN
DEVELOPMENT WORKS IN, OR ON ANY CANAL,
RIVER OR DRAIN**

(Issued in accordance with section 127C of the Local Government Act)

To:

.....

.....

(Name and address of person)

TAKE NOTICE that you have caused development works to be undertaken on premises which is situated on a canal/river/drain at, without having obtained an approval/permission required under (state enactment).

You are hereby ordered, pursuant to section 127C of the Local Government Act, to forthwith pull down the illegal development works which consist of

..... *(describe in detail the illegal works).*

A delay of 30 days from the time of the service of this notice is being granted to you within which you must pull down all the illegal development works.

If you fail to pull down all the illegal development works within 30 days of being served with this notice, you will be prosecuted for having undertaken development works on a canal/river/drain at, without having obtained an approval/permission required under On conviction, you will be liable to a fine of not less than 100,000 rupees and not more than 500,000 rupees and the Court will, in addition to the penalty, order you to pull down, at your own expense, the development works.

.....
Signature of Chief Executive

.....
Date

Service of Notice

I hereby certify that a copy of the following notice was served in person upon the above named at (address) on the (date).

.....
Signature of Court Usher/Registered Usher

.....
Signature of offender
