

THE CONSTITUTION (AMENDMENT) BILL

Bill No. 29 of 2015

Government Gazette of Mauritius No. 109 of 31 October 2015

THE CONSTITUTION (AMENDMENT) BILL

(No. XXIX of 2015)

Explanatory Memorandum

The object of this Bill is to amend the Constitution to provide for the taking of possession of property —

- (a) under the ownership of a person to an extent which is disproportionate to his emoluments and other income;
- (b) the ownership, possession custody or control of which cannot be satisfactorily accounted for by the person who owns, possesses, has custody or control of the property; or
- (c) held by a person for another person to an extent which is disproportionate to the emoluments or other income of that other person,

by way of confiscation.

SIR ANEROOD JUGNAUTH, G.C.S.K., K.C.M.G., Q.C.

*Prime Minister Minister of Defence, Home Affairs,
Minister for Rodrigues and National Development Unit*

23 October 2015

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(No. XXIX of 2015)

ARRANGEMENT OF CLAUSES

Clause

1. Short title
2. Section 8 of Constitution amended

A BILL

To amend the Constitution

ENACTED by the Parliament of Mauritius, as follows —

1. Short title

This Act may be cited as the Constitution (Amendment) Act 2015.

2. Section 8 of Constitution amended

Section 8 of the Constitution is amended, in subsection (4), by inserting, after paragraph (a), the following new paragraph —

(aa) to the extent that the law in question makes provision for the taking of possession of property —

- (i) under the ownership of a person to an extent which is disproportionate to his emoluments and other income;
- (ii) the ownership, possession, custody or control of which cannot be satisfactorily accounted for by the person who owns, possesses, has custody or control of the property; or

(iii) held by a person for another person to an extent which is disproportionate to the emoluments or other income of that other person,

by way of confiscation; or