

THE REVISION OF LAWS (AMENDMENT) BILL
(No. III of 2011)

Explanatory Memorandum

The main object of this Bill is to amend the Revision of Laws Act to enable the Attorney-General to cause to be prepared and published, from time to time, a Supplement to a revised edition of enactments prepared under the Act for the purpose of bringing it up to date.

2. A Supplement shall –

(a) contain –

- (i) the new enactments that have been promulgated and the existing enactments that have been amended since the cut-off date of the enactments contained in the revised edition; and
- (ii) the existing enactments that have been corrected because of errors in the revised edition;

(b) specify the existing enactments that have been wholly repealed since the cut-off date of the enactments contained in the revised edition; and

(c) come into operation on such day as the Attorney-General may prescribe.

3. Opportunity has been taken to amend the powers of the Law Revision Unit following the enactment of the Law Reform Commission Act.

Y. N. VARMA
Attorney-General

25 March 2011

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
2. Interpretation
3. Section 2 of principal Act repealed and replaced
4. Section 3 of principal Act amended
5. Section 4 of principal Act amended
6. New section 4A inserted in principal Act
7. Section 7 of principal Act repealed and replaced
8. Consequential amendment
9. Transitional provision

A BILL

**To amend the Revision of Laws Act to provide for the publication of
Supplements to a revised edition**

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Revision of Laws (Amendment) Act 2011.

2. Interpretation

In this Act –

“principal Act” means the Revision of Laws Act.

3. Section 2 of principal Act repealed and replaced

Section 2 of the principal Act is repealed and replaced by the following section –

2. Interpretation

In this Act –

“cut-off date” means –

- (a) in relation to an enactment contained in a revised edition, the date specified in section 4(1)(b); and
- (b) in relation to an enactment set out, partly reproduced or otherwise referred to in a Supplement, the date specified in section 4A(4);

“revised edition” means an edition of enactments published in accordance with section 4;

“Supplement” means a Supplement published in accordance with section 4A.

4. Section 3 of principal Act amended

Section 3 of the principal Act is amended in subsection (2) –

- (a) in paragraph (a), by adding after the words “revised editions”, the words “and Supplements”;
- (b) by repealing paragraphs (b) to (e).

5. Section 4 of principal Act amended

Section 4 of the principal Act is amended –

- (a) in subsection (2)(b), by inserting, after the words “from a revised edition”, the words “pursuant to paragraph (a) or section 6(1)”;
- (b) in subsection (3), by deleting the words “in such manner” and replacing them by the words “in loose-leaf form or in such other manner”;
- (c) in subsection (5), by deleting the words “section 12(2)” and replacing them by the words “sections 12(1) and 13”.

6. New section 4A inserted in principal Act

The principal Act is amended by inserting, after section 4, the following new section –

4A. Supplements

(1) The Attorney-General may, from time to time, cause to be prepared and published a Supplement to a revised edition for the purpose of bringing it up to date.

(2) A Supplement shall be printed in loose-leaf form so that its pages can be inserted in the appropriate volume of the revised edition, and the expenses incurred in its preparation and publication shall be a charge on the Consolidated Fund.

(3) A Supplement shall –

- (a) set out the new enactments that have been enacted since the cut-off date of the enactments contained in a revised edition or of those which are set out, reproduced or otherwise referred to in a Supplement, as the case may be;
- (b) partly reproduce the enactments to which amendments have been made by Parliament or in which errors have been corrected by the Law Revision Unit since the cut-off date of the enactments contained in a revised edition or of those which are set out, partly reproduced or otherwise referred to in a Supplement; and
- (c) indicate the enactments, if any, that have been repealed since the cut-off date of the enactments contained in a revised edition or of those which are set out in a Supplement.

(4) There shall be specified in a Supplement the date to which every enactment set out, partly reproduced or otherwise referred to, has been included or revised.

(5) Subsections (4), (5) and (6) of section 4, and sections 5 and 6, shall apply to a Supplement as they apply to a revised edition.

7. Section 7 of principal Act repealed and replaced

Section 7 of the principal Act is repealed and replaced by the following section –

7. Validity of enactment not affected by omission

No enactment omitted from a revised edition or Supplement, other than an enactment omitted under section 5, shall be deemed to be without force and validity by reason only of the fact that it is so omitted.

8. Consequential amendment

The Interpretation and General Clauses Act is amended, in section 2 –

- (a) in the definition of “Act”, by inserting, after the words “Act of Parliament”, the words “and includes, and shall be deemed to have always included, a Code”;
- (b) by inserting, in the appropriate alphabetical order, the following new definition –

“Code” means the “Code Civil Mauricien”, the “Code de Commerce”, the “Code de Procédure Civile” and the Criminal Code.

9. Transitional provision

Any publication in loose-leaf form published by LexisNexis (Pty) Ltd in the year 2011 with the authorisation of the Attorney-General, and containing new enactments that have been enacted since 30 September 2007 and enactments to which amendments have been made by Parliament or in which errors have been corrected by the Law Revision Unit since 30 September 2007, shall be deemed to be a Supplement.
