

National Pensions (Non-citizens and Absent Persons) Regulations 2015

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THE NATIONAL PENSIONS ACT

**Regulations made by the Minister, after consultation with the Board, under section 46 of
the National Pensions Act**

1. These regulations may be cited as the **National Pensions (Non-citizens and Absent Persons) Regulations 2015**.

2. In these regulations —

“absent” means absent from Mauritius;

“Act” means the National Pensions Act;

“citizen” means a citizen of Mauritius or a person referred to in section 5(1)(a) or (b) of the Immigration Act;

“export manufacturing enterprise” has the same meaning as in the National Savings Fund Act;

“non-citizen” means any person other than a citizen;

“permit” has the same meaning as in the Non-Citizens (Employment Restriction) Act.

3. (1) A non-citizen who is issued with a permit —

(a) shall, where he is an employee employed in an export manufacturing enterprise and has resided in Mauritius for a period of not less than 2 years, become an insured person under section 13(1) of the Act on the expiry of the period of 2 years; or

(b) may, in every other case, apply to the Minister to be an insured person under section 15 of the Act in such form as the Minister may approve.

(2) The period of 2 years specified in paragraph (1)(a) shall —

(a) be computed as from the day the non-citizen arrives in Mauritius; and

(b) include any period of absence —

(i) which does not exceed 9 consecutive weeks; or

(ii) during which he maintains a residence in Mauritius.

4. Where a citizen —

(a) who is an insured person and is absent from Mauritius on ground that he is in employment outside Mauritius in continuation of his employment in Mauritius, he shall, for the period of his absence from Mauritius, remain an insured person under section 13(1) of the Act;

(b) is absent from Mauritius for any other reason, he may apply to the Minister to be an insured person under section 15 of the Act in such form as the Minister may approve.

5. A non-citizen who has, in accordance with the Civil Status Act, contracted —

(a) a civil marriage; or

(b) a religious marriage with civil effect,

with a citizen, may apply to the Minister to become an insured person under section 15 of the Act in such form as the Minister may approve.

6. The National Pensions (Non-Citizens and Absent Persons) Order 1978 is revoked.

7. (1) A non-citizen who has been issued with a permit and is an employee other than an employee employed in an export manufacturing enterprise, shall be deemed to have become an insured person or shall become an insured person under section 13(1) of the Act, as the case may be, as from 1 January 2014 or as from his first day of employment, whichever is the later.

(2) Any person who became an insured person under the National Pensions (Non-Citizens and Absent Persons) Order 1978 shall be considered as an insured person under these regulations.

8. These regulations shall be deemed to have come into operation on 1 January 2014.

Made by the Minister, after consultation with the Board, on 3 June 2015.