

## THE MAURITIUS LAND TRANSPORT AUTHORITY BILL

(No. XIV of 2009)

### Explanatory Memorandum

1. The object of this Bill is to provide for the establishment of the Mauritius Land Transport Authority through the integration of the National Transport Authority, the Road Development Authority and the Traffic Management and Road Safety Unit.
2. The Authority shall –
  - (a) take over the powers and functions of the National Transport Authority, the Road Development Authority and the Traffic Management and Road Safety Unit;
  - (b) exercise such other powers as may be conferred, and perform such other functions as may be imposed on it under the Road Traffic Act and the Roads Act.
3. The Authority shall be mainly responsible –
  - (a) for the construction, care, maintenance and improvement of motorways and main roads;
  - (b) for the effective management and regulation of land transport;
  - (c) for the development and implementation of policies, strategies and schemes in relation to road traffic, road safety and road transport;
  - (d) for the licensing and registration of motor vehicles and trailers.

**A. K. BACHOO**

*Minister of Public Infrastructure,  
Land Transport and Shipping*

19 June 2009

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**THE MAURITIUS LAND TRANSPORT AUTHORITY BILL**  
(No. XIV of 2009)

ARRANGEMENT OF CLAUSES

*Clause*

	<b>PART I – PRELIMINARY</b>		<b>PART IV – FINANCIAL PROVISIONS AND ACCOUNTS</b>
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**A BILL**

**To provide for the establishment of the Mauritius Land Transport Authority**

ENACTED by the Parliament of Mauritius, as follows –

**PART I – PRELIMINARY**

**1. Short title**

This Act may be cited as the Mauritius Land Transport Authority Act 2009.

## 2. Interpretation

In this Act –

“advertisement” has the same meaning as in the Roads Act;

“Authority” means the Mauritius Land Transport Authority established under section 3;

“Board” means the Mauritius Land Transport Board referred to in section 7;

“Chairperson” means the Chairperson of the Board appointed under section 7;

“Chief Executive Officer” means the Chief Executive Officer appointed under section 11;

“employee” –

(a) means a person appointed as such under section 13; and

(b) includes the Chief Executive Officer;

“financial year” has the same meaning as in section 2A of the Finance and Audit Act;

“main road” means a road classified and prescribed as such under the Roads Act;

“member” –

(a) means a member of the Board; and

(b) includes the Chairperson;

“Minister” means the Minister to whom responsibility for the subject of land transport is assigned;

“motor vehicle” has the same meaning as in the Road Traffic Act;

“motorway” means a road classified and prescribed as such under the Roads Act;

“Permanent Secretary” means the Permanent Secretary of the Ministry responsible for the subject of land transport;

“prescribed amount” has the same meaning as in the Public Procurement Act;

“road” has the same meaning as in the Roads Act;

“trailer” has the same meaning as in the Road Traffic Act;

“undertakers’ works” has the same meaning as in the Roads Act.

## **PART II – THE AUTHORITY**

### **3. Establishment of Authority**

(1) There is established, for the purposes of this Act, the Mauritius Land Transport Authority.

(2) The Authority shall be a body corporate.

(3) The principal place of business of the Authority shall be at such place as the Board may determine.

### **4. Objects of Authority**

The objects of the Authority shall be to –

- (a) construct, care for, maintain and improve motorways and main roads;
- (b) promote, develop and implement policies, strategies and schemes in relation to road traffic, road safety and land transport;
- (c) effectively manage and regulate land transport;
- (d) promote research in land transport;
- (e) promote road safety education;
- (f) regulate and control the licensing and registration of motor vehicles and trailers;
- (g) promote human resource development and training of its employees.

## **5. Functions of Authority**

The Authority shall have such functions as are necessary to further its objects most effectively and shall, in particular –

- (a) plan, design and supervise the construction and reconstruction of bridges, tunnels, motorways, main roads and any other land transport infrastructure;
- (b) construct, maintain and upgrade bridges, tunnels, motorways and main roads;
- (c) regulate undertakers' works in relation to motorways, main roads and any other land transport infrastructure;
- (d) control the display of advertisements along or visible from motorways and main roads;
- (e) operate, maintain and improve road traffic signs or signals, traffic control equipment or lighting equipment for the purposes of traffic management and control;
- (f) plan, design, construct, maintain and improve bus stops or shelters, bus interchanges or terminals, taxi stands and such other related facilities;
- (g) license and regulate the use of parking places for motor vehicles;
- (h) license and register motor vehicles and trailers under the Road Traffic Act;
- (i) license and regulate petrol service stations under the Road Traffic Act;
- (j) prepare, develop, recommend and implement road development, road safety and traffic management schemes;
- (k) collect, analyse and disseminate information in relation to road accidents, land transport and other related matters;
- (l) conduct or cause to be carried out research in relation to road traffic, road safety and land transport;
- (m) conduct road safety campaigns;
- (n) advise on road safety and road traffic matters;

- (o) advise the Minister in the formulation and management of policies, strategies and schemes in relation to road traffic, road safety and land transport;
- (p) perform such other functions as may be imposed on it under the Road Traffic Act, the Roads Act and any other enactment.

## **6. Powers of Authority**

The Authority shall have such powers as are necessary to attain its objects and discharge its functions most effectively and may, in particular –

- (a) subject to the Public Procurement Act, enter into any contract for the supply of goods, services, plants, equipment or materials or for the execution of works or any other contract;
- (b) impose a prescribed levy on the value of an approved commercial project for road infrastructure and land transport improvement and development;
- (c) receive grants and donations, and raise funds;
- (d) fix and levy fees and charges;
- (e) subject to section 21, manage, in such manner as it thinks fit, any property belonging to or vested in it;
- (f) exercise such other powers as may be conferred on it under the Road Traffic Act, the Roads Act and any other enactment.

## **PART III – ADMINISTRATION**

### **7. The Board**

(1) The Authority shall be administered and managed by a Board, to be known as the Mauritius Land Transport Board, which shall consist of –

- (a) a Chairperson, to be appointed by the Minister;
- (b) a representative of the Prime Minister's Office;
- (c) a representative of the Ministry;
- (d) a representative of the Ministry responsible for the subject of finance;

- (e) a representative of the Ministry responsible for the subject of local government;
- (f) a representative of the Ministry responsible for the subject of lands;
- (g) a representative of the Police Force;
- (h) 2 elected representatives of employees; and
- (i) 2 representatives from the private sector.

(2) The members appointed under subsection 1(i) shall be experienced in management, highway engineering, transport or traffic planning, traffic engineering, finance or economics, and shall be appointed by the Minister on such terms and conditions as he thinks fit.

(3) No person shall be qualified to be a member where he is –

- (a) a member of the Assembly;
- (b) a member of a local authority; or
- (c) otherwise actively engaged in politics.

(4) Every member, other than an ex officio member, shall hold office for a period of 3 years and may be eligible for reappointment.

(5) The appointment of any person to serve as a member of the Board shall be published in the *Gazette*.

(6) Every member shall be paid by the Board such fees or allowances as the Minister may determine.

(7) A member, other than an ex officio member, shall cease to hold office –

- (a) on the completion of his term of office;
- (b) on his resignation;
- (c) where he becomes a member of the Assembly or local authority, or otherwise actively engages in politics; or

(d) where he, without sufficient cause, fails to attend 3 consecutive meetings of the Board.

(8) Where a vacancy occurs in the membership of the Board, the vacancy shall be filled by a person appointed by the Minister, who shall hold office for the remainder of the term of office of that member.

(9) No member shall engage in any activity which may undermine the reputation or integrity of the Authority.

(10) Any member may be removed or suspended from office by the Minister in any of the circumstances described in section 37(3)(b) of the Interpretation and General Clauses Act.

(11) The Board may co-opt any other person who may be of assistance in relation to any matter before the Board and the co-opted member shall –

- (a) not have the right to vote at any meeting of the Board; and
- (b) be paid such fees and allowances as the Board may determine.

(12) The Board shall manage and utilise all the assets and funds vested in the Authority in such manner and for such purposes as, in its opinion, will best promote the objects of the Authority.

## **8. Meetings of Board**

(1) The Board shall meet as often as is necessary but at least once every month at such time and place as the Chairperson thinks fit.

(2) The Chief Executive Officer shall convene a meeting of the Board on request made by not less than 4 members.

(3) The Board shall designate an employee to act as Secretary to the Board and the Secretary shall –

- (a) prepare and attend every meeting of the Board;
- (b) keep minutes of proceedings of any meeting of the Board; and
- (c) have such other duties as may be conferred upon it by the Board.

(4) Notice of every meeting shall be given to the members by the Secretary to the Board.

(5) (a) Subject to paragraph (b), 6 members shall constitute a quorum at any meeting of the Board.

(b) At least one of the members referred to in paragraph (a) shall not be an ex officio member.

(6) In the absence of the Chairperson at a meeting of the Board, the members present shall elect a member to chair that meeting.

(7) The Chief Executive Officer shall, unless otherwise directed by the Board, attend every meeting of the Board and may take part in its deliberations, but shall not have the right to vote.

(8) Subject to this section, the Board shall regulate its meetings in such manner as it thinks fit.

## **9. Disclosure of interest**

Where any member or any person related to him by blood or marriage has a pecuniary or other material interest in relation to any matter before the Board, that member shall –

- (a) disclose the nature of the interest before or at the meeting convened to discuss that matter; and
- (b) not take part in any deliberations of the Board relating to that matter.

## **10. Committees**

(1) The Board may set up such committees as may be necessary to assist it in the performance of its functions and the exercise of its powers.

(2) Subject to subsection (3), a committee may be constituted –

- (a) wholly by members;
- (b) wholly by persons who are not members; or
- (c) partly by members and partly by other persons.

(3) The members or persons referred to in subsection (2) shall –

- (a) be appointed by the Board on such terms and conditions as it thinks fit; and
  - (b) be paid such fees and allowances as the Board may, with the approval of the Minister, determine.
- (4) A committee shall –
- (a) meet as often as may be necessary and at such time and place as the chairperson of that committee thinks fit;
  - (b) meet as and when required by the Board.
- (5) A committee shall submit its report within such time as may be fixed by the Board and the report shall contain its observations, comments and recommendations on any matter referred to it by the Board.
- (6) Any committee set up under subsection (1) shall be chaired by the Chief Executive Officer or such other person as the Board may determine.
- (7) Subject to this section, any committee shall regulate its meetings in such manner as it thinks fit.

## **11. Chief Executive Officer**

- (1) There shall be a Chief Executive Officer of the Authority who shall be appointed, with the approval of the Minister, by the Board on a fixed term performance contract and on such other terms and conditions as it thinks fit.
- (2) The Chief Executive Officer shall –
- (a) be responsible for the execution of the policy of the Board and for the control and management of the day-to-day business and activities of the Authority;
  - (b) act in accordance with such directives as he may receive from the Board;
  - (c) achieve annual performance targets set by the Board; and
  - (d) submit to the Board a report in relation to the activities and finances of the Authority every 3 months.

## **12. Delegation**

(1) The Board may, subject to such instructions as it may give, delegate to the Chief Executive Officer such of its powers and functions as may be necessary for the effective management of the day-to-day business and activities of the Authority, other than the power to –

- (a) sell or exchange any property or make any donation;
- (b) borrow money; or
- (c) enter into any contract which exceeds the prescribed amount applicable to the Authority under the Public Procurement Act.

(2) The Chief Executive Officer may, with the approval of the Board, delegate his powers and functions to such employee as he may determine.

## **13. Appointment of employees**

(1) The Board may appoint, on such terms and conditions as it thinks fit, such other employees as may be necessary for the proper discharge of its functions under this Act.

(2) Every employee referred to in subsection (1) shall be under the administrative control of the Chief Executive Officer.

## **14. Declaration of assets**

(1) Every person shall, at the time of making an application to be employed or being transferred –

- (a) as the Chief Executive Officer of the Authority, submit a declaration of assets with the Chairperson by way of an affidavit in the form set out in the First Schedule; or
- (b) as an employee of the Authority, submit a declaration of assets with the Chief Executive Officer in the form set out in the Second Schedule.

(2) Every employee shall make a fresh declaration of assets every 3 years and at the expiry or termination of his employment in the form set out in the First Schedule or Second Schedule, as the case may be.

## **15. Conditions of service of employees**

The Board shall make provision to govern the conditions of service of its employees and in particular to deal with –

- (a) the appointment, retirement, dismissal, discipline, pay and leave of, and the security to be given to, employees;
- (b) appeals by employees against dismissal and any other disciplinary measure; and
- (c) the establishment and maintenance of provident and pension fund schemes and any other scheme, and the contributions payable to and the benefits recoverable from those schemes.

## **16. Protection from liability**

(1) No liability, civil or criminal, shall be incurred by the Authority or any member or any employee in respect of any act done or omitted in good faith in the performance of its or his functions or exercise of its or his powers under this Act.

(2) This section shall be in addition to, and not in derogation of, the Public Officers' Protection Act, and for the purposes of that Act, every member or employee of the Authority shall be deemed to be a public officer or a person lawfully engaged, authorised or employed in the performance of a public duty.

## **17. Confidentiality**

(1) No member or employee shall disclose to any unauthorised person any matter which comes to his knowledge in the performance of his functions.

(2) Any person who contravenes subsection (1) shall commit an offence and shall be liable, on conviction, to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding one year.

## **18. Powers of Minister**

(1) The Minister may give such written directions of a general character to the Board, not inconsistent with this Act, as he considers necessary in the public interest, and the Board shall comply with those directions.

(2) The Minister may require the Board to furnish such information in such manner and at such time as he thinks necessary in respect of its activities and the Board shall supply such information.

#### **PART IV – FINANCIAL PROVISIONS AND ACCOUNTS**

##### **19. General Fund**

(1) Subject to subsection (2), the Authority shall set up a General Fund –

- (a) into which all monies received from any source by the Authority shall be paid;
- (b) out of which all payments required to be made for the purposes of this Act by the Authority shall be effected.

(2) All taxes, fees and charges collected by the Authority shall, as soon as reasonably practicable, be paid by the Chief Executive Officer into the Consolidated Fund.

##### **20. Road Decongestion Programme Fund**

There shall be a Road Decongestion Programme Fund –

- (a) into which shall be paid all monies received by the Fund, including any money appropriated from the Consolidated Fund;
- (b) out of which shall be effected all payments required to be made for the projects specified in the Third Schedule and such other projects relating to road decongestion as may be prescribed.

##### **21. Donations and exemptions**

(1) Article 910 of the Code Civil Mauricien shall not apply to the Authority.

(2) Notwithstanding any other enactment, the Authority shall be exempt from payment of –

- (a) any registration duty, fee or charge in respect of any document under which the Authority is the sole beneficiary; and
- (b) any other duty, rate, charge or fee.

## **22. Transfer of property and borrowing**

(1) The Authority shall not, except with the approval of the Minister responsible for the subject of finance –

- (a) sell or exchange any property or make any donation; or
- (b) borrow any money, and any borrowing shall be for the purposes of this Act.

(2) The Government may, subject to such terms and conditions as it thinks fit, guarantee the performance of any obligation undertaken by the Authority pursuant to any agreement entered into for the purpose of subsection (1)(b).

## **23. Estimates**

(1) The Authority shall submit to the Minister, not later than 30 September in every year, an estimate of the income and expenditure of the Authority for the next financial year for his approval.

(2) Where the Minister gives his approval under subsection (1), the Minister may –

- (a) approve only part of the expenditure under any item; and
- (b) direct the Authority to amend the estimate in respect of any item in such manner as he thinks fit.

## **24. Execution of documents**

No deed, cheque or other document shall be executed or signed by or on behalf of the Authority unless it is signed by –

- (a) the Chairperson or, in his absence, any other member designated by the Board; and
- (b) the Chief Executive Officer, or in his absence, an employee designated by the Board.

## **25. Annual report**

(1) The Board shall, not later than 4 months after the end of a financial year, submit to the Minister an annual report together with an audited statement of accounts on the operations of the Authority in respect of that financial year.

(2) The Minister shall, at the earliest available opportunity, lay a copy of the annual report and audited accounts of the Authority before the Assembly.

(3) The auditor to be appointed under section 5(1) of the Statutory Bodies (Accounts and Audit) Act shall be the Director of Audit.

## **26. Investments**

The Board may, subject to the approval of the Minister responsible for the subject of finance, invest part of the funds of the Authority which are not required to meet its liabilities.

## **PART V – MISCELLANEOUS**

### **27. Offences**

Any person who, without the approval of the Authority, uses the name or logo of the Authority shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 2 years.

### **28. Legal proceedings**

(1) The Authority shall act, sue and be sued under its corporate name.

(2) Service of process by or on the Authority shall be sufficient if made on behalf of or on the Chief Executive Officer.

### **29. Regulations**

(1) The Minister may make such regulations as he thinks fit for the purposes of this Act.

(2) Without prejudice to the generality of the power of the Minister under subsection (1), regulations may provide –

- (a) for the amendment of the Schedules;
- (b) for the levying of fees or charges;
- (c) for the levying of fees or charges on any person using a motorway or main road;

- (d) for classes of persons who are to be exempted from fees or charges under paragraph (b);
- (e) for the regulation of undertakers' works;
- (f) for the control of advertising panels;
- (g) that any person who contravenes them shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.

### **30. Repeal**

The Road Development Authority Act is repealed.

### **31. Consequential amendments**

(1) The Public Procurement Act is amended in Part V of the Schedule, by repealing the item "Road Development Authority" and inserting, in the appropriate alphabetical order, the following item –

Mauritius Land Transport Authority

(2) The Road Traffic Act is amended –

(a) in section 2 –

- (i) by repealing the definitions of "Authority", "Commissioner", "Road Development Authority", "road transport inspector" and "traffic warden";
- (ii) in the definition of "vehicle examiner", by deleting the words "appointed under section 3(2)";
- (iii) by inserting, in the appropriate alphabetical order, the following new definitions –

"Authority" means the Mauritius Land Transport Authority established under the Mauritius Land Transport Authority Act 2009;

"Chief Executive Officer" means the Chief Executive Officer of the Authority;

“road transport inspector” means an officer who is assigned, in writing, by the Chief Executive Officer the exercise of the powers and duties of a road transport inspector;

“traffic warden” means an officer who is assigned, in writing, by the Chief Executive Officer the exercise of the powers and duties of a traffic warden;

- (b) by deleting the word “Commissioner” wherever it appears and replacing it by the words “Chief Executive Officer”;
  - (c) in section 46, in subsections (1) and (3), by deleting the words “appointed under section 3(2)” and replacing them by the words “appointed by the Authority”;
  - (d) in section 178A, in subsection (3) –
    - (i) in paragraph (c), by deleting the words “Traffic Management Unit” and replacing them by the word “Authority”;
    - (ii) by repealing paragraphs (f) and (i);
  - (e) in section 185, in subsection (2), by deleting the words “Road Development”;
  - (f) by repealing sections 3, 73 and 74.
- (3) The Roads Act is amended –
- (a) in section 2, by repealing the definition of “Road Development Authority” and inserting, in the appropriate alphabetical order, the following new definition –

“Mauritius Land Transport Authority” means the Mauritius Land Transport Authority established under the Mauritius Land Transport Authority Act 2009;
  - (b) by deleting the words “Road Development Authority” wherever they appear and replacing them by the words “Mauritius Land Transport Authority”.
- (4) (a) Subject to paragraphs (b) and (c), the Statutory Bodies (Accounts and Audit) Act is amended in the Schedule –

- (i) in Part I, by inserting, in the appropriate alphabetical order, the following item –

Mauritius Land Transport Authority

- (ii) in Part II, by deleting the following item –

Road Development Authority

(b) For the purposes of the Statutory Bodies (Accounts and Audit) Act, the period extending from the commencement of this Act to 31 December next following shall be deemed to be the first financial year of the Authority.

(c) Section 7(1) of the Statutory Bodies (Accounts and Audit) Act shall not apply to the first financial year of the Authority.

### **32. Transitional provisions**

- (1) In this section –

“NTA” means the National Transport Authority established under section 73 of the Road Traffic Act;

“RDA” means the Road Development Authority established under section 3 the Road Development Authority Act;

“TMRSU” means the Traffic Management and Road Safety Unit of the Ministry responsible for the subject of land transport.

(2) Notwithstanding any other enactment, every person employed by the NTA, RDA or TMRSU shall be dealt with in accordance with this section.

(3) Every person who, at the commencement of this Act, is employed on the permanent and pensionable establishment of the NTA, RDA or TMRSU shall be entitled to be transferred to the permanent and pensionable establishment of the Authority on terms and conditions which shall be not less favourable than those of his previous employment.

(4) The period of service of every person employed on the permanent and pensionable establishment of the NTA, RDA or TMRSU, who is transferred to the Authority under subsection (3), shall be deemed to be an unbroken period of service with the Authority.

(5) Where a person employed on the permanent and pensionable establishment of the NTA or TMRSU is transferred to the Authority under subsection (3), his service with the Authority shall be approved service for the purposes of the Pensions Act and any regulations made thereunder.

(6) No person employed on the permanent and pensionable establishment of the NTA, RDA or TMRSU shall, on account of his transfer to the Authority or any resulting change in his job title, be entitled to claim that his employment has been terminated or adversely affected in breach of any enactment.

(7) Any person employed on the permanent and pensionable establishment of the NTA, RDA or TMRSU who, within 28 days of the commencement of this Act, does not accept to be transferred to the Authority may –

- (a) at his request, be redeployed, so far as is practicable, to a Ministry, a Government Department or another statutory body, where vacancies in similar positions are available; or
- (b) opt for retirement on the ground of abolition of office and be paid his pension benefits in accordance with the Pensions Act or the Statutory Bodies Pension Funds Act and regulations made thereunder, as the case may be.

(8) (a) Subject to subsection (8), any person employed on the permanent and pensionable establishment of the NTA, RDA or TMRSU, against whom any disciplinary inquiry, investigation or proceedings are pending or in process at the commencement of this Act –

- (i) who is not interdicted, shall be transferred to the permanent and pensionable establishment of the Authority on terms and conditions which shall be not less favourable than those of his previous employment;
- (ii) who is interdicted, may opt to –
  - (A) be transferred to the permanent and pensionable establishment of the Authority on terms and conditions which shall be not less favourable than those of his previous employment;
  - (B) retire on the ground of abolition of office and be paid pension benefits in accordance with

the Pensions Act or Statutory Bodies Pension Funds Act and regulations made thereunder, as the case may be,

where no disciplinary charge is subsequently found proved against him.

(b) For the purposes of paragraph (a)(ii)(B), the date of retirement on ground of abolition of office shall be deemed to be the date of coming into operation of this Act.

(9) Any disciplinary inquiry, investigation or proceedings, pending or in process at the commencement of this Act, against any person employed on the permanent and pensionable establishment of the NTA, RDA or TMRSU, shall be taken up, continued or completed by the Permanent Secretary and any resulting order or decision shall have the same force and effect as if made by the NTA, RDA or TMRSU, as the case may be.

(10) Notwithstanding any other enactment, the contract of every person employed on a fixed term performance contract by the NTA, RDA or TMRSU, which is valid at the commencement of this Act, shall be deemed to have been entered into by the Authority and shall remain governed by its existing terms and conditions.

(11) The assets and funds of the NTA, RDA or TMRSU shall, at the commencement of this Act, vest in the Authority.

(12) All monies standing to the account of the Road Decongestion Programme Fund set up by the Road Development Authority shall, at the commencement of this Act, be transferred to the Road Decongestion Programme Fund set up under this Act.

(13) All rights, obligations and liabilities subsisting in favour of or against the NTA, RDA or TMRSU shall, at the commencement of this Act, continue to exist under the same terms and conditions in favour of or against the Authority.

(14) Any licence, certificate, permit or authorisation issued, registration made or application granted by the NTA, RDA or TMRSU, as the case may be, which is valid and in force at the commencement of this Act, shall be deemed to have been issued, made or granted by the Authority and shall remain valid for the period specified in the licence, certificate, permit, authorisation, registration book or any other document, as the case may be.

(15) Any application made to the NTA, RDA or TMRSU, pending at the commencement of this Act, shall be deemed to have been made to the

Authority and shall be dealt with in accordance with this Act and any other relevant enactment.

(16) Any act or thing done by the NTA, RDA or TMRSU shall, at the commencement of this Act, be deemed to have been done by the Authority.

(17) All proceedings, judicial or otherwise, commenced before and pending at, the commencement of this Act, by or against the NTA, RDA or TMRSU, shall be deemed to have been commenced, and may be continued, by or against the Authority.

(18) Where this Act does not make provision for any transition, the Minister may make such regulations as may be necessary for such transition.

### **33. Commencement**

(1) Subject to subsection (2), this Act shall come into operation on a date to be fixed by Proclamation.

(2) Different dates may be fixed for the coming into operation of different sections.

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**FIRST SCHEDULE**  
[Section 14(1)(a)]

**DECLARATION OF ASSETS**

I ..... ,  
applying to be employed as the Chief Executive Officer of the Mauritius Land  
Transport Authority/being the Chief Executive Officer of the Mauritius Land  
Transport Authority\*

take oath/make solemn affirmation as a ...../declare\*  
and say that –

1. I am unmarried/married under the system of .....\*
2. My assets/assets of my spouse/assets of my children\* in Mauritius and  
outside Mauritius are as follows –
  - (a) immoveable property –
    - (i) freehold .....
    - (ii) leasehold .....
  - (b) interest in any partnership, société, joint venture, trust or  
succession.....  
.....
  - (c) motor vehicles .....
  - (d) jewellery/precious metals .....
  - (e) securities including treasury bills, units, etc  
.....
  - (f) cash in bank .....
  - (g) cash in hand exceeding 50,000 rupees .....
  - (h) other assets exceeding 50,000 rupees in the aggregate .....

3. My liabilities/liabilities of my spouse/ liabilities of my children\* are as follows .....  
.....  
.....
4. Property sold, transferred or donated to my children of age during the period of 12 months immediately preceding the date of this declaration .....  
.....  
.....
5. Any other relevant information .....  
.....  
.....

.....  
Signature of maker

Sworn/Solemnly Affirmed/Declared\* by the abovenamed before me at .....  
....., this ..... day of .....

.....  
Master and Registrar  
Supreme Court

\* *Delete whichever is inapplicable*

\_\_\_\_\_

**SECOND SCHEDULE**

[Section 14(1)(b)]

**DECLARATION OF ASSETS**

I.....  
applying to be employed by the Mauritius Land Transport Authority/being an  
employee of the Mauritius Land Transport Authority holding the post  
of.....\*

declare that –

1. I am unmarried/married\* under the system of .....
2. My assets/assets of my spouse/assets of my children\* in Mauritius and  
outside Mauritius are as follows –
  - (a) immoveable property –
    - (i) freehold .....
    - (ii) leasehold .....
  - (b) interest in any partnership, société, joint venture, trust or  
succession .....
  - (d) motor vehicles .....
  - (d) jewellery/precious metals .....
  - (e) securities including treasury bills, units, etc .....
  - (f) cash in bank .....
  - (g) cash in hand exceeding 50,000 rupees .....
  - (h) other assets exceeding 50,000 rupees in the aggregate .....

3. My liabilities/liabilities of my spouse/liabilities of my children\* are as follows .....

.....  
.....  
.....

4. Property sold, transferred or donated to my children of age during the period of 12 months immediately preceding the date of this declaration

.....  
.....  
.....

5. Any other relevant information

.....  
.....  
.....

.....  
Signature of maker

.....  
Date

\* Delete whichever is inapplicable

\_\_\_\_\_

**THIRD SCHEDULE**  
[Section 20]

**PROJECTS UNDER THE ROAD DECONGESTION PROGRAMME FUND**

Bus Rapid Transit System  
East-West Connector  
Harbour Bridge  
Ring Road  
Terre Rouge – Verdun – Link Road  
Verdun – Ebène Link Road

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