

Citizens Charter - Ministry of Housing & Lands

This Charter – Our Pledge to the People

The Citizens' Charter is a guide which provides useful and comprehensive information on services provided by the Ministry of Housing and Lands. It aims at providing a high level of services to members of the public as well as safeguarding the rights of the citizens in obtaining relevant services from the Ministry. It also aims at providing a better working relationship between the public officers and the members of the public.

This charter covers services provided by the Ministry of Housing & Lands.

Under this charter we:

- Ø set the standards and targets for our services;
- Ø list information on our various services to the public;
- Ø inform the public where and how information on our services can be obtained; and
- Ø provide information on addressees/telephone numbers of sections to be contacted.

Our Vision

Putting Quality Service First.

Our Mission

- Ø To prepare a National Development Strategy (NDS), for the long term growth and physical development of the country, its city, towns and rural areas, areas of significant environment conservation or restriction including coastal/lagoon areas and other significant land use opportunity and constraint areas.
- Ø To provide a framework for local authorities i.e. Outline Schemes, to guide and control development in their area.
- Ø To prepare a series of Guidance Notes for each key sector or topic to guide major new applications and developments.
- Ø To devise and implement housing and land policies and programmes to meet the needs of the people, in particular the vulnerable groups of our society.

Our Core Values

- Ø To provide a solid basis for the long term physical development of the nation which supports the new national development strategy and direct development in a manner which will integrate economic competitiveness with environmental sustainability and social equity.
- Ø To support and encourage rather than restrict private sector development activities.
- Ø To provide the special context for a co-ordinated approach to a physical infrastructure planning and programming which supports national development objectives.
- Ø To integrate land use planning with the forthcoming new transport choice.
- Ø To reinforce and modernize the legal and institutional structure for physical development planning, control and enforcement so that meaningful and lasting results can be achieved.
- Ø To satisfy the housing and land needs of the people of Mauritius.
- Ø To achieve more effective management and use of state Lands.
- Ø To devise plans, policies and programmes which are effective and efficient, flexible and balanced.

Charter Coverage

This charter gives an overview of the services and activities of the different units in the Ministry as follows:-

Survey Division

A. Services Offered

1. (a) Grant of leases of state land (including Pas Géométriques) for the following purposes:
 - (i) Industrial site leases
 - (ii) Building site leases to low income group
 - (iii) Commercial site leases
 - (iv) Religious, cultural, social and educational site leases
 - (v) Agricultural leases
 - (b) Renewal of leases
 - (c) Grant of "Droit de Surélévation" for building site leases.
2. Pledging of Leasehold rights by State Land Lessee

3. Consultations of Memoranda of Surveys and acquisition plans and issue of certified copies of same at the Archives Division

Documents to be produced for industrial leases including hotel and other big projects:

- (i) Project Proposal including financial strength
- (ii) In case of companies or societies, copies of certificates of incorporation of same
- (iii) In case of the issue of a reservation letter of a plot of land, submission of a cash deposit within a period of one month and a set of preliminary architectural designed plans and feasibility study within a period of three months as from date of letter.

Documents to be produced for:

- (i) Building Site Leases
- (ii) Commercial Site Leases
- (iii) Agricultural Leases
- (iv) Photocopies of Birth Certificate
 - a) Photocopies of Identity Card
 - b) Photocopies of Marriage Certificate (if applicable)
 - c) Salary receipts
 - d) Birth Certificate and Identity Card of Spouse (if applicable).

Documents to be produced for Religious, Cultural, Social and Educational Leases

Photocopy of certificate of Registration and Memorandum of Incorporation of Company/Association/Society.

Time Frame within which an approval is conveyed to applicant for industrial leases (including Hotel and other big projects)

- (i) Acknowledgement letter within one week.
- (ii) Negative reply within 2 months if land applied for is committed or is not available.
- (iii) Reservation letter within 3 months.
- (iv) Letter of intent within 6 months as from date of reservation letters satisfying conditions in cash deposit, submission of plans and feasibility study of the project.
- (v) Acceptance of letter of intent by applicant and payment of rent and survey fee within one month.
- (vi) Survey of site within one month from acceptance of letter of intent.
- (vii) Drawing and signature of deed of lease within two months.

Time Frame within which an approval is conveyed to applicant for Building Site Lease, Commercial Site Lease, Agricultural Site lease, Religious, Cultural, Social and Educational Site Leases,

- (i) Acknowledgment Letter within one week.
- (ii) Negative reply within two months.
- (iii) Letter of Intent within three months of application.
- (iv) Acceptance of Letter of Intent by applicant and payment of rent and survey fee within one month.
- (v) Survey site within one month from acceptance of Letter of Intent.
- (vi) Drawing up and signature of Deed of Lease within two months.

A.2 Pledging of Leasehold Rights by State Land Lessee

A lessee is entitled to pledge his/her leasehold rights with regard to development in the Lease Agreement.

Procedures for application

- Ø Application to be submitted by the lessee in writing to the Permanent Secretary of the Ministry together with an agreement letter from a known lending institutions for the pledging of rights in the leasehold for the grant of a loan.
- Ø Loans must be taken from known lending institutions and a statement from the latter to that effect must be produced by the lessee (applicant).

Time Frame within which an approval is conveyed to applicant.

- Ø Acknowledgment Letter within one week;
- Ø Application is processed within two weeks.

A.4 Consultation of Memoranda of Surveys and Acquisition Plans and Issue of Certified Copies of Same at the Archives Division of the Ministry

Searches, free of charge, are carried out at the Archives Office of the Ministry for consultation of memoranda of surveys and acquisition plans of Government Projects.

Cartographic Section

INTRODUCTION

The Cartographic Section of the Ministry of Housing & Lands is responsible for the Sale of Maps, Aerial Photographs, and other customized cartographic services.

A. Services Offered

1. Sale of maps in both hard and soft copies
2. Sale of aerial photographs
3. Granting of permission for reproducing copyrighted maps

Queries

We will respond to your telephone queries. Your Fax queries will be acknowledged within three working days.

Planning Division

Services Offered:

- A. Issue of Residential Zoning Certificates
- B. Issue of Planning Clearances

A. Issue of Residential Zoning Certificate

Documents to be produced

- Ø An application form filled by the notary, specifying in particular, the full names of the present owner and the buyer, the extent of the land and whether it is built up and its location. A copy of the application form may be downloaded from the Ministry website at <http://housing.gov.mu>
- Ø A location plan showing the location of the site and distances from easily-identifiable landmarks like schools, churches, shops, etc., certified by a sworn land surveyor.
- Ø A survey plan showing the site and all the pertinent details, drawn by a sworn land surveyor.
- Ø Two copies each of the above documents must be submitted.

Time Frame

If all the necessary documents and information are submitted, a residential zoning certificate is issued in 21 days.

Documents to be Submitted when Applying for Planning Clearance

The application includes a covering letter giving the reference number of the Ministry file, some details of the project and 3 sets of architectural plans, i.e., a site plan, layout plans of all the buildings and structures, elevational plans and sections.

The plans should be designed in accordance with the Planning Policy Guidance published by the Ministry and which is available for consultation at the Planning Division and on the website of the Ministry at <http://housing.gov.mu>

Time Frame

If all the conditions and norms are satisfied, a letter is issued informing the lessee that the plans are approved and the development may proceed, provided all other clearances and permits are obtained. This is referred to as the planning clearance.

The Ministry endeavours to determine an application within 28 days. Clearances are delayed when all the information are not submitted, or when the plans do not conform to the lease conditions or the Planning Policy Guidance. Then, the lessee is informed of the shortcomings and is requested to amend the plans and resubmit.

Town & Country Planning Board

The Town and Country Planning Board (TCPB) is a statutory body established under the Town and Country Planning Act 1954, operating under the aegis of the Ministry of Housing and Lands.

Services Offered:

- (i) Formulation of Outline Schemes
- (ii) Hearing of appeals from persons aggrieved by the decisions of the Local Authorities in respect of Development Permit.
- (iii) Sale of copies of Outline Scheme.

Note: With the coming into force of the Local Government Act 2003, the Board has been advised that it has no authority to hear appeals against decisions of the Permits & Licences Committee set up under the Local Government Act.

Outline Schemes

Outline Schemes are documents which set out the vision for development within a specific area. It takes on board the views of various stakeholders (Local Authorities, other Ministries, private landowners, etc.). Members of the public also have an opportunity to make representations when an Outline Scheme is put on public deposit.

Procedures for Preparation of Outline Schemes

- (i) Where a District Council area or part of it has been declared a planning area, the Board shall cause an Outline Scheme to be prepared in respect of this area.
- (ii) Where an Outline Scheme has been prepared in accordance to paragraph (i) above, the Board shall arrange for its deposit in the local authority concerned and at the seat of the Town & Country Planning Board. Notice of that deposit shall be published by the Board in the Government Gazette and in two dailies as approved by the President of the Republic.
- (iii) Any person may within three months of the date of the Notice inspect and make representations to the Board in respect of the scheme.
- (iv) After the three months period, the Board shall consider any representation made and shall as it thinks fit amend this scheme.
- (v) The scheme as amended shall be submitted for the consideration of the President and for his approval.
- (vi) When the President has approved the scheme, the Board shall arrange for its deposit in the local authority concerned and at the seat of the Town and Country Planning Board.
- (vii) When Notice has been published, the scheme shall have full legal effect and shall serve as a tool for development control in that local authority area or part of it.

Sale of Copies of Outline Schemes

Copies of Outline Schemes are also available for sale at the seat of TCPB at the price of Rs. 5,000.

Consultation

The Outline Schemes are available for consultation at the office of the Town and Country Planning Board between 9.00 a.m. to 12.00 hrs and 12.30 hrs to 15.30 hrs.

Morcellement Unit

The Morcellement Board was set up under the Morcellement Act 1990 as a one-stop shop for the parcelling of land into two or more lots either for residential, industrial, commercial, religious or agricultural purposes.

A. Services Offered

- (i) issue of Letter of Intent which shall entitle the applicant to execute all infrastructural works;
- (ii) issue of Morcellement Permit for the subdivision of land.

B. Laws/Regulations Governing Morcellement Permit

- (i) The Morcellement Act, 1990
- (ii) The Sugar Industry Efficiency Act 2001

C. Documents to be Submitted When Applying For Morcellement Permit

In accordance with Section 5 of the Morcellement Act 1990, the applicant submits his application for a Morcellement Permit and plan as follows:

- (i) residential, commercial or industrial purposes
 - (a) 13 copies of the application form for Morcellement Permit;
 - (b) 2 copies of the application form for development permit;
 - (c) 4 copies of title deed;
 - (d) 29 copies of plan (14 original inclusive).
- (ii) agricultural purposes
 - (a) 9 copies of application form for Morcellement Permit;
 - (b) 2 copies of application form for development permit;
 - (c) 4 copies of title deed;
 - (d) 16 copies of plan (9 original inclusive).

Note: Application forms are available at the counter of the Morcellement Unit, 5th Floor, Ken Lee Building, Edith Cavell Street, Port Louis.

H. Time Frame

However, applications which would require a Land Conversion Permit or an EIA Licence, the time lag for the issue of a Letter of Intent is 12-18 months.

The applicant is given a delay of 6 months to submit final clearance certificates for small development and for big Morcellement projects (3ha or above), a delay of 1 year is granted.

I. Issue of Morcellement Permit

On receipt of final clearance certificates, the Board submits a recommendation to the Minister for the issue of a Morcellement Permit. Upon approval of the Minister, the applicant is required to pay a Morcellement fee as mentioned at para .(f) above:

- (ii) applicant is given a delay of 6 months to effect payment;
- (iii) payment should be effected at the cashier office, 2nd Floor, SILWF Building, Edith Cavell Street, Port Louis;
- (iv) once payment is effected the Morcellement Permit is issued within a delay of two weeks.

Note:

- Ø The applicant must obtain a Preliminary Environment Report (PER) for the parcelling of land between 1 to 3 ha and an Environmental Impact Assessment (EIA) for the parcelling of land of the extent of 3ha and above.
- Ø The applicant must obtain a Land Conversion Permit (LCP) issued by the Ministry of Agro-Industry and Fisheries where the land is/has been under sugar cane cultivation.
- Ø Prohibition on sale - in accordance with Section 8 of the Morcellement Act.
- Ø An applicant who has not been issued with a Morcellement Permit shall not:
 - (a) sell or enter into any agreement to sell; or
 - (b) receive any payment or other considerations in respect of any sale or any agreement to sell any portion of land comprised in the Morcellement in respect of which an application has been made except for specific cases as mentioned in Section 14(3) of the SIE Act 2001.

Housing Management Unit

A. Services Offered

The under-mentioned services are offered to the residents of Ex-CHA, 177 Housing Estates and other owners of Ex CHA houses.

1. Sale of houses and finalisation of notarial deeds
2. Renewal and grant of leases
3. Transfer of ownership of house and leasehold
4. Subdivision and Survey of land
5. Planning Clearance for residential and commercial Developments
6. Pledging of leasehold rights
7. Survey of CHA sites
8. Advice to residents in connection with subletting, squatting, encroachments, extensions, dispute with neighbours, etc.
9. Record complaints from the residents
10. To liaise with the relevant authorities for

remedial action Scavenging service and infrastructure needs in the housing estates and liaise.

Procedures for application

- Ø Request for survey is made by the lessee to the Housing Management Unit;
- Ø A survey fee of Rs600 per lot is paid by the lessee to the Cashier's Office of the Ministry, 2nd Floor, SILWF Building, Edith Cavell Street, Port Louis.

Documents to be produced

- Ø Deed of lease
- Ø Photocopies of Birth Certificate, Identity Card, Marriage Certificate, (if applicable), Salary receipts, Birth Certificate and Identity Card of Spouse (if applicable). Photocopy of Certificate of incorporation of Company/Association/Society.

Time Frame within which an approval is conveyed to applicant.

- Ø A survey report is issued to the lessee within a period of one month upon finalization of the survey;
- Ø For cases involving subdivision, survey report in respect of each lot is issued within a period of two months is obtained;
- Ø For cases involving encroachment and request for additional land, survey report is issued within three months.

Fair Rent Tribunal

The Fair Rent Tribunal is governed by the Landlord and Tenant (Amendment) Act No 5 of 2005. Any aggrieved Landlord or Tenant may apply to it mainly to determine the fair rent of any premises let after 15 August 1999 or the market rent of business premises let on or before 1st July, 2005.

Procedures

Any person may apply to the Tribunal in writing by filling the prescribed form obtainable at the office of the Secretary.

The application will have to be accompanied by the prescribed fee of Rs 250; for more details, please see the 'Cost of Service' hereunder.

When the case is entered, the Registrar will issue notice on the other party informing him on the date on which the case will be called. Such notice will be served by an usher.

Time Frame

Upon receipt of an application, the respondent will be summoned to appear before the Tribunal within 3 weeks. The Tribunal will determine the fair rent of any premises within 12 weeks after the first hearing. Cases that go beyond this period are outside the control of the Tribunal.

Appeal from the Tribunal

Any person who is not satisfied with the determination of the Tribunal may, within 21 days of the date of the determination appeal to the Supreme Court.

The rent may be increased every year according to the formula given hereunder starting from the date of the agreement or determination of the market rent up to 30 June 2012.

Finance Division

A. Services Offered

- (i) Rent collections in respect of Pas Géométriques and State Land Leases including the Ex-CHA;
- (ii) Payment of goods and services provided by suppliers and contractors; and
- (iii) Payment of salaries and allowances to the staff of the Ministry.

We will process bills/claims for services rendered to the Ministry within five days to the Accountant General's Office for payment, provided all relevant receipts/invoices are submitted.

Cash Office

Hours of business on week days only

§ from 0900 hrs. to 1200 hrs.

§ from 1230 hrs to 1430 hrs.

The following payments are accepted at the above cash office:-

- (i) State Land Rent including Ex-CHA rent;

- (ii) Registration/Stamping dues in respect of State Land Lease Agreements;
- (iii) Fair Rent Tribunal fees;
- (iv) Morcellement fees;
- (v) Sale of maps; and
- (vi) Any other payments pertaining to the Ministry's activities.

Payment of annual rent in respect of Pas Geometriques and State Land Leases should be made between 1st July to 31st July each year, after which interest at the legal rate per annum becomes due. Those wishing to pay by cheque or postal order should indicate their names, addresses and phone number to facilitate their identifications.

Payment may be made either by cash, bank cheque or Inland Postal Order to the order of the Government of Mauritius.

18 May 2007

National Housing Development Company

(Slab Department)

Services offered:

- (a) Grant for Casting of Roof Slab
- (b) Grant for a Second Housing Unit (Vertical Extension)
- (c) Grant for Building Materials

Contact:

- (i) For applications and procedures
Citizens' Advice Bureau (**CAB**) nearest to your construction site
- (ii) For any other queries
NHDC (Slab Department)

Documents to be produced:

- (i) Birth certificate(s) and Identity card(s) (for spouse also if married).
- (ii) Marriage certificate/certificate of divorce (if applicable).
- (iii) Salary slip(s) or Affidavit(s) stating monthly income and occupation if self-employed.
- (iv) Approved constructions drawings in the name of applicant.
- (v) Development permit and building permit in the name of applicant.
- (vi) Detailed site and location plan.
- (vii) Title deed.
- (viii) Registered letter of authorisation (if applicant is not owner of land).
- (ix) If land owned is leasehold, letter of authority from relevant Organisation/Ministry should be submitted.

Procedures for application

Persons willing to avail of the different grant schemes should go to the Citizens' Advice Bureau (CAB) of the locality where construction is being carried out.

The applicant should inform NHDC through the notification form once he has reached beam level for Casting of Roof Slab or Second Housing Unit (or 1 metre above plinth level is reached for building materials).

The notification form (Advise Beam Cast letter) will be given by CAB officer at the time of application. The notification form should be sent only when beams are completely cast or construction has reached 1 metre above plinth level.

Time Frame

- (i) Applications forms will be collected from CAB office at a regular interval of 10 days.
- (ii) Upon reception of your notification form, site visit will be effected within 10 days.
- (iii) Successful cases will be processed for Committee within 15 days.
- (iv) Beam Committee will be held at a regular interval of 15 days.
- (v) List of approved cases will be sent to MHC for vetting in 2 days.
- (vi) Reception of vetted list from MHC* 10 days
- (vii) Vetted list will be sent to the Government for payment in 2 days.
- (viii) Disbursement of funds by Government* 21 days.
- (ix) Payment of grant to applicant after reception of funds within 15 days.

* These two elements are not dependant on NHDC

Applicants satisfying all the prevailing criteria and having submitted all the documents relevant to their demand will obtain their Government Grant in a time span of 3.5 months or 100 DAYS.

Marketing Department

Main Functions of the Marketing Department

1. To register applicants who wish to purchase a housing unit.
2. To assist and attend to the queries of the public regarding eligibility criteria, construction sites, repayment conditions, and procedures of allocation of these housing units.
3. To liaise with the relevant authorities for obtaining the necessary permits, licences and clearances.
4. To facilitate conveyance procedures for the sale of NHDC houses.
5. To register applicants who wish to be allocated a plot of State Land under the Sites and Services project.
6. To carry out eligibility interviews of applicants.
7. Hardship cases, .e.g. families who have been expelled from their homes as a result of a court order or whose lodgings have been damaged beyond repair by fire, cyclones, floods, and other natural calamities.

8. Social cases being followed by the Ministry of Social Security, the Trust Fund for the Social Integration of Vulnerable Groups, Charitable Institutions, etc.

Services Offered:

- (a) Purchase of a NHDC Housing Units
- (b) Sites and Services

Application to purchase an NHDC housing unit

1. Application

Applicants should call in person at the Reception Desk on any working day between 8.30 a.m. and 4.00 p.m. to fill in an application form.

At the time of registration, applicants should bring the original of the following documents:

- Ø Birth certificates of husband and wife.
- Ø National identity cards of husband and wife.
- Ø Marriage Certificate.
- Ø Final divorce certificate (if applicant is divorced).
- Ø Death Certificate of spouse (if applicant is widowed).
- Ø Income statements (payslips or pension cards) for the last six months of husband and wife. Self-employed applicants should submit (i) a valid trading license or permit and/or (ii) an affidavit stating occupation and monthly income.
- Ø Most recent statement or receipt of PEL and bank accounts.

2. Eligibility criteria

- Ø Applicants should not be owner of a house or of residential plot of land.
- Ø They must also have the *repayment capacity* to service the mortgage debt for the purchase of a house.

3. Allocation procedure

A few months before completion of the housing units, applicants will be called for an eligibility assessment interview. Priority is given to:

- Ø Applicants who have submitted their application first.
- Ø Applicants who reside in the defined catchment area.

Sites and Services – General Information

1. Introduction

This project consists in the provision of about 300 serviced plots of land each year for the construction of houses. Under this scheme, applicants who meet the eligibility criteria listed below will receive, on lease, a plot of State Land of about 50 toises for constructing a house.

Beneficiaries will be required to enter into a lease agreement with the Ministry of Housing and Lands and pay the cost of its *mise en règle*. The contracting parties in this document will be the Ministry of Housing and Lands, on the one hand, and the beneficiaries, on the other hand.

After selection, the NHDC Ltd will submit the personal file of successful applicants to the Ministry of Housing and Lands for preparation of the lease agreements.

2. Eligibility Criteria

Applicants should:

- (a) have a combined household income between Rs 7,500 and Rs 12,000;
- (b) not own a house (including NHDC or CHA house);
- (c) not own a residential plot of land;
- (d) not hold a residential plot of State Land by lease;
- (e) not have been granted any Government sponsored loan by MHC Ltd;
- (f) not have benefited from any Government grant for the casting of a roof slab; and
- (g) not have received any financial assistance from Government for the purchase of construction materials.

3. Lease period and Rent

The lease would be granted up to 30th June 2060. The rent will be Rs 3,000 per annum for the first ten years, and will increase by 50 per cent after every ten year period.

4. Construction period

Beneficiaries will have to start construction works, at latest, 6 months after they have signed the lease agreement. They will then have to complete and start occupying the housing unit, at latest, 18 months after the start of construction works.

If they fail to comply with the specified construction deadlines, the Ministry of Housing and Lands may cancel the lease agreement and repossess the plot of land without payment of any compensation.

15 May 2006