



LAW REFORM COMMISSION

2011 Annual Report on the Activities of the Commission

(Under section 17 of the Law Reform Commission Act)

(Period 1 January to 31 December 2011)

[January 2012]

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About the Commission

The functions of the Commission are to –

- (a) keep under review in a systematic way the law of Mauritius;
- (b) make recommendations for the reform and development of the law of Mauritius;
- (c) advise the Attorney-General on ways in which the law of Mauritius can be made as understandable and accessible as is practicable.

The Commission consists of –

- (a) a Chairperson, appointed by the Attorney-General;
- (b) a representative of the Judiciary appointed by the Chief Justice;
- (c) the Solicitor-General or his representative;
- (d) the Director of Public Prosecutions or his representative;
- (e) a barrister, appointed by the Attorney-General after consultation with the Mauritius Bar Council;
- (f) an attorney, appointed by the Attorney-General after consultation with the Mauritius Law Society;
- (g) a notary, appointed by the Attorney-General after consultation with the Chambre des Notaires;
- (h) a full-time member of the Department of Law of the University of Mauritius, appointed by the Attorney-General after consultation with the Vice-Chancellor of the University of Mauritius; and
- (i) two members of the civil society, appointed by the Attorney-General.

The Chief Executive Officer has responsibility for all research to be done by the Commission in the discharge of its functions, for the drafting of all reports to be made by the Commission and, generally, for the day-to-day supervision of the staff and work of the Commission.

The Secretary to the Commission is also responsible, under the supervision of the Chief Executive Officer, for the administration of the Commission.



LAW REFORM COMMISSION

- Chairperson** : Mr. Guy OLLIVRY, QC, GOSK
- Chief Executive Officer** : Mr. Pierre Rosario DOMINGUE [Barrister]
- Members** : Mr. Satyajit BOOLELL, SC [Director of Public Prosecutions]
- Mrs. Aruna D. NARAIN [Parliamentary Counsel]
- Mr. Nicholas F. OHSAN BELLEPEAU [Ag. Deputy Master & Registrar]
- Mr. Rishi PURSEM, SC [Barrister]
- Mr. Narendra APPA JALA, SA [Attorney]
- Mr. Michel Nicolas BOULLÉ [Notary]
- Mrs. Luvishka SEEJORE BILTOO [Law Academic (UoM)]
- Mrs. Daisy Rani BRIGEMOHANE [Civil Society]
- Mr. Navin GUNNASAYA [Civil Society]
- Secretary** : Mrs. Saroj BUNDHUN

Legal Research Cadre (other than Chief Executive Officer)

Consultant : Professor Robert Louis GARRON

Law Reform Officer : Mr. Sabir M. KADEL

Legal Research Assistant : Mr. Goran GEORGIJEVIC

Administrative Support Staff (other than Secretary to Commission)

Senior Officer : Mrs. Marie Roseliette SOOBRAMANIA

Officer : Mrs. Neelamani BANSRAM

Mrs. Kajal RAMDUT

Senior Office Attendant : Mr. Subhas CHUMMUN

Office Attendant-Driver : Mr. Claude Francois JEAN-PIERRE

Mr. Naraindranathsingh JANKEE

Introductory Note to this Report

1. This is the Fifth Report of the Law Reform Commission [LRC] to the Honourable Attorney-General, under section 17(1) of the Law Reform Commission Act. This Report concerns the activities of the Commission during the calendar year 2011.

The Commission: its Resources, Working Method and Law Reform Strategy

Membership of Commission

6. The Board is currently constituted as follows:
 - (a) The Chairperson is Mr. G. OLLIVRY, QC, GOSK, who is in office since 1 May 2006 and has been re-appointed on 1 May 2011 for a further term of five years;
 - (b) Members are:
 - (i) Mr. N. OHSAN BELLEPEAU [Ag Deputy Master and Registrar & Judge in Bankruptcy, appointed by Chief Justice as Representative of the Judiciary as from 7 October 2011];
 - (ii) Mrs. A.D. NARAIN [Parliamentary Counsel and Representative of the Solicitor-General as from 14 April 2011];
 - (iii) Mr. S. BOOLELL, SC [Director of Public Prosecutions];
 - (iv) Mr. R. PURSEM, SC [Barrister, appointed by Hon. Attorney-General (after consultation with Mauritius Bar Council) as from 1 May 2011 for a term of five years];

- (v) Mr. N. APPA JALA, SA [Attorney, appointed by Hon. Attorney-General (after consultation with Mauritius Law Society) as from 1 May 2011 for a term of five years];
- (vi) Mr. M.N. BOULLÉ [Notary, appointed by Hon. Attorney-General (after consultation with the Chambre des Notaires) as from 1 May 2011 for a term of five years];
- (vii) Mrs. L. SEEJORE BILTOO [full-time member of the Department of Law of the University of Mauritius, appointed by Hon. Attorney-General (after consultation with the Vice-Chancellor of the University of Mauritius) as from 1 May 2011 for a term of five years];
- (viii) Mrs. D.R. BRIGEMOHANE [Member of Civil Society, appointed by Hon. Attorney-General as from 1 July 2010 for a term of five years]; and
- (ix) Mr. N. GUNNASAYA [Member of Civil Society, appointed by Hon. Attorney-General as from 1 July 2010 for a term of five years].

7. During the year 2011, the following persons also served as Members of the Commission:
- (a) Mr. D. CHAN KAN CHEONG, SC [as Representative of the Solicitor-General until 27 January 2011 (when he resigned following appointment to the Bench)];
 - (b) Mrs. R. TEELock [as representative of the Judiciary, from 3 June 2010 to 31 May 2011];
 - (c) Mr. P. FEKNA [as representative of the Judiciary, from 1 June 2011 to 6 October 2011];
 - (d) Mr. R. DAUREEAWO, SC [Barrister] served as Member from 1 May 2006 to 30 April 2011;
 - (e) Mr. P. RANGASAMY [Attorney] served as Member from 1 May 2006 to 30 April 2011;
 - (f) Mr. Roland CONSTANTIN [Notary] served as Member from 1 May 2006 to 30 April 2011;
 - (g) Ms. O. LIM TUNG [Law Academic (UoM)] served as Member from 1 May 2006 to 30 April 2011.

8. During the year 2011, the Commission held nine meetings.

Funding of the Commission

8. During the financial year 2011, the Commission was afforded a grant of Rs 8,900,000, appropriated by the National Assembly for meeting the operating expenses linked with the fulfillment of its mission.

Human Resources of the Commission

9. The staff of the Commission was composed as follows:
- (a) The Chief Executive Officer;
 - (b) The Secretary to the Commission and other administrative support staff [one Senior Officer, two Officers, one Senior Office Attendant, and two Office Attendant-Drivers]; and
 - (c) One Law Reform Officer.
10. The services of a Legal Consultant for the Reform of the Codes were hired as from July 2011.

Office Premises and Facilities of the Commission

11. The Office of the Commission is located on the 4th Floor of Cerné House and occupies an office space of about 250 square meters. The Commission has a conference room and a documentation centre.

Working Method & Law Reform Strategy

12. The Commission considers our laws should reflect best international practices, meet the exigencies of globalization, and be adapted to the changing needs of the people. The Commission is thus committed to comparative legal research in order to evaluate the merits and demerits of our law in the light of the experience of other jurisdictions. The Commission also holds the view that, where possible, any proposed solution must be tested against empirical evidence.
13. Consultations with all the relevant stakeholders are regarded as crucial for the performance of the Commission's functions and have invariably been resorted to in order to develop greater awareness of legal issues and contribute to capacity building of those called upon to apply the law.
14. The Commission has links with other law reform agencies. It is a member of the Commonwealth Association of Law Reform Agencies [CALRAs] and the Association of Law Reform Agencies of Eastern and Southern Africa [ALRAESA].

The Work of the Commission and Its Achievements

15. The Commission has been reviewing, at the request of the Hon. Attorney-General, the Code Civil Mauricien, the Code de Commerce and the Code de Procédure Civile.

It has also reviewed, at the request of the Hon. Attorney-General, the following aspects of the law: liberalisation of the profession of court ushers; establishment of a Court of Appeal and a High Court, and the composition of JLSC; establishment of a Family Court;

prevention of vexatious litigation; cost in criminal cases; road traffic legislation and the penalty point system, and legal aid reform.

16. The Commission has been working, of its own initiative (or on proposal made by persons other than Hon. Attorney-General), on review/reform of the following aspects of the law: Criminal Code; Criminal Justice System (in particular criminal evidential rules); Framework for Business Facilitation; Application of Laws in Rodrigues; and Compliance of laws with the Constitution, human rights and international standards.

17. In the **Opinion Paper on “Establishment of Court of Appeal and Composition of JLSC (Judicial and Legal Service Commission)”** [August 2011], the Commission took the view that:

- (a) The Supreme Court should comprise a Court of Appeal Section and a High Court Section;
- (b) The Court of Appeal Section should, however, only hear appeals from the High Court Section;
- (c) The High Court Section should act as a court of first instance and should also hear appeals from the subordinate courts [as is the case in Singapore];
- (d) A barrister of appropriate standing should also be qualified for appointment as a Justice of Appeal;
- (e) There is a need for a change in the Membership of the Judicial and Legal Service Commission [JLSC]. It is not necessary to have a representative of the private sector appointed as Member of the JLSC in order for it to adopt new methods of human resource management membership. The Chairperson of the Public Service Commission need not be a Member of the JLSC. Membership of JLSC should include Solicitor-General and the Director of Public Prosecutions.

18. In the **Issue Paper on “Establishment of Family Court and Conduct of Family Proceedings”** [November 2011], the Commission has been of the opinion that a Family Court with all the required support services must be established. The Court should have

exclusive original civil and criminal jurisdiction in respect of family affairs. Provision must be made for Conciliation for the settlement of disputes relating to family affairs. Counseling services should be made available to parties in proceedings before the Family Court. The Family Court should be empowered to secure the services of a medical expert or such other person, including a person professionally engaged in promoting the welfare of the family, as it may think fit.

19. The Commission has considered observations made by the Supreme Court in *Sookun v State (2010) SCJ 349* at p 4 that “... no specific provision exists for costs to be granted in favour of an accused in the case of a charge being dismissed. The legislator may wish to have this disparity amended in due course”. In its **Opinion Paper on “Costs in Criminal Cases”** [April 2011], the Commission recommended that the following amendments be made to the law:

- (a) That the Supreme Court be conferred the power to order costs against the prosecution upon dismissal of the information where the Court is satisfied that on the facts of the case no prosecution should have been brought against the party charged;
- (b) That the Court of Criminal Appeal be empowered to make an order for costs against an unsuccessful appellant or respondent, including the prosecution on a dismissal of a charge where the facts show that no prosecution should have been brought against the accused party on an objective assessment of the case;
- (c) That Costs should be ordered against the prosecution only where it appears it has acted in bad faith.

20. The Commission has considered at the request of a member of the public, one Mr. VC, the law on “Attorney’s Commission”.¹ In its **Opinion Paper on «Attorney’s**

¹ As a matter of practice, banks and other financial institutions require the following clause to be inserted in loan agreements/notarial deeds:

“Qu’en cas de recouvrement de tout ou partie du montant du prêt, de ses intérêts ou de tous autres accessoires, par le ministère d’un avoué, l’acquéreur/emprunteur sous peine

Commission» [April 2011], the Commission has been of the view that such a contractual obligation is in conformity with section 8(1) of the Constitution as the commission payable to the attorney as an ‘accessoire du dit prêt’ appears as an incident of a charge foreseen [by subsection (4)(a)(iii)] which is authorized by law. The Commission nonetheless considered that, as recommended by the Commission of Inquiry on Sale by Levy chaired by Sir Victor at para. 81 and 86 of its Report, the law should be amended to prohibit this unfair practice.

21. In the **Opinion Paper on “Appeal by Vexatious Litigant”** [April 2011], the Commission examined whether the denial of the right of appeal against an order declaring a person as a vexatious litigant and directing him not to initiate/continue proceedings without leave – as provided in the new section 197F of the Courts Act by the Courts (Amendment) Bill No. I of 2011 - conform with the Constitution and its human rights provisions and reflect best international practices. The Commission has been of the view that the proposed subsection (5) to the new section 197F is permitted by the Constitution and is comparable to what obtains in many other jurisdictions.

22. In the **Opinion Paper on “Liberalization of Usher Services”** [January 2011], the Commission, after examining the profession of ushers in other jurisdictions [the ‘huissier’ in France, and the ‘court usher’ and the ‘bailiff’ in England], expressed its support for the liberalization of the profession of usher as proposed by the Presidential Commission chaired by Lord Mackay.

d’exigibilité immédiate et de plein droit du montant du prêt ou de ce qui en restera s’oblige à rembourser immédiatement à la banque créancière la commission d’usage que cette dernière aura versé au dit avoué; laquelle commission ne pouvant en aucun cas excéder dix pour cent de la somme recouvrée par le dit avoué, ainsi que toute taxe sur la valeur ajoutée; laquelle commission sera considérée en cas de recouvrement par l’acquéreur/emprunteur comme accessoire du dit prêt et comme telle sera garantie par l’inscription qui sera prise lors de la transcription du présent contrat pour conservation du privilège résultant du paiement par la dite compagnie créancière ...”

23. In the **Opinion Paper on “Legal Aid Reform”** [February 2011], the Commission expressed its views on the ‘Green Paper on Equal Access to Justice: Reform on the Legal Aid in Mauritius.’

The Commission has been of the opinion that

- (A) The current legal aid system is certainly in need of reform: legal aid should include legal advice (and should not be restricted to legal representation) and a Legal Aid Board or Commission should be established;
- (B) Pro bono work by law practitioners, as is the case in England and Wales, should be encouraged;
- (C) It would not make sense to legislate to provide that all law graduates be compelled to do compulsory community service at any service provider as an admission requirement [this is inimical to the concept of community service which should be on a voluntary basis and the concept of a legal profession which is liberal in essence];
- (D) Whilst the idea of a “multilingual twenty four hours per day and seven days a week Red line phone in legal advice service for persons arrested or detained and in need of legal advice” looks attractive, it may turn out to be unworkable in practice.

The Commission considered that these are the key policy issues that have to be addressed by the Hon. Attorney-General in respect of the organization of the legal aid system:

- (a) What mandatory duties should the jurisdiction accept in relation to publicly funded legal services?
- (b) What discretionary services do you wish to provide?
- (c) What criminal services do you wish to provide? In particular, what services do you wish to provide prior to a suspect being charged and during interrogation by the police?
- (d) In relation to civil cases, how much of family, private, public and poverty law claims do you wish to cover?
- (e) How do publicly funded services interrelate with other forms of funding services or different ways of resolving a dispute?

- (f) Should legal services extend beyond representation to advice?
- (g) Do you accept a need to provide information and public legal education?
- (h) Do you wish to incorporate funding for public interest litigation and casework? If so, how?
- (i) What test of means do you envisage for criminal cases?
- (j) What test of means and merit do you envisage for civil cases?
- (k) Who will administer the tests of means and merit?
- (l) How do you envisage criminal services being delivered? Do you favour private practitioners, salaried practitioners, some form of ‘public defender organization’ or some combination of delivery? What are the advantages and disadvantages of each system?
- (m) Whatever your means of delivery for criminal cases, does it meet the determinants of good services?
- (n) How do you envisage civil services being delivered? Do you favour private practitioners, community law centres, national agencies or some other model?
- (o) What body will manage publicly funded legal services?
- (p) How will responsibilities for management and policy be divided?
- (q) Which government department will be responsible for legal aid policy and how will you ensure that it obtains sufficient information about what is the effect of policy on the ground?
- (r) What will be the mechanisms for accountability of the managing body?
- (s) Do you value the co-operation of the existing legal profession and, if so, how will you obtain it?
- (t) What provisions do you envisage to assure quality?
- (u) How will you ensure that your policy on legal services integrates within a wider access to justice policy?
- (v) How big is the budget? And how will you demonstrate value for money?

24. The Commission has examined the law on Leasing and has recommended in its **Report on “Crédit-Bail & Location Financière”** [November 2011] that the Code Civil

Mauricien be amended by adding in the ‘Livre Troisième’, after Article 1831, a new “Titre Huitième Bis”, entitled “Du Crédit-Bail et de la Location Financière” [Articles 1831-1 to 1831-107].

The Commission has also prepared a **Discussion Paper on “Crédit-Bail (Leasing)”** [November 2011], in which the main features of the statutory regime regulating “l’opération de crédit-bail” are examined, and the peculiarity of Mauritius law is highlighted. The advantages and disadvantages of having recourse to this technique for the acquisition of a property are also considered.

During debates in the National Assembly on the Economic & Financial Measures (Miscellaneous Provisions) (No. 2) Bill No. XXXII of 2011, concerns have been expressed as to the propriety of some of the provisions relating to leasing. In the **Issue Paper on “Crédit-Bail (Leasing)”** [December 2011], the Commission demonstrated that it has been guided by best practices as they obtain in other jurisdictions when drafting the provisions on leasing.

25. In the **Issue Paper on «Timeshare (Droits de Séjour à Temps Partagé)»** [July 2011], the Commission has considered that, given the development of Mauritius as a tourism destination of high-standing, the desirability of introducing the concept of Timeshare and Droits de Séjour à Temps Partagé in our law is desirable.
26. The Commission is reviewing of its own initiative the Criminal Code, which dates as far back as 1838, to determine whether it still reflects contemporary values. In the **Issue Paper on «Reform of Criminal Code»** [November 2011], the Commission, after examining the evolution of the Criminal Code and the criminal law over the past two centuries and after having done a survey of developments in other jurisdictions, considered what the guiding principles for the Criminal Law Reform process would be.

27. In the **Issue Paper on “Offences against Persons (Atteintes à la vie & à l'intégrité physique - homicide, menaces, violences)”** [December 2011], the Commission has compared the provisions of the Criminal Code (sections 215 seq.) relating to “Offences against the Person” in respect of “atteintes à la vie & à l'intégrité physique” - homicide, threats, violence - with equivalent provisions in the French Penal Code and the Canadian Criminal Code so as to identify those aspects of the law in need of reform. A number of issues are raised for discussion with criminal justice actors.
28. The Commission has reviewed our law on road traffic legislation and the “penalty point system” from a comparative perspective with a view to ascertaining whether it is in line with best international practices. It has also considered whether the legislative scheme devised for the “penalty point system” complies with the requirements of the Constitution and its human rights guarantees. In the **Issue Paper on “Road Traffic Legislation and Penalty Points System”** [December 2011], the Commission has been of the view that provisions in the Road Traffic Act which purport to confer on the Licensing Officer the power to suspend a driving licence fall foul of the Constitution and should be redrafted. The Commission supports the operation of a “penalty point system.” In most jurisdictions, the introduction of a “penalty point system” has led to a significant reduction in road accidents casualties and fatalities, when there is an effective traffic monitoring system.
29. During the year 2011, some of the recommendations of the Commission for reform of the following aspects of the law have been implemented:
- (1) Grounds and Procedure for Divorce;
 - (2) Prevention of Vexatious Litigation;
 - (3) Bail and other Related matters;
 - (4) Local Government; and
 - (5) Crédit-bail & location financière.

30. During year 2011, LRC personnel delivered the following Speeches at Seminars/Conferences:

- (1) **“Consumer Law Review: Findings and Recommendations for Reform”** (Mr. PR Domingue, CEO, 12 January 2011) [Ministry of Business, Enterprise, Cooperatives and Consumer Protection, Newton Tower 16th Floor, Port Louis];
- (2) **«Perspectives Réforme du Code Pénal»** (Mr. MS Kadel, Law Reform Officer, 27 January 2011) [ODPP’s Conference on Prosecutorial Standards, Seat of Bar Council, Port Louis];
- (3) **«L’incrimination du Faux et du Mensonge en Droit Pénal»** (Prof. RL Garron, Law Reform Consultant, 20 June 2011) [LRC Conference, Salle du Conseil, Municipalité de Port Louis];
- (4) **«Le Droit Foncier et les Sûretés dans le Code Civil Mauricien»** (Prof. RL Garron, Law Reform Consultant, 22 June 2011) [LRC Conference, Seat of Bar Council, Port Louis];
- (5) **«Le Code Civil Mauricien et le Droit de la Famille»** (Prof. RL Garron, Law Reform Consultant, 24 June 2011) [LRC Conference, Salle du Conseil, Municipalité de Port Louis];
- (6) **“Implementation of LRC’s Recommendations on Reform of Consumer Laws”** (Mr. PR Domingue, CEO, 11 October 2011) [Ministry of Industry, Commerce and Consumer Protection, Air Mauritius Building, 6th Floor, Port Louis];
- (7) **“Contribution of the Law Reform Commission to the Strengthening of Constitutionalism, Rule of Law and Democratic Governance in Mauritius”** (Mr. PR Domingue, CEO, 9 November 2011) [ALRAESA (Association of Law Reform

Agencies of Eastern and Southern Africa) Conference, Lilongwe, Malawi, 7-10 November 2011].

31. With a view to facilitating the implementation of its reform proposals regarding consumer laws [contained in the 2010 Report on “Review of Aspects of Consumer Protection Law and Proposals for Reform”], the Commission has advised the Ministry of Industry, Commerce and Consumer Protection as to the manner in which its recommendations can be given effect.
32. The Commission considers it as part of its mission that it should encourage learning and research on the laws of Mauritius and on legal practice. To that end, the Commission established in 2010 a *Law Reform Commission Shield and Cash Prize*. In November 2011, the procedure and criteria for the award were revised. The procedure and criteria are now as follows:
- (a) Each year the Commission shall invite applications, by way of a press notice, from students enrolled in a law program at the University of Mauritius or any other approved institution involved in legal education to submit an Essay of not more than 5000 words on an aspect of the law which they consider is in need of reform;
 - (b) The Essay can be submitted by one or more students (not exceeding three);
 - (c) The Prize may be awarded by streams: undergraduate stream, postgraduate academic or professional stream;
 - (d) The Commission shall set up a panel to decide on the award.
33. The Commission provides an opportunity to law students, registered at a university which has an “accord de stage” with it, to do an internship at the Commission. From 4 April to 3 June 2011, Ms. D. Rughoo, postgraduate student at the University of Nantes, did an internship at LRC during which she did research work on “Maurice et les règles de l’OMC” in respect of tourism sector.

Concluding Remarks

34. Last year, in October 2010 the Chief Executive Officer, on behalf of the Commission, paid tribute to Professor Stanley De Smith, Constitutional Commissioner for Mauritius in the 1960s, for his contribution to the development of Constitutionalism in Mauritius.

This year, the Chief Executive Officer paid tribute to Professor Robert Louis Garron for his immense contribution in the late 1970s and early 1980s to the development of the Code Civil and the Code de Commerce [24 June 2011, Council Room, Municipal Council of Port Louis].

This is what he said:

“Les Professeurs De Smith et Garron ont contribué au développement du Droit Mauricien. Ils ont montré ce que doit être la méthodologie mauricienne de la réforme du Droit: d’une part, étude empirique de la pratique du Droit Mauricien (notamment à travers des consultations avec les parties concernées), et, d’autre part, recherche des meilleures pratiques internationales. C’est cette méthodologie qui guide/inspire depuis les cinq dernières années la Law Reform Commission dans sa tâche de révision/réforme/simplification du Droit.”

35. We wish to reiterate what we said last year. The strength of our institution lies in its membership [drawn from professionals with experience who value their independence] and its methodology [its observations/views about laws/policies are driven by research: benchmarking of best international practices on any aspect of the law; empirical research (through consultation or surveys) as to the actual practice of the law and its impact on the lives of interested parties].

36. Just as courts our opinions are based on an expertise which the lay person (or may be even a lawyer) does not necessarily possess and which society stands to benefit from for the orderly conduct of human affairs and socio-economic progress. As courts we do not

allow our process to be abused of by busy cranks and their cronies: we have selection criteria for deciding whether or not to embark on a review of an aspect of the law when requested to do so by a person, other than the Hon. Attorney-General.

We have, however, an advantage over courts when we express ourselves on an issue. Courts deliver their opinion based on the law “as it is”; we base our opinion on “the law as it ought to be” [having regard to best international practices and empirical impact assessments on the behaviour of those likely to be affected by the rule].

Courts give their opinions in relation to cases brought before them. We do express views on matters when requested to do so by the Hon. Attorney-General or any other person but we can also, of our own initiative, convey our views on any legal issue.

Appendix: LRC Reports/Papers on aspects of the law reviewed

- (1) Issue Paper on «Offences against Persons (Atteintes à la vie & à l'intégrité physique - homicide, menaces, violences)» [December 2011];
- (2) Issue Paper on “Road Traffic Legislation and Penalty Points System” [December 2011];
- (3) Issue Paper on “Crédit-Bail (Leasing)” [December 2011];
- (4) Report on “Crédit-Bail & Location Financière” [November 2011];
- (5) Discussion Paper on “Crédit-Bail (Leasing)” [November 2011];
- (6) Issue Paper on “Establishment of Family Court and Conduct of Family Proceedings” [November 2011];
- (7) Issue Paper on «Reform of Criminal Code» [November 2011] ;
- (8) Opinion Paper on «Establishment Court of Appeal and Composition of JLSC (Judicial and Legal Service Commission)» [August 2011];
- (9) Issue Paper on «Timeshare (Droits de Séjour à Temps Partagé)» [July 2011];
- (10) Opinion Paper on «Attorney’s Commission» [April 2011];
- (11) Opinion Paper on “Costs in Criminal Cases” [April 2011];
- (12) Opinion Paper on “Appeal by Vexatious Litigant” [April 2011];
- (13) Opinion Paper on “Legal Aid Reform” [February 2011];
- (14) Opinion Paper on “Liberalization of Usher Services” [January 2011];
- (15) Report on “Mediation and Conciliation in Commercial Matters” [November 2010];
- (16) Issue Paper “Law as to Publicity for Appointment and Revocation of Agent and Proxy [November 2010];
- (17) Issue Paper on “Constitutional Protection of Human Rights” [October 2010];

- (18) Report on “Prevention of Vexatious Litigation” [October 2010];
- (19) Report on “Review of Aspects of Consumer Protection Law and Proposals for Reform” [October 2010];
- (20) Background Paper on “Reform of Codes (Code Civil Mauricien, Code de Commerce & Code de Procédure Civile)” [October 2010];
- (21) Issue Paper on “Criminal Investigation: Reform of Police Procedures and Practices’ [July 2010];
- (22) Issue Paper on “Evidence of Reluctant/Intimidated Witness in criminal Proceedings” Proposal for Reform of the Law” [May 2010];
- (23) Discussion Paper on “Judicial Review” [November 2009];
- (24) Issue Paper on “Social Partnership Framework” [November 2009];
- (25) Report on ‘Bail and other Related Issues’ [together with draft Bail (Amendment) Bill] [August 2009];
- (26) Report (together with draft Local Government Bill) on “Local Government Reform” [June 2009];
- (27) Discussion Paper on “Forensic Use of DNA” [April 2009];
- (28) Issue Paper on “The Office of Director of Public Prosecutions [DPP] and its Operational Autonomy” [March 2009];
- (29) Report (together with draft Bill) about “Law on Divorce” [December 2008];
- (30) Report (together with draft Bill) on “Disclosure in Criminal Proceedings” [December 2008];
- (31) Working Paper on ‘Reform of Local Government Legislative Framework’ [December 2008];
- (32) Issue Paper on “Equality/Anti-Discrimination Legislative Framework (*Re* Equal Opportunities Bill No. XXXVI of 2008)” [November 2008];
- (33) Report (together with draft legislation) on “Law relating to NGOs” [November 2008];

- (34) Review Paper on “The Criminal Justice System and The Rights of an Accused Person” [September 2008];
- (35) Report (together with draft Bill) on “Access to Justice and Limitations of Actions against Public Officers and the State” [May 2008];
- (36) Discussion Paper on “Law and Practice relating to Criminal Investigation, Arrest and Bail” [April 2008];
- (37) Issue Paper on “Disclosure in Criminal Proceedings” [December 2007];
- (38) Issue Paper “Commentary on some of the Human Rights dimensions of the Sexual Offences Bill No. VI of 2007” [June 2007];
- (39) Discussion Paper on “Access to Justice and Limitations of Actions against Public Officers and the State” [June 2007];
- (40) Report (together with draft Bill) on “Relationship of Children with Grand Parents and Other persons under the Code Civil Mauricien” [June 2007];
- (41) Report (together with draft Bill) on “Opening Mauritius to International Law Firms and Formation of Law Firms/Corporations” [May 2007].