



LAW REFORM COMMISSION

2011 Annual Program of Review, Reform and Development of the Law

(Under section 4(3) of the Law Reform Commission Act)

[January 2011]

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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

Members : Mr. Satyajit BOOLELL, SC [Director of Public Prosecutions]

Mr. David CHAN KAN CHEONG, SC [Parliamentary Counsel]

Mrs. Rita TEELock [Master and Registrar, Supreme Court]

Mr. Rashad DAUREEAWO, SC [Barrister]

Mr. Pazhany RANGASAMY [Attorney]

Mr. Roland CONSTANTIN [Notary]

Ms. Odile LIM TUNG [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)

Legal Research Assistant : Mr. Sabir M. KADEL

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: Background

As required by section 4(3) of the Law Reform Commission Act [Act No. 26 of 2005], the Commission has elaborated, and is submitting to the Hon. Attorney-General, its 2011 Annual Programme for the review of specific aspects of the law of Mauritius with a view to their reform and/or development.

In preparing this program, the Commission has been guided by its strategic objectives, which are to ensure our laws are responsive to the needs of society [there should be equal access to and treatment by the law and legal system] in the light of the exigencies of globalization, are in conformity with our international obligations and reflect best international practices.

LRC Current Projects

Constitution, Human Rights, Court System & Legal Services, and other Public Law issues	Criminal Justice System and Criminal Law	Civil Justice System and Civil Law	Business Law, Tax Law, and other Law and Development Issues
<ul style="list-style-type: none"> - Constitution, Public Law Framework (incl. laws applicable in Rodrigues) & Mechanisms for Securing Human Rights (including Compliance of laws with provisions in human rights treaties) - Court Structure and Functioning, Alternative Dispute Resolution Mechanisms, Legal Education and Provision of Legal Services (including Legal Assistance Scheme) 	<ul style="list-style-type: none"> - Criminal Investigation Framework; Criminal Procedural and Evidential rules - Penal Offences under Criminal Code and other Legislation (including Road Traffic Act) 	<ul style="list-style-type: none"> - Code de Procédure Civile and other civil procedural rules (including Public Interest Litigation) - Code Civil Mauricien - Conformity of laws with Hague Conventions on Private International Law 	<ul style="list-style-type: none"> - Code de Commerce (incl. Legal Framework for Business and Impact of Laws on Ease of Doing Business) - Other Contemporary Legal Issues

LRC Action Plan 2011
[Expected Outputs on Projects]

PBB 2011 Programme 563: Law Reform and Development

- Expected Performance:** (a) At least 6 Reports/Papers on areas of law reviewed
 (b) Preliminary assessment paper on any area of the law to be reviewed, at request of Hon. Attorney-General or stakeholder, to be ready within one month

Projects	Expected Outputs
Court Structure and Functioning (including Family Court), Provision of Legal Services (including legal aid/assistance scheme and the liberalization of the profession of court ushers), Legal Education and Training	First Paper by end April 2011
Bioethics and Human Rights	Paper in the course of the year
Laws applicable in Rodrigues	Paper in the course of the year
Reform Criminal Justice System/Criminal Code and other penal legislation	First Paper by end April 2011
Code Civil Mauricien	Issue Papers on aspects of Code (with draft legislation in English and French languages) in the course of the year
Code de Procédure Civile	Report by end August 2011
Code de Commerce & Framework for doing business	Report by end December 2011
<p>NB: Should the need arise for the Commission to review and report on any other pressing contemporary legal issue, it shall do so to the best of its ability.</p>	