

Government Notice No. 128 of 2017

**THE NON-CITIZENS
(EMPLOYMENT RESTRICTION) ACT**

**Regulations made by the Minister under section 10 of
the Non-Citizens (Employment Restriction) Act**

1. These regulations may be cited as the Non-Citizens (Employment Restriction) (Work Permit) Regulations 2017.
2. In these regulations –
 - “Act” means the Non-Citizens (Employment Restriction) Act;
 - “applicant” means an employer or prospective employer who, in respect of a non-citizen, makes an application for a work permit or for the renewal of a work permit, as the case may be;
 - “guidelines” means the guidelines referred to in section 4 of the Act;
 - “Permanent Secretary” means the Permanent Secretary of the Ministry;
 - “recruitment licence” means a licence issued under section 3 of the Recruitment of Workers Act.
3. (1) For the purpose of section 4(1) of the Act, an application for a permit shall be made by an applicant in the form set out in the First Schedule.
 - (2) An application under paragraph (1) shall –
 - (a) be accompanied by a copy of the documents specified in the guidelines; and
 - (b) except in the case where the application is for a permit in respect of a non-citizen to be engaged in

an approved religious or charitable institution, be accompanied by a non-refundable fee of 700 rupees.

4. A permit issued pursuant to section 4(2)(a) of the Act shall be in the form set out in the Second Schedule and shall remain the property of Government.

5. Where any change occurs in circumstances so as to affect the accuracy of any particulars furnished in an application in respect of a non-citizen to whom a permit is issued or whose permit is renewed, as the case may be, the non-citizen shall, within 15 days of such occurrence, notify the Minister, in writing, of the change in circumstances.

6. The employer of a non-citizen, in respect of whom a permit is in force, shall, where the non-citizen is –

- (a) absent from work for more than 5 consecutive working days without authorisation and without the employer being aware of his whereabouts; or
- (b) missing for more than 5 consecutive working days from the lodging accommodation provided by the employer without the employer being aware of his whereabouts,

forthwith notify the immigration officer and Permanent Secretary, in writing, of such absence or case of missing person, as the case may be.

7. The Permanent Secretary shall keep at the Ministry a register, in such form as the Minister may approve, of persons to whom or in respect of whom permits have been issued.

8. A certificate of authorisation issued to an authorised person under section 5 of the Act shall be in the form set out in the Third Schedule.

9. The Employment (Non-Citizens) (Restriction) Regulations 1973 are revoked.

10. (1) Every permit issued under the revoked Employment (Non-Citizens) (Restriction) Regulations 1973 shall remain valid until its expiry.

(2) An application for the renewal of a permit issued under the revoked Employment (Non-Citizens) (Restriction) Regulations 1973 shall be made in accordance with these regulations.

(3) An application for a permit made under the revoked Employment (Non-Citizens) (Restriction) Regulations 1973 shall be dealt with in accordance with these regulations.

(4) A certificate of authorisation issued under the revoked Employment (Non-Citizens) (Restriction) Regulations 1973 shall be deemed to have been issued under these regulations.

11. These regulations shall come into operation on 3 July 2017.

Made by the Minister on 3 July 2017.

FIRST SCHEDULE

[Regulation 3]

**REPUBLIC OF MAURITIUS****MINISTRY OF EMPLOYMENT****APPLICATION FOR WORK PERMIT**

Type of application – Work Permit New Renewal

**PART I – DETAILS OF NON-CITIZEN IN RESPECT OF WHOM
APPLICATION IS BEING MADE**

Title Mr. Ms. Mrs.

Full name (as per passport)

Surname

First name(s)

Maiden name (*where applicable*)

Gender Male Female

Telephone no.

Fax / email

Nationality

Marital status Married Single Other

Date of birth

Place of birth

Country

Passport no.

Date of issue

Date of expiry

Country of issue

Previous passport no. (*where applicable*)

Date of issue

Date of expiry

Country of issue

Reference no. for provisional health clearance

Permanent address in country of residence

Address of intended place of residence in Mauritius

Telephone no. of place of residence in Mauritius

Lodging accommodation permit no. (if applicable)

No. of lodgers

Date of issue

Date of expiry

Professional/academic qualifications
(*Copy in English or French version to be scanned and attached*)

.....

.....

Particulars of accompanying dependents (if any)

	Full name <i>(surname in block letters)</i>	Date of birth <i>(dd-mm-yyyy)</i>	Relationship	Gender	Passport number	Nationality
1.						
2.						
3.						

PART II – DETAILS OF PROFESSION/OCCUPATION IN WHICH NON-CITIZEN WILL BE ENGAGED IN MAURITIUS

Profession/occupation (job title) of non-citizen in Mauritius

Duration of intended employment

Months Years Other (term, season, etc.)

Intended place of employment

District

Basic monthly salary (in rupees)

Less than and up to Rs 30,000 More than Rs 30,000

Date of arrival/intended arrival in Mauritius (in relation to present application)

No. of years of working experience in relation to profession/occupation applied for

Months Years

Details of experience claimed (copy of relevant documents in English or French version to be scanned and attached)

	Employer	Profession/ occupation	From (mm-yy)	To (mm-yy)	Country
1.					
2.					
3.					
4.					

PART III – EMPLOYER DETAILS

Name of employer

Address of employer

Telephone no.

Fax

Mobile

Email address

Economic/industrial activity as in business registration card

.....

Business Registration Number

Date of incorporation/ registration

Trade licence no. (where applicable)

No. of local workers registered with the National Pensions Fund

No. of foreign workers in employment

PART IV – RECRUITMENT AGENCY DETAILS

Recruitment has been effected through –

local recruitment agency foreign recruitment agency

Recruitment by company

Particulars of local recruitment agency (where applicable)

Name

Address

Contact person

Telephone no.

Email address

Validity of recruitment licence

From To

Particulars of foreign recruitment agency (where applicable)

Name

Address

Contact person

Telephone no.

Email address

Licence no.

Validity of recruitment licence

From To

PART V – UPLOAD DOCUMENTS

UPLOAD	
--------	--

(Please refer to the guidelines for submission of the relevant documents)

PART VI – DECLARATION

The employer undertakes that, in respect of the employment of the non-citizen –

- (a) the wages and conditions of employment of the non-citizen shall not be less favourable than those prescribed under the laws of Mauritius;
- (b) the non-citizen shall be accommodated in accordance with the Occupational Safety and Health Act and the Occupational Safety and Health (Employees Lodging Accommodation) Regulations 2011, and any other applicable legislation;
- (c) necessary arrangements shall be made for the non-citizen to leave Mauritius on the expiry or cancellation of his work permit or for any cause whatsoever;
- (d) the non-citizen shall be provided with an air ticket as well as relevant expenses associated with his repatriation to his home country on the expiry or cancellation of the work permit or for any cause whatsoever.

I hereby declare that all the information in this application and the documents submitted are correct, true and complete. I understand that I shall commit an offence if I knowingly give any false information.

All information supplied in this application and any other information which may be provided at a later stage may be shared by and with Government departments or other relevant authorities for the processing of this application subject to the provisions of the Data Protection Act and any other applicable legislation.

Agree

Disagree

Date

Name of employer

Authorised representative

Designation

NIC no.

Contact details

SECOND SCHEDULE

[Regulation 4]

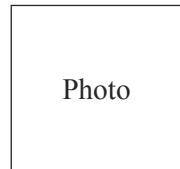


REPUBLIC OF MAURITIUS

MINISTRY OF

**WORK PERMIT
(IN RESPECT OF A NON-CITIZEN)**

Employee ID



Photo

..... of
(*Mr./Mrs./Miss.*) (full name) (nationality)

and holder of passport number issued in
(passport number) (country of issue)

on has been authorised by the Minister to take up employment/
(date of issue)

continue employment as in Mauritius
(job title) (grade)

with for the period of as from
(name of employer) (period of employment)

..... subject to the terms and conditions specified overleaf.

.....
Date

.....
f/Permanent Secretary
Ministry of Employment

Date

Amount paid

Receipt no.

TERMS AND CONDITIONS

1. The permit shall be valid for the period indicated overleaf.
 2. The permit shall be personal to the holder and shall be not transferable.
 3. The holder shall not be permitted to seek or accept alternative employment while in Mauritius or to engage in any trade, art or gainful occupation.
 4. This permit shall be kept by the holder and produced to any authorised person on demand or within 3 days after demand at such police station as may be specified by the authorised person at the time of the demand.
 5. The Minister may, at any time, vary or cancel this permit.
 6. In the event of any change of circumstances affecting the accuracy of particulars submitted at the time of applying for this permit, the holder shall, within 15 days submit particulars of such change to the Minister.
-

THIRD SCHEDULE

[Regulation 5]

CERTIFICATE OF AUTHORISATION

By virtue of the powers vested in me under section 5 of the Non-citizens (Employment Restrictions) Act, I hereby authorise Mr. to exercise all necessary powers for the purpose of enforcing any provisions of the Act.

.....
Date

.....
Ministry of Employment