MINISTRY OF LABOUR,
INDUSTRIAL RELATIONS,
EMPLOYMENT AND TRAINING

GUIDELINES
FOR
WORK PERMIT
APPLICATION

January 2015
LEGISLATION

Work Permits in respect of non-citizens are issued by the Employment Division of the Ministry of Labour, Industrial Relations, Employment and Training under the Non-Citizens (Employment Restriction) Act 1973 which provides, among others, that “a non-citizen shall not engage in any occupation in Mauritius for reward or profit or be employed in Mauritius unless there is in force in relation to him a valid work permit.” The Act also provides that “no person shall have a non-citizen in his employment in Mauritius without there being in force a valid permit in relation to that employment.”

1.1 Request for Permission/Quota
Companies wishing to recruit foreign workers in bulk have to make a request for permission in principle to recruit foreign labour. The request should be made by filling the Request Form (Permission in Principle Form) and submitting it to the Employment Division for consideration.

1.2 Application for Work Permit and Documents to be submitted
Applications for Work Permit should be submitted on the prescribed form which is available both at the reception counter of the Employment Division,

Ground Floor, Victoria House
Corner St Louis & Barracks Streets,
Port Louis

and

on the Ministry's website
http://empment.labour.govmu.org

NOTE: All applications should be submitted by employers/companies and not by recruitment agencies or third parties. Incomplete applications, and those not accompanied by the required documents will not be accepted.

1.2.1 Documents to be attached: -

For New Applications

(i) Covering letter from the company requesting for work permit for the expatriate.

(ii) A copy of the Certificate of Incorporation and Business Registration card

(iii) A duly filled in data sheet.

(iv) 4 Passport size photographs. The photographs should be between
35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.

(v) Copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement.

(vi) Where applicable, certified copy of academic and professional qualifications and details of work experience should be submitted in either French or English;

(vii) The job profile;

(viii) A provisional medical clearance obtainable from the Ministry of Health and Quality of Life in respect of each expatriate (See Annex I).

(ix) Where applicable, documentary evidence from the employer certifying that the expatriate will earn a monthly salary of more than Rs 30,000.

OR

A copy of Contract of Employment duly vetted by the Labour Division of the Ministry of Labour, Industrial Relations, Employment and Training in respect of expatriates earning Rs 30,000 or less per month.

(x) Employers should indicate whether they have recently advertised the post. The posts should be advertised in two leading newspapers in A5 size and the number of workers required for each post should be specified.

(xi) Latest NPF Receipt with list of workers

(xii) Employers who apply for groups of workers should submit a copy of the Lodging and Accommodation Permit (LAP).

For Renewal Applications:

(i) Covering letter from the company requesting for the renewal of work permits;

(ii) Two passport size photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background

(iii) Where applicable, documentary evidence from the employer certifying that the expatriate will earn a monthly salary of more than Rs 30,000.

OR
A copy of Contract of Employment duly vetted by the Labour Division of the Ministry of Labour, Industrial Relations, Employment and Training in respect of expatriates earning Rs 30,000 or less per month.

(iv) Employers should indicate whether they have advertised the post;

(v) A copy of the Lodging and Accommodation Permit.

NOTE:
   a) Companies should submit applications for renewal of work permits in respect of their workers 3 months prior to the expiry of their current work permits. In case the company will no longer employ the workers after expiry of their work permits, arrangements should be made within the shortest delay for them to be sent back to their country of origin;

   b) In case no application for renewal is received prior to the expiry of the valid work permit, the Passport and Immigration Office will be duly notified and requested to take action as appropriate at its end; and

   c) Applications for renewal of work permits received after expiry of current work permits will not be considered.

1.3 Additional documents to be submitted in respect of the following sectors/professions

• Football/Basket Ball/Volley Ball/ Handball Players
   (i) Covering letter from Employer
   (ii) Letter from the relevant Sports Federation
   (iii) Clearance-International Transfer Certificate

• Freeport Sector
   Freeport License

• Offshore Sector
   Global Business License

• Training Institute/ Tertiary Institutions
   Certificate of Registration of Company with the Mauritius Qualifications Authority and/or the Tertiary Education Commission.
• **Jockey**

(i) Covering letter from Nominator

(ii) Recommendation letter from Mauritius Turf Club (MTC) -

- In case the jockey has been riding in Mauritius in the past, his Disciplinary Records must be attached and the MTC should inform whether they have any objection to the employment of the jockey for the current season.

- In case the jockey will be riding for the first time in Mauritius, the MTC should specify this in the recommendation letter.

(iii) Transfer Certificate from Jockey's Club, (ie, a clearance from the Racing Club/Authority for which the jockey was actually riding, wherein the Club/Authority should inform that the jockey is not currently suspended, has not incurred any injury and is clear to ride);

(iv) In case of transfer of the jockey from one stable to another a "no objection’ letter from the previous stable as well as from the MTC should be submitted.

• **Hotels and Restaurants**

(i) Tourist Enterprise Licence (TEL)

(ii) Latest receipt from the Tourism Employees Welfare Fund.

• **Fishing Sector**

Certificate of Competency

• **Bakery Sector**

(i) Bakery Licence

(ii) List of Local Workers

• **Construction Sector**

For project basis:

(i) Letter specifying the project on which the expatriate would be employed

(ii) Copy of Letter of award specifying completion date of the project
(iii) For skilled workers such as Barbenders, Carpenters, Masons, etc, the company should clearly specify whether the expatriates would be employed as Superior Grade, Grade I or Grade II

For quota granted on ratio basis, latest NPF receipt and list of employees have to be provided.

1.4 Additional documents to be submitted in respect of Bangladeshi Workers:

(a) Photocopy of Certificate of Marriage (Civil and Religious), if any. The document should be **duly certified** by the relevant Ministry/Authority in Bangladesh.

(b) The recruiting agents should be duly certified and authorised to recruit workers in Bangladesh

(c) Employers should also submit the name and address of the recruiting agents and produce relevant documents to certify that the agents are authorized by the relevant Authority in Bangladesh to recruit workers

**NOTE:** If any discrepancy is noted with regard to recruitment conducted by any recruiting agent, no further application for work permit involving that agent would be considered, and legal action will be initiated against the recruiting agent or the employer.

1.5 Additional documents in respect of Chinese Workers

Following an agreement signed between the People’s Republic of China and the Government of Mauritius, the recruitment of Chinese workers should be done through recruitment agencies authorised by the Chinese authorities. A list of Chinese authorised recruitment agencies is at Annex II.

All new applications for work permit should be accompanied by:

(i) a letter from the employer communicating the name of its recruiting agent in China; and

(ii) documentary evidence from the recruiting company certifying that its services have been retained by the employer.

**NOTE:** Where an employer chooses to recruit workers through a recruitment agency which is not on the list, the employer should submit a request to the Chinese Embassy for that recruitment agency to be included in the list.
1.6 Criteria for Applications

(i) Foreign workers should possess the skills, qualifications and experience required for the job applied for;

(ii) Foreign workers should normally be aged between 20 and 60 years. Departure from this policy is exceptionally made for investors and expatriates who are above 60 years and who possess specific expertise;

(iii) Visitors on tourist visa are not allowed to take up employment and applications for work permit on their behalf are not entertained;

Foreign workers should have obtained both a work permit and a residence permit before travelling to Mauritius. Employers should, therefore, ensure that applications for Work Permit and Residence Permit are made simultaneously. A Residence Permit Counter is available at the Employment Division next the Work Permit Counter for receipt of Residence Permit applications

(iv) Foreign skilled workers are normally granted work permits for a maximum period of four years. However, applications for renewal of work permit of skilled workers may be considered beyond four years if their services are still required. They would be required to swear an affidavit in the event they would stay in Mauritius for a period exceeding 5 years;

(v) Expatriates employed at managerial/supervisory/technical levels may be allowed to work for a period of five years or more subject to full justifications being provided and upon their swearing an affidavit to the effect that they will not apply for Mauritian citizenship.

(vi) In case of application for groups of workers, work permits are normally granted where a ratio of three local to one expatriate worker is satisfied;

(vii) For bulk recruitment of foreign skilled workers, the employer should obtain a Lodging Accommodation Permit in respect of the dormitory;

(viii) For renewal of work permits, the employer should indicate any amendment in the terms of the contract of employment. If any, the employer should have the amendments vetted by the Labour Division of the Ministry of Labour, Industrial Relations, Employment and Training prior to submission of the application;

(ix) For certain grades, employers may be required, within 3 months from the date of issue of work permit, to appoint a suitable local counterpart to be trained by the expatriate during his/her posting in Mauritius;

(x) The onus for the travel of foreign workers from their country of origin and back rests on employers. Employers are, therefore, requested to bear the
cost of the air ticket of their foreign workers from their country of origin
to Mauritius and back after the expiry of their Work Permit, or for any
cause whatsoever.

(xi) Applications for work permit from overseas companies will only be
accepted if the companies are incorporated in Mauritius as a foreign
company, under the Company Laws of Mauritius.

NOTE:
(a) For new cases, expatriates are granted 6 months from the date of issue of the
work permit to travel to Mauritius. Beyond that date, work permits will be
cancelled and companies will be required to submit fresh applications.
(b) Expatriates married to Mauritians do not require a work permit.

1.7 Fees

1.7.1 Employers have to pay a processing fee of Rs 700 in respect of each
application for work permit. Furthermore, on approval of the application, the
prescribed work permit fees and annual fees as specified at paragraphs 1.7.2 and
1.7.3, respectively have to be paid within a period of 1 month. If payment is not
effected within the given timeframe, the decision to grant work permit will be
rescinded immediately.

1.7.2 Work Permit Fees

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<tr>
<th>WORK PERMIT IN RELATION TO –</th>
<th>FEE (Rs)</th>
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<tbody>
<tr>
<td>1. Employees in gaming and other similar activities</td>
<td>50,000 per year</td>
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<tr>
<td>2. (a) Jockeys riding horses in training work and in races for a first season</td>
<td>25,000 per term</td>
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<td>(b) Jockeys riding horses in training work and in races for a second or subsequent racing season</td>
<td>50,000 per term</td>
</tr>
<tr>
<td>(c) Stipendiary stewards employed for a first or second racing season</td>
<td>50,000 per racing season or any part of the racing season</td>
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<tr>
<td>(d) Stipendiary stewards employed for a third or subsequent racing season</td>
<td>100,000 per racing season or any part of the racing season</td>
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<tr>
<td>3. (a) Professional entertainers for performance in solo</td>
<td>20,000 per month or part of a month</td>
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<td>Professional entertainers for performance in group</td>
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<td>4.</td>
<td>Employees in any manufacturing industry</td>
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<td>5.</td>
<td>(a) Employees in:</td>
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<td>(i) Hotels and restaurants</td>
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<td>(ii) The ICT sector</td>
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<td></td>
<td>(b) Polyvalent agricultural workers</td>
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<td></td>
<td>(c) Fishermen and frigoboys, employed on fishing vessels</td>
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6. Any other employee

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<th>Fee (in Rs)</th>
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<td>1st permit of a duration of one year</td>
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<td>2nd year or part of the 2nd year</td>
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<td>3rd year or part of the 3rd year</td>
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<td>4th year or part of the 4th year</td>
<td>11,000</td>
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<td>5th year or part of the 5th year</td>
<td>12,000</td>
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<td>6th year and thereafter</td>
<td>15,000</td>
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1.7.3 Annual Fee

Rs 500 x N* = T**

N* represents the duration of the work permit in number of years

T** represents the non-refundable fee

Fee for a Duplicate Work Permit – Rs 700.

1.8 Appeal

If a request for permission or an application for work permit has been turned down, the employer may submit one appeal to the Ministry for consideration.
2. **RECRUITMENT LICENCE**

The recruitment of workers is governed by the Recruitment of Workers Act 1993 and the regulations made there under. Recruitment Licences are issued under the Recruitment of Workers Act.

A Recruitment Licence authorises a company/individual to recruit the following categories of workers:

(i) Citizens of Mauritius for employment in Mauritius; and/or
(ii) Citizens of Mauritius for employment abroad; and/or
(iii) Non-Citizens for employment in Mauritius.

2.1 **Application for Recruitment Licence**

An application for a Recruitment Licence should be made on the prescribed form which is available at the Employment Division, Level 2, Sterling House, Port-Louis.

2.2 **Documents to be submitted**

When applying for a Recruitment Licence, the following documents have to be submitted with the application form:

- Particulars of staff to be employed by the agency;

- Copy of Certificate of Incorporation if application is being made by a company; and

- Evidence of Contact with employers.

2.3 **Fee for Recruitment Licence/ Bank Guarantee**

Once an application for recruitment licence has been approved, the applicant has to pay a fee of Rs 12, 000. Furthermore, a bank guarantee for the sum of Rs 500, 000 has to be furnished to the Accountant-General by the applicant in the event that he proposes to recruit citizens of Mauritius for employment abroad or non-citizens for employment in Mauritius.

A Recruitment Licence is valid for a period of two years.

**NOTE:** The prescribed fee of Rs 12, 000 and the security deposit of Rs 500, 000 shall be furnished within one month of the date of the claim letter.
2.4 Returns

A licensee must every four months, submit to the Employment Division of the Ministry of Labour, Industrial Relations, Employment and Training, a return in relation to the placement effected.

2.5 Renewal of Recruitment Licence

Applications for renewal of Recruitment Licence should be submitted 6 months prior to expiry of current Licence.

Ministry of Labour, Industrial Relations, Employment and Training
(Employment Division)

January 2015.
Annex 1

REQUIREMENTS FOR HEALTH CLEARANCE FOR MIGRANT WORKERS

A. **PRIOR TO ARRIVAL (For Provisional Health Clearance)**

The Ministry of Health & Quality of Life requires a complete medical report for the migrant workers prior to their arrival, as follows:-

1. Fitness Certificate (*For expatriates from India, doctor to mention that expatriate is not suffering from Leprosy*)
2. Blood Tests:
   (i) Full blood count and Haemoglobin;
   (ii) Test for Filariasis*;
   (iii) Hepatitis B Surface Antigen (Australia Antigen);
   (iv) Anti HIV screening test; and
   (v) VDRL.
3. Urine test for Albumin and Sugar
4. Stool for parasites
5. Chest x-ray report

The above tests should be submitted to the Migrant Worker Section of the Occupational Health Unit for a **Provisional Health Clearance**.

B. **On Arrival (For Final Health Clearance)**

1. *Chest X-Ray should be repeated in a private clinic within ONE WEEK* after arrival and the report certified by a Radiologist, should be submitted to the Migrant Worker Section along with a covering letter.

2. *For expatriates travelling from India*, a medical certificate, issued from a Medical Practitioner registered with the Medical Council of Mauritius should be submitted certifying that the expatriate is not suffering from Leprosy.

3. *HIV Test and Test for Filariasis* should be within ONE WEEK after arrival. Expatriates should call in person with their passport and a covering letter from their employer at the AIDS Unit of the nearest hospital for both tests. To phone for an appointment on the following phone numbers:-
The results of the HIV and the Filariasis tests will be sent directly by the Candos Virology Laboratory to the Migrant Worker Section of the Occupational Health Unit.

*Note: HIV and Filariasis tests done in a private clinic will not be accepted for Final Health Clearance.*

A **Final Health Clearance** will be granted only after repeating all the above tests.

(* for expatriates from India, Bangladesh, Madagascar, Brazil, Comores, Ivory Coast, Ghana, Indonesia, Kenya, Mozambique, Nepal, Nigeria, Philippines, Tanzania, Uganda, Vietnam*)

The Ministry of Health and Quality of Life has decided not to recognize the medical results/certificates from the following medical centres:

**(a) List of Laboratories in Bangladesh from which medical certificates are not accepted:**

1. Al Arab Medical Centre 2. Khan Diagnostic and Medical Centre
3. Safat Diagnostic and Medical Centre 4. Eureka Laboratory
5. Shohag Diagnostic and Medical Centre 6. Al-Razzak Medical & Diagnostic Centre
7. Al-Shefa Diagnostic and Medical Centre 8. Al-Zajira Medical Centre
9. Al-Arafah Medical Centre 10. Bicolpo Medical services
11. Rainboo Heart Medical Centre 12. King Faisal Medical Centre
13. Classic Diagnostic Medical Centre 14. Shifa Clinic
15. Ali One Medical Centre 16. Alpha Medical Centre (BD) Ltd (A.M.C)
17. Al-Hamad Medical Centre 18. Model Diagnostic & Medical Centre
19. Mediline Medical & Diagnostic Ltd 20. Al-Dammam Medical Centre
21. Nafa Medical Centre 22. Naz Medical Centre
23. Salva Diagnostic & Medical Centre 24. The Classic Medical Centre Ltd
25. New Al-Jeddah Medical Services 26. Haramain Medical Centre Ltd
(b) List of Laboratories in India from which medical certificates are not accepted:
1. Preet Nursing Home, Ludhiana, 2. Gulshan Medicare, Hyderabad
5. Dr Suhail J. Patankar, Mumbai 6. Jain Medical Centre, Mumbai
7. Eissa Medical Centre, Lucknow 8. Grewal Hospital, Ludhiana
9. Vashno Nursing Home Gorakhpur 10. Jeevanjyoti Hospital, Allahabad
11. Maharani Patho Lab & X-Ray Clinic, Nadia, West Bengal
12. Al-Salaam Diagnostics, Mumbai 13. Chandra Laboratory, Deoria
14. Alam Diagnostic Centre, Mumbai 15. Friends Diagnostic Centre, New Delhi
16. Swathy Medical Centre, Mumbai 17. Ravi X-Ray Pathological Center
18. Raj x-Ray Pathological Center

(c) List of Laboratories in Nepal from which medical certificates are not accepted:
1. Prashanthi Health Care Centre, Lalitpur
2. Dhaulagari Pathology laboratory, Butwal
3. South Asian Health Care Centre, Kathmandu

Consequently, employers are requested not to have recourse to these centres.

For additional information, the Occupational Health Unit of the Ministry of Health and Quality of Life at ATCHIA Building, Suffren Street, Port-Louis (Tel: 2102743) may be contacted.
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<td>Fan Dongfang</td>
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<td>China State Construction Engineering Corporation Limited</td>
<td>Mr. Wang Shaofeng</td>
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