Explanatory Memorandum

The main object of this Bill is to amend the Code Civil Mauricien so as to reduce the time limits applicable to declare a person absent.

The Bill provides that where there has been a judicial decision to the effect that a person is presumed absent, the time lapse of 5 years be reduced to 3 years, for the purpose of declaring the person absent.

The Bill further provides that where there has been no such judicial decision, a person can be declared absent if he is no longer seen at his place of residence for a period of more than 5 years, instead of more than 10 years.

13 August 2010

Y. N. VARMA
Attorney-General

THE CODE CIVIL MAURICIEN (AMENDMENT) BILL
(No. XV of 2010)

ARRANGEMENT OF CLAUSES

Clause

1. Short title
2. Code Civil Mauricien amended
A BILL

To amend the Code Civil Mauricien

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Code Civil Mauricien (Amendment) Act 2010.

2. Code Civil Mauricien amended

The Code Civil Mauricien is amended in article 122 –

(a) in the first alinéa, by deleting the word “cinq” and replacing it by the word “trois”; and

(b) in the second alinéa, by deleting the word “dix” and replacing it by the word “cinq”.

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