

**THE CONSTITUTION (AMENDMENT)  
BILL (No. XXIX of 2015)**

**Explanatory Memorandum**

The object of this Bill is to amend the Constitution to provide for the taking of possession of property –

- (a) under the ownership of a person to an extent which is disproportionate to his emoluments and other income;
- (b) the ownership, possession custody or control of which cannot be satisfactorily accounted for by the person who owns, possesses, has custody or control of the property; or
- (c) held by a person for another person to an extent which is disproportionate to the emoluments or other income of that other person,

by way of confiscation.

**SIR ANEROOD JUGNAUTH, G.C.S.K., K.C.M.G., Q.C.**  
*Prime Minister, Minister of Defence, Home Affairs, Minister  
for Rodrigues and National Development Unit*

23 October 2015

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**ARRANGEMENT OF CLAUSES**

*Clause*

- 1. Short title
  - 2. Section 8 of Constitution amended
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# **A BILL**

## **To amend the Constitution**

ENACTED by the Parliament of Mauritius, as follows –

### **1. Short title**

This Act may be cited as the Constitution (Amendment) Act 2015.

### **2. Section 8 of Constitution amended**

Section 8 of the Constitution is amended, in subsection (4), by inserting, after paragraph (a), the following new paragraph –

(aa) to the extent that the law in question makes provision for the taking of possession of property –

(i) under the ownership of a person to an extent which is disproportionate to his emoluments and other income;

(ii) the ownership, possession, custody or control of which cannot be satisfactorily accounted for by the person who owns, possesses, has custody or control of the property; or

(iii) held by a person for another person to an extent which is disproportionate to the emoluments or other income of that other person,

by way of confiscation; or

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