

THE LAND ACQUISITION (AMENDMENT) BILL
(No. XIV of 2012)

Explanatory Memorandum

The object of this Bill is to amend the Land Acquisition Act by providing –

- (a) for the expeditious hearing of appeals which seek to challenge the legality of compulsory acquisition of property; and
- (b) for the interim payment of compensation to an interested person pending the determination of the amount by the Board of Assessment.

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Minister of Housing and Lands

15 June 2012

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ARRANGEMENT OF CLAUSES

Clause

- 1. Short title
- 2. Interpretation
- 3. Section 10 of principal Act amended
- 4. Section 14 of principal Act amended
- 5. Section 18 of principal Act amended

A BILL

To amend the Land Acquisition Act

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Land Acquisition (Amendment) Act 2012.

2. Interpretation

In this Act –

“principal Act” means the Land Acquisition Act.

3. Section 10 of principal Act amended

Section 10 of the principal Act is amended –

- (a) by numbering the existing provision as (1); and
- (b) by adding the following new subsection –

(2) Where, following the filing of a notice of appeal under subsection (1), the Minister has forwarded to the Registry of the Supreme Court a certified copy of the documents relating to the compulsory acquisition, the Court shall cause the matter to be fixed for hearing not later than 3 months from the date of the receipt of the documents.

4. Section 14 of principal Act amended

Section 14 of the principal Act is amended by adding the following new subsections –

(3) Notwithstanding subsection (2), the authorised officer may, pending the award of the Board, make an interim payment of compensation to an interested person of such amount as may be determined by the Director, Valuation and Real Estate Consultancy Services.

(4) The authorised officer shall cause the Board to be informed of any payment made under subsection (3).

5. Section 18 of principal Act amended

Section 18 of the principal Act is amended by inserting, after subsection (1), the following new subsection –

(1A) Where the Board has been informed of any interim payment made under section 14(3), it shall deduct the amount paid from the award.