THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT (AMENDMENT) ACT 2026

Act No. 19 of 2026

I assent

DHARAMBEER GOKHOOL, G.C.S.K.
President of the Republic of Mauritius

20th November 2026

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SCHEDULE

An Act

To amend the National Disaster Risk Reduction and Management Act with a view to officialising and implementing the National Protocol on Heavy and Torrential Rain for the State of Mauritius, and to provide for matters connected and related thereto

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the National Disaster Risk Reduction and Management (Amendment) Act 2026.

2. Interpretation

In this Act –

"principal Act" means the National Disaster Risk Reduction and Management Act.

3. Section 2 of principal Act amended

Section 2 of the principal Act is amended –

(a) in the definition "emergency services", in paragraph (b), by deleting the words "any other relevant body" and replacing them by the words "such other relevant body as may be prescribed";

(b) by inserting, in the appropriate alphabetical order, the following new definition –

"Rain Protocol" means the National Protocol on Heavy and Torrential Rain for the State of Mauritius;

4. Section 4 of principal Act amended

Section 4 of the principal Act is amended, in subsection (2) –

(a) by inserting, after paragraph (f), the following new paragraph –

(fa) the supervising officer or a representative of the Ministry responsible for the subject of climate change;

(b) by inserting, after paragraph (o), the following new paragraphs –

(oa) the supervising officer or a representative of the Ministry responsible for the subject of labour;

(ob) the supervising officer or a representative of the Ministry responsible for the subject of land transport;

(c) by inserting, after paragraph (y), the following new paragraphs –

(ya) a member of the most representative trade union of public officers; and

(yb) a member of the most representative trade union of employees in the private sector;

5. Section 9 of principal Act amended

Section 9 of the principal Act is amended, in subsection (2), by inserting, after paragraph (b), the following new paragraph –

(ba) formulate the Rain Protocol and oversee its implementation;

6. Section 11 of principal Act amended

Section 11 of the principal Act is amended –

(a) in paragraph (b), by inserting, after the words "contingency plans", the words "and business continuity plans";

(b) by inserting, after paragraph (b), the following new paragraph, the word "and" at the end of paragraph (b) being deleted –

(ba) cause any public or private institution or agency, or the civil society, to submit, from time to time and in accordance with a predetermined schedule, any relevant data and information related to disaster risk reduction and management; and

7. New section 14A inserted in principal Act

The principal Act is amended by inserting, after section 14, the following new section –

14A. Rain Protocol

(1) There shall be a National Protocol on Heavy and Torrential Rain for the State of Mauritius, as set out in the Schedule.

(2) The Rain Protocol shall provide for the general arrangements that every Ministry, Government department, statutory body, State-owned enterprise and employer in the private sector shall make during a period of heavy or torrential rain.

(3) The National Centre shall, as and when required, review the Rain Protocol and make its recommendations thereon to the Minister.

8. Section 15 of principal Act amended

Section 15 of the principal Act is amended, in subsection (1), by inserting, after paragraph (d), the following new paragraphs –

(da) the supervising officer or a representative of the Ministry responsible for the subject of civil service;

(db) the supervising officer or a representative of the Ministry responsible for the subject of labour;

(dc) the supervising officer or a representative of the Ministry responsible for the subject of land transport;

9. Section 16 of principal Act amended

Section 16 of the principal Act is amended –

(a) in subsection (2) –

(i) by inserting, after paragraph (a), the following new paragraph –

(aa) an order, subject to subsection (3), directing workers not to continue to work or not to report for work as long as it is unsafe to do so;

(ii) in paragraph (b), by deleting the words "premises or" and replacing them by the words "their premises, workplaces or";

(iii) by inserting, after paragraph (f), the following new paragraph, the word "and" at the end of paragraph (f) being deleted –

(fa) an order declaring that it is safe for workers to report for work or for the public to venture outside; and

(iv) in paragraph (g), by inserting, after the words "any other order", the words "or any communiqué";

(b) by adding the following new subsection –

(4) Subsection (2)(aa) shall not apply to workers in the emergency services who are required to continue to work or to report for work by their employers.

10. Section 33 of principal Act amended

Section 33 of the principal Act is amended –

(a) in subsection (2) –

(i) by inserting, after paragraph (a), the following new paragraph –

(aa) an order, subject to subsection (3), directing workers not to continue to work or not to report for work as long as it is unsafe to do so;

(ii) in paragraph (b), by inserting, after the words "their premises", the words ", their workplaces";

(iii) by inserting, after paragraph (f), the following new paragraph, the word "and" at the end of paragraph (f) being deleted –

(fa) an order declaring that it is safe for workers to report for work or for the public to venture outside; and

(iv) in paragraph (g), by inserting, after the words "any other order", the words "or any communiqué";

(b) by adding the following new subsection –

(3) Subsection (2)(aa) shall not apply to workers in the emergency services who are required to continue to work or are required to report for work by their employers.

11. Section 42 of principal Act amended

Section 42 of the principal Act is amended, in subsection (1), by repealing paragraph (h) and replacing it by the following paragraph –

(h) refuses to provide assistance or resources or any relevant data and information related to disaster risk reduction and management when requested under this Act;

12. Section 43 of principal Act amended

Section 43 of the principal Act is amended by repealing subsection (2) and replacing it by the following subsection –

(2) Any regulations made under subsection (1) may provide –

(a) for the amendment of the Schedule; and

(b) that any person who contravenes them shall commit an offence and shall, on conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding 12 months.

13. Schedule added to principal Act

The principal Act is amended by adding the Schedule set out in the Schedule to this Act.

14. Consequential amendment

The Workers' Rights Act 2019 is amended –

(a) in section 2, in the definition of "worker", in paragraph (c)(iii), by deleting the words "(6)(a) and" and replacing them by the words "(6) and";

(b) in section 32 –

(i) by repealing subsection (1A) and replacing it by the following subsection –

(1A) Where, during a period of extreme weather conditions, or where a state of disaster is declared and any direction for the purpose of assisting

and protecting the public is issued under section 37 of the National Disaster Risk Reduction and Management Act –

(a) an employer shall not require a worker to report for work, or to continue to work, except for workers in the emergency services; and

(b) an employer shall pay remuneration to the worker at the normal rate for any period during which no work is performed.

(ii) by inserting, after subsection (1A), the following new subsections –

(1B) Where after an order declaring that it is safe to venture outside or to report for work is issued under section 16 or 33 of the National Disaster Risk Reduction and Management Act following extreme weather conditions, an employer may require a worker to report for work and the employer shall pay to the worker a full day's remuneration.

(1C) A worker shall not be required to report for work under subsection (1B) unless the employer provides a means of transport to the worker to attend his place of work or public transport is available from his place of residence to his place of work.

(iii) in subsection (6) –

(A) in paragraph (a), by deleting the words "Where, by the nature of the operation of the undertaking in which a worker is employed, the worker is required to work on the employer's premises or at any other place

where he has been assigned duty, or where he is required to work at the employer's premises during extreme weather conditions," and replacing them by the words "Where a worker employed in emergency services is required to work on the employer's premises or at any other place where he is assigned duty during extreme weather conditions,";

(B) by repealing paragraph (d);

(iv) by adding the following new subsection –

(8) In this section –

"emergency services" has the same meaning as in the National Disaster Risk Reduction and Management Act;

"extreme weather conditions" includes –

(a) cyclonic conditions where a warning class III or IV is issued by the Mauritius Meteorological Services;

(b) a situation where an order is issued under section 16 or 33 of the National Disaster Risk Reduction and Management Act requiring persons to evacuate their workplace, directing persons to remain indoors or directing workers not to continue to work or not to report for work following a heavy rain warning issued by the Mauritius Meteorological Services and until a further order is issued declaring that it is safe to venture outside or to report for work;

(c) a situation where a torrential rain warning is issued by the Mauritius Meteorological Services and until a further order is issued under the National Disaster Risk Reduction and Management Act declaring that it is safe to venture outside or to report to work; or

(d) a situation where a safety bulletin is issued by the Mauritius Meteorological Services under the Mauritius Meteorological Services Act.

Passed by the National Assembly on the seventeenth day of November two thousand and twenty six.

Navin Gopall
Acting Clerk of the National Assembly

SCHEDULE
[Section 13]

SCHEDULE
[Section 14A(1)]

THE NATIONAL PROTOCOL ON HEAVY AND TORRENTIAL RAIN FOR THE STATE OF MAURITIUS

1. Introduction

(1) Heavy rain[1] and torrential rain[2] pose significant risks to public safety, infrastructure, economic activity and national resilience. In the context of increasing climate variability, the timely issuance and coordinated management of weather warnings have become increasingly complex.

(2) The State bears the primary responsibility to safeguard life and protect the population. Accordingly, a structured and harmonised National Protocol on Heavy and Torrential Rain for the State of Mauritius is required to guide decision-making and institutional coordination during heavy or torrential rain, whilst ensuring coherent action, continuity of emergency services, and protection of the working population.

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1 **Heavy Rain** is defined in the Mauritius Meteorological Services (Warnings) Regulations 2023, as meaning rainfall resulting in a minimum of 25 millimetres of rain in 30 minutes.

2 **Torrential Rain** is defined in the Mauritius Meteorological Services (Warnings) Regulations 2023, as meaning weather conditions resulting in a minimum of 100 millimetres of widespread rains and which are likely to continue for several hours.

2. General arrangements

(1) The following arrangements shall apply across all sectors except for emergency services as defined in the National Disaster Risk Reduction and Management Act, and shall govern institutional preparedness during period of heavy or torrential rain warnings –

(a) all organisations, including the public sector organisations, private sector and Small and Medium Enterprises (SMEs) shall establish a rainfall committee and prepare a preparedness plan;

(b) the rainfall committee shall keep a list of all employees with the following information –

(i) age;

(ii) gender;

(iii) employees with mobility challenges, employees who are pregnant and those with disabilities;

(iv) employees with minor children;

(v) residential address;

(vi) contact details;

(vii) means of transport to attend work;

(viii) position held in the organisation;

(ix) list of employees residing in or travelling through flood-prone areas or high-risk areas as per the Land Drainage Master Plan.

(2) All organisations shall promote a risk-informed culture through familiarisation with the Land Drainage Master Plan, consultation of open-source real-time information such as Traffic Watch cameras and by providing risk reduction training to build resilience and mitigate risks and hazards.

(3) All organisations shall, where practicable, adopt work from home arrangements to minimise exposure to flood-prone areas and to reduce risks.

(4) The Police, the National Disaster Risk Reduction and Management Centre, the National Emergency Operations Command, the Rodrigues Emergency Operations Command and all concerned authorities shall provide timely information to the working population regarding road accessibility, traffic diversions, availability of public transport through effective alerts, SMSs, websites, emails, the media, communiqués and orders.

(5) All employees shall –

(a) avoid low-lying and flood-prone areas;

(b) refrain from entering underpasses, underground parking facilities, basements and areas near rivers, streams and watercourses;

(c) take shelter in safe place either at higher grounds or upstairs where necessary through horizontal and vertical evacuation and are advised to remain indoors as long as it is unsafe to venture outside.

3. Emergency services

(1) Pursuant to section 2 of the National Disaster Risk Reduction and Management Act –

"emergency services" –

(a) means specialised agencies that have specific responsibilities and objectives in serving and protecting people, animals and property in emergency situations; and

(b) includes the Mauritius Police Force, the National Centre, the Rodrigues Centre, the NEOC, the LEOC, the REOC, the Mauritius Meteorological Services,

the Mauritius Fire and Rescue Service, the Public Health Emergency Services and any other relevant body as may be prescribed.

(2) During a period of heavy rain or torrential rain, following a warning issued by the Mauritius Meteorological Services and irrespective of any order or communiqué to remain indoors issued by the National Crisis Committee, employees working in emergency services shall be mobilised and may be required to report for work or remain at work, as the exigencies of the service requires.

(3) The mobilisation and performance of such emergency services shall be carried out in accordance with the respective statutory mandates, internal protocols, contingency plans and standard operating procedures applicable to each emergency service, and in strict compliance with all applicable laws.

4. Public and private childcare and educational institutions

Following the issuance of a heavy rain warning by the Mauritius Meteorological Services, the functioning of public and private childcare and educational institutions shall be regulated by the communiqués issued, as appropriate, by the following Ministries –

(a) the Ministry responsible for the subject of gender equality and family welfare, in respect of private and public nurseries and child day care centres;

(b) the Ministry responsible for the subject of education and human resource, in respect of private and public pre-primary, primary and secondary schools, vocational training centres, the Mauritius Institute of Education, the Mauritius Examinations Syndicate, the Mauritius Institute of Training and Development, the Institute of Technical Education and Technology and educational institutions operating under the aegis of the Special Education Needs Authority;

(c) the Ministry responsible for the subject of tertiary education, science and research, in respect of public and private tertiary institutions.

4.1 Where a communiqué for closure is issued by the relevant Ministry prior to the commencement of school hours

(1) In the event of closure due to a heavy rain warning issued by the Mauritius Meteorological Services and where the National Crisis Committee has not issued any order or communiqué to remain indoors, heads of institutions and designated non-teaching staff may be required to attend their respective workplaces for the purpose of –

(a) assessing on-site conditions;

(b) ensuring the safety and security of the premises; and

(c) implementing any necessary precautionary or remedial measures.

(2) In the event of closure due to a torrential rain warning issued by the Mauritius Meteorological Services, no employee shall be required to attend the workplace, and on-site operations shall be suspended, subject to further directives issued by the relevant Ministry.

4.2 Where a communiqué for closure is issued by the relevant Ministry during school hours

(1) In respect of minor students, the institution shall immediately notify the responsible party to arrange for the orderly and safe collection of the student. No minor student shall be permitted to leave the institution unaccompanied.

(2) All institutions shall maintain up to date contact details of every responsible party, as well as at least one alternate contact person in respect of every minor student, to ensure effective communication.

(3) Pending their release, all students shall remain in a safe, secure and supervised area within the institution.

(4) Any relevant information or operational instructions issued by the National Emergency Operations Command, the Mauritius Police Force, the Mauritius Fire and Rescue Service or the National Land Transport Authority shall be duly considered prior to authorising the release of students.

(5) The head of institutions, designated teaching staff and designated non-teaching staff shall remain on site until all students have been safely released.

5. Public and private sector

Paragraph 5 shall apply to all employees working in the public sector, private sector, other than in emergency services, on a full-time, part-time, shift or any other basis.

5.1 General rule

(1) Where a heavy rain warning is issued by the Mauritius Meteorological Services, employees shall report for work and continue to work, unless an order or a communiqué to evacuate the workplace, to remain indoors or not to continue to work or not to report for work is issued by the National Crisis Committee.

(2) Where a torrential rain warning is issued by the Mauritius Meteorological Services, employees shall not be required to continue to work or to report for work.

(3) In all cases, resumption of work shall take place only following an order or a communiqué issued by the National Crisis Committee declaring that it is safe to venture outside or to report for work.

5.2 Before commencement of working hours

(1) Where –

(a) an order or a communiqué to remain indoors or not to continue to work or not to report for work is issued by the National Crisis Committee following a heavy rain warning issued by the Mauritius Meteorological Services; or

(b) a communiqué relating to torrential rain warning is issued by the Mauritius Meteorological Services,

before the commencement of the normal working hours of employees, an employer shall not require an employee to report for work.

5.3 During working hours

Where –

(a) an order or a communiqué to remain indoors or not to report for work is issued by the National Crisis Committee following a heavy rain warning issued by the Mauritius Meteorological Services; or

(b) a communiqué relating to torrential rain warning is issued by the Mauritius Meteorological Services,

during working hours of employees, an employer shall not require an employee to continue to work and shall make appropriate arrangements for the safe release of employees.

(2) In effecting such release, employers shall –

(a) give due consideration to the safety of employees;

(b) adopt, where appropriate, a phased release strategy having regard to travel distance and prevailing road conditions, so as to minimise risk and avoid traffic congestion;

(c) ensure that priority is given, in order of precedence to –

(i) pregnant employees and employees with mobility impairments or disabilities;

(ii) employees required to pick up minor children;

(iii) employees residing in affected or flood-prone areas; and

(iv) employees who rely on public transport.

(3) Where the workplace is situated in a flood-prone area, or where prevailing conditions render release unsafe, employers shall ensure that employees remain indoors and where feasible, relocate to higher levels or safer areas within the premises.

(4) When the conditions permit and the release is safe, the employer shall provide a means of transport where public transport is not available for the safe conveyance of the employees.

(5) Where an employee elects to leave the workplace contrary to the employer's reasonable safety instructions, the employee shall be required to sign a written undertaking acknowledging that the decision is taken at his own risk.

5.4 Where the National Crisis Committee declares that it is safe to venture outside

(1) Where the National Crisis Committee issues an order or a communiqué declaring that it is safe to venture outside or to report for work, an employer may require employees to report for work.

(2) An employee shall not be required to report for work unless –

(a) the employer provides a means of transport; or

(b) public transport is available from his place of residence to his place of work.

5.5 Employees who may be required to work

(1) Where –

(a) an order or a communiqué to remain indoors or not to report for work is issued by the National Crisis Committee following a heavy rain warning issued by the Mauritius Meteorological Services; or

(b) a communiqué relating to torrential rain warning is issued by the Mauritius Meteorological Services,

only employees who work in emergency services, or who can work from home in accordance with paragraph (2) below, may be required to work.

(2) Where the nature of the work permits, an employee can only be required to work from home during extreme weather conditions where there is no –

(a) risk to his life or that of his family;

(b) risk of injury;

(c) risk of his residence being damaged; or

(d) electricity or communication breakdown.

6. Remuneration and allowance

(1) Paragraph 6 shall apply only to employees working in the private sector. Public officers, local government officers and workers of a statutory body who are employed on terms and conditions specified in a report of the Pay Research Bureau will be governed by the remuneration and allowances set out therein and in their schemes of service.

(2) Where an employee working in emergency services is required to work on the employer's premises or at any other place where he has been assigned duty during extreme weather conditions, the employee shall, in addition to any remuneration due to him, be entitled to an allowance equal to 3 times the basic rate per hour in respect of every hour of work performed and an adequate free meal.

(3) Where no work is performed during a period of extreme weather conditions, the employer shall pay remuneration to the employee at the normal rate.

(4) Where an employee is required to work from home during a period of extreme weather conditions, the employee shall be remunerated at not less than twice the rate at which the work is remunerated when performed during the normal working hours.

(5) In this paragraph –

"extreme weather conditions" includes –

(a) cyclonic conditions where a warning class III or IV is issued by the Mauritius Meteorological Services;

(b) a situation where an order is issued under section 16 or 33 of the National Disaster Risk Reduction and Management Act requiring persons to evacuate their workplace, directing persons to remain indoors or directing workers not to continue to work or not to report for work following a heavy rain warning issued by the Mauritius Meteorological Services and until a further order is issued declaring that it is safe to venture outside or to report for work;

(c) a situation where a torrential rain warning is issued by the Mauritius Meteorological Services and until a further order is issued under the National Disaster Risk Reduction and Management Act declaring that it is safe to venture outside or to report to work; or

(d) a situation where a safety bulletin is issued by the Mauritius Meteorological Services under the Mauritius Meteorological Services Act.

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