

THE LOCAL GOVERNMENT SYSTEM IN

MAURITIUS



1 INTRODUCTION

The Republic of Mauritius, a unitary state, is located in the Indian Ocean, east of Madagascar and the south-east African coast. It includes the main island of Mauritius together with the island of Rodrigues, and the two dependencies of the Agalega islands and

the Cargados Carajos Shoals (Saint Brandon). Mauritius has a land area of 2,040 sq km¹ and an estimated population of 1,211,302.²

The unicameral parliament of Mauritius, the National Assembly (Assemblée Nationale) has 70 members elected for a five-year term. Members are elected from 20 three-member

constituencies on the island of Mauritius and one two-member constituency on the island of Rodrigues, under the first-past-the-post system; eight further assembly seats are apportioned to the 'best losers' among the non-elected candidates according to their ethno-religious affiliation (two each for Hindus, Muslims, Chinese and the general population), and proportionally to the major political parties. There is universal suffrage at age 18.

The head of state is the president, a largely honorary appointment, nominated by the prime minister and ratified by a majority vote of members of the National Assembly. The president, who must be not less than the age of 40, holds office for a five-year term and may be re-elected.

The prime minister is head of government, appointed by the president as the member of the assembly best able to command the support of the majority of assembly members. Acting on the advice of the prime minister, the president appoints the deputy prime minister and other cabinet ministers from the National Assembly.

The island of Mauritius has nine geographical districts. Local government comprises five municipal councils in the urban areas, and four district councils with a lower tier of 124 village councils in the rural areas. Rodrigues has semi-autonomous status as an island region with its own assembly. Agalega is managed by the Outer Island Development Corporation (OIDC).

The capital city is Port Louis, situated on the main island, and the official languages are English and French.

Local government contributed approximately 0.7% to GDP in 2005.

2 POLITICAL AND ORGANISATIONAL STRUCTURE OF MAURITIUS

Changes to the sub-national government system were considered in the report of the Commission on Regional Administration, set up in June 1996. Its recommendations were not implemented, but the governance issues of greater decentralisation of powers to local government in the island of Mauritius, and devolution of responsibilities to the island region of Rodrigues, have been carried forward, together with reform of the electoral

system.

New local government legislation has been enacted, and progressively implemented, to provide greater decentralisation of responsibilities and administrative and financial autonomy. The Local Government Act 2003 requires local authorities to 'play a more proactive role in combating poverty, improving the quality of life, and developing appropriate structures for the promotion of sports, cultural and welfare activities' in their areas.

The island of Rodrigues now has semi-autonomous status, with its own Regional Assembly, following a review of the institutional and political structures on the island.

Political reforms are being implemented alongside economic reforms. High priority is being given to the development of information and communications technologies, with the aim of transforming Mauritius into a cyber-island.

The most recent elections for the National Assembly were held on 3 July 2005. Of the 62 constituency seats the Alliance MSM/MMM (Militant Socialist Movement/Mauritian Militant Movement) gained 22, the Alliance Parti Travailleuse-PMXD (Parti Mauricien Xavier-Luc Duval) 38, and the Organisation du Peuple du Rodrigues (OPR) two. The eight 'best loser' seats gave four more to the MSM/MMM, two more to the Alliance Sociale, and two to the OPR.

Following the general election Dr Navinchandra Ramgoolam became prime minister and Sir Anerood Jungnauth remained president.

In the first elections for the Rodrigues Regional Assembly held on 29 September 2002, the Organisation du Peuple du Rodrigues gained ten seats, and the Mouvement Rodriguais eight seats.

On the island of Mauritius the Minister for Local Government and Solid Waste Management is responsible for local government under the provisions of the Local Government Act 1989.

The minister is granted considerable discretion in the making of 'such regulations as he thinks fit' for the purposes of the Act. This includes any matter on the setting-up of a local authority and the way in which it is to function. After consultation with municipal, district or village councils, the minister may amend the arrangements for their meetings and proceedings in accordance with the law.

Additional powers are given in respect of village councils, where, with the consent of the district council, the minister may withdraw the powers, suspend the activities, or decide on the dissolution of the council. On the advice of a village council, the minister has authority to suspend a councillor.

The minister also has responsibility for the financial provisions for local government.

The Rodrigues Regional Assembly was modelled on the devolution arrangements adopted by Trinidad and Tobago for the island of Tobago. It enjoys considerable autonomy for domestic matters. Under the Rodrigues Regional Assembly Act 2001 the president may at any time dissolve the Regional Assembly.

3 LEGAL BASIS FOR LOCAL GOVERNMENT

3.1 Constitutional provisions

The constitution is silent on the subject of local government; however, the Rodrigues Regional Assembly is enshrined in the constitution.

3.2 Main legislative texts

Local government on the island of Mauritius is governed by the Local Government Act 1989

(Act No. 48 of 1989), amended by the Local Government Act 1992 (Act No. 30 of 1992).

The 1989 legislation was replaced by the Local Government Act 2003. The Minister for Local Government and Solid Waste Management has primary responsibility for the administration of the legislation.

Arrangements in Rodrigues are governed by the Rodrigues Regional Assembly Act 2001, and administered by the Prime Minister's Office.

4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

4.1 Main divisions

Local government on the island of Mauritius is divided into urban and rural authorities. In the urban areas there are five municipal councils, with the capital, Port Louis, having city status. In the rural areas there is currently a two-tier system of four district councils and 124

Table 1. Size and range of local authorities by population

Type of council	No. of authorities	Largest	Smallest	Average
Municipal	5	Port Louis – 148,780	Quatre Bornes – 79,857	105,166
District	4	Pamplemousses/Rivière du Rempart – 237,583	Black River – 69,579	171,369

Table 2. Distribution of local authorities on the island of Mauritius

Geographical districts and islands	Population (2005 census)	Local authorities	
		Urban	Rural (district)
Port Louis	148,780	Port Louis	
		Quatre Bornes	
		Vacoas/Phoenix	
Black River	69,665		Black River
Moka	214,129		Moka/Flacq
Curepipe	84,000		
Rivière du Rempart	237,000		Rivière du Rempart
Grand Port/Savanne	185,000		Grand Port/Savanne
Total	1,239,011	5	4

Note: The census records population by ward and village council area (VCA) within each district. District boundaries are not always coterminous with local authority boundaries (eg part of one ward in the Saint Louis authority is counted within the Black River district).

Table 3. Wards and councillor numbers in the municipal councils

Municipal council	No. of wards	No. of councillors per ward	Total no. of councillors
Port Louis	6	5	30
Vacoas/Phoenix	4	6	24
Curepipe	3	8	24

village councils.

The Local Government Act 2003 retains the existing five urban municipal councils and establishes seven municipal councils in the geographical districts by splitting the existing district councils into their geographic districts.

The island of Rodrigues has a regional assembly.

Municipal and district councils have the same responsibilities but different revenue-raising powers. Village councils have a limited range of functions. In contrast, the Regional Assembly of Rodrigues has extensive responsibilities for internal matters.

4.2 Distribution of local governments and population

Municipal councils have an average population of 105,166, ranging from the smallest, Quatre Bornes (79,857), to the city of Port Louis (148,780). The district councils average 171,369, ranging from 69,574 to 239,583. With the exceptions of Port Louis and Plaines Wilhems, the geographical districts are predominantly rural. Rodrigues, with a population of 36,994, and the outer islands are wholly rural. Some 42.1% of the population lives in urban areas.

5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

On the island of Mauritius local government councillors are elected for five-year terms. All elections are conducted under the first-past-the-post system.

Mayors in municipal councils, and chairs of district and village councils, are elected annually by members of their respective councils.

There is a ward system for municipal councils (see Table 3) with wards returning between five and eight councillors.

Each of the 124 villages has 12 elected councillors. Some 16 villages are in the Black River district and 36 within each of the three remaining districts.

District councillors are elected indirectly. Village councils are grouped into divisions to elect district councillors. An assembly (over which the permanent secretary of the Ministry of Local Government presides) is held, at which village councillors within each division elect, by secret ballot from among their number, district councillors to represent their division.

On Rodrigues the Regional Assembly has 18 members, 12 of whom are local regional members, two from each of the six local regions, with the remaining six being island-wide members returned under a simple system of proportional representation. To qualify for

an island-wide seat, political parties must secure a minimum of 10% of votes. Each voter has three votes: two for candidates in the local region, and one for a registered political party for island-wide seats according to the list system.

Members serve a five-year term. A member of the National Assembly cannot stand for office in the Regional Assembly.

On Mauritius, council but not committee meetings are open to the public. The reporting and decision-making process is conducted through committees. Ordinary or special meetings of the Regional Assembly in Rodrigues are open to the public.

The five municipal councils in Mauritius elected 16 women as councillors out of 126 in 2001, or 12.7%. There are no women mayors or chairpersons. In the Rodrigues Regional Assembly out of 18 members 5 are women, or 27.8%.

5.1 Municipal councils

Municipal councils must appoint a committee of the whole council and committees for finance, public health, works and welfare. There are no executive committees or cabinets.

There is full discretion to set up other committees. Port Louis, for example, has committees for protection and embellishment of the environment, women's affairs, development and child welfare, public welfare, works, public health, personnel, bills and budget, libraries and twinning.

Mayors, who are part-time, are elected annually by the councillors. They are non-executive mayors and receive a monthly allowance, with the amount determined by the Minister of Local Government.

5.2 District councils

District councils must appoint a committee of the whole council and committees for finance, public health, works and welfare. They have discretion to appoint other committees. There are no executive committees or cabinets.

District councils have a chair as leader, who is part-time, elected annually by secret ballot of the district councillors. Chairpersons receive a monthly allowance, the amount being determined by the Minister for Local Government.

5.3 Village councils

Village councils are required to appoint a committee of the whole council and committees for finance, public health, works and welfare. They have discretion to appoint other committees. There are no executive committees or cabinets.

Village councils have a part-time chair as

leader, elected annually in a secret ballot by the village councillors in a meeting chaired by the chief executive of the district council. Chairpersons receive a monthly allowance, with the amount determined by the Minister for Local Government.

5.4 Rodrigues Regional Assembly

The Assembly comprises 18 members who are directly elected; 12 representing constituencies and elected by the first-past-the-post system, the remaining six elected by proportional representation.

The Assembly is required to appoint a committee of the whole Regional Assembly and four committees for finance, public health and environment, works, planning and development and welfare, sports, culture and leisure. There is full discretion to establish other committees.

A non-executive president, who does not have to be a member of the Assembly, is elected by Assembly members by majority vote for a term of five years. Members of the Assembly elect from among their number by majority vote the chief commissioner, a full-time appointment, also for a five-year term.

The executive body of the Assembly is the executive council comprising the chief commissioner, the deputy chief commissioner, and not more than five other members of the Assembly appointed by the president acting on the advice of the chief commissioner. The executive council is responsible to the Regional Assembly, and continues to operate during any period when the Assembly is dissolved.

The salary and allowances of the Regional Assembly president and the chief commissioner are determined by the National Assembly.

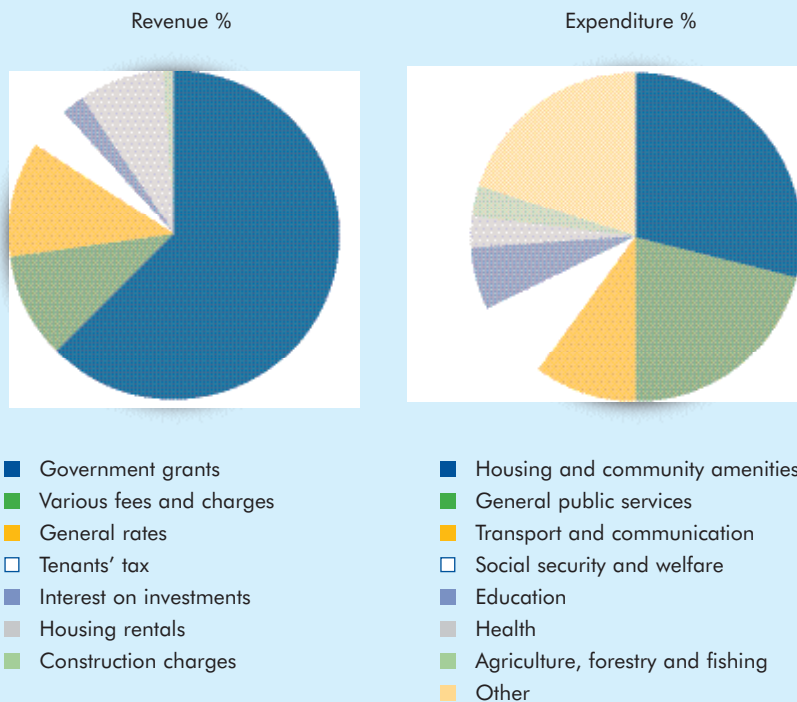
5.5 Local government staffing

Staff in local authorities on Mauritius are recruited by the Local Government Service Commission (LGSC), established under the Local Government Service Commission Act 1975. The LGSC can hire, promote, discipline and dismiss staff. Employees of village councils are deemed employees of the parent district council.

Local authorities are required to appoint a chief executive (called a town clerk in the municipal councils and a secretary in the district councils) as head of paid service.

Municipal council activities are organised under seven departments: town clerk, treasury, works, planning, welfare, health and library. Port Louis and Curepipe also have a department for parks and gardens. District council activities are organised under six departments: secretariat, treasury, works,

Figure 1 The financial structure of local government in Mauritius



planning, health and welfare.

Following the new local government legislation, the Pay Research Bureau has been reviewing organisational structures, and harmonising pay and grading between the municipal and district councils.

The Rodrigues Regional Assembly is required to appoint a chief executive, as head of the paid service, appointed by the prime minister after consultation with the chief commissioner. Staff appointments and disciplinary matters come under the LGSC and the Public Service Commission. The executive committee may make appointments on a contract basis and arrange transfers and secondments for staff.

5.6 Independent scrutiny

The Audit Office of Mauritius, established under the constitution and the Finance and Audit Act 1973, covers municipal, district and village council authorities on the main island. The director of audit's report to parliament includes an assessment of whether value for money has been achieved in spending by government and other public bodies, including the Rodrigues Regional Assembly.

A constitutional amendment in 2003 extends the powers of the Ombudsman to the Rodrigues Regional Assembly and local authorities.

6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE

Municipal and district councils have the same responsibilities. Only Port Louis has a fire brigade. All are responsible for the provision

of pre-school and vocational and technical education, kindergartens, housing, roads, waste management, cemeteries and crematoria, environmental protection, consumer protection, museums, libraries, parks and sports and leisure and economic promotion. With ministerial approval, councils may carry out other activities in their areas.

Village councils have a more restricted range of duties, covering recreation, culture, general welfare, public health and pre-primary education. They are also responsible for the local environment and the wellbeing of the local population. Subject to ministerial approval, a village council may carry out any of the functions assigned to municipal or district councils.

The Rodrigues Regional Assembly has an extensive range of functions and also exercises all local government and other powers available to a municipal council on Mauritius. Additionally, the government or any public statutory body may authorise the Assembly to act as its agent in respect of any of its responsibilities in Rodrigues. The Assembly may propose bills for matters within its jurisdiction, and where these are adopted forwards them via the chief commissioner to the Minister for Rodrigues with a request for enactment by the National Assembly.

7 FINANCE

7.1 Revenue

The main source of income on Mauritius is the central government grant, which provides around 67% of municipal council and 80% of

district council revenue.

No aggregate figures are available. The following is an indicative breakdown of the revenue for the municipality of Quatre Bornes:

1. Government grants	60%
2. Various fees and charges	10%
3. General rates	11%
4. Tenants' tax	4%
5. Interest on investments	2%
6. Housing rentals	8%
7. Construction charges	1%
8. Other	4%

The level of central government grant to councils on Mauritius is prescribed by the Minister of Local Government, under a formula based on the advice of the Local Government Finance Board (LGFB). Locally raised income includes property rates, tenants' tax (for commercial property), rents, licences, permits and other fees.

Rodrigues also derives most of its income from central government grants. These are determined annually by the cabinet and are subject to approval by the National Assembly, taking into account geographical, economic and social factors.

Local councils on Mauritius and the Rodrigues Regional Assembly are responsible for collecting local taxes and fees. The councils and the Regional Assembly determine locally raised taxes and fees without ministerial supervision.

7.2 Revenue-sharing

There are no revenue-sharing arrangements between central and local government on the island of Mauritius. On the island of Rodrigues, the Regional Assembly retains fees, dues or other charges payable in respect of any economic activity, together with all receipts from public services and public utilities. Fees collected under the Environmental Protection Act are now to remain with Rodrigues.

District councils on Mauritius must spend for the benefit of each village at least 50% of revenues from rents, licences, permits and fees from the village area.

7.3 Expenditure

The total expenditure of local government including Rodrigues was MUR 2.3bn (US\$81.7m) in 2002/2003. The main lines of expenditure were:

1. Housing and community amenities	29%
2. General public services	21%
3. Transport and communication	10%
4. Social security and welfare	8%
5. Education	6%

6. Health	3%
7. Agriculture, forestry and fishing	3%
8. Other	20%.

8 ORGANISATIONS OF LOCAL GOVERNMENT

The 2003 Act provides for an association of local authorities funded by member contributions with such powers as the minister may decide. There are currently two associations: the Association of Urban Authorities and the Association of District Councils.

9 INTERGOVERNMENTAL RELATIONS

On the island of Mauritius any local authority (municipal, district or village) may establish joint committees with two or more authorities in their common interest.

In Rodrigues, the chief commissioner is required to forward to the Minister for Rodrigues an annual report reviewing the activities of the Assembly for tabling in the National Assembly. The chief commissioner attends meetings of the cabinet, to inform it of decisions taken by the Regional Assembly and to represent the interests of the island on matters which affect it, and is required to keep the prime minister informed of the activities of the executive council. The executive council must submit to the prime minister policy statements on matters relating to the development of Rodrigues and may refer specific matters to the prime minister, for consideration by the cabinet.

10 E-GOVERNMENT

Government's vision is to harness information and communications technologies (ICT) to develop Mauritius as a cyber-island. The objectives are to:

- Enhance the nation's competitiveness in the global marketplace so as to improve people's quality of life
- Drive Mauritius into a knowledge-based society and position the country as an ICT hub
- Develop Mauritius into an ICT exporter as well as an ICT importer.

The vision has three key elements: the development of a cyber-city, a comprehensive e-education project and an e-government programme, with task forces established in these areas. Key initiatives, now in part implemented, include the development of the government online centre, a government intranet system, ICT training for government employees, email and a web portal to give access to all government websites.

The Ministry of Local Government website

at www.localgovernment.gov.mu provides summary information on all local councils, with links to councils that have websites including Port Louis, Vacoas/Phoenix, Beau Bassin/Rose Hill, and Curepipe. The new local government legislation will empower the chief executive to authorise or require that council activities are carried out by 'electronic or other technological means'.

Mauritius had 180,000 internet users in 2003, representing approximately 15% of the population.³

11 ENVISAGED REFORMS

The Local Government Act is currently being reviewed with a view to providing more autonomy to the local councils.

12 MISCELLANEOUS

Municipal and district councils are encouraged to set up local business councils, with all registered businesses being members. The initiative is designed to give 'a new and broader dimension to the public-private-sector dialogue'.⁴ Under the new local government legislation, councils will be required to set up permits and licences committees to provide a one-stop shop for applications from businesses.

13 SUMMARY

Mauritius, ranked 62 out of 175 (medium human development) in the UN Human Development Index, has one of the strongest economies in Africa and is a stable democracy. Local government has been operating there for over two hundred years. Its Economic Agenda for the New Millennium supports a new development phase diversifying and increasing the competitiveness of the economy, including major ICT investment, promoting social development and preserving the natural environment. Governance reforms, which have included the creation of the semi-autonomous Rodrigues Regional Assembly, are continuing with the progressive implementation of the Local Government Act 2003.

References

- 1 Island of Mauritius 1,865 sq km, Rodrigues 104 sq km, and other islands 71 sq km
- 2 Government of Mauritius 2008
- 3 Ibid.
- 4 Budget Statement 2004/2005.

Service	Delivering authority				Remarks
	Central	Rodrigues Regional Assembly	Local government		
			Municipal/district	Village	
GENERAL ADMINISTRATION					
Police					Mauritius – Port Louis only + administration only
Fire protection					
Civil protection		●			
Criminal justice		●			
Civil justice		●			
Civil status register					
Statistical office		●			
Electoral register					
EDUCATION					
Pre-school	●		●	●	
Primary					
Secondary					
Vocational and technical	●		●	●	
Higher education					
Adult education					
SOCIAL WELFARE					
Kindergarten and nursery			●		
Family welfare services	●				
Welfare homes					
Social security		●			
PUBLIC HEALTH					
Primary care	●	●			
Hospitals	●	●			
Health protection	●	●	●		
HOUSING AND TOWN PLANNING					
Housing	●		●	●	
Town planning					
Regional planning					
TRANSPORT					
Roads	●		●	●	
Transport	●				
Urban roads					
Urban rail					
Ports		●			Rodrigues – marine services administration
Airports					
ENVIRONMENT AND PUBLIC SANITATION					
Water and sanitation					
Refuse collection and disposal			●	●	
Cemeteries and crematoria			●	●	
Slaughterhouses	●				
Environmental protection	●		●	●	
Consumer protection	●		●	●	
CULTURE, LEISURE AND SPORTS					
Theatres and concerts					
Museums and libraries	●		●	●	
Parks and open spaces			●	●	
Sports and leisure	●		●	●	
Religious facilities					
UTILITIES					
Gas services					
District heating					
Electricity					
Water supply					
ECONOMIC					
Agriculture, forests and fisheries					● = discretionary service by the local authority
Economic promotion			●		
Trade and industry					
Tourism					