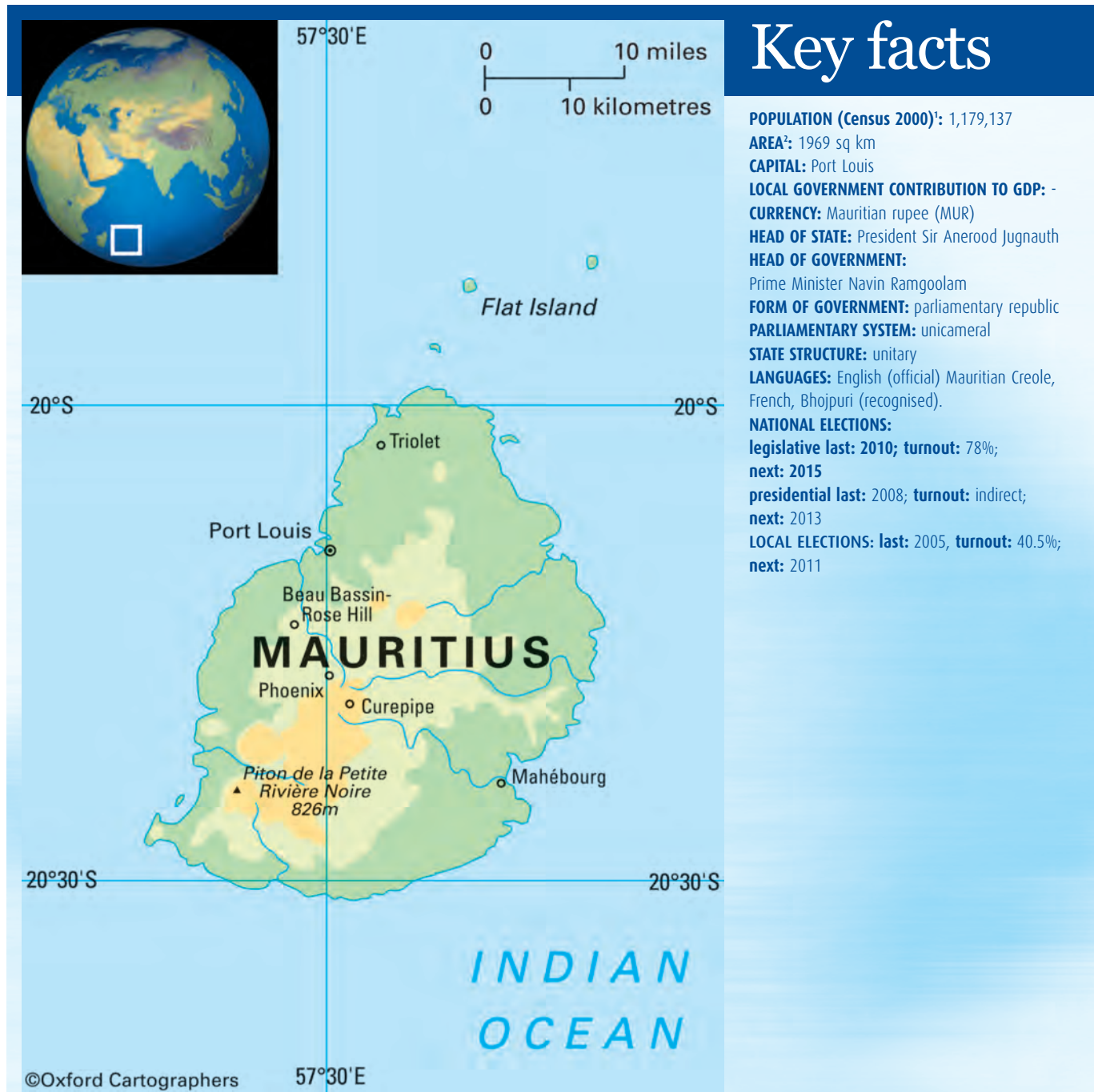


The local government system in

# Mauritius



## SUMMARY

Mauritius is a constitutional republic with three tiers of government: central, local and village. There is no constitutional provision for local government other than the Rodrigues Regional Assembly. Local government in Mauritius is governed by the Local Government Act 1989 (Act

No. 48 of 1989) and the, as yet, unimplemented Local Government Act 2003 (Act No. 32 of 2003). The Ministry of Local Government and Outer Islands (MLGOI) is responsible for overseeing local authorities. Local government in Mauritius has two tiers. The first tier comprises urban councils, known as municipalities, and rural

authorities (called district councils), while the second tier relates only to those district councils which oversee 124 village councils. Municipal and district councils are empowered to raise revenues via various fees. The main source of local government income is the central government grant. Municipal and district councils have the

following statutory duties: roads, environment and public sanitation, culture, leisure and sport and education. Village councils are not responsible for roads but otherwise overlap in several areas of service delivery.

## 1. CENTRAL GOVERNMENT

Mauritius is a constitutional republic with a unicameral parliamentary system. The head of state is the president who is indirectly elected by parliament for a five-year term. The parliament of Mauritius, the National Assembly (Assemblée Nationale) has 70 members directly elected for a five-year term by universal adult suffrage.

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' four 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.

## 2. LEGAL BASIS FOR LOCAL GOVERNMENT

### 2.1 Constitutional provisions:

There is no constitutional provision for local government; however, the Rodrigues Regional Assembly (see below) is enshrined in the constitution.

### 2.2 Main legislative texts:

Local government in Mauritius is legislated by the Local Government Act 1989 (Act No. 48 of 1989) and the Local Government Act 2003 (Act No. 32 of 2003). The Local Government Act 2003 however has not been implemented and new legislation is being developed. Local administration in Rodrigues is governed by the Rodrigues Regional Assembly Act 2001 and overall responsibility for Rodrigues administration falls within the remit of the MLGOI.

## 3. STRUCTURE OF LOCAL GOVERNMENT

### 3.1 Local government within the state:

Local government on the island of Mauritius is divided into urban and rural authorities. In the urban areas there are five municipal councils, including the capital, Port Louis, which has city status. The Local Government Act 2003 sets out several changes for the demarcation of councils. Currently, there are five municipal councils covering seven geographical areas, with two of the councils covering two geographical areas each. Once implemented, the 2003 Act will split these councils so that each geographical area has its own council. In the rural areas there is currently a two-tier system of four district

**Table 1.** Distribution of councils and population, Census 2000

Municipalities	Number of villages	Population (Census 2000)*	% rural
Port Louis	0	127,936	0
Plaines Wilhems	-	358,222	0
Beau Bassin - Rose Hill**	0	-	0
Quatre Bornes	0	-	0
Vacoas - Phoenix**	0	-	0
Curepipe	0	-	0
<b>Districts</b>	-	-	-
Pamplemousses- Rivière du Rempart	36	221,207	100
Moka - Flacq	36	202,340	100
Black River	16	60,608	100
Grand Port - Savanne	36	173,097	100
<b>Island Regional Assembly</b>	-	-	-
Rodrigues Island	-	35,779	100
Other islands	-	-	-
Agalega, St Brandon and other islands	-	289	100
<b>TOTAL</b>	<b>124</b>	<b>1,179,137</b>	<b>57.3</b>

\* approximate to .00% of total population Source: Mauritius Central Statistics Office<sup>1</sup>

\*\* the 2003 Act splits these into two separate municipal councils

councils and 124 village councils. 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 local responsibilities.

### 3.2 Ministerial oversight:

The MLGOI is responsible for overseeing local authorities. The minister is responsible for issuing guidelines to local authorities for the smooth running of council matters, as well as for seeking input from local authorities to parliamentary matters and informing local authorities of the policy decisions of government. The minister is also responsible for allocating 'grant in aid' and other funds for capital projects and approving the finances of councils, and has the authority to approve an exemption from paying rates on the grounds of poverty. The permanent secretary is the responsible officer for all chief executives of local authorities.

### 3.3 Council types:

Local authorities in Mauritius currently consist of five municipal councils for urban areas and four district councils for rural areas, the latter of which oversee a second tier of 124 village councils. The number of individual municipal councils will increase from five to seven following the full implementation of the Local Government Act 2003. Each municipal council consists of 24 councillors, except for the municipal council of Port Louis which has 30 councillors. The district councils each have 36 village councils under them, except

Black River which has 16. District councils are represented on each of their subsidiary village councils by one district councillor, and village councils consist of 12 elected members each. Where the number of elected councillors falls below 12, the minister can nominate members to bring the council up to 12 members.

**3.3.1 Municipal councils**, by law, must hold quarterly meetings for the transaction of general business. There are no executive committees or cabinets but municipal councils are also obligated to appoint standing committees with delegated powers including finance, public health, works and welfare. Each standing committee will hold an ordinary meeting once in every quarter and there is full discretion to set up other committees. Port Louis, for example, has committees for the protection and embellishment of the environment, women's affairs, development, child welfare, public welfare, works, public health, personnel, bills and budget, libraries and twinning. A part-time mayor is elected annually by each council.

**3.3.2 District councils** hold quarterly meetings for the transaction of general business. District councils must appoint standing committees, namely committees for finance, public health, works and welfare. Each standing committee must hold a monthly meeting and they have discretion to appoint other committees. There are no executive committees or cabinets. A part-time chairperson is elected as leader by secret ballot of the district councillors.

**3.3.3 Village councils** are required to hold meetings at least quarterly for general business. They 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.

**3.3.4 The Rodrigues Regional Assembly** comprises 18 members who are directly elected; 12 representing constituencies and elected by the first-past-the-post system and six elected by proportional representation. The assembly is required to appoint four standing committees: 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 appointed by the president 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.

## 4. ELECTIONS

### 4.1 Recent local elections:

- Municipal elections - 02 October 2005, turnout 40.53%
- Village council elections - 11 December 2005, turnout: 51.86%
- District councils - indirectly elected

### 4.2 Voting system:

The Local Government Act 1989 provides for the holding of municipal council and village council elections every five years, but while amendments to the 2003 Act are drafted, elections have been postponed until 2011. District councillors are elected indirectly by secret ballot from members of village councils. Each village council is represented in its respective district council by one representative elected from its councillors.

### 4.3 Elected representatives:

Local government councillors are elected for a five-year term. Members of the national assembly cannot stand for office in the regional assembly.

On the island of Mauritius, all elections for municipal and village councils are conducted via 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 with wards returning between five and eight councillors. Village councils are grouped into divisions to elect district councillors by secret ballot from among their number.

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 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.

### 4.4 Women's representation:

Ten percent of total elected councillors are women in municipal councils. In village council elections 6% of total elected councillors were female.

## 5. SYSTEMS FOR COMMUNITY INVOLVEMENT

### 5.1 Legal requirement:

The Local Government Act 1989 does not provide specifically for formal consultation processes with civil society.

### 5.2 Implementation:

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.

### 5.3 E-government:

The ministry, in collaboration with local authorities, is currently implementing a project to set up an e-government portal for local authorities, due to be launched in 2011. Members of the public will be able to access information, make applications and enquiries and file complaints via the portal. Citizens will also be able to make payments to the council through internet banking via the portal.

## 6. ORGANISED LOCAL GOVERNMENT

There are currently two associations: the Association of Urban Authorities and the Association of District Councils.

## 7. 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 share decisions taken by the regional assembly and to represent the interests of the island on pertinent matters. The chief commissioner is also 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.

## 8. MONITORING SYSTEMS

According to the Local Government Act 1989 financial estimates for local authorities have to be approved by the Minister of Local Government and submitted to the Ministry of Finance and Economic Development. Disbursement, withdrawal, reallocation of funds and writing off of bad debts require the approval of the minister. Local authorities must submit a monthly monitoring report of actual revenue and expenditure to the finance section of the MLGOI. The annual accounts of the local authorities have to be submitted to the Director of Audit within four months of the end of the financial year. Each local authority has an internal control unit headed by a professionally qualified internal auditor who is responsible for ensuring that independent appraisals are effected regularly.

## 9. FINANCE, STAFFING AND RESOURCES

### 9.1 Locally raised revenue:

Municipal and district councils are empowered to raise revenues via the following fees: building and land use permits, trade, markets, cemeteries, scavenging, traffic fees and advertisements. In addition, municipal councils can also raise revenue through a general (property) rate and a tenants' tax.

### 9.2 Transfers:

The annual 'grant in aid' for all local authorities is voted in as part of the budget of the MLGOI at the beginning of the financial year. This amount is distributed in monthly instalments to each local authority.

### 9.3 Local authority staff:

Local government councillors and officers are paid by their respective local authorities from

**Table 2.** Budgeted revenue and expenditure for the municipal council of Curepipe 2011

Revenue	MUR (000s)	Expenditure	MUR (000s)
<b>Government transfer</b>		<b>Admin and operational</b>	
Grant in aid	190,565	Salaries total	172,348
Grant for capital expenditure	97,515	Capital expenditure	97,790
<b>Local tax</b>	-	<b>Service delivery</b>	-
General rate	29,200	Good and services	76,365
Tenant tax	15,900	Social benefit	30,952
Trade fee	16,600	Grants	1,735
Building & land use permit	1,590	Other expenses	353
Cemetery fees	260	-	-
Traffic centre fees	3,186	-	-
Market fees	6,566	-	-
Other income	18,161	-	-
<b>TOTAL</b>	<b>379,545</b>	<b>TOTAL</b>	<b>379,220</b>

Source: Ministry of Local Government and Outer Islands<sup>4</sup>

council funds. Non-executive mayors and council chairpersons in municipal authorities, and district/village authorities respectively, receive a monthly allowance, the amount of which is determined by the Minister for Local Government. Members of staff 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 overseeing district council. Local authorities are required to appoint a chief executive as the accounting head. 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, planning, health and welfare. Following the Local Government Act 2003, the Pay Research Bureau reviewed organisational structures, and has harmonised pay and grading between the municipal and district councils. The Rodrigues Regional Assembly is required to appoint a chief executive, who is formally appointed by the prime minister after consultation with the chief commissioner. Staff appointments and disciplinary matters are dealt with by the LGSC and the Public Service Commission. A council's executive committee may arrange appointments on a contract basis and arrange transfers and secondments for staff.

## 10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

The statutory duties of municipal and district councils include: cleansing and lighting of all public roads; collection and disposal of waste; provision of public libraries: exhibition halls and art galleries, theatres and places of public

entertainment; playing fields; cemeteries and cremation grounds; nurseries for infants; and pre-primary schools. They are also tasked with control of pollution and hawkers.

Village councils have a duty to organise welfare, sports and cultural activities alongside the running of pre-primary schools and sewing classes. They also maintain cremation grounds and other public health facilities as well as carrying out public works to promote the sanitation and cleanliness of the village. A village council may carry out any other duties assigned to municipal and district councils.

### References and useful websites

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Census 2000  
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2. UN statistics  
<http://unstats.un.org/unsd/demographic/products/dyb/dyb2008/Table03.pdf>
3. IMF statistics  
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4. Ministry of Local Government and Outer Islands website,  
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5. Electoral Institute for the Sustainability of Democracy in Africa 'Mauritius: Electoral system for Parliament in Mauritius'  
[www.eisa.org.za/WEP/mauseats.htm](http://www.eisa.org.za/WEP/mauseats.htm)
6. Government of Mauritius website  
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[www.gov.mu/portal/site/mlge/menuitem.f9](http://www.gov.mu/portal/site/mlge/menuitem.f9)

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[www.gov.mu/portal/goc/file/Mauritius\\_web.pdf](http://www.gov.mu/portal/goc/file/Mauritius_web.pdf)
11. Municipality of Port Louis  
<http://mpl.intnet.mu/home>
12. Municipality of Beau Bassin/Rose Hill  
[www.bbrh.org](http://www.bbrh.org)
13. Municipality of Quatre Bornes [www.qb.mu](http://www.qb.mu)
14. Municipality of Vacoas/Phoenix  
[www.vacoasphoenix.org](http://www.vacoasphoenix.org)
15. Municipality of Curepipe <http://municipal-curepipe.org>
16. Pamplemousses/Rivière du Rempart District Council <http://prdc.mu/index.php>
17. Moka Flacq District Council  
[www.mfdc.orange.mu](http://www.mfdc.orange.mu)
18. Grand Port/Savanne District Council  
[www.gpsdc.intnet.mu](http://www.gpsdc.intnet.mu)

**Annex A.** Summary of service provision in different spheres of government

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

■ = Discretionary service by the local authority