

PAWNBROKERS ACT

This Act came into force on 16 November 1872. It was reproduced in Cap 407, Lane, The Laws of Mauritius Revised Edition 1945. Following the enactment of the Revision of the Laws Act in 1974, the Crown Law Office (now the Attorney-General Office) examined the text of this Act and recommended its repeal for the following reasons which are still valid—

- (a) its provisions being couched in terms which are unfelicitous and often unclear it had to be streamlined and re-enacted in a form consistent with our Statute Law;
- (b) it was evanescent, if not altogether obsolete, as it purported to regulate advances of the ridiculous maximum limit of 100 rupees;
- (c) the reform of the Code Civil Mauricien with the assistance of Professor Garron led to the consolidation, by Act 8 of 1988, of all provisions relating to *Des gages*, in Titre Dix-Septième, Chapitre Premier of the Code Civil Mauricien (Articles 2073 to 2094-1).

The provisions of the Act had accordingly been embodied in the Code Civil Mauricien subject to one reservation set out in Article 2094-1, namely—

L'exercice de la profession ou de l'activité du prêteur sur gage est régi par les dispositions du Pawnbrokers Act.

The Law Revision Unit did not reproduce the Act in the 1981 Edition of the Revised Laws of Mauritius.

The text of the Act may be found in Mauritius Laws 1996, Vol. 4.

Act 15 of 1998 amended the Act—

- (a) in section 2, in relation to the carrying on of the business of pawnbrokers, by providing that a person commits an offence if he enters into a contract with a minor;
- (b) in section 34, by increasing the limit of 100 rupees to 10,000 rupees.

