

**THE MON CHOISY-CAP MALHEUREUX ROAD OVERHEAD PEDESTRIAN
BRIDGE (AUTHORISED CONSTRUCTION) BILL**
(No. IX of 2020)

Explanatory Memorandum

The object of this Bill is to authorise Merville Ltd to construct an overhead pedestrian bridge across the Mon Choisy-Cap Malheureux Road (B13 Road).

L. S. OBEEGADOO

*Deputy Prime Minister, Minister of Housing and
Land Use Planning, Minister of Tourism*

10 July 2020

**THE MON CHOISY-CAP MALHEUREUX ROAD OVERHEAD PEDESTRIAN BRIDGE
(AUTHORISED CONSTRUCTION) BILL**
(No. IX of 2020)

ARRANGEMENT OF CLAUSES

Clause

1. Short title
 2. Interpretation
 3. Permission to construct
 4. Public domain
 5. Annual fee
 6. Regulations
 7. Commencement
- SCHEDULE

A BILL

**To provide for the construction of an overhead pedestrian bridge
across the Mon Choisy-Cap Malheureux Road (B13 Road)**

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Mon Choisy-Cap Malheureux Road Overhead Pedestrian Bridge (Authorised Construction) Act 2020.

2. Interpretation

In this Act –

“B13 Road” means the Mon Choisy-Cap Malheureux Road which –

- (a) is classified as a road; and
- (b) bears classification number “B13”,

under the Motorways and Main Roads Regulations 1976;

“B165 Road” means the Vieux Moulin Road which –

- (c) is classified as a road; and
- (d) bears classification number “B165”,

under the Motorways and Main Roads Regulations 1976;

“company” means Merville Limited which –

- (a) has been incorporated in Mauritius, under the Companies Act, on 18 August 1971; and
- (b) bears registration number C06001930;

“Minister” means the Minister to whom the responsibility for the subject of land is assigned.

3. Permission to construct

(1) The company may, subject to such conditions as the Minister may determine, construct an overhead pedestrian bridge, in accordance with the Schedule, across B13 Road at a distance of 690 metres from B165 Road measured along B13 Road towards Grand Baie.

(2) The company shall, at all times and at its own cost, maintain the overhead pedestrian bridge in good repair and ensure that it is not a source of danger to the public.

4. Public domain

(1) The overhead pedestrian bridge constructed shall be the property of the Government of Mauritius, and shall, subject to subsections (2) and (3), not form part of the public domain.

(2) The part of B13 Road underneath the authorised construction shall continue to be part of the public domain.

(3) The pavement under the bridge constructed on the land shall continue to be dedicated to public use.

5. Annual fee

(1) The company shall, on 1 July of every year, pay to the Government of Mauritius, such fee as may be prescribed.

(2) The fee provided for under subsection (1) may be revised every 5 years.

6. Regulations

(1) The Minister may make such regulations as he thinks fit for the purposes of this Act.

(2) The Minister may, by regulations, amend the Schedule.

7. Commencement

This Act shall come into operation on a date to be fixed by Proclamation.

SCHEDULE
[Section 3]

1. The overhead pedestrian bridge shall be –
 - (a) constructed across B13 Road at a distance of 690 metres from B165 Road measured along B13 Road towards Grand Baie and shall cross B13 Road at coordinates 251,940.49mE, 380,381.54mN, 251,943.60mE, 380,385.25mN, 251,945.67mE, 380,377.34mN, 251,942.54mE and 380,373.68mN;
 - (b) constructed at a height of at least 5 metres over B13 Road;
 - (c) of such construction and design as the Minister may approve.
 2. Each support of the overhead pedestrian bridge shall be at least 3 metres away from the edge of B13 Road.
-