

**REVISION OF LAWS ACT**

Act 18 of 1974 – 1 June 1974

ARRANGEMENT OF SECTIONS

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**REVISION OF LAWS ACT**

**1. Short title**

This Act may be cited as the Revision of Laws Act.

**2. Interpretation**

In this Act—

“cut-off date” means—

- (a) in relation to an enactment contained in a revised edition, the date specified in section 4 (1) (b); and
- (b) in relation to an enactment set out, partly reproduced or otherwise referred to in a Supplement, the date specified in section 4A (4);

“revised edition” means an edition of enactments published in accordance with section 4;

“Supplement” means a Supplement published in accordance with section 4A.

[S. 2 repealed and replaced by s. 3 of Act 4 of 2011 w.e.f. 30 April 2011.]

**3. Law Revision Unit**

(1) A Law Revision Unit shall be established within the Attorney-General’s Office for the purposes of revising enactments.

(2) The Law Revision Unit shall, under the supervision and direction of the Attorney-General—

- (a) prepare revised editions and Supplements;
- (b) – (e) —

- (f) do all other things that are incidental or conducive to the proper performance of its functions.

[S. 3 amended by s. 4 of Act 4 of 2011 w.e.f. 30 April 2011.]

#### **4. Revised editions**

(1) (a) A revised edition shall, subject to subsection (2) and to section 5 (1) (a), be published in such number of volumes containing such enactments as the Attorney-General may decide.

(b) There shall be specified in every volume of a revised edition the date to which every enactment contained in the volume has been revised in accordance with this Act.

(2) (a) In the preparation of a revised edition, the Attorney-General may require the Law Revision Unit to omit any enactment.

(b) A statement indicating which enactments have been omitted from a revised edition pursuant to paragraph (a) or section 6 (1), shall be embodied in the revised edition.

(3) A revised edition shall be printed in such manner as the Attorney-General may direct, and all expenses incurred in its preparation and publication shall be paid out of the Consolidated Fund in loose-leaf form or in such other manner and at such times as the Minister of Finance may approve.

(4) (a) Subject to section 6, a revised edition shall come into operation on such day as the Attorney-General may prescribe.

(b) Different days may be prescribed under paragraph (a) in respect of each volume of a revised edition.

(5) Notwithstanding sections 12 (1) and 13 of the Interpretation and General Clauses Act, a revised edition shall, for all purposes, from the day prescribed under subsection (4) and with effect from the day immediately following the cut-off date—

(a) be the sole official text of the enactments included in it; and

(b) be taken to be the law of Mauritius on the cut-off date.

(6) The Attorney-General shall, before the commencement of any volume of a revised edition under subsection (4), transmit one copy of the volume to the Clerk of the Assembly for deposit in the Library of the Assembly and one copy to the Registrar for enrolment in the Supreme Court.

(7) A revised edition shall bear a title which contains a reference to the year in which it was published and any enactment in a revised edition may be cited by its short title followed, where appropriate, by a reference to the relevant volume and page of the revised edition.

[S. 4 amended by s. 5 of Act 4 of 2011 w.e.f. 30 April 2011.]

#### **4A. Supplements**

(1) The Attorney-General may, from time to time, cause to be prepared and published a Supplement to a revised edition for the purpose of bringing it up to date.

(2) A supplement shall be printed in loose-leaf form so that its pages can be inserted in the appropriate volume of the revised edition, and the expenses incurred in its preparation and publication shall be a charge on the Consolidated Fund.

(3) A Supplement shall—

- (a) set out the new enactments that have been enacted since the cut-off date of the enactments contained in a revised edition or of those which are set out, reproduced or otherwise referred to in a Supplement, as the case may be;
- (b) partly reproduce the enactments to which amendments have been made by Parliament or in which errors have been corrected by the Law Revision Unit since the cut-off of the enactments contained in a revised edition or of those which are set out, partly reproduced or otherwise referred to in Supplement; and
- (c) indicate the enactments, if any, that have been repealed since the cut-off date of the enactments contained in a revised edition or of those which are set out in a Supplement.

(4) There shall be specified in a Supplement the date to which every enactment set out, partly reproduced or otherwise referred to, has been included or revised.

(5) Subsections (4), (5) and (6) of section 4, and sections 5 and 6, shall apply to a Supplement as they apply to a revised edition.

[S. 4A inserted by s. 6 of Act 4 of 2011 w.e.f. 30 April 2011.]

## 5. Powers of Law Revision Unit

(1) The Law Revision Unit may, in the preparation of a revised edition—

- (a) omit an enactment or a part of an enactment which has been expressly or impliedly repealed or has become spent or obsolete by reason of its being in the nature of a transitional provision or otherwise;
- (b) omit—
  - (i) the preamble to any enactment;
  - (ii) the enacting clause to any enactment;
  - (iii) any provision prescribing the date of the commencement of an enactment;
  - (iv) all portions, other than the titles, of an enactment which is of a private nature;
  - (v) the *subscriptum* to an enactment;
- (c) consolidate, with all necessary consequential changes, enactments in *pari materia*;
- (d) reorder or renumber any part of an enactment;

- (e) alter the form or arrangement of any enactment—
  - (i) by transferring words;
  - (ii) by combining it, in whole or in part, with another enactment;  
or
  - (iii) by creating divisions in an enactment;
- (f) arrange enactments in any sequence or grouping;
- (g) add or alter a title or short title to an enactment;
- (h) supply, alter or omit marginal notes;
- (i) supply, alter or omit tables of contents;
- (j) correct cross references;
- (k) shorten or simplify the phraseology of an enactment;
- (l) correct grammatical, typographical and similar errors in an enactment and for that purpose make additions, omissions or alterations;
- (m) make such formal alterations as to names, localities, offices, procedures and otherwise as may be necessary to bring an enactment into conformity with the circumstances existing at the date of the coming into force of the revised edition; and
- (n) do all such other things relating to form and method which appear necessary for the revision of an enactment.

#### **6. Change of substance**

(1) The Attorney-General may authorise the Law Revision Unit to make a change in the substance of an enactment for the purpose of a revised edition.

(2) Where a change in the substance of an enactment has been made under subsection (1), that enactment shall be laid before the Assembly and shall have effect as part of the revised edition only from such day as is fixed by the Assembly.

(3) The Attorney-General shall, by regulations, notify the day fixed under subsection (2).

#### **7. Validity of enactment not affected by omission**

No enactment omitted from a revised edition or Supplement, other than an enactment omitted under section 5, shall be deemed to be without force and validity by reason only of the fact that it is so omitted.

[S. 7 repealed and replaced by s. 7 of Act 4 of 2011 w.e.f. 30 April 2011.]

#### **8. Regulations**

The Attorney-General may make such regulations as he thinks fit for the purposes of this Act.

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