

**SOCIÉTÉ DE PROMOTION ET DE PARTICIPATION  
POUR LA COOPÉRATION ÉCONOMIQUE  
(IMMUNITIES AND PRIVILEGES) ACT**

Act 37 of 1994 – 31 December 1994

ARRANGEMENT OF SECTIONS

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**SOCIÉTÉ DE PROMOTION ET DE PARTICIPATION  
POUR LA COOPÉRATION ÉCONOMIQUE  
(IMMUNITIES AND PRIVILEGES) ACT**

**1. Short title**

This Act may be cited as the Société de Promotion et de Participation pour la Coopération Économique (Immunities and Privileges) Act.

**2. Interpretation**

In this Act—

“Minister” means the Minister to whom responsibility for the subject of finance is assigned;

“officer” means an employee or agent of the organisation—

- (a) who is not a citizen of Mauritius; and
- (b) whose name and description have been notified to and approved by the Minister;

“organisation” means the Société de Promotion et de Participation pour la Coopération Économique;

“Protocol” means the Protocol entered into between Mauritius and the organisation and signed on 13 December 1991.

**3. Corporate status**

The organisation shall be a body corporate.

**4. Immunities and privileges**

(1) Notwithstanding any other enactment, the organisation shall, in relation to any activity carried on pursuant to the Protocol—

- (a) subject to section 5 of the Customs Tariff Act, be exempt from the payment of customs duty on imported goods;

- (b) not be liable to registration duty in respect of any deed under which it is the sole beneficiary;
- (c) not be liable to any other duty, rate, charge or tax, including value added tax;
- (d) be entitled to freely transfer from Mauritius any sum received—
  - (i) by way of interest or repayment of capital on the loans witnessed by the Protocol;
  - (ii) from the sale of its property; or
  - (iii) as a result of any other realisation connected with its activities pursuant to the Protocol.

(2) Notwithstanding any other enactment, an officer shall, in relation to an activity of the organisation, or an act required to be done by him, pursuant to the Protocol—

- (a) not be liable to any duty, rate, charge or tax, including value added tax;
- (b) subject to sections 7 and 8 of the Immigration Act, be deemed to be an exempted person for the purposes of that Act; and
- (c) be entitled to transfer freely from Mauritius any sum received by way of wages, salary or commission or otherwise.

(3) No officer shall be subject to any enactment relating to any national insurance or pension or industrial injury benefit scheme, and the organisation shall not, in relation to an officer, be subject to any such enactment.

(4) For the purposes of the activities of the organisation in relation to the Protocol—

- (a) the organisation shall, subject to subsection (5), be exempt from the—
  - (i) Banking Act;
  - (ii) Non-Citizens (Employment Restriction) Act; and
  - (iii) Non-Citizens (Property Restriction) Act; and
- (b) an officer of the organisation shall be exempt from the—
  - (i) Banking Act; and
  - (ii) Non-Citizens (Employment Restriction) Act.

(5) Where the organisation intends to hold, purchase or otherwise acquire any property, it shall give at least one month's prior notice of such intention to the Minister responsible for internal affairs who may, within that period and in respect of that property, withdraw the exemption provided for in subsection (4) (a) (iii).

[S. 4 amended by Act 2 of 1998.]

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