# THE MAURITIUS HYDROGRAPHIC SERVICES ACT 2026

**Act No. 11 of 2026**

**Government Gazette of Mauritius No. 54 of 25 July 2026**

*I assent*

**DHARAMBEER GOKHOOL, G.C.S.K**

*23 July 2026* *President of the Republic of Mauritius*

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ARRANGEMENT OF SECTIONS

*Section*

**PART I – PRELIMINARY**

1. Short title
2. Interpretation

**PART II – MAURITIUS HYDROGRAPHIC SERVICES**

3. Establishment of MHS
4. Functions and powers of MHS

**PART III – ADMINISTRATION OF MHS**

5. Chief Hydrographer of MHS
6. Staff of MHS

**PART IV – HYDROGRAPHIC SURVEYS, DATA AND NAUTICAL CHARTS**

7. Hydrographic survey
8. Data submission and data ownership
9. Official nautical charts and marine geospatial information

**PART V – MISCELLANEOUS**

10. Powers of entry

11. Powers of Minister

12. Protection from liability

13. Confidentiality

14. Offences

15. Regulations

16. Savings

17. Commencement

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**An Act**

**To provide for the establishment of the Mauritius Hydrographic Services and for matters connected and related thereto**

ENACTED by the Parliament of Mauritius, as follows –

## PART I – PRELIMINARY

### 1. Short title

This Act may be cited as the Mauritius Hydrographic Services Act 2026.

### 2. Interpretation

In this Act –

"Chief Hydrographer" means the Chief Hydrographer of the MHS;

"established standards" –

(a) means hydrographic standards as defined by MHS or IHO; and

(b) includes such other standards as may be prescribed;

"hydrographic data" means all data relating to nautical chart production obtained, in accordance with established standards, from the measurement and description of the physical features of the maritime zones of Mauritius, coastal areas, rivers, inland water bodies, all adjacent terrain, including the depth of the water, the configuration and the nature of the topography beneath, the direction and force of the currents, heights and times of tides, the location of topographic features and the fixed objects for survey and navigation;

“hydrographic survey” –

(a) means the collection of hydrographic data; and

(b) includes any product derived from hydrographic data, other than from a nautical chart;

“IALA” means the International Organization for Marine Aids to Navigation;

“IHO” means the International Hydrographic Organization;

“IMO” means the International Maritime Organization;

“marine geospatial information”, in relation to nautical chart production, means spatial information, whether collected by the MHS or by an authorised entity;

“maritime zones” has the same meaning as in the Maritime Zones Act;

“Mauritius Hydrographic Services” or “MHS” means the Mauritius Hydrographic Services of the Ministry;

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

“Ministry” means the Ministry responsible for the subject of lands;

“nautical chart” includes any paper chart, electronic navigational chart or other officially recognised navigation product;

“officer” –

(a) means an officer of the Ministry; and

(b) includes the Chief Hydrographer;

“plot of land” means a delimited part of land or water;

“SOLAS” means the International Convention for the Safety of Life at Sea;

“supervising officer” means the supervising officer of the Ministry;

“UNCLOS” means the United Nations Convention on the Law of the Sea.

## PART II – MAURITIUS HYDROGRAPHIC SERVICES

### 3. Establishment of MHS

There shall be, within the Ministry, a department to be known as the Mauritius Hydrographic Services which shall, in relation to nautical chart production, be responsible for –

(a) the national custody and safe keeping of hydrographic data;

(b) regulating hydrographic surveys and charting within the maritime zones of Mauritius; and

(c) regulating hydrographic data exchange, access control and sharing.

### 4. Functions and powers of MHS

(1) The MHS shall have such functions and powers as may be necessary to further its objects most effectively and shall, in relation to nautical chart production –

(a) collect and compile hydrographic data;

(b) produce, publish, distribute and update nautical publications, marine geospatial information and nautical charts in accordance with established standards;

(c) maintain uniformity of nautical publications and nautical charts, taking into account the resolutions and recommendations of the IHO;

(d) ensure that hydrographic surveys are carried out in accordance with established standards;

(e) coordinate hydrographic activities in order to ensure that hydrographic data, nautical publications, marine geospatial information and nautical charts are made available;

(f) authorise the conduct of hydrographic surveys in Mauritius and the production, publication, distribution and updating of any official nautical chart for use in the maritime zones of Mauritius;

(g) sell nautical publications and nautical charts necessary for safety of navigation within the maritime zones of Mauritius;

(h) provide services to users in the manner most suitable for the purpose of aiding navigation;

(i) ensure the confidentiality and integrity of hydrographic data;

(j) represent Mauritius in regional and international fora on hydrographic matters; and

(k) do all such other acts or things as may be necessary or desirable for the attainment of its objects.

(2) In the discharge of its functions and exercise of its powers under subsection (1), the MHS shall, where applicable, consult all the relevant maritime safety regulators and any other relevant stakeholders.

## PART III – ADMINISTRATION OF MHS

### 5. Chief Hydrographer of MHS

(1) There shall be a Chief Hydrographer of the MHS, who shall –

(a) be responsible for the management and administration of the day to day business of the MHS;

(b) be responsible for the execution of the policy of the Ministry; and

(c) carry out such other assignments as the supervising officer may give to him.

(2) The Chief Hydrographer shall be a public officer and be under the administrative control of the supervising officer.

### 6. Staff of MHS

(1) The supervising officer shall designate such officers as may be necessary to service and assist the MHS in the proper discharge of its functions and exercise of its powers under this Act.

(2) The officers referred to in subsection (1) shall be under the administrative control of the Chief Hydrographer.

## PART IV – HYDROGRAPHIC SURVEYS, DATA AND NAUTICAL CHARTS

### 7. Hydrographic survey

(1) No person, other than an officer of the MHS, shall conduct a hydrographic survey in Mauritius unless he is authorised by the supervising officer.

(2) A person, other than an officer of the MHS, who wishes to conduct a hydrographic survey in Mauritius shall make an application to the supervising officer in such form and manner as he may approve.

(3) On receipt of an application made under subsection (2), the supervising officer may request the applicant to submit such additional information and documents as he considers necessary.

(4) Where the supervising officer grants an application, he may, on such terms and conditions as he may determine, issue a written authorisation to the applicant to conduct a hydrographic survey in Mauritius.

**8. Data submission and data ownership**

(1) Any person to whom an authorisation is issued under section 7 to conduct a hydrographic survey shall submit all data, metadata and processed products to the Ministry within such period as the supervising officer may determine.

(2) All hydrographic data collected within the maritime zones of Mauritius shall be deemed to be the property of the State of Mauritius and shall not be disclosed to any third party without the prior written authorisation of the supervising officer.

**9. Official nautical charts and marine geospatial information**

(1) No person, other than an officer of the MHS, shall produce, publish, distribute or update any official nautical chart of Mauritius or marine geospatial information for use in the maritime zones of Mauritius unless he is authorised by the supervising officer.

(2) A person, other than an officer of the MHS, who wishes to produce, publish, distribute or update any official nautical chart of Mauritius or marine geospatial information for use in the maritime zones of Mauritius shall make an application to the supervising officer in such form and manner as he may approve.

(3) On receipt of an application made under subsection (2), the supervising officer may request the applicant to submit such additional information and documents as he considers necessary.

(4) Where the supervising officer grants an application, he may, on such terms and conditions as he may determine, issue a written authorisation to the applicant to produce, publish, distribute or update any official nautical chart of Mauritius or marine geospatial information for use in the maritime zones of Mauritius.

## PART V – MISCELLANEOUS

### 10. Powers of entry

An officer of the MHS may, at all reasonable times, enter any plot of land to perform such acts as may be necessary for the conduct of a hydrographic survey under this Act.

### 11. Powers of Minister

(1) The Minister may give such directions of a general character to the Chief Hydrographer, not inconsistent with this Act, as he considers necessary in the public interest, and the latter shall comply with those directions.

(2) The Minister may require the Chief Hydrographer to furnish such information in such manner and at such time as he considers necessary, and the Chief Hydrographer shall supply such information.

### 12. Protection from liability

(1) No liability, civil or criminal, shall be incurred by the MHS or by an officer in respect of any act done or omitted in good faith in the performance of its or his functions or in the exercise of its or his powers under this Act.

(2) This section shall be in addition to, and not in derogation from, the Public Officers' Protection Act and, for the purposes of that Act, every officer shall be deemed to be a public officer or a person lawfully engaged, authorised or employed in the performance of a public duty.

### 13. Confidentiality

(1) No officer shall, during or after the tenure of his office, use or disclose any matter which came to his knowledge in the discharge of his functions, except –

(a) for the purposes of this Act; or

(b) where he is so required by a Court or under any enactment.

(2) Any person who, without lawful excuse, contravenes subsection (1) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.

### 14. Offences

(1) Any person who –

(a) produces, publishes, distributes or updates any unofficial nautical chart of Mauritius purporting it to be official;

(b) refuses to submit data, metadata and processed products pursuant to section 8(1);

(c) alters or falsifies hydrographic data or marine geospatial information pertaining to Mauritius;

(d) obstructs an officer in the discharge of his functions under section 10;

(e) without lawful excuse, contravenes section 13(1); or

(f) otherwise contravenes this Act or any regulations made under it,

shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500,000 rupees and to imprisonment for a term not exceeding 5 years.

(2) Where applicable, the Court may, in addition to any sentence it may impose under subsection (1), order the forfeiture of such survey equipment, data, metadata or processed products which have been used in the commission of the offence.

**15. Regulations**

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

(2) Any regulations made under subsection (1) may –

(a) provide for the levying of fees and the taking of charges;

(b) specify formats and standards for data submission and the production, publication, distribution and updating of nautical charts; and

(c) give further effect to relevant international conventions, including UNCLOS and SOLAS, and standards, guidelines and frameworks of IHO, IALA and IMO.

**16. Savings**

(1) The Hydrographic Unit of the Ministry shall, on the commencement of this Act, be deemed to be the Mauritius Hydrographic Services of the Ministry.

(2) The officer in charge of the Hydrographic Unit of the Ministry shall, on the commencement of this Act, be deemed to be the Chief Hydrographer of the MHS on the same terms and conditions of his appointment as officer in charge.

(3) Any act done by the Hydrographic Unit of the Ministry shall, on the commencement of this Act, be deemed to have been done, and shall continue to be done, by the Mauritius Hydrographic Services of the Ministry.

(4) Any reference in any document to the Hydrographic Unit of the Ministry shall be construed as a reference to the Mauritius Hydrographic Services of the Ministry.

**17. Commencement**

(1) Subject to subsection (2), this Act shall come into operation on a date to be fixed by Proclamation.

(2) Different dates may be fixed for the coming into operation of different sections of this Act.

Passed by the National Assembly on the twenty first day of July two thousand and twenty six.

**Bibi Safeena Lotun, C.S.K. (Mrs)**
*Clerk of the National Assembly*