

Acts 1989

THE PAS GEOMETRIQUES (AMENDMENT) ACT 1989

Act No. 35 of 1989

I assent,

24 November 1989

V. RINGADOO
Governor-General

ARRANGEMENT OF SECTIONS

Section

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| 1. Short title. | 4. Section 24A added to the principal Act. |
| 2. Interpretation. | 5. Consequential amendment. |
| 3. Section 24 of the principal Act amended. | |

An Act

To amend the Pas Géométriques Act

ENACTED by the Parliament of Mauritius, as follows:

1. Short title.

This Act may be cited as the Pas Géométriques (Amendment) Act 1989.

2. Interpretation.

In this Act—

“principal Act” means the Pas Géométriques Act.

3. Section 24 of the principal Act amended.

Section 24 of the principal Act is amended in subsection (1) by deleting the words “No person” and replacing them by the words “Notwithstanding any other enactment, but subject to section 24A, no person”.

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4. Section 24A added to the principal Act.

The principal Act is amended by adding immediately after section 24 the following new section—

24A. Removal of jetties or other structures.

(1) Notwithstanding any other enactment, no person shall build, erect or set up any jetty, wall, fence, groins or other structure on any part of the Pas Géométriques without any right, title or capacity or without the express authorisation in writing of the Minister.

(2) Where the Minister is satisfied that any jetty, wall, fence, groins or other structure has been built or erected on any part of the Pas Géométriques without any right, title or capacity or without his express authorisation, he may cause the same to be demolished and removed in accordance with the procedure specified in section 24.

(3) Section 24(11) shall apply to any action taken under subsection (2).

5. Consequential amendments.

(1) The Territorial Sea Act is amended by adding after section 8 the following section—

9. Removal of jetties and other structures.

(1) No person shall build, erect or set up any jetty, wall, fence, groins or other structure on any part of the seabed without the express authorisation in writing of the Minister.

(2) Where the Minister is satisfied that any jetty, wall, fence, groins or other structure has been built or erected on any part of the seabed without his authorisation in writing, he may cause the same to be demolished and removed.

(3) In this section—

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

(2) The Criminal Code (Supplementary) Act is amended in section 110 by deleting subsection (3) and replacing it by the following subsections—

(3) The Minister may, where an obstruction under subsection (2) is in the nature of a jetty, fence, wall or groins and in respect of which no authorisation has been granted by him, order such jetty, fence, wall or groins, as the case may be, to be demolished and removed.

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(4) In this section:

“sea shore” includes that portion of the seashore which is covered by the sea at high tide and uncovered at low tide.

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

Passed by the Legislative Assembly on the twenty-first day of November one thousand nine hundred and eighty-nine.

L. RIVALTZ QUENETTE
Clerk of the Legislative Assembly.