IMMIGRATION ACT 2022

Act 14 of 2022 – 27 July 2022

Am 12/23 (cio 27/4/19, 20/7/23, partly NIF); 11/24 (NIF); 18/25 – P18/25 (cio 1/12/25); 13/26 (cio 13/8/26, 1/10/26, partly NIF)

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IMMIGRATION ACT 2022

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Immigration Act 2022.

2. Interpretation

In this Act –

"admitted to Mauritius" means a person who is authorised by the immigration officer to leave the port of entry;

"alien" has the same meaning as in the Mauritius Citizenship Act;

"airline" –

(a) means an entity that provides transport services by air for travelling passengers; and

(b) includes an agent of that entity;

"citizen" means a person who is a citizen of Mauritius;

"Commonwealth citizen" means a citizen of any of the countries specified in the First Schedule to the Mauritius Citizenship Act;

"communicable disease" has the same meaning as in the Quarantine Act 2020;

"crew member" –

(a) means a person who is employed on board, or belongs to the staff of, a vessel; and

(b) includes the master of a vessel;

"dependent child" means a child, stepchild or lawfully adopted child of a person who is –

(a) wholly dependent on the person;

(aa) not over 24 years of age;
[Inserted 18/25 (cio 1/12/25).]

(b) unmarried; and

(c) not engaged in any gainful activity;

"Director-General of Immigration" means a public officer designated as such by the Minister;

"EDB" means the Economic Development Board established under the Economic Development Board Act 2017;

"expert" has the same meaning as in the Economic Development Board Act 2017;
[Inserted 11/24 – NIF]

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[Inserted 11/24 – NIF; R 13/26 (cio 13/8/26)]

"family occupation permit" means a permit issued under section 14;

"immigration officer" –

(a) means the Director-General of Immigration; and

(b) includes any other public officer acting under the authority of the Director General of Immigration;

"Invest Hotel Scheme" means the Invest Hotel Scheme prescribed under the Economic Development Board Act 2017;

"investor" means –

(a) a non-citizen registered with EDB; or

(b) an association or body of persons, whether corporate or incorporate –

(i) the control or management of which is vested in persons who are non-citizens; and

(ii) registered with EDB;

"Joint Committee" means the Joint Committee referred to in section 14A;
[Inserted 18/25 (cio 1/12/25).]

"marriage of convenience" means a marriage between a non-citizen and a citizen orchestrated for the sole purpose of the non-citizen obtaining a residence permit;

"master" means the person in immediate charge, or control, of a vessel;

"Mauritian Diaspora Scheme" means the Mauritian Diaspora Scheme prescribed under the Economic Development Board Act 2017;

"Minister" means the Minister to whom responsibility for the subject of home affairs is assigned;

"Ministry" means the Ministry responsible for the subject of home affairs;

"NELS" means the National Electronic Licensing System referred to in section 27A of the Economic Development Board Act 2017;
[Inserted 18/25 (cio 1/12/25).]

"next of kin" means, in relation to a person, the parent, grandparent, brother or sister of that person;

"non-citizen" means a person who is not a citizen;

"non-citizen self-employed" means a non-citizen who is engaged in a professional activity and registered as a self-employed person with EDB;

"occupation permit" means a permit issued under section 12;

"passenger" –

(a) means a person arriving in Mauritius on any vessel; but

(b) does not include a crew member;

"permanent residence permit" means a permit issued under section 11;

"permit" means a temporary residence permit, a residence permit, a permanent residence permit, an occupation permit or a short-term occupation permit, which may be issued in digital, card or paper-based format;
[Amended 13/26 (cio 13/8/26).]

"port of entry" includes any place designated as such by the Director-General of Immigration;

"professional" means a non-citizen who is employed in Mauritius by virtue of a contract of employment and registered as a professional with EDB;

"prohibited immigrant" means a person as described in section 5(1);

"Property Development Scheme" means the Property Development Scheme prescribed under the Economic Development Board Act 2017;

"public sector agency" has the same meaning as in the Business Registration Act;

"residence permit" means a permit issued under section 8;

"resident" means a non-citizen who is issued with a permit;

"retired non-citizen" means a retired non-citizen registered as such with EDB;

"shipping line" –

(a) means an entity that provides transport services by sea for travelling passengers; and

(b) includes an agent of that entity;

"short-term occupation permit" means a permit issued under section 13;

"Smart City Scheme" means the Smart City Scheme prescribed under the Economic Development Board Act 2017;

"temporary residence permit" means a permit issued under section 7;

"vessel" –

(a) means an aircraft, a ship or other means of travel by air or sea; and

(b) includes a boat or craft of any kind;

"visa" means an entry permit issued, upon application, by the immigration officer, an overseas representative or such other person or class of persons as the Minister may approve, granting a non-citizen the authority to be admitted to, and remain in, Mauritius, or to transit in Mauritius;

"young professional" means a non-citizen who has completed –

(a) at least an undergraduate degree in a local tertiary education institution recognised by the Higher Education Commission; or

(b) an internationally recognised professional certification, equivalent to at least an undergraduate degree, dispensed by a registered institution in Mauritius.

[Amended 12/23 (cio 20/7/23).]

[S. 2 amended by s. 37 of Act 12 of 2023 w.e.f. 20 July 2023; s. 25 of Act 18 of 2025 w.e.f. 1 December 2025; s. 25 of Act 13 of 2026 w.e.f. 13 August 2026.]

3. Delegation of powers

The Minister may, for the purposes of this Act, delegate his powers to the supervising officer of the Ministry and to the Director-General of Immigration.

PART II – ADMISSION TO, OR TO REMAIN IN, MAURITIUS

4. Entitlement on admission to, or to remain in, Mauritius

Subject to this Act, a person shall not be admitted to Mauritius, or whilst being in Mauritius, remain in Mauritius, unless –

(a) he is a citizen; or

(b) he is, in the case of a non-citizen, a resident of Mauritius or the holder of a visa.

5. Restriction on admission to, or to remain in, Mauritius

(1) Notwithstanding this Act but subject to subsection (2), the following non-citizens shall be prohibited immigrants and shall not be admitted to

Mauritius, or whilst being in Mauritius, remain there –

(a) a person who suffers from an infectious, a contagious or a communicable disease;

(b) a person who has been convicted of, or admits having committed, a crime which, if committed in Mauritius, would be punishable by imprisonment for a term of not less than 6 months;

(c) a prostitute or a person who lives on the earnings of a prostitute, or a person who is reasonably suspected as coming to Mauritius for any immoral purpose;

(d) an habitual beggar or a vagrant;

(e) a person who is, or is likely to become, a charge on public funds;

(f) a person who is a chronic alcoholic;

(g) a person who is a drug addict or is reasonably suspected of engaging in drug trafficking;

(h) a person who is engaged, or is reasonably suspected of engaging, in activities prejudicial to the integrity or sovereignty of Mauritius or of any friendly State;

(i) a person who is engaged, or is reasonably suspected of engaging, in any subversive activity of any kind directed against, or detrimental to, the security of Mauritius or of any friendly State;

(j) a person who is declared to be a suspected international terrorist under the Prevention of Terrorism Act;

(k) a person who, from information or advice which in the opinion of the Minister is reliable information or advice, is likely to be undesirable inhabitant of, or a visitor to, Mauritius;

(l) a person or class of persons whose presence in Mauritius, from information or advice which in the opinion of the Minister is reliable information or advice, is likely to be prejudicial to the interests of defence, public safety, public order, public morality or public health;

(m) a person who is listed by, or under the authority of, the United Nations Security Council pursuant to any of the United Nations Security Council Resolution specified in the Second Schedule to the United Nations (Financial Prohibitions, Arms Embargo and Travel Ban) Sanctions Act 2019;

(n) any other person who, from information or advice which in the opinion of the Minister is reliable information or advice, is or has been conducting himself in a manner prejudicial to the peace, defence, public safety, public order, public morality, public health, security or good government of Mauritius.

(2) Notwithstanding subsection (1), the Minister may, on such conditions as he may impose, authorise in writing, under his hand or under the hand of a person designated by him, a non-citizen to be admitted to Mauritius, or whilst being in Mauritius, remain there.

PART III – NON-CITIZEN RESIDENTS OF MAURITIUS

Sub-Part I – Status of Resident for Non-Citizen

6. Status of resident

A non-citizen shall have the status of resident where he is the holder of a temporary residence permit, a residence permit, a permanent residence permit, an occupation permit or a short-term occupation permit.

[S. 6 amended by s. 25 of Act 13 of 2026 w.e.f. 13 August 2026.]

Sub-Part II – Permits to Reside in Mauritius

Section A – Temporary Residence Permit

7. Eligibility for temporary residence permit

(1) Subject to this Act, a non-citizen shall be eligible for a temporary residence permit where he is –

(a) civilly married to a citizen and he was not a prohibited immigrant at the time of becoming such a spouse; or

(b) a dependent child of a person to whom paragraph (a) applies.

(2) An application for a temporary residence permit shall be made to the Director-General of Immigration in such form and manner as he may approve.

(3) Where, on an application made under subsection (2), the non-citizen –

(a) meets, subject to subsection (4) or (5), the requirements of this Act, the Director-General of Immigration may, on such conditions as he may impose, issue the non-citizen with a temporary residence permit; or

(b) does not meet the requirements of this Act, the Director-General of Immigration shall reject the application.

(4) Where the marriage between a non-citizen and a citizen is celebrated outside Mauritius, no application for a temporary residence permit shall be entertained unless the non-citizen submits –

(a) his marriage certificate certifying that he is civilly married to his citizen spouse; and

(b) an affidavit, duly sworn or affirmed by him before the Supreme Court of Mauritius, or an official document from a competent authority from his country of residence, attesting that, on the date of his marriage to the citizen, he was not married to any other person.

[RR 13/26 (cio 13/8/26).]

(5) Where an application for marriage between a non-citizen and a citizen is rejected under the Civil Status Act and, thereafter, the marriage is celebrated outside Mauritius, the non-citizen shall, unless there are exceptional circumstances, not be issued with a temporary residence permit.

(6) A temporary residence permit shall be valid for a period of 2 years as from the date of issue of the permit.

Section B – Residence Permit

8. Eligibility for residence permit

(1) Subject to this Act, a non-citizen shall be eligible for a residence permit where –

(a) (i) in the case of a Commonwealth citizen, he has, before 14 December 1968, been ordinarily resident in Mauritius continuously for a period of 7 years or more and, since the completion of that period of residence, he has not been ordinarily resident continuously for a period of 7 years or more in any other country;

(ii) he is the dependent child of a person to whom subparagraph (i) applies;

(b) (i) in the case of an alien, he has, before 10 December 1966, been ordinarily resident in Mauritius continuously for a period of 7 years or more and, since the completion of that period of residence, he has not been absent from Mauritius for a period of 3 years or more;

(ii) he is the dependent child of a person to whom subparagraph (i) applies;

(c) (i) by virtue of being the spouse of a citizen, he is the holder of a temporary residence permit;

(ii) he is the dependent child or parent of a person to whom subparagraph (i) applies;

(d) (i) he purchases an immovable property under the Integrated Resort Scheme, Real Estate Scheme, Invest Hotel Scheme, Property Development Scheme or Smart City Scheme, provided that the purchase price is not less than 375,000 US dollars or its equivalent in any other hard convertible foreign currency where the exchange rate to be used to calculate the US dollar equivalent shall be the selling rate in force at the time of signature of the title deed;

(ii) he is the spouse, dependent child, parent or other dependent of a person, other than a young professional, to whom subparagraph (i) applies;

(e) (i) he purchases, together with other persons, an immovable property under the Integrated Resort Scheme, Real Estate Scheme, Invest Hotel Scheme, Property Development Scheme or Smart City Scheme, provided that his contribution to the purchase price is not less than 375,000 US dollars or its equivalent in any other hard convertible foreign currency where the exchange rate to be used to calculate the US dollar equivalent shall be the selling rate in force at the time of signature of the title deed;

(ii) he is the spouse, dependent child, parent or other dependent of a person, other than a young professional, to whom subparagraph (i) applies;

(f) (i) he purchases or otherwise acquires an apartment used, or available for use, as residence in a building of at least 2 floors above ground floor, provided the purchase price is not less than 375,000 US dollars or its equivalent in any other hard convertible foreign currency where the exchange rate to be used to calculate the US dollar equivalent shall be the selling rate in force at the time of signature of the title deed;

(ii) he is the spouse, dependent child, parent or other dependent of a person, other than a young professional, to whom subparagraph (i) applies;

(fa) (i) he purchases or otherwise acquires a residential property under the Property Development Scheme related to senior living, provided that –

(A) the purchase price exceeds 200,000 US dollars or its equivalent in any other hard convertible foreign currency where the exchange rate to be used to calculate the US dollar equivalent shall be the selling rate in force at the time of signature of the title deed; and

(B) at the time of application for residence permit, he is aged above 50 years;

(ii) he is the spouse, dependent child, parent or other dependent of a person to whom subparagraph (i) applies;

[Inserted 12/23 (cio 27/4/19).]

(g) he is the spouse, dependent child, parent or other dependent of a person, other than a young professional, who is the holder of a residence permit as a retired non-citizen;

(h) he is the spouse, dependent child, parent or other dependent of a person, other than a young professional, who is the holder of an occupation permit;

(i) –

[R 13/26 (cio 13/8/26).]

(j) he is an investor under the Permanent Resident Scheme prescribed under the Economic Development Board Act 2017;

(k) (i) he is a diplomatic officer, a consular officer, a representative or an official, duly accredited to a country other than Mauritius, of the United Nations or any of its agencies or of any inter-Governmental organisation in which Mauritius participates, coming to Mauritius to carry out his official duties;

(ii) he is a family member to whom subparagraph (i) applies;

(l) he is a member of any naval, army or air force who comes to Mauritius in connection with the defence and security interests of Mauritius;

(m) (i) he is a person who comes to Mauritius pursuant to any treaty or agreement between Mauritius and another country;

(ii) he is a family member to whom subparagraph (i) applies;

(n) (i) he is a person appointed to the public service of Mauritius;

(ii) he is a family member to whom subparagraph (i) applies;

(o) he is a student coming to Mauritius for the purpose of attending and, having entered Mauritius, is in actual attendance at any college, university or other educational or training institution;

(p) he is the holder of a work permit or an exemption certificate under the Non-Citizens (Employment Restriction) Act;

(q) he is a retired non-citizen;

(r) he is such person, or belongs to such class of persons, as the Minister thinks fit and proper.

(2) An application for a residence permit, other than a residence permit for non-citizen spouse and residence permit for non-retired non-citizen, shall be

made to the Director-General of Immigration in such form and manner as the Minister may approve and shall be accompanied by such fee as may be prescribed.

[Amended 13/26 (cio 1/10/26).]

(3) Where, on an application made under subsection (2), the non-citizen –

(a) meets the requirements of this Act, the Director-General of Immigration may, with the approval of the Minister, issue the non-citizen with a residence permit; or

(b) does not meet the requirements of this Act, the Director-General of Immigration shall reject the application.

(4) Notwithstanding subsection (3)(b), the Minister may issue a residence permit to a non-citizen where the non-citizen –

(a) is the parent or grandparent of a citizen residing in Mauritius and that citizen is willing and able to provide for the care and maintenance of the non-citizen;

(b) satisfies the Minister that his maintenance and that of his family will be provided wholly from funds outside Mauritius; or

(c) is, in the opinion of the Minister, a fit and proper person to become a resident.

[S. 8 amended by s. 37 of Act 12 of 2023 w.e.f. 27 April 2019; s. 25 of Act 13 of 2026 w.e.f. 13 August 2026 and 1 October 2026.]

9. Residence permit for non-citizen spouse

(1) An application for a residence permit by a non-citizen spouse shall, not less than one month before the expiry of the period of 2 years of his temporary residence permit, be made to the Minister in such form and manner as he may approve and shall be accompanied by such fee as may be prescribed.

[Amended 13/26 (cio 1/10/26).]

(2) The Minister shall, on an application made under subsection (1), order an investigation to be carried in accordance with section 25(b).

(3) Where the Minister is satisfied –

(a) that the non-citizen has, subject to subsection (4), resided, immediately preceding the date of his application for a

residence permit, with his spouse under the same conjugal roof in Mauritius for a period of 2 years;

(b) on the basis of the investigation carried out, that the marriage between the non-citizen and the citizen is not a marriage of convenience; and

(c) the non-citizen meets the requirements of this Act,

the Minister may, on such conditions as he may impose, issue a residence permit to the non-citizen.

(4) Notwithstanding subsection (3)(a), an aggregate period of less than 2 years but more than one year may be approved where the Minister is satisfied that the non-citizen had to regularly travel abroad, or his citizen spouse had to regularly travel abroad, over the 2 year-period, for –

(a) medical purposes;

(b) business or work purposes; or

(c) such other reasonable purpose as the Minister may approve.

(5) Where the non-citizen does not meet the requirements of this Act, the Minister shall reject the application.

(6) Where a non-citizen has made an application for a residence permit under this section and, pending the determination of his application, his temporary residence permit has expired, that permit shall be deemed not to have expired until –

(a) he is issued with a residence permit; or

(b) his application for residence permit is rejected, in the case of which he shall, for the purpose of section 19, cease to be a resident.

[S. 9 amended by s. 25 of Act 13 of 2026 w.e.f. 1 October 2026.]

10. Residence permit for retired non-citizens

(1) Notwithstanding the Non-Citizens (Employment Restriction) Act, a retired non-citizen may apply to the Director-General of Immigration for a residence permit.

(2) An application under subsection (1) shall be –

(a) made through the NELS; and

(b) accompanied by such fee as may be prescribed.

(3) On receipt of an application under subsection (1), the EDB and the Passport and Immigration Office shall verify the application to ascertain its completeness.

(4) The EDB shall refer every application which is complete to the Joint Committee which shall examine the application and make recommendations to the Ministry for approval.

(5) Where an application for a permit is –

(a) approved –

(i) an approval in principle shall be issued through the NELS; and

(ii) the residence permit as a retired non-citizen shall be issued where the information and documents produced are in order and –

(A) subject to such conditions as the Director-General of Immigration may impose; and

(B) upon payment of the prescribed fees;

(b) not approved, the applicant shall be so notified through the NELS.

(6) A residence permit issued under subsection (5)(a)(ii) shall be valid for a period of 10 years as from the date of the issue of the permit.

(7) A retired non-citizen who is the holder of a residence permit shall not engage in any gainful employment but may invest in any business, provided that –

(a) he is not employed in the business; and

(b) he does not derive any salary or employment benefits from the business.

[S. 10 repealed and replaced by s. 25 of Act 18 of 2025 w.e.f. 1 December 2025.]

Section C – Permanent Residence Permit

11. Eligibility for permanent residence permit

(1) A non-citizen may be issued with a permanent residence permit where he –

(a) (i) satisfies the criteria specified in Part IV of the First Schedule of the Economic Development Board Act 2017;

(ii) is the spouse of a person to whom subparagraph (i) applies;

(iii) is the parent or dependent child of a person to whom subparagraph (i) or (ii) applies;

(iv) is the other dependent of a person to whom subparagraph (i) applies;

(b) (i) is a member of the Mauritian Diaspora under the Mauritian Diaspora Scheme;

(ii) is the spouse of a person to whom subparagraph (i) applies;

(iii) is the dependent child of a person to whom subparagraph (i) or (ii) applies.

(2) Any investor, professional or self-employed who is the holder of a permanent residence permit may be issued with a permanent residence permit under the category of retired non-citizen in replacement of his permanent residence permit for the remaining period of its validity, provided that he has a disposable annual income of USD 40,000 or its equivalent in any other hard convertible foreign currency.

(3) (a) An application for a permanent residence permit shall be made to the Minister in such form and manner as the Minister may determine.

(b) Where, on an application made under paragraph (a), the Minister is satisfied that the non-citizen meets the requirements of this Act, the Minister may, on payment of the prescribed fee, issue the non-citizen with a permanent residence permit on such conditions as he may impose.

(4) A permanent residence permit issued pursuant to subsection (1)(a) shall be valid for a period of 20 years as from the date of issue of the permit.



(5) A permanent residence permit issued pursuant to subsection (1)(b) shall be valid for a period of 10 years as from the date of the issue of the permit.

(6) The number of persons who may be issued with a permanent residence permit pursuant to subsection (1)(a)(iv) shall not exceed 2.

[S. 11 repealed and replaced by s. 25 of Act 18 of 2025 w.e.f. 1 December 2025.]

Section D – Occupation Permit

12. Eligibility for occupation permit

(1) A non-citizen investor, a non-citizen self-employed, the employer of a non-citizen professional or the employer of a non-citizen young professional may apply to the Director-General of Immigration for an occupation permit to authorise, notwithstanding the Non-Citizens (Employment Restriction) Act –

(a) the investor or self-employed to carry on any occupation in Mauritius for reward or profit; or

(b) the professional or young professional to take up employment in Mauritius.

(2) The non-citizen investor, non-citizen self-employed, non-citizen professional or non-citizen young professional referred to in subsection (1) shall be registered with the EDB.

(3) The spouse of the holder of an occupation permit may, on application, be granted an occupation permit.

(4) An application under subsection (1) or (3) shall –

(a) be made through the NELS;

(b) be accompanied by such fee as may be prescribed;

(c) in the case of a non-citizen professional or non-citizen young professional, be accompanied by a written undertaking from the employer that he will meet any expense or charge likely to be incurred for the maintenance, support or removal of the professional or young professional; and

(d) in the case of a non-citizen investor, be made in respect of each shareholder who is also a director of the company, provided that the criteria referred to in Part I of the First Schedule to the Economic Development Board Act 2017 is applied to each applicant.

(5) On receipt of an application under subsection (1) or (3), the EDB and the Passport and Immigration Office shall verify the application to determine its completeness.

(6) The EDB shall refer every complete application to the Joint Committee which shall examine the application and make recommendations to the Ministry for approval.

(7) Where an application for a permit is –

(a) approved –

(i) an approval in principle shall be issued through the NELS; and

(ii) the occupation permit shall be issued where the information and documents produced are in order and –

(A) subject to such conditions as the Director-General of Immigration may impose; and

(B) upon payment of the prescribed fees;

(b) not approved, the applicant shall be so notified through the NELS.

(8) An occupation permit issued pursuant to subsection (7)(a)(ii) shall in the case of –

(a) a non-citizen investor or non-citizen self-employed, be valid for a period of 10 years as from the date of issue of the permit;

(b) a non-citizen professional, for the period specified in his contract of employment or for a period of 10 years as from the date of issue, whichever is lesser;

(c) a non-citizen young professional, for the period specified in his contract of employment or for a period of 3 years as from the date of issue, whichever is lesser.

(9) (a) The holder of an occupation permit as a non-citizen professional may invest in any business, provided that –

(i) he is not employed in the business; and

(ii) he does not derive any salary or employment benefits from the business.

(b) Notwithstanding paragraph (a), the holder of an occupation permit as a non-citizen professional may hold shares in a business where he is employed, provided that he is not a majority shareholder.

[S. 12 repealed and replaced by s. 25 of Act 18 of 2025 w.e.f. 1 December 2025.]

Section E – Short-term Occupation Permit

13. Eligibility for short-term occupation permit

(1) A non-citizen may apply to the Director-General of Immigration for a short-term occupation permit to authorise him, notwithstanding the Non-Citizens (Employment Restriction) Act, to work in Mauritius for a period not exceeding 9 months.

(2) An application under subsection (1) shall –

(a) be made through NELS; and

(b) be accompanied by such fee as may be prescribed.

(3) On receipt of an application under subsection (1), the EDB and the Passport and Immigration Office shall verify the application to ascertain its completeness.

(4) The EDB shall, where an application is complete, refer the application to the Joint Committee which shall examine the application and make recommendations to the Ministry for approval.

(5) Where an application for a permit is –

(a) approved –

(i) an approval in principle shall be issued through the NELS; and

(ii) the short-term occupation permit shall be issued where the information and documents produced being in order–

(A) subject to such conditions as the Director-General of Immigration may impose; and

(B) upon payment of the prescribed fees;

(b) not approved, the applicant shall be so notified through the NELS.

(6) The period specified in the short-term occupation permit may, on an application being made within at least 15 days prior to the expiry of the permit, be extended only once for a period not exceeding 3 months.

S. 13 repealed and replaced by s. 25 of Act 18 of 2025 w.e.f. 1 December 2025.]

Section F –
[Repealed 13/26 (cio 13/8/26).]

14. –

[S 14 repealed by s. 25 of Act 13 of 2026 w.e.f. 13 August 2026.]

Section FA – Joint Committee
[Added 18/25 (cio 1/12/25).]

14A. Joint Committee

(1) There shall be a committee to be known as the Joint Committee.

(2) The Joint Committee shall consist of –

(a) a representative of the Ministry;

(b) a representative of the Passport and Immigration Office; and

(c) a representative of the EDB.

(3) The Joint Committee –

(a) shall assess applications for permits and provide its recommendations to the Ministry for approval;

(b) shall review and make recommendations regarding criteria for the grant of permits;

(c) shall make recommendations in regard to the overall procedure for the grant of permits;

(d) shall meet as and when required;

(e) shall regulate its meetings and proceedings in such manner as it may determine; and

(f) may, in the discharge of its functions, co-opt such other members as it may determine.

(4) Where an application for a permit is recommended and approved –

(a) an approval in principle shall be issued through the NELS;

(b) the applicant shall produce to the EDB and the Passport and Immigration Office the original of the required documents; and

(c) the permit shall be issued by the Director-General of Immigration subject to the information submitted and documents produced being in order and upon payment of the prescribed fee.

(5) Where an application for a permit is not approved, the applicant shall be so notified through the NELS.

(6) In this section –

"permit' means a residence permit for a retired non-citizen, an occupation permit or a short-term occupation permit.
[Amended 13/26 (cio 13/8/26).]

[S. 14A added by s. 25 of Act 18 of 2025 w.e.f. 1 December 2025; amended by s. 25 of Act 13 of 2026 w.e.f. 13 August 2026.]

Sub-Part III – Annual Fee and Written Undertaking

[Repealed and replaced 18/25 (cio 1/12/25).]

15. Annual fee

(1) Subject to paragraph (2), every employer who has in his employment a non-citizen worker shall pay such annual non-refundable prescribed fee per non-citizen worker to the Director-General of Immigration.

(2) The Minister may exempt, conditionally or subject to conditions, an employer from paying the non-refundable fee under subsection (1).

(3) In this section –

"non-citizen worker" means a worker in relation to whom a work permit is issued under the Non-Citizens (Employment Restriction) Act.

[S. 15 repealed and replaced by s. 25 of Act 18 of 2025 w.e.f. 1 December 2025.]

16. Written undertaking

Where an application for a permanent residence permit, an occupation permit or a short-term occupation permit is granted, the applicant shall, at the time of payment of the prescribed fee in relation thereof, submit to the Director-General of Immigration or such other public officer as the Minister may authorise, a written undertaking to indemnify the Government for any expense or charge likely to be incurred for his maintenance, support or removal.

[S. 16 amended by s. 25 of Act 13 of 2026 w.e.f. 13 August 2026.]

Sub-Part IV – Renewal of Permit

17. Application for renewal of permit

(1) Where a resident wishes to apply for the renewal of his permit, other than a temporary residence permit, he may submit such application whilst being in Mauritius.

(2) Where a resident has submitted an application for the renewal of his permit, other than a temporary residence permit, and, pending the determination of his application, his permit has expired, that permit shall be deemed not to have expired until –

(a) he is issued with a renewed permit; or

(b) the application for renewal of his permit is rejected, in the case of which he shall, for the purpose of section 19, cease to be a resident.

Sub-Part V – Loss of Status of Resident

18. Deprivation of status of resident

(1) Where the Minister is satisfied that –

(a) a resident has wilfully made any false statement or misled or attempted to mislead, with respect to the application for his permit;

(b) a resident has failed to comply with any condition of his permit;

(c) a resident holding a permanent residence permit, an occupation permit or a short-term occupation permit has been declared bankrupt;

[Amended 13/26 (cio 13/8/26).]

(d) a resident has been convicted of a criminal offence carrying out a term of imprisonment for a term of not less than 12 months;

(e) a resident is, pursuant to section 5(1), a prohibited immigrant,

he may deprive him of his status of resident.

(2) –
[R 13/26 (cio 13/8/26).]

(3) Where the Minister deprives a non-citizen of his status of resident under this section, he shall serve on him a notice to that effect.

(4) (a) A non-citizen whose status of resident has been deprived shall, subject to paragraph (b), be a prohibited immigrant.

(b) Where the Minister considers that the course of action specified in paragraph (a) is not warranted, he may issue to that non-citizen a certificate stating the conditions subject to, and the period for, which he may stay in Mauritius.

(5) Where, pursuant to this section, a non-citizen has been deprived of his status of resident, the Director-General of Immigration shall make necessary arrangements for his removal from Mauritius.
[S. 18 amended by s. 25 of Act 13 of 2026 w.e.f. 13 August 2026.]

19. Ceasing to hold status of resident

(1) A non-citizen shall, subject to this section, cease to hold the status of resident where –

(a) in case he is married to a citizen, the marriage is terminated;

(b) he no longer satisfies the requirements based on which he was issued with a permit;

(c) being the holder of a temporary residence permit, his application for a residence permit is rejected;

(d) an application for the renewal of his permit is rejected;

(e) the person by virtue of whom he acquired the status of resident –

(i) has, pursuant to paragraphs (a) to (d), ceased to be a resident; or

(ii) has, pursuant to section 18, been deprived of his status of resident; or

(f) his marriage to a non-citizen spouse by virtue of which he acquired the status of resident is terminated.

(2) (a) Where a non-citizen is married to a citizen, the non-citizen shall cease to hold the status of resident 6 months after the termination of his marriage.

(b) Where a marriage is terminated on the death of the citizen, the surviving non-citizen spouse may, not later than 90 days after the death of his citizen spouse, apply to the Minister to continue to hold the status of resident.

(c) The Minister shall, on an application made under paragraph (a), order an investigation, where warranted, to be carried pursuant to section 25(b).

(d) The Minister may –

(i) reject the application; or

(ii) subject to such conditions as he may impose, authorise the surviving non-citizen spouse to continue to hold the status of resident.

(3) (a) Where a resident has ceased to hold the status of resident, a notice to that effect by the Director-General of Immigration shall be served upon him ordering him to leave Mauritius within such reasonable time as the Director-General of Immigration considers appropriate.

(b) A non-citizen may, on receipt of a notice under paragraph (a), make an application to the Minister to continue to hold the status of resident.

(c) The Minister may –

(i) reject the application; or

(ii) subject to such conditions as he may impose, authorise the non-citizen to continue to hold the status of resident.

(4) Where, pursuant to this section, a non-citizen ceases to hold the status of resident, the Director-General of Immigration shall make necessary arrangements for his removal from Mauritius.

PART IV – VISA HOLDERS

20. Visa

(1) The immigration officer may admit to Mauritius –

(a) a tourist or other visitor or person coming for business;

(b) a person passing through Mauritius in transit to another country;

(c) a member of dramatic, artistic, cultural, athletic or other groups entering Mauritius or who, having entered, is in Mauritius for the purpose of giving performances or exhibitions of an entertaining or instructive nature;

(d) a crew member of a vessel entering Mauritius or who, having entered, is in Mauritius for shore leave or some other legitimate and temporary purpose;

(e) such other person or class of persons as the Minister thinks fit and proper.

(2) The immigration officer shall issue to a person admitted to Mauritius under subsection (1) a visa stating the conditions subject to, and the period for, which the admission to Mauritius is authorised.

(3) The immigration officer may, with the approval of the Minister, vary the conditions attached to the admission of the person under subsection (1) to Mauritius or extend or limit the period of his stay in Mauritius.

(4) Where, in relation to the holder of a visa, the Minister –

(a) is satisfied that it is in the public interest to do so; or

(b) is of the opinion that the person is a prohibited immigrant,

he may, in his absolute discretion, cancel the visa and that person shall be a prohibited immigrant.

(5) Where, pursuant to this section, the visa of a non-citizen is cancelled, the Director-General of Immigration shall make necessary arrangements for his removal from Mauritius.

PART V – POWERS OF IMMIGRATION OFFICER

21. Non-citizen minors admitted to Mauritius

(1) Where a non-citizen minor has been admitted to Mauritius under the charge of any person and, at a later stage, the presence of that minor in Mauritius becomes unlawful by virtue of this Act, the immigration officer may order that person to make such arrangements as may be necessary to ensure the departure of the minor from Mauritius within such period as he considers appropriate.

(2) Where a non-citizen minor has been admitted to Mauritius under the charge of any person and, at a later stage, the immigration officer is informed that such person is about to leave Mauritius without the minor, he shall order that person to make such arrangements as may be necessary to ensure the departure of the minor from Mauritius within such reasonable period as he considers appropriate, and to provide for the care and maintenance of the minor until his departure from Mauritius.

(3) The immigration officer may take such measures as may be necessary to prevent the person to whom an order is made under subsection (2) from leaving Mauritius until the order has been complied with.

22. Examination by immigration officer

(1) Every person who seeks admission to Mauritius shall first appear before the immigration officer at a port of entry for examination as to whether or not he should be admitted to Mauritius.

(2) For the purpose of examining any person under subsection (1), the immigration officer may board any vessel and may order the master of the vessel to –

(a) provide him with a list of passengers, stating the names of the passengers and their port of embarkation; and

(b) supply such other information as he may require.

(3) The immigration officer may order any person who seeks admission to Mauritius to undergo a medical examination.

(4) Where, in the opinion of the immigration officer, a person appearing before him for examination cannot be properly examined due to the effect of alcohol, drugs, illness or any other cause, the immigration officer may cause the examination of the person to be deferred until such time as he may be properly examined and, pending such time, the immigration officer may, having

regard to the circumstances of the case, either detain the person or authorise him to be admitted provisionally on such conditions as he may impose.

23. Powers to refuse admission to Mauritius

(1) Where the immigration officer, after the examination of a passenger who seeks admission to Mauritius, is of the opinion that it would be contrary to this Act to grant admission to that passenger to Mauritius, he may –

(a) refuse to admit the passenger to Mauritius and, thereupon, the passenger shall be kept in custody until the departure of the vessel and, subject to subsection (2), the immigration officer shall order the master of the vessel to remove the passenger when leaving Mauritius;

(b) cause the passenger to be detained pending the decision of the Minister; or

(c) issue a visa to the passenger on such conditions, including the deposit of a sum of money or other security, as he may impose.

(2) Where a passenger who is kept in custody under subsection (1)(a) claims to be a citizen or a resident, the immigration officer shall not order his removal but shall forthwith refer the matter to the Minister for his decision.

(3) Where the immigration officer has detained any passenger who has sought admission to Mauritius under subsection (1)(b) or has been issued with a visa under subsection (1)(c), the immigration officer shall forthwith refer the matter to the Minister for his decision.

(4) Where the Minister is of the opinion that the passenger is a prohibited immigrant, or that he should not be issued with a residence permit, the immigration officer shall –

(a) where the passenger is already detained, order the transport company of the vessel in which the passenger arrived in Mauritius to remove him, within a specified period, to the country of which he is a citizen or national, or in which he embarked for Mauritius, or to a country to which there is reason to believe that he will be admitted;

(b) where the passenger has been admitted provisionally, order him to leave Mauritius at the first available opportunity and where he fails to do so, the immigration officer shall, without the issue of a warrant, arrest and detain him and paragraph

(a) shall apply to him as if he had been detained.

(5) Where the Minister is of the opinion that the passenger detained or admitted provisionally in Mauritius under subsection (1)(b) or (c) is not a prohibited immigrant and that he is a fit and proper person, the Director-General of Immigration may issue a visa to him and, thereupon, he shall be admitted to Mauritius in accordance with, but subject to, this Act.

(6) (a) Subject to paragraph (b), this section shall apply and the decision of the Minister shall be final and conclusive and shall not be questioned in any Court.

(b) Where a passenger to whom the Minister has refused admission to Mauritius claims to be a citizen or a resident, an appeal shall lie to the Supreme Court against the decision of the Minister and the appeal shall be heard and determined, as expeditiously as circumstances warrant, in accordance with such rules as the Chief Justice may prescribe.

24. Inspection

(1) An immigration officer or any other police officer may inspect any vessel bringing or taking persons to or from Mauritius, examine the persons carried by it and their baggage, examine any document relating to such persons and take copies or extracts and may hold and detain the vessel until the inspection and examination are completed.

(2) The master of any vessel arriving or leaving Mauritius shall report to the immigration officer at a port of entry, immediately on arrival or before departure, as the case may be, to enable the immigration officer to examine the passengers and crew members.

(3) All passengers and crew members of any vessel seeking to enter or leave Mauritius, shall immediately on arrival or before departure, as the case may be, report to the immigration officer and fulfil such formalities as may be prescribed, and shall submit their passports or other travel documents for examination.

25. Powers of arrest, detention and investigation

An immigration officer may, in order to secure compliance with this Act, take such measures as may be necessary and may, in particular –

(a) arrest and detain –

(i) any prohibited immigrant; or

(ii) any person who has committed or is committing, or whom he reasonably suspects of having committed or to be committing, an offence under this Act;

(b) investigate into whether the marriage between a non-citizen and a citizen is a marriage of convenience, and for the purpose of the investigation –

(i) order the non-citizen who has made an application for a temporary residence permit or residence permit, or his citizen spouse, to appear before him for examination and to submit any document;

(ii) order the non-citizen who has been issued with a temporary residence permit or residence permit, or his citizen spouse, to appear before him for examination and to submit any document;

(iii) summon and hear other witnesses, or call for the production of any document from any other person or institution;

(iv) inspect the household where the citizen and non-citizen spouses live;

(v) do such other things as may be necessary for the investigation;

(c) investigate into any other matter falling under the purview of this Act, and for the purpose of the investigation, have the same powers under paragraph (b).

PART VI – OBLIGATIONS OF AIRLINES AND SHIPPING LINES

26. Removal of passengers

(1) Where an airline or a shipping line is ordered to remove a passenger under section 23, the cost of his removal shall be met by the airline or shipping line, as the case may be.

(2) Where a passenger has been refused admission to Mauritius, his expenses, including maintenance and medical care, shall be met by the airline or shipping line that brought him to Mauritius pending the removal of the passenger.

(3) (a) Where an airline or a shipping line is ordered to meet the cost of the removal of a passenger under subsection (1), it shall be so notified and be

given an opportunity of conveying him or causing him to be conveyed on one of its own vessels or otherwise.

(b) Where the airline or shipping line under paragraph (a) does not convey or caused to be conveyed the passenger within a reasonable time, or where it is expedient in the interests of defence, public safety, public order or public morality that the passenger should immediately leave Mauritius, the Minister may direct that the passenger should be immediately removed at the expense of the Government.

(c) An airline or a shipping line shall, on demand, reimburse to the Government the expenses incurred under paragraph (b) for the removal of the passenger and any other expenses which may have been incurred in connection with his detention.

27. Unauthorised disembarkation

An airline or a shipping line, or the master of a vessel, bringing persons into Mauritius shall not, on the arrival of the vessel in Mauritius, authorise –

(a) any person to leave the vessel at a place other than a port of entry; or

(b) individual persons or groups of persons to leave the vessel until permission has been granted by the immigration officer.

28. Clearance of vessels

(1) Subject to subsection (2), no vessel bringing persons to Mauritius shall be granted clearance where the airline or shipping line operating it, or its master has, in the opinion of the immigration officer, committed an offence under this Act.

(2) The immigration officer may, with the approval of the Minister, grant clearance under subsection (1) where a sum of money or other security, at least equal to the maximum fine that may be imposed for the offence, is deposited with him.

29. Security in respect of crew member

Where a crew member of a vessel deserts the vessel while in Mauritius or is, for any reason, to be left in Mauritius after the departure of the vessel, the immigration officer may order the airline or shipping line operating that vessel, or its master, to deposit with him such sum of money or security as he considers necessary for the return of the crew member to the vessel or for his removal from Mauritius.

30. Return passage ticket

A non-citizen who has been admitted to Mauritius by virtue of a visa shall, during his stay in Mauritius, have, at all times, a return passage ticket.

PART VII – MISCELLANEOUS

31. Identification number of residents

(1) Notwithstanding any other enactment, every resident who –

(a) is required to be registered under the Business Registration Act shall, in respect of every transaction he makes in relation to –

(i) his business activities, use his business registration number in accordance with the Business Registration Act;

(ii) any other activity with any public sector agency, use and indicate on any document, whether electronically or otherwise, the identification number allocated to him by the immigration officer;

(b) is not required to be registered under the Business Registration Act shall, in respect of every transaction he makes in relation to his activities with a public sector agency, use and indicate on any document, whether electronically or otherwise, the identification number allocated to him by the immigration officer.

(2) Where a transaction is made in the name of a minor who is a non-citizen, the document witnessing the transaction shall contain the identification number allocated to the minor by the immigration officer.

(3) No public sector agency shall issue, whether electronically or otherwise, a document in respect of any transaction referred to in subsection (1)(a)(ii) or (b), unless the document contains the identification number allocated to the resident by the immigration officer.

(4) Every public sector agency shall use and indicate in its records, whether electronically or otherwise, the identification number allocated to the resident with whom a transaction is carried out pursuant to subsection (1)(a)(ii) or (b) and in respect of whom a record is required to be kept.

(5) (a) The identification number allocated to a resident referred to in subsection (1)(a)(ii) or (2) shall be the unique identification number of that non-citizen.

(b) The unique identification number of a resident shall be the resident's official identification number whenever reference is made to him.

(c) Any number of identification, other than the identification number referred to in paragraph (a), which is used by a public sector agency with which the transaction is made –

(i) shall be used by that public sector agency solely for internal purposes; and

(ii) shall not appear on any document relating to that resident.

32. Register of non-citizens

The Director General of Immigration shall keep and maintain an electronic register of non-citizens admitted to Mauritius.

33. Sharing of information

(1) Notwithstanding any other enactment, an immigration officer shall, through its electronic system or any other appropriate means, share with –

(a) another public sector agency such information as may be mutually agreed upon, including, in relation to –

(i) a non-citizen, his name, address and date of arrival in, and date of departure from, Mauritius; and

(ii) a citizen, his name, address and date of departure from, and date of arrival in, Mauritius;

(b) the Financial Intelligence Unit any other information in addition to those specified in paragraph (a) as the Financial Intelligence Unit may require in the discharge of its functions.

(2) Subject to subsection (3), no public sector agency, other than the Financial Intelligence Unit, shall disclose any information obtained pursuant to subsection (1) to a third party.

(3) A public sector agency may, with the approval of the Director General of Immigration, disclose to a third party any information obtained pursuant to subsection (1).

34. Period of residence

Any period of residence in Mauritius by virtue of a permit shall be taken into account for the purposes of the Mauritius Citizenship Act.

35. Lawful custody

Any person who is detained by virtue of this Act or for the purpose of an enquiry shall, whilst being detained and whilst being conveyed for the purpose of being removed from Mauritius, be deemed to be in lawful custody.

36. Offences

A person who –

(a) fails, on arriving in, or on leaving, Mauritius or on being ordered, to report to the immigration officer for examination;

(b) makes any false or misleading statement in connection with the admission of any person to, or departure from, Mauritius;

(c) makes any charge to, or receives any fee or reward from, any person to secure or assist in securing the admission to, or departure from, Mauritius of any person;

(d) induces, aids or abets or attempts to induce, aid or abet any person to commit any offence under this Act,

(e) without reasonable excuse, remains in Mauritius where he is not a citizen or resident, or has not been issued with a visa;

(f) without reasonable excuse, remains in Mauritius where his permit or visa has expired or cancelled;

(g) fails to appear before an immigration officer for the purpose of investigation under section 25;

(h) refuses to answer any question put to him or to submit any document or does not truthfully answer any question put to him during an investigation under section 25;

(i) enters into a marriage of convenience;

(j) assists a non-citizen and a citizen to enter into a marriage of convenience; or

(k) otherwise contravenes this Act,

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

37. Regulations

The Minister may make such regulations as he thinks fit for the purposes of this Act and, in particular, provide –

(a) for the examination of vessels, their passengers and crew members and their papers;

(b) for the amendment of the Schedule;

(c) for the payment of fees and the levying of charges;

(d) that any person who contravenes them 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.

38. Repeal

The Immigration Act is repealed.

39. Consequential amendments

(1) The Civil Status Act is amended, in section 19A –

(a) in subsection (2) –

(i) in paragraph (a)(iii) –

(A) by repealing sub subparagraph (D) and replacing it by the following sub subparagraph –

(D) an affidavit sworn before the Master and Registrar of the Supreme Court of Mauritius,

attesting that he is not marrying the citizen for the purpose of becoming a resident;

(B) by inserting, after sub subparagraph (E), the following new sub subparagraphs –

(EA) an affidavit or any other legal document, duly sworn or affirmed by him before a Court of law in his country of residence, attesting that he is in gainful employment or, alternatively, has sufficient means to maintain himself;

(EB) an affidavit or any other legal document, duly sworn or affirmed by him before a Court of law in his country of residence, attesting his marital status; and

(ii) in paragraph (b), by deleting the words "10 days" and replacing them by the words "30 days";

(iii) by inserting, after paragraph (b), the following new paragraph, the word "or" at the end of paragraph (b) being deleted –

(c) unless the citizen submits at the time of making an application for the publication of the marriage, an affidavit sworn before the Master and Registrar of the Supreme Court of Mauritius, attesting that he is not marrying the non-citizen for the purpose of the non-citizen acquiring the status of resident; and

(b) by inserting, after subsection (2), the following new subsection –

(2A) Where a non-citizen intends to marry a citizen following the termination of his marriage to another citizen, the affidavit or document referred in subsection (2)(a)(iii)(EB) shall be sworn in or affirmed after the date of the termination of the marriage.

(2) The Deportation Act is amended –

(a) in section 2 –

(i) by deleting the definition of "convicted person", "destitute person" and "undesirable person";

(ii) in the definition of "Minister", by deleting the words "defence and internal security" and replacing them by the words "home affairs";

(iii) by deleting the definition of "prohibited immigrant" and replacing it by the following definition –

"prohibited immigrant" has the same meaning as in the Immigration Act 2022.

(b) in section 3, in subsection (3), by deleting the words "section 6(5) of the Immigration Act" and replacing them by the words "section 18 or 19 of the Immigration Act 2022";

(c) in section 4 –

(i) by repealing paragraphs (a) and (b) and replacing them by the following paragraphs –

(a) a prohibited immigrant; or

(b) a non-citizen who is transferred to Mauritius under the Piracy and Maritime Violence Act 2011.

(ii) by repealing paragraphs (c) and (d);

(d) in section 5 –

(i) in subsection (2), by deleting the words "a convicted person, an undesirable person, a destitute person or a prohibited immigrant" and replacing them by the words "a prohibited immigrant or a non-citizen who is transferred to Mauritius under the Piracy and Maritime Violence Act 2011";

(ii) in subsection (6), by deleting the words "an undesirable person or a prohibited immigrant" and replacing them by the words "a prohibited immigrant or a non-citizen who is transferred to Mauritius under the Piracy and Maritime Violence Act 2011";

(e) in section 10 –

(i) in subsections (1) and (3), by deleting the words "500 rupees" and replacing them by the words "100,000 rupees";

(ii) in subsection (4) –

(A) in paragraph (a), by deleting the words "500 rupees" and replacing them by the words "100,000 rupees";

(B) in paragraph (b), by deleting the words "3,000 rupees" and replacing them by the words "100,000 rupees".

(3) The Economic Development Board Act 2017 is amended –

(a) in section 2, in the definition of "family occupation permit", "immigration officer", "occupation permit" and "permanent

residence permit", by deleting the words "Immigration Act" and replacing them by the words "Immigration Act 2022";

(b) in section 13, in subsection (1), by deleting the words "the Immigration Act" wherever they appear and replacing them by the words "Immigration Act 2022";

(c) in section 14, in subsection (5), by deleting the words "section 9A of the Immigration Act" and replacing them by the words "Immigration Act 2022";

(d) in the First Schedule –

(i) in Part I, by deleting item 4 and replacing it by the following item –

4.	Young professional	(1) Completion of at least an undergraduate degree in a local tertiary education institution recognised by the Higher Education Commission in any field listed in the Schedule to the Immigration Act 2022 (2) Completion of an internationally recognised professional certification, equivalent to at least an undergraduate degree, dispensed by a registered institution in Mauritius in any field listed in the Schedule to the Immigration Act 2022

(ii) in Part IV, in item 1, in the third column, by deleting the words "in Part 1 of the Schedule to the Immigration Act" and replacing them by the words "in the Schedule to the Immigration Act 2022".

(4) The Mauritius Citizenship Act is amended –

(a) in section 2, in the definition of "Minister", by deleting the words "internal affairs" and replacing them by the words "home affairs";

(b) in section 5 –

(i) by repealing subsection (2) and replacing it by the following subsection –

(2) This section shall not apply to a non-citizen who is the holder of a temporary residence permit under the Immigration Act 2022.

(ii) in subsection (3), by inserting, after the words "Notwithstanding subsection (1)", the words "but subject to subsection (2)";

(c) in section 7 –

(i) in subsection (2) –

(A) by lettering the existing provision as paragraph (a);

(B) by adding the following new paragraph –

(b) Paragraph (a) shall apply to a non-citizen who, not being the holder of a temporary residence permit, is issued with a residence permit.

(ii) by inserting, after subsection (2), the following new subsection –

(2A) (a) Where a non-citizen who, being the holder of a temporary residence permit, is issued with a residence permit intends to be registered as a citizen of Mauritius, he shall, 4 years after having been issued with the residence permit, make an application to be registered as a citizen of Mauritius.

(b) Where the Minister is satisfied that a non-citizen –

(i) has resided, immediately preceding the date of his application for registration, with his spouse under the same conjugal roof in Mauritius for an aggregate period of at least 4 years;

(ii) is of good character; and

(iii) has adequate knowledge of the English language, or any other language current in Mauritius, and of the responsibilities of a citizen of Mauritius,

he may register the non-citizen as a citizen of Mauritius.

(c) For avoidance of doubt, a period of residence in Mauritius pursuant to a temporary residence permit under the Immigration Act 2022 shall be taken into account for the purpose of this subsection.

(d) in section 9 –

(i) by repealing subsection (4) and replacing it by the following subsection –

(4) This section shall not apply to a non-citizen who is the holder of a temporary residence permit under the Immigration Act 2022.

(ii) in subsection (5), by inserting, after the words "Notwithstanding this section", the words "but subject to subsection (4)";

(e) by inserting, after section 10, the following new section –

(10A) The Minister may, on an application made under sections 5, 7 and 9, order an investigation to be carried out by an immigration officer in accordance with section 25 of the Immigration Act 2022.

(f) in section 11, by adding the following new subsection –

(8) Notwithstanding subsections (5), (6) and (7), the Minister may, in his absolute discretion and without giving any reason, deprive any person of his citizenship of Mauritius, if he has reliable information and is satisfied that it is in the interest of defence, public safety or public order.

(g) in section 14, by repealing subsection (3).

(5) The Non-Citizens (Employment Restriction) Act is amended –

(a) in section 2 –

(i) in the definition of "identification number", by deleting the words "in accordance with section 9D(1)(a)(ii) or (2) of the Immigration Act" and replacing them by the words "under the Immigration Act 2022";

(ii) in the definition of "immigration officer", by deleting the words "Immigration Act" and replacing them by the words "Immigration Act 2022";

(iii) in the definition of "resident", by deleting the words "Immigration Act" and replacing them by the words "Immigration Act 2022";

(b) in section 3, in subsection (6) –

(i) in paragraph (a), by deleting the words "Immigration Act" and replacing them by the words "Immigration Act 2022";

(ii) in paragraph (b), by deleting the words "under section 5(1)(g) and (ga) of the Immigration Act" and replacing them by the words "in accordance with section 8(1)(d)(i), (e)(i) and (f)(i) of the Immigration Act 2022";

(iii) by repealing paragraph (c) and replacing it by the following paragraph –

(c) a non-citizen who is issued with a permanent residence permit under the Immigration Act 2022;

(iv) in paragraph (e), by deleting the words "section 9CA of the Immigration Act" and replacing them by the words "the Immigration Act 2022";

(c) in section 4 –

(i) in subsection (3)(a)(i), by deleting the words "Immigration Act" and replacing them by the words "Immigration Act 2022";

(ii) by inserting, after subsection (5), the following new subsections –

(5A) Every permit issued by the Minister shall be issued subject to the condition that the non-citizen to whom the permit is issued shall not remain, or seek to remain, in Mauritius where the permit is no longer valid, unless another permit is issued in relation to him.

(5B) Notwithstanding any other enactment, a non-citizen who contravenes the condition specified in subsection (5A) shall be a prohibited immigrant for the purposes of the Immigration Act 2022.

(6) The Non-Citizens (Property Restriction) Act is amended, in section 3 –

(a) in subsection (3), by adding the following new paragraph, the full stop at the end of paragraph (c) being deleted and replaced by a semicolon –

(d) in the case of a non-citizen who is a resident pursuant to the Immigration Act 2022, purchases or otherwise acquires, with the approval of the Minister, a residential property, other than –

(i) property referred to in paragraphs (ba), (c)(iii), (v), (vi) and (vii);

(ii) residential property situated on State land, including Pas Géométriques;

(iii) bareland or serviced land exceeding 0.5276 hectare (1.25 arpent); or

(iv) a standalone residential property constructed on an extent of land exceeding 0.5276 hectare (1.25 arpent),

provided the purchase price is not less than 350,000 US dollars or its equivalent in any other hard convertible foreign

currency, or in such other amount as may be prescribed.

(b) by adding the following new subsection –

(5) For the purpose of subsection (3)(d), an application shall be accompanied by a valuation report, from a registered qualified surveyor, giving the open market value of the immovable property.

(7) The Passports Act is amended –

(a) in section 2 –

(i) in the definition of "Minister", by deleting the words "internal affairs" and replacing them by the words "home affairs";

(ii) by adding the following new definition, the full stop at the end of the definition of "Passport Officer" being deleted and replaced by a semicolon –

"visa" has the same meaning as in the Immigration Act 2022.

(b) in section 12, by repealing subsection (2) and replacing it by the following subsection –

(2) A stateless person, or, where regulations are made under subsection (1), a national or citizen of a country specified in the regulations shall not be allowed to enter Mauritius unless he has obtained a visa.

40. Saving and transitional provisions

(1) (a) Any person who, on 14 May 2015, has the status of resident pursuant to the acquisition of an immovable property from a company holding an IRS certificate or RES certificate under paragraph (b) or the Economic Development Board Act 2017, shall continue to have the status of resident so long as he holds the immovable property.

(b) Notwithstanding the repeal of the provisions relating to the obtention of the status of resident by a person acquiring immovable property from a company holding an IRS certificate or RES certificate, those provisions shall continue to apply, in relation to that person, his spouse, his dependent child or other dependent of that person, so long as that person holds the immovable

property.

(2) Where a non-citizen who, by virtue of being the holder of a work permit or being an exempt person under the Non-Citizens (Employment Restriction) Act, has been issued with a residence permit under the repealed Immigration Act or is issued with a residence permit under this Act marries, after the commencement of this Act, a citizen, the non-citizen shall be issued with a temporary residence permit under this Act and his residence permit shall lapse.

(3) (a) A residence permit, a permanent residence permit, an occupation permit and a short-term occupation permit issued under the repealed Immigration Act shall be deemed to have been issued under this Act.
[Amended 13/26 (cio 13/8/26).]

(b) An application for a residence permit other than a residence permit for a non-citizen spouse, a permanent residence permit, an occupation permit or a short-term occupation permit made prior to the commencement of this Act shall be dealt with in accordance with this Act.
[Amended 13/26 (cio 13/8/26).]

(c) An application for a residence permit for and his dependent child and parent made prior to the commencement of this Act shall be dealt with in accordance with the repealed Immigration Act.
[Amended 13/26 (cio 13/8/26).]

(3A) (a) Any person who is eligible for a residence permit as a non-citizen spouse under the repealed Immigration Act may, on payment of such fee as may prescribed, make an application for the residence permit.

(b) Where a non-citizen spouse is issued with a residence permit pursuant to paragraph (a), his dependent child or parent may, on payment of such fee as may be prescribed, make an application for a residence permit.
[Inserted 13/26 (cio 1/10/26).]

(3B) Notwithstanding the amendments brought to the First Schedule to the Economic Development Board Act, a non-citizen who is the holder of an occupation permit as a professional shall, on an application for the first renewal of his occupation permit, be governed by the criteria in force immediately before the amendments brought to the First Schedule to the Economic Development Board Act.
[Inserted 13/26 (cio 1/10/26).]

(4) The Register of non-citizens kept under the repealed Immigration Act shall be the Register of non-citizens to be kept under this Act.

(5) In this section –

"repealed Immigration Act" means the Immigration Act repealed under section 38.

[S. 40 amended by s. 25 of Act 13 of 2026 w.e.f. 13 August 2026 and 1 October 2026.]

SCHEDULE

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[Schedule repealed by s. 37 of Act 12 of 2023 w.e.f. 20 July 2023.]
