

Read all about it

Covid-19 (Coronavirus):

4th Update on the implications of the
lockdown in Mauritius:

First Phased Reopening



Read all about it

Covid-19 (Coronavirus):4th Update on the Implications of the lockdown in Mauritius:
Phased Reopening of the Economy – April 2021

INTRODUCTION

The Temporary Restriction of Movement Order currently in force in Mauritius, which was scheduled to end on 25 March 2021 at 8 p.m. has been extended to 30 April 2021 at 8 p.m. (the **Extended Lockdown Period**) by virtue of GN 512/2021 (the **Order**). The Prime Minister announced during a televised address that the Government has established a plan for the phased reopening of economic activities as from 01 April 2021 (the **First Phase**).

The public has further been urged to strictly adhere to sanitary measures, such as correctly wearing the face mask, observe social distancing, washing hands regularly and to make use of hand sanitizers, in order to curtail the spread of the virus.

It is to be noted that any person who is found outdoor in breach of the Order shall commit an offence and shall, on conviction, be liable to a fine not exceeding MUR 500,000 and to imprisonment for a term not exceeding 5 years.

Permitted/Restricted Movements

1.1. EXEMPTED PERSONS

Provided for in the Order, is an exhaustive list of persons (the **Exempted Persons**) to whom the restriction of movement does not apply, namely:

- a) a person in need of medical treatment or medicine or any other item essential for his or his family's subsistence or livelihood;
- b) persons authorised to be outdoor strictly on allocated days or authorised to carry out specific activities pursuant to the COVID-19 (Closing Down of Premises and Restriction of Activities) Regulations 2021 (the **Regulations**);
- c) members of the Disciplined Forces;
- d) a member of the National Assembly for the purpose of attending a sitting of the National Assembly or any other meeting in relation to the sitting of the National Assembly;
- e) a Judge or Magistrate (in respect of minimum judicial services as the Chief Justice deems essential), and designated employees of Courts;
- f) a barrister or an attorney to attend a police station, place of detention or Court;
- g) a medical practitioner for the purpose of attending a hospital, private medical institution or patient in need of urgent medical care;
- h) a pharmacist and his employees;
- i) person in need of taking his pet to the veterinarian;
- j) a person having been summoned to Court;
- k) a person holding a permit issued by the Commissioner of Police under section 3(2) of the Quarantine Act 2020.

1.2. AUTHORISED PREMISES AND ACTIVITIES

As part of the First Phase, the Regulations, which are applicable only to Mauritius, have been made under Section 13 of the Quarantine Act 2020. It became operational on 1 April 2021 to provide for the sanitary measures to be observed by various sectors of the economy that will

Read all about it

Covid-19 (Coronavirus):4th Update on the Implications of the lockdown in Mauritius:
Phased Reopening of the Economy – April 2021

operate during the Extended Lockdown Period, with a view to preventing further spread of COVID-19.

(A) Authorised Premises

The Regulations set out a number of premises (the **Authorised Premises**), other than those specified in Part I of its First Schedule and those listed in Part I of its Second Schedule (altogether the **Unauthorised Premises**), which shall be allowed to operate during the Extended Lockdown Period, whilst respecting strict conditions and sanitary measures.

Conditions of operation applicable to the Authorised Premises:

Accordingly, the Authorised Premises shall be subject to the following strict sanitary measures and conditions:

- a) Shopping malls/hypermarkets/supermarkets/superettes/meat/ poultry/fish shops/food retail shops/retail shops (magasins) and hair salons will open on Mondays to Saturdays between 8 a.m. and 8 p.m.;
- b) Banks will open during their normal banking hours;
- c) Hardware stores (Quincailleries) will open up to 6 p.m.;
- d) Courts shall operate in respect of such minimum judicial services as the Chief Justice deems essential and subject to such directives as the Chief Justice may issue;
- e) Private health institutions and private medical laboratories shall be open every day in their normal working hours;
- f) Shop of Opticien-lunetier shall operate on Mondays to Saturdays in their normal working hours;
- g) Pharmacies shall be open every day;
- h) Petrol stations shall be open every day;
- i) Port and airport and related businesses shall operate every day;
- j) Agro-chemical retail outlets selling agricultural inputs shall be open on Mondays to Saturdays;
- k) Restaurants/fast foods/cafes will be open only for delivery and takeaway on Mondays to Saturdays between 8 a.m. to 8 p.m.;
- l) Schools, educational institutions and other premises designated as examination centres shall be open solely for the purpose of sitting for examinations;
- m) Vehicle examination centres shall be open on Mondays to Saturdays in their normal working hours;
- n) Post offices will open on Mondays to Saturdays in their normal working hours.

Preventive and Sanitary Measures applicable to Authorised Premises

Read all about it

Covid-19 (Coronavirus):4th Update on the Implications of the lockdown in Mauritius:
Phased Reopening of the Economy – April 2021

The Authorised Premises must observe the following specific preventive and sanitary measures provided for in the Third Schedule of the Regulations:

- a) In respect of food retail stores (such as supermarkets, superettes, meat/fish/ poultry shops), retail shops, banks, post office and hardware shops, access will be granted as per the already in place categorised alphabetical order, i.e.:

A – F: Monday and Thursday

G- N: Tuesday and Friday

O-Z: Wednesday and Saturday

And customers will be required to exhibit their national identity card or passport or residence/work permit, as applicable.

- b) The general rule applicable to all Authorised Premises is that strict measures will have to be in place to ensure that social distancing of at least 1 metre is observed. Floor markings should be arranged for both inside and outside of the premises and customers will have to strictly adhere to the markings.
- c) All fresh products and meat sold by food retail stores have to be packed, weighed and priced before being put for sale.
- d) Operators of all commercial premises are under an obligation to provide to their employees masks, gloves and hand sanitisers. Extra Perspex barriers should be installed at the tills and where appropriate to ensure social distancing and alternate tills must be opened. Commercial premises will also have to ensure that all trolleys and/or baskets are sanitised before delivery to each customer and must provide hand sanitisers at the entry and exit of the premises.
- e) In respect of customers: (1) they must be at least 18 years of age, (2) will be allowed the use of only one trolley, (3) will observe a single flow traffic, (4) will be allowed to remain on the premises for a maximum of 30 minutes, (5) must wear protective mask and (6) will be allowed entry to the premises only if they are alone in their car, save for persons with disabilities who may be accompanied. Any customer exhibiting a body temperature of 38°C or above will be transferred to the nearest hospital. Further to this, any customer showing flu-like symptoms will be denied access to the premises.
- f) Finally, any person without identification documents or not wearing protective masks or not coming on allocated days will be denied access.

In case of failure to observe the conditions enunciated above, the food retail place will be disallowed to continue its operation.

(B) Authorised Activities

The Regulation further provides that events or activities (the **Authorised Activities**), other than those specified in Part II of its First Schedule, and the activities and events provided at Part II of its Second Schedule (the **Unauthorised Activities**) are allowed, subject to the above-stated preventive and sanitary measures applicable to Authorised Premises.

The Authorised Activities concern:

- a) Agricultural and breeding activities;

Read all about it

Covid-19 (Coronavirus):4th Update on the Implications of the lockdown in Mauritius:
Phased Reopening of the Economy – April 2021

- b) Fishing activities by registered fishers only;
- c) Construction activities;
- d) Funerals, provided that not more than 10 persons are in attendance at a time;
- e) Civil marriages, provided that not more than 10 persons are in attendance;
- f) Horse racing, to be allowed without public (in camera); and
- g) On-line betting activities.

Finally, public places, other than those listed in Part III of the First Schedule of the Regulations, may be attended during the Extended Lockdown Period.

1.3. MORE WORK ACCESS PERMITS (WAPS) AND SPECIAL WAPS AS FROM 1 APRIL 2021

In his address on 23 March 2021, the Prime Minister has announced that more Work Access Permits (**WAPs**) will be issued to different sectors as part of this First Phase of reopening of the economy.

During the Extended Lockdown Period, employees who have to accede to their workplace must be holders of a valid WAP, and two types of WAPs will be available as from 1 April 2021. The first type will be a **Special WAP**, applicable to people living within the Red Zone (i.e. in the Constituencies 15, 16 and 17 and in the village of Canot) and a second type will be the **Normal WAP** for acceding to other regions of the island.

The Deputy Commissioner of Police announced on 30 March 2021 that people already holding a WAP will not be required to make a fresh application for the permit. However, WAP holders residing in the Red Zone (Constituencies 15, 16, 17 and the village of Canot) will be required to make another application for a Special WAP on the besafemoris website. Employees providing essential services and residing within the Red Zone will have to obtain the Special WAP as well.

As per a Police Communiqué issued on 31 March 2021 by the Commissioner of Police (the **Communiqué**), the Exempted Persons and holders of a WAP are allowed to remain outdoors during the Extended Lockdown Period.

The Communiqué stresses that the sole purpose for which WAP holders will be allowed to remain outdoors is to travel from their place of residence to their place of work/business and back. Strict Police control will take place in areas classified as Red Zones.

Examination

In respect of students sitting for examinations and the responsible party(ies) accompanying them, no WAP will be required, including for those residing in or going to examination centres in the Red Zone. The students should travel with their exam timetable and student ID card.

Self-employed WAP

For self-employed individuals that are registered with the Mauritius Revenue Authority (the **MRA**), the appropriate procedures will be arranged for by the MRA for the issuance of a WAP. In respect of those not registered with the MRA, they will be assisted by the Citizens Support Unit (CSU) for the filling of the online applications from Mondays to Fridays between 9 a.m to 4 p.m.

Self-employed individuals providing essential services and having to proceed in and out of the Red Zones are required to apply for the Special WAP.

Read all about it

Covid-19 (Coronavirus):4th Update on the Implications of the lockdown in Mauritius:
Phased Reopening of the Economy – April 2021

Special WAP for the Red Zones

The application for the Special WAP will be required for employees of public or private sectors, private individuals running essential services, as well as residents of the Red Zones, that need to move in and out of those areas.

In order to be eligible to apply for a Special WAP, one should already be a holder of an approved Normal WAP. Therefore, those not holders of a Normal WAP should first apply for one on the besafemoris website and upon approval make an application for Special WAP. In order to obtain the Special WAP, applicants will have to provide details of an approved Normal WAP and state the exact reasons or purpose for moving in and out of Red Zone.

The Communiqué specifies that the Commissioner of Police may impose conditions on movement or revoke Normal WAPs and Special WAPs in case of breach of the conditions imposed or if during the application process false or misleading information was provided.

1.4. ACCESS WITH RESTRICTIONS

(A) Court Sittings

For the resumption of court sittings, access to courtrooms will be limited to only members of the legal profession during the First Phase.

By virtue of Communique No. 3 of 2021, the public and members of the legal profession have been informed that the Court Session for the visiting Judge for April 2021 has been postponed until further notice. The new dates will be communicated in due course.

All cases scheduled to be called before the Intermediate Court of Mauritius post the Extended Lockdown Period will be scheduled to a later date, which will be communicated by a communiqué from the Master and Registrar of the Supreme Court.

(B) Unauthorised Premises

As per the Regulations the following Unauthorised Premises, which have been listed in the Part I of its First Schedule, are required to remain closed during the Extended Lockdown Period:

- a) Pre-primary, primary, secondary schools/Tertiary institutions/ Vocational training centres;
- b) Private schools;
- c) Amusement centre;
- d) Aquarium for public viewing;
- e) Bookmaker (other than on-line betting);
- f) Bar;
- g) Beauty salon;
- h) Casino and Gaming house;
- i) Theatre;
- j) Nightclub;

Read all about it

Covid-19 (Coronavirus):4th Update on the Implications of the lockdown in Mauritius:
Phased Reopening of the Economy – April 2021

- k) Cinema hall;
- l) Multi-purpose hall, including wedding hall;
- m) Fitness centre (gymnasium/sport complex);
- n) Social hall/Village hall/Municipal hall/Community centre/Social welfare centre/Youth centre/Citizens Advice Bureau;
- o) Leisure park, including health track; and
- p) Place of worship.

The Regulations also provides for a list of events or activities (the **Unauthorised Activities**) in Part II and III of its First Schedule, that should not be carried out and public places and that should not be attended: -

Events Or Activities

- a) Fair (fun fair/fancy fair/trade fair/commercial fair/market fair)
- b) Public events
- c) Sports events or sport activities
- d) Public auction
- e) Cultural/social event or any other gathering
- f) Religious event/ceremony/marriage
- g) Concert

Public Places

- a) Public beach/sea, except for a registered fisher holding a fisher's card
- b) Public garden
- c) Children's playground
National park and nature reserves
- d) Recreational/leisure activities

(C) Transport Sector

In respect of the transport sector, a series of measures have been announced in the context of the First Phase, and the main features concern:

- a) The delay to renew all Public Service Vehicle Licences, Road Service Licences, Contract Car and Contract Bus Licences, Licences for Petrol Service Stations (holding a valid Fire Certificate) and Motor Vehicle Licences, that have expired on the last day of February 2021, has been extended to 31 August 2021.
- b) Vehicle Examination Stations which issue fitness certificates to owners of vehicles, will operate as per the devised alphabetical order applicable for access to food retail outlets, as from 1 April 2021.
- c) The registration process as regards electric autocycles/motorcycles will now start as from 3 May 2021 up to 31 December 2021.

Read all about it

Covid-19 (Coronavirus):4th Update on the Implications of the lockdown in Mauritius:
Phased Reopening of the Economy – April 2021

- d) The Light Rail Transit System (Metro Express) will be operational as from 1 April 2021 under strict sanitary protocols.

1.5. MOVEMENT FOR OTHER SECTORS OF THE ECONOMY

An appeal has been made by the Government to Employers of the various sectors of the economy to privilege a work from home arrangement and to exceptionally require an employee (holding a valid Work Access Permit) to attend the office premises only if his/her physical presence at the work place is necessary. The remote working conditions are encouraged as a rule to avoid unnecessary gatherings of more than 5 people, which may facilitate the propagation of the virus.

Updates on the Vaccination Programme and its implications

The Minister of Health and Wellness stated that 24,000 doses of AstraZeneca vaccine have reached Mauritius from the COVAX Facility and that these will be used in the national vaccination programme that is still on going in Mauritius.

The Minister also pointed out that no amendment shall be brought to the Consent Form required for the inoculation of the Anti-COVID-19 vaccine. The Minister furthermore stated that people experiencing serious side effects from the vaccine shall be compensated by the Consolidated Fund.

Other Information

Mauritius Revenue Authority (MRA): Resumption of operations

In view of minimising the spread of the virus and any infection, the MRA has issued a communiqué to the effect that:

- a) The Customer Service Centre and the Cash Office at the MRA Headquarters will be closed and anyone in need of information should phone the MRA on + 230 207 6000.
- b) The help desk will be operational on weekdays from 9 a.m. to 4.30 p.m. and in case of inability to access the officers by phone, an email should be sent on headoffice@mra.mu for any information pertaining to taxes administered by the MRA.
- c) Queries relating to Self-Employed Assistance Scheme (**SEAS**) or the Government Wage Assistance Scheme (**GWAS**) should also be referred to the MRA by email or telephone.

The above does not constitute legal advice, but rather recommendations of general application which may change depending on the facts and circumstances of a particular case. Independent legal advice should be obtained before implementing any measure which may impact upon rights and obligations. If you require any specific advice, please contact one of our experts at:

<https://www.eversheds-sutherland.com/global/en/where/africa/mauritius/people/index.page?>

T: (230) 211 0550

eversheds-sutherland.com

© Eversheds Sutherland 2021. All rights reserved.
Eversheds Sutherland (International) LLP and Eversheds Sutherland (US) LLP
are part of a global legal practice, operating through various separate and
distinct legal entities, under Eversheds Sutherland. For a full description of the
structure and a list of offices, please visit www.eversheds-sutherland.com.
LDS_002\7815342\1