

**MINISTRY OF LABOUR,
INDUSTRIAL RELATIONS,
EMPLOYMENT AND TRAINING**

CHECKLISTS

FOR

APPLICATIONS

FOR

WORK PERMIT

JUNE 2016

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PREAMBLE

❖ Work Permit

- a. The grant of the work permit is governed by the **Non-citizens (Employment Restriction) Act 1973** stipulates that a ***“non-citizen shall not engage in any occupation in Mauritius for reward or profit or be employed in Mauritius unless there is in force in relation to him a valid permit and he engages in the occupation”***, or is employed in accordance with any condition which may be specified in the permit.
- b. The Act also stipulates that ***“no person shall have a non-citizen in his employment in Mauritius without there being in force a valid permit in relation to that employment.”*** For this purpose, Work Permits for non-citizens are issued by the Employment Division of the Ministry of Labour, Industrial Relations, Employment and Training (MLIRET) under the Non-Citizens (Employment Restriction) Act 1973.
- c. **Eligibility criteria for work permit :**
 - i. Foreign workers should possess the skills, qualifications and experience required for the job applied for;
 - ii. Foreign workers should normally be aged between 20 and 60 years. Departure from this policy is exceptionally made for investors and expatriates who possess specific expertise;
 - iii. **Visitors on tourist visa are not allowed to take up employment and applications for work permit on their behalf are not entertained;**
 - iv. For all new application, expatriates have to produce a provisional health clearance. With regard to spouse of expatriate already in possession of a work/occupation permit and Divorcee of a Mauritian National who want to apply for a work permit they also have to submit a provisional health clearance.
 - v. In case of application for groups of workers and / or skilled workers, a request for Permission in Principle has to made to the MLIRET
 - vi. For recruitment of foreign skilled workers, the employer should obtain a Lodging Accommodation Permit in respect of the dormitory
 - vii. Companies should submit Lodging Accommodation Permit in respect of their workers at least **3 months prior to the expiry of their current Lodging Accommodation Permit**

- viii. Companies should submit a copy of Contract of Employment duly vetted by the Labour Division of the MLIRET if salary of expatriates is MUR 30,000 or less. If salary is more, documentary evidence from the employer certifying that the expatriate will earn a monthly salary of more than MUR 30,000.
- ix. Where the expatriate is being deputed and remunerated by a foreign company, a deputation letter has to be produced.
- x. For new cases, expatriates are granted 6 months from the date of issue of the work permit to travel to Mauritius. Beyond that date, work permits will be cancelled and companies will be required to submit fresh application.
- xi. Companies should ensure that at the time of submission for applications for work permit, the passport copies of expatriates should have at least **six months of validity.**
- xii. Expatriates married to Mauritians do not require a work permit
- xiii. The Application Form for Work Permit together with all supporting documents as LISTED have to be submitted to the MLIRET. **Incomplete applications, and those not accompanied by the required documents will not be accepted.**
- xiv. Applications submitted by recruitment agencies or third parties are not accepted.
- xv. **Company will be required to submit any additional documents for information as and when requested by this Ministry.**

❖ **ADDITIONAL INFORMATION**

- Applications for work permit from overseas companies will only be accepted if the companies are incorporated in Mauritius as a foreign company, under the Company Laws of Mauritius.
- Foreign workers should have obtained both a work permit and a residence permit before travelling to Mauritius. Employers should, therefore, ensure that applications for Work Permit and Residence Permit are made simultaneously.
- Expatriates employed at managerial/supervisory/technical levels may be allowed to work for a period of five years or more subject to full justifications being provided and upon their swearing an affidavit to the effect that they will not apply for Mauritian citizenship.

- Foreign skilled workers are normally granted work permits for a maximum period of **four years**. In the Textile Manufacturing Sector, skilled workers are allowed to work for a period of 8 years, leave the country on expiry, stay abroad for 1 year and may come back to work for another 8 years.
- For renewal of work permits, the employer should indicate any amendment in the terms of the contract of employment. If any, the employer should have the amendments vetted by the Labour Division of the Ministry of Labour, Industrial Relations, Employment and Training prior to submission of the application.
- For certain grades, employers may be required, within 3 months from the date of issue of work permit, to appoint a suitable local counterpart to be trained by the expatriate during his/her posting in Mauritius. Employers to submit the name, address and qualifications of the local counterpart being trained.
- The work permit specifies the period for which the expatriate is allowed in to work in the country and is non-transferable.
- Work permits are normally granted where a ratio of three local to one expatriate worker is satisfied. **In the Textile Manufacturing Sector and as well as for Bakery Operators, the ratio is 1:1 that is one local worker to one expatriate.**
- The onus for the travel of foreign workers from their country of origin and back rests on employers. Employers are, therefore, requested to bear cost of the air ticket of their foreign workers from their country of origin to Mauritius and back after the expiry of their Work Permit, or for any cause whatsoever.
- Companies should submit applications for renewal of work permits in respect of their workers **3 months prior to the expiry of their current work permits**. In case the company will no longer employ the workers after expiry of their work permits, arrangements should be made within the shortest delay for them to be sent back to their country of origin;
- In case no application for renewal is received prior to the expiry of the valid work permit, the Passport and Immigration Office will be duly notified and requested to take action as appropriate at its end; and
- Applications for renewal of work permits received after expiry of current work permits will **not** be considered.

❖ Exemption from Work Permit

- a. The Employment (Non-Citizens) (Restriction) Exemptions Regulations 1970, stipulates that certain categories of expatriates are exempted from a work permit during his/her period of employment in Mauritius.
- b. The categories of expatriates exempted from work permit can be consulted on the following link <http://empment.labour.govmu.org/English/Pages/Legislations.aspx>

❖ Duplicate Work Permit

- a. In case of loss of a work permit, a duplicate work permit can be granted upon request and against payment of an appropriate fee, together with the following documents:
 - Police Memo
 - Letter from Company
 - Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.
- b. In case of a damaged work permit, the following documents have to submitted
 - Original damaged work permit
 - Letter from company
 - Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.

❖ Certificate of Exemption

- a. Expatriates employed by Ministries, Embassies, University of Mauritius, amongst others are exempted from work permit. Employers of eligible expatriates, falling under this category, should apply for a Certificate of Exemption

CHECKLIST 1

1 Application for Individual Work Permit in respect of Professionals (New)

1.1 Documents to be submitted:

- a. Applications for Work Permit should be submitted on the prescribed form.
- b. Covering Letter from Company requesting for work permit for the expatriate
- c. 4 Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.
- d. Copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement for each foreign employee.
- e. Where applicable, certified copies of academic, vocational and professional qualifications and details of work experience should be submitted in either French or English.
- f. Job profile of each expatriate.
- g. If the salary is MUR 30,000 or less, a copy of Contract of Employment duly vetted by the Labour Division of the MLIRET. If salary is more, documentary evidence from the employer certifying that the expatriate will earn a monthly salary of more than MUR 30,000.
- h. A provisional medical clearance obtainable from the Ministry of Health and Quality of Life.
- i. A copy of the Certificate of Incorporation and Business Registration Card of the company.
- j. Original Press advertisements which have appeared in two leading newspapers in A5 size. Name of Newspaper and date of advert should be clearly visible on the press advert and outcome of selection exercise must also be submitted.
- k. Latest National Pensions Fund (NPF) Receipt with list of local workers registered with the NPF.
- l. Particulars of Licensed Recruiting Agent (Both local and overseas) and valid recruitment licence.
- m. Turnover of the company for the last 3 years.
- n. Deputation letter, where applicable.
- o. Covering Letter from company specifying address of accommodation of expatriate.

1.2 Additional documents for specific sectors:

- i. **Bakery:** Copy of valid Bakery Licence.
- ii. **Fishing Sector:** Copy of valid Fishing Vessel Licence
- iii. **Tourism (Tour Operator), Hotels and Restaurants:** Copy of valid Tourist Enterprise Licence delivered by the Tourism Authority and Latest receipt showing contributions to the Tourism Employees Welfare Fund.
 - For Restaurant:**
 - Testimonials/Documentary evidence of experience/expertise for at least 3 years in respective field
 - Vocational qualifications in respective field
- iv. **Education:** Copy of valid Certificate of Registration of Company with the Mauritius Qualifications Authority and/or the Tertiary Education Commission.
- v. **Freeport Sector:** Copy of valid Freeport Certificate from the Board of Investment
- vi. **Offshore Sector:** Copy of valid Global Business Licence from the Financial Services Commission
- vii. **Construction Sector/ICT/Engineering (for project basis):** Covering Letter specifying the project on which the expatriate would be employed, Copy of Letter of award specifying completion date and value of project

1.3 Additional documents to be submitted in respect of the professions:

Jockey

- a. Covering letter from stable.
- b. Recommendation letter from Mauritius Turf Club (MTC) specifying current racing season and whether the jockey will be riding for the first time in Mauritius, and whether he is clear to ride.
- c. In case the jockey has been riding in Mauritius in the past, his Disciplinary Records must be attached and the MTC should inform whether they have any objection to the employment of the jockey for the current season
- d. A clearance from the Racing Club/Authority for which the jockey was actually riding, wherein the Club/Authority should inform that the jockey is not currently suspended, has not incurred any injury and is clear to ride.

Football/Basket Ball/Volley Ball/ Handball Players:

- a. Covering letter from Employer.
- b. Letter from the relevant Sports Federation specifying current season.
- c. Clearance-International Transfer Certificate (required for new applications only).

CHECKLIST 2

2 Application for Individual Work Permit in respect of Professionals (Renewal)

2.1 Documents to be submitted:

- a. Applications for Work Permit should be submitted on the prescribed form, 3 months prior to expiry of work permit.
- b. Covering Letter from Company requesting for renewal of work permit for the expatriate
- c. 2 Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.
- d. Copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement for each foreign employee.
- e. If the salary is MUR 30,000 or less, a copy of Contract of Employment duly vetted by the Labour Division of the MLIRET. If salary is more, documentary evidence from the employer certifying that the expatriate will earn a monthly salary of more than MUR 30,000.
- f. Latest National Pensions Fund (NPF) Receipt with list of local workers registered with the NPF.
- g. Particulars of Licensed Recruiting Agent (Both local and overseas) and valid recruitment licence.
- h. Deputation letter, where applicable.
- i. Turnover of the company for the last 3 years
- j. Covering Letter from company specifying address of accommodation of expatriate.

2.2 Additional documents for specific sectors:

- i. **Bakery:** Copy of valid Bakery Licence.
- ii. **Fishing Sector:** Copy of valid Fishing Vessel Licence
- iii. **Tourism (Tour Operator), Hotels and Restaurants:** Copy of valid Tourist Enterprise License delivered by the Tourism Authority and Latest receipt showing contributions to the Tourism Employees Welfare Fund.

For Restaurant:

- Testimonials/Documentary evidence of experience/expertise for at least 3 years in respective field

- Vocational qualifications in respective filed
- iv. **Education:** copy of valid Certificate of Registration of Company with the Mauritius Qualifications Authority and/or the Tertiary Education Commission.
- v. **Freeport Sector:** copy of valid Freeport Certificate from the Board of Investment
- vi. **Offshore Sector:** copy of valid Global Business Licence from the Financial Services Commission
- vii. **Construction Sector/ICT/Engineering (for project basis):** Covering Letter specifying the project on which the expatriate would be employed, Copy of Letter of award specifying completion date and value of project

2.3 Additional documents to be submitted in respect of the professions:

Football/Basket Ball/Volley Ball/ Handball Players:

- a. Covering letter from Employer.
- b. Letter from the relevant Sports Federation specifying current season.

CHECKLIST 3

3 Permission in Principle – Request to recruit Foreign Labour in bulk

3.1 Documents to be submitted:

An employer should submit Permission in Principle Form available on the Ministry's website empment.labour.govmu.org together with the following documents to the Employment Division:

- i. Covering Letter from Company
- ii. Certificate of incorporation/Certificate of Association
- iii. Business Registration Card
- iv. Latest National Pension Fund (NPF) receipt and list of local workers on the company's payroll registered with the NPF
- v. Original press advertisements and outcome of selection (to show evidence that they have investigated the local market to seek workers but have not been successful). The posts should be advertised in two leading newspapers in A5 size and the number of workers required for each post should be specified as well as the salary and benefits carried by the post
- vi. Report from Employment Information Centre (EIC) about availability of local workers of similar grade
- vii. Trade Licence
- viii. Main Shareholders of the company
- ix. Relevant permits/ licences for specific sectors such as:
 - Restaurant/Hotel/Tourism (Tour Operator): Copy of Valid Tourism Enterprise Licence, Latest receipt of contributions to the Tourism Employees Welfare Fund, Letter indicating the no of Covers (Restaurant)/Rooms (Hotels)
 - Construction Sector/ICT/Engineering: Letter of Award clearly specifying start and completion dates of project
 - Freeport Sector: copy of valid Freeport Licence
 - Fishing Sector: copy of Licence of Fishing vessel
 - Bakery Sector: copy of valid Bakery Licence

3.2 Request for Permission in Principle for Sculptors/Masons by Religious Bodies

- i. Permission in Principle Form
- ii. Certificate of Registration of Association
- iii. Original Press Advert
- iv. Latest Bank Statement
- v. Covering letter specifying start and completion date of project and name of project

3.3 Request to amend list of countries

A company may submit a request in writing to this Ministry to include a new country within the existing quota.

CHECKLIST 4

4 Bulk Applications for work permit (New)

4.1 Documents to be submitted:

- a. Applications for Work Permit should be submitted on the prescribed form.
- b. Covering Letter from Company requesting for work permit for the expatriate
- c. 4 Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.
- d. Copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement for each foreign employee.
- e. Where applicable, certified copy of academic, vocational and professional qualifications and details of work experience should be submitted in either French or English.
- f. Job profile of each employee where applicable
- g. If the salary is MUR 30,000 or less, a copy of Contract of Employment duly vetted by the Labour Division of the MLIRET. If salary is more, documentary evidence from the employer certifying that the expatriate will earn a monthly salary of more than MUR 30,000.
- h. A provisional medical clearance obtainable from the Ministry of Health and Quality of Life.
- i. A copy of the Certificate of Incorporation and Business Registration Card of the company.
- j. A copy of Lodging Accommodation Permit
- k. Latest NPF Receipt with list of local workers registered with the NPF for the last 3 months
- l. Particulars of Licensed Recruiting Agent (Both local and overseas) and valid recruitment licence.
- m. Turnover of the company for the last 3 years
- n. Deputation Letter where applicable

4.2 Additional documents for specific sectors:

- i. **Bakery:** Copy of valid Bakery Licence.
- ii. **Fishing Sector:** Copy of valid Certificate of Competency and Fishing Vessel Licence
- iii. **Tourism (Tour Operator), Hotels and Restaurants:** Copy of valid Tourist Enterprise Licence delivered by the Tourism Authority and Latest receipt showing contributions to the Tourism Employees Welfare Fund.

For Restaurant:

- Testimonials/Documentary evidence of experience/expertise for at least 3 years in respective field
 - Vocational qualifications in respective filed
- iv. **Education:** Copy of valid Certificate of Registration of Company with the Mauritius Qualifications Authority and/or the Tertiary Education Commission.
- v. **Freeport Sector:** Copy of valid Freeport Certificate from the Board of Investment
- vi. **Construction Sector/ICT/Engineering (for project basis):** Covering Letter specifying the project on which the expatriate would be employed, Copy of Letter of award specifying completion date and value of project. For skilled workers such as Barbenders, Carpenters, Masons, etc, the company should clearly specify whether the expatriates would be employed as Superior Grade, Grade I or Grade II

CHECKLIST 5

5 Bulk Applications for work permit (Renewal)

5.1 Documents to be submitted:

- a. Applications for Work Permit should be submitted on the prescribed form 3 months prior to expiry of work permit
- b. Covering Letter from Company requesting for renewal of work permit for the expatriate
- c. 2 Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.
- d. Copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement for each foreign employee.
- e. If the salary is MUR 30,000 or less, a copy of Contract of Employment duly vetted by the Labour Division of the MLIRET. If salary is more, documentary evidence from the employer certifying that the expatriate will earn a monthly salary of more than MUR 30,000.
- f. Latest National Pensions Fund (NPF) Receipt with list of local workers registered with the NPF for the last 3 months
- g. Turnover for the last 3 years
- h. Copy of Lodging Accommodation Permit
- i. Particulars of Licensed Recruiting Agent (Both local and overseas) and valid recruitment license.
- j. Deputation letter, where applicable

5.2 Additional documents for specific sectors:

- i. **Bakery:** Copy of valid Bakery Licence.
- ii. **Fishing Sector:** Copy of valid Certificate of Competency and Fishing Vessel Licence
- iii. **Tourism (Tour Operator), Hotels and Restaurants:** Copy of valid Tourism Enterprise Licence delivered by the Tourism Authority and Latest receipt showing contributions to the Tourism Employees Welfare Fund.

For Restaurant:

- Testimonials/Documentary evidence of experience/expertise for at least 3 years in respective field
- Vocational qualifications in respective filed

- iv. **Education:** copy of valid Certificate of Registration of Company with the Mauritius Qualifications Authority and/or the Tertiary Education Commission.
- v. **Freeport Sector:** copy of valid Freeport Certificate from the Board of Investment
- vi. **Construction Sector/ICT/Engineering (for project basis):** Covering Letter specifying the project on which the expatriate would be employed, Copy of Letter of award specifying completion date and value of project.

CHECKLIST 6

6 Applications for Work Permits in respect of Religious Officials / Musicians / Others employed by Religious Bodies (New) - Paper Based

6.1 Documents to be submitted:

- a. Applications for Work Permit should be submitted on the prescribed form.
- b. 4 Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.
- c. Copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement for each foreign employee.
- d. A provisional medical clearance obtainable from the Ministry of Health and Quality of Life.
- e. A copy of Contract of Employment duly vetted by the Labour Division of the Ministry of Labour, Industrial Relations, Employment and Training or if expatriate is not being remunerated letter specifying same.
- f. Certificate of Registration of the Religious body
- g. Letter specifying address of accommodation of expatriate
- h. For sculptors, masons etc. a covering letter specifying start and completion date of project

CHECKLIST 7

7 Applications for Work Permits in respect of Religious Officials / Musicians / Others employed by Religious Bodies (Renewal) - Paper Based

7.1 Documents to be submitted:

- a. Applications for Work Permit should be submitted on the prescribed form 3 months to expiry of the work permit.
- b. 2 Passport sized photographs. The photographs should be between 35mm and 40mm in width and between 45mm and 50 mm in height and taken against a light background.
- c. Copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement for each foreign employee.
- d. A copy of Contract of Employment duly vetted by the Labour Division of the Ministry of Labour, Industrial Relations, Employment and Training or if expatriate is not being remunerated letter specifying same.
- e. Letter specifying address of accommodation of expatriate
- f. For sculptors, masons etc. a covering letter specifying start and completion date of project

CHECKLIST 8

8 Application for Certificate of Exemption

8.1 Documents to be submitted:

Application is made to the MLIRET by submitting the following information/ documents:

- i. Letter of purpose from the concerned entities containing:
 - a. Name of foreign employee
 - b. Occupation
 - c. Duration of employment
- ii. A copy of the foreign employee passport
- iii. 2 Passport Size Photographs

***Ministry of Labour, Industrial Relations, Employment and Training
Employment Division***

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