



e-Work Permit Plan

CURRENT STATE REPORT

Central Informatics Bureau

03 May 2012

Release History

Release Number	Date (dd/mm/yyyy)	Brief Summary of changes
1.0	13/10/2011	Initial creation
1.1	02/03/2012	Amendments by Employment Division
1.2	07/03/2012	Amendments by Employment Division
1.3	22/03/2012	Amendments by Employment Division
1.4	27/07/2012	Amendments by Employment Division

Contents

List of Abbreviations.....	5
1 Introduction	6
1.1 Structure of document	6
2 Employment Division.....	7
2.1 Core Services	9
3 High Level Block Diagram of the Work Permit System	10
4 Permission in Principle.....	12
4.1 Overview	12
4.1.1 Information	12
4.1.2 Supporting Documents	12
4.1.3 Specific sectors	12
4.1.4 Application Charges	13
4.2 Process Flow	13
4.3 Flow Chart.....	14
4.4 Further Details.....	14
5 Work Permit.....	15
5.1 Overview	15
5.1.1 Types of Work Permit applications	15
5.1.2 Blanket Approvals	15
5.1.3 General conditions regarding work permits	15
5.1.4 Information and Supporting Document	15
5.1.4.1 Information on Application Form	16
5.1.4.2 Supporting Documents.....	16
5.1.5 Specific Sectors.....	16
5.1.5.1 Offshore sector	16
5.1.5.2 Freeport Sector.....	16
5.1.6 Work Permit Committee.....	17
5.2 Process Flow (Applications examined by the Work Permit Committee).....	17
5.3 Process Flow (Applications not examined by the Work Permit Committee)	18
5.4 Appeal.....	18
5.5 Renewal of Work Permits	18
5.6 Change of Employer	19
5.7 Issue of claims	19
5.7.1 Generation of Claim.....	19
5.7.2 Payment receipt.....	19
5.8 Issue of Work Permit	19
5.8.1 Spoilt Certificates.....	20
5.9 Cancellation of Work Permit	20
5.9.1 Process Flow (Cancellation of Work Permit)	20
5.9.2 Rescind of Work Permits	21
5.10 Special conditions attached to work permits	22
5.11 Issue of Duplicate Work Permits.....	22
5.12 Deposits	22
5.12.1 Release of Deposits.....	22
5.13 Fast Track Section.....	22
5.13.1 Process Flow	23
5.14 Flow Charts	23
5.15 Further Details.....	23
6 Certificate of Exemption	24



7	Recruitment licence.....	25
7.1	Legislation	25
7.2	Cancellation/rescind of License	25
7.3	Process Flow	25
8	Volume of transactions	27
9	Existing ICT Infrastructure	28
9.1	Software	28
9.1.1	Work Permit Application System.....	28
9.1.2	Registry	28
9.1.3	Website.....	28
9.1.4	E-Service.....	29
9.2	Hardware and Network	29
10	Legal Framework.....	30
11	Limitations of Current Processes and Systems	31
12	References.....	34

Annex 1 - Activities of the Employment Division

Annex 2 - Interactions with Other Departments

Annex 3 –Flowcharts

Annex 4 – Forms

Annex 5 – List of Persons Interviewed



List of Abbreviations

AS	Assistant Secretary
EIC	Employment Information Centre
ELMU	Enforcement, Licensing and Monitoring Unit
EU	Inspection Unit
GOC	Government Online Centre
LMI	Labour Market Information
MLIRE	Ministry of Labour, Industrial Relations and Employment
MoHQL	Ministry of Health and Quality of Life
MRA	Mauritius Revenue Authority
OME	Office Management Executive
OSH	Occupational Safety and Health
PAS	Principal Assistant Secretary
PIO	Passport and Immigration Office
PMO	Prime Minister's Office
TEC	Tertiary Education Commission
WPAS	Work Permit Application System
WPU	Work Permit Unit



1 Introduction

The Central Informatics Bureau (CIB) has been entrusted by the Ministry of Labour, Industrial Relations and Employment (MLIRE) to assist the Ministry in the preparation of an e-Work Permit Plan in the context of the Review and Modernisation of the Work Permit System.

The objective of the e-Work Permit Plan is to define an appropriate Information & Communication Technologies (ICT) Strategy to improve the work processes of the MLIRE with emphasis on improving productivity, quality and service delivery.

To achieve the above objective, the first step has been to carry out a detailed study of the existing system, with a view to understand the current work processes and to have an in-depth knowledge of the information flow at the Employment Division.

The following methodology was used:

- Interviews and work sessions were carried out by CIB team with staff of MLIRE to take stock of the current processes and existing ICT infrastructure.
- External agencies such as PIO, PMO, MRA, MEXA, MEF and others were interviewed to assess their business requirements for better delivery of services.
- Finalisation and agreement of findings.

A list of persons interviewed is attached at annex 5.

This document attempts to provide a full assessment of the current state.

1.1 Structure of document

The document is divided into the following sections:

- Section 2: Gives the organisation structure of and the services offered by the Employment division.
- Section 3: Provides a high level block diagram showing the information exchange between external stakeholders and the Employment Division.
- Sections 4, 5, 6 and 7: Describe the process flow for the processing and issue of Permission in Principle, Work Permits, Certificates of Exemption and Recruitment Licences.
- Section 8: Provides some statistics on the volume of transactions.
- Section 9: Gives the existing ICT infrastructure.
- Section 10: Provides an inventory of the existing legislation.
- Section 11: Identifies the limitations of the current processes.



2 Employment Division

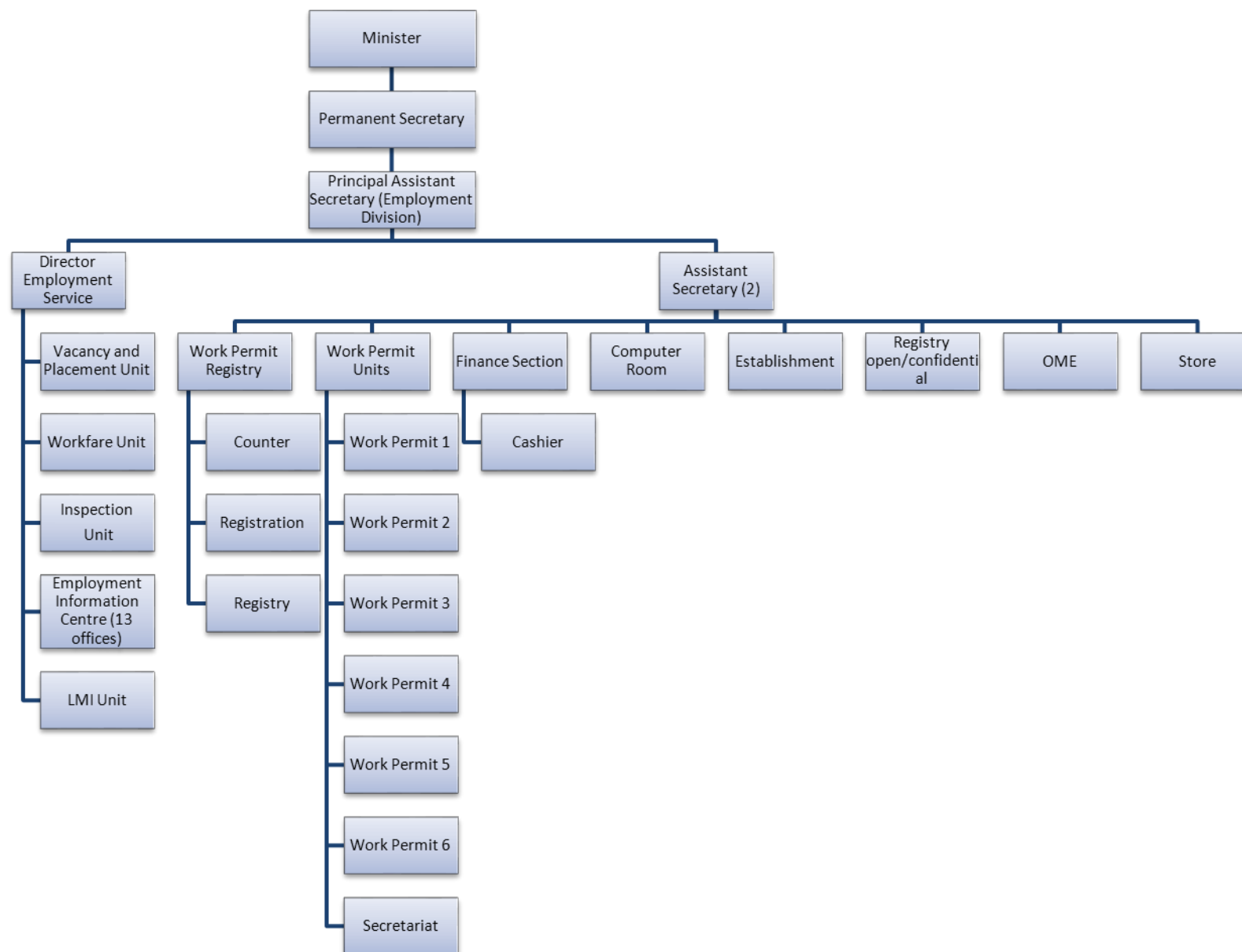
The Ministry of Labour, Industrial Relations and Employment (Employment Division) is responsible, inter alia, for the processing of applications and issue of

- Work Permits with payment of fees
- Work Permits exempted from payment of work payment fees
- Certificates of exemption and
- Permission in Principle.

The Employment Division is headed by a Principal Assistant Secretary.

The chart below shows the organisation structure of the Division.

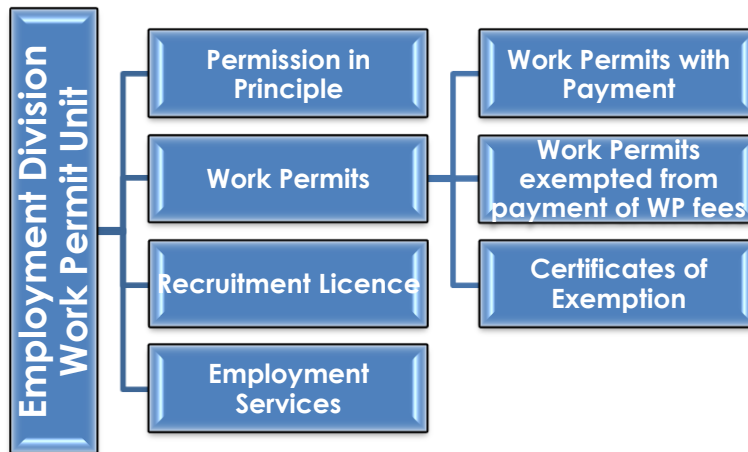




A description of the main activities of the units under the Employment Division is given at Annex 1.

2.1 Core Services

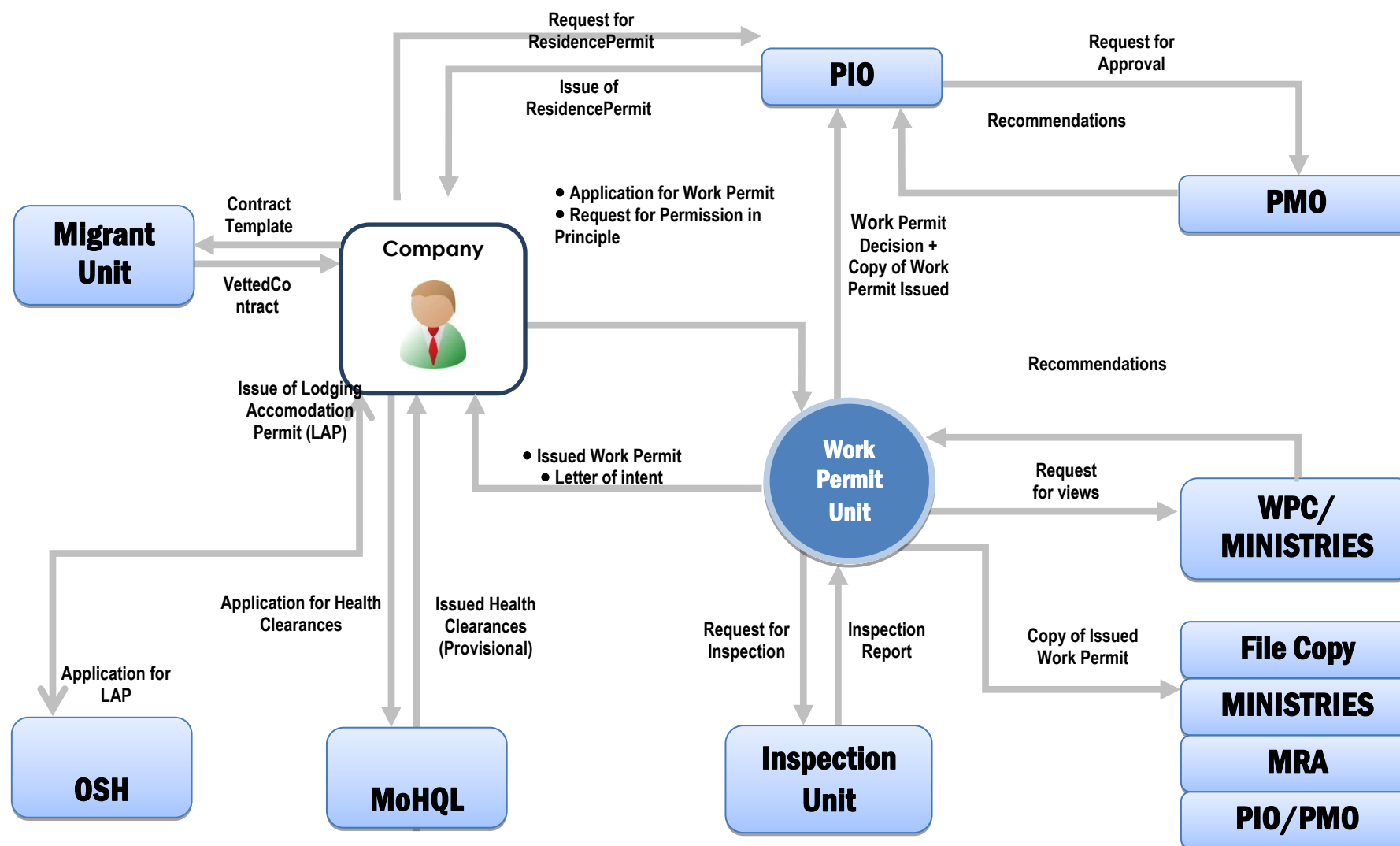
The following are the core services offered by the Employment Division:



3 High Level Block Diagram of the Work Permit System

The diagram below shows the information exchange between external stakeholders and the Employment Division.





As seen in the above diagram, the Employment Division interacts with various other organisations in the delivery of its services. Further details on the exchange of information/documents are given in Annex 2. The following sections provide detailed analysis of the existing processes within the Employment Division.

4 Permission in Principle

4.1 Overview

Companies wishing to recruit foreign labour whether on a quota or project basis have to make a request for a Permission in Principle to the Employment Division.

The information and supporting documents that have to be submitted along with the application letter are listed below:

4.1.1 Information

- Number, grade and nationality of workers sought for.
- Project/s (for specific sectors) for which foreign labour is requested.
- Reasons for requesting foreign labour.

4.1.2 Supporting Documents

- Datasheet on company.
- Information from the Employment Information Centre (EIC) about availability of local workers of similar grade.
- Copies of press advertisements and outcome of selection (to show evidence that they have investigated the local market to seek workers but have not been successful).
- Latest National Pension Fund (NPF) receipt; and number and list of Mauritian employees working with the company registered with the NPF.
- Certificate of incorporation and trade licence of company.
- Job profile

4.1.3 Specific sectors

Additional documents required for specific sectors are as follows:

- *Bakery:*
 - Bakery Licence delivered by the Ministry of Industry, Commerce and Consumer Protection.
- *Tourism, Hotels and restaurants:*
 - Tourist Enterprise Licence delivered by the Tourism Authority.
 - Latest receipt showing contribution to the Tourism Employee Welfare Fund.
- *Construction:*
 - Letter of award indicating completion date and value of project.
 - Job Contractor's Permit delivered by the Labour Division of MLIRE.
- *Education:*
 - Proof of registration with the relevant awarding body e.g. Tertiary Education Commission (TEC)/relevant authority, where applicable.
- *Industry*
 - *Contributions to EPZ Welfare Fund*
- *Others (Carers, Baby-sitters, Religious)*



4.1.4 Application Charges

There is no application fee for Permission in Principle.

4.2 Process Flow

Before a Permission in Principle is granted, the following steps are followed by the Employment Division:

- a) In case a request is received from a company/employer, an inspection is effected by the Inspection Unit (IU) of MLIRE to collect information on the company as well as documents not submitted at the time of request. A report, along with a filled-in Company Datasheet form, is submitted to the Work Permit Processing Section after the inspection.
- b) The following are prepared in a number of copies by the Processing Section and sent to the Secretariat:
 - Request letter, supporting documents and a profile summary of the Company (see Annex 4).
 - A copy of the inspection report from the Inspection Unit.
- c) The Secretariat prepares the case for relevant members of the Work Permit Committee (WPC).
- d) The recommendations of the Committee are noted by the Secretary and submitted to the Processing Section. Minutes of the Committee discussions are also extracted and filed. The recommendations are also input on WPAS.
- e) The Processing officer prepares the A5 form/minute to seek approval of the Minister through the AS, the PAS and the PS.
- f) Decisions on all requests are taken by the Minister; he has the prerogative to approve or turn down a request irrespective of the recommendation of the WPC.
- g) In some cases, the request may be granted with conditions.
- h) Once decision is taken, the file is sent to the Registry section which then sends it back to the processing section. In case the request has been approved, the processing section issues a letter of intent to inform the company. Otherwise, the company is informed accordingly.
- i) Copies of the letter are sent to the Mauritius Revenue Authority (MRA), the Prime Minister's Office (PMO), the Ministry concerned (e.g. the Ministry of Industry, Commerce and Consumer Protection for manufacturing companies).
- j) Since there is no computerized system to record requests for permission in principle, quota information is manually recorded in the Importation of Labour file, in a records book or in an Excel file.
- k) Once a company has been granted a quota, the company submits applications for work permit for each foreign worker. A Permission in Principle is normally valid for a period of six months, during which the company should submit individual applications for work permits.



- l) Once a quota request has been granted, applications for work permit under this quota do not in general have to go through the Work Permit Committee. Such applications are examined at the level of the Employment Division itself. Some grades (eg. in the construction sector) still have to be considered by the WPC.

4.3 Flow Chart

A flowchart showing the various stages of the processing of application for Permission in Principle is at Annex 3.

4.4 Further Details

Further details regarding the involvement of the units of the Employment Division and external bodies in the above described process flow are given in Annex 1.



5 Work Permit

5.1 Overview

As per the Non-citizens (Employment Restriction) Act 1973, an employer based in Mauritius cannot employ a non-citizen unless the latter holds a valid Work Permit.

Applications are submitted on a prescribed form (See Annex 4) which is available both at the reception counter of the Employment Division and on the Ministry's website.

Furthermore, expatriates need to have a valid residence permit to enter the country. Applications for both Work Permit and Residence Permit should be made concurrently.

A shared counter is available at the Employment Division for the above purpose.

The work permit specifies the period for which the expatriate is allowed in to work in the country and is non-transferable.

5.1.1 Types of Work Permit applications

Applications for work permits may be submitted for:

- Individual (Managerial, Supervisory, Technical and Professional grades)
- Bulk (Skilled workers, once quota has been granted)

5.1.2 Blanket Approvals

Previously, blanket approvals were granted by the Employment Division. The blanket approval was for a period of more than 1 year with payments of work permit fees on a yearly basis. As from 2011, companies are required to pay the work permit fees for the whole period approved.

5.1.3 General conditions regarding work permits

The following lists the general conditions regarding the delivery of work permits:

- Overseas companies are not allowed to apply for work permits unless they are also incorporated in Mauritius.
- Certain categories are not required to apply for work permits and are subsequently issued Certificates of Exemption (See Section 0).
- The ratio of foreign workers to local workers is considered e.g. a ratio of three Mauritians to one expatriate is applicable (as far as possible) in the manufacturing sector.
- Expatriates in employment in Mauritius should as far as possible be aged between 20 to 60 years old.

5.1.4 Information and Supporting Document

The supporting documents and information that have to be submitted along with the application are listed below.



5.1.4.1 Information on Application Form

- Applicant details, including Nationality
- Passport details
- Professional/academic qualifications
- Particulars of persons intending to accompany applicant
- Profession or occupation in which applicant intends to engage in Mauritius (Occupation Code)
- Economic/industrial activity of employer
- Number of months for which the applicant intends to work in Mauritius
- Method of recruiting and name of recruiting agency (if any) local and source country

5.1.4.2 Supporting Documents

- 4 passport size photographs (2 photographs are requested for renewals)
- Clear copy of relevant parts of passport showing name, date of birth, place and date of issue of passport, photo, passport number and movement
- Job profile
- Provisional health clearance for each expatriate from the Occupational Health Unit of the Ministry of Health and Quality of Life
- Contract of Employment duly vetted by MLIRE for expatriates earning a salary of less than Rs 30,000 per month or documentary evidence from the employer certifying that the expatriate will earn a monthly salary of Rs 30,000 or more
- Health and Fire clearances in respect of dormitories or as from March 2011, the Lodging Accommodation Permit delivered by the Occupational Safety and Health Inspectorate of the MLIRE
- Certified copy of academic and professional qualifications and details of work experience
- Trade licence for the company
- Letter including particulars on local recruiting agent and foreign recruiting agent
- Latest NPF receipt
- Press advert
- Letter of incorporation

5.1.5 Specific Sectors

Specific sectors require additional documents from the applying company, similar to requests for permission in principle (see Section 4).

5.1.5.1 Offshore sector

Previously, applications for Work Permit (new and renewal) in the Offshore sector had to be submitted through the Financial Services Promotion Agency. This is no longer necessary and applications are submitted directly to the Employment Division.

5.1.5.2 Freeport Sector

Previously, applications for Work Permit (new and renewal) in the Freeport sector had to be submitted through the Freeport Unit of the Board of Investment. This is no longer necessary and applications are submitted directly to the Employment Division.



5.1.6 Work Permit Committee

The Work Permit Committee (WPC) is responsible for making recommendations regarding requests for Permissions in Principle and for Work Permit applications referred to it.

5.2 Process Flow (Applications examined by the Work Permit Committee)

The following are the main steps followed when an application for a work permit is received:

- a) Applications are deposited by the applicant at the Counter where an officer verifies and stamps the application and the supporting documents. The applicant pays the application fee at the Cash Office.
- b) The Registration Section records the application details on the Work Permit Application System (WPAS) and the Registry Section files the application.
- c) The corresponding Work Permit Processing Section cross checks all the information entered on the WPAS against information contained in the application form and supporting documents, and also verifies if there is any missing information from the applicant.
- d) In case an application is received from a new company/employer, an inspection is effected by the Inspection Unit (IU) of MLIRE. A report, along with a filled Company Datasheet form, is submitted after the inspection.
- e) The Work Permit Processing Section retrieves a data sheet from the WPAS and in some cases, prepares a brief to be sent to the Work Permit Committee through the Secretariat. Copies of the data sheet and supporting documents are forwarded to concerned members of the Work Permit Committee.
- f) Views from the concerned Ministry may also be sought directly through correspondence. In this case, the application needs not be examined by the WPC.
- g) After the recommendations from the Work Permit Committee or views from the Ministry are recorded, the Work Permit Processing Section prepares Form A1 (see Annex 4) to seek approval of the Minister through the Head of Section and the Principal Assistant Secretary.
- h) The Minister, as per law, has the final say on the applications.
- i) If the application is turned down, the Work Permit Processing Section issues a letter to the company about the outcome of the application. Copies of the letter are sent to the Mauritius Revenue Authority (MRA), the Passport and Immigration Office (PIO), the Prime Minister's Office (PMO) and the concerned Ministry. The company may appeal against the decision.
- j) If the application is approved, the file is sent to the Work Permit 5 Section for the issue of claim for work permit fees and security deposit where applicable. The work permit is issued on payment of work permit fees. Some organisations like NGOs or religious organisations are exempted from work permit fees.
- k) After the issue of the work permit, the Processing Section issues a letter to the applying company requesting:
 - o Dates of arrival of the expatriate.



- A copy of the passport pages showing date of arrival.
- The expatriate to obtain a final health clearance from the Ministry of Health and Quality of Life (MOHQL).

The above letter is copied to the following bodies:

- The AIDS Unit
- The Occupational Health Unit of MoHQL
- The Health Inspector at the Airport

5.3 Process Flow (Applications not examined by the Work Permit Committee)

The same steps as above (Section 5.2) are followed except that the relevant section submits the application file directly to Administration (through the head of section and AS/PAS, each recording their views on the file) and to the Minister.

5.4 Appeal

In case an application is not approved by Minister, the employer may appeal against the decision. Only one appeal per application is allowed. Appeals are also possible for requests for permission in principle that have been turned down.

- The company makes an appeal against the decision by means of a letter.
- A brief is prepared by the processing section to include the following details:
 - Summary of all proceedings since the application was received.
 - Letter of appeal from company.
- 10 to 11 copies of the brief are sent to the Work Permit Committee.
- Recommendations from the Work Permit Committee are summarized and referred to the Minister for a decision through the Head of Section, AS and PAS. The process thereafter is similar to processing an application for a work permit.

5.5 Renewal of Work Permits

Renewal of work permits is necessary if the work permit has expired and the employee is still working for the same employer. An application for renewal of work permit is processed in a similar way as an application for a new work permit.

Applications for renewal of work permit are made by filling the application form (Form A2). The following supporting documents are also required at the time of application:

- Two passport size photographs
- Contract of Employment duly vetted by MLIRE (Migrant Unit) for expatriates earning a salary of less than Rs 30,000 per month or documentary evidence from the employer certifying that the expatriate will earn a monthly salary of Rs 30,000 or more
- Cases where no quota has been granted, employers should indicate whether they have advertised the post

Letters are sent to companies around 3 months before expiry of work permits requesting them to submit either application for renewal or submit the date of departure of the expatriate.



5.6 Change of Employer

If a company wishes to employ an expatriate who is in the country, presently/previously employed by another company, the new employer should submit an application for work permit in respect of the worker apart from the usual document, a no objection letter from the previous employer should also be submitted at the time of application.

In cases where company wishes to employ more than two expatriates or grade is different, the recruiting company should submit a letter of transfer.

5.7 Issue of claims

All applications that have been approved by the Minister are processed by the Work Permit 5 Section for the issue of a claim letter for work permit fees and /or security deposit, where applicable.

In the case of renewal and blanket applications, a claim letter for work permit fee only is issued. In the case of new applications, a claim letter for both work permit fees and a security deposit are issued.

The deposit can be paid either in cash or cheque; or by means of a bank guarantee which should be valid till the departure of the expatriate from the country. Trainees and dependents are exempted from Work Permit fees but not from security deposit.

5.7.1 Generation of Claim

The claim letter is generated from the WPAS. The letter is either sent by email, fax or through dispatch to the employer. The most frequently used means for sending the claim letter is by fax. The official seal of MLIRE is put on copies sent by fax or through dispatch. No signature is required on the letter.

For applications for new work permits, payment for work permit fees needs to be done within a period of two months. For renewal and blanket cases, payment of such fees is due within one month from the date of claim.

A reminder for payment of work permit fees is sent for renewal and blanket cases. The companies have a delay of two weeks to effect payment.

5.7.2 Payment receipt

To know whether payment has been effected, the system is queried once daily to retrieve the list of all payments done on that particular day. Each payment receipt is then filed in the application file. A copy of the receipt is filed.

A daily report is generated on all claims issued for cases that have not been referred to the WPC. A copy of the report is dispatched to the PIO and the National Security Service (NSS).

5.8 Issue of Work Permit

After the necessary payment for work permit and security deposit has been made by the company, the Work Permit 5 Section prepares the Work Permit to be issued. The issue of certificates of exemption is also processed in a similar way.



The work permit is generated from the WPAS and printed on 6 pre-printed sheets. Each sheet is for a different recipient and of a different colour. The 6 copies have a unique Work Permit Number printed on it.

The work permits are verified by another officer who then initials them. They are sent to the PAS for signature before dispatch. The PAS needs to sign on all 6 copies of the work permit.

The original work permit is dispatched to the employer. A copy of the issued work permit is placed on file and the remaining copies are sent to the following:

- The concerned ministry, for example, in the case of a manufacturing company, the work permit is sent to the Ministry of Industry, Commerce and Consumer Protection.
- PIO
- PMO
- MRA

Note: The photograph of the expatriate is fixed on the original work permit and on the copy sent to the PIO.

A records book is also kept at the Work Permit 5 Section, whereby an entry is made for each work permit issued. The following information is recorded:

- Issue number
- Company Name
- Work Permit number

For dispatch purposes, the officer then prints all the labels containing the name and address of each company, prepares the envelopes for work permits and attach the list of all the companies for which work permits are being sent. A report for post-office usage is also prepared.

5.8.1 Spoilt Certificates

In case a work permit is spoilt at the time of printing, another certificate is printed. The list of spoilt work permits is maintained for record in the "Spoilt Work Permits" file.

5.9 Cancellation of Work Permit

Cancellation of work permits is processed by the Work Permit Processing Sections. Cancellation may be due to the following reasons:

- A company has informed that the expatriate will not be coming to Mauritius or has already left the country prior to expiry of the work permit.
- The worker has stopped working with the company and has taken up employment with another company.
- A company has cancelled the work contract of an expatriate (e.g. on grounds of misconduct).

5.9.1 Process Flow (Cancellation of Work Permit)

- The Employment Division is informed by the employing company or the PIO that an expatriate, holding a work permit, has left the country.
- The Processing Officer confirms the departure date from the PIO system.
- A list of expatriates whose work permit needs to be cancelled is compiled and is referred to the Minister through the AS and PAS on Form A12.



- The list is sent to the Head of Section, the PAS and the Minister for approval.
- A letter is sent to the company with copies to the PIO and PMO to inform that the work permit has been cancelled.
- The work permit status is set to Cancelled on the WPAS and the departure date is entered.

5.9.2 Rescind of Work Permits

Work permit approvals are rescinded if a company fails to pay the required work permit fees and/or security deposits within the prescribed period. In this case, granting of the work permit has been approved by the Minister but the company has not paid the required fees within the prescribed time. Rescinds of work permits are processed by the Work Permit 5 Section.

To identify work permit approvals to be rescinded, the application files are classified by the claim due date and by application type (new, renewal, blanket). Applications for which payment has not yet been received are kept by Work Permit 5 Section for appropriate action.

Once the work permits to be rescinded are identified, the same steps as cancellation for work permits are followed i.e. the list of rescinds are sent to the Minister for approval through the Head of Section and the PAS. A letter is issued to inform the company of the decision.

5.9.3 Reinstating of Work Permits (Cases that have been Rescinded)

Cases where claims have not been paid within the prescribed delay and have thus been rescinded and the expatriate is still in employment, the Company makes an appeal through a letter.

The approval of the Minister is sought through the Assistant Secretary/Principal Assistant Secretary.

Upon approval, a second claim is issued to the company.

5.9.4 Work Permit exempted from Payment of Work Permit Fees

- **Religious Bodies**

Applications for work permits from religious bodies such as R.C Diocese, Temples and mosques are exempted from payment of application and work permit fees.

For these cases, clearance for Residence Permit from the Prime Minister's Office is sought. Upon obtention of same, an A3 form is filled and submitted to the Minister for approval through the PAS.

- **Non-Governmental Organisations**

Non-Governmental organisations such as Trust Fund for Specialised Medical Care, Wild Life Foundation and Human Service Trust are exempted from payment of work permit fees and deposits.

Applications from such organisations are submitted to the Work Permit Committee for recommendations.



5.10 Special conditions attached to work permits

Some work permits are granted subject to certain conditions:

- For expatriates employed at managerial/supervisory/technical levels, work permits may be granted subject to training of a suitable Mauritian counterpart for eventual taking over.
- For engineers, doctors, dentists and other professionals, work permits may be granted subject to the professional to be registered with local councils (e.g. Engineering Council, Medical Council etc.).
- Specific projects are mentioned on the work permit where applicable.

5.11 Issue of Duplicate Work Permits

If a work permit is lost or damaged, the employer may apply to the Ministry for the issue of a duplicate work permit.

- The following need to be submitted on application for a duplicate work permit:
 - A police memo
 - A letter from the company where the expatriate is working
- The request for duplicate work permit needs to be approved by the Minister.
- A claim (currently Rs500) is issued to the applicant.
- On payment of the fees, the duplicate work permit is printed and issued to the company. The mention "Duplicate" is printed on the work permit.

5.12 Deposits

Deposits can either be in the form of bank guarantees or paid in cash/cheque. Deposits in the form of bank guarantees are filed and kept by the Work Permit 5 Section. When the expatriate leaves the country, the bank guarantee issued in his respect is released to the bank. Deposits paid in cash or by cheque are processed by the Finance section of the Ministry.

5.12.1 Release of Deposits

When a request for releasing a deposit is obtained, the officer verifies in the file the mode of payment of the deposit. In case the deposit was paid in cash or cheque, a minute is prepared by the officer and sent to the finance section for refund.

If the deposit was in the form of a bank guarantee, the Work Permit 5 Section issues a letter to the bank for release of the bank guarantee. For bulk applications, the original bank guarantee is not sent to the bank until all expatriates covered by the bank guarantee have left the country. For individual applications, the issued letter is manually prepared whereas for bulk applications, the issued letter is generated from the WPAS system.

5.13 Fast Track Section

Work Permit 4 Section (Fast Track Section) processes all work permit applications (new work permits, renewals and requests for permission in principle) that need to be delivered rapidly (1 day – 1 week). Mainly individual applications are processed. Apart from registration of applications on the WPAS and releasing of bank guarantees, all processing is done within the section itself.



5.13.1 Process Flow

- a) Counter receives all applications. Officers from the Fast Track section check the applications at the Counter regularly to check if any of the applications received needs to be processed by the Fast Track section.
- b) Application filing and registration on WPAS is done by the Fast Track section. If application is from a new company, company registration on the system is done by the Registry. Physical files are stored in the fast track section.
- c) If application needs to be reviewed by Work Permit Committee, file is sent to the Secretariat. Otherwise, a letter for views is sent/faxed to the concerned Ministry/Organization.
- d) Approval of the Minister is sought through the AS and PAS. A Fast Track tag is attached to the file.
- e) Issue of claims is done by the Fast Track section. Claim dispatches are sent to the Registry. The claim/letter to be dispatched is sent in a dispatch file and not in the original file. A copy is kept in the relevant file.
- f) On payment of work permit fees (if applicable), the work permits or certificates of exemption are prepared by the Fast Track Section and signed by the PAS. The work permits/certificates are then dispatched by the Fast Track section.

5.14 Flow Charts

The following flowcharts are found at Annex 3:

- Application of work permits, processed by Work Permit Processing Sections 1, 2, 3 and 6
- Cancellation of work permits
- Application of work permits, processed by the Fast Track Section

5.15 Further Details

Further details regarding the involvement of the units of the Employment Division and external bodies in the processing of work permit applications are given in Annex 1.



6 Certificate of Exemption

Certain expatriates such as those employed at Ministries, embassies, University of Mauritius etc. may be granted a Certificate of Exemption for working in Mauritius. These expatriates are not required to apply for a work permit and are also exempted from payment of fees (application fees, work permit fees, security deposit).

The categories of expatriates who are exempted from a work permit are regulated by the *Employment (Non-Citizens) (Restriction) Exemptions Regulations 1970*.

Organizations apply for a Certificate of Exemption through a letter which needs to include employee name and passport details. Applicants do not need to fill any application forms.

An application for certificate of exemption is processed directly at the level of the Ministry i.e. the Minister's approval is sought through thePAS.



7 Recruitment licence

The Employment Division of the Ministry of Labour, Industrial Relations & Employment issues Recruitment Licences to private Recruitment Agencies to enable them to recruit:

- Citizens of Mauritius for employment abroad;
- Citizens of Mauritius for employment placed in Mauritius;
- Non-citizens for employment in Mauritius.

There are currently around 25 licensed recruitment agencies.

7.1 Legislation

The issue of a Recruitment Licence is governed by the Recruitment of Workers Act 1993 and the Regulations made thereunder.

7.2 Cancellation/rescind of License

A Recruitment Licence may be cancelled/rescinded by the Licensing Authority (the Permanent Secretary of MLIRE) if the licence holder commits a breach of any condition attached to a licence or any provisions of the Recruitment of Workers Act.

7.3 Process Flow

- The applicant applies for a Recruitment License through the prescribed form (Annex 4). Supporting documents are also submitted on application.
- Clearance from the PMO is sought.
- In case the applicant is a company, the Registrar of Companies is requested to confirm whether the company is registered as per Company Act.
- An inspection is carried out by the Inspection Unit of the MLIRE.
- Desk officer submits recommendations.
- The relevant file is sent to the Licensing Authority (the Permanent Secretary) for approval.
- The applicant is informed of the outcome of his request. In case the application is approved, a letter of intent is sent to the applicant to pay the licence fee.
- Payment by the applicant is received by the Cashier at the Employment Division.
- Once payment is made and receipt of security deposit (if applicable) is obtained, the Recruitment Licence is prepared, signed by the Licensing Authority and issued to the applicant. A set of conditions is annexed with the Licence. A copy of the Recruitment Licence is sent to the following departments:
 - PMO (Home Affairs Division)
 - Commissioner of Police
 - Mauritius Revenue Authority
 - Accountant-General



- Registrar of Companies
- The licensee is required to submit quarterly returns to the Licensing Authority indicating vacancies notified by employers and employees recruited through the licensee.

7.4 Expiry of Licence

On expiry of a licence, the agent or the agency applies for a new licence on the prescribed form and the application follows the process flow as above (section 7.3).



8 Volume of transactions

The table below shows the average number of applications processed by the Employment Division on a monthly basis.

	Monthly Volume
Requests for permission in principle	15
Applications for new work permits	500
Renewal of work permits	750
Cancellations / rescinds	150



9 Existing ICT Infrastructure

9.1 Software

Two applications are used at the Employment Division: the Work Permit Application System and the Registry System. The two systems are hosted on a common server located at the Employment Division (10th Floor, Sterling House, Port-Louis).

9.1.1 Work Permit Application System

The Work Permit Application System (WPAS) is an Oracle-based system (Oracle 9i Enterprise Edition release 9.0.1.1) which has been deployed since 1999.

Security features

Each user has a login on the application and no audit trail is available.

Forms and Reports

As described in the previous sections, certain forms and reports are available to the users from the WPAS system. However, certain forms still have to be manually prepared outside the system, although the information is already available on the system. Reports on work permits statistics and management reports are also not available on the system and have to be queried from the database by the IT staff at the Employment Division.

9.1.2 Registry

The Registry System is an Oracle-based system (Oracle 9i Enterprise Edition Release 9.0.1.1.1) which has been deployed since 2002. When applications are saved in the WPAS system, a file is created automatically in Registry system.

9.1.3 Website

The Work Permit Unit has a website on the Government Portal (<http://www.gov.mu/portal/site/empmentsite>). The following information is available on the website:

- Work Permit
 - Application form for new/renewal of Work Permit
 - Data sheet for companies
 - Guidelines for application for a Work Permit
- Recruitment Licence
 - Application Form
 - Procedures to apply for a recruitment licence
- Legislations pertaining to work permit and recruitment licence
- Link to e-service for online work permit application



9.1.4 E-Service

The e-service, developed by the GOC, enables the online application for a new work permit or renewal of a work permit. The registered applicant is required to fill in the online application form, which is then electronically submitted to the Employment Division of the Ministry of Labour, Industrial Relations and Employment for processing.

It is also possible to attach scanned supporting documents while applying online although the application cannot detect if all supporting documents have been submitted.

Online payment is currently not available and the applicant still needs to pay application and work permit fees at the Employment Division Office in Port-Louis.

9.2 Hardware and Network

Server

A server hosts the WPAS system and the Registry system. The server was procured in December 2009 and the main server features are listed below:

HP Proliant ML350G6
Windows Server 2003 R2 Standard Edition SP2
CPU : Intel (R Xeon) 2.13 GHz
Memory : 4 GB
Hard Disks: 3 X 300 GB SAS

Personal Computers and Printers

Section	No of Users	PCs	Printers
Administration	6	6	5
Computer Room	3	3	1
Counter	1	1	-
Establishment	5	4	2
Finance	5	5	4
Work Permit 1	6	5	3
Work Permit 2	5	5	1
Work Permit 3	6	7	3
Work Permit 4	3	3	1
Work Permit 5	8	8	8
Work Permit Registry	13	11	-
Work Permit 6	8	8	1
Secretariat	4	2	1
Typing Pool	6	5	1
Registry (11th)	2	2	-
Store	1	1	1
TOTAL	82	76	32

Network

The internal network speed is 10/100 Mbps and there is a SHDSL line connection of 1 Mbps to the GOC.



10 Legal Framework

The employment of expatriates is governed by the **Non-Citizens (Employment Restriction) Act of 1970** and the Regulations made there under.

The **Employment (Non-Citizens) (Restriction) Regulations 1973** provides a Schedule as to which application form needs to be used when applying for a work permit.

The **Employment (Non-Citizens) (Restriction) Exemptions Regulations 1970** provides a list of expatriate classes that are exempted from holding a work permit.

The **Non-Citizens (Work Permits) (Fees) Regulations 2001** specifies work permit fees.

The **Non-Citizens (Work Permits) (Deposits) Regulations 1994** specifies deposit details and amounts for issue of work permits.



11 Limitations of Current Processes and Systems

1. The processing time for a work permit application, may it be for a new application or for a renewal, currently exceeds the timeframe as specified by law (2 weeks). In current practice, a work permit is delivered on an average of 1 month after an application is received. A request for Permission in Principle is granted after 1 to 2 months. The bottlenecks are mainly due to:
 - a. Applications need to be entered on the WPAS system before being processed by the Processing Sections. Input on the WPAS system is currently performed by a single Registration Section. Applications may take more than 2 weeks before being processed by the Registration Section.
 - b. Companies do not submit all necessary documents on application. The process of reverting to the company for missing documents and receipt of these documents is lengthy.
 - c. There are only 2 Work Permit Committee (WPC) sessions per week.
 - d. Relevant information may not be immediately available during Work Permit Committee sessions e.g. available jobseekers already trained, resulting in delayed decisions by the WPC.
2. Supporting documents submitted with an application cannot be validated e.g. accommodation clearance, licence clearance (bakery licence etc.). Applying companies may submit a valid licence at the time of requesting for Permission in Principle, but the licence may have been cancelled at the time of granting actual Work Permits. Information about whether a company is in the process of being struck from ROC cannot be verified by the Employment Division.
3. All payment needs to be effected at the Employment Division in Port-Louis. No other offices accept payment. Payment for online applications also needs to be effected at the Employment Division cash office.
4. The Work Permit Application System has no interaction with other systems like:
 - a. The Labour Management Information System—to know the number of jobseekers with the skills as requested by employers applying for work permits.
 - b. The PIO system - to know arrival and departure dates for expatriates holding work permits; to know whether the expatriate holds a valid residence permit; and to know whether the expatriate previously held an occupation permit.
5. There is no unique identifier for each expatriate. Cross-checking information from other systems (e.g. the PIO system) is time consuming and may even be unsuccessful.
6. In some cases the same expatriate may possess a new passport with differences in name or date of birth. These cases have been flagged as discrepancies on the existing system.
7. No electronic records are maintained regarding requests for Permission in Principle. It is thus not possible to link an application to its original request on the WPAS system. Quota follow up is thus not easily accessible and maintainable as information is manually recorded.



8. Some employers do not use the grade that has been mentioned in their approved quota request when applying for work permits.
9. A lot of paperwork is required during the process of approving and issuing work permits and certificates of exemption. Only few forms and reports are obtained from the WPAS system. Lot of papers are used in the following activities:
 - a. Several letters need to be prepared outside the WPAS.
 - b. Several forms need to be prepared and filled outside the WPAS system, although the data is already recorded on the WPAS system.
 - c. Copies of briefs and reports for each member of WPC.
10. Similar data are manually recorded more than once by different sections on the WPAS.
11. The current file BU system in Work Permit 5 Section is manual, resulting in a tedious process to prepare reminders for fees claims.
12. File movement between sections is not recorded centrally – each section has its own movement book. Hence, management is not able to know where the processing of a file has reached without asking individual sections.
13. Analysis of work permits delivered may not be accurate:
 - a. The codification of occupations on the WPAS is not done according to the National Classification of Occupations (NCO) nor the International Standard Classification of Occupations (ISCO).
 - b. Staff are not familiar, hence most of the time do not use the National Standard Industrial Classification of Economic Activities (NSIC) nor the International Standard Industrial Classification of Economic Activities (ISIC) for categorisation of company activities.
14. There is no follow-up on expatriates after the work permit is delivered:
 - a. In many cases, the Employment Division is not informed by the company when an expatriate has left the country.
 - b. There is no information exchange regarding complaints from or against expatriates between the Employment Division and Special Migrant Worker's Unit.
15. The actual system does not have a proper tracking system, whereby processing time of each application can be monitored. Currently a temporary table is being maintained manually by staff of computer room and reports are being generated by them. This also applies for PBB reports, where reports have to be generated according to key indicators and standards. Information such as status of an application, statistics on status of process by section and schedule officer and whether targets have been reached are thus tedious to obtain.
16. There is no audit trail. Auditors and internal control have to obtain access to data. As it is, the system does not allow access to auditors and all reports have to be generated by computer room staff.
17. All management reports are run through scripts and formatted by staff of computer room.



18. The WPAS has some limitations, for example, when an application fee is paid at the cash office, the staff at the registration section has to input manually the receipt number of the application fee in the application record. In some cases, input of receipt numbers have not been done, thus erroneous reports are generated.



12 References

- Guidelines for Work Permit application by MLIRE (February 2011).
- Report on the Review of the Work Permit System/Processes (December 2009, July 2011) by the Review Committee set up in November 2008 at MLIRE.
- Employment Division Website - <http://www.gov.mu/portal/site/empmentsite>



Annex 1:

Activities of the Employment Division



13 The Employment Division

The Employment Division consists of the Employment Services and the Work Permit Unit. The Employment Services does not fall within the scope of this study.

The Work Permit Unit (WPU) consists of 6 sub sections (Work Permit Section 1 to 6), the Secretariat, the Finance Section, Registry, Establishment, Stores, etc. Only those sections involved in the processing and issue of Permission in Principle and Work Permits have been covered by the present Study.

The WPU is headed by an Assistant Secretary.

13.1 Counter

A common counter (Work Permit Counter and PIO Counter) is available at the Reception of the Work Permit Unit. The Work Permit Counter receives applications for work permits deposited by applying companies/applicants.

The officer at the counter is responsible for the following:

- Verification of applications and whether supporting documents have been attached. Verification of bulk applications against a list of expatriates as specified in the contract of employment. If verification is successful, the Counter Officer stamps and signs on the application form.
- Verification of claims before payment is made at the Cashier. The claim is stamped with a date and signed by the Counter Officer.
- Verification and receipt of bank guarantees. The file reference number is retrieved from WPAS and written on the bank guarantee. The bank guarantee details are entered in a book and on the WPAS.
 - Details entered on WPAS:
 - Reference Number
 - Bank Name
 - Validity period
 - Date received
 - Details entered in book:
 - File Reference Number
 - Bank Guarantee Number
 - Number of expatriates
 - Company Name
- Provide information to the public.

The PIO Counter receives applications for residence permits. Applicants need to apply both for a work permit and a residence permit at the same time.

13.2 Registry

All correspondences regarding work permit are processed by the Work Permit Registry.

For any application/request, registry staff query the Work Permit Application System (WPAS) to check whether request received is from a company already existing in the system. If the company is not registered on the system, a new physical file is created and a new company profile is created on the system. Company details are obtained from supporting documents attached with the application/ request.



13.2.1 Computerised Registry System

The Registry System records movement of files between the Registry and other sections, but does not record file movements among sections. Each section then keeps a manual record of files received and dispatched.

13.2.2 Computerised Work Permit Application System

The following details are captured on the Computerised Work Permit Application System for each company:

Company details

- Company Name (Name of incorporation)
- Address
- Business/Activity

Quota Information

- Quota used
- Quota left
- Quota under process

Workforce information

- Local workforce (number of local workers)
- Foreign workforce

A unique company ID is generated for the company on WPAS. The company ID is of the following format A999.

For organizations that are exempted from work permits (like ministries, embassies etc.), the Computer Room creates the organization profile on WPAS. The creation of such organizations on the system is processed differently as the mandatory fields required for the creation of normal companies do not apply for exempted organizations.

Update of company details

Company details may thereafter be updated by processing sections if updated details about the company are obtained e.g. local workforce information on subsequent applications. Quota information is also updated by the processing section.

13.3 Registration Section

The Registration Section is responsible for recording application information in the Work Permit Application System (WPAS). The Registration Section is staffed by 4 officers. Applications include new work permit applications (individual or bulk) and renewals. Information entered is based on the physical application forms. A company needs to have already been created under WPAS before application details under the company can be entered on the system.

Before the application is entered on WPAS, the system is queried using the passport number to check whether an application has been filed previously for the worker. The name and date of birth are then compared to check whether it is the same person.



The system usually generates a Renewal message if the Name, Date of Birth, Nationality and Passport number match with existing records.

13.3.1 Individual Applications

The following details are entered on the system:

- Year
- Company ID
- Applicant details
- Passport details
- Occupation
- Receipt Number: The receipt number is entered on the system (not mandatory). This receipt number is written on the application by the cashier section when payment is being made.
- Duration of work permit: If this information is not filled in the application form, the default duration entered is 1 year.
- The following information needs to be filled to allow future processing by Work Permit Units:
 - Status – set to “Offline” (to be able to generate datasheet)
 - Individual Status – set to “NIL”

On submitting the application, an internal application number is generated. This is a unique number that is reset every year. The file reference is also automatically displayed.

13.3.2 Bulk Applications

A bulk application number is generated for each bulk application. This is a unique number that is reset every year. Each individual application under the bulk application needs to be entered similar to individual applications.

13.3.3 Renewals

For work permit renewals, the last application is retrieved from the system (using the year as search criteria). When processing renewals, a new application (either bulk or individual, depending on last application) is generated with a new bulk/individual application number. Details about the last application are automatically displayed on the screen; and the additional details to be entered are: receipt number.

13.3.4 Transfer of Company

If there is a transfer of company, on processing the renewal, the option “Change in Company” is set to “Yes” and the new company ID is entered.

History and work permits are changed completely. Company is identified by two references.

Transfer/Change/Merge of company are not captured.

13.3.5 Certificate of Exemption

Another screen is used to capture details about applications for Certificate of Exemption. The application may be in bulk or individual. No application form is required for such an application; hence, details to be entered on WPAS are obtained from the cover letter sent by the applying organization. Mandatory details entered on WPAS:



- Name of organisation
- Name of applicant (expatriate)
- Passport details
- Duration
- Post Held
- Nationality

13.3.6 Assignment of files to processing sections

The registration section is also responsible for the assignment of files/applications processing to the different sections. The system is updated for tracing of files.

13.4 Work Permit Processing Sections

Work Permit Sections 1, 2, 3 and 6 are sections that process requests for permissions in principle, applications for new work permits, renewals of work permits and certificates of exemptions.

Processing Section	Companies/Sectors Processed
Work Permit 1	Manufacturing Companies, Fishing and shipping, Printing, Religious bodies, Others
Work Permit 2	Manufacturing Companies, Bakery, Hotels and Restauration, Telecommunication, Engineering, Education, Religious bodies
Work Permit 3	Manufacturing Companies, Health sector, Restaurants, Agricultural Section, Religious bodies, Sports sector, Ministries, Others
Work Permit 6	Construction Companies

Work Permit Unit 4 is a Fast Track unit. Applications that need to be processed more rapidly (1-10 days) are processed by this Unit. Certain sectors have been identified for processing by the Fast Track section: jockeys, offshore and Freeport sectors, event companies etc.

The Fast Track Section is responsible for all processes from registration to issue of Work Permit. The processes are similar to other sections.

The section consists of 3 persons.

13.5 Secretariat

The Secretariat organises meetings for the Work Permit Committee and inputs the recommendations of the Committee in the WPAS.

There are 4 persons working in the Secretariat Section.

13.6 Work Permit 5

Work Permit 5 Section is responsible for the issue of claims, issue of work permits/certificates of exemption, rescind and reinstatement of work permits, management of bank guarantees, despatch of work permits and reminder of claims.



13.6.1 Issue of Claims

All applications that have been approved by the Minister are processed by the Work Permit 5 Section for the issue of a claim letter for work permit fees and /or security deposit. Claims are issued for the following individual and bulk applications for new, renewal and blanket applications.

The Work Permit 5 Section records the Minister's recommendations and details on the work permit fees and security deposit on the WPAS System.

13.6.2 Generation of claim letter

The claim letter generated from the WPAS system contains the following information:

- Name of expatriate
- Application date
- Dependent's name (if any)
- Amount to be paid as security deposit
- Amount to be paid as work permit fees
- Number of years for which the work permit will be issued
- Years for which the work permit fees are being charged
- Last date for payment of security deposit and work permit fees
- The location/time where/when payment can be effected

13.6.3 Rescinds of Work Permits

Work permit approvals are rescinded if a company fails to pay the required work permit fees and/or security deposits. The Work Permit 5 Section processes rescinds of work permits.

Process Flow

- Once claims have been issued to companies, the application files are classified by the claim due date and by application type (new, renewal, blanket). Applications for which payment has been received are processed and sent back to the Registry. Thus, all files which remain in the filing cabinets in a particular month are those for which payments have not been received yet.
- An excel file is prepared listing all applications for which payment has not been effected within the prescribed period. The excel file contains the following information:
 - Serial Number
 - File Reference
 - Company Name
 - Name of Expatriate
 - Nationality
 - Occupation
 - Minister's approval
 - Reason for Rescinding
- The percentage of applications to be rescinded is also calculated. The printed excel file together with a note is sent to the PAS by the Head of Section, for the Minister's approval. Once the latter is obtained, the Minister's recommendation on the corresponding application is updated on the WPAS system to reflect the rescind. The date and reason for rescind are also captured.



- A letter is then sent to the company to inform the latter that its work permit application has been rescinded. The letter is copied to the PMO, PIO and MRA. Three types of letters may be issued:

First Scenario: *The expatriate has already left the country and the company has advised the Work Permit Unit of same.*

The employer is informed that the decision to grant the expatriate a work permit has been rescinded given that payment of work permit fees has not been effected within the delay granted and that the office has taken note of the fact that the worker has already left the country.

Second Scenario: *The expatriate had applied for the renewal of work permit and has already left the country but the company has not advised MLIRE of same. MLIRE has obtained the departure information through the PIO.*

The employer is informed that work permit of the expatriate has been rescinded as the worker has already left the country.

Third Scenario: *Payment of work permit fees has not been effected, employer has not informed MLIRE about expatriate and information from PIO has not been obtained.*

The employer is informed that the decision to grant the expatriate a work permit has been rescinded given that payment of work permit fees has not been effected within delay granted.

13.6.4 Security Deposit Management

Security deposits in the form of bank guarantees are processed by the Work Permit 5 Section. Details of the bank guarantee submitted on payment of work permit fees are entered in the WPAS system. The bank guarantee is then filed according to the company name in the Work Permit 5 Section itself. A copy of the bank guarantee is placed in the relevant file before issuing work permits.

Release

The request for release of a security deposit comes to the Work Permit 5 Section through a minute in the file from the Work Permit Processing Section. The minute will specify which bulk and which expatriate is concerned.

When such a request is obtained, the officer verifies in the file the mode of payment of the security deposit. The codes on the receipt received at payment indicate the mode of payment. In case the security deposit was paid in cash or cheque, a minute is prepared by the officer and sent to the finance section for processing.

Bulk/Individual Applications

For the release of bank guarantees for bulk applications, the officer verifies if the bank guarantee needs to be fully released. If this is the case, the original bank guarantee is stamped and sent to the corresponding bank. Two copies are made, one of which is sent to the employer and the other one is kept in the file. A letter is also generated from the WPAS system. For part release, the release date is recorded next to the expatriate who has left and the original bank guarantee is not released to the bank.



13.7 Management of Security Deposits in the form of Cash or Cheque

The Finance Department is responsible for the release of security deposit if the deposit was made by cash or cheque. The WPAS system is updated accordingly.

Reports on payments received and payments disbursed (from security deposits) are available on the WPAS.

13.8 Cashier

The Cashier section receives payment for the following:

- Application fees
- Work Permit fees
- Security Deposit (if cash or cheque)
- Duplicate work permit fees
- Recruitment licence fees
- Dependent fees

Payment can be made either in cash or by cheque.

13.8.1 Payment of Application fees

The Work Permit Application System is queried using company name. The name of the applicant, type (e.g. Individual), purpose of payment and pay payment mode are then entered.

The information is saved in the system and a receipt number is generated automatically.

The receipt number is then written on the application form, by the cashier. A single receipt may be produced for more than one application.

For blanket cases, when payment of work permit fees are made for renewable cases, the whole list of names is generated. However, work permit fees are paid for only some of the expatriates and in this case there is the risk that the cashier accepts wrong payments.

The Business Registration number should also appear on the receipt.

13.8.2 Payment of Work Permit and Security deposit

A person coming to effect payment of work permit fees or security deposit, first goes at the counter and presents the claim letter. The Counter verifies, stamps, dates and signs the claim letter. Payments need to be effected on the same date as stamped by the Counter.

The cashier can query the Work Permit Application System using the bulk application number, company code, name of applicant. The check box relating to payment for each applicant in bulk is checked. Other information relating to payment type, payment mode, bank, cheque number, amount paid are also entered in the system.

A receipt number is automatically generated by the system. This number is then written on the cheque.

In case of error, a receipt can be cancelled or reprinted as duplicate.



14 Work Permit Committee

The Work Permit Committee (WPC) is responsible for making recommendations regarding requests for Permissions in Principle and Work Permit applications. The Secretariat is responsible for the organization of the committee meetings.

14.1 Applications examined by the WPC

- Requests for Permission in Principle.
- Applications by professionals.
- Applications (in some cases) within a quota if the following conditions need to be assessed:
 - Qualifications and experience of expatriate.
 - Length of stay of expatriate in Mauritius has exceeded the prescribed number of years (4 years).
- Appeals.

14.1.1 Members of the WPC

Members of the WPC are either permanent members or co-opted members. Permanent members are convened for all meetings of the WPC on Tuesdays and Thursdays. Co-opted members are convened when cases pertaining to their respective sectors are on the agenda.

Two officers from the Secretariat assist the committee. One acts as secretary and one as supporting staff.

In case a representative cannot attend a meeting, the corresponding cases are moved to the next meeting.

14.1.2 Preparation of documents

When the Secretariat receives an application file, the following are verified:

- Whether the application needs to go through the WPC committee.
- Whether all supporting documents are present in the application file.
- The sector under which the applying company is operating.

Copies of the data sheet and supporting documents will then be sent to the concerned representative and also to the PMO and PIO.

The timeframe for sending the documents is:

- By Wednesday noon for the Thursday committee
- By Monday noon for the Tuesday committee
- For requests for Permission in Principle, at least one week before the committee

Agenda



The Secretariat prepares the agenda before each meeting and sends the agenda to all committee members.

The agenda is grouped by new and renewal cases and is in the format below:

S/No.	Company Name	Applicants names (if less than 10) Job title Nationality Date Duration	Remarks	Recommendations

The Recommendations column is left blank for the Secretary to note down the recommendations of the committee.

The agenda is word-processed by the typing pool.

The agenda is sent on Friday for the Tuesday meeting and on Tuesday for the Thursday meeting. The agenda is either dispatched or e-mailed to the committee members.

An addendum to the agenda is prepared for cases which the Secretariat has not been able to include on the agenda and the addendum is sent to the committee members.

14.1.3 Committee Proceedings

The notes of the previous meeting are approved by the committee. The Secretary of the committee records minutes of the committee proceedings on the agenda. The supporting officer records the following committee recommendations on the datasheet form in the file:

- Duration of work permit validity
- Conditions, if any

Presence of co-opted representatives of concerned ministries are only required during discussion of cases pertaining to their Ministry.

Cases can be:

- a) Recommended
- b) Recommended with conditions
- c) Rejected
- d) Postponed for next meeting

At the end of the meeting, the Secretary and the PMO representative cross check their recorded notes. The PMO needs the information for granting residence permits.

The notes of meeting are prepared by the Secretary and word-processed by the typing pool. The minutes of meetings also contain a summary list of all favourably recommended applications (Annex A) and a list of all rejected applications (Annex B). The notes of meetings are e-mailed to each committee permanent member and to selected co-opted members who have attended the meeting.



The recommendations noted in the file and the minutes of meetings are cross-checked before the recommendations are recorded on WPAS. For applications where the committee has considerably deliberated, extracts from the minutes of meeting are filed with the application.

The following information are entered on the WPAS system:

- Date passed through committee
- Recommendations of the committee
- Result: Accepted, Rejected

A list of files processed by the WPC is generated in a worksheet to be signed by the Work Permit Section on dispatch. The list is generated from a report from WPAS. The list is sorted by Work Permit Unit and contains the following information:

- Year
- Code
- Reference
- Bulk Number
- Application Number
- Company
- Expatriate name
- WPC Recommendations
- Section WP (filled in by Secretariat)
- Signature (by Work Permit Unit)

14.1.4 Members of the Work Permit Committee

Permanent Members

- Chairperson
- Representative of the Ministry of Labour, Industrial Relations & Employment (Employment Division)
- Representative of the Prime Minister's Office
- Representative of the Passport & Immigration Office
- Representative of the Ministry of Industry, Commerce and Consumer Protection
- Representative of the Board of Investment
- Representative of the Mauritius Institute of Training and Development
- Representative of the Ministry of Labour, Industrial Relations & Employment (Labour Division)
- Representative of the Tertiary Education Commission

Co-opted Members

- A Representative of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping



- A Representative of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping (Land Transport Division)
- A Representative of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping (Shipping Division)
- A Representative of the Ministry of Business, Enterprise, and Cooperatives
- A Representative of the Ministry of Industry, Commerce and Consumer Protection (Commerce Division)
- A Representative of the Ministry of Agro-Industry and Food Security
- A Representative of the Ministry of Tourism and Leisure
- A Representative of the Ministry of Information and Communication Technology
- A Representative of the Ministry of Energy and Public Utilities
- A Representative of the Ministry of Health & Quality of Life
- A Representative of the Ministry of Finance and Economic Development
- A Representative of the Ministry of Youth and Sports
- A Representative of the Ministry for Fisheries and Rodrigues (Fisheries Division)
- A Representative of the Ministry of Arts and Culture
- A Representative of the External Communications Division



Annex 2:

Interactions with Other Departments



15 Enforcement Unit

The Enforcement Unit is a unit of the Employment Services, which also forms part of the Employment Division under MLIRE. The Enforcement Unit performs inspections on companies applying for work permits and permissions in principle. The Enforcement Unit also performs inspections on recruitment agencies.

Requests are sent to the Unit through the Chief Employment Officer. The request is then faxed to the appropriate Employment Information Centre (EIC). Inspection reports are either faxed or dispatched to the Unit.

Inspections are performed by officers posted in the 13 different EICs around the island.

Inspections are mainly carried out upon receipt of requests for Permission in Principle. 4 types of inspection reports are prepared by the Unit following inspections:

1. Full report
2. Assessment report on Counterpart
3. Upon receipt of application for Recruitment Licence
4. Complaints

Full Report

This type of inspection is performed when requested by the Work Permit Units. It is usually requested when companies request for Permission in Principle or apply for work permits. The inspection officer checks the number of local workers and may also collect documents such as orders/projects.

The form ES/WP/03 is filled by the inspecting officer.

Assessment report on Counterpart

This type of inspection is performed when there is a local counterpart being trained by an expatriate. Information is gathered about the company, the expatriate and the counterpart. The form ES/WP/01 is filled by the inspecting officer.

The inspection is usually performed on renewal of a work permit which was granted subject to training of a local counterpart.

Recruitment Licence

The form ES/WP/05 is filled by the inspecting officer upon receipt of an application for a recruitment licence. Inspections may also be performed for license renewals. The inspection is carried out to check the location of the office, the staff employed, among others.

Complaints

Inspections due to complaints may be performed jointly with other departments e.g. joint inspection with PIO to check if there are workers without valid work permits working in Mauritius.

Complaints may also be related to recruitment agencies e.g. agencies operating without a valid licence or applying excess fees.

Following inspection, the Unit submits a report to the concerned department. The work permit of the expatriate may be cancelled if serious offense is found against the expatriate.

Inspection timeframe: 1 week to 2 months



EICs

There are 13 EICs in Mauritius and 1 in Rodrigues. The EICs provide assistance to jobseekers in finding employment and to employers seeking potential employees.

16 Passport and Immigration Office (PIO)

The PIO interacts with the Work Permit Unit for the following processes:

- To provide clearance prior to the issue of work permits
- To get clearance from the Work Permit Unit prior to the issue of residence permits
- The PIO system already has a module for online input from the Work Permit Unit regarding approved application for work permit.
- A copy of the issued work permit is sent to the PIO
- A copy of the issued residence permit is sent to the Work Permit Unit
- The Work Permit Unit often retrieves departure dates for expatriates from the PIO system

Currently the Work Permit Unit has 5 PCs on which the PIO client is installed and from those PCs, access to the PIO system is possible.

17 Prime Minister's Office

The PMO recommends the issue of a residence permit for an expatriate.

18 Special Migrant Worker's Unit

The unit is responsible for:

- Vetting of contracts
- Investigation into companies regarding conditions of work of migrant workers

The contract duly vetted by the Special Migrant Worker's Unit needs to be attached to an application for a work permit if the expatriate's salary is less than Rs 30,000.

The Special Migrant Worker's Unit also performs inspections at companies. Reports from these inspections are filed at the department. Inspections may also be performed following complaints received. These complaints are recorded in a complaints book.

19 Occupational Health and Safety

This unit delivers the Lodging Accommodation Permit.

20 Mauritius Revenue Authority

A copy of the issued work permit is sent to the Mauritius Revenue Authority (MRA). The MRA requires this information in case the expatriate needs to be registered as taxpayer. The following information about expatriates is required from the MRA:

- Names
- Passport Number
- Address in Mauritius
- Employer
- Job Title
- Salary
- Date of birth

- Contact details (phone etc.)

Usually the MRA will register only those employees earning a salary that is taxable i.e. those salaries which exceed the current Income Exemption Threshold. Therefore, the salary may only be indicative e.g. above Rs 30,000.

21 Registrar of Companies

The Registrar of Companies (ROC) has a computerized system storing information about company details, including their updated turnovers. Companies are uniquely identified through their Business Registration Number (BRN).

22 Civil Status Division

The Civil Status Division (CSD) can issue an ID card for foreigners. The expatriate needs to send his request to the PMO. The card needs to be returned when the expatriate leaves the country. The ID number on the card is in a similar format as the Mauritian National ID Number, with the 2-digits after the date of birth set as 82. The card is granted after at least 6 months stay in Mauritius.

The CSD needs to know whether an expatriate has sworn any affidavits after 5 years stay in Mauritius in case the expatriate applies for Mauritian citizenship.

23 National Pensions Fund

The National Pensions Fund (NPF) has a computerized system recording details about companies and their employees who contribute to the NPF. Currently it is mandatory for companies to submit a latest copy of their NPF receipt as proof of their current local workforce.

It is also noted that all expatriates after 2 years employment in Mauritius need to be registered with the NPF and their employers need to contribute to the NPF.

Companies are identified by a unique Employer Number assigned by the NPF on registration. The BRN number may not be assigned to all companies on the NPF database. Employees are identified by a unique Social Security Number assigned by the NPF on registration.

24 Central Statistics Office

The Central Statistics Office (CSO) compiles monthly statistics on current valid work permits in Mauritius. This information is supplied by the Employment Division and also through surveys organized by the CSO. However, the figures supplied by the Employment Division significantly differ from the figures compiled from the surveys. This may be due to the fact that an expatriate may not have arrived in Mauritius yet, but he may have already secured a work permit. Cancelled work permits may also not be reflected in the figures submitted to the CSO.

25 Board of Investment

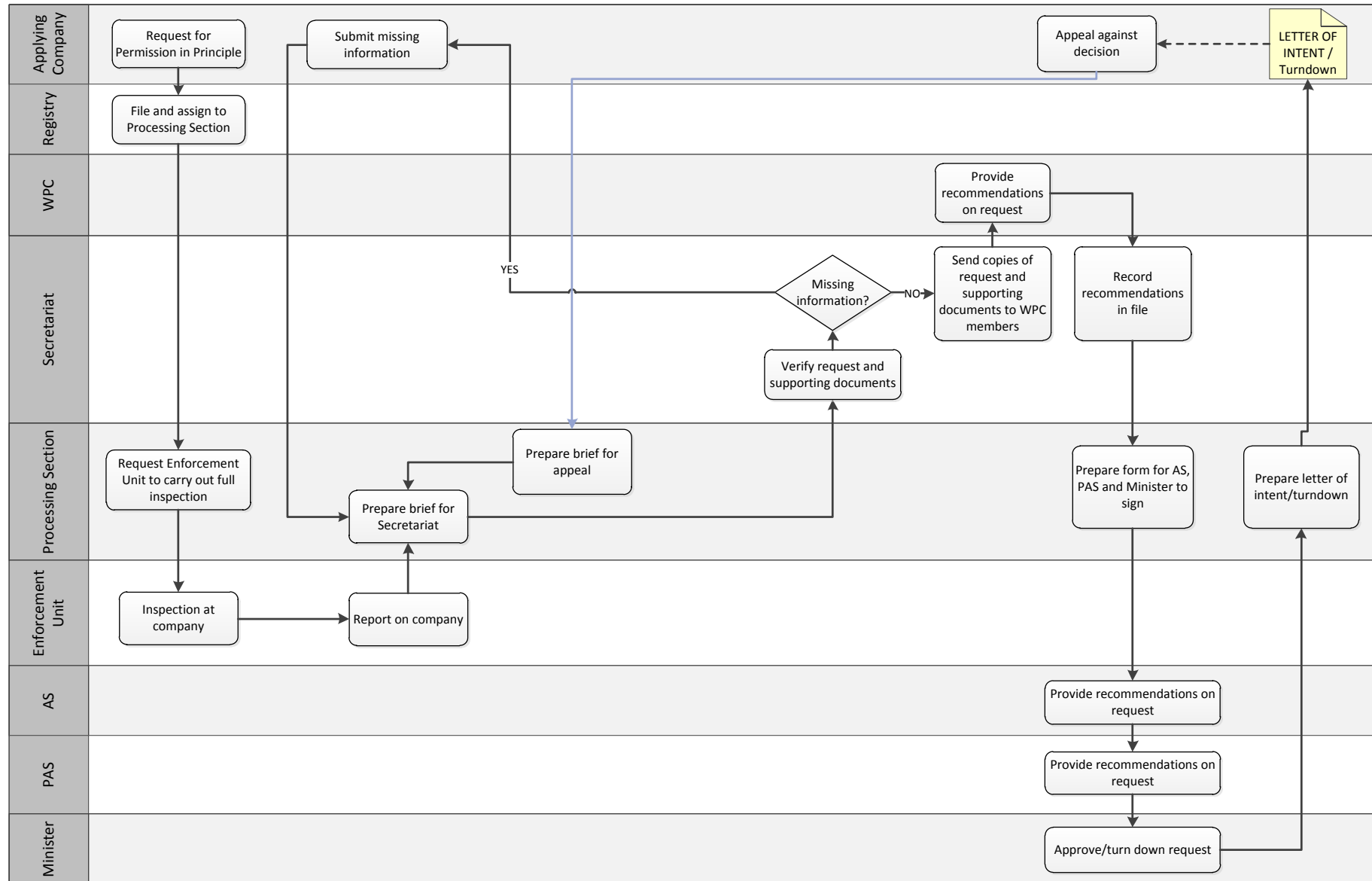
The Board of Investment (BOI) issues occupation permits to expatriates. An occupation permit allows a non-national to work in Mauritius. It is both a work and a residence permit. Expatriates holding an occupation permit do not need to hold a work permit. Application is made through the Board of Investment (BOI) to the Passport and Immigration Office.

Occupation permits are delivered to investors, professionals or self-employed who are registered to the BOI, provided that they meet the following requirements:

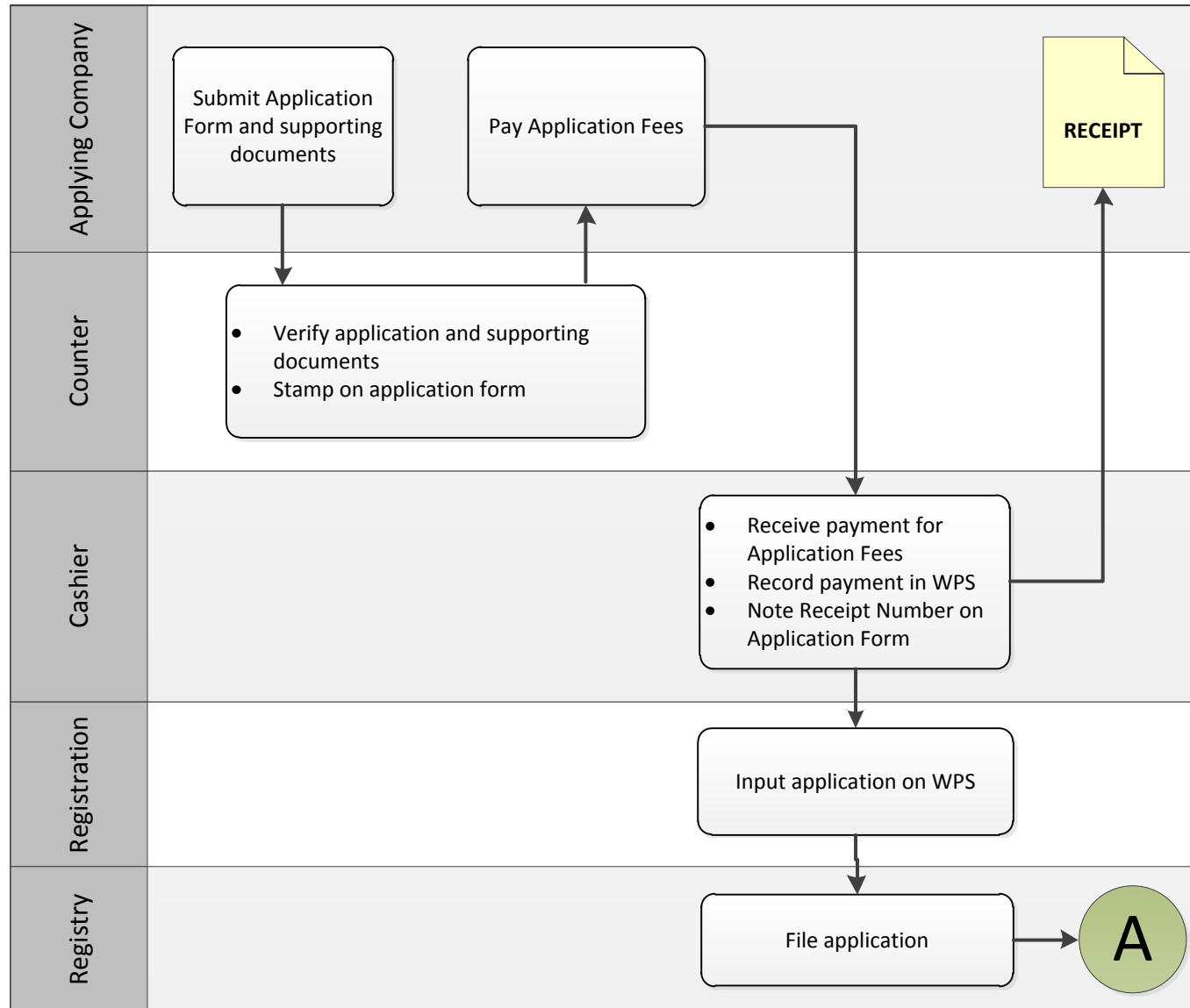
- Investor: The business activity should generate an annual turnover exceeding Rs 3 million
- Professional: Basic salary should exceed Rs 30,000 a month
- Self-employed: Income from the business activity should exceed Rs 600,000 annually

Annex3: Flowcharts

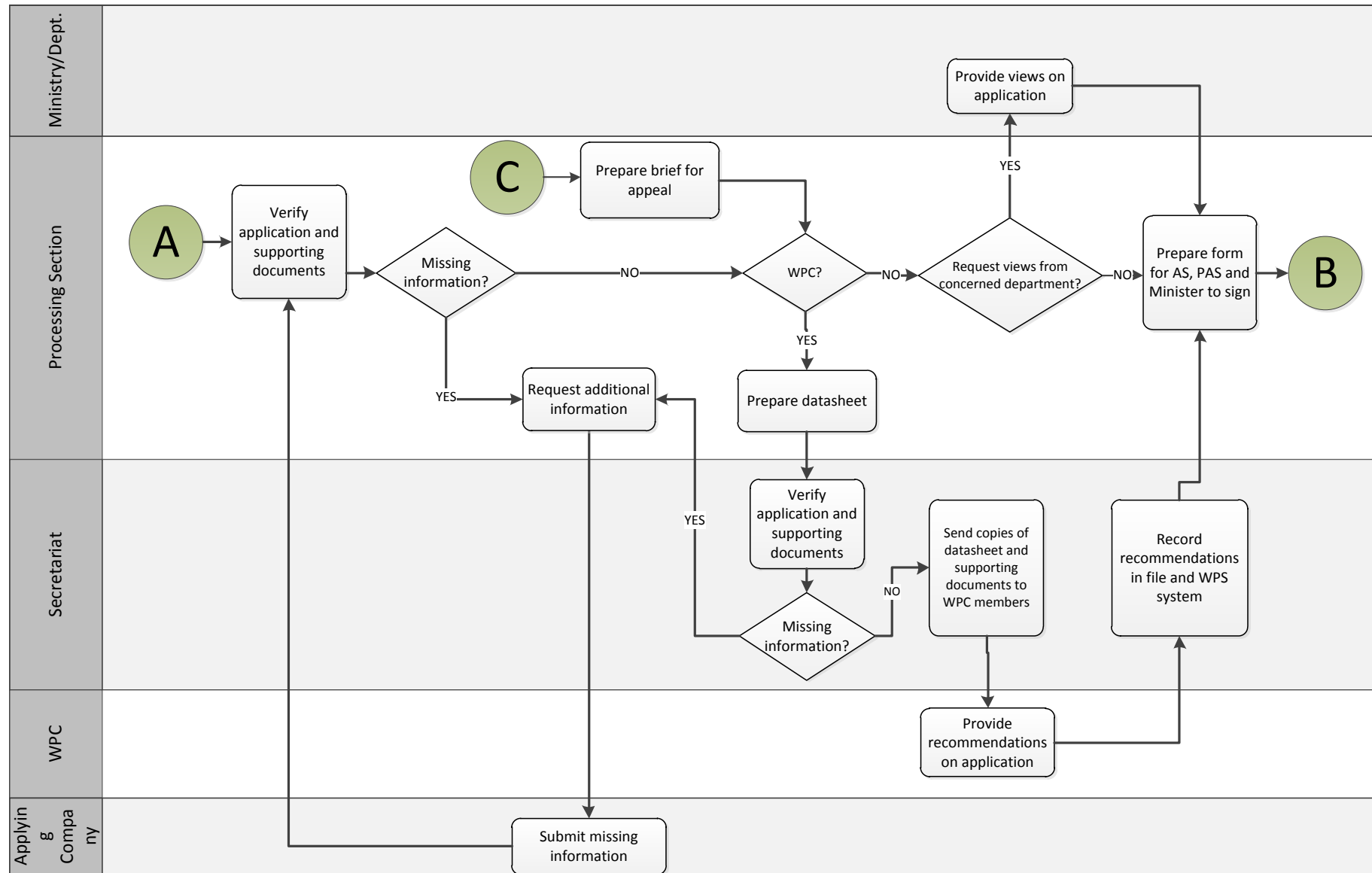
Annex 3a: Process Flow for Request for Permission in Principle



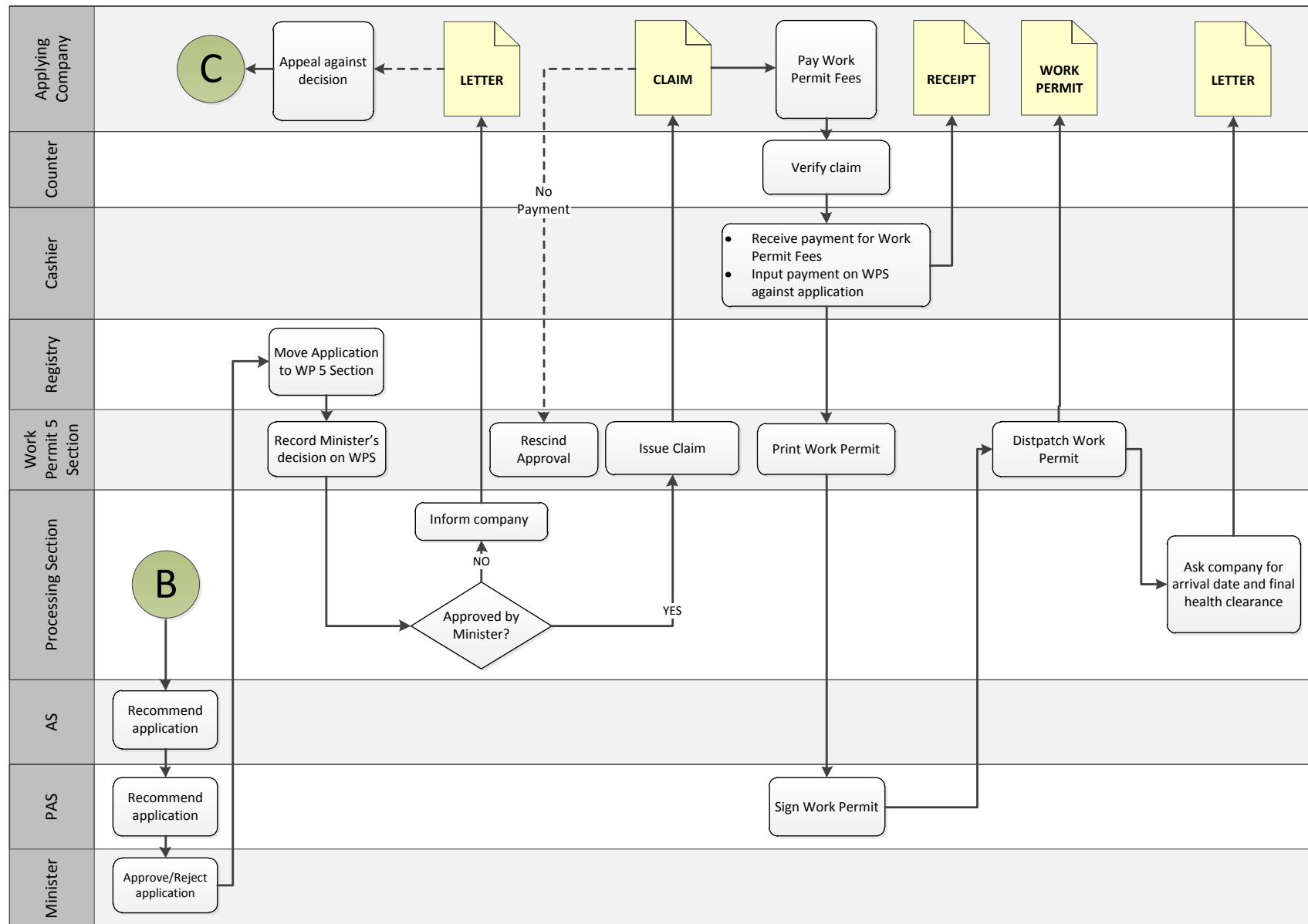
Annex 3b: Process Flow for Application for Work Permit (1)



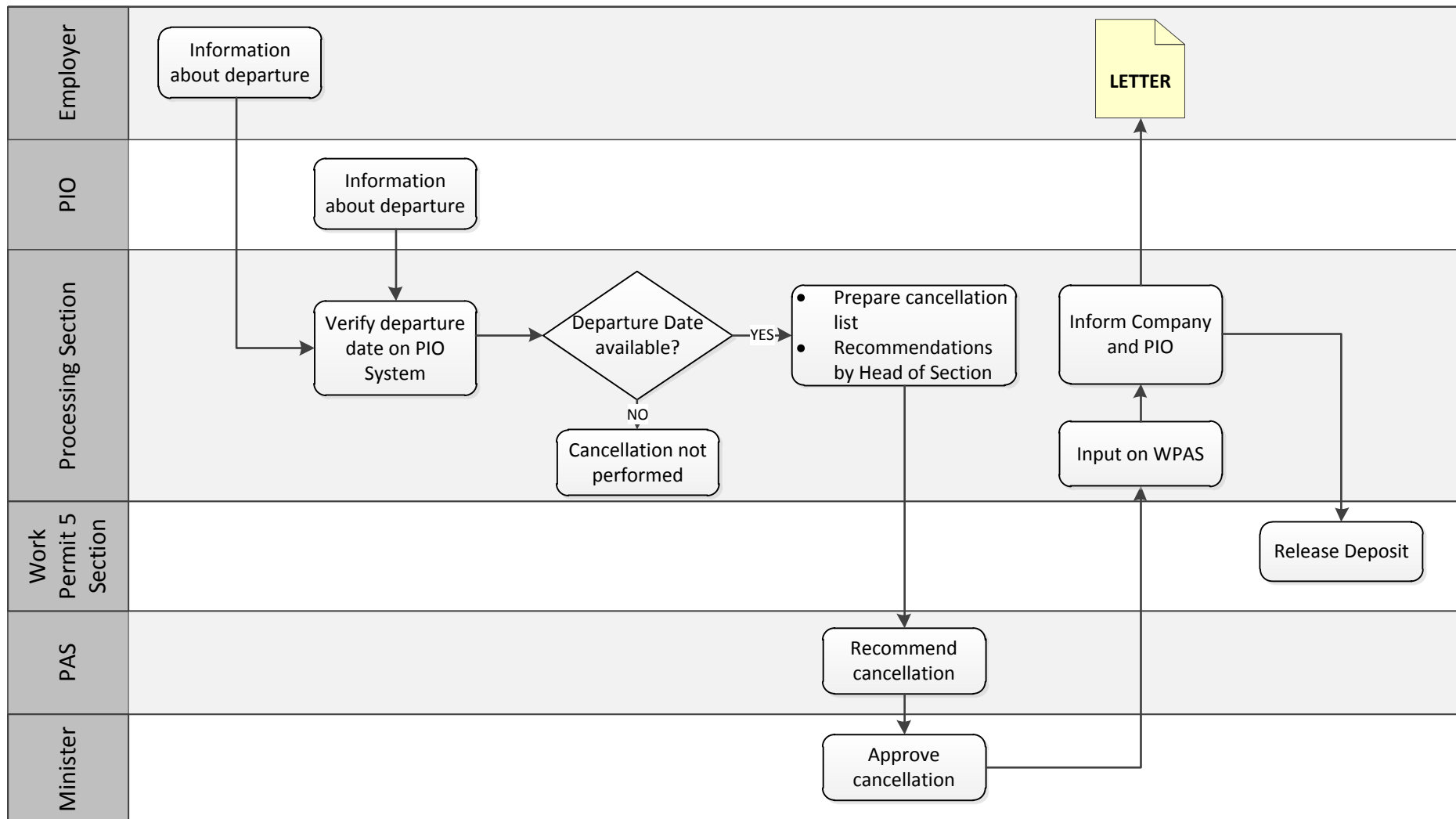
Annex 3b: Process Flow for Application for Work Permit (2)



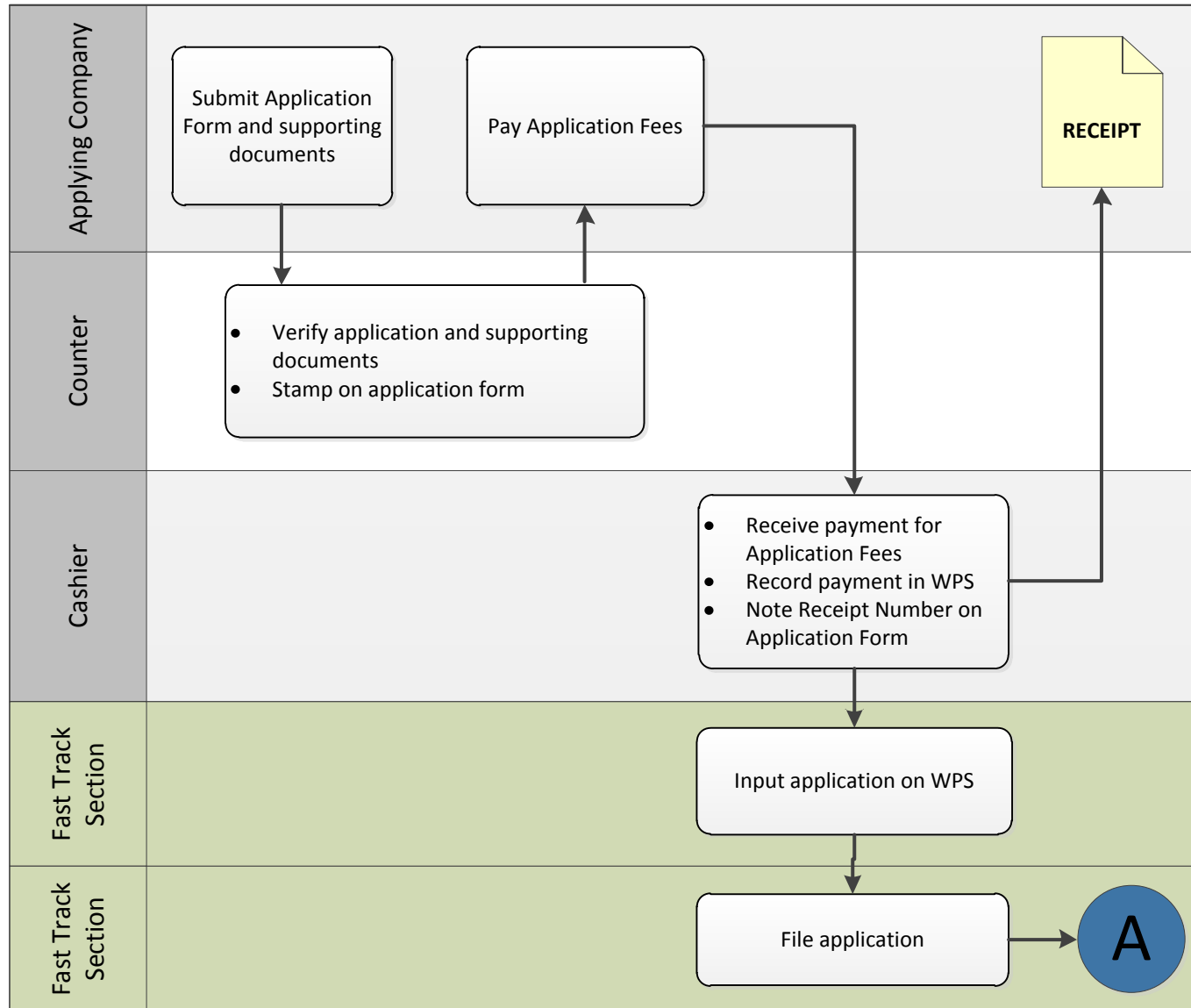
Annex 3b: Process Flow for Application for Work Permit (3)



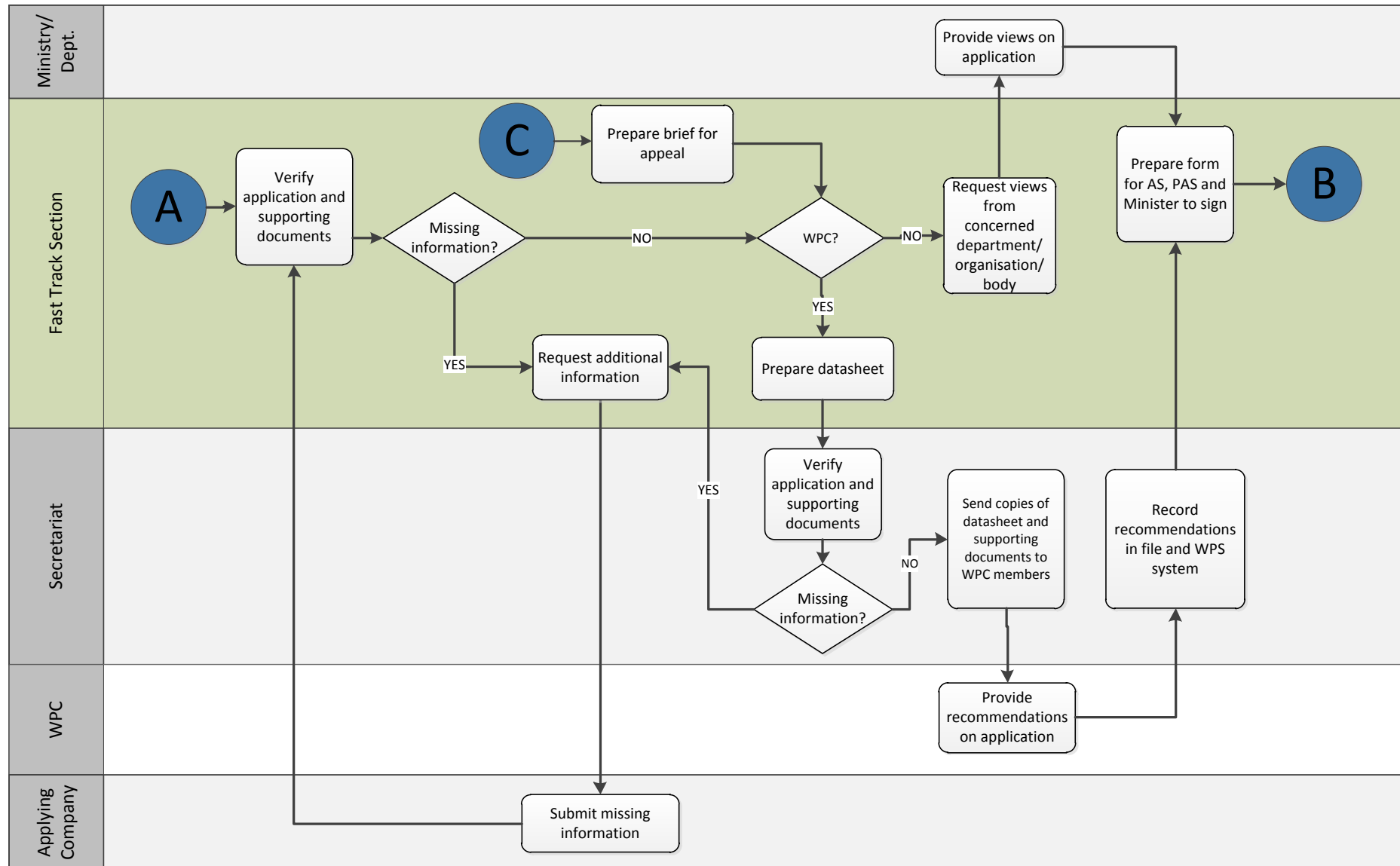
Annex 3c: Cancellation of Work Permit

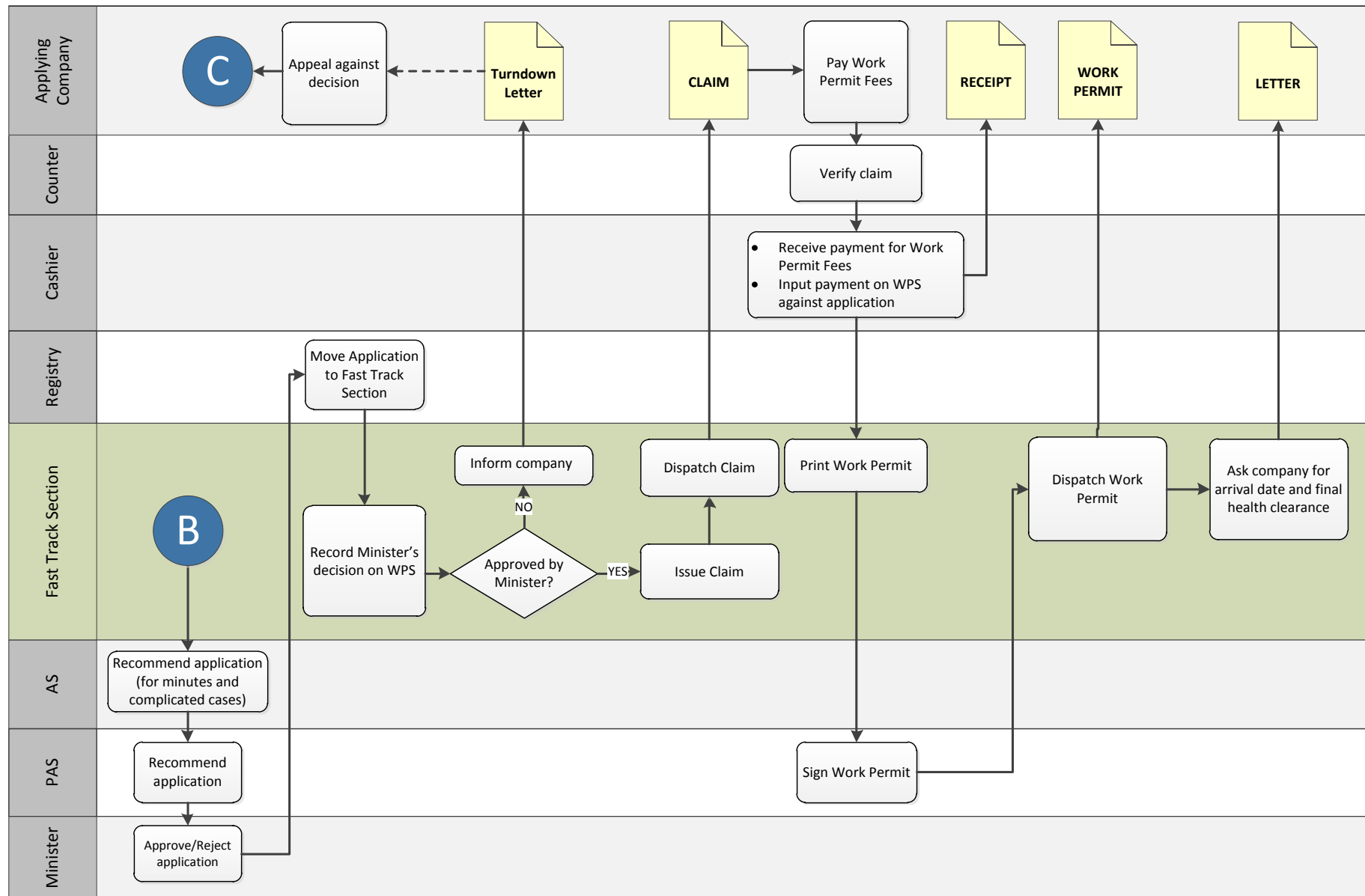


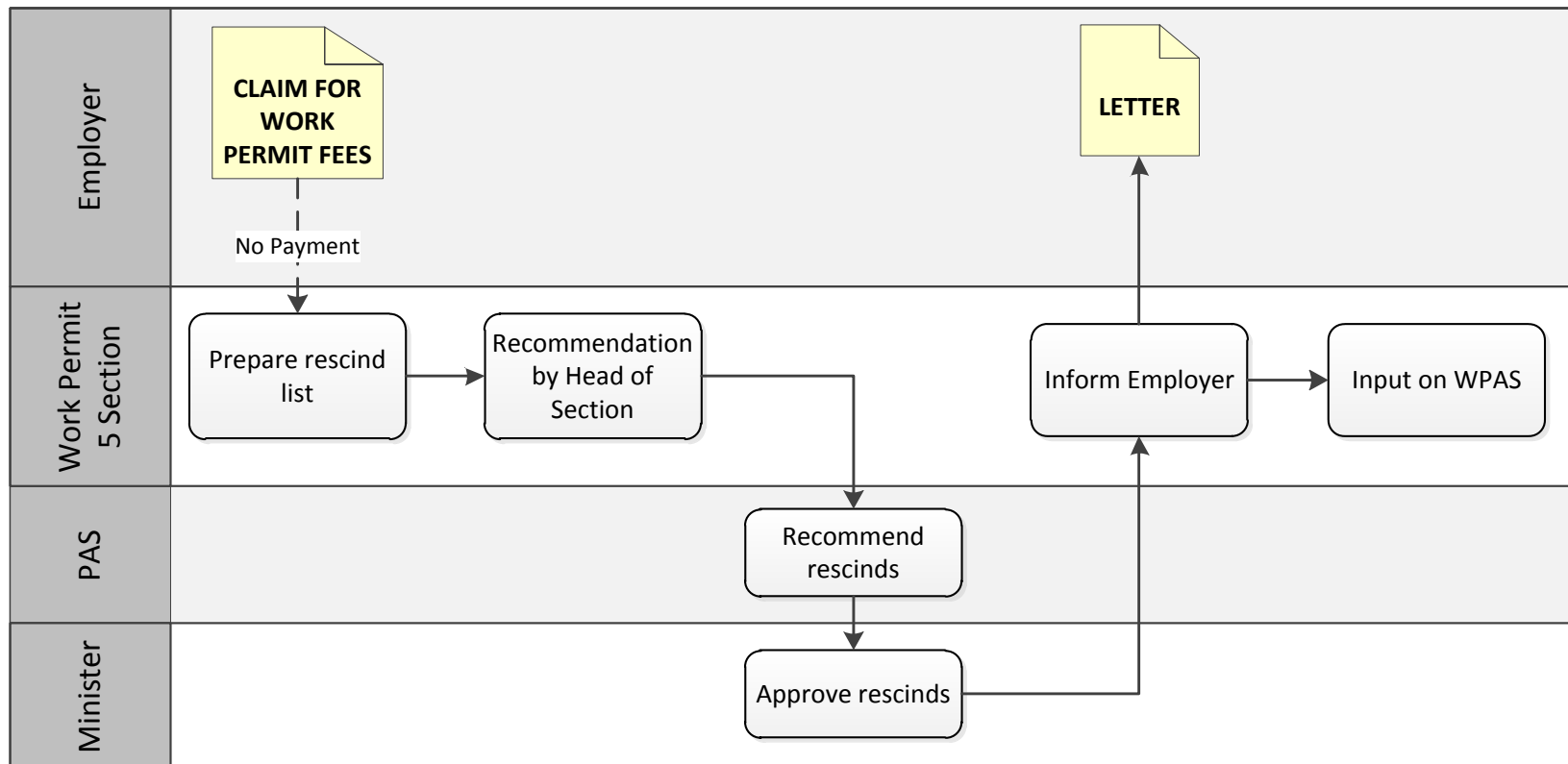
Annex 3d: Fast Track Application (1)



Annex 3d: Fast Track Application (2)







Annex 4: Forms

Annex 4a:
Application Form for Work Permit

Annex 4b:
**Form A1 – Processing of New Application
for Work Permit**

Annex 4c:
Request for Permission in Principle

Annex 4d:

**Form A5 – Processing of Application for
Permission in Principle**

Annex 4e:
Application form for Recruitment Licence

Annex 4f:
E-Service Application Form

EMPLOYMENT DIVISION

APPLICATION FOR WORK PERMIT

Ministry of Labour, Industrial
Relations & Employment
10th Floor - Sterling House
9-11 Lislet Geoffroy Street
Port Louis
Tel No. : 211 7769

Online Application form - Work Permit (fields marked with * must be filled in)

1. Surname of Applicant:	Mr. <input type="text"/> *								
2. Name:	<input type="text"/>								
3. Nationality:	ALGERIAN <input type="text"/> *								
4.1 Place of Birth:	<input type="text"/> *								
4.2 Date of Birth :	<input type="text"/> *								
5. Sex:	MALE <input type="text"/> *								
6. Marital Status:	SINGLE <input type="text"/> *								
7. Number of Children:	ZERO <input type="text"/>								
8.1 Passport Number:	<input type="text"/> *								
8.2 Date of issue :	<input type="text"/> *								
8.3 Place of issue:	<input type="text"/> *								
9. Home Address:	<input type="text"/> *								
	<input type="text"/>								
10. Last Place of Residence:	<input type="text"/> (if applicable)								
Email Address:	<input type="text"/> *								
11. Professional/academic qualifications (certified copies or photocopies to be attached):	<input type="text"/>								
12. Particulars of persons intending to accompany applicant: (if applicable)									
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">Name</th> <th style="width: 25%;">Date of Birth</th> <th style="width: 25%;">Relationship</th> <th style="width: 45%;">Occupation</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> <input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </tbody> </table>	Name	Date of Birth	Relationship	Occupation	<input type="checkbox"/> <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Name	Date of Birth	Relationship	Occupation						
<input type="checkbox"/> <input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>						
	<input type="button" value="Add More"/> <input type="button" value="Delete"/>								
13. Profession or occupation in which applicant intends to engage in Mauritius (job profile to be attached) :	<input type="text"/> *								
14. Economic / industrial activity of an employer:	"MEDIA" - Mauritius Export Development & Investment company <input type="text"/>								
15. Experience gained in job applied for or in related fields, (testimonials to be attached):									
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Occupation</th> <th style="width: 20%;">Period</th> <th style="width: 50%;">From</th> <th style="width: 5%;">To</th> </tr> </thead> <tbody> <tr> <td><input type="checkbox"/> <input type="text"/></td> <td></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </tbody> </table>	Occupation	Period	From	To	<input type="checkbox"/> <input type="text"/>		<input type="text"/>	<input type="text"/>
Occupation	Period	From	To						
<input type="checkbox"/> <input type="text"/>		<input type="text"/>	<input type="text"/>						
	<input type="button" value="Add More"/> <input type="button" value="Delete"/>								
16.1 Is applicant in possession of a residence permit?	YES <input type="text"/> *								
16.2 State Permit Number :	<input type="text"/> *								
17.1 Particulars of applicant's prospective employer :									
Name of employer :	<input type="text"/> *								
17.2 Address of employer:	<input type="text"/> *								
	<input type="text"/>								
	<input type="text"/>								
18.1 Is this a first application for a work permit?	YES <input type="text"/> *								
19. Any other particulars in support of application: (if applicable)	<input type="text"/>								
20. <input type="checkbox"/> Renew	Sector: Please Select <input type="text"/>								
21. Attached Files :	<input type="text"/>								

Annex 5:

List of Persons Interviewed

Name	Department/Organization
Hon. S. Mohamed	Minister, MLIRE
MrS.Ragen	Permanent Secretary, MLIRE
Mrs S.D. Gujadhur-Nowbuth	Ag. Principal Assistant Secretary, Employment Division, MLIRE
Mrs H. D. Tillousing	Systems Analyst, CISD (Posted at MLIRE)
Mrs H. Mungrah	Assistant Systems Analyst, CISD (Posted at MLIRE)
Mrs L. Edoo	Secretariat, Employment Division
Mrs H. Sohatee	Work Permit 1 Section, Employment Division
Mr O. Boojhawon	Work Permit 2 Section, Employment Division
Mrs Rajaram	Work Permit 3 Section, Employment Division
Mr J. Philips	Work Permit 4 Section, Employment Division
Mrs T. Abdool	Work Permit 6 Section, Employment Division
Mrs R.Poran	Work Permit 5 Section, Employment Division
Mrs S.Gopal	Work Permit 5 Section, Employment Division
Mrs Seetul	Work Permit 5 Section, Employment Division
Mrs M. Lim	Finance Section, Employment Division
Mr S. Ramparsad	Registry, Employment Division
Mrs Goreeba	Cashier Section, Employment Division
Mr R. Seeboo	Counter, Employment Division
Mr Ramsowock	Enforcement Unit, MLIRE
MrSookloll	Passport and Immigration Office
MrA. K. Jhoerreea	Prime Minister's Office
Dr Gaya (Mrs)	Ministry of Health & Quality of life
MrsL. Sanspeur	Ministry of Tourism and Leisure
MrsZ. Bhugiah	Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping
MrM. D. Beeroo	Ministry of Education and Human Resources
Mrs D. Moosoohur	Ministry of Energy and Public Utilities
Mrs Ramkhelawon	Ministry of Business, Enterprise, and Cooperatives
Mrs Nunhuck	Central Statistics Office
Mr R.A. Shadoobaccus	National Pensions Fund

Name	Department/Organization
Mr Putty	Mauritius Institute of Training and Development (MITD)
Mrs Soolangos	Registrar of Companies
Mr P. Dursun	Mauritius Employers Federation (MEF)
Mrs Ammearally-Nishtar	Mauritius Export Association (MEXA)
Mr Andre	Civil Status Division
Mrs L.Wade	Mauritius Revenue Authority
Mrs Goinden	Special Migrant Worker's Unit, MLIRE
Mr Dilmohamed	Occupational Health and Safety, MLIRE
Ms Poonoosamy	Employment Information Centre - Port-Louis