

NON-CITIZENS (EMPLOYMENT RESTRICTION) REGULATIONS 1970

Schedule 1 of Act 15/1970

SCHEDULE OF NON-CITIZENS (EMPLOYMENT RESTRICTION) ACT

1. These regulations may be cited as **the Non-Citizens (Employment Restriction) Act**
2. In these regulations,
"Act" means the Non-Citizens (Employment Restriction) Act, 1970.
3. Any non-citizen who -
 - (a) is, subject to regulation 4A, a member of a class described in item 1 of Part I of the Schedule;
 - (aa) is a member of a class described in item 2 of Part I of the Schedule; or
 - (b) is, subject to regulation 5, a member of a class described in Part II of the Appendix,shall be exempt from the provisions section 3(1) of the Act.

Amended by [\[GN No. 68 of 2019\]](#)

4. Any person who-
 - (a) has, subject to regulation 4A, in his employment any non-citizen who is a member of a class described in item I of Part I of the Schedule;
 - (aa) has in his employment any non-citizen who is a member of a class described in item 2 of Part I of the Schedule; or
 - (b) has, subject to regulation 5 and 6, in his employment any non-citizen who is a member of a class described in Part II of that Schedule,

shall be exempt from the provisions of section 3(3) of the Act in respect of that employment.

Amended by [\[GN No. 50 of 2019\]](#); [\[GN No. 68 of 2019\]](#)

- 4A.** The exemption granted under regulations 3(a) and 4(a) shall apply only in respect of those non-citizens who, prior to 8 March 2019, were exempted from the provisions of section 3(1) or (3), as the case may be, of the Act.

Added by [\[GN No. 68 of 2019\]](#)

- 5.** The exemption granted under regulations 3(b) and 4 shall apply only in respect of that occupation or employment, as the case may be, as is directly referable to membership of the class of which the non-citizens, in respect of whose occupation or employment exemption applies, is a member.
- 6.** The exemption granted under regulation 4(b) shall, in relation to the persons referred to in items 9, 9A, and 10 of Part II of the Schedule, apply subject to those persons having been issued with a medical certificate by a registered medical practitioner in Mauritius.

Added by [\[GN No. 50 of 2019\]](#)

- 7.** (1) Subject to paragraph (2), an employer who, with effect from or any time after 8 March 2019, has in his employment a non-citizen who is a member of a class described in item 1 of Part I of the Schedule may, for a period of 3 months after the coming into operation of these regulations, have the non-citizen in his employment without there being in force a permit in respect of the non-citizen.

(2) The employer of the non-citizen referred to in paragraph (1) who intends to continue to have the non-citizen in his employment shall, within a period of 3 months after the coming into operation of these regulations, apply and obtain a permit in respect of the non-citizen under the Non-Citizens (Employment Restriction) (Work Permit) Regulations 2017.

Amended by [\[GN No. 55 of 2019\]](#); [\[GN No. 68 of 2019\]](#)

SCHEDULE
(Regulations 3 and 4)

PART I

1. Spouses of citizens of Mauritius and, until remarriage, the surviving spouses of citizens of Mauritius

Amended by [\[GN No. 3 of 2001\]](#); [\[GN No. 50 of 2019\]](#); [\[GN No. 68 of 2019\]](#)

2. Foreign students aged 16 or more who are working on a part-time basis for up to a maximum of 20 hours per week and who are studying for a course of a duration of at least one academic year, in —

- (a) private universities and other institutions offering post-secondary education in Mauritius, which are registered and accredited with the Tertiary Education Commission;
- (b) tertiary education institutions specified in the Schedule to the Tertiary Education Act; or
- (c) technical and vocational institutions registered and accredited with the Mauritius Qualifications Authority.

Amended by [\[GN No. 190 of 2011\]](#); [\[GN No. 61 of 2013\]](#)

PART II

1. Heads of mission and members of the mission as defined in the Diplomatic Immunities and Privileges Act

2. -

3. Persons in the employment in Mauritius of any of the following bodies -
 - (a) the British Council
 - (b) the United Kingdom Atomic Energy Authority
 - (e) the United States Peace Corps.
4. Persons employed in any Ministry or Department of the Government of Mauritius.
5. Persons employed with the prior approval of the Government of Mauritius by the body incorporated or regulated directly by statute.
6. Persons in the employment in Mauritius of the United Nations Organization, any of its specialized agencies or of any other inter-governmental organization of which Mauritius is a member.
7. Persons employed by the University of Mauritius as academic staff.
8. Persons employed in Mauritius, or on any ship registered in Mauritius, pursuant of any agreement or treaty entered into with the Government of Mauritius.
9. Persons employed on foreign registered ships when such ships are operating within Mauritius waters

Amended by [\[GN No. 4 of 2009\]](#); [\[GN No. 50 of 2019\]](#)

- 9A. Persons employed on board ships registered under the Merchant Shipping Act

Amended by [\[GN No. 211 of 1993\]](#); [\[GN No. 4 of 2009\]](#); [\[GN No. 50 of 2019\]](#)

10. Persons employed on a foreign or locally registered fishing boat, or fishing vessel, in Mauritius

Amended by [\[GN No. 4 of 2009\]](#); [\[GN No. 50 of 2019\]](#)

11. Persons employed by the owners or operators of aircraft (being aircraft operated on a scheduled international air service and calling Mauritius) to perform duties on such aircraft during the flight thereof
12. Directors, inspectors and auditors of any company, association, organization or body (incorporated or established where elsewhere) which either -
 - (a) operates in Mauritius; or
 - (b) controls any company, association, organization or body (incorporated or established whether in Mauritius or elsewhere) which operates in Mauritius,

but so that exemption in respect of any such person by virtue of this class shall cease after the expiration of ninety days spent in Mauritius by that person, whether continuously or not, in any calendar year

Amended by [\[GN No. 115 of 1996\]](#)

13. Writers (including journalists), broadcasters, sculptors painters (excluding industrial painters) and film shooting crews; but so that exemption in respect of any such persons by virtue of this class shall cease after the expiration of ninety days spent in Mauritius by that person, whether continuously not, in any one calendar year.

Amended by [\[GN No. 115 of 1996\]](#); [\[GN No. 4 of 2009\]](#)

- 13A. Models and professional entertainers including theatre, motion picture, radio or television artistes, and musicians, but so that the exemption in respect of any such person by virtue of this class is for the purposes of public shows, or public broadcast, and shall cease after the expiration of ninety days spent in Mauritius by that person, whether continuously or not, in anyone calendar year.

Added by [\[GN No. 4 of 2009\]](#)

14. Persons who visit Mauritius, on behalf of a principal abroad, in connection with the appointing of, or for the purpose of having business consultations with, a local business agent or a local distributor, but so that exemption in respect of any such person by virtue of this shall cease after the expiration of 90 days spent in Mauritius by that person, whether continuously or not, in any one calendar year.

Amended by [\[GN No. 115 of 1996\]](#)

15. Persons who visit Mauritius to inspect the plant, machinery or equipment of any factory or other industrial works, or to give technical advice on the operation of any local undertaking, business or enterprise of whatever kind, but so that exemption in respect of any such person by virtue of this class shall cease after the expiration of 90 days spent in Mauritius by that person, whether continuously or not in one calendar year.

Amended by [\[GN No. 115 of 1996\]](#)

16. Persons who visit Mauritius for the purpose of taking up employment in the Information, Communication and Technology or Business Process Outsourcing (ICT/BPO) sector, for a maximum period of 90 days spent in Mauritius by those persons, whether continuously or not in any one calendar year.

Added by [\[GN No. 104 of 2017\]](#)

17. Persons employed by the authorised contractors of the New Social Living Development Ltd in the construction project of 12,000 housing units

Added by [\[GN No. 53 of 2023\]](#)