

Mauritius

## Pouce Stream (Authorised Construction) Act Act 32 of 1992

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# Mauritius

## Pouce Stream (Authorised Construction) Act

### Act 32 of 1992

Commenced on 1 August 1992

*[This is the version of this document at 30 June 2017.]*

#### 1. Short title

This Act may be cited as the Pouce Stream (Authorised Construction) Act.

#### 2. Interpretation

In this Act—

"Company"—

- (a) means a Company specified in the Schedule; and
- (b) includes a lessee of land;

"land", in relation to a Company, means that part of the Pouce Stream described in the second column of the Schedule corresponding to the Company;

"Minister" means the Minister to whom responsibility for the subject of land use is assigned.

*[S. 2 amended by Act 17 of 1996.]*

#### 3. Permission to build

- (1) A Company, other than the company specified in item 3 of the Schedule may, subject to such conditions as the Minister may impose, construct car parks and a landscaped pavement on the land.
- (1A) The company specified in item 3 of the Schedule may, subject to such conditions as the Minister may determine, construct a cantilevered multi-storeyed building over the land.
- (2) Every Company shall, at all times and at its own cost, maintain the car parks and the landscaped pavement in good repair and ensure that they are not sources of danger to the public.

*[S. 3 amended by Act 17 of 1996, s. 3 of Act 2 of 2018 w.e.f. 16 July 2018.]*

#### 4. Public domain

- (1) The car parks and cantilevered multi-storeyed building constructed shall not be part of the public domain.
- (2) The landscaped pavement shall be dedicated to public use.
- (3) The part of Pouce Stream underneath the authorised construction shall continue to form part of the public domain.
- (4) Twenty-five per cent of the car parking area constructed by the Company specified in item 2 of the Schedule shall be allocated to Government for parking purposes.

*[S. 4 amended by Act 17 of 1996; s. 4 of Act 2 of 2018 w.e.f. 16 July 2018.]*

**5. Annual fee**

- (1) Every Company shall, on 1 July in every year, pay to Government and to the Municipal City Council of Port Louis such fees as the Minister may determine.
- (2) The fees required under subsection (1) may be revised every 5 years.

**6. Amendment of Schedule**

The Minister may, by regulations, amend the Schedule.

**Schedule (Section 2)****Pouce stream**

|    | <b>Company</b>                               | <b>Land</b>   |
|----|--|---|
| 1. | Mauritius Estate Development Corporation Ltd | Along Reverend Jean Lebrun Street for a length approximately 82.5 metres from the existing bridge leading to the Cerné House complex to the existing bridge along John Kennedy Street   |
| 2. | Rogers and Co. Ltd                           | From the existing bridge along John Kennedy Street for a width of approximately 12 metres to the existing bridge along the Trunk Road for a width of approximately 85 metres  |
| 3. | Caudan Development Limited                   | Starting from a point on a footbridge having local grid of Mauritius 2012 (LGM 2012) coordinates of 243042.95mE and 362596.92mN on the Geocentric Datum of Mauritius (GDM 2008) and running over a straight line of fourteen metres (14m) in North-western direction up to a point having local grid of Mauritius 2012 (LGM 2012) coordinates of 243029.26mE and 362599.88mN on the Geocentric Datum of Mauritius (GDM 2008) and running over a developed length of eighteen metres and seventy-seven centimetres (18.77m) towards the starting point, the furthest point of the building protruding over the Pouce Stream having local grid of Mauritius 2012 (LGM 2012) coordinates of 243036.42mE and 362603.76mN situate at a distance of five metres and twenty-three centimetres (5.23m) from the bank of the Pouce Stream. The cantilevered multi-storeyed building shall be at a minimum height of eight metres and seventy-five centimetres (8.75m) above mean sea level and |

|  |   |
|--|---|
|  | shall be of an area not exceeding<br>forty-nine square metres (49m <sup>2</sup> ) |
|--|---|

*[Sch. amended by Act [17 of 1996](#); [GN 45 of 2013](#) w.e.f. 2 March 2013; [GN 168 of 2014](#) w.e.f. 29 August 2014; s. 5 of Act [2 of 2018](#) w.e.f. 16 July 2018.]*