AFFIDAVITS OF PRESCRIPTION ACT (SUSPENSION OF CERTAIN PROVISIONS) ACT 2012

Act No. 23 of 2012

Repealed by [Act No. 13 of 2018]

Government Gazette of Mauritius No. 105 of 27 October 2012

I assent

RAJKESWUR PURRYAG

26 October 2012 *President of the Republic*

ARRANGEMENT OF SECTIONS

Section

1. Short title

2. Interpretation

3. Provisions of principal Act suspended

4. Commencement

An Act

To provide for the suspension of certain provisions of the Affidavits of Prescription Act

ENACTED by the Parliament of Mauritius, as follows —

1. Short title

This Act may be cited as the **Affidavits of Prescription Act (Suspension of Certain Provisions) Act 2012.**

2. Interpretation

In this Act —

"principal Act" means the Affidavits of Prescription Act.

3. Provisions of principal Act suspended

(1) Sections 3, 4 and 6 to 9 of, and the Schedules to, the principal Act are suspended.

(2) Notwithstanding the suspension of the provisions referred to in subsection (1) —

(a) where notice of an application has been published in accordance with section 4(2) of the principal Act on or after 23 July 2012 but before the commencement of this Act —

(i) an objection may be made in the manner specified in section 6(1) of the principal Act by any person claiming to have an interest in the immovable property in respect of which the affidavit of prescription was sworn, within 6 months, or such longer period not exceeding 12 months as may be prescribed by the Attorney-General, of the commencement of this Act;

(ii) the Conservator shall enter in the Register particulars of any objection

received under subparagraph (i), as well as a mention of the date of service of the notice of objection;

(b) where an application was made under section 4 of the principal Act before 23 July 2012 and —

(i) no objection has been received by the Conservator on the commencement of this Act, the affidavit of prescription shall be transcribed in accordance with section 9(1) of the principal Act;

(ii) an objection was received by the Conservator within 3 months of the last publication of the notice under section 4(3) of the principal Act, the objection shall be dealt with in accordance with section 7 of the principal Act.

4. Commencement

This Act shall be deemed to have come into operation on 23 October 2012.

Passed by the National Assembly on the twenty third day of October two thousand and twelve.

Ram Ranjit Dowlutta
Clerk of the National Assembly