

Important clauses

10. Director-General

(1) There shall be a Director-General of the Commission, to be appointed by the President acting in accordance with the advice of the Prime Minister, tendered after the Prime Minister has consulted the Leader of the Opposition.

(2) The Director-General shall be a person who –
(a) has served as a Judge of the Supreme Court;

2. (b) has served as a Magistrate in Mauritius for a period of not less than 10 years;
3. (c) is, or has been, a practising barrister or a law officer for a period of not less than 10 years;
4. (d) for an aggregate period of not less than 10 years, has served as a Magistrate in Mauritius and has either been a practising barrister or a law officer, or both as a practising barrister and a law officer; or
5. (e) has served in an anti-corruption body at a senior level for a period of at least 5 years and has wide knowledge and experience at national and international level in the field of financial crimes.

3. (3) The Director-General shall –

1. (a) be appointed for a term of not less than 3 years but not exceeding 5 years and on such other terms and conditions as the Prime Minister may determine; and
2. (b) be eligible for reappointment.

4. (4) The Director-General shall occupy his office in a full-time capacity

and shall not engage in any other activity for which he is remunerated in whatever form.

11. Functions and powers of Director-General

(1) The Director-General shall, in furtherance of his functions and powers under this Act

1. (a) be responsible for the execution of the policy and functions of the Commission;
2. (b) be responsible for the control and management of the day to day business and operations of the Commission;
3. (c) have all powers relating to the administrative and operational issues pertaining to the roles and functions of the respective Divisions and Units;
4. (d) make recommendations to the Commission concerning policies and decisions regarding measures to fight financial crimes effectively;

5. (e) determine administrative and operational priorities in accordance with the strategic priorities set by the Commission;
6. (f) ensure effective coordination between the Divisions with a view to fulfilling the objectives of the Commission;
7. (g) ensure effective cooperation with local and international institutions, agencies, organisations or bodies in the fight against financial crimes;
8. (h) make necessary recommendations to the Commission regarding the communication strategy and its implementation;
9. (i) be accountable to the Commission for the discharge of its functions in accordance with the strategic priorities;
10. (j) provide information to the Commission, if requested, about any aspect of the Commission's undertakings, including resources;
11. (k) be responsible for issuing an annual plan, at the start of every financial year, setting out the manner by which the Commission will deliver its strategic operational priorities, and an annual report at the end of the year on progress made;
12. (l) be the Commission's Accounting Officer and shall ensure the proper financial management of the Commission and its effective corporate governance in accordance with good governance principles and practice;
13. (m) consult with, seek assistance from, and coordinate with, such persons in Mauritius concerned with combatting financial crimes, including law enforcement authorities, financial institutions and the private sector;
14. (n) do such other things as may be necessary to meet the objectives of the Commission.

(2) The Director-General may delegate any of his functions and powers to any officer.

(3) Subject to this Act, the Director-General shall, in the discharge of his functions and exercise of his powers, not be subject to the direction or control of any person or authority.

60. Power of entry and search

(1) Where the Director-General has reasonable grounds to suspect that there is, on any premises, other than on specified premises referred to in section 64 or in any place of business, evidence which may assist it in an investigation, he may issue a warrant to an officer authorising him to enter and search, at all reasonable times, the said premises.

(2) A search under subsection (1) shall, so far as is practicable, be carried out in the presence of the owner or occupier of the premises, or his duly authorised agent.

(3) An authorised officer shall, prior to a search under subsection (1), deliver a photocopy of the warrant to the owner or occupier of the premises, or his duly

authorised agent against receipt acknowledged by a signature on the original of the warrant.

(4) Where a search is effected under subsection (1), the authorised officer effecting the search may –

1. (a) seize and take possession of any book, document, record, article, disk, computer system or other article, whether in electronic or digital record, or any electronic or communication device;
2. (b) inspect, make copies of, or take extracts from, any book, document or record;
3. (c) search any person who is on the premises, detain him for the purpose of the search, and seize any article found on such person; or

(d) break open, examine, and search any article, safe, container or receptacle.

(5) Notwithstanding any other enactment, the Director-General shall have the power to examine any book, document, record, article, disk, computer system or other article, whether in electronic or digital record, or any electronic or communication device seized under this section and any information obtained shall be admissible as evidence in any Court.

61. Seizure of property

(1) Where, in the course of an investigation under this Act or for any other purpose under this Act or the Declaration of Assets Act, the Director-General is satisfied that a property is the subject matter of, or relates to, an offence under this Act or the Declaration of Assets Act, the Director-General may seize that property.

(2) The Director-General shall keep a record of property seized under subsection (1) and shall cause a copy of that record to be served on the person from whom the property was seized.

(3) A seizure effected under subsection (1) shall be effected by placing the property seized under the custody of such person and at such place as the Director-General may determine.

(4) Notwithstanding subsection (3), where the Director-General considers that it is not practicable to remove the property, he may leave it at the premises on which it is found under the custody of such person as he may direct for that purpose.

(5) Where property seized under subsection (1) is under the custody of a third party, the Director-General may direct that third party not to dispose of, or otherwise deal with, the property without his consent in writing.

(6) In this section –

“property” includes any property which is reasonably believed by the Commission to be proceeds, an instrumentality or a terrorist property.

62. Power of arrest

(1) Where the Director-General is satisfied, with regard to an investigation or prosecution for an offence under this Act or the Declaration of Assets Act, that person –

(a) has interfered with a potential witness;

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2. (b) has destroyed or intends to destroy evidence in his possession; or
3. (c) has otherwise interfered with the investigation,

the Commission may, in writing, direct an officer to arrest that person.

(2) Where a person is arrested under subsection (1), he –

1. (a) shall forthwith be brought to the office of the Commission;
2. (b) shall be explained his constitutional rights and given the right to contact his legal representative;
3. (c) shall be allowed prompt access to his legal representative;
4. (d) may be questioned through a video recording; and
5. (e) shall be brought before a Magistrate who may impose such conditions as he considers necessary for his release.

65. Telecommunication Order

(1) Notwithstanding any other enactment, the Commission may, for the purpose of an investigation under this Act or the Declaration of Assets Act, apply to a Judge for a Telecommunication Order directing a public operator or any of its employees or agent to intercept or withhold a message, or disclose to the Commission a message or any information relating to a message.

(2) A Judge shall issue a Telecommunication Order under subsection (1) where a Judge is satisfied that the information relating to the requested information or the message is material to any investigation under this Act or the Declaration of Assets Act.

(3) In this section –

“information” has the same meaning as in the Information and Communication Technologies Act;

“message” has the same meaning as in the Information and Communication Technologies Act;

“public operator” has the same meaning as in the Information and Communication Technologies Act.

66. Special investigative techniques

(1) For the purpose of preventing, detecting or an offence under this Act or the Declaration of Assets Act, the Director of the Investigation Division shall, with the approval of the Director-General, use the following investigative techniques as may be required for the purpose of gathering intelligence or evidence –

1. (a) controlled remittance; and
2. (b) surveillance.

(2) Notwithstanding any other enactment, where the Director of Investigation has reasonable grounds to suspect that an offence under this Act or the Declaration of Assets Act has been, is being or is likely to be committed by any person, the Director of Investigation may, with the approval of the Director-General, apply to a Judge for an Order to use the following investigative techniques as may be required for the purpose of gathering intelligence or evidence –

1. (a) intrusive surveillance;
2. (b) the conduct and use of covert intelligence human source; and
3. (c) equipment interception.

(3) The Director-General shall give his approval under subsection (1) or (2) after being satisfied that it is just, proportionate and in the public interest to do so.

(4) Where, on an application made under subsection (2), a Judge is satisfied that an offence under this Act or the Declaration of Assets Act has been, is being or is likely to be committed, a Judge may grant the Order.

(5) Any evidence gathered using the investigative techniques under subsections (1) and (2) shall be admissible in Court.

(6) The Director of Investigation Division may delegate his powers under subsections (1) and (2) to any officer.

(7) There shall be a Covert Intelligence Human Source Data Controller who shall keep all records and information pertaining to operations where the use of the Covert Intelligence Human Source technique has been used.

(8) In this section –

“conduct and use of covert intelligence human source” means inducing, asking or assisting a person to engage in the conduct of covert human intelligence source as undercover agent to obtain information by means of the conduct of such a source;

“conduct of covert human intelligence source” means a person who –

1. (a) provides intelligence gathered by interpersonal contact to assist in investigations;
2. (b) establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating surveillance or intrusive surveillance;
3. (c) covertly uses such a relationship to obtain information or to provide access to any information to another person; or
4. (d) covertly discloses information obtained by the use of a relationship, or as a consequence of the existence of such a relationship;

“controlled remittance” means an operation which allows for the performance of an act by one person that would qualify as a financial crime, for the purpose of identifying any person involved in the commission of the financial crime;

“equipment interception” means either remotely or physically interfering with computers or computer-like devices such as, inter alia, tablets, smart phones, cables, wires and static storage devices, for the purpose of obtaining communications, equipment data or other information;

“intrusive surveillance” –

(a) means an act of monitoring, observing or listening to a person, his movements, conversations or other activities and communications, from within a place other than a public place; and

(b) includes –

1. (i) surveillance from any residential premises or in any private vehicle or private property; and
2. (ii) the use of any kind of surveillance device, drones or other electronic device to enter a place other than a public place;

“surveillance” means the continual act of monitoring, observing or listening to a person, his movements, conversations or other activities and communications, from a public place, with the likely result of obtaining private information about that person or another person.

142. Prosecution

(1) (a) Following the conclusion of an investigation and the receipt of a report under section 58, the Commission may institute such criminal proceedings as it may consider appropriate for any offence under this Act or the Declaration of Assets Act.

(b) The institution of criminal proceedings by the Commission under paragraph (a) shall be without prejudice to the powers of the Director of Public Prosecutions vested in him to the exclusion of any other person or authority under section 72(3)(b) and (c) of the Constitution to take over, continue or discontinue such criminal proceedings.

(c) The Director of Public Prosecutions may discontinue before any Court the criminal proceedings instituted by the Commission under paragraph (a) giving such reasons as he may deem fit for such discontinuance before the Court.

(d) Where any aggrieved party is dissatisfied with the decision of the Director of Public Prosecutions under paragraph (c), the aggrieved party may apply to the Supreme Court for a judicial review of the decision.

(e) The aggrieved party shall, within 21 days of the date of the decision of the Director of Public Prosecutions under paragraph (c) –

1. (i) lodge the application for judicial review and the grounds thereof at the Registry of the Supreme Court;
2. (ii) at the same time, serve a notice of the application to the Director of Public Prosecutions.

(f) The Chief Justice may make such rules as may be appropriate for the purpose of an application for judicial review under paragraph (d).

(2) Notwithstanding any other enactment, an officer designated in writing by the Commission may swear or affirm and file an information for the institution of criminal proceedings before the Supreme Court or any other competent Court for any offence under this Act or the Declaration of Assets Act.

(3) This section shall be without prejudice to the Chief Legal Adviser, or any officer of the Legal Division designated by him, conducting the prosecution for any offence under this Act or the Declaration of Assets Act.

LINION REVOLTE

- **LA PHILOSOPHIE**
- **LE CONTENU**
- **LES OBJECTIFS DE CA PROJET DE LOI**

C'EST DIGNE DE ENN PAYS ACOTE ENA DIKTATIR

**A LA FOI, LI VIOLE LA CONSTITUTION ET LI ENN GRAND DANGER
POUR DROITS EK LIBERTES FONDAMENTALE BANN CITOYEN**

ENN LA LOI COUMSA NA PAS CAPAV EXISTER DANS NU PAYS

**LI ENN VIOLE DE NOU DEMOCRACIE, KI DEJA APE BALLOTE AVEC
TOUS BANN ABU KI ENA PARTOUT EK BANN INSTITUTIONS KI N
APAS PE FONCTIONNE,
EK KI AJORDI CONTROLE PAR BANN NOMINE POLITIK KI FINN VINN
BANN EXECUTANTS LA KWISIN**

LINION POU ABOLI ENN LA LOI PAREIL

- 1. APE CREER ENNE INSTITUTION KI POU ENA A LA TETE
AVEC BANN GRANDS POUVOIRS ENN NOMINE
POLITIQUE CHOISI PAR LE PREMIER MINISTRE SECTION
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- 2. APE DONN POUVOIR PROSECUTION A ENN NOMINE
POLITIK AU DETRIMENT DU D P P.**
- 3. APE SERVI BANN METHODES DES PLUS DANGEREUX POU
TRACKING BANN CITOYENS**
- 4. BANN MOYENS EXCEPTIONNELS KI JUST BANN SERVICE
SECRETS ENA DANS BANN DEMOCRACIES POU LA
SECURITE DE L'ETAT.**

**5. BANN POUVOIRS EXCEPTIONNELS KI POU FAIR NOU
PAYS VINN ENN GRAND DIKTATIR: nou CAPAV DIR LI LI
CARREMENT DE L'ESPIONNAGE LA VIE BANN CITOYENS
ME VALAYDEN POU CAUSE LOR LA SECTION 66: FAIRE
NOU GAGNE FRISSON**

**ME RAMA VALAYDEN ET ME PARVEZ DOOKHEE POU
CAUSE LOR DIMENSION LEGALE DE PROJET DE LOI**

MOI MO PU DIR ZOTT KI BANN ACTION NOU PE PRAN

- 1. MO FINN ECRIRE ENN LETT PREMIER MINIS POU NA PAS
FAIRE SECOND READING DANS PARLEMAN**
- 2. LAISSE CA PROJET DE LOI VENTILER DANS LE PAYS POU
KI ENA ENN GRAND DEBAT NATIONAL AVEC LA PRESSE,
LA TELEVISION, LES FORCES VIVES, LES ONG, LES
SYNDICATS, L'OPPOSITION**
- 3. REFLECHIS BIEN: SI DIMAIN LI NA PAS AU POUVOIR, KI
KAPAV ARRIVE LI ET SO BANN PROCHES KAN SERVI SA
LA LOI LA KONT LI**
- 4. NOUS POU CHALLENGE LA CONSTITUTIONALITE CA LA
LOI LA**
- 5. NOU AVEC NOU LEGAL TEAM, ME VALAYDEN, JOSE
MOIRT, J L PANGLOSE, ME DOOKHEE NOU POU PREPARE
ENN POSITION PAPER**
- 6. AU NIVEAU INTERNATIONAL NOU POU ALERTE TOUS
BANN INSTITUTIONS KI DEFANN LA DEMOCRATIE POU
ZOTT SOUTIEN**
- 7. NOU FINN MANISTE MARDI DERNIER
SYMBOLIQUEMENT DIVAN PARLEMENT EK NOU POU
FAIRE LI SAK FOIS KI PARLEMENT APE SIEGE**
- 8. LINION LANCE ENN LAPPEL POU ENN GRAND FRONT
COMMUN DANS LE PAYS KONT LE F C C BILL**

COMPENSATION SALARIALE:

BANN TRAVAYER EK TOUS BANN FAMILLE FINN PERDI BOUKU ET SOUFFERT BOUKU AVEC COUT DE LA VIE

ET FINN PERDI AU MOINS 40 POUR CENT DE ZOTT SALAIRE AVEK

- **ENN LINFLATION KI FINN TOUJOURS FORT PENDANT DES ANNEES**
- **PRIX LESSENCE EK DIESEL FINN FAIRE BANN ABUS**
- **MO TI A KONTAN DIR KI LINION PAS DAKOR AVEK BANN SIF MAURITIUS STATISTICS: NOU CONNE KI SIF L'INFLATION LI MANIPULE**
- **ROUPIE SO VALER FINN DEGRINGOLE**

BANN TRAVAYER BISIN GAGNE ZOTT DU:

FINN DONN ZOTT ENN AUGMENTATION SALAIRE EK ENN COMPENSATION SALARIALE KI ZOTT MERITE

LINION POSE TROIS QUESTIONS:

1. POU BANN SME, KI MECANISME FINN METT EN PLACE POU KI NA PAS ENA FER METURE EK PERTE D'EMPLOIS

2. POU BANN SELF EMPLOYED KI GOUVERNEMENT POU FAIRE

3. POUR BANN PERSONNELS DE SERVICE, JARDINIERS, FEMME DE MENAGE, KI DISPOSITIONS POU PRAN POU KI ZOTT GAGNE ZOTT AUGMENTATION EK COMPENSATION EK NON-PAS PERDI ZOTT TRAVAY.

CHAGOS:

ESKI STRATEGIE BILATERAL LI NA PAS POU ANKOR ENN FOI FAIRE KI RETOUR CHAGOS VINN ENN REVE?

PALESTINE:

**PAS DE DEBAT: PARLEMENT: PARLER D'UNE SEULE VOIX
EXHOIRTER LES PAYS ARABES A CREER UN VRAI LOBBY QUI PUISSE
PESER SUR LES DISCUSSIONS DIPLOMATIQUES.**

**[11:06, 08/12/2023] PRADEEP: SI OU LIRE SA PROJECT GE LOI LA
BIEN OU POU TROUVER KI CEST ENE NOUVEAU TYPE DE
ESPIONNAGE KI PE METTE EN PLACE KOT SA FFC LA POU ENA YOU
DROIT FUIILLE DANS OU PORTABLE LAPTOP TABLETTE POU EPIER
OU BANNE MOVEMENT ET MESSAGE .OU NEPLI POU ENA LIBERTE
DE MOVEMENT DE VIE PRIVEE ET SEKI PLI GRAVE SEKI LI POU
CAPAVE PARTAGE SA BANNE INFO LA AVEC BANNE LOT
INSTITUTION DE LETAT**

**[11:10, 08/12/2023] PRADEEP: LI BIEN BIEN DANGEREUX SEKI POU
ARRIVER DAN SA PAYS LA..SI NOU PA FER ENE BLOCK CONTRE SA
CEST LA MORT DE LA DEMOCRACY A MORRIS DE DROIT DE
MOVEMENT ET DROIT DE PAROLE...CEST KI PU AMENE NOU PAYS
KUMA BAN GRAND PAYS DICTATEUR KIT GOUVERNEMENT KI PU
DECIDE POU OU**

**[11:12, 08/12/2023] PRADEEP: ALLEZ LEPEP IN LER POU LEVER FER
BARRAGE CONTRE SA TENDANCE DICTATORIAL LA .MO FER ENE
APPEL A XOT TOU VINE DIRE NON A SA PROJET DE LOI LA**

**[11:14, 08/12/2023] PRADEEP: You should be care when speaking
of pegassus as people may say that you were aware of all this and
you remained silent and why now?**

**[11:15, 08/12/2023] PRADEEP: Mention only that it was introduced
in 2012. and not mention of the subsequent updates**