



# Supreme Court of Mauritius

## Office of the Chief Justice

### COMMUNIQUE

#### **DISPATCH OF BUSINESS BEFORE THE DIVISIONS OF THE SUPREME COURT**

Section 41(1) of the Courts Act provides that there shall be, for the dispatch of civil and criminal business of the Supreme Court, such divisions of the Supreme Court as the Honourable Chief Justice thinks fit, including a Financial Crimes Division, a Land Division, a Family Division, and a Commercial Division.

The public and the legal profession are hereby informed that, pursuant to the above, the said Divisions of the Supreme Court shall hear and determine cases as follows –

#### **Financial Crimes Division of the Supreme Court**

The Financial Crimes Division shall have original jurisdiction to hear and determine –

- (a) any financial crime offence under any of the enactments listed in the Sixth Schedule to the Courts Act, as may be referred to the Supreme Court by the Director of Public Prosecutions; and
- (b) any other matter under any enactment which is connected or ancillary to a financial crime offence.

### **The Land Division of the Supreme Court**

The Land Division shall have original jurisdiction to hear and determine any matter concerning ownership of land and immovable property rights, other than a matter which falls within the jurisdiction of a subordinate court.

### **The Family Division of the Supreme Court**

The Family Division shall have original jurisdiction to hear and determine-

- (a) any matter under the Divorce and Judicial Separation Act;
- (b) any alimony, matrimonial or family matter, other than a matter connected therewith which falls within the jurisdiction of a subordinate court.

Any interim application relating to any of the above matters shall be heard and determined by a Judge of the Family Division.

### **The Commercial Division of the Supreme Court**

The Commercial Division shall have original jurisdiction to hear and determine-

- (a) any matter under the Insolvency Act and the Companies Act;
- (b) any matter relating to banking, bills of exchange, offshore business, patents and trademarks or passing off;
- (c) any contractual or quasi-contractual matter other than a matter which falls within the jurisdiction of the Land Division;
- (d) any matter arising under the Code de Commerce;
- (e) any matter relating to loans, privileges and charges;
- (f) any matter relating to a *saisie* other than a *saisie immobilière*;
- (g) any matter relating to *sociétés*, trusts and partnerships.

Any interim application relating to any of the above matters shall be heard and determined by a Judge of the Commercial Division.

### **Directions by Chief Justice**

Notwithstanding any of the above –

- (a) the Honourable Chief Justice may direct that any case before any Judge and/or Division of the Supreme Court be transferred to, and heard by, another Judge and/or Division;
  
- (b) any case which is pending before any Judge and/or Division of the Supreme Court shall, unless otherwise directed by the Honourable Chief Justice, continue to be heard by the same Judge and/or Division, as the case may be.

**Office of the Chief Justice  
Supreme Court**

**04 January 2021**