ANALYSIS FRAMEWORK

- An economic component
  (deal with the creation of wealth, improve conditions of material life)

- A social ingredient.
  (measured as well-being in health, education, housing, employment etc.)

- A political dimension
  (values Human Rights, Political freedom, living democracy)

- A cultural dimension
  (recognition that culture confers identity and self worth to people)

- Commitment to environment
  (i.e ecologically sound and sustainable development so that present generation does not undermine the position of future generations)

Legislation

A function of the National Assembly.

- To pass laws for the welfare of the people of Mauritius.

Article 45(1) of the constitution.

“subject to the provisions of this constitution, Parliament may make laws for the peace, order and good government of Mauritius”
**Bills**

A Bill is a draft piece of legislation embodying:

(i) the policy of a Minister

(ii) the idea of a government backbencher

(iii) The need of a private company or public corporation

(iv) The recommendation of senior government officials

Public - Relates to matters of public policy.

Private - Interests of any person, association or corporate body.

**Origin of Public Bills**

A public Bill is a draft piece of legislation embodying the idea of a Minister or the government or an institution for which legal sanctions are required.

Origins may come from party’s manifesto, incidents, reports, pressure groups etc.

Bills as future pieces of law should not contain loopholes or technical faults.
Steps in preparation of Bills

1. The Policy should be determined and once it is so, the approval of the Minister should be sought.

   - At times that of Cabinet may be necessary.

2. The bill is drafted at the level of the Ministry by stating its objectives, its mode of operation, applicability, penalties etc.

3. The report is referred to the State Law Office for the drafting in its legal form. The State Law Office has the responsibility for the technical form and wording of the bill e.g fitting the clauses of the bill into structure which facilitate parliamentary scrutiny of its provisions.

4. Once the draft bill is finalised, and meet the satisfaction of the Minister, it goes to Cabinet by way of a Cabinet Memorandum. In the Memorandum, a clear and simple language is used to explain the objects and general principles of the bill.

5. When approved by Cabinet, it is sent to the Clerk of the National Assembly for introduction in Parliament.

   - Should be published in government gazette 15 days before being read for the first time

   - Must be distributed to all Members of the National Assembly.

Bill can be introduced in National Assembly with a certificate of urgency if the Prime Minister so decides.
Procedures in National Assembly

1. **First Reading**

   Purely formal. Title read by the Clerk National Assembly. No debate and no vote taken unless notice is given by the mover of the bill, to proceed with the second reading on the same day, an interval of seven days must elapse before the second reading is taken.

2. **Second Reading**

   Most important stage – where the bill is debated. No amendment is made at this stage only notice is given. At the end of the second reading a vote is taken.

3. **Committee stage**

   Bill committed to a Committee of the whole Assembly just after the second reading. All details discussed at this stage and the bill is analysed clause by clause, line by line or even word by word.

   Amendments may be made at this stage.

4. **Third Reading**

   Review the bill in its final form. No debate is normally permissible.

5. **President Assent**

   After third reading the bill if voted is sent to the president for assent. President may withhold assent and return it back to the National Assembly on technical ground. National Assembly will reconsider the bill and when it is returned to the President again, he must assent. Once assented, the bill becomes an Act of Parliament i.e law of the land.
The President will cause the Act of Parliament to be published in the Government Gazette and it will have force of law as from date of publication.

**Voting**

- Simple majority of Members

- Amend constitution (fundamental clauses)

  (i) \( \frac{2}{3} \) majority

  (ii) \( \frac{3}{4} \) majority

  (iii) Unanimous approval – postponement of election.

**Cabinet System**

- What is Cabinet?
  (Highest deciding authority in Mauritius)

- Composition  Prime Minister & other Ministers

- Primus inter Pares
  (first among equals)

- Collective Responsibility

- Cabinet Agenda

- Cabinet Memoranda
- Cabinet Information Papers
- Notes for mention
- Confirmation of minutes
- Recording of decision
- Implementation of decision