



GUIDELINES

ACQUISITION OF RESIDENTIAL PROPERTY
FOR A MINIMUM OF USD 500,000
BY A NON-CITIZEN HOLDING
A RESIDENCE/OCCUPATION PERMIT

DECEMBER 2023

Whilst care has been taken to ensure that the information provided herein is accurate and correct at the time of publication, users of this publication are, where in doubt, advised to seek guidance from the Prime Minister's Office. Users of these guidelines are hereby informed that any guidance provided by the Prime Minister's Office is not intended to be formal legal, financial, tax or other advice. Users are urged to seek such advice from appropriate independent professionals. The Government of Mauritius, its Ministries, Departments, Agencies and Agents shall under no circumstances be liable for any action taken by a user based on information contained in these Guidelines.

Prime Minister's Office
7th Floor
New Government Centre
Port Louis



Economic Development Board
Ground Floor
7 Exchange Square
Wall Street, Ebène 72201

1. INTRODUCTION

The Non-Citizens (Property Restriction) Act (the 'NCPR Act') sets out the different ways in which non-citizens are able to acquire a residential property.

These guidelines set out the criteria and processes for the acquisition of a residential property by a non-citizen resident under sections 3(3)(d) and 3(3A) of the NCPR Act.

For ease of reference, sections 3(3)(d) and 3(3A) of the NCPR Act are reproduced below-

3(3) No certificate shall be required –

- (d) in the case of a non-citizen who is a resident pursuant to the Immigration Act 2022, purchases or otherwise acquires, with the approval of the Minister, a residential property, other than a property referred to in subsection (3A), provided that –*
- (i) the non-citizen has not acquired the status of resident by virtue of him being the spouse, dependent child, parent or other dependent of the holder of a permit under the Immigration Act 2022;*
 - (ii) only one property is purchased or otherwise acquired by the non-citizen;*
 - (iii) the purchase price is not less than 500,000 US dollars or its equivalent in any other hard convertible foreign currency; and*
 - (iv) any additional duty leviable under Part IIA of the Registration Duty Act is paid.*

(3A) The following shall, under subsection (3)(d), not apply –

- (a) a property referred to in paragraphs (ba), (c)(iii), (v), (vi) and (vii); **
- (b) a residential property situated on State land, including Pas Géométriques;*
- (c) a bare land or serviced land exceeding 0.5276 hectare (1.25 arpent); or*
- (d) a standalone residential property constructed on an extent of land exceeding 0.5276 hectare (1.25 arpent)*

** Note: i. The above sections should be read in conjunction with Section 3 (3) of the NCPR Act
ii. Properties referred in part (3A) (a) are further described as endnote.*

2. ELIGIBILITY FOR THE ACQUISITION OF RESIDENTIAL PROPERTY

The following non-citizens are eligible to acquire a residential property of a minimum value of USD 500,000 for personal residence -

- a. Main holder of a Permanent Residence Permit
- b. Main holder of a residence permit issued by virtue of the purchase of an immovable property under the Integrated Resort Scheme (IRS), Real Estate Scheme (RES), Property Development Scheme (PDS), Invest Hotel Scheme (IHS), Smart City Scheme (SCS) or apartment located in ground +2 building
- c. Main holder of an occupation permit as investor, professional, self-employed
- d. Main holder of a short-term occupation permit
- e. Main holder of a family occupation permit

- f. Main holder of a residence permit as retired non-citizen

For the avoidance of doubt, the spouse, dependent child, parent or other dependent of the main holder of a permit shall **not** be eligible to acquire a residential property under section 3(3)(d) of the NCPR Act.

3. DEFINITION OF PROPERTY

A non-citizen **may only purchase or acquire 1 (one) property** under section 3(3)(d) of the NCPR Act being -

- i. a residential property (stand-alone house, villa, apartment, etc) constructed on land not exceeding 0.5276 hectare (1.25 arpent)
- ii. bare land or a plot of serviced land, provided that the area does not exceed 0.5276 hectare (1.25 arpent)

A non-citizen cannot purchase or acquire -

- a residential property situated on State land, including Pas Géométriques;
- a bare land classified as agricultural land;
- a plot of serviced land exceeding 0.5276 hectare (1.25 arpent); or
- a standalone residential property constructed on an extent of land exceeding 0.5276 hectare (1.25 arpent)

4. PRICE OF ACQUISITION

The purchase price of the subject property should not be less than USD 500,000 or its equivalent in any other hard convertible foreign currency. The exchange rate applicable for the calculation of the US dollar equivalent to the amount specified shall be the selling exchange rate in force at the time the application is submitted to EDB.

5. BASIS OF ACQUISITION

1. Only **one** residential property may be purchased or acquired under section 3(3)(d) of the NCPR Act by an eligible non-citizen.
2. Section 3(3)(d) of the NCPR Act is intended for the benefit of natural persons. Accordingly, any application by an entity that is not a natural person shall not be entertained. Likewise, applications for the purchase of units in investment vehicles holding immovable property shall not be entertained.
3. Any purchase or acquisition under section 3(3)(d) of the NCPR Act shall comply with the laws of Mauritius.

6. DOCUMENTS TO BE SUBMITTED AT TIME OF APPLICATION

All applications must also be accompanied by the following mandatory documents:

1. Duly filled-in application form;

2. Duly authenticated copy of bio-data page of passport of the applicant;
3. Copy of permit (residence permit/occupation permit/permanent residence permit) of the applicant;
4. Where by virtue of marriage or any other similar arrangement, a person other than the applicant acquires an interest in the property, a duly authenticated copy of any document evidencing the marriage or other similar arrangement;
5. Any presale agreement between applicant and the vendor that should be duly endorsed by a Notary Public;
6. A copy of the valuation report on the property intended to be purchased from a sworn valuation surveyor;
7. A site location plan and layout plans;
8. A letter from a recognised financial institution certifying that the applicant has the required funds to finance the acquisition of the property;
9. Copy of identification document or passport of vendor (where the vendor is a company/trust/société, relevant documents should be submitted, e.g. certificate of incorporation/extract of file/trust deed/statuts of société, copy of ID/passport of shareholders/beneficiaries/associés /members);
10. Where the application is submitted by a designated third party (example, a notary, consultant, project developer, real estate agency), a letter of authorisation should be provided by the applicant.
11. Any other document deemed necessary to ensure that the proposed transaction is a bona fide transaction pursuant to section 3(3)(d) of the NCPR Act.

7. MODE OF MAKING APPLICATIONS

1. Applications shall be made to the Prime Minister's Office, through the Economic Development Board, to the following address:

The Chief Executive Officer
Economic Development Board
Ground Floor
7 Exchange Square
Wall Street, Ebène 72201

8. RESALE OR TRANSFER OF PROPERTY

1. The owner of a residential property is allowed to sell the property.
2. Where the non-citizen intends to sell or transfer the property, the non-citizen is required to submit an application thereof to the Prime Minister's Office for a certificate to dispose of the residential property.

9. DUTY AND TAXES

Duty (payable at the time of registration of deed of transfer)	Rate
Land Transfer Tax (payable by the seller on the value of the property)	5% of the value of the property
Registration Duty (payable by the purchaser on the value of the property)	5% of the value of the property
Additional Duty (payable by the purchaser on the value of the property)	10% of the value of the property, excluding VAT

10. CONDITIONS ATTACHED TO THE ACQUISITION

An approval issued under section 3(3)(d) of the NCPR Act shall be subject to terms and conditions including:

- i. The non-citizen shall use the residential property only for his/ her own personal residence and not for any other purpose.
- ii. A non-citizen who has acquired a plot of serviced land/bare land has to build a residential property on the land within a period of five (5) years from the date of its acquisition.
- iii. The non-citizen shall not dispose of the property without the authorisation of the Prime Minister's Office, and in accordance with the applicable legislation, and upon such conditions as may be imposed.
- iv. The non-citizen shall not engage in any property speculation whatsoever.
- v. The acquisition of the residential property shall not give rights to the non-citizen to a residence permit, occupation permit or permanent residence permit.
- vi. An authorisation shall be valid for a period of six (6) months.
- vii. The land duties and taxes shall be paid on the present market value of the immovable property, which may be subject to review by the Registrar General. The exchange rate to be used to calculate the USD equivalence will be the selling rate in force at time of signature of the title deed.

End Note

As provided under Section 3(3A)(a), the following immovable property, referred to in paragraphs 3(3) (ba), (c)(iii), (v), (vi) and (vii), are not applicable under section 3(3)(d):

- (i) In the case of a retired non-citizen, a residential care home as defined under the Residential Care Homes Act or a residential unit in any other similar facility

situated outside a smart city as referred to in the Economic Development Board (Smart City Scheme) Regulations 2015;

- (ii) any luxury villa, apartment, penthouse or other similar properties used, or available for use, as residence with or without attending services or amenities from a company holding a certificate under the Invest Hotel Scheme, Property Development Scheme or Smart City Scheme;
- (iii) an apartment used, or available for use, as residence, in a building of at least 2 floors above ground floor
- (iv) a plot of service land for the construction of a residence from a company holding a certificate under the Smart City Scheme or Property Development Scheme
- (v) a residential property from a company holding an IRS certificate or a RES certificate.