

Mauritius

<b>Background</b>	<b>Name of EMB:</b>	The EMB (Mauritius) comprises the following: 1. Office of the Electoral Commissioner 2. Electoral Supervisory Commission (ESC) 3. Electoral Boundaries Commission (EBC)
	<b>Status:</b>	Permanent.
	<b>Number of commissioners:</b>	<i>Office of the Electoral Commissioner: one commissioner. Electoral Supervisory Commission: one chair and six members. Electoral Boundaries Commission: one chair and six members.</i>
	<b>Number of full-time EMB staff:</b>	<i>Office of the Electoral Commissioner Number of established posts: 73. 69 staff presently employed (23 male, 46 female).</i>
<b>Establishment of the EMB</b>	<b>Constitutional and/or legislative provisions for establishment of the EMB:</b>	The Office of the Electoral Commissioner is established under Section 40 of the Constitution of the Republic of Mauritius. The two other bodies forming part of the EMB (ESC and EBC) are established under Section 38 of the constitution.
	<b>EMB's mandate:</b>	A. The <i>Office of the Electoral Commissioner</i> is responsible for: <ul style="list-style-type: none"> <li>i. conducting National Assembly elections, municipal city council and municipal town council elections, village council elections, and Rodrigues Regional Assembly elections (Rodrigues is a 108 square km autonomous outer island of the Republic of Mauritius, about 560 km east of Mauritius);</li> <li>ii. preparation of the voters roll annually; and</li> <li>iii. voter education.</li> </ul> B. The <i>Electoral Supervisory Commission</i> has general responsibility for, and supervises, the registration of electors and conduct of elections. It is also responsible for registration of political parties C. The <i>Electoral Boundaries Commission</i> is mandated to review boundaries of constituencies every ten years following the presentation of its last report.
	<b>EMB model:</b>	Independent

<p><b>Appointment, tenure and removals</b></p>	<p><b>Provisions for the appointment of commissioners and senior staff:</b></p>	<p>A: <i>The Electoral Commissioner</i> The electoral commissioner is appointed by the Judicial and Legal Service Commission and enjoys security of tenure under the provisions of the Constitution of the Republic of Mauritius: The Judicial and Legal Service Commission is an independent body chaired by the chief justice of the Supreme Court of the Republic of Mauritius and comprises the following members:</p> <ul style="list-style-type: none"> <li>a. the senior Puisne judge;</li> <li>b. the chairman of the Public Service Commission; and</li> <li>c. one other member appointed by the president, acting in accordance with the advice of the chief justice.</li> </ul> <p>All electoral and administrative staff are recruited by the Public Service Commission (PSC). The PSC is an independent body established under the constitution with powers, <i>inter alia</i>, to appoint and promote persons in the public service.</p> <p>B: <i>Electoral Supervisory and Boundaries Commissions</i> The chair and members of the ESC and the EBC are appointed by the President of the Republic of Mauritius, acting after consultation with the prime minister, the leader of the opposition and such other persons as appear to the president, acting in his or her own deliberate judgement, to be leaders of parties in the National Assembly.</p>
	<p><b>Political status:</b></p>	<p>A: <i>The Electoral Commissioner</i> Non-political; the electoral commissioner is the holder of a constitutional post and, in the exercise of his functions, he shall not be subject to the direction or control of any other person or authority</p> <p>B: <i>Electoral Supervisory Commission</i> Non-political; the chair and members are appointed under the constitution by the President of the Republic of Mauritius.</p> <p>C: <i>Electoral Boundaries Commission</i> Non-political; the chair and members are appointed under the constitution by the President of the Republic of Mauritius.</p>

	<p><b>Chair/commissioners qualifications:</b></p> <p><b>Tenure of commissioners and senior staff:</b></p>	<p>The electoral commissioner must be qualified to practise as a barrister in Mauritius.</p> <p>A. <i>Office of the Electoral Commissioner</i></p> <ul style="list-style-type: none"> <li>i. The electoral commissioner and the senior staff of the Office of the Electoral Commissioner are appointed on a permanent basis;</li> <li>ii. The electoral commissioner enjoys security of tenure under the provisions of the constitution;</li> <li>iii. The conditions of service of the senior staff are governed by the PSC regulations.</li> </ul> <p>B. <i>Electoral Supervisory Commission and Electoral Boundaries Commission</i></p> <p>The chair and members are appointed for a period of five years by the President of the Republic. No person shall be qualified for appointment as a member of the ESC or EBC if he or she is a member of, or a candidate for, election to the National Assembly or any local authority or a public officer or a local government officer.</p>
	<p><b>Provisions for the removal of commissioner and senior staff:</b></p>	<p>The electoral commissioner may only be removed from office for inability to discharge the functions of his office (whether arising from infirmity of body or mind or any other cause) or for misbehaviour, by the president acting in accordance with the provisions set out in the constitution.</p> <p>The staff of the Office of the Electoral Commissioner can only be removed from office by the Public Service Commission under established regulations.</p>

<b>Funding arrangements</b>	<b>Setting and control of EMB's budget:</b>	The EMB's budget is voted yearly by the National Assembly.
	<b>Financial autonomy:</b>	No financial autonomy. The National Audit Office audits all expenses.
	<b>Legal provisions for financial autonomy:</b>	Nil
	<b>Number of chambers/houses within the legislature:</b>	Unicameral
<b>Electoral system</b>	<b>Voting system:</b>	First-past-the-post system. For the Rodrigues Regional Assembly elections: a mixed system – first-past-the-post with a dose of proportional representation (PR).
	<b>Amendments to electoral laws:</b>	By the National Assembly and proclaimed by the President of the Republic of Mauritius. Every proposed bill and every proposed regulation or other instrument having the force of law and relating to the registration of electors for the election of members of the National Assembly or to the election of such members, shall be referred to the ESC and to the electoral commissioner at such time as shall give them sufficient opportunity to make comments thereon before the bill is introduced in the National Assembly.
	<b>Drafting of electoral regulations:</b>	Drafted by Attorney-General's Office after input by EMB, voted in the National Assembly, and proclaimed by the President of the Republic.
<b>Electoral disputes</b>	<b>Electoral dispute resolution mechanisms:</b>	By the Supreme Court of Mauritius, with possibility of appeal to the Privy Council in UK, which is the final Court of Appeal for the Republic of Mauritius.
<b>Other issues:</b>		
<b>Secretariat</b>	<b>Administrative autonomy:</b>	The EMB does not have the power to create, promote or abolish staff posts. Powers to create and abolish posts are vested in the Ministry of Civil Service Affairs after request from the Office of the Electoral Commissioner. Powers to promote are vested in the PSC.
	<b>Women in senior positions:</b>	Office of the <i>Electoral Commissioner</i> . 12 women – representing 57 per cent.

<p><b>Secretariat</b></p>	<p><b>Structure:</b></p>	<p>Office of the Electoral Commissioner</p> <ul style="list-style-type: none"> <li>↓</li> <li>electoral commissioner</li> <li>↓</li> <li>deputy electoral commissioner (appointed at election time only)</li> <li>↓</li> <li>chief electoral officer (1)</li> <li>↓</li> <li>deputy chief electoral officer (1)</li> <li>↓</li> <li>principal electoral officer (2)</li> <li>↓</li> <li>senior electoral officer (2)</li> <li>↓</li> <li>electoral officer (10)</li> </ul> <p>The Office of the Electoral Commissioner comprises the following sections:</p> <ol style="list-style-type: none"> <li>1. Human Resource</li> <li>2. Confidential Registry</li> <li>3. Open Registry</li> <li>4. Finance</li> <li>5. Procurement and Supply</li> <li>6. Computer and IT</li> </ol>	<p>Electoral Supervisory Commission</p> <ul style="list-style-type: none"> <li>↓</li> <li>chair (1)</li> <li>↓</li> <li>members (6)</li> <li>↓</li> <li>secretary (1) – part time</li> <li>↓</li> <li>management support officer (1) part time</li> </ul>	<p>Electoral Boundaries Commission</p> <ul style="list-style-type: none"> <li>↓</li> <li>chairman (1)</li> <li>↓</li> <li>members (6)</li> <li>↓</li> <li>secretary (1) – part time</li> <li>↓</li> <li>management support officer (1) - part time</li> </ul>
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