

THE OMBUDSPERSON FOR CHILDREN (AMENDMENT) ACT 2005

Act No. 8 of 2005

I assent

SIR ANEROOD JUGNAUTH

President of the Republic

6 April 2005

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Section 7 of principal Act Amended
4. New section 11A added to principal act

AN ACT

To amend the Ombudsperson for Children Act 2003

ENACTED by the Parliament of Mauritius, as follows -

1. Short title

This Act may be cited as the **Ombudsperson for Children (Amendment) Act 2005**.

2. Interpretation

In this Act-

"principal Act" means the Ombudsperson for Children Act 2003.

3. Section 7 of principal Act amended

Section 7 of the principal Act is amended in subsection (2), by inserting immediately after paragraph (f), the following new paragraphs -

- (g) summon witnesses and examine them on oath;
- (h) call for the production of any document or other exhibit; and
- (i) obtain such information, file or other record, upon application to the Judge in Chambers whenever necessary under any law, as may be required for the investigation.

4. New section 11A added to principal act

The principal Act is amended by inserting immediately after section 11, the following new section -

11A Offences

(1) A person shall commit an offence -

(a) where he -

- (i) fails to attend before the Ombudsperson;
- (ii) refuses to take the oath before the Ombudsperson; or
- (iii) wilfully refuses to furnish any information or to produce any document, record, file or exhibit,

when required to do so under section 7.

(b) where he -

- (i) refuses to answer to the best of his knowledge any question lawfully put to him by the Ombudspersons; or
- (ii) knowingly gives to the Ombudsperson false evidence or evidence which he knows to be misleading,

in connection with an investigation under section 7.

(c) where at any sitting held for the purposes of an investigation under section 7, he -

- (i) insults the Ombudsperson; or
 - (ii) wilfully interrupts the proceedings.
- (2) Any person who commits an offence under this section shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 12 months.

Passed by the National Assembly on the fifteenth day of March two thousand and five.

Ram Ranjit Dowlutta
Clerk of the National Assembly