

Guidelines and procedures for submission of application to seek approval of Landscape (Mauritius) Ltd. for recommendation for Land Conversion Permit

1. These guidelines and procedures apply ONLY to applications for Land Conversion to be made under the provisions of Clause 28(4A)(a)(ii) of the Sugar Industry Efficiency Act as amended in The Finance (Miscellaneous Provisions) Act 2020.
2. An extract of The Finance (Miscellaneous Provisions) Act 2020 is reproduced hereunder.

“65. Sugar Industry Efficiency Act amended

The Sugar Industry Efficiency Act is amended–

(b) in section 28(4A), by repealing paragraph (a) and replacing it by the following paragraph –

(a) the applicant, being an owner of an extent of land not exceeding 4.221 hectares (10 arpents) in the aggregate, which is or part of which is agricultural land –

(i) converts land of an extent not exceeding 2 hectares (4.7392 arpents) in the aggregate; or

ii) converts, with the approval of Landscape (Mauritius) Ltd, land of an extent not exceeding 10 per cent of the land in the aggregate for residential or commercial purposes.”

3. In line with the comprehensive National Agri-Food Development Programme announced in the budget speech 2020-2021 to promote the Farm to Fork concept, ensure food security and reduce the dependence of Mauritius on imports, more land will need to be brought under cultivation. For this purpose:-
 - (a) A centralised digital Land Bank of State and Private Agricultural Land will be set-up under Landscape (Mauritius) Ltd and be made publicly accessible;
 - (b) Upon approval of Landscape (Mauritius) Ltd, a small planter, having up to 10 acres of agricultural land will be allowed to convert up to 10 percent of his land for residential or commercial purpose.
4. Approval of Landscape (Mauritius) Ltd to convert land of an extent not exceeding 10 per cent of the land in the aggregate for residential or commercial purposes under the provision of Clause 28(4A)(a)(ii) of the Sugar Industry Efficiency Act will be given only if:
 - (a) **Either** there is valid agricultural project on the remaining 90% of the Land
 - (b) **Or** there is undertaking from the owner to put the remaining 90% of the Land in the Land bank for a period not exceeding 10 years. In this case, Landscape (Mauritius) Ltd will lease the land from the applicant at an agreed rate.
5. For applications for land conversion under the provision of Clause 28(4A)(a)(ii) of the Sugar Industry Efficiency Act, the following processes will have to be followed:
 - (a) Applications will have to be made to Landscape (Mauritius) Ltd using the **TWO** prescribed forms attached as ***Annex 1*** and ***Annex 2***.

- (b) Applications should be made in the name of the owner/s and should be signed by the latter or any person legally entitled to do so.
- (c) The duly filled in original application form and accompanying documents should be sent by registered post to the:

***The Chief Executive Officer
Landscape (Mauritius) Ltd.
7th Floor, Wing A
Shri Atal Bihari Vajpayee Tower
EBENE***

- (d) Landscape (Mauritius) Ltd will acknowledge receipt of the documents submitted.
 - (e) Landscape (Mauritius) Ltd may in a second stage request that all forms and documents are submitted online.
 - (f) The Application Form 1 together with the accompanying documents will be assessed by Landscape (Mauritius) Ltd. In case other information are required, the applicants will be requested to call at the office of Landscape on a given date to provide the required additional information.
 - (g) The applications found to be in compliance with the requirements of Landscape (Mauritius) Ltd will be approved and the Application Form 2 together with the accompanying documents will then be sent to the Land Conversion Unit of the Ministry of Agro Industry and Food Security for further assessment. The applicants will be informed accordingly.
 - (h) The applicant whose application has not been considered by Landscape (Mauritius) Ltd will also be informed accordingly.
6. (a) The following documents should accompany the dully filled original application forms:-

SN	Form 1	Form 2
(i)	1 copy of title deed	1 copy of title deed
(ii)	1 original of a certified and precise site and location plan drawn up by a Sworn Land Surveyor clearly indicating identifiable landmarks such as a building, a major intersection, etc	2 originals of a certified and precise site and location plan drawn up by a Sworn Land Surveyor clearly indicating identifiable landmarks such as a building, a major intersection, etc
(iii)	1 Photocopy of National Identity Card/s of applicant/s/owners	1 Photocopy of National Identity Card/s of applicant/s/owners
(iv)	1 Photocopy of Affidavit of Succession, if applicable, or any other documents as may be required by the Landscape (Mauritius) Ltd	1 Photocopy of Affidavit of Succession, if applicable, or any other documents as may be required by the Ministry Ministry of Industry and Food Security
(v)	<u>Either</u> Full description of the agricultural project proposed for the 90% remaining part of the land. <u>Or</u> An undertaking from the owner to put the remaining 90% of the Land in the Land bank for a period not exceeding 10 years.	

- (b) The site/location plan drawn by the sworn Land Surveyor shall be as per relevant provision of existing legislation and should include the following:
 - (i) all boundary dimensions in metres to two metres;
 - (ii) areas of land parcels or units in squares metres to two decimal places or in hectares and square metres to two decimal places;
 - (iii) ownership details of the subject site;
 - (iv) a precise indication of the point of the landmarks or road junctions from which the measurements were taken for the purpose of locating the subject;
 - (v) the location of principal buildings within the parcels if any;
 - (vi) the PIN certificate reference (PCR NO, delivered by the Ministry of Housing and Land Use Planning);
 - (vii) Site/Location plans must be drawn accurately to a scale that will allow all details and annotations to be read clearly and shall include a North arrow (generally pointing upwards);
 - (viii) text should be typewritten, clear and readable ;
 - (ix) roads, streets and lanes names should be in accordance with the relevant Local Authority nomenclature or as on site;
7. Other information required:-
- (a) in case the application is made by a company or association, a photocopy of the Memorandum & Articles of Association should be submitted together with the application;
 - (b) in cases of division in kind or where applicant has given a power of attorney to a third party all legal documents should be submitted at the time of application;
 - (c) in cases of morcellement, the number of lots should be specified;
 - (d) in cases of division among children/heirs/co-owners/ascendants and descendants, the full names and the copy of Identity card of all persons concerned should be given and each child/heir/co-owner/ ascendant/descendant should state whether he/she is already owner of a house; and
 - (e) in cases of application made by more than one person, forms should be signed by all applicants.
8. While submitting applications for a Land Conversion Permit, applicants should ensure that:
- (a) the forms have been properly filled;
 - (b) the relevant documents e.g title deed, site/location plan, identity card, affidavit etc, are in conformity with those requested for; and
 - (c) relevant/important information on the owner of the land, the purpose of the conversion, the size of land, etc have been provided.
9. (a) The Ministry of Agro Industry and Food Security and Landscape (Mauritius) Ltd. will not consider applications where:
- (i) application forms are not properly filled;
 - (ii) information is missing or inaccurate;

- (iii) all relevant documents including clearances are not submitted along with the application forms; and
 - (iv) site/location plan do not satisfy conditions as per paragraph 2(b)
 - (v) the relevant Section of the SIE Act 2001 is not specified in cases where an exemption from payment of Land Conversion Tax is requested for.
- (b) Effective date means the date on which all the information, particulars and documents (in number of copies required) specified in the form of application are submitted.

10. Criteria used for determination of applications

The criteria used by the Ministry Agro Industry and Food Security for the determination and application is that as provided in Section 28(5) of SIE Act 2001 namely:

- (a) ensuring that the level of production of sugar is sufficient to meet the commitments of Mauritius;
- (b) preserving agricultural land;
- (c) optimising agricultural production;
- (d) preventing speculation in agricultural land;
- (e) respecting outline schemes and planning and development directives; and
- (f) preserving irrigation areas.

8. Time Frame to develop the land after obtention of authority for land conversion

According to paragraph 8 of the Twelfth Schedule of the SIE Act 2001, as amended, any applicant, receiving an authority for land conversion shall:

- (a) endeavour to obtain all necessary clearances and permits including any Building and Land Use Permit, within a period of 2 years after having been granted authority for land conversion
- (b) start the conversion of the land within a period of 6 months from the date on which he obtained the last clearance or permit required for the proposed conversion, failing which the authority shall lapse automatically;
- (c) complete the project in the manner specified in the authority granted within a period of 5 years from the date on which he obtained the last clearance or permit required for the conversion, failing which the authority shall lapse automatically.

Landscape (Mauritius) Ltd.
7th Floor, Wing A
Shri Atal Bihari Vajpayee Tower
EBENE
Tel No.: 4676900
Fax No.: 4676907

ANNEX 1 – APPLICATION FORM 1

2. (i) Details of Land to be converted

Street/Road:

Locality:

District:

Transcription No. of Title Deed: TV..... No..... Deed Date:

Area as per Title Deed: m²

Area to be converted: m²

2.(ii) Present Cultivation - Is land to be converted presently under (✓ for Yes) cultivation of sugar cane, tea or tobacco?

If yes, then fill in the following:-

Location	SIFB A/C No.	Factory Area	Tea Board	Tobacco Board
.....

2.(iii) Past Cultivation - If land is not presently under cultivation, has it been (✓ for Yes) under cultivation in the past.

If yes, then fill in the following:-

Location	SIFB A/C No.	Factory Area	Tea Board	Tobacco Board
.....

Date last harvested:

Name of present owner:

2.(iv) Is the land to be converted in an irrigation area? (✓ for Yes)

2.(v) Does the land form part of land which was subdivided for agricultural purposes (✓ for Yes)

3. Applicant/s to specify the purpose of conversion

A. RESIDENTIAL (Give details):-
(Own use; subdivision among heirs, ascendant/descendant and co-owners;
morcellement; others)

[Please attach documents if necessary]

B. COMMERCIAL (Give details):-

[Please attach documents if necessary]

4. Do you have a valid agricultural project on the remaining 90% of the Land - (✓ for Yes)

If YES, then provide information on the agricultural project:-

[Please attach necessary documents]

If NO, then please attach an undertaking letter that the remaining 90% of the Land will be put in the Land bank for a period not exceeding 10 years. In this case, Landscape (Mauritius) Ltd will lease the land from the applicant at an agreed rate.

5. DECLARATION

I HEREBY DECLARE THAT ALL PARTICULARS GIVEN IN THIS APPLICATION FORM AND IN THE DOCUMENTS ANNEXED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I HAVE NOT WILLFULLY SUPPRESSED ANY RELEVANT INFORMATION.

6. NOTE

Landscape (Mauritius) Ltd will not consider applications where

- (a) application forms are not properly filled
- (b) information is missing or inaccurate
- (c) all relevant documents including clearances are not submitted along with the application forms and
- (d) the site/location plan does not satisfy conditions as per Registration Duty Act and International System of Units (SI Units).

Signature of Main Applicants:

Date:

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ANNEX 2 – APPLICATION FORM 2

E-Mail: Mobile No.

2(i) Details of Land to be converted

Street/Road:

Locality:

District:

Transcription No. of Title Deed: TV No. Deed Date:

Area as per Title Deed: M²

Area to be converted: M²

2(ii) Present Cultivation - Is land to be converted presently under cultivation of sugar cane, tea or tobacco? (✓ for Yes)

If yes, then fill in the following:-

Location	SIFB A/C No	Factory Area	Tea Board	Tobacco Board
.....

2(iii) Past Cultivation - If land is not presently under cultivation, has it been under cultivation in the past. (✓ for Yes)

Location	SIFB A/C No	Factory Area	Tea Board	Tobacco Board
.....

Date last harvested:

Name of present owner:

2(iv) Is the Land to be converted in an irrigation area? (✓ for Yes)

2 (v) Does the Land form part of land which was subdivided for agricultural purpose? (✓ for Yes)

3. Land Details - Larger Plot and Other uses of agricultural land

(a) Did land to be converted form part of a larger plot as at 01 January 1981? (✓ for Yes)

Name of Owner of larger plot:

Area of larger plot: M²

Was the land excised or sub-divided for agricultural purpose? (✓ for Yes)

Date of excision/sub-division:

For Official Use Land Category:

4. Have you put any agricultural land to other uses in the past? (✓ for Yes)

If yes, please indicate area converted, location, TV No. and land conversion tax paid (if applicable) and reference no. of your previous application:

5. Do you wish to be exempted from payment of Land Conversion Tax in accordance with any provision of section 29 of the SIE Act 2001 (copy of relevant extract is attached). (✓ for Yes)

If yes, please specify relevant subsection

6 Applicant/s to give an indication of the purpose of conversion

- A. Residential (i) (a) own use)
(b) subdivision among)
(i) heirs)
(ii) ascendant/descendant) Tick as appropriate (✓ for Yes)
(iii) co-owners)
(c) morcellement)
(d) others)

If conversion is for (b) please submit names, ID Number and lots allocation and indicate whether beneficiaries are owners of a residence or a residential plot of land elsewhere.

(ii) Are you already the owner of a residence? (✓ for Yes)

(iii) Are you the owner of any other residential plot of land? (✓ for Yes)

B. INDUSTRIAL (Specify the type of industry):-
(Clearance of the Ministry of Industry should be attached)

C. TOURISTIC (Specify type of development):-
(Clearance of the Ministry of Tourism should be attached)

D. AGRO INDUSTRIAL (Specify type):-
(EIA & Health clearances as well as project write up should be submitted)

E. APPROVED HOUSING SCHEME (Give details):-
(Whether a housing development company or a scheme in favour of workers of a sugar factory)

F. COMMERCIAL (Specify type):-

G. OTHERS (Specify): -

7. DECLARATION

I HEREBY DECLARE THAT ALL PARTICULARS GIVEN IN THIS APPLICATION FORM AND IN THE DOCUMENTS ANNEXED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I HAVE NOT WILLFULLY SUPPRESSED ANY RELEVANT INFORMATION.

8. NOTE

- (1) This Ministry will not consider applications where
 - (a) application forms are not properly filled
 - (b) information is missing or inaccurate
 - (c) all relevant documents including clearances are not submitted along with the application forms and
 - (d) the site/location plan does not satisfy conditions as per Registration Duty Act and International System of Units (SI Units).

Signature of Main Applicant:

Date:

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Ministry of Agro-Industry and Food Security
9th floor Renganaden Seeneevassen Building
Port-Louis
Tel No 212-0854 (Ext 2015)

9. For Official Use (Data to be input in the computerised system)

Applicant Id:

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Application No:

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File Ref No:

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Scheme :

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Main Purpose of Conversion:

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Sub Purpose of Conversion :

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Purpose Remarks

Form Verified by: Grade: Date:

Data Captured by: Grade: Date:

In case there are co-applicants/co-owners, please fill in the additional page(s)

Co-Applicants Details

1. NID:

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 Surname:

Other Names:

Are you owner of a residence or a residential plot of land? (✓ for Yes)

Tel No: Signature:

2. NID:

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 Surname:

Other Names:

Are you owner of a residence or a residential plot of land? (✓ for Yes)

Tel No: Signature:

3. NID:

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 Surname:

Other Names:

Are you owner of a residence or a residential plot of land? (✓ for Yes)

Tel No: Signature:

4. NID:

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 Surname:

Other Names:

Are you owner of a residence or a residential plot of land? (✓ for Yes)

Tel No: Signature:

5. NID:

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 Surname:

Other Names:

Are you owner of a residence or a residential plot of land? (✓ for Yes)

Tel No: Signature:
