



## **WIPO-BCC 27<sup>th</sup> Advanced Training Seminar on Copyright and Related Rights**

### **Country Report**

### **MAURITIUS**

**By Mr. Alain ARTHUR,  
Senior Licensing Officer  
Mauritius Society of Authors (MASA)**

## COUNTRY REPORT

### **Name of Country: - MAURITIUS**

Mauritius, known officially as the Republic of Mauritius located off the southeast coast of the African continent in the Indian Ocean, consists of the main island of Mauritius, the autonomous island of Rodrigues and other outlying islands and archipelagos, of which St. Brandon (Cargados Carajos Archipelago), Agalega, Tromelin and the Chagos Archipelago, which includes the island of Diego Garcia. Mauritius is an island nation it is a volcanic island of lagoons and palm-fringed beaches with coral reefs surrounding most of the coastline.

The island is situated approximately 2400 kilometers off the South East Coast of Africa. The island covers an area of 1,865 square kilometers or 720 square miles, with 330 kilometers of coastline.

Mauritius is a densely populated island of around 1.263 million people (2019 estimation). It has a reputation for stability and racial harmony among its mixed population. Mauritius is known as a plural society where all the ethnic groups present: Hindus, Muslims, Creoles, Chinese and Europeans live in peace and where all the ancestral cultures have been preserved. These features make the island a unique place in the world, and the Mauritians known for their tolerance and kindness towards all people.

Most Mauritians are bilingual being equally fluent in French and English. English is the official language, but French and Creole are widely spoken. Oriental languages also form part of the linguistic diversity.

Mauritius has preserved its image as one of Africa's few social and economic success stories, being a sugar and clothing exporter and a center for deluxe tourism.



Source: Free plan of Mauritius

Mauritius has talented people, diverse cultural resources, topography and natural scenery. New infrastructure could be tapped and exploited in the development and strengthening of handicrafts and the emerging creative industry in particular the fashion, entertainment, cinema and software industries. Infrastructures that will support creative industry are in the process of being built up.

The Government provides different incentives that will support creativity and strengthen the creative industry.

**Copyright and related rights legislation:-** Copyright Act 2014, Act No 2 of 2014 which has been amended in 2017. Copyright (Amendment) Act 2017, Act No 13 of 2017.

Amendment to the Copyright Act 2014 aims to redefine and better safeguard the interest of copyright owners, and to create a new regulatory framework for the Mauritius Society of Authors (MASA) for a better representation of rights holders, which is under process.

<http://mauritiusassembly.govmu.org/English/acts/Documents/2017/act1317.pdf>

**Membership of Conventions, Treaties and Agreements:-**

<b>• <u>Conventions</u></b>	<b><u>Signature</u></b>	<b><u>Acceded</u></b>	<b><u>Ratified</u></b>
• Berne Convention for the protection of Literary and Artistic Works (Paris text 1971)		<b>09.02.1989</b>	<b>10.05.1989</b>
• Universal Copyright Convention 1952-1971		<b>20.11.1970</b>	
• Rome Convention for the protection of performers, Phonogram Producers and Broadcasters 1961	<b><u>No</u></b>		
• TRIPS agreement 1994		<b>01.01.1995</b>	
• WIPO Copyright Treaty 1996	<b>Under process</b>		
• WIPO Performances and Phonograms Treaty 1993	<b>Under process</b>		
• Visually Impaired Persons treaty 2013	<b>28.06.2013</b>		
• Audiovisual Performances Treaty 2012	<b>26.06.2012</b>		

**Name of the Government Department:-** Ministry of Arts and Culture.

<http://culture.govmu.org>

The Ministry of Arts and Culture is entrusted with policy formulation relating to copyright, developing regulations for implementation of the copyright Act.

**Name of collective management organisation:- Mauritius Society of Authors**

Set up in accordance with the Copyright Act 1986, the Mauritius Society of Authors (MASA) was operational since 1989 and revised in 1997. The society has offered membership to local authors, publishers and copyright owners. Following the Copyright Act 2014, the society came to be known as the Rights Management Society and was subsequently renamed as the Mauritius Society of Authors under the Copyright (Amendment) Act 2017.

The Society administers the economic rights of local and foreign copyright owners. The society initially focused on musical works and its mandate is extended to administer other rights in the artistic literary and dramatic fields. The setting up of proper structure will follow shortly.

Extract of the Copyright Act 2017

**Functions of Society are as follows:-**

- (a) collect copyright fees and charges from the users of a work, on behalf of its members, and distribute those fees among the members;
- (b) determine the criteria for, and classes of, membership of the Society;
- (c) represent and defend the interests of its members in Mauritius and abroad;
- (d) contribute, by all appropriate means, to the promotion of national creativity in the artistic, literary and scientific fields;
- (e) administer within Mauritius such economic rights of its members as it may determine;
- (f) negotiate with any users of a work –
  - (i) the conditions of, and the fees and charges to be paid for, the authorisation to be given to do an act covered by any economic rights referred to in paragraph (e);
  - (ii) the amount of equitable remuneration where the right to such remuneration is administered by the Society;
- (g) grant any authorization which it is permitted to give under this Act;
- (h) Enter into reciprocal agreements with foreign collective management organisations for the issue of exclusive authorisation in respect of their members' works and for the collection and distribution of copyright fees deriving from those works;
  - (i) endeavour to obtain the transfer of membership of Mauritian authors who are members of foreign collective management organisations and safeguard in favour of the Mauritian authors whose membership has been transferred, all the advantages which may have accrued to them before the transfer;
- (j) enter into contracts with relevant persons, for the benefit of its members, regarding the use of the works of the members;
- (k) foster such harmony and understanding between copyright owners and the users of their works as may be necessary for the protection of the economic rights of the authors;
- (l) provide its members with information or advice on all matters relating to copyright;
- (m) establish and administer a Provident Fund and a Benevolent Fund for its members and their heirs; and
- (n) discharge such other functions as may be prescribed.

#### Objects

- Administer, on an exclusive basis within Mauritius, such economic rights of its members as the Society may determine
- Collect copyright fees from the users of works on behalf of its members and distribute those fees among the members
- Promote national creativity in the artistic, literary and scientific arenas
- Represent and defend the interests of its members on both national and international grounds

Thanks

**Name: - Alain ARTHUR**  
**Senior Officer**