



FREQUENTLY ASKED QUESTIONS (FAQs)

FOUNDATIONS, SOCIÉTÉS, LIMITED PARTNERSHIPS AND LIMITED LIABILITY PARTNERSHIPS

FOUNDATIONS

What are the steps to register a Foundation?

- The name should be available.
- Name should end with the word “Foundation” or “Fondation”.
- To fill downloadable form (link to form) and submit application for registration of Foundation together with:
 - written consent of council member,
 - written consent of secretary,
 - legal certificate,
 - Declaration made by applicant that the information provided in the application is true and correct,
 - list of names & addresses of first officers (if any),

- letter stating whether Foundation has beneficial owner,
- BRF 3 - Application for Business Registration Card (Optional)
- Please note that the fees payable at the time of registration is Rs 9000 + Rs 100 (Certificate)

What are the documents that are required for amendment to the Charter?

- Resolution of council member with regards to amendment of charter
- Legal Certificate
- Payment of prescribed Fees of Rs 1000

What is the qualification required for a secretary of Foundation?

- The secretary can be a management company or a person resident in Mauritius approved by the Financial Service Commission.

When can a Foundation be wound up voluntarily?

- (1) A Foundation shall be wound up voluntarily -
 - (a) on the occurrence of an event specified in its charter;
 - (b) on the expiry of the period for which it was established;
 - (c) on a unanimous resolution of its Council to that effect; or
 - (d) where the Foundation is unable to pay its debts.
- (2) A Foundation shall not be wound up unless a notice of liquidation signed by a member of the Council is delivered to the Registrar and published in 2 daily newspapers and the Gazette.

LIMITED PARTNERSHIPS

What are steps required for the setting up of a Domestic Limited Partnership?

- The name should be available.
- Name should end with the word “Limited Partnership” or “LP”.
- To fill downloadable form (link to form) and submit application for registration of a Limited Partnership together with written consent of General Partner, Partnership Agreement (optional) and Letter of disclosure for Beneficial Ownership.
- BRF 3 - Application for Business Registration Card
- Please note that the fees payable at the time of registration is Rs 3000 + Rs 200 (Certificate)

Does a Domestic Limited Partnership require to file Annual Return and Financial Statements with ROC?

- Yes, it needs to file annual return and financial statement annually with ROC who will determine the date.
- Every limited partnership shall, once every year, during the month allocated to the limited partnership for the purpose, submit to the Registrar, for registration, an annual return with its financial statement in such form and manner as the Registrar may approve.

LIMITED LIABILITY PARTNERSHIPS

What are steps required for the setting up of a Domestic Limited Liability Partnership?

- The name should be available.
- Name should end with the word “Limited Liability Partnership” or “LLP”.
- To fill downloadable form (link to form) and submit application for registration of a Limited Liability Partnership together with written consent of Partner, Manager, Partnership Agreement (optional) and Letter of disclosure for Beneficial Owner.
- BRF 3 - Application for Business Registration Card.
- Please note that the fees payable at the time of registration is Rs 3000 + Rs 200 (Certificate)

Are Limited Liability Partnerships required to file Financial Statements with ROC?

- Yes, they need to file financial statement annually with ROC.

SOCIÉTÉS

What types of sociétés are there?

- There are civil and commercial partnerships (*en nom collectif et en commandite simple*).

What is the liability of a commercial partnerships?

- The Liability of a commercial partnership is unlimited.

Is there a requirement for partnership to make a BR Card?

- Yes, there is a requirement to do BR Card if the partnership is doing business for gain or profit.

Do partnerships require to file annual return and pay registration fee with ROC?

- No, they do not require filing annual return at ROC and with regards to registration fee only commercial partnerships have to pay Annual Registration fee of Rs 9000.

What is the procedure for setting up a partnership?

- It is generally through by a notary but can also be *sous seing privé*.