



MINISTRY OF HOUSING AND LANDS

(Office of the Minister)

COMMUNIQUE

The Public's Right to Use the Beaches of Mauritius

1. The Minister of Housing and Lands has noticed that, along the coast of Mauritius, some people who hold a lease from the State for a piece of land near the sea have put up signs telling the public that the area between their property and the sea is “not a public beach” and that anyone who stops or sits on that area will be treated as a trespasser.

2. These signs are wrong. They are against the law. They cannot be accepted.

3. The law of Mauritius on this matter is clear and has been the same for more than two hundred years —

(a) The beach belongs to the people of Mauritius. The area between the low water mark and the high-water mark, and the strip of State land that the law sets aside along the seashore (called the *Pas Géométriques*, at least 81 meters wide), all belong to the State for the use of the public. This is written into our *Civil Code*, into the *Pas Géométriques Act* of 1874, and into the *Beach Authority Act* of 2002.

(b) No one can buy this land. No one can take ownership of it by occupying it for a long time. No private person can fence it off.

(c) A lease over coastal State land does not give the lessee the right to keep the public out. A lease is a contract between the lessee and the State. It does not give the lessee any power over members of the public who wish to walk, sit, swim or rest on the seashore.

(d) Every member of the public — citizen and visitor alike — has the right to walk on, sit on, picnic on, swim from, and rest on the beach, free of charge and without being disturbed.

4. The Supreme Court of Mauritius, in *Grand Bay Cruise Ltd v Ocean Blue Island Company Ltd* (2008), confirmed that the beach is part of the public domain and “**cannot normally be excluded from the use by the public, free of charge and without any hindrance**”, and that a lease gives the lessee a contract with the State, **not a right of ownership against everyone else.**

5. The Minister also draws attention to **section 110 of the *Criminal Code (Supplementary) Act***. Under this law, **anyone who blocks or prevents a member of the public from walking freely on the seashore commits a criminal offence and may be fined up to Rs 10,000**. The Police already have the power to enforce this law.

6. **The Government's first priority is the right of every member of the public — citizen and visitor — to use the beach freely, peacefully and without being disturbed.** No business interest comes before this right.

7. Members of the public who are stopped, prevented or threatened when they try to use the beach are invited to report the matter at once to the **Beach Authority** or to the **Mauritius Police Force**.

8. Those who have put up such signs are advised to take them down without delay.

Hon Shakeel Mohamed, GCSK

Minister of Housing and Lands

Dated 25 June 2026