

AUTHORISED COMPANY

The ‘Authorized Company’ (“AC”) is the new-born Mauritian structure in the financial sector. It is a new category of company whose business activities and place of effective management are both outside of Mauritius. The AC is licensed and regulated by the Mauritius ‘Financial Services Commission’ (“FSC”) and its setting up & administration is done through a licensed ‘Management Company’ (“MC”) such as HLB Global Business (Mauritius) Ltd.

MAIN CHARACTERS

An AC shall be deemed non-resident for tax purposes (and thus be exempted from income tax) in Mauritius. However, tax return needs to be filed yearly with the Mauritius Revenue Authority (“MRA”), albeit a ‘NIL return’, within 6 months of closing of accounts date.

An AC is not required to prepare financial statements in accordance with International Financial Reporting Standards (“IFRS”) under section 30 of the Act. It must however prepare an Annual ‘Financial Summary’ which will be filed with the FSC within 6 months of its accounts closing date.

An AC shall have, at all times, a local Registered Agent in Mauritius which must exclusively be a MC, licensed by the FSC.

An AC must have its registered office address in Mauritius.

An AC should keep all its records at its registered office address in Mauritius.

AUTHORISED ACTIVITIES WITHIN MAURITIUS

An AC can conduct the following business activities within Mauritius:

- Invest in any securities listed on a securities exchange licensed under the Securities Act, 2005 including the Stock Exchange of Mauritius;
- Open and maintain an account in foreign currency with a local bank. It cannot however operate a bank account in Mauritian Rupees;
- Hold any share, debenture, security or any interest in or otherwise dealing or transacting with an entity which holds a Global Business License (“GBL”); and
- Enter a business relationship with a MC or a Law Practitioner, Legal Consultant, Law firm or a qualified Auditor in Mauritius.

PROHIBITED ACTIVITIES

An AC enjoys a flexible legal regime in Mauritius. However, it is not allowed to conduct the following business (except where otherwise specified in the FSC Rules):

- Banking
- Financial services (such as providing Investment Advisory or Management services)
- Business of holding or managing or otherwise dealing with a collective investment fund or scheme as a professional functionary (such as Fund management)
- Providing of registered office facilities, nominee services, directorship services, secretarial services or other services for corporations
- Providing trusteeship services by way of business which are considered to be “outside” Mauritius

INCORPORATION & COMPLIANCE REQUIREMENTS

- Incorporation is done within 7 to 10 days from the time the application is lodged with the FSC.
- Any change in the statutory matters of the company should be immediately filed with the authorities within prescribed time limit or else heavy penalties may be applied.
- An AC is subject to strict rules of ‘Know Your Clients’ (“KYC”) on the ‘Ultimate Beneficial Owners’, the business activities and the countries in which it has dealings.
- Mauritius has strict legislations and rules against money-laundering and suspicious transactions are immediately reported to the FIU.