

HERVÉ MASSON FOUNDATION ACT

Act 21 of 1992 – 1 July 1992

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HERVÉ MASSON FOUNDATION ACT

1. Short title

This Act may be cited as the Hervé Masson Foundation Act.

2. Interpretation

In this Act—

“Board” means the Board referred to in section 5;

“Foundation” means the Hervé Masson Foundation established under section 3.

3. Establishment of Foundation

(1) There is established for the purposes of this Act the Hervé Masson Foundation.

(2) The Foundation shall be a body corporate.

4. Objects of Foundation

The objects of the Foundation shall be to—

- (a) promote the cultural and artistic development of all young Mauritians by offering them scope for their creative talents in the field of arts;
- (b) organise national and international competitions in the fields of arts and culture and grant prizes or make awards to deserving artists of high promise and potential;

- (c) organise lectures, seminars, workshops, exhibitions and any other activities promoting arts and culture; and
- (d) encourage and assist financially or otherwise institutions devoted to the achievement of goals similar to those of the Foundation.

5. The Board

- (1) The Foundation shall be managed by a Board which shall consist of—
 - (a) the Permanent Secretary of the Ministry responsible for the subject of culture or his representative;
 - (b) the Lord Mayor of the Municipality of Port Louis or his representative;
 - (c) the Mayor of the Municipality of Curepipe or his representative;
 - (d) a member of the family of the late Hervé Masson appointed by the Minister;
 - (e) three persons appointed by the Minister.
- (2) The members of the Board shall elect from among themselves a Chairperson.
- (3) The Board may co-opt not more than 3 other members from persons capable of helping in the advancement of the objects of the Foundation.
- (4) Every member of the Board other than an *ex officio* member shall—
 - (a) hold office for a period of 3 years; and
 - (b) be eligible for reappointment.

6. Meetings of Board

- (1) The Board shall meet at such place and time as the Chairperson may think fit or as may be decided by not less than 3 members.
- (2) The member of the Board appointed under section 5 (1) (d) and 2 other members of the Board shall constitute a quorum.
- (3) No member who has a direct or indirect interest in any matter before the Board shall take part in the deliberations on that matter.
- (4) Subject to this section, the Board shall regulate its meetings and proceedings in such manner as it thinks fit.

7. Donations and legacies

Article 910 of the Code Civil Mauricien shall not apply to the Foundation.

8. Accounts of Foundation

- (1) The Board shall, on or about 30 September in every year, cause to be prepared a statement of accounts and a balance sheet of the finances of the Foundation.

(2) The statement of accounts and balance sheet shall be audited annually by a qualified auditor to be appointed by the Board.

(3) The financial year of the Foundation shall be the period of 12 months ending on 30 June.

9. Dissolution

(1) The Foundation may be dissolved by the unanimous decision of the Board.

(2) Where the Foundation is dissolved, any remaining assets after winding up shall be transferred to or used for a charitable cause designated by the Board.

10. Regulations

(1) The Board may make such regulations as it thinks fit for the purposes of this Act.

(2) Notwithstanding the Interpretation and General Clauses Act, regulations made under subsection (1) shall not be required to be—

- (a) approved by the Minister;
 - (b) laid before the Assembly; or
 - (c) published in the *Gazette*.
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