

**MAURITIUS CHILD CARE SOCIETY ACT**

Act 37 of 1958 – 22 December 1958

ARRANGEMENT OF SECTIONS

SECTION

- |                                  |                                    |
|----------------------------------|------------------------------------|
| 1. Short title                   | 11. Financial year and report      |
| 2. Incorporation of Society      | 12. Rules                          |
| 3. Object of Society             | 13. Application of funds           |
| 4. —                             | 14. General meetings               |
| 5. Members of Society            | 15. Business at general meeting    |
| 6. Management of Society         | 16. Appointment of auditors        |
| 7. Vacancies in Committee        | 17. Donations and legacies         |
| 8. Appointment of office-bearers | 18. Exemption from duty            |
| 9. Meetings of Committee         | 19. Affiliation to other societies |
| 10. Powers of Committee          | 20. Legal proceedings              |

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**MAURITIUS CHILD CARE SOCIETY ACT**

**1. Short title**

This Act may be cited as the Mauritius Child Care Society Act.

**2. Incorporation of Society**

(1) The Mauritius Child Care Society shall be a body corporate.

(2) The registered office of the Society shall be at such place as may be decided by the Committee referred to in section 6.

**3. Object of Society**

The object of the Society shall be to promote motherhood skills and child care in Mauritius through lectures, home visits, baby shows and exhibitions and to do such things as are incidental or conducive to the attainment of these objects.

**4. —**

**5. Members of Society**

(1) Any person of age, and any corporation, society, partnership or company, subscribing an annual sum of 50 rupees or more to the Society shall become a member of the Society and shall have his name entered in the register of members, but shall only remain a member of the Society so long as the subscription is regularly paid.

(2) Any person of age who, and any corporation, society, partnership or company which, has made a donation of 100 rupees or more to the Society shall become a permanent member of the Society.

(3) Corporations, societies, partnerships or companies shall act as members of the Society through their duly nominated representatives.

## **6. Management of Society**

(1) The Society shall be managed and administered by a Committee of 8 members.

(2) The members of the Committee shall be appointed at the annual general meeting of the Society, but not later than 20 December, and shall hold office for one year.

(3) No person, other than a member of the Society, shall be eligible to be a member of the Committee.

## **7. Vacancies in Committee**

In case of death, absence, resignation or incapacity to act of any of its members, the Committee may nominate a member to replace him.

## **8. Appointment of office-bearers**

(1) The members of the Committee, at the first meeting of the Committee after its election, shall appoint from among themselves a Chairperson, a Vice-Chairperson, a Treasurer and a Secretary.

(2) The functions of the members of the Committee shall be honorary provided that the Committee may, if it so decides, pay for the services of the Treasurer and the Secretary.

## **9. Meetings of Committee**

(1) (a) The Committee shall meet as often as necessary at such places as it may decide.

(b) Four members shall form a quorum.

(c) All decisions shall be taken by a majority of votes, the Chairperson having an original as well as a casting vote.

(2) (a) The Secretary shall have the custody of all books, deeds and documents relating to the Society and shall keep minutes of all the proceedings of the Committee.

(b) The minutes of proceedings of each meeting shall be signed by the Chairperson of the meeting and by the Secretary and extracts thereof signed by the Chairperson and the Secretary shall be *prima facie* evidence of all matters contained in them.

## **10. Powers of Committee**

(1) Subject to subsection (2), the Committee shall, for the purposes of this Act, exercise all the powers of the Society.

(2) The Committee shall not contract for any capital expenditure or borrow any money without the sanction of the President where the value of the expenditure or of the loan exceeds 50,000 rupees in any financial year.

[S. 10 amended by Act 48 of 1991.]

## **11. Financial year and report**

(1) The financial year of the Society shall end on 30 June in each year and the Committee shall prepare a report on that financial year and the audited accounts of the financial transactions during that year.

(2) The report and accounts shall be forwarded every year to the President and shall be laid before the annual general meeting of the Society.

[S. 11 amended by Act 48 of 1991.]

## **12. Rules**

(1) The Committee may make rules for the calling of, and the procedure at, its meetings and of the general meetings of the Society, and for all other matters for which rules are required for the proper fulfilment of the objects and exercise of the powers of the Society provided the rules are not contrary to law or inconsistent with the objects and powers of the Society.

(2) The Committee may alter, modify and revoke rules made under subsection (1).

(3) Rules made under subsection (1) signed by the Chairperson and the Secretary and sealed with the seal of the Society shall be binding and valid to all intents and purposes.

## **13. Application of funds**

(1) The income and property of the Society shall be applied solely towards the promotion of the objects of the Society and no portion of it shall be distributed or transferred by way of dividend or bonus to members of the Society.

(2) Nothing in this section shall prevent the payment in good faith of remuneration to any officer or servant of the Society or to any person in consideration of services rendered to the Society.

## **14. General meetings**

(1) (a) A general meeting of the Society shall be held once in every year, after the close of the preceding financial year of the Society, but not later than 20 December.

(b) An extraordinary general meeting shall be called where it is requested in writing by a majority of the Committee by not less than 7 members of the Society.

(c) A request under paragraph (b) shall—

- (i) state the objects of the meeting; and
- (ii) be filed in the office of the Society.

(d) Every general meeting shall be called by notices published in at least 2 of the local daily newspapers not less than 14 days before the day fixed for the meeting.

(2) Every general meeting shall be presided by the Chairperson or, in his absence, by the Vice-Chairperson, and in the absence of both the Chairperson and Vice-Chairperson, the members present shall appoint a Chairperson for the meeting from among themselves.

(3) The Secretary of the Committee shall act as Secretary of the meetings and shall keep minutes of the proceedings which shall be signed by the Chairperson of the meeting and by the Secretary, and extracts of the minutes signed by the Chairperson of the Society and by the Secretary shall be *prima facie* evidence of all matters contained in them.

(4) (a) All questions to be decided at a general meeting shall be decided by a show of hands.

(b) A declaration by the Chairperson that a resolution has been carried or lost shall be conclusive unless a poll is demanded by at least 10 of the members present.

(c) Each member shall have one vote and the Chairperson shall have an original as well as a casting vote.

#### **15. Business at general meeting**

(1) The business of the annual general meeting shall be the consideration and adoption of the annual report of the Committee, of the accounts of the financial year and of the auditor's report, and the election of the members of the Committee.

(2) (a) The business to be transacted at every extraordinary general meeting shall be that indicated by the requisitionists in the requisition.

(b) Any member of the Society may submit a resolution on any special matter connected with the Society to the discussion and vote of the annual general meeting or of any extraordinary general meeting on the condition that notice of the proposed resolution is given in writing, signed by the proposer and the seconder, to the Secretary at least 8 days before the day on which the general meeting is to be held.

#### **16. Appointment of auditors**

(1) One or more auditors shall be appointed annually by the Society at such fees as it thinks proper.

(2) The auditor or auditors appointed under subsection (1) shall examine and supervise the yearly financial accounts of the Society and make a report on them.

**17. Donations and legacies**

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

**18. Exemption from duty**

The Society shall be exempt from payment of any duty on donations and legacies received by it and on all deeds and documents of the Society.

**19. Affiliation to other societies**

The Society may affiliate to, or incorporate with, other societies or institutions having for their principal objects the promotion of motherhood skills and child care.

**20. Legal proceedings**

Service of process on behalf of or on the Secretary of the Society shall be equivalent to service by or on the Society.

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