

**MAURITIUS INSTITUTE OF PUBLIC ADMINISTRATION
AND MANAGEMENT ACT**

Act 11 of 1994 – 1 August 1994

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**MAURITIUS INSTITUTE OF PUBLIC ADMINISTRATION
AND MANAGEMENT ACT**

1. Short title

This Act may be cited as the Mauritius Institute of Public Administration and Management Act.

2. Interpretation

In this Act—

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

“Council” means the Advisory Council established under section 7;

“Director” means the person appointed as such under section 6;

“employee” means any employee of the Institute;

“Institute” means the Mauritius Institute of Public Administration and Management established under section 3;

“member” means a member of the Board or Council, as the case may be, and includes the Chairperson;

“Minister” means the Minister to whom responsibility for the civil service is assigned.

3. Establishment of Institute

(1) There is established for the purposes of this Act a Mauritius Institute of Public Administration and Management.

(2) The Institute shall be a body corporate.

4. Objects of Institute

The objects of the Institute shall be to—

- (a) assist generally in improving the efficiency and effectiveness of the public sector;
- (b) raise the level of knowledge, skills and quality of service in the public sector;
- (c) organise and deliver training programmes and conduct research in matters relating to public administration and management and the machinery of Government;
- (d) collect and disseminate information relating to administration and management and give advice in relation thereto;
- (e) act as a focal point for the exchange of ideas on management in both the public and private sectors;
- (f) establish linkages with local and international institutions with a view to promoting academic co-operation and sharing of experience.

5. The Board

(1) The Institute shall be administered by a Board which shall consist of—

- (a) a Chairperson, to be appointed by the Minister;
- (b) a representative of the Prime Minister's Office;
- (c) a representative of the Ministry responsible for the subject of finance;
- (d) a representative of the Ministry responsible for the subject of economic planning;
- (e) a representative of the Ministry responsible for the civil service;
- (f) a representative of the Ministry responsible for the subject of human resources;
- (g) 3 persons with experience in human resource management and development, to be appointed by the Minister.

(2) The members appointed under subsection (1) (g) shall hold office for 2 years but shall be eligible for reappointment.

(3) The Board shall regulate its meetings and proceedings in such manner as it thinks fit.

(4) Five members shall constitute a quorum.

6. Director

(1) There shall be a Director who shall be the chief executive officer of the Institute and shall be responsible to the Board for the management of the Institute.

(2) The Director shall be appointed by the Board, with the approval of the Minister, on such terms and conditions as it thinks fit.

(3) The Director—

- (a) shall attend every meeting of the Board;
- (b) may take part in the deliberations of the Board;
- (c) shall not be entitled to vote on any question before the Board.

7. Establishment of Advisory Council

(1) There is established for the purposes of this Act a Council to advise on academic and professional matters.

(2) The Council shall consist of—

- (a) a Chairperson to be appointed by the Board after consultation with the Minister;
- (b) the Director;
- (c) the Secretary of the Public Service Commission;
- (d) a representative of the Ministry responsible for the subject of local government;
- (e) a representative of the Ministry responsible for the subject of women's rights;
- (f) a representative of the Management Audit Bureau;
- (g) a representative of the Mauritius Examinations Syndicate;
- (h) a representative of the University of Mauritius;
- (i) a representative of the Mauritius Institute of Education;
- (j) 3 representatives of the staff associations representing employees in the public sector;
- (k) a representative of the Mauritius Employers' Federation;
- (l) 2 persons with experience in the field of training.

(3) The members referred to in subsection (2) (j) to (l) shall be appointed by the Minister and shall hold office for a period of 2 years.

(4) The Council may co-opt up to 5 members to attend its deliberations.

(5) Eight members shall constitute a quorum.

8. Appointment of employees

(1) The Board may, after consultation with the Minister, appoint, on such terms and conditions as it thinks fit, such employees as it considers necessary for the proper discharge of its functions under this Act.

(2) Every employee shall be under the administrative control of the Director.

9. Conditions of service of employees

The Board may, with the approval of the Minister, make provision to govern the conditions of service of the employees and in particular to deal with—

- (a) the appointment, dismissal, discipline, pay and leave of, and the security to be given by, employees;
- (b) appeals by employees against dismissal or any other disciplinary measures; and
- (c) the establishment and maintenance of family protection and pension schemes, the contributions payable to, and the benefits recoverable from, those schemes.

10. General Fund

(1) The Institute shall set up a General Fund—

- (a) into which all monies received from any source by the Institute shall be paid; and
- (b) out of which all payments required to be made by the Institute shall be effected.

(2) The Institute shall derive its funds from—

- (a) the Consolidated Fund;
- (b) any dues or fees levied by the Board;
- (c) any other source approved by the Minister.

11. Execution of documents

(1) Subject to subsection (2), all documents shall be deemed to be executed by or on behalf of the Institute if signed by the Chairperson of the Board or the Director.

(2) Every cheque of the Institute shall be signed by any 2 of the following persons—

- (a) the Chairperson of the Board;
- (b) the Director;
- (c) such other person as may be appointed for the purpose by the Board.

12. Powers of Minister

(1) The Minister may, in relation to the exercise by the Board of the powers of the Institute under this Act, give such directions of a general nature to the Board, not inconsistent with this Act, as he considers necessary in the public interest, and the Board shall comply with these directions.

(2) The Institute shall furnish to the Minister such information with regard to its activities as he may require.

13. Donations

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

14. Offences

Any person who, without the authority of the Institute, uses its name, logo or style or who contravenes this Act or of any regulation made under it, shall commit an offence and shall, on conviction, be liable to imprisonment for a term not exceeding 2 years and to a fine not exceeding 2,000 rupees.

15. Regulations

(1) The Minister may, after consultation with the Board, make such regulations as he thinks fit for the purposes of this Act.

(2) Any regulations made under subsection (1) may provide for the levying of charges and fees.

16. – 17. —
