

## **SOCIETY FOR THE WELFARE OF THE DEAF ACT**

Act 37 of 1968 – 6 July 1968

### ARRANGEMENT OF SECTIONS

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## **SOCIETY FOR THE WELFARE OF THE DEAF ACT**

### **1. Short title**

This Act may be cited as the Society for the Welfare of the Deaf Act.

### **1A. Interpretation**

In this Act—

“Committee” means the Managing Committee of the Society;

“Minister” means the Minister to whom responsibility for the subject of social security is assigned;

“Society” means the Society for the Welfare of the Deaf.

### **2. The Society**

The Society for the Welfare of the Deaf shall be a body corporate.

### **3. Objects of Society**

The objects of the Society shall be to—

- (a) aid, train and educate all deaf persons;
- (b) assist deaf persons in obtaining medical treatment and suitable employment;
- (c) grant deaf persons any material relief of which they may be in need; and

- (d) erect, open and manage training centres, schools and hostels for deaf persons.

#### **4. Powers of Society**

(1) Subject to subsection (2), the Society shall exercise its powers through the Committee.

(2) The Society shall not contract for any capital expenditure or borrow money without the sanction of the Minister where the value of the expenditure or of the loan exceeds 1,000 rupees in any financial year.

#### **5. Membership of Society**

(1) A person who subscribes an annual sum of 5 rupees or more to the Society shall become a member of the Society, but shall only remain a member of the Society so long as the subscription is regularly paid.

(2) A person who makes a donation of 100 rupees or more to the Society shall become a permanent member of the Society.

(3) A Corporation, *société*, partnership or company shall act as member of the Society through a nominated representative.

(4) All members of the Society shall have their names entered in a register kept for that purpose which shall be known as the Register of Members.

#### **6. Management of Society**

(1) The Managing Committee of the Society shall consist of 16 members to be appointed under subsection (2).

(2) The members of the Committee shall be appointed in December every year by the members of the Society at their annual general meeting and shall hold office until the appointment of their successors.

(3) No person shall be eligible as a member of the Committee unless he is a member of the Society.

#### **7. Vacancies in Committee**

In case of the death, absence, resignation or incapacity of a member, 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) (a) Subject to paragraph (b), the functions of the members of the Committee shall be honorary.

(b) The Committee may, if it thinks necessary, pay for the services of the Treasurer and of the Secretary.

## 9. Meetings

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

(b) The quorum of the Committee shall be 6.

(c) All decisions shall be taken by a majority of votes, and in the event of an equality of votes, the Chairperson shall have an original as well as a casting vote.

(2) (a) The Secretary shall have the custody of every book or document relating to the Society.

(b) The minutes of proceedings at every meeting of the Committee shall be recorded by the Secretary and signed by the Chairperson and the Secretary.

(c) Any extract of those minutes signed by the Chairperson and the Secretary shall be *prima facie* evidence of all matters contained in them.

## 10. Signature of documents

Every document relating to the Society shall be signed by the Chairperson and Secretary of the Committee or by 2 members of the Committee delegated by the Committee on that behalf.

## 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 the 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 Minister and shall be laid before the annual general meeting of the Society.

## 12. Rules

The Committee may make such rules as it thinks fit for the fulfilment of the objects of the Society.

## 13. Funds of Society

(1) (a) The income and property of the Society shall be applied solely towards the promotion of the objects of the Society.

(b) No portion of any income or property of the Society shall be distributed or transferred by way of dividend or bonus.

(2) Nothing in subsection (1) shall prevent the payment in good faith of remuneration to any officer or employee of the Society or to any person in consideration of services rendered to the Society.

## 14. General meetings

(1) An annual general meeting of the members of the Society shall be held every year after the close of the preceding financial year of the Society

but not later than 20 December and shall be called by notices published in at least 2 of the local newspapers not less than 14 days before the day fixed for the meeting.

(2) The meeting shall be presided over by the Chairperson or Vice-Chairperson and, in their absence, the members present shall appoint a Chairperson.

(3) (a) The Secretary of the Committee shall act as Secretary of the meetings and shall record minutes of the proceedings which shall be signed by the Chairperson and by the Secretary.

(b) An extract of those minutes signed by the Chairperson and 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 majority on 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.

(d) The quorum at a general meeting shall be 20.

#### **15. Business of annual 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 for the financial year and of the auditor's report and the election of members to the Committee.

(2) (a) A 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.

(b) Notice of the proposed resolution shall be given in writing, signed by the proposer and seconder, to the Secretary at least 8 days before the day on which the general meeting is to be held.

#### **16. Auditors**

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

(2) The auditor shall examine and supervise the yearly financial account of the Society and make a report on it.

#### **17. Donations and legacies**

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

(2) No duty shall be levied on donations and legacies made to the Society.

**18. Affiliation with other societies**

The Society may become affiliated to or incorporated with other societies or institutions having for principal objects the welfare of deaf persons.

**19. Service of process**

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

**20. Exemption from taxation**

The Society shall be exempt from payment of licence duty and from payment of tax leviable on income.

**21. Exemption from duties**

No stamp duty or registration fee shall be payable in respect of any document signed or executed by the Society or under which the Society is a beneficiary.

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