

STATE OF JERSEY-MAURITIUS FOUNDATION ACT

Act 35 of 1972 – 16 December 1972

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STATE OF JERSEY-MAURITIUS FOUNDATION ACT

1. Short title

This Act may be cited as the State of Jersey-Mauritius Foundation Act.

2. Interpretation

In this Act—

“Board” means the Board of Trustees of the Foundation referred to in section 6;

“Foundation” means the State of Jersey-Mauritius Foundation established under section 3.

3. Establishment of Foundation

There is established for the purposes of this Act the State of Jersey-Mauritius Foundation which shall be a body corporate.

4. Object of Foundation

The object of the Foundation shall be to receive money donated or lent by the State of Jersey, Government of Mauritius or any other person and to apply any money so received by way of loan to any person, body or organisation which is, or is likely to become engaged, in the making or promotion of local handicraft.

5. —

6. Management of Foundation

The management of the Foundation and the exercise of any of its powers shall vest in a Board of Trustees.

7. The Board

The members of the Board shall, at a meeting to be held in December in every year, elect from among themselves a Chairperson, a Secretary and a Treasurer who shall be the office-bearers of the Board for the following year.

8. Vacancy in Board

Where a vacancy occurs in the Board through the death, incapacity or resignation of a member, the Prime Minister shall, as soon as may be after its occurrence, appoint a fit and proper person to fill the vacancy.

9. Employees of Foundation

The Board may, for such purpose and on such terms as it thinks fit, appoint a person to act as an employee of the Foundation, and may dismiss or suspend a person so appointed.

10. Remuneration

(1) No office-bearer or member of the Board shall be paid any fee, salary or other form of remuneration.

(2) An employee may be paid such fee, salary or other form of remuneration as the Board may determine, for services rendered or duties performed, in the interests of the Foundation, or in connection with those interests.

11. Validity of acts

An act performed, or a power exercised, by the Board, shall not be deemed to have been invalid or invalidly exercised, as the case may be, by reason only of a vacancy, but if at any time the number of members is reduced to less than 5, the Board shall not perform any act or exercise any power.

12. Proceedings of Board

(1) The Board shall be convened by the Chairperson—

- (a) at such time and place as he thinks fit; and
- (b) at such other time and place on request made in that behalf by not less than 3 members.

(2) Where the Chairperson or the Secretary is absent from a meeting of the Board, the members present shall elect from their number a Chairperson or Secretary, as the case may be, for that meeting.

(3) The quorum of the Board shall be 5.

(4) Decisions at any meeting shall be determined by a majority of the members present and voting and if the votes are equally divided, the Chairperson shall have a casting vote.

(5) Subject to this section, the Board shall regulate its meetings and proceedings in such manner as it thinks fit.

13. Duties of Secretary and Treasurer

(1) The Secretary and the Treasurer shall carry out such duties as may be assigned to them by the Board.

(2) The minutes of proceedings at every meeting of the Board shall be recorded by the Secretary, and signed by the Chairperson and Secretary at the meeting at which the minutes are read and confirmed.

(3) A copy or extract of the minutes, duly signed by the Chairperson and the Secretary, shall be received as *prima facie* evidence of the matters contained in it.

14. Signature of documents

(1) Every document relating to the Foundation shall be signed by the Chairperson and the Secretary.

(2) Every cheque shall be signed by the Secretary and the Treasurer.

(3) Where an office-bearer specified in subsections (1) and (2) is unable to sign a document or cheque through illness, absence or any other cause, the deed, act, document or cheque may be signed by another member of the Board appointed for that purpose by the Board.

15. Committees

(1) The Board may appoint such committees as may be necessary to assist in the performance of its duties.

(2) A committee appointed under subsection (1) shall consist of such persons as the Board may determine.

(3) Subject to any directions by the Board, a committee appointed under subsection (1) shall regulate its meetings and proceedings in such manner as it thinks fit.

16. Application of funds

The property of the Foundation, or any funds or money of which the Foundation may become possessed, shall be applied towards the furtherance of the objects of the Foundation, and no portion of any such property, fund or money shall be distributed or transferred in any manner by way of dividend, bonus or otherwise.

17. Accounts of Foundation

(1) The Treasurer shall, on or before 31 December in every year, prepare a statement of accounts and balance sheet of the finances of the Foundation in respect of the period ending on 30 December of that year.

(2) The statement of accounts and balance sheet shall be audited by an auditor appointed by the Board.

18. Annual report

(1) The Board shall, on or before 31 January in every year, report to the Prime Minister on the general progress of the Foundation during the previous year, and shall annex to the report the statement of accounts referred to in section 17, duly audited, together with such comments as may have been made by the auditor.

(2) A copy of the report shall be forwarded to Government of the State of Jersey.

19. Regulations

The Prime Minister may, after consultation with the Board, make such regulations as he thinks fit for carrying into effect the objects of the Foundation.

20. Affiliation to other bodies

The Foundation may become affiliated to, or incorporated with, other corporate bodies having for their principal objects those of the Foundation.

21. —

22. Donations and legacies

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

23. Exemptions

Notwithstanding any other enactment—

- (a) the Foundation shall be exempt from payment of any licence duty, rate or other charge leviable on immovable property, or tax leviable on income;
- (b) no stamp duty or registration fee shall be payable in respect of a document signed or executed by the Foundation or under which the Foundation is a beneficiary;
- (c) the Foundation is authorised to frank letters or postal packets, make remittances by money orders or despatch telegrams free of charge.