

MAURITIUS EX-SERVICES TRUST FUND ACT

Act 6 of 2000 – 31 July 2000

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MAURITIUS EX-SERVICES TRUST FUND ACT

1. Short title

This Act may be cited as the Mauritius Ex-Services Trust Fund Act.

2. Interpretation

In this Act—

“Board” means the Board referred to in section 6;

“Chairperson” means the Chairperson of the Board;

“ex-serviceman” means a person born in Mauritius who served in the armed forces during World War II or the post-War Period ending on 31 December 1956;

“Fund” means the Mauritius Ex-Services Trust Fund established under section 3;

“Minister” means the Minister to whom responsibility for the subject of finance is assigned.

3. Establishment of Fund

(1) There is established for the purposes of this Act the Mauritius Ex-Services Trust Fund.

(2) The Fund shall be a body corporate.

4. Objects of Fund

The objects of the Fund shall be to—

- (a) provide financial assistance to ex-servicemen;

- (b) provide assistance to ex-servicemen's associations represented on the Board; and
- (c) advance and promote the general welfare of ex-servicemen.

5. Powers of Fund

The Fund may acquire, hold and manage immovable property for the benefit and use of ex-servicemen and their associations.

6. The Board

(1) The Fund shall be administered and managed 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 social security;
- (e) the President or a representative of each of the following ex-servicemen's associations—
 - (i) the Ex-Service Association of Mauritius; and
 - (ii) the Royal Pioneer Corps Association; and
 - (iii) the Union of War and Peace Ex-Servicemen; and
- (f) 2 persons appointed by the Minister after consultation with the ex-servicemen's associations.

(2) The representative of each of the associations referred to in subsection (1) (e) shall be appointed with the approval of the Minister.

(3) The Chairperson and members of the members of the Board shall hold office for a period of 2 years and shall be eligible for reappointment.

7. Meetings of Board

(1) Subject to section 37 (6) and (8) of the Interpretation and General Clauses Act, the Board shall regulate its meetings and proceedings in such manner as it thinks fit.

(2) The Board shall meet at the request of the Chairperson or not less than 3 members and at such time and place as the Chairperson may direct.

(3) In the absence of the Chairperson from Mauritius or on his incapacity, a meeting of the Board may be convened by a member designated for that purpose by the Board.

(4) Five members shall constitute a quorum.

8. Functions and powers of Board

(1) The Board shall administer the affairs and assets of the Fund and exercise the powers of the Fund in its name and on its behalf.

(2) The Board may do all such things as appear requisite and advantageous for the furtherance of the objects and for the performance of the functions of the Fund.

9. Duty to maintain register

(1) The Board shall compile and maintain a register of all ex-servicemen and shall keep such information pertaining to the ex-servicemen as is necessary for the attainment of the objects of the Fund.

(2) Registration of a person in the register shall be taken as conclusive evidence of the status of that person as an ex-serviceman.

10. Appointment of staff

(1) The Board shall, with the approval of the Minister, and on such terms and conditions as it may determine, appoint a Secretary to the Board and such other employees as are required for the discharge by the Board of its functions under this Act.

(2) Every employee shall be under the administrative control and direction of the Secretary.

(3) The Board shall determine the conditions of service of employees and, in particular the appointment, dismissal, discipline, pay and leave of, and the security to be given to, employees.

11. Accounts and audit

(1) The Board shall, not later than 6 months after the close of every financial year, submit to the Minister an annual report on its activities together with the audited statements of accounts for that financial year.

(2) The Minister shall lay a copy of the audited accounts of the Fund before the Assembly at the earliest opportunity.

12. Donations and legacies

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

13. Powers of Minister

(1) The Minister may give such general directions to the Board, not inconsistent with the provisions of this Act, as he considers necessary in the public interest and the Board shall comply with those directions.

(2) The Fund shall furnish to the Minister such information with respect to its activities as the Minister may require.

14. Regulations

The Minister may make such regulations as he thinks fit for the purposes of this Act.

15. – 18. —
