

ST ANDREW'S COLLEGE FOUNDATION ACT

Act 30 of 1950 – 17 June 1950

ARRANGEMENT OF SECTIONS

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ST ANDREW'S COLLEGE FOUNDATION ACT

1. Short title

This Act may be cited as the St Andrew's College Foundation Act.

1A. Interpretation

In this Act—

“Board” means the Board of Trustees of the Foundation;

“Foundation” means the St Andrew's College Foundation;

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

2. The Foundation

The St Andrew's College Foundation shall be a body corporate.

3. Object of Foundation

The object of the Foundation shall be to further secondary education for the Mauritian youth of both sexes.

4. Powers of Foundation

The Foundation shall exercise its powers through the Board.

5. Board of Trustees

(1) The Board of Trustees shall consist of 6 members.

(2) The members of the Board shall be appointed in December of every year by the Minister on nomination by the Board of Commissioners of the Anglican Diocese of Mauritius.

(3) Where no nomination is made by 1 December in any year, the members of the Board shall be appointed by the Minister.

6. Officers of Board

(1) Immediately after their appointment, the members of the Board shall elect from among themselves a Chairperson and a Secretary who shall also act as Treasurer.

(2) (a) The Board may appoint an officer or suspend or dismiss an officer so appointed.

(b) Except where the Board otherwise decides, no office-bearer, member or other officer of the Board shall be paid any fee, salary or other form of remuneration for services rendered or duties performed by him to the interests of the Foundation, or in connection with those interests.

7. Vacancy in Board

(1) Where a vacancy occurs in the Board through death, absence from Mauritius, incapacity or resignation of a member, the vacancy shall, as soon as possible after its occurrence, be filled by the appointment of a new member in the manner prescribed by section 5.

(2) (a) A nomination for the purposes of section 5 (2) shall, on the occurrence of a vacancy, be transmitted to the Minister within 15 days of the occurrence.

(b) Where no nomination is made under paragraph (a), the Minister shall appoint such person as he thinks fit to fill the vacancy.

8. Acts valid in spite of vacancy

Any act performed, or any power exercised by, the Board shall not be deemed to have been invalid, or invalidly performed, as the case may be, by reason only of a vacancy in its number through any of the causes mentioned in section 7, but where the number of members is less than 3, the Board shall cease to exercise its powers.

9. Proceedings and quorum of Board

(1) The Board shall be convened by the Chairperson, or in the event of the death, incapacity or absence from Mauritius of the Chairperson, by any other member—

(a) at such time as he thinks fit; or

(b) at any other time on application 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 among themselves a Chairperson or a Secretary, as the case may be, for that meeting.

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

(4) All decisions of the Board shall be determined by a majority of the members present and voting and, in the event of an equality of votes, the Chairperson shall have a second or casting vote.

(5) The Secretary shall keep and have custody of every document relating to the Foundation.

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

(b) A copy or extract of those minutes duly signed by the Chairperson and the Secretary shall be received as *prima facie* evidence of the matter contained in them.

10. Signature of documents

Every document relating to the Foundation shall be signed by the Chairperson and the Secretary of the Board.

11. Property and funds

The property of the Foundation shall be applied towards the furtherance of the objects of the Foundation and shall not be distributed or transferred in any manner by way of dividend, bonus or otherwise.

12. Accounts of Foundation

(1) The Treasurer shall, on or about 30 October in every year, prepare a statement of accounts and balance sheet of the finances of the Foundation.

(2) The statement of accounts and the balance sheet shall be annually audited by an auditor who shall report on them.

13. Annual report

The Board shall, on or before 30 November in every year, report to the Minister on the general progress of the Foundation, and shall annex to its report, the statement of accounts referred to in section 12, duly audited by the auditor, together with the latter's report.

14. Donations and legacies

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

15. Exemption from payment of duty

The Foundation shall be exempt from the payment of duty on donations and legacies made to it.
