

ST ANTOINE PLANTERS CO-OPERATIVE TRUST ACT

Act 28 of 1994 – 1 August 1994

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ST ANTOINE PLANTERS CO-OPERATIVE TRUST ACT

1. Short title

This Act may be cited as the St Antoine Planters Co-operative Trust Act.

2. Interpretation

In this Act—

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

“individual planter” means a planter who is not a member of a co-operative society which is engaged in agricultural and allied activities;

“Minister” means the Minister to whom responsibility for the subject of co-operatives is assigned;

“planter” means a sugar cane planter cultivating not more than 6.5 hectares of land falling within the factory area of the St Antoine Sugar Factory determined under the Cane Planters and Millers Arbitration and Control Board Act as at 1 August 1994;

“Trust” means the St Antoine Planters Co-operative Trust established under section 3.

3. Establishment of Trust

There is established for the purposes of this Act the St Antoine Planters Co-operative Trust which shall be a body corporate.

4. Objects of Trust

The objects of the Trust shall be to—

- (a) receive and manage funds obtained from the Société Usinière de St Antoine and from any other organisations, including Government;

- (b) provide loans to planters for derocking, mechanisation and other allied agricultural activities;
- (c) devise and implement irrigation projects for the benefit of planters;
- (d) finance schemes for providing assistance to the planters for cutting, loading and transport of sugar cane;
- (e) purchase and distribute farm inputs to planters;
- (f) assist planters in the acquisition of light farm equipment, implements and tools;
- (g) provide support services to agricultural co-operative societies in which the planters are members; and
- (h) finance any other activities and schemes aimed at assisting planters to improve their level of production and efficiency generally.

5. Management of Trust

(1) Subject to subsection (2), the Trust shall be managed by a Board of Trustees appointed by the Minister and shall consist of—

- (a) a Chairperson;
- (b) a representative of the Ministry responsible for the subject of co-operatives;
- (c) a representative of the Ministry responsible for the subject of finance;
- (d) a representative of the Ministry responsible for the subject of agriculture;
- (e) a representative of the Mauritius Sugar Authority;
- (f) a representative of the Mauritius Co-operative Agricultural Federation Ltd;
- (g) 4 planters representing the interest of Co-operative Credit Societies operating in the St Antoine factory area; and
- (h) one person to represent the interest of individual planters.

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

(3) —

(4) Six members of the Board shall constitute a quorum.

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

6. Staff of Trust

(1) The Board shall appoint a Secretary-Manager on such terms and conditions as it may decide.

(2) The Secretary-Manager shall work under the direct supervision of the Board and shall be responsible for the execution of the Board's policies and for the day-to-day management of the affairs of the Trust.

(3) The Board may appoint, on such terms and conditions as it may decide, such other employees as it may require and those employees shall work under the direct supervision of the Secretary-Manager.

7. Annual report and accounts

(1) The Board shall, on or before 1 October in every year, submit to the Minister a report, together with an audited statement of accounts on the operations of the Trust in respect of the 12 months ending on 30 June in the same year.

(2) The statement of accounts and balance sheet of the Fund shall be annually audited by a qualified auditor appointed by the Board.

(3) In this section, "qualified auditor" has the same meaning as in the Statutory Bodies (Accounts and Audit) Act.

8. Execution of documents

Every document relating to the Trust shall be signed by the Chairperson and the Secretary-Manager of the Trust, or by 2 other persons designated by the Board.

9. Property of Trust

The property of the Trust shall be applied towards the furtherance of the objects for which the Trust was established and that property shall not be distributed or transferred in any manner by way of dividend, bonus or otherwise.

10. Donations and legacies

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

11. Dissolution

(1) The Trust may, with the approval of the Minister, be dissolved by the unanimous decision of the Board.

(2) In the event of the dissolution of the Trust, all assets of the Trust shall be transferred to such organisation as may be designated by the Board.

12. Regulations

The Board may, with the approval of the Minister, make such regulations as it thinks fit for the purposes of this Act.

13. —
