

TECHNICAL SCHOOL MANAGEMENT TRUST FUND ACT

Act 18 of 1990 – 14 July 1990

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TECHNICAL SCHOOL MANAGEMENT TRUST FUND ACT

1. Short title

This Act may be cited as the Technical School Management Trust Fund Act.

2. Interpretation

In this Act—

“Board” means the Board of Trustees referred to in section 4;

“Centre” means a Technical Education Centre designated under section 7 and specified in the Schedule;

“Director” means the Director appointed under section 6;

“Fund” means the Technical School Management Trust Fund established by section 3;

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

[S. 2 amended by Act 27 of 1994.]

3. Establishment of Fund

(1) There is established for the purposes of this Act a Technical School Management Trust Fund.

(2) The Fund shall be a body corporate.

(3) The objects of the Fund shall be to—

- (a) manage the Centres;
- (b) organise and run technical education courses at the Centres;

- (c) promote technical education; and
- (d) advise the Minister on short and long term plans for technical education, and on the need for appropriate research in the field of technical education.

4. The Board

(1) There shall be a Board of Trustees which shall be in charge of the Fund.

(2) The Board shall consist of—

- (a) a Chairperson, to be appointed by the Minister;
- (b) a representative of the Ministry responsible for the subject of education;
- (c) a representative of the Ministry responsible for the subject of industry;
- (d) a representative of the Ministry responsible for the subject of finance;
- (e) a representative of the Ministry responsible for the subject of vocational and technical training;
- (f) a representative of employees;
- (g) a representative of the Industrial and Vocational Training Board;
- (h) the Director;
- (i) 4 persons with experience in management and training sectors, to be appointed by the Minister.

(3) The Chairperson and other members, other than the *ex officio* members, of the Board, shall hold office for a period of 2 years but shall be eligible for reappointment for another period of 2 years.

[S. 4 amended by Act 27 of 1994.]

5. Meetings of Board

(1) The Board shall meet at such place and time as the Chairperson may think fit.

(2) Seven members of the Board shall constitute a quorum.

(3) No member who has a direct or indirect pecuniary interest in an item on the agenda of the Board shall take part in the deliberations of the Board on that item.

6. Director

(1) The Board shall—

- (a) with the approval of the Minister, appoint a Director;
- (b) after consultation with the Minister, determine the terms and conditions of service of the Director.

(2) The Director shall be responsible for—

- (a) the execution of the policy of the Board;
- (b) the control and management of the day-to-day business of the Board and the overall control of the Centres.

(3) The Director shall be entitled to attend every meeting of the Board, and take part in its deliberations, but shall not be entitled to vote on a matter before the Board.

[S. 6 amended by Act 27 of 1994.]

7. Technical Education Centres

The Minister may, after consultation with such authorities as he considers appropriate, designate a technical education institution to be a Centre.

8. Appointment of staff

(1) The Board may, with the approval of the Minister, appoint such employees as it may require to discharge its functions.

(2) Every employee shall be under the administrative control of the Director.

(3) The Board shall, after consultation with the Minister, determine the terms and conditions of service of the employees.

[S. 8 amended by Act 27 of 1994.]

9. Execution of documents

(1) No document shall be executed by or on behalf of the Fund unless it is signed by the Chairperson and another member appointed by the Board or, in the absence of the Chairperson, by 2 members appointed by the Board.

(2) Every document signed in accordance with subsection (1) shall be deemed to be duly executed by or on behalf of the Fund.

10. Powers of Minister

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

11. Financial provisions

(1) The Board shall establish a General Fund—

- (a) into which all monies received by the Fund shall be paid; and
- (b) out of which all payments required to be made by the Board shall be paid.

(2) There shall be paid into the General Fund—

- (a) fees, charges and other sums accruing from any remunerative work undertaken in relation to students' training;

- (b) any subsidy granted by Government;
- (c) all other sums of money received by the Board from any other source.

12. Accounts of Fund

(1) The Board shall, on or about 31 October in every year, prepare a statement of accounts and balance sheet of the finances of the Fund.

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

(3) In this section—

“qualified auditor” has the meaning assigned to it in the Statutory Bodies (Accounts and Audit) Act.

(4) The Treasurer of the Fund shall keep the accounts of the Fund which shall at all reasonable times be open for inspection by the Board or any person appointed by the Minister.

(5) —

13. Service of process

Service of process by or on the Secretary of the Board shall be equivalent to service by or on the Fund.

14. —

15. Donations and legacies

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

16. Regulations

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

17. —

SCHEDULE

[Section 3]

Polytechnics

Pre-vocational education centres

Technical schools

[Sch. amended by Act 27 of 1994.]
