

TRUST FUND FOR SPECIALISED MEDICAL CARE ACT

Act 52 of 1992 – 12 March 1993

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TRUST FUND FOR SPECIALISED MEDICAL CARE ACT

1. Short title

This Act may be cited as the Trust Fund for Specialised Medical Care Act.

2. Interpretation

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

“Executive Director” means the officer appointed under section 7;

“Fund” means the Trust Fund for Specialised Medical Care established under section 3;

“member” means a member of the Board and includes the Chairperson;

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

3. Establishment of Fund

(1) There is established for the purposes of this Act the Trust Fund for Specialised Medical Care.

(2) The Fund shall be a body corporate.

4. Objects of Fund

The objects of the Fund are to set up and—

(a) operate a Specialised Medical Care Centre; and

(b) manage other institutions for the provision of high-tech medical care.

5. Management of Fund

(1) The Fund shall be administered and managed by a Board of Trustees which shall comprise—

- (a) a Chairperson, to be appointed by the Minister;
- (b) the Permanent Secretary of the Ministry responsible for the subject of health;
- (c) the Chief Medical Officer;
- (d) a representative of the Prime Minister's Office;
- (e) a representative of the Ministry responsible for the subject of finance;
- (f) a representative of the Ministry responsible for the subject of social security;
- (g) the Executive Director;
- (h) two independent persons appointed by the Minister.

(2) The Chairperson and every member specified in subsection (1) (h) shall hold office for 2 years but shall be eligible for reappointment.

(3) The Board shall be convened at least once a month by the Chairperson at such time and place as he thinks fit.

(4) Five members shall constitute a quorum.

(5) Every member shall be paid such fees and allowances as the Minister may determine.

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

6. Powers of Board

The Board may do all such things as appear requisite and advantageous in furtherance of the objects of the Fund and may, in particular—

- (a) raise funds in such manner as may be prescribed;
- (b) buy or sell property;
- (c) charge fees for the provision of medical care; and
- (d) receive grants-in-aid, gifts, donations or legacies.

7. Executive Director

The Board shall, with the approval of the Minister, appoint, on such terms and conditions as the Board may determine, an Executive Director who shall be responsible for—

- (a) the execution of the policy of the Board;
- (b) the day-to-day management of the Fund; and
- (c) the management of the Specialised Medical Care Centre.

8. Appointment of staff

(1) The Board may appoint, on such terms and conditions as it may determine, such officers as may be reasonably necessary for the discharge of the functions of the Fund.

(2) All officers shall be under the administrative control of the Executive Director.

9. Protection from liability

No liability, civil or criminal, shall attach to an officer in respect of any act done or omitted by him in good faith in the execution or purported execution of the duties of the Fund under this Act.

10. Execution of documents

No document shall be executed by or on behalf of the Fund unless it is signed by—

- (a) the Chairperson or, in his absence, a member designated by the Board; and
- (b) the Executive Director or, in his absence, another officer of the Fund designated by the Board.

11. Powers of Minister

The Minister may, after consultation with the Board, give such directions of a general character to the Board, not inconsistent with this Act, as he considers necessary in the public interest, and the Board shall comply with these directions.

12. Donations

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

13. Accounts of Fund

(1) The Board shall, on or before 31 October in every year, submit to the Minister a report together with an audited statement of accounts, on the operations of the Fund in respect of the 12 months ending on 30 June of the same year.

(2) The report of the Board shall be laid on the table of the Assembly.

14. Regulations

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

(2) Regulations made under subsection (1) may provide for the levy of fees and charges.

15. – 16. —
