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**Act No. 12 of 1995 and Government Notice No. 78 of 1995**

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**NATIONAL PLANNING BOARD ACT 1995**

**An Act to provide for election of Chairman and the procedure of the National Planning Board pursuant to section 105(3) of the Constitution of Lesotho and for matters connected therewith.**

**Enacted by the Parliament of Lesotho**

**Short title and Commencement**

1. This Act may be cited as the National Planning Board Act 1995, and shall come into operation on the date of its publication in the Gazette.

**Interpretation**

In this Act, unless the context otherwise requires,

“Board” means the National Planning Board established under section 105 of the Constitution of Lesotho;

“Chairman” means the Chairman of the Board.

**Election of the Chairman**

3. Members of the Board shall elect the Chairman from amongst members designated under section 105(1) (b) of the Constitution.

**Tenure of office**

4.
  - (1) A member of the Board holds office for a period of 2 years and is eligible for redesignation.
  - (2) A member of the Board may resign his office upon giving in writing to the authority which designated him.
  - (3) A member of the Board shall vacate office if,
    - (a) he suffers from mental illness in terms of Mental Health Law of 1964’; and
    - (b) having been duly notified fails to attend two consecutive meetings of the Board without the prior permission of the Chairman.
- (4) The designating authority may terminate the appointment of a member of the Board if the designating authority considers it necessary in the interests of the effective performance of the functions of the Board.
- (5) If a member of the Board dies, resigns or otherwise vacates his office before the expiry of the term for which he was designated, the designating authority shall designate other person to fill the vacancy for the unexpired term of office.

(6)Where -

- (a) the office of the Chairman is vacant; or
- (b) the Chairman is for any reason unable to perform the functions of his office,

the functions of the Chairman shall, until the Chairman resumes office, be performed by a member elected by the Board from members designated under section 105(1)(b) of the Constitution.

### **Meetings of the Board**

5. (1)The Board shall meet at least four times a year.
- (2)The Chairman shall preside at all meetings of the Board at which he is present and in his absence from a meeting of the Board, members present shall elect one of their number to preside.
- (3) At the meetings of the Board, resolutions raised shall be reached by consensus, and if consensus is not reached, voting by majority of votes of the members present shall be resorted to.
- (4) Where voting is resorted to, the Chairman or the person presiding shall have deliberative vote and, in the event of equality of votes, shall also have a casting vote.
- (5) Two-thirds of members of the Board shall constitute a quorum.
- (6) If the Board requires advice on a particular matter, the Board may invite a person to attend a meeting or meetings of the Board to give that advice, save that such a person does not vote or participate in the actual decision of the Board.
- (7)The Board may regulate its own procedure.
- (8) The Board may, subject to its rules of procedure, act notwithstanding any vacancy in its membership or the absence of any member and its proceedings shall not be invalidated by the presence or participation of any person not entitled to be present at or to participate in those proceedings.

### **Functions of the Board**

6. (1)The Board shall perform all functions stipulated under section 105(2) of the Constitution of Lesotho.
- (2) The Board shall submit its advice to the Government through the Minister responsible for economic planning.

## **Remuneration and allowances of members**

7. A member of the Board, other than a public officer of the Lesotho Government, shall be paid such remuneration and allowances as the Minister may, after consultation with the Minister responsible for finance, determine.

## **NOTE**

Act No. 7 of 1964