

# MAURITIUS SUGAR INDUSTRY RESEARCH INSTITUTE ACT

RL 3/647—29 August 1953

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### 1 Short title

This Act may be cited as the Mauritius Sugar Industry Research Institute Act.

### 2 Interpretation

In this Act—

“Board” means the Mauritius Sugar Industry Research Institute Board established under section 5;

“disease of sugar cane” means any deterioration or destruction of sugar cane or parts of sugar cane, whether the deterioration is due to disease, insects, blight, fungus or any other cause and whether communicable or not;

“Institute” means the Mauritius Sugar Industry Research Institute set up under section 3;

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

### 3 Establishment of Institute

(1) There is established for the purposes of this Act the Mauritius Sugar Industry Research Institute.

(2) The objects of the Institute shall be to promote by means of research and investigation the technical progress and efficiency of the sugar industry.

### 4 Management of Institute

The Institute shall be—

- (a) managed and administered by the Board; and
- (b) financed out of the proceeds of the cess levied under section 16.

### 5 Establishment of Board

(1) There is established for the purposes of this Act the Mauritius Sugar Industry Research Institute Board.

(2) The Board shall consist of—

- (a) appointed members—
  - (i) one member to represent the Chamber of Agriculture;
  - (ii) 3 members to represent the owners of sugar cane estates with factories;
  - (iii) one member to represent large planters; and
  - (iv) 2 members to represent small planters,
 to be appointed by the Minister on the recommendation of their respective associations; and
- (b) nominated members—
  - (i) a representative of the Ministry of Agriculture, Natural Resources and Environment;

- (ii) a representative of the Ministry of Finance;
- (iii) a representative of the Ministry of Economic Planning and Development.

(3) The members of the Board shall each year elect one of their members to be the Chairman of the Board who shall be eligible for reelection.

(4) The appointed members of the Board shall hold office from the date of their appointment in any year to the expiration of that year and shall be eligible for reappointment.

(5) Where any appointed member of the Board is incapacitated by illness, absence or other sufficient cause from performing the duties of his office, the Minister may appoint some fit and proper person to act for him and that person shall have all the powers and authority of the member for whom he is acting.

(6) In this section—

“large planter” means a planter normally producing not less than 5,000 tons of sugar cane per annum;

“small planter” means a planter normally producing less than 5,000 tons of sugar cane per annum.

#### **6 Board to act in spite of vacancy**

The Board may act, notwithstanding any vacancy among its members, provided the number of members is not reduced below 4.

#### **7 Meeting of Board**

(1) The Board shall meet as often as the Chairman may decide provided that the interval between any 2 meetings of the Board shall not exceed 4 months.

(2) In the absence of the Chairman of the Board from any meeting of the Board, a Chairman for the meeting shall be chosen by the members present from among themselves.

(3) (a) At any meeting, the Chairman shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

(b) A decision of the majority of members present and voting at the meeting shall be deemed to be the decision of the Board.

(4) Subject to this section, the Board may make standing orders for the regulation of the conduct of business and the procedure at their meetings.

(5) The quorum of the Board shall be 4.

(6) Every authorisation or recommendation given or order made by the Board under this Act shall be signified under the hand of the Chairman of the Board.

#### **8 Legal status of Board**

(1) The Board shall be a body corporate.

(2) Service of any process by or on the Board shall be sufficient if made on behalf of or on the Chairman.

#### **9 Borrowing power**

The Board may, with the approval of the Minister, raise or borrow such sums of money for the purpose of this Act as it thinks fit, and may secure the repayment of or raise any of those sums by mortgage upon the whole or part of the property of the Board.

#### **9A Annual estimates**

(1) The Board shall, 3 months before the end of its financial year, draw up an estimate of the income and expenditure of the Institute for the next financial year and shall submit the estimates to the Minister for his approval.

(2) The Board shall not exceed the amount specified in the approved estimates for any year.

(3) The Institute may, with the approval of the Minister, add to or vary the approved estimates.

#### **10 Donations and legacies**

(1) Article 910 of the Code Napoléon shall not apply to the Board.

(2) The Board shall be exempt from payment of any duty on donations and legacies received by it.

(3) Donations and legacies made to the Board shall be applied for the purposes of this Act.

### **11 Functions of Board**

Subject to this Act, the functions of the Board shall be—

- (a) to promote, by means of research and investigation, the technical and scientific progress and efficiency of the sugar industry;
- (b) to administer any money which may be placed at their disposal under this Act or otherwise for—
  - (i) remuneration of the officers or servants employed by the Board and providing for the payment of their pensions, gratuities or allowances;
  - (ii) the purchase of such equipment as the Board considers necessary for the purposes of this Act;
  - (iii) experiment, investigation and research in connection with the sugar industry;
  - (iv) the collection of specialized statistics and other information relating to sugar cane and sugar which the Board considers desirable;
  - (v) the formation of a library or information centre, and the preparation and publication of information concerning matters relating to the sugar industry;
  - (vi) the promotion of exhibitions for the display of sugar cane and sugar processes, and the uses of sugar;
  - (vii) the establishment of laboratories, experimental stations, workshops and factories, and the provision of ancillary facilities;
  - (viii) specialized training or study tours for serving members of its staff and expenses in connection with their attendance at any conference concerned with sugar cane and its products;
  - (ix) the employment and remuneration of such technical advisers and instructors as the Board thinks necessary for the purposes of this Act;
  - (x) the payment of fees, travelling and out of pocket expenses, to members of the Board and the Advisory Committee;
  - (xi) any other purpose which, in the opinion of the Board, is intended to promote the welfare of the sugar industry.

### **12 Appointment of officers and servants**

(1) The Board may appoint and employ, on such terms and conditions as it may determine, such officers (including a Director of the Institute) and servants as it thinks necessary for the proper and efficient administration of the Institute.

(2) —

(3) Where a public officer is seconded for service to the Institute, the Board shall pay contributions to the Consolidated Fund in respect of the estimated pension rights (as assessed by the Accountant-General) of that officer with respect to the period during which he is in the employment of the Board.

### **13 Advisory Committee**

(1) There is established for the purposes of this Act an advisory committee of technicians, to be known as the Mauritius Sugar Industry Research Institute Advisory Committee, for the purpose of advising the Board on research programmes and on all technical matters relating to the functions of the Institute.

(2) The Advisory Committee shall consist of—

- (a) the Director of the Institute who shall be the Chairman;
- (b) the Chief Agricultural Officer or, in his absence, an officer to be nominated by him;
- (c) the officer in charge of the Extension Services of the Ministry of Agriculture, Natural Resources and the Environment;
- (d) 2 representatives of the Société de Technologie Agricole et Sucrière;
- (e) a representative of the Chamber of Agriculture;
- (f) the Senior Scientific Officers of the Institute.

(3) The representatives of the Société de Technologie Agricole et Sucrière and of the Chamber of Agriculture shall hold office from the date of their appointment in any year to the expiration of that year and shall be eligible for reappointment.

**14 Execution of documents**

All deeds, instruments, contracts and other documents shall be deemed to be duly executed by or on behalf of the Board if signed by the Chairman or by any other person nominated for that purpose by the Board.

**15 Exemption from duty**

Notwithstanding any other enactment—

- (a) the Board shall be exempt from payment of any duty, rate, charge, fee or tax;
- (b) no stamp duty or registration fee shall be payable in respect of any document under which the Institute is the sole beneficiary.

**16 Cess on sugar produced**

(1) The Institute shall be financed by means of a cess on sugar produced.

(2) The cess shall be charged in such manner and at such rates as, after consultation with the Board, the Minister may, by regulations, prescribe.

(3) There shall be paid out of the proceeds of the cess collected a sum not exceeding half a cent per 50 kilograms of sugar produced into a fund administered by the Permanent Secretary of the Ministry of Agriculture, Natural Resources and the Environment to combat and control any disease of sugar cane.

**17 Insurance**

The Board shall insure all its property, whether movable or immovable, against loss or damage due to fire.

**18 —**

**19 Rules**

The Board may make such rules as it thinks fit for the purposes of this Act.

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