

LEGAL SUPPLEMENT

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Government Notice No. 195 of 2003

THE FINANCE AND AUDIT ACT

Regulations made by the Minister under section 24 of the Finance and Audit Act

1. These regulations may be cited as the Finance and Audit (Tourism Fund) Regulations 2003.

2. In these regulations -

“Act” means the Finance and Audit Act;

“Chairperson” means the Chairperson of the Committee;

“Committee” means the Committee set up under regulation 6;

“Fund” means the Tourism Fund;

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

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

3. There is established, for the purposes of the Act, a Fund which shall be known as the Tourism Fund.

4. The object of the Fund shall be to finance the implementation of-

(a) infrastructural works in connection with tourism development projects in Mauritius; and

(b) such other associated works for the benefit of the inhabitants of the areas in which the projects are being implemented, as the Committee may think fit.

5. The Fund shall consist of -

(a) contributions made by promoters of tourism development projects on state lands, where such contributions are imposed under one of the terms and conditions of the lease of the said lands;

(b) donations and grants; and

(c) any other sum which may lawfully accrue to the Fund.

6. (1) There is set up for the purposes of these regulations a Committee which shall administer and manage the Fund.

(2) The Committee shall consist of -

- (a) a Chairperson to be appointed by the Minister;
- (b) the Financial Secretary or his representative;
- (c) the Secretary for Home Affairs or his representative;
- (d) the Permanent Secretary of the Ministry responsible for the subject of tourism or his representative;
- (e) the Permanent Secretary of the Ministry responsible for the subject of local government or his representative;
- (f) the Permanent Secretary of the Ministry responsible for the subject of environment or his representative;
- (g) the Permanent Secretary of the Ministry responsible for the subject of public infrastructure or his representative;
- (h) the Permanent Secretary of the Ministry responsible for the subject of fisheries or his representative;
- (i) the Permanent Secretary of the Ministry responsible for the subject of lands or his representative; and
- (j) 4 representatives of the private sector with proven experience in the tourism sector, appointed by the Minister.

(3) The members specified in paragraph (2) (j) shall hold office for a period of 2 years and shall be eligible for re-appointment.

(4) The Ministry may designate -

- (a) a public officer to be the Secretary of the Committee; and
- (b) such other public officers as may be necessary to assist the Committee in the discharge of its functions under these regulations.

7. (1) The Committee shall meet at such time and place as the Chairperson thinks fit.
 - (2) At any meeting of the Committee, 7 members shall constitute a quorum.
 - (3) subject to paragraphs (1) and (2), the Committee shall regulate its meetings and proceedings in such manner as it thinks fit.
8. No document shall be executed by, on behalf of the Fund, unless it is signed by the Chairperson and the Secretary or, in the absence of the Chairperson, by any other member designated by the Committee and the Secretary.
9. Nothing in these regulations shall be so construed as to authorise expenditure in excess of the balance of the Fund.
10. The Committee shall, not later than 3 months after the end of every financial year, prepare and submit to the Director of Audit -
11. The Committee shall, as soon as practicable after the end of every financial year, furnish to the Minister-
 - (a) a report on the activities and financial position of the Fund during that financial year; and
 - (b) a copy of the audited accounts of the Fund for that financial year together with the auditor's report on those accounts.
12. The Minister shall, at the earliest available opportunity, lay a copy of the annual report and audited accounts of the Fund before the Assembly.
13. Any surplus money of the Fund shall be invested in such manner as the Minister of Finance may, on the recommendation of the Committee, specify.
14. In case of winding up of the Fund, the net assets of the Fund shall accrue to the Consolidated Fund.

Made by the Minister on 30th October 2003.