

FOOD AND AGRICULTURAL RESEARCH COUNCIL ACT

Act 49 of 1985—25 July 1985

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To set up a council for the promotion and harmonization of research activities in agriculture, fisheries and food production and matters incidental thereto.

1 Short title

This Act may be cited as the Food and Agricultural Research Council Act.

2 Interpretation

In this Act—

“Council” means the Food and Agricultural Research Council set up under Section 3;

“Minister” means the Minister responsible for the subject of agriculture.

3 Establishment of the Council

(1) There is established for the purposes of this Act a Food and Agricultural Research Council.

(2) The Council shall be a body corporate.

4 Objects of the Council

The objects of the Council shall be—

- (a) to promote and harmonize research activities in agriculture, fisheries and food production;
- (b) to maximise the benefits of such research; and
- (c) to deal in such other activities relating to research in agriculture, fisheries and food production as may be approved by the Minister.

5 Functions of the Council

The functions of the Council shall be—

- (a) to co-ordinate, monitor and promote research projects and programmes of the different institutions engaged in agriculture, fisheries and food production without any prejudice to existing legislation concerning those institutions;
- (b) to ensure as far as possible the proper dissemination and practical application of the results of any such research;
- (c) to advise the Minister generally on matters related to food and agricultural research and applications thereof.

6 Membership of the Council

(1) The Council shall consist of—

- (a) a Chairman appointed by the Minister;
- (b) the Permanent Secretary of the Ministry of Agriculture or his representative;
- (c) a representative of the Ministry for Rodrigues and the Outer Islands;
- (d) a representative of every research organisation recommended by the Minister;
- (e) two other members appointed by the Minister by reason of their experience in research;
- (f) three persons involved in agricultural activities to be appointed by the Minister.

(2) Every member of the Council shall hold office for 2 years but shall be eligible for reappointment.

7 Meetings of the Council

(1) Subject to subsections (2) and (3), the Council shall regulate its meetings and proceedings in such manner as it thinks fit.

(2) The Council shall meet at the request of the Chairman or of not less than half of its membership at such time and place as may be determined by the Chairman.

(3) Half of the total membership of the Council shall constitute a quorum.

8 Appointment of employees

The Council may employ, on such terms and conditions as it may with the approval of the Minister, such employees as may be necessary for the proper discharge of its functions under this Act.

9 Powers of the Minister

The Minister may, in relation to the exercise by the Council of its powers under the Act, give such directions of a general character to the Council, not inconsistent with this Act, as he considers necessary in the public interest, and the Council shall comply with these directions.

10 Funds of the Council

The activities of the Council shall be financed by—

- (a) such levy on agricultural production as may be determined from time to time by the Minister;
- (b) government grants;
- (c) special government funding for contract projects;
- (d) external aid funding for special contract projects;
- (e) any other source as the Minister may approve.

11 Estimates

(1) The Council shall, not less than 3 months before the beginning of every financial year, submit to the Minister an estimate of the expenditure and income of the Council.

(2) Subject to subsection (3), the Minister shall before the beginning of every financial year signify in writing his approval of the estimates.

- (3) In signifying his approval under subsection (2), the Minister may—
- (a) approve part only of the expenditure under any item; and
 - (b) direct the Council to amend the estimates in respect of any item.

(4) Subsection (1) shall not apply to the first financial year of the Council.

12 Annual Report

The Council shall, not later than 3 months after the close of a financial year, submit to the Minister for his approval an annual report on its activities and audited accounts for that financial year.

13 Donations

Article 910 of the Code Napoleon shall not apply to the Council.

14 Regulations

The Minister may make such regulations as may be necessary for the purpose of this Act and for the purpose of setting up such research advisory committees as he thinks necessary to assist the Council.

15 Consequential amendments

(1) Subject to subsections (2) and (3), the Schedule to the Statutory Bodies (Accounts and Audit) Act is amended in Part II by adding the following item—

Food and Agricultural Research Council.

(2) For the purposes of the Statutory Bodies (Accounts and Audit) Act, the period extending from the commencement of this Act to 30 June next following shall be deemed to be the first financial year of the Council.

(3) Section 7(1) of the Statutory Bodies (Accounts and Audit) Act shall not apply in relation to the first financial year of the Council.

(4) The Auditor to be appointed under section 5(1) of the Statutory Bodies (Accounts and Audit) Act shall be the Director of Audit.
