

LEGAL SUPPLEMENT

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to the Government Gazette of Mauritius No. 116 of 11 December 2010

*Government Notice No. 221 of 2010***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 (Maurice Ile Durable Fund) (Amendment) Regulations 2010.
2. In these regulations –
“principal regulations” means the Finance and Audit (Maurice Ile Durable Fund) Regulations 2008.
3. The principal regulations are amended –
 - (a) in regulation 2 –
 - (i) by deleting the definitions of “CEB” and “MDE”;
 - (ii) by inserting, in the appropriate alphabetical order, the following new definition –

“appropriate Minister” means the Minister to whom responsibility for the subject of Maurice Ile Durable and sustainable development is assigned;
 - (b) by revoking regulation 4 and replacing it by the following regulation –
 4. The objects of the Fund shall be to finance projects, schemes or programmes –
 - (a) for the conservation of local natural resources with a view to achieving sustainable development;

- (b) for mitigation against, adaptation to, and increase of resilience to, climate change;
- (c) for the promotion of sustainable consumption and production, including efficient use of resources, cleaner production, sustainable public service practices and increase in the use of sustainable products;
- (d) to explore and harness potential sources of renewable energy and to reduce dependency on imported fossil fuels;
- (e) to foster research, development and innovation with a view to promoting sustainable development;
- (f) for the promotion of energy conservation and energy efficiency;
- (g) to encourage the production of energy from renewable energy sources on a small scale by any individual, household, business or group and for the sale of any surplus to the national grid;
- (h) for sustainable transportation which promotes environment friendly and low emitting fuel-efficient motor vehicles, including buses under the Bus Modernisation Programme;
- (i) to encourage and promote sustainable waste management through waste reduction, reuse and recycling;

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- (j) to educate people and raise awareness on sustainable development;
 - (k) to encourage efficient and responsible use of water resources;
 - (l) which are incidental to or conducive to the attainment of any of the above objects.
- (c) by revoking regulation 6 and replacing it by the following regulation –
- 6.** (1) The Fund shall be administered and managed by a Committee which shall consist of –
- (a) a Chairperson, to be appointed by the appropriate Minister;
 - (b) a Vice-Chairperson, to be appointed by the appropriate Minister;
 - (c) a representative of the Ministry responsible for the subject of environment and sustainable development;
 - (d) a representative of the Ministry responsible for the subject of local government;
 - (e) a representative of the Ministry responsible for the subject of public infrastructure;
 - (f) a representative of the Ministry responsible for the subject of land transport;

- (g) a representative of the Ministry responsible for the subject of energy and public utilities;
- (h) a representative of the Ministry;
- (i) a representative of the Ministry responsible for the subject of Rodrigues;
- (j) the Accountant-General or his representative; and
- (k) 2 other members, having competence and knowledge in the relevant field, to be appointed by the appropriate Minister.

(2) The Chairperson, Vice-Chairperson and the 2 other members referred to in paragraph (1)(k) shall be appointed on such terms and conditions as the appropriate Minister thinks fit.

- (3) The appropriate Minister shall designate –
- (a) a public officer to act as Secretary to 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.

- (4) The Secretary to the Committee shall –
- (a) give notice of every meeting of the Committee to the members;

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- (b) prepare and attend every meeting of the Committee;
- (c) keep minutes of proceedings of every meeting of the Committee; and
- (d) have such other duties as may be conferred upon him by the Committee.

(5) (a) The Committee may co-opt such other persons as may be of assistance in relation to any matter before the Committee.

(b) A person co-opted under subparagraph (a) shall have no right to vote on any matter before the Committee.

(6) (a) The Committee may set up such technical committee from among its members, from other persons co-opted under paragraph (5) and from public officers designated under paragraph (6), as may be necessary to assist the Committee in the discharge of its functions under these regulations.

(b) Any technical committee under subparagraph (a) shall be set up on such terms and conditions as may be determined by the Committee.

(7) The Committee shall meet as often as is necessary **but at least once every month**, at such time and place and by using such communication medium as the Chairperson thinks fit.

(8) At any meeting of the Committee, 7 members shall constitute a quorum.

(9) Subject to these regulations, the Committee shall regulate its meetings and proceedings in such manner as it thinks fit.

(10) Every member shall be paid such allowances as may be approved by the Financial Secretary.

(d) in regulation 7 –

(i) in paragraph (1) –

(A) by revoking subparagraph (a) and replacing it by the following subparagraph –

(a) on the basis of proposals made by the Committee, a member of the Committee, the private sector or any other person, submit to the Minister for his approval a strategic plan prepared on a 3-fiscal year rolling basis and in line with programme-based budgeting indicating its visions and goals in order to attain the objects of the Fund;

(B) in subparagraph (d), by deleting the words “Minister responsible for the subject of public utilities” and replacing them by the words “appropriate Minister”;

(ii) in paragraph (2), by deleting the words “Minister responsible for the subject of public utilities” and replacing them by the words “appropriate Minister”;

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- (iii) in paragraph (3), by inserting, after the words “review and”, the words “, if necessary,”;
- (e) by revoking regulation 8;
- (f) in regulation 11, by deleting the words “Minister responsible for the subject of public utilities” and replacing them by the words “appropriate Minister”;
- (g) in regulation 13, by revoking paragraph (1) and replacing it by the following paragraph –
- (1) Subject to paragraph (2), the Committee shall invest the surplus of the Fund in such manner as the Minister may approve.
- (h) in regulation 14, by deleting the words “Minister responsible for the subject of public utilities” and replacing them by the words “appropriate Minister”.

Made by the Minister on 27 November 2010.
