

THE AGALEGA ISLAND COUNCIL BILL
(No. V of 2004)

Explanatory Memorandum

The object of this Bill is to provide for the establishment of an Agalega Island Council to address problems affecting the local population.

26 March 2004

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
2. Interpretation
3. Establishment of Council
4. Composition of Council
5. Objects of Council
6. Termination of membership
7. Secretary of Council
8. Meetings of Council
9. Protection from liability
10. Remuneration

A BILL

To provide for the establishment of the Agalega Island Council

ENACTED by the Parliament of Mauritius, as follows -

1. Short title

This Act may be cited as the Agalega Island Council Act 2004.

2. Interpretation

In this Act -

"Council" means the Agalega Island Council established under section 3;

"Minister" means the Minister to whom responsibility for the island of Agalega is assigned.

"relative", in relation to a person, means -

- (a) a brother or sister of that person;
- (b) any lineal ascendant or descendant of that person.

3. Establishment of Council

There is established for the purposes of this Act the Agalega Island Council.

4. Composition of Council

(1) The Council shall consist of 7 members as follows -

- (a) a Chairperson to be appointed by the Prime Minister;
- (b) 3 residents from Agalega;
- (c) a representative of the Outer Islands Development Corporation;
- (d) a representative from the private sector;
- (e) a relative of the Agaleans living in Mauritius.

(2) The persons mentioned in subsection 1(b) to (e) shall be appointed by the Minister.

(3) All the members of the Council shall hold office for a period of one year and shall be eligible for re-appointment.

5. Objects of Council

The Council shall -

- (a) advise the Minister on matters pertaining to development projects in Agalega;
- (b) assist in the implementation of projects as the Minister may refer to it;
- (c) organise activities that may foster cooperation and social harmony among the inhabitants;
- (d) consider grievances from the inhabitants and assist in taking corrective measures as appropriate.

6. Termination of membership

The Prime Minister or the Minister, as the case may be, shall remove from office any member who -

- (a) has unreasonably absented himself from a meeting of the Council;
- (b) has become insolvent, has assigned his estate for the benefit of his creditors or has made an arrangement with his creditors;
- (c) has been guilty of any misconduct or default in the discharge of his duties as a member which renders him unfit to be a member;
- (d) has been convicted of an offence of such nature as renders it desirable that he should be removed from office; or
- (e) is suffering from such mental or physical infirmity as renders him unfit to discharge his duties as a member.

7. Secretary of Council

(1) There shall be a Secretary to the Council who shall be a public officer to be designated by the Minister.

(2) The Secretary shall keep all the records of the proceedings of the Council in safe custody.

8. Meetings of Council

(1) The Chairperson shall preside at all meetings of the Council.

(2) Where the Chairperson is absent for any reason from any meeting of the Council, the members present shall elect from among themselves a member to preside the meeting and the member so elected shall, in relation to that meeting, exercise the functions and have all the powers of the Chairperson.

(3) The Council shall meet at least once a month at such time and place as the Chairperson may direct.

(4) Every meeting shall be convened by the Secretary by giving 15 days notice.

(5) Four members shall constitute a quorum.

9. Protection from liability

No member of the Council shall be liable to civil or criminal proceedings in respect of anything said or done in good faith in the course of the deliberations of the Council.

10. Remuneration

The members of the Council and the Secretary shall be paid such allowances as the Minister may determine.

Passed by the National Assembly on