

**THE CENTRE DE LECTURE PUBLIQUE ET D'ANIMATION
CULTURELLE BILL
(No. II of 2009)**

Explanatory Memorandum

1. The object of this Bill is to make provision for the setting up of the Centre de Lecture Publique et d'Animation Culturelle, to be known as CELPAC, in order to encourage and promote reading through artistic, cultural and educational activities, especially where reading centres are practically non-existent. The CELPAC will also make reading material easily accessible to the public, encourage participation in educational games and organise lectures, seminars and conferences in the artistic, cultural and educational fields.

2. Moreover, CELPAC will initiate and promote co-operation with relevant stakeholders, work closely with the Organisation Internationale de la Francophonie and co-operate with other institutions having objects wholly or partly similar to those of CELPAC.

DR. V. K. BUNWAREE
*Minister of Education, Culture and
Human Resources*

26 March 2009

**THE CENTRE DE LECTURE PUBLIQUE ET D'ANIMATION
CULTURELLE BILL
(No. II of 2009)**

ARRANGEMENT OF CLAUSES

Clause

- | | |
|---|--|
| 1. Short title | 10. Officer in Charge and other officers of CELPAC |
| 2. Interpretation | |
| 3. Centre de Lecture Publique et d'Animation Culturelle | 11. Powers of Minister |
| 4. Objects of CELPAC | 12. Execution of documents |
| 5. Functions of CELPAC | 13. General Fund |
| 6. Powers of CELPAC | 14. Donations and legacies |
| 7. The Committee | 15. Annual report |
| 8. Meetings of Committee | 16. Regulations |
| 9. Sub-committees | 17. Commencement |

A BILL

To provide for the setting up of the Centre de Lecture Publique et d'Animation Culturelle

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Centre de Lecture Publique et d'Animation Culturelle Act 2009.

2. Interpretation

In this Act –

“CELPAC” means the Centre de Lecture Publique et d'Animation Culturelle referred to in section 3;

“Committee” means the Committee referred to in section 7;

“Chairperson” means the Chairperson of the Committee appointed under section 7;

“institution” means any local, regional or international institution;

“member” –

(a) means a member of the Committee; and

(b) includes the Chairperson;

“Minister” means the Minister to whom responsibility for the subject of culture is assigned;

“Officer in Charge” means a public officer designated as such under section 10;

“Supervising Officer” means the supervising officer of the Ministry responsible for the subject of culture.

3. Centre de Lecture Publique et d'Animation Culturelle

There shall be, for the purposes of this Act, a Centre de Lecture Publique et d'Animation Culturelle, which shall be known as CELPAC.

4. Objects of CELPAC

The objects of CELPAC shall be to –

- (a) encourage and promote reading through artistic, cultural and educational activities, especially where reading centres are practically non-existent;
- (b) make reading material easily accessible to the public;
- (c) promote artistic, cultural and educational activities.

5. Functions of CELPAC

The CELPAC shall have such functions as are necessary to attain its objects most effectively and shall, in particular –

- (a) lend reading and audio visual materials to the public;
- (b) open regional centres in Mauritius and Rodrigues;
- (c) organise educational games;
- (d) organise artistic, cultural and educational activities;
- (e) organise lectures, seminars and conferences in the artistic, cultural and educational fields;
- (f) initiate and promote co-operation with relevant stakeholders;
- (g) work in close collaboration with the Organisation Internationale de la Francophonie;
- (h) co-operate and establish links with other institutions having objects wholly or partly similar to those of CELPAC.

6. Powers of CELPAC

The CELPAC shall have such powers as are necessary to attain its objects and discharge its functions most effectively and may, in particular –

- (a) fix and levy fees or charges;

- (b) receive grants and donations and raise funds;
- (c) manage, in such manner as it thinks fit, any property belonging to or vested in it;
- (d) incur such expenses and pay such salaries, fees and allowances as it considers necessary for the proper exercise of its functions under this Act.

7. The Committee

(1) The CELPAC shall be administered and managed by a Committee which shall consist of –

- (a) a Chairperson, to be appointed by the Minister;
- (b) a representative of the Ministry;
- (c) a representative of the Ministry responsible for the subject of education;
- (d) a representative of the Ministry responsible for Rodrigues;
- (e) a representative of the Ministry responsible for the subject of foreign affairs;
- (f) a representative of the Ministry responsible for the subject of local government;
- (g) a representative of the Ministry responsible for the subject of social security;
- (h) a representative of the Ministry responsible for the subject of women's rights;
- (i) a representative of the National Library;
- (j) a representative of the Alliance Française;
- (k) a local writer, to be appointed by the Minister; and
- (l) one person having experience in matters related to the promotion of artistic creativity and cultural events, to be appointed by the Minister.

(2) Every member shall be paid such fees and allowances as the Committee may, with the approval of the Minister, determine.

(3) Every member, other than an ex officio member –

(a) shall hold office for a period of 3 years; and

(b) may be eligible for reappointment.

(4) The Committee may co-opt any other person who may be of assistance in relation to any matter before the Committee and the co-opted member shall –

(a) have no right to vote at any meeting of the Committee; and

(b) be paid such fees and allowances as the Committee thinks fit.

(5) A member, other than an ex officio member, shall cease to hold office –

(a) on the completion of his term of office;

(b) on his resignation;

(c) where he, without sufficient cause, fails to attend 3 consecutive meetings of the Committee.

(6) Any member may be removed or suspended from office by the Minister in any of the circumstances described in section 37(3)(b) of the Interpretation and General Clauses Act.

(7) Where a vacancy occurs in the membership of the Committee, the vacancy shall be filled by a person appointed by the Minister, who shall hold office for the remainder of the term of office of that member.

(8) No member shall engage in any activity which may undermine the integrity of CELPAC.

(9) The Committee shall manage and utilise all the assets and funds vested in CELPAC in such manner and for such purposes as, in its opinion, will best promote the objects of CELPAC.

8. Meetings of Committee

(1) The Committee shall meet as often as is necessary but at least once every month at such time and place as the Chairperson thinks fit.

(2) Seven members shall constitute a quorum at any meeting of the Committee.

(3) In the absence of the Chairperson at a meeting of the Committee, the members present shall elect a member to act as Chairperson for that meeting.

(4) Subject to this section, the Committee shall regulate its meetings and proceedings in such manner as it thinks fit.

9. Sub-committees

(1) The Committee may constitute such sub-committees as it thinks fit for the purposes of assisting CELPAC in the performance of its functions and the exercise of its powers.

(2) Subject to subsection (3), a sub-committee may be constituted –

- (a) wholly by members;
- (b) wholly by persons who are not members; or
- (c) partly by members and partly by other persons.

(3) The members or persons referred to in subsection (2) shall –

- (a) be appointed by the Committee on such terms and conditions as it thinks fit; and
- (b) be paid by the Committee such fees or allowances as it may, with the approval of the Minister, determine.

(4) Subject to this section, any sub-committee shall regulate its meetings and proceedings in such manner as the Committee thinks fit.

10. Officer in Charge and other officers of CELPAC

(1) The Supervising Officer shall designate a public officer to be the Officer in Charge of CELPAC.

(2) The Officer in Charge shall, in the exercise of his functions –

- (a) be responsible for the execution of the policy of the Committee and for the control and management of the day-to-day business of CELPAC; and
- (b) act in accordance with such directions as he may receive from the Committee.

(3) The Supervising Officer shall designate such number of public officers as the Committee may require to assist it in the performance of its functions.

11. Powers of Minister

(1) The Minister may give such directions of a general character to the Committee, not inconsistent with the objects of CELPAC, which he considers to be in the public interest and the Committee shall comply with those directions.

(2) The Minister may require the Committee to furnish such information in such manner and at such time as he deems necessary in respect of its activities and the Committee shall supply such information.

12. Execution of documents

No document shall be executed by or on behalf of CELPAC unless it is signed by –

- (a) the Chairperson or, in his absence, a member designated by the Committee; and
- (b) the Officer in Charge or, in his absence, an officer of CELPAC designated by the Committee.

13. General Fund

The Committee shall set up a General Fund –

- (a) into which all monies received from any source by CELPAC shall be paid; and
- (b) out of which all payments required to be made by CELPAC shall be effected.

14. Donations and legacies

Article 910 of the Code Civil Mauricien shall not apply to CELPAC.

15. Annual report

(1) The Committee shall, not more than 4 months after the end of a financial year, submit to the Minister an annual report together with an audited statement of accounts on the operations of CELPAC in respect of that financial year.

(2) The Minister shall, at the earliest available opportunity, lay a copy of the annual report and audited accounts of CELPAC before the National Assembly.

16. Regulations

(1) The Minister may make such regulations as he thinks for the purposes of this Act.

(2) Regulations made under subsection (1) may provide for the levying and payment of fees and charges.

17. Commencement

(1) Subject to subsection (2), this Act shall come into operation on a date to be fixed by Proclamation.

(2) Different dates may be fixed for the coming into operation of different sections of this Act.
