

**THE TAMIL-SPEAKING UNION BILL
(No. XII of 2008)**

Explanatory Memorandum

The object of this Bill is to provide for the establishment, operation and management of the Tamil-Speaking Union.

Mahendra Gowressoo
Minister of Arts and Culture

25 April 2008

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ARRANGEMENT OF SECTIONS

Section

1. Short title
 2. Interpretation
 3. Establishment of Union
 4. Objects and function of Union
 5. Members of Union
 6. Executive Council
 7. Director
 8. Appointment of staff
 9. Conditions of service of staff
 10. Patron of Union
 11. Execution of documents
 12. General Fund
 13. Audit
 14. Donations
 15. Rules
- SCHEDULE**

1. Short title

The Act may be cited as the Tamil-Speaking Union Act 2008.

2. Interpretation

In this Act –

"Council" means the Executive Council appointed under section 6;

"Director" means the person appointed to that office under section 7;

"employee" means any member of staff appointed by the Council under section 8 ;

"Fund" means the General Fund established under section 12;

"members" means ordinary members of the Union as stipulated under section 5;

"Minister" means the Minister to whom the responsibility for the subject of arts and culture is assigned; and

"Union" means the Tamil-Speaking Union established under section 3.

3. Establishment of Union

(1) There is established for the purposes of this Act a body corporate which shall be known as the Tamil-Speaking Union.

(2) The Union shall have its registered office at such place as the Council may determine.

(3) The Union may be affiliated to any organisation in another country whose objectives are similar to those of the Union.

(4) The Union may open branches throughout Mauritius on a regional basis.

(5) Membership of the Union shall be open to all persons who have a keen interest in the promotion of the Tamil language.

4. Objects and function of Union

The objects of the Union shall be to –

- (a) promote the Tamil language in its spoken and written forms;
- (b) promote friendship and understanding between the Tamil-speaking peoples of the world and to engage in any educational, academic, cultural and artistic work to further that objective;
- (c) provide facilities for the exchange of views affecting the interest, well-being, development, relationships and common problems of the Tamil-Speaking peoples of the world;
- (d) promote and encourage the linguistic development among all people having an interest in Tamil with special emphasis on the cultural, artistic, economic and social perspectives of the language;
- (e) provide facilities for exchange programmes, scholarships and social intercourse between the Union and other organisations at regional and international level;
- (f) promote, organise and encourage correspondence, conferences, seminars, workshops, debates, elocution, training, competitions, artistic performances and demonstrations for persons interested in Tamil and other literary activities in Tamil amongst universities, colleges, schools and other bodies situated either in Mauritius or any other country;
- (g) promote and encourage the interchange of Tamil books, pamphlets, periodicals and other information among local colleges, schools and other institutions and with educational establishments overseas;
- (h) promote and encourage the publication, exhibition, distribution and sale of Tamil books, magazines, newspapers and other literary works;
- (i) promote intercultural and interlinguistic understanding and harmony through exchange and participation in joint projects;
- (j) undertake and carry out all such work as may be deemed necessary for the attainment of the objects of the Union and to do all such things as are incidental or conducive to the accomplishment of any or all of them.

5. Members of Union

(1) The Union shall consist of ordinary members having an interest in the development, propagation and promotion of the Tamil language.

(2) The number of members shall be unlimited but membership will be subject to approval of the Executive Council.

(3) The Executive Council reserves the right to dismiss any member from the Union at any time if this is deemed necessary in the interest of the Union.

(4) Every member shall pay to the Union such entrance fee as well as such monthly fee as may be determined from time to time by the Executive Council.

(5) The Minister shall for the purposes of this Act designate not more than 40 persons who shall be the initial members of the Union.

6. Executive Council

(1) Subject to subsection (3), the Union shall be managed by an elected Executive Council constituted of not less than 12 nor more than 20 members.

(2) The members of the Council and the office bearers of the Council shall be elected biennially.

(3) The Minister shall appoint from amongst the designated persons under section 5(5), the members and office bearers of the Council for the first two years.

(4) A representative of the Ministry shall serve as an ex officio member of the Council.

(5) The Council shall be constituted of offices specified in the Schedule.

(6) The Council may remove any member or fill any vacancy arising in its membership or any office thereof.

(7) One half of the members of the Council shall constitute a quorum.

7. Director

(1) The Council shall on such terms and conditions as it may determine appoint a Director who shall be the chief executive officer responsible for the execution of the policy of the Union and the control and management of its day-to-day business.

(2) An appointment made by the Council under subsection (1) may be on a part-time basis.

(3) The Director shall be the ex officio Secretary of the Union and act in that capacity at all meetings of the Union.

8. Appointment of staff

(1) The Council shall appoint, on such terms and conditions as it may determine, such employees as may be necessary for the purposes, or in connection with, the discharge of its functions.

(2) Every employee shall be under the administrative control and direction of the Director.

9. Conditions of service of staff

The Council may make provision, in such form as it may determine, to govern the conditions of service of its staff and, in particular, to deal with –

- (a) the appointment, dismissal, discipline, pay and leave of, and the security to be given to, the staff;
- (b) appeals by staff against dismissal or other disciplinary measures; and
- (c) the establishment and maintenance of provident and pension fund schemes or the contribution payable thereto and the benefit recoverable therefrom.

10. Patron of Union

The Council may appoint such suitable person as it thinks fit as Patron of the Union.

11. Execution of documents

(1) Subject to subsections (2) and (3), no document shall be executed by or on behalf of the Union unless it is signed by the President and the Secretary.

(2) Every document of a financial nature issued by or on behalf of the Union shall be signed by the President, the Secretary and the Treasurer.

(3) Where the President, the Treasurer or the Secretary is absent or, for any other reason, unable to act, any Vice-President, the Assistant Treasurer or the Assistant Secretary, as the case may be, shall act in his stead.

12. General Fund

(1) There shall be a General Fund into which shall be paid all monies accruing to the Union, including the fees, donations and contributions that may be raised from its members and its donors, including grants from the Government.

(2) The Council may pay out of the Fund any sum which is lawfully due by the Union or any sum to promote the objects of the Union.

13. Audit

(1) The Council shall appoint a licensed auditor to audit the financial affairs of the Union.

(2) The auditor shall not later than the end of March in every year, furnish to the Council audited accounts of the Union for the previous year.

14. Donations

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

15. Rules

(1) The Council may, for the purposes of this Act, make rules for the Union which shall be binding on the Union and the Council.

(2) Rules under this section shall not be required to be –

- (a) otherwise approved;
- (b) laid before the Assembly; or
- (c) published in the *Gazette*.

SCHEDULE
(*section 6(5)*)

OFFICES OF THE COUNCIL

1. President
2. 1st Vice-President
3. 2nd Vice-President
4. Assistant Secretary
5. Treasurer
6. Assistant Treasurer
7. Public Relations Officer