

MAIN CLAUSES OF THE FASHION AND DESIGN INSTITUTE BILL

Clause 4 - Objects of the Institute

Clause 4 of the Bill deals with the objects of the Institute. The objects are, inter-alia, to promote excellence in the field of fashion and design technology, to provide educational, research and training facilities in the area of fashion and design, to disseminate knowledge of fashion and design and to promote entrepreneurship development.

Clause 5 - Functions of the Institute

Clause 5 of the Bill provides, inter alia, for the functions of the Institute as follows:

- (a) to provide incubator services for entrepreneurship development;
- (b) to conduct vocational and academic courses as well as professional development programmes targeted at industrial needs;
- (c) to enrol students in its academic and training programmes and courses; and
- (d) to make recommendations to the University of Mauritius and other recognised institutions for the award and conferring of certificates, diplomas, degrees or other academic qualifications.

Verified by:

**(V. Lingiah)Ms.
Assistant Secretary
6 May 2008**

Clause 8 - The Board

Clause 8 of the Bill makes provision for the Institute to be administered and managed by a Board consisting of a Chairperson to be appointed by the Prime Minister and representatives of the Ministry of Education and Human Resources, the Ministry of Industry, SMEs, Commerce & Cooperatives, the Mauritius Export Association and five members to be appointed by the Minister of Industry, SMEs, Commerce & Cooperatives.

Clause 11 - Academic Committee

Clause 11 provides for the setting up of an Academic Committee chaired by the Director of the Institute. The Academic Committee will act as the principal academic body of the Institute in preparing academic and professional courses and where necessary jointly with external academic bodies. It will advise the board of all academic matters including the control, general direction and management of any teaching, research or training facility.

Clause 13 - Advisory Committee

Clause 13 makes provision for the establishment of an Advisory Committee consisting of public and private sector representatives to advise the Board in its strategic planning, teaching, research services and objectives.

Clause 14 - Director

Clause 14 (2) provides for the appointment of a Director by the Board, with the approval of the Prime Minister, on such terms and conditions as the Board thinks fit.

Clause 20 - Endowment Fund

Clause 20 of the Bill provides for the setting up of an endowment fund which would be used to provide needy students with fellowships, scholarships, bursaries and loans.

Clause 28 - Regulations

Clause 28 empowers the Board to make regulations for the purpose of the Act with regard to levying and payment of fees, charges and penalties.

Clause 29 – Consequential Amendment

Clause 29 provides for consequential amendment to be brought to the Tertiary Education Commission Act to bring the Institute under the purview of the Commission with regards to academic matters.

Clause 30 –Transitional Provisions

There are at present 15 employees working at the Department of Textile Technology of University of Mauritius, 20 employees working at the School of Design of the IVTB and 14 employees working at the Textile and Apparel Development Centre of Enterprise Mauritius. All employees of the Textile and Apparel Development Centre are on month-to-month contract, except its Director whose 3-year contract will expire in January 2009. As regards employees of the other institutions, they are employed on permanent and pensionable establishment basis, with the exception of three employees at the School of Design of the IVTB who are on a one year contract. With regard to these employees, clause 30 of the Bill set out the following options:-

(a) Staff on the Permanent and Pensionable Establishment

In accordance with Clause 30(3), every employee of the School of Design of IVTB and the Department of Textile Technology of the University of Mauritius will be transferred to the Fashion & Design Institute on terms and conditions, generally not less favourable than those prevailing in his previous employment in his organisation. Employees who are not willing to join the new Institute will in accordance with clause 30(6) have the option to:

- (i) be redeployed, so far as is practicable, to a statutory body where vacancies in similar positions are available;
- (ii) opt for retirement on ground of abolition of office and be paid pension benefits in accordance with the provisions of the statutory Bodies Pension Funds Act; or
- (iii) stay in their current organisation.

(b) **Staff Employed on a Fixed Term Performance Contract**

Clause 30 (9) of the Bill deals with staff employed on a fixed term performance contract. In accordance with that Clause, the contract of every employee employed on a fixed term performance contract at the Industrial and Vocational Training Board and Enterprise Mauritius will be terminated in accordance with the terms and conditions of such contract. All employees on fixed term performance contract shall be employed to the Fashion and Design Institute on contract and on terms and conditions not less favourable than those of his previous employment organisation.

The Ministry of Civil Service Affairs & Administrative Reforms will be fully involved in the redeployment exercise and the services of a Human Resource consultant will be enlisted.

(ix) **Vesting of Property**

Clause 30 (11) provides for the vesting of the assets and properties of the Department of Textile Technology of the University of Mauritius, the School of Design of the Industrial and Vocational Training Board and the Textile and Apparel Development Centre of Enterprise Mauritius to the new Institute.

In accordance with Clause 30(12), the vesting will be given effect by way of an agreement to be signed by the University of Mauritius, the Industrial and Vocational Training Board, Enterprise Mauritius and the Institute.

Clause 31 - Commencement

Clause 31 of the Bill provides for the Fashion and Design Institute to come into operation on a date to be fixed by proclamation and different provisions of the Bill may be proclaimed on different dates.