

**THE LICENSING OF RECRUITING AGENTS FOR OVERSEAS EDUCATIONAL
AND TRAINING INSTITUTIONS (AMENDMENT) BILL**
(No. XII of 2012)

Explanatory Memorandum

The object of this Bill is to amend the Licensing of Recruiting Agents for Overseas Educational and Training Institutions Act to make better provision for the regulation of recruiting agents by –

- (a) extending the range of activities for which an agent has to be licensed;
- (b) providing that a person based outside Mauritius and duly authorised by an institution to recruit on its behalf may authorise an agent to recruit on its behalf,

and for related matters.

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*Minister of Tertiary Education, Science,
Research and Technology*

01 June 2012

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AND TRAINING INSTITUTIONS (AMENDMENT) BILL**
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ARRANGEMENT OF CLAUSES

Clause

- 1. Short title
 - 2. Interpretation
 - 3. Section 2 of principal Act amended
 - 4. Section 4 of principal Act amended
 - 5. Section 5 of principal Act amended
 - 6. Section 6 of principal Act amended
 - 7. Section 7 of principal Act amended
 - 8. Section 8 of principal Act amended
 - 9. Commencement
-

A BILL

To amend the Licensing of Recruiting Agents for Overseas Educational and Training Institutions Act

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Licensing of Recruiting Agents for Overseas Educational and Training Institutions (Amendment) Act 2012.

2. Interpretation

In this Act –

“principal Act” means the Licensing of Recruiting Agents for Overseas Educational and Training Institutions Act.

3. Section 2 of principal Act amended

Section 2 of the principal Act is amended–

(a) in the definition of “agent”, by repealing paragraph (a) and replacing it by the following paragraph –

(a) means a person who recruits students; but

(b) in the definitions of “Minister” and “Ministry”, by inserting, after the words “subject of”, the word “tertiary”;

(c) by deleting the definition of “officer in charge”;

(d) by deleting the definition of “recruit” and replacing it by the following definition –

“recruit” –

(a) means recruit for admission to an institution; and

(b) includes advertise, market, canvass and carry out any other activity relating to recruitment;

(e) by inserting, in the appropriate alphabetical order, the following new definition, the full stop at the end of the definition of “responsible party” being deleted and replaced by a semicolon –

“supervising officer” means the supervising officer of the Ministry.

4. Section 4 of principal Act amended

Section 4 of the principal Act is amended –

- (a) by deleting the words “officer in charge” wherever they appear and replacing them by the words “supervising officer”;
- (b) in subsection (3), by repealing paragraph (a) and replacing it by the following paragraph –
 - (a) a duly authenticated written authorisation issued by –
 - (i) an institution; or
 - (ii) another person based outside Mauritius, with covering approval from an institution,certifying that the applicant may recruit on its behalf;
- (c) in subsection (7)(c), by inserting, after the word “renewed”, the words “on application made by the agent at least 3 months before the expiry of the licence and”.

5. Section 5 of principal Act amended

Section 5 of the principal Act is amended, in subsection (2), by deleting the words “officer in charge” and replacing them by the words “supervising officer”.

6. Section 6 of principal Act amended

Section 6 of the principal Act is amended by deleting the words “officer in charge” wherever they appear and replacing them by the words “supervising officer”.

7. Section 7 of principal Act amended

Section 7 of the principal Act is amended –

- (a) in the heading, by deleting the words “**officer in charge**” and replacing them by the words “**supervising officer**”;
- (b) in subsection (1), by deleting the words “officer in charge” and replacing them by the words “supervising officer”.

8. Section 8 of principal Act amended

Section 8 of the principal Act is amended by deleting the words “officer in charge” wherever they appear and replacing them by the words “supervising officer”.

9. Commencement

Section 4(b) shall be deemed to have come into operation on 1 December 2006.
