

**THE MAURITIUS BROADCASTING CORPORATION (AMENDMENT) BILL**  
(No. XXII of 2012)

**Explanatory Memorandum**

The main object of this Bill is to amend the Mauritius Broadcasting Corporation Act to provide for disciplinary committees set up by the Board under the Act to be constituted of independent persons.

**DR. N. RAMGOOLAM, G.C.S.K., F.R.C.P.**  
*Prime Minister, Minister of Defence, Home  
Affairs and External Communications,  
Minister for Rodrigues*

13 July 2012

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ARRANGEMENT OF CLAUSES

*Clause*

1. Short title
2. Interpretation
3. Section 11 of principal Act amended

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**A BILL**

**To amend the Mauritius Broadcasting Corporation Act**

ENACTED by the Parliament of Mauritius, as follows –

**1. Short title**

This Act may be cited as the Mauritius Broadcasting Corporation (Amendment) Act 2012.

**2. Interpretation**

In this Act –

“principal Act” means the Mauritius Broadcasting Corporation Act.

### 3. Section 11 of principal Act amended

Section 11 of the principal Act is amended –

- (a) in subsection (2) –
  - (i) by deleting paragraph (d), the words “; and” in paragraph (c) being deleted and replaced by a comma and the word “and” being added after the semicolon in paragraph (b);
  - (ii) by repealing subparagraph (iv), the words “; and” in subparagraph (iii) being deleted and replaced by a full stop and the word “and” being added after the semicolon in subparagraph (ii);
- (b) in subsection (3), by deleting the words “subsection (4)” and replacing them by the words “subsections (4) and (6)”;
- (c) in subsection (4), by deleting the words “or disciplinary”;
- (d) in subsection (5), by inserting, after the words “A committee”, the words “, other than a disciplinary committee,”;
- (e) by adding the following new subsection –
  - (6) (a) Where the Board sets up a disciplinary committee under subsection (1), the Chairperson and members of the disciplinary committee shall be persons who –
    - (i) have not been involved in the investigation of the case; and
    - (ii) are able to make an independent decision.
  - (b) Where disciplinary proceedings have been instituted on grounds of misconduct which, if proved, would justify dismissal from the Corporation, the Chairperson of the disciplinary committee shall be a person who has held judicial office or is a barrister of not less than 10 years' standing.
  - (c) Without prejudice to paragraph (a), a member, or a person who is or was an employee, shall not be qualified to sit on a disciplinary committee.