

**THE SPORTS BILL**  
(No. XXV of 2013)

**Explanatory Memorandum**

The main object of this Bill is to repeal and re-enact the law relating to sports in Mauritius. A modern and appropriate legislative framework has been rendered necessary with a view to promoting better management and organisation of sports in Mauritius, in line with the Olympic Charter.

**2. The Bill –**

- (a) abolishes the Regional Sports Coordinating Committee;
- (b) makes provision to prevent the proliferation of fictitious federations and sports clubs;
- (c) provides for the regulatory framework for the setting up of semi-professional clubs and association of semi-professional clubs;
- (d) provides for the autonomy of National Sports Federations;
- (e) replaces the Mauritius Institute for Drug-Free Sports by a National Commission for Drug-Free Sports with the same objective of promoting participation in sports free from the use of prohibited substances, but with a more simple and flexible mechanism to conduct its activities, and which will lay more emphasis on education and prevention in anti-doping, taking into account the latest developments at international level;
- (f) provides for the setting up of the National Women's Sports Commission which shall, *inter alia*, encourage and promote the practice of sports by women, and in particular, schoolgirls;
- (g) establishes the National Institute of Sports which shall –
  - (i) act as the main centre for the consolidation and development of the sports community through education and training, and for the exchange of information in the field of sports; and
  - (ii) promote and develop capacity building and sports leadership;
- (h) provides for –
  - (i) the setting up of an arbitration mechanism at the level of National Sports Federations and the Mauritius Olympic Committee;

- (ii) a Sports Arbitration Tribunal which shall adjudicate on any dispute relating to sports referred to it by any person who feels aggrieved by a decision of the Mauritius Olympic Committee, a National Sports Federation, a Multisport Organisation, a regional sports committee, a sports club, an association of semi-professional clubs, a licensee, any member, referee, coach or other official of a sports organisation;
- (iii) the appointment of an Ombudsperson for Sports to encourage voluntary and amicable settlement of disputes relating to sports;
- (i) sets up a Sports Development Council to advise the Minister on all matters relating to the promotion and development of sports at regional or national level; and
- (j) provides for the promotion of multiculturalism and social cohesion by all sports organisations.

**S. RITOO**

*Minister of Youth and Sports*

22 November 2013

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## **A BILL**

### **To make better provision for the management and organisation of sports, and for related matters**

ENACTED by the Parliament of Mauritius, as follows –

#### **PART I – PRELIMINARY**

##### **1. Short title**

This Act may be cited as the Sports Act 2013.

##### **2. Interpretation**

(1) In this Act –

“approved rules” means internal rules vetted by the Ministry;

“certificate of recognition” means a certificate issued under section 11(5);

“Commission” means the National Commission for Drug-Free Sports referred to in section 22;

“corporate sports club” means a club set up for the practice of sports by persons who belong to a trade, calling or profession, which is affiliated with the Mauritius Corporate Sports Federation;

“Council” means the Mauritius Sports Council established under section 17;

“doping”, in relation to the practice of sports, means the administration of any prohibited substance or the application of any practice intended to enhance performance artificially;

“General Assembly” means the general assembly of a National Sports Federation;

“individual sport” means an Olympic or non-Olympic sport specified in the First Schedule, which an individual practises on his own for leisure or to participate in a competition or a game;

“Institute” means the National Institute of Sports established under section 32;

“international governing body”, in relation to a sport –

(a) means its International Sports Federation or other recognised body; and

(b) includes the IOC;

"IOC" means the International Olympic Committee which is the committee responsible for the organisation of Olympic Games and has its headquarters in Lausanne, Switzerland;

"International Sports Federation", in relation to a sport, means an international federative body involved in overseeing and coordinating the playing and administration of the sport at international level;

"licence", in relation to a sportsman, means a document which authorises the holder to practise a sport for competitive purposes;

"licensee" means a sportsman who holds a licence issued by a National Sports Federation or, as the case may be, a Multisport Organisation;

"Managing Committee" means the managing committee of a National Sports Federation;

"Mauritius Olympic Committee" means the Mauritius Olympic Committee established under section 15;

"Mauritius Paralympic Committee" means the Mauritius Paralympic Committee referred to in section 16;

"Minister" means the Minister to whom responsibility for the subject of sports is assigned;

"Multisport Organisation" means a sports organisation referred to in section 10;

"multisports club" means a sports organisation set up by a group of persons for the practice of 2 or more different sports;

"national sports club" means a sports organisation which has members who reside in more than one sports region;

"National Sports Federation" means a sports organisation referred to in section 3;

"non-Olympic sport" means –

(a) an individual sport specified in Part II of the First Schedule;

(b) a team sport specified in Part II of the Third Schedule;

“Olympic Charter” means the governing rules of IOC;

“Olympic sport” means –

(a) an individual sport specified in Part I of the First Schedule;

(b) a team sport specified in Part I of the Third Schedule;

"prohibited substance" means a substance the use of which is prohibited by WADA;

“provisional certificate of recognition” means a certificate issued under section 11(3);

"regional sports committee" means a committee set up under section 13;

“repealed Sports Act” means the enactment repealed by section 46;

“semi-professional club” means a sports organisation which derives its major part of its income from sponsorship;

“sports club” –

(a) means a sports organisation set up by a group of persons for the practice of sports; and

(b) includes a multisports club, a national sports club and a semi-professional club; but

(c) does not include a corporate sports club;

“sports region” means –

(a) a geographical region specified in the Second Schedule; or

(b) a combination of 2 or more geographical regions, other than Rodrigues, authorised pursuant to section 12(1)(b);

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

"team sport" means an Olympic or non-Olympic sport specified in the Third Schedule, which a group of persons forming a team practises for leisure or to participate in a competition or a game;

"Tribunal" means the Sports Arbitration Tribunal referred to in section 41;

"WADA" means the World Anti-Doping Agency;

"Women's Commission" means the National Women's Sports Commission referred to in section 28.

(2) Notwithstanding any other enactment, every National Sports Federation and Multisport Organisation shall, in its appellation, use the word "Mauritius" followed by the sport or, as the case may be, the category of persons it caters for and the word "Federation" or "Association".

## **PART II – ORGANISATION OF SPORT**

### **Sub-Part A – National Sports Federations**

#### **3. National Sports Federation**

(1) (a) Subject to paragraph (b) and section 11, there shall, for each sport specified in the First or Third Schedule, be one National Sports Federation which shall be responsible for the promotion and organisation of that sport.

(b) The Minister may, where he is of opinion that 2 or more sports are technically similar and, where appropriate, after consultation with the Mauritius Olympic Committee and the International Sports Federations of the sports concerned, authorise a National Sports Federation to be responsible for 2 or more sports.

(c) Where the Minister is of the opinion that a sport becomes specific, real and ongoing in Mauritius, he shall, by regulations, amend the First or Third Schedule, as the case may be, to specify the sport in the relevant Part of that respective Schedule.

(2) A National Sports Federation which obtains recognition under section 11 shall be the only sports organisation which is empowered, with regard to that sport, to –

(a) operate at national level;

(b) uphold the Mauritian flag on behalf of the State;

- (c) engage Mauritian sportsmen in international competitions or games;
- (d) seek and maintain affiliation with the appropriate international governing body;
- (e) issue a licence to –
  - (i) a member of a sports club enrolled with it; and
  - (ii) a sportsman, not being a member of any sports club, who wishes to participate in a competition or a game; and
- (f) grant such championship award as it may determine.

#### **4. Objects of National Sports Federation**

Every National Sports Federation shall –

- (a) in relation to the sport for which it is responsible, develop and promote that sport at grass-roots level;
- (b) ensure that its regional sports committees and every sports club enrolled with it comply with this Act; and
- (c) uphold and operate on the principles of good governance, transparency, democracy, fairness and non-discrimination.

#### **5. Functions and powers of National Sports Federation**

(1) Every National Sports Federation shall, in furtherance of its objects –

- (a) in collaboration with stakeholders concerned, develop a yearly programme of its activities which shall include a national championship, ensure its implementation, and carry out a qualitative and quantitative evaluation of that programme;
- (b) ratify competition or game results and keep an up-to-date list of national records;
- (c) keep an up-to-date register of its licensees;

- (d) arrange for insurance cover against possible accidents for its licensees and officials during training, competitions or games;
- (e) contribute to the setting up of the installations and equipment required for the development of the sport for which it is responsible;
- (f) use its best endeavours to ensure that no person actively engaged in politics chairs any of its regional sports committees or any sports club enrolled with it;
- (g) ensure that the members and licensees of a sports club enrolled with it, and its national technical director, adviser, coach and secretary strive to achieve, in line with the Olympic Charter, a harmonious relationship with every public body;
- (h) ensure that awards for national competitions or games in individual sports are restricted to citizens of Mauritius;
- (i) where it is responsible for the promotion and organisation of an Olympic sport, be the representative for that sport on the Mauritius Olympic Committee;
- (j) select sportsmen who shall represent Mauritius in international competitions or games;
- (k) where appropriate, submit an unresolved conflict to the arbitration committee of the Mauritius Olympic Committee or the Tribunal;
- (l) ensure the implementation of any sanction imposed by its International Sports Federation, the Mauritius Olympic Committee or its arbitration committee, or the Tribunal;
- (m) ensure that every sports club enrolled with it promotes social cohesion by –
  - (i) not using communal words in its appellation;
  - (ii) promoting multiculturalism as one of its objectives; and
  - (iii) ensuring, in compliance with sections 22 and 24 of the Equal Opportunities Act, that no person is

discriminated against in relation to the membership of its managing committee or a player of the club;

- (n) determine the division or league in which a sports club enrolled with it shall, on enrolment, be entered for the purpose of any national competition or game;
  - (o) where appropriate, be responsible for the implementation of the principles of regionalisation envisaged in this Act;
  - (p) ensure that coaches, technical officials, referees, competitors and sportswomen are each represented in its Managing Committee;
  - (q) in collaboration with the Institute, conduct the specialised component of training courses for sports cadre leading to the *Brevet d'Etat de Cadre Sportif* (BECS) or such other training programme as the Minister may approve; and
  - (r) conduct its activities, and ensure that its regional sports committees and every sports club enrolled with it conduct its activities, in such a manner that it runs no risk of creating any ill feeling towards any section of the community.
- (2) A National Sports Federation may –
- (a) receive assistance for the furtherance of its objects from the Ministry, the Council, its International Sports Federation, the Mauritius Olympic Committee or any sponsor;
  - (b) take such disciplinary measure as it may determine against its regional sports committees, a sports club or an association of semi-professional clubs enrolled with it or its licensee;
  - (c) organise competitions or games open to its licensees at regional, national or international level; and
  - (d) provide advice and support to a Multisport Organisation in respect of the programme of activities for which the federation is responsible.

## **6. Rules of National Sports Federation**

(1) (a) A National Sports Federation may adopt approved rules and shall make available to the Ministry, its regional sports committees and the Mauritius Olympic Committee a copy of those rules.

(b) Where a National Sports Federation does not have its own rules, it shall abide by the rules set out in the Fourth Schedule.

- (2) A National Sports Federation shall, in its rules, make provision –
- (a) for the composition, the voting rights and the powers of its General Assembly and its Managing Committee;
  - (b) for the setting up of an arbitration committee to resolve disputes involving its office bearers, referees, technical officials, coaches, licensees and such other persons as it may determine;
  - (c) that every sports club enrolled with it and its regional sports committees be responsible for any misconduct of their supporters;
  - (d) for appropriate disciplinary measures to be taken against a regional sports committee, a sports club enrolled with it or a licensee;
  - (e) for the powers and duties of its office bearers, including the employment of a secretary, the duties to be assigned to him and the delegation to him of the day-to-day business of the federation;
  - (f) for recommendations to be made to the Minister on the powers and duties of its National Technical Director;
  - (g) for enabling its Managing Committee to set up subcommittees, including a technical and training subcommittee, and a disciplinary subcommittee;
  - (h) for the formalities to be fulfilled by any person who wishes to obtain a licence from it, including the production of an appropriate medical certificate and, in the case of a minor, parental authorisation;
  - (i) for the modalities applicable for the transfer of a sportsman from one sports club to another;
  - (j) where it is responsible for a team sport, for enrolment or affiliation of its association of semi-professional clubs;
  - (k) for coopting in its Management Committee one or more representatives of the team sport which is the winner of the

national championship, division or league, as the case may be, of the relevant sport; and

- (l) for such other matters as may be prescribed.

## **7. Control of anti-doping by National Sports Federation**

(1) Every National Sports Federation shall arrange for regular doping control on its licensees and use all possible means to ensure compliance by its licensees with any directive issued by IOC or WADA against the use of any prohibited substance.

(2) Notwithstanding section 5(1)(b) and (l), where the result of a doping test conducted in a laboratory recognised by IOC or WADA reveals that a licensee has made use of a prohibited substance, the licensee shall be administered a warning with such publicity as the National Sports Federation thinks fit, and where the relevant International Sports Federation so determines, be banned from participation in any regional, national or international competition or game.

## **8. Income and accounts of National Sports Federation**

(1) Every National Sports Federation shall –

- (a) sign a performance agreement with the Ministry for funds put at its disposal;
- (b) ensure that all monies, including donations in kind received from the Ministry, any sponsor, its licensees or other sources, are properly reflected in its annual accounts;
- (c) submit those accounts to the Minister not later than 3 months after the close of every financial year.

(2) Article 910 of the Code Civil Mauricien shall not apply to a National Sports Federation.

## **9. General Assembly and Managing Committee of National Sports Federation**

(1) There shall be a General Assembly for every National Sports Federation which shall be convened by its secretary not later than 3 months after the end of its financial year.

(2) (a) There shall be a Managing Committee for every National Sports Federation which shall be convened by its secretary at such time and place as may be specified in the rules of the federation.

- (b) Every National Sports Federation shall –
  - (i) ensure that all its members and every sports club enrolled with it may exercise their voting rights at a General Assembly for the election, or replacement, of the members of its Managing Committee; and
  - (ii) in compliance with section 22 of the Equal Opportunities Act, ensure that no person is discriminated against in relation to the membership of its Managing Committee.

### **Sub-Part B – Multisport Organisations**

#### **10. Multisport Organisation**

(1) There shall, for the promotion of sport by, and the organisation of competitions or games between, sports clubs or schools enrolled with them and their licensees, be the following Multisport Organisations –

- (a) the Mauritius Secondary Schools Sports Association, with which shall be enrolled every secondary school which makes a written application to that effect;
- (b) the Mauritius Corporate Sports Federation (*"Fédération Mauricienne des Sports Corporatifs"*), with which shall be enrolled every corporate sports club which makes a written application to that effect;
- (c) the Mauritius Visually Impaired Persons Sports Federation;
- (d) the Mauritius Aurally Impaired Persons Sports Federation;
- (e) the Mauritius Physically Disabled Persons Sports Federation;
- (f) the Mauritius Mentally Disabled Persons Sports Federation;
- (g) such other sports organisation as may be prescribed.

(2) (a) Any group made up of the Mauritius Visually Impaired Persons Sports Federation, the Mauritius Aurally Impaired Persons Sports Federation, the Mauritius Physically Disabled Persons Sports Federation and the Mauritius Mentally Disabled Persons Sports Federation may form a sports club having its sports or management premises in any sports region.

(b) Any sports club set up pursuant to paragraph (a) may apply to be enrolled with the relevant Multisport Organisation referred to in subsection (1)(c), (d), (e) or (f), as the case may be.

(3) Every Multisport Organisation shall –

- (a) uphold and operate on the principles of good governance, transparency, democracy, fairness and non-discrimination;
- (b) conduct its activities, and ensure that every sports club or school enrolled with it conduct its activities, in such manner that it runs no risk of creating any ill feeling towards any section of the community;
- (c) where appropriate, seek and maintain affiliation with the appropriate International Sports Federation;
- (d) ensure that every sports club or school enrolled with it, its National Technical Director, adviser, coach and secretary strive to achieve, in line with the Olympic Charter, a harmonious relationship with every public body;
- (e) issue licences to, and make provision for medical control and insurance cover for, every sports club or school enrolled with it;
- (f) after consultation with the appropriate National Sports Federation, establish a programme of activities for each year and organise competitions or games at regional, national and international level;
- (g) select sportsmen who shall represent Mauritius in international competitions or games;
- (h) use all possible means to ensure compliance by every licensee with any directive issued by IOC or WADA against the use of any prohibited substance;
- (i) ensure the implementation of any sanction imposed by the International Sports Federation with which it is affiliated, the Mauritius Paralympic Committee or the Tribunal; and
- (j) adopt, as part of its rules, such rules as may be prescribed.

(4) A Multisport Organisation may –

- (a) take such disciplinary action as it may determine against a sports club or school enrolled with it, or a licensee; and
- (b) grant such awards as it may determine.

### **Sub-Part C – Recognition of sports organisations**

#### **11. Certificate of recognition**

(1) (a) Every sports organisation which wishes to be registered with the Registrar of Associations as –

- (i) a National Sports Federation; or
- (ii) a Multisport Organisation,

in relation to any sport, whether or not listed in the First or Third Schedule, shall, before an application is made to the Registrar of Associations, make an application to the Minister for recognition.

(b) A sports club which wishes to be enrolled with a National Sports Federation or Multisport Organisation shall make an application to the Minister for recognition.

(c) (i) All semi-professional clubs which have obtained recognition from the Minister shall form an association and shall, subject to subparagraph (ii), be registered with the Registrar of Associations.

(ii) The association referred to in subparagraph (i) shall, before an application is made to the Registrar of Associations, make an application to the Minister for recognition.

(2) An application for recognition shall be made in the prescribed form and shall be accompanied by satisfactory evidence that the applicant –

- (a) is exercising a specific, real and ongoing sport;
- (b) has the required administrative and technical set-up to satisfactorily promote that sport; and
- (c) in the case of an application for recognition as –
  - (i) a National Sports Federation, complies with sections 6, 12 and 13;
  - (ii) a Multisport Organisation referred to in section 10(1)(c), (d), (e) or (f), represents the appropriate

category of disabled persons and complies with section 10(3)(j);

- (iii) a sports club or a corporate sports club, has adopted approved rules;
- (iv) a semi-professional club –
  - (A) has the support of a corporate sponsor for such number of years as the Minister may approve; and
  - (B) complies with such other condition as may be prescribed; or
- (v) an association of semi-professional clubs –
  - (A) has adopted approved rules and has as part of its objectives, the responsibility of organising the semi-professional championship; and
  - (B) complies with such other condition as may be prescribed.

(3) Where the Minister is satisfied that the applicant complies with this Act, he shall issue a provisional certificate of recognition, subject to such conditions as he may determine.

(4) (a) The applicant shall, not later than 3 months after it is granted a provisional certificate of recognition, apply –

- (i) for registration to the Registrar of Associations; and
- (ii) where appropriate, to the appropriate National Sports Federation or International Sports Federation, the Mauritius Olympic Committee or the Mauritius Paralympic Committee for enrolment or membership.

(b) Where the applicant fails to comply with paragraph (a), its provisional certificate of recognition shall lapse.

(5) (a) The Minister shall, after consultation with the Mauritius Olympic Committee, the Mauritius Paralympic Committee, the appropriate International Sports Federation or such other body as he may determine, and on being satisfied that the sports organisation, sports club or association of semi-professional clubs has been registered with the Registrar of Associations, issue a certificate of recognition to it.

(b) The Minister shall cause a notice of any recognition granted under paragraph (a) to be published in the *Gazette*.

(c) Every National Sports Federation and Multisport Organisation, specified in the Fifth Schedule, which was granted a certificate of recognition by the Minister under the repealed Sports Act and is responsible for a sport which is specified in the First or Third Schedule shall be deemed to have obtained recognition under this Act.

(d) Where a sports organisation obtains recognition as a National Sports Federation or Multisport Organisation, the Minister shall, by regulations, amend the Fifth Schedule to specify the sports organisation in the relevant Part of that Schedule.

(6) Where the Minister is satisfied that a sports organisation no longer satisfies the requirements of this Act, he may, after consultation with the Mauritius Olympic Committee, the Mauritius Paralympic Committee, the appropriate International Sports Federation or such other body as he may determine, as the case may be –

(a) in the case of a major problem in the functioning of the managing committee of the sports organisation, suspend financial assistance to which the sports organisation is entitled under section 8(1)(a) and require the sports organisation to convene a special general assembly with a view to redressing the situation within a period not exceeding 3 months;

(b) in the case of a failure to comply with paragraph (a), suspend the certificate of recognition of the sports organisation and, where appropriate, inform the Mauritius Olympic Committee, the Mauritius Paralympic Committee and the appropriate International Sports Federation, and cause notice of the suspension of the certificate to be published in the *Gazette* and 2 daily newspapers.

(7) Where a sports organisation is suspended under subsection (6)(b), it shall, together with its members, forfeit all rights under this Act.

#### **Sub-Part D – Regional Organisation of Sport**

### **12. Regional operation of National Sports Federation**

(1) (a) Subject to this section, every National Sports Federation shall operate in at least 8 sports regions.

(b) For the purposes of paragraph (a), the Minister may authorise a combination of 2 or more geographical regions to form one sports region.

(2) (a) The Minister may authorise a National Sports Federation to operate in less than 8 sports regions where he is satisfied that it is impracticable for that federation to operate in a minimum of 8 sports regions or to have less than 2 sports clubs enrolled with it in each sports region.

(b) Where an authorisation is given under paragraph (a), the Minister may, by regulations, provide for the manner in which its Managing Committee shall be composed.

(3) A National Sports Federation responsible for a team sport which is a non-Olympic sport shall operate in at least 3 sports regions.

(4) A National Sports Federation responsible for an individual sport shall operate in at least 3 sports regions, unless a derogation is granted under subsection (2).

### **13. Regional sports committees**

(1) Every National Sports Federation shall set up a regional sports committee in each sports region in which it is required to operate, consisting of representatives of at least 2 sports clubs.

(2) Unless a derogation is granted by the Minister under section 12(2), every National Sports Federation shall –

- (a) after consultation with its regional sports committee, allocate to that committee 2 or more sports clubs enrolled with it, and of which not less than three quarters of the members of the body which manages the sports club are residents of the relevant region;
- (b) ensure that a regional sports committee and every sports club enrolled with it –
  - (i) has the name of its region as part of its name;
  - (ii) appoints its officers in such a way that no person is discriminated against by reason of race, community, caste, creed or colour;
  - (iii) conducts its activities in such manner that it runs no risk of creating any ill feeling towards any section of the community.

- (3) Every regional sports committee shall –
- (a) adopt, as part of its rules, such rules as may be drawn up by its National Sports Federation and vetted by the Ministry;
  - (b) have such powers and duties, not inconsistent with this Act, as its National Sports Federation may assign to it; and
  - (c) uphold and operate on the principles of good governance, transparency, democracy, fairness and non-discrimination.

(4) (a) There shall be a general meeting of every regional sports committee which shall meet at least once every year for the purpose of electing the persons who will serve on the regional sports committee for the next year.

(b) Every sports club allocated to a regional sports committee shall send to the General Assembly of its National Sports Federation one representative who has been a member of the sports club for at least one year immediately preceding the general meeting.

(c) Where a minimum of 15 per cent of sports clubs of a sports region so require, an election for the General Assembly of a National Sports Federation shall be supervised by an officer deputed by the Electoral Commissioner.

### **Sub-Part E – Sports Clubs**

#### **14. Sports clubs**

(1) Subject to subsection (2), every sports club, the members of which practise a sport specified in the First or Third Schedule for competitive purposes, shall –

- (a) have as part of its name, the name of the locality where its sports or management premises are situated, together with –
  - (i) the words "Sports Club"; or
  - (ii) the name of the sport it practises followed by the word "Club"; and
  - (iii) where it so wishes, a word or expression such as "United", "Rovers" or "Union" in English or French language;

- (b) admit its members and elect its officers in such a way that no person is discriminated against by reason of race, community, caste, creed or colour;
  - (c) conduct its activities in such manner that it runs no risk of creating any ill feeling towards any section of the community;
  - (d) seek and obtain recognition under section 11;
  - (e) be registered with the Registrar of Associations; and
  - (f) uphold and operate on the principles of good governance, transparency, democracy, fairness and non-discrimination.
- (2) A national sports club or a semi-professional club –
- (a) may, as part of its name, use the words “Sports Club”, “Rovers”, “United”, “Union” or any other word without the name of a locality;
  - (b) shall not, as part of its name, use any communal word;
  - (c) shall promote multiculturalism as one of its objectives;
  - (d) shall, in compliance with sections 22 and 24 of the Equal Opportunities Act, ensure that no person is discriminated against in relation to membership as executive member or a player of the club.
- (3) (a) Every sports club, the members of which practise a sport specified in the First or Third Schedule, shall, not later than 6 months after obtaining recognition under section 11, apply for enrolment with its National Sports Federation.
- (b) Any sports club whose application for enrolment is rejected by its National Sports Federation may appeal to the Minister within 21 days of the decision, and the Minister may, where he is of the opinion that the application was unjustly rejected, request the federation to review its decision.
- (4) Every corporate sports club shall, not later than 6 months after coming into existence, apply for enrolment with the Mauritius Corporate Sports Federation.
- (5) Every club referred to in section 10(2) shall, not later than 6 months after coming into existence, apply for enrolment with the appropriate Multisport Organisation.

(6) A National Sports Federation, a Multisport Organisation or the Minister may suspend or cancel the recognition, enrolment or affiliation of a club, as the case may be, where it or he is satisfied that the club no longer fulfills the requirements of this Act.

### **PART III – OLYMPIC COMMITTEES**

#### **Sub-Part A – Mauritius Olympic Committee**

#### **15. Establishment of Mauritius Olympic Committee**

(1) (a) The Mauritius National Olympic Committee established under the repealed Act shall be deemed to be established as the Mauritius Olympic Committee under this Act.

(b) The Mauritius Olympic Committee shall be recognised by the International Olympic Committee and shall be a non-profit making body corporate.

(2) The Mauritius Olympic Committee shall –

- (a) integrate in its rules the principles of the Olympic Charter;
- (b) uphold and operate on the principles of good governance, transparency, democracy, fairness and non-discrimination;
- (c) promote sports in general and the Olympic movement;
- (d) encourage the participation of Mauritius and Mauritian sportsmen in the Olympic Games and in any regional or international sports competition or game having the patronage of IOC;
- (e) undertake the organisation of the competitions or games referred to in paragraph (d) in Mauritius, whenever possible;
- (f) officially represent Mauritius and uphold the Mauritian flag at international meets;
- (g) ensure the legal protection of the Olympic emblem, flag, symbol and motto and the use of the words "Olympic" and "Olympiad";
- (h) take action against any form of discrimination and violence in sport and combat the use of prohibited substances;

- (i) safeguard its autonomy;
- (j) set up an arbitration committee to settle any conflict within the Olympic Committee or within sports organisations; and
- (k) hold a general assembly of its members at least once a year and include in its agenda the presentation of an annual report and audited financial statements, the approval of new members and election of its officers and members of its executive body, as the case may be.

(3) The voting procedure at the Mauritius Olympic Committee shall be in accordance with the provisions of the Olympic Charter and shall be made known to its members in advance.

(4) The Mauritius Olympic Committee shall strive to achieve a harmonious relationship with the Ministry and share information on important decisions in relation to any sport and the admission of new members.

### **Sub-Part B – Mauritius Paralympic Committee**

#### **16. Mauritius Paralympic Committee**

(1) (a) The Mauritius National Paralympic Committee referred to in the repealed Act shall be the Mauritius Paralympic Committee under this Act

(b) The Mauritius Paralympic Committee shall be affiliated with the International Paralympic Committee.

(c) The Mauritius Paralympic Committee shall coordinate the participation of persons with disability in the sport in which they compete.

(2) The Mauritius Paralympic Committee shall consist of 2 representatives from each of the Multisport Organisations referred to in section 10(1)(c), (d), (e) and (f) who shall –

- (a) hold office for a period of 4 years; and
- (b) elect from among themselves a chairperson who shall hold office for a period of 4 years.

(3) Every member of the Mauritius Paralympic Committee shall have one vote on any matter before it and in case of an equality of votes, the chairperson shall have a casting vote.

(4) The Mauritius Paralympic Committee shall, unless it has adopted approved rules, abide by such rules as may be prescribed.

## **PART IV – MAURITIUS SPORTS COUNCIL**

### **17. Establishment of Council**

(1) (a) The Mauritius Sports Council referred to in the repealed Act shall be deemed to be established under this Act.

(b) The Mauritius Sports Council shall be a body corporate.

(2) (a) The Council shall consist of –

(i) a chairperson, to be appointed by the Minister;

(ii) a representative of the Ministry;

(iii) a representative of the Ministry responsible for the subject of education;

(iv) the chairperson of the Women’s Commission; and

(v) 8 other members, who shall have proven track record in sports, at least 3 of whom shall be of the female gender.

(b) The members of the Council shall –

(i) hold office for a period of 2 years; and

(ii) be paid such allowance as the Minister may determine.

(3) (a) At a meeting of the Council, 7 members shall constitute a quorum.

(b) Subject to paragraph (a), the Council shall regulate its meetings and proceedings in such manner as it may determine.

### **18. Functions and powers of Council**

(1) The Council shall –

(a) develop and improve among the public at large the practice of sport in conjunction with the relevant sports organisation;

(b) foster and support the provision of facilities for sports;

- (c) encourage and support persons who carry out research and studies into matters concerning sports and physical activities and disseminate knowledge and advice on those matters;
- (d) employ, on such terms and conditions as it may determine, such staff as it considers necessary for the proper discharge of its functions;
- (e) advise and cooperate with the Minister and any sports organisation; and
- (f) with the approval of the Minister, allocate grants to any sports organisation.

(2) The Minister may give such written directions of a general character to the Council, not inconsistent with this Act, which he considers necessary in the interest of sports, and the Council shall comply with those directions.

#### **19. Income of Council**

- (1) The Council shall derive its income from –
  - (a) subsidies from the Government; and
  - (b) such other source as the Minister may approve.

(2) The Council may, to further its objects, call for and receive donations from such source as the Minister may approve.

(3) Article 910 of the Code Civil Mauricien shall not apply to the Council.

#### **20. Grants by Council**

(1) Where any sports organisation wishes to obtain a grant from the Council, it shall make an application to the Council in such form as the Council may approve.

(2) No grant shall be made under subsection (1) unless the applicant furnishes to the Council –

- (a) its calendar of activities, together with the corresponding estimated expenditure, for such period as may be specified in the application form;

- (b) information in relation to any sponsorship received in connection with its calendar of activities; and
- (c) such other document or information as the Council may require.

(3) Where the Council is satisfied that a grant may be made, it may allocate the grant in one lump sum or in not more than 3 instalments over a period of one year.

(4) A sports organisation to which a grant has been made shall submit to the Council a duly audited statement of accounts within 4 months of the expiry of the period referred to in subsection (3), failing which it shall cease to be eligible for any further grant.

## **21. Annual report of Council**

(1) The Council shall prepare and submit to the Minister, in accordance with the Statutory Bodies (Accounts and Audit) Act, an annual report together with a statement of accounts audited by a person approved by the Minister, on the operations of the Council in respect of every financial year.

(2) The annual report shall include a statement of audited accounts which contains –

- (a) a balance sheet; and
- (b) a statement of income and expenditure during the year.

(3) The Minister shall, at the earliest available opportunity, lay a copy of the annual report before the Assembly.

## **PART V – NATIONAL COMMISSION FOR DRUG-FREE SPORTS**

### **22. National Commission for Drug-Free Sports**

(1) There shall be for the purposes of this Act a National Commission for Drug-Free Sports.

(2) (a) The Commission shall consist of a chairperson and 4 other members, who shall have expertise in the field of anti-doping, to be appointed by the Minister.

- (b) The members of the Commission shall –
  - (i) hold office for a period of 2 years; and

- (ii) be paid such allowance as the Minister may determine.

(3) (a) The Minister may, where he considers it necessary, appoint any other person having expertise in the field of anti-doping to assist the Commission.

(b) A person appointed under paragraph (a) –

- (i) shall be appointed on an *ad hoc* basis and on such terms and conditions as the Minister may determine; and
- (ii) may take part in the proceedings of the Commission but shall have no right to vote.

(4) (a) The chairperson and 2 other members shall constitute a quorum at a meeting of the Commission.

(b) Subject to this section, the Commission shall regulate its meetings and proceedings in such manner as it may determine.

(5) The Minister –

- (a) shall designate a public officer to act as secretary to the Commission; and
- (b) may designate such other public officers as he may determine to assist the Commission in the discharge of its functions.

(6) (a) The Minister may give such written directions of a general character to the Commission, not inconsistent with this Act, as he considers necessary in the public interest, and the Commission shall comply with those directions.

(b) The Minister may require the Commission to furnish such information in such manner and at such time as he may determine in respect of its activities and the Commission shall supply that information.

### **23. Objects of Commission**

The Commission shall –

- (a) promote participation in sports, free from the use of prohibited substances or other methods intended to artificially enhance performance;

- (b) encourage the development of programmes for the education of the community in general and the sporting community, in particular, to the dangers of doping in sports;
- (c) ensure that Mauritius complies with any anti-doping code of WADA and any other international agreement concerning the prohibition of the use of drugs and doping in sports to which Mauritius is a party.

#### **24. Functions of Commission**

The Commission shall, in the discharge of its functions –

- (a) disseminate information for the education of the sporting community on the dangers of doping in sports;
- (b) provide information relating to sanctions for positive testing in doping, the use of prohibited substances and failure to provide samples for testing;
- (c) develop and implement educational programmes to discourage the practice of doping in sports;
- (d) set up a centralised independent sample collection and testing programme which may subject any sportsman to dope testing at short notice, or without notice, both in and out of competition or game;
- (e) coordinate all activities relating to procedures and sample collection in consultation with sports organisations;
- (f) conduct its activities in accordance with any code issued by WADA; and
- (g) advise the Minister on any matter relating to doping in sports.

#### **25. Cooperation with Commission**

(1) (a) Any failure by a National Sports Federation or a Multisport Organisation to cooperate with the Commission in relation to anti-doping measures shall be reported to the Minister.

(b) The Minister shall, on receipt of a report made by the Commission under paragraph (a), refer the matter to the International Sports Federation with which the National Sports Federation is affiliated.

(2) The Commission shall inform the Mauritius Olympic Committee, the Mauritius Paralympic Committee and the National Sports Federation concerned of the outcome of any anti-doping test effected.

(3) Where an anti-doping test indicates a positive result, the Commission shall refer the matter to the National Sports Federation concerned for appropriate action.

## **26. Income of Commission**

(1) The Commission shall derive its income from –

- (a) subsidies from Government; and
- (b) such other source as the Minister may approve.

(2) Article 910 of the Code Civil Mauricien shall not apply to the Commission.

## **27. Annual report of Commission**

(1) The Commission shall prepare and submit to the Minister, in accordance with the Statutory Bodies (Accounts and Audit) Act, an annual report together with a statement of accounts audited by a person approved by the Minister, on the operations of the Commission in respect of every financial year.

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

## **PART VI – NATIONAL WOMEN’S SPORTS COMMISSION**

### **28. National Women’s Sports Commission**

(1) There shall be for the purposes of this Act a National Women’s Sports Commission, which shall also be known as the “*Commission Nationale du Sport Féminin*”, consisting of a chairperson and 10 other members, to be appointed by the Minister.

(2) The members of the Women’s Commission shall –

- (a) comprise a majority of members of the female gender;
- (b) hold office for a period of 2 years; and
- (c) be paid such allowance as the Minister may determine.

(3) (a) The chairperson and 5 other members shall constitute a quorum at a meeting of the Women's Commission.

(b) Subject to paragraph (a), the Women's Commission shall regulate its meetings and proceedings in such manner as it may determine.

(4) (a) The Minister may give such written directions of a general character to the Women's Commission, not inconsistent with this Act, which he considers necessary in the public interest, and the Women's Commission shall comply with those directions.

(b) The Minister may require the Women's Commission to furnish such information in such manner and at such time as he may determine in respect of its activities and the Women's Commission shall supply that information.

## **29. Objects and functions of Women's Commission**

The Women's Commission shall –

- (a) encourage and promote the practice of sports by women, and in particular, schoolgirls;
- (b) encourage and carry out appropriate studies to foster the practice of sports by women;
- (c) encourage, organise and assist the training of appropriate sports cadres for the promotion of sports among women;
- (d) work in close collaboration with –
  - (i) the Ministry responsible for the subject of gender equality;
  - (ii) educational institutions; and
  - (iii) national and international sports organisations responsible for the promotion and organisation of sports; and
- (e) advise and make recommendations to the Minister for the promotion of sports for women.

## **30. Income of Women's Commission**

The Women's Commission shall derive its income from –

- (a) subsidies from Government; and

- (b) such other source as the Minister may approve.

### **31. Annual report of Women's Commission**

(1) The Women's Commission shall prepare and submit to the Minister, in accordance with the Statutory Bodies (Accounts and Audit) Act, an annual report together with a statement of accounts audited by a person approved by the Minister, on the operations of the Women's Commission in respect of every financial year.

(2) The Minister shall, at the earliest available opportunity, lay a copy of the annual report of the Women's Commission before the Assembly.

## **PART VII – TRAINING AND SPORTS INSTALLATIONS**

### **Sub-Part A – National Institute of Sports**

#### **32. Establishment of Institute**

(1) There is established for the purposes of this Act a National Institute of Sports which shall be a body corporate.

(2) The Minister may give such written directions of a general character to the Institute, not inconsistent with this Act, which he considers necessary in the interest of sports, and the Institute shall comply with those directions.

#### **33. Objects of Institute**

The Institute shall –

- (a) act as the main centre for the consolidation and development of the sports community through education and training, and for the exchange of information in the field of sports; and
- (b) promote and develop capacity building and sports leadership.

#### **34. Functions of Institute**

The Institute shall, in furtherance of its objects –

- (a) provide facilities for and engage in research and training in the promotion and development of sports philosophy, principles and values;
- (b) organise and conduct training courses for sports cadre leading to the *“Brevet d'Etat de Cadre Sportif”* (BECS);

- (c) organise and conduct examinations and award certificates on its own or in collaboration with universities or other recognised institutions;
- (d) establish links with foreign training institutions and organisations; and
- (e) provide consultancy and advisory services in the field of sports.

### **35. Powers of Institute**

The Institute shall have such powers as may be necessary to discharge its functions most effectively and may, in particular –

- (a) employ resource persons;
- (b) use resource persons from universities and other institutions;
- (c) enter into an agreement or other relationship with other institutions, at national and international levels, including the incorporation within the Institute of any other institution and the taking over of property, rights, privileges and liabilities of any such institution;
- (d) lay down the conditions under which trainees may be admitted to the Institute and the disciplinary provisions to which such trainees shall be subject; and
- (e) levy such fees as it may, with the approval of the Minister, determine.

### **36. The Board**

(1) The Institute shall be administered by a Board which shall consist of –

- (a) a chairperson, to be appointed by the Minister;
- (b) the supervising officer or his representative;
- (c) a representative of the Ministry responsible for the subject of training;
- (d) a representative of the Mauritius Institute of Education; and
- (e) 3 persons with experience and knowledge in the field of sports, to be appointed by the Minister.

(2) The chairperson and every member referred to in subsection (1)(e) shall hold office for a period of 2 years and shall be eligible for reappointment.

(3) Every member shall be paid such allowance as the Board may, with the approval of the Minister, determine.

(4) (a) At a meeting of the Board, 5 members shall constitute a quorum.

(b) Subject to paragraph (a), the Board shall regulate its meetings and proceedings in such manner as it may determine.

### **37. Managing Secretary**

(1) The Board may, with the concurrence of the Minister, appoint a Managing Secretary of the Institute on such terms and conditions as the Board may determine.

(2) The Managing Secretary shall, in the exercise of his functions –

(a) be responsible for the execution of the policy of the Board and for the control and management of the day-to-day business and activities of the Institute;

(b) act in accordance with such directives as he may receive from the Board;

(c) aim to achieve annual performance targets set by the Board; and

(d) every 3 months, submit to the Board a report in relation to the activities and finances of the Institute.

(3) The Minister may, in the absence of the Managing Secretary, designate a public officer to perform the duties of Managing Secretary.

### **38. Income of Institute**

(1) The Institute shall derive its funds from –

(a) Government subsidies;

(b) any dues or fees levied by the Institute; and

(c) any other source approved by the Minister.

(2) Article 910 of the Code Civil Mauricien shall not apply to the Institute.

### **39. Annual report of Institute**

(1) The Institute shall prepare and submit to the Minister, in accordance with the Statutory Bodies (Accounts and Audit) Act, an annual report together with a statement of accounts audited by a person approved by the Minister, on the operations of the Institute in respect of every financial year.

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

## **Sub-Part B – Sports Installation and Equipment**

### **40. Management of installation and equipment**

(1) Every sports organisation which manages, or is in any way concerned with the management of, any sports installation or equipment set up with the assistance of Government shall –

- (a) sign a Memorandum of Understanding with the Ministry on the use of the sports infrastructure;
- (b) having regard to the purpose for which the sports installation or equipment was set up, make it accessible to all sections of the sporting community; and
- (c) arrange for the sports installation or equipment to be so designed or adjusted as to make it accessible to the school population and to persons with disability.

(2) The Minister may, after consultation with the sports organisation or local authority concerned, give such written directions as he thinks fit for the use of any sports installation or equipment specified in subsection (1).

(3) In this section –

“sports equipment” and “sports installation” include sports equipment, sports facilities and sports infrastructure.

## **PART VIII – SPORTS ARBITRATION TRIBUNAL**

### **41. Sports Arbitration Tribunal**

(1) (a) There shall be a Sports Arbitration Tribunal which shall consist of –

- (i) a chairperson, who shall be a Magistrate of the Intermediate Court, to be designated by the Chief Justice;
- (ii) one member, who shall have technical competence and experience in sports, to be appointed by the Minister; and
- (iii) one member, who shall have technical competence and experience in sports, to be appointed by the Mauritius Olympic Committee.

(b) The Tribunal shall sit on a part-time basis.

(c) Every member of the Tribunal shall, before assuming office, make and sign the declaration set out in the Sixth Schedule before a Magistrate.

(d) The Minister shall cause the names of the members of the Tribunal to be published in the *Gazette*.

(e) The members of the Tribunal shall be appointed for a period of 4 years and on such other terms and conditions as the Minister may determine.

(2) The Tribunal shall have jurisdiction to adjudicate on any dispute relating to sports referred to it by any person who feels aggrieved by a decision of the Mauritius Olympic Committee, a National Sports Federation, a Multisport Organisation, a regional sports committee, a sports club, a licensee, any member, referee, coach or other official of a sports organisation.

(3) The Minister may designate a public officer to act as secretary to the Tribunal.

(4) (a) Where any member, or any person related to the member by blood or marriage, has a pecuniary or other material interest in relation to any matter before the Tribunal, that member –

- (i) shall disclose the nature of the interest before or at the meeting convened to discuss that matter; and
- (ii) shall not take part in any deliberations relating to that matter.

(b) A disclosure of interest made under paragraph (a) shall be recorded in the minutes of proceedings of the meeting convened to discuss that matter.

(5) (a) The Tribunal may make such rules as it considers appropriate for the purpose of the lodging and hearing of appeals before it.

(b) Any rules made under paragraph (a) may provide for –

(i) the practice and procedure before the Tribunal;

(ii) the taking of fees and levying of charges.

#### **42. Ombudsperson for Sports**

(1) Notwithstanding section 41, any person who feels aggrieved by a decision of the Mauritius Olympic Committee, a National Sports Federation, a Multisport Organisation, a regional sports committee, a sports club, a licensee, any member, referee, coach or other official of a sports organisation may, on good cause shown, appeal to the Ombudsperson for Sports for conciliation.

(2) The Minister may, on such terms and conditions as he may determine, appoint an Ombudsperson for Sports after consultation with the Mauritius Olympic Committee.

(3) The Ombudsperson for Sports shall be a person well versed in matters of sports and this Act.

(4) On receipt of an appeal under this section, the Ombudsperson for Sports may initiate an enquiry into the matter or invite disputing parties for an amicable settlement of the matter in dispute.

(5) In case no amicable settlement is reached, any of the aggrieved parties may have recourse to the arbitration mechanisms under this Act.

(6) The Minister may designate a public officer to assist the Ombudsperson for Sports.

### **PART IX – MISCELLANEOUS**

#### **43. Sports Development Council**

(1) The Minister may for the purposes of this Act set up a Sports Development Council.

(2) The Sports Development Council shall consist of a chairperson and not more than 6 other members, at least one of whom shall be of the female gender, to be appointed by the Minister on such terms and conditions as he may determine.

(3) The Sports Development Council shall advise the Minister on all matters relating to the promotion and development of sports at regional or national level, including cash incentive schemes, pension schemes for high level sportsmen and "*Brevet d'Etat des Cadres Sportifs*".

#### **44. Offences**

- (1) Any person who –
- (a) carries out any activity in contravention of this Act;
  - (b) wilfully makes a false report, furnishes false information, fails to maintain accounts or maintains false accounts; or
  - (c) fails to produce any document or record that the Ministry requires for the purposes of this Act,

shall commit an offence.

(2) Any person who commits an offence shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.

#### **45. Regulations**

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

- (2) Any regulations made under subsection (1) may provide –
- (a) for the amendment of the Schedules;
  - (b) for the levying of fees and charges;
  - (c) that any person who contravenes them shall commit an offence and shall, on conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.

#### **46. Repeal**

The Sports Act is repealed.

#### **47. Consequential amendments**

(1) The Registration of Associations Act is amended –

(a) in section 6(1) –

(i) in paragraph (e), by deleting the word “and”;

(ii) by inserting, after paragraph (e), the following new paragraph –

(ea) in the case of an association dealing in sports pursuant to the Sports Act 2013, a provisional certificate of recognition issued by the Minister to whom responsibility for the subject of sports is assigned; and

(b) in section 6(4), by adding the figure “2013”;

(c) in section 7(1), by deleting the words “this Act” and replacing them by the words “the Sports Act 2013”.

(2) The Statutory Bodies (Accounts and Audit) Act is amended, in the Second Schedule, in Part II –

(a) in the corresponding entry to the item “Mauritius Sports Council”, by adding the figure “2013”;

(b) by inserting, in the appropriate alphabetical order, the following new items and their corresponding entries –

National Council for Drug-Free Sports	Sports Act 2013
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National Institute of Sports	Sports Act 2013
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National Women’s Sports Commission	Sports Act 2013
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#### **48. Transitional provisions**

(1) (a) The recognition of a Sports Federation under the repealed Sports Act which, at the commencement of this Act, has –

(i) fewer than 8 regional sports committees; or

- (ii) less than the required number of clubs per sports region,

shall lapse, unless, within 6 months from the commencement of this Act, it complies with this Act in those respects or has been authorised to operate in fewer regions.

(b) Where, at the commencement of this Act, a National Sports Federation has not adopted any rules, it shall abide by the rules set out in the Fourth Schedule.

(2) (a) Every sports club which was registered before the commencement of this Act shall, within 6 months from the commencement of this Act, apply for recognition to the Minister.

(b) Where a sports club referred to in paragraph (a) fails to apply for recognition, its members shall forfeit the right to practise any sport for competition or game purposes.

(3) The regional sports committees set up under the repealed Act shall be deemed to have been set up under this Act.

(4) Notwithstanding section 17(2)(a), the members of the Mauritius Sports Council under the repealed Act shall, at the commencement of this Act, be deemed to be the members of the Mauritius Sports Council under this Act until the expiry of their terms of membership.

(5) Where this Act does not make provision for the necessary transition from the repealed Sports Act to this Act, the Minister may make regulations for such transition.

#### **49. 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.

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**FIRST SCHEDULE**  
[Sections 2 and 3(1)]

**INDIVIDUAL SPORTS**

**PART I – OLYMPIC INDIVIDUAL SPORTS**

Archery

Athletics

Badminton

Boxing

Cycling

Equestrian

Golf

Judo

Swimming

Table Tennis

Tae Kwon Do

Tennis

Triathlon

Weightlifting

Wrestling

Yachting

**PART II – NON-OLYMPIC INDIVIDUAL SPORTS**

Billiards

Bodybuilding

Bridge

Chess

French Boxing

Karate

Kick Boxing

Kyokushinkai

Motorcycling

Pétanque

Squash

Sumo

Underwater Diving

Wushu

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## **SECOND SCHEDULE**

[Section 2]

### **SPORT REGIONS**

Beau Bassin/Rose Hill

Black River

Curepipe

Flacq

Grand Port

Moka

Pamplemousses

Port Louis

Quatre Bornes

Rivière du Rempart

Rodrigues

Savanne

Vacoas/Phoenix

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**THIRD SCHEDULE**  
[Sections 2 and 3(1)]

**TEAM SPORTS**

**PART I – OLYMPIC TEAM SPORTS**

Basketball

Football

Handball

Rugby

Volleyball

**PART II – NON-OLYMPIC TEAM SPORTS**

Cricket

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## **FOURTH SCHEDULE**

[Section 6(1)(b)]

### **RULES FOR NATIONAL SPORTS FEDERATIONS**

#### **1. Interpretation**

In these rules –

"authorised officer" means a public officer designated by the supervising officer of the Ministry;

"federation" means a National Sports Federation;

"General Assembly" means the general assembly of a federation;

"Managing Committee" means the managing committee of a federation;

"National Technical Director" or "Directeur Technique National" means the technical head of a federation;

"Special General Assembly" means the special general assembly held by a federation for the purpose of electing the members of the Managing Committee.

#### **2. Honorary membership**

(1) A federation shall have not more than 5 honorary members.

(2) Any person present at a meeting of the General Assembly may propose for nomination as honorary member –

(a) a person who has rendered exceptional service to, and proved his devotion in furtherance of the objects of, the federation; or

(b) a former member of its Managing Committee.

(3) A honorary member shall not have voting rights.

#### **3. Annual fee**

Every sports club enrolled with a federation shall pay to the federation such annual fee on such date as the General Assembly may determine.

#### **4. Termination of enrolment**

- (1) A sports club shall cease to be enrolled with a federation –
- (a) with the winding up or voluntary withdrawal from the federation of a sports club;
  - (b) where it does not comply with the Act;
  - (c) where the Managing Committee, after hearing its defence, strikes off the roll a sports club for –
    - (i) pursuit of objectives contrary to the rules of the federation or causing disrepute to the federation;
    - (ii) failure to pay to the federation the annual fee referred to in rule 3 within 3 months of its being due;
    - (iii) refusal to comply with a decision taken by the General Assembly;
  - (d) where less than three-quarters of the membership in the case of a sports club, other than a national club or semi-professional club, are residents from the same region.

(2) (a) A sports club which is struck off the roll by the Managing Committee may appeal to the Ombudsperson for Sports.

(b) The Ombudsperson for Sports may, after hearing the sports club and examining the reasons for the decision of the Managing Committee, make appropriate recommendations to the Managing Committee.

#### **5. General Assembly of federation**

(1) Every federation shall, not later than 3 months after the end of every financial year, hold a General Assembly to consider –

- (a) the statement of accounts of the federation for the preceding year;
- (b) the President's report on the activities of the federation during the preceding year; and
- (c) the programme of activities of the federation for the current year.

(2) The General Assembly may meet at any time when it is convened –

- (a) by the President of the federation;
- (b) at the request of the Management Committee; or
- (c) at the request of sports clubs representing one-third of the total number of all clubs enrolled with the federation.

(3) (a) The quorum at a meeting of the General Assembly shall be half the number of votes plus one held by the total number of sports clubs enrolled with it.

(b) Where there is no quorum at a meeting of the General Assembly, that meeting shall be postponed for 14 days and held at the same place and time with the same agenda as the original meeting, irrespective of the number of representatives present.

(4) (a) There shall be held, not later than 4 months after the closing day of the Summer Olympic Games, a Special General Assembly to elect members of the Managing Committee as per approved rules.

(b) The members of the Managing Committee shall be elected in accordance with the rules of the National Federation.

(c) The President of a federation may be removed from office by members representing not less than two-third of the votes of all members present.

(d) The voting members shall –

- (i) in the case of a regional sports committee, include at least one official representative for each sports club;
- (ii) in the case of the Managing Committee of the federation, include one or more representative from its regional sports committee, and at least one official representative from every sports club enrolled with the federation and who has participated in a national competition over the last one year;
- (iii) in the case of a team sport, include a fair representation of each constituent bodies of the federation.

(5) Every federation shall make provision in its rules for –

- (a) the forwarding to the secretary of the federation by the president of every regional sports committee and by the president of every sports club, the names of its representatives eligible to vote at a General Assembly not later than 10 days before the date fixed for the assembly;
- (b) the summoning of a General Assembly of the federation not later than 30 days before the date fixed for the assembly;
- (c) voting at a General Assembly to be done only by persons present at the assembly;
- (d) the appointment of auditors;
- (e) the right of admission to a General Assembly of an observer deputed by the Mauritius Olympic Committee;
- (f) the number of members to be elected for the Managing Committee and for its regional sports committees;
- (g) ensuring that the number of members referred to in paragraph (f) exceeds 7 but does not exceed 11 for an individual sport and 15 for a team sport;
- (h) replacement of members.

## **6. Managing Committee**

(1) No person shall be eligible for election as member of the Managing Committee where –

- (a) he is a public officer posted in or employed by the Ministry, even on a part time basis;
- (b) he has been sanctioned by the Sports Arbitration Tribunal within 4 years prior to the election;
- (c) he has been sentenced by a Court for an offence involving dishonesty or under this Act;
- (d) he has failed to maintain harmonious relationship with a public body in line with the Olympic Charter;
- (e) he is an office bearer of another National Sports Federation;

- (f) where he has not been a member of the regional sports committee or sports club which he is representing, for 2 years preceding the election;
- (g) the sports club he is representing does not have the prescribed minimum number of licence holders.

(2) (a) The Managing Committee may either comprise or co-opt, as the case may be –

- (i) the chairperson of the appropriate National Training Centre;
- (ii) a representative of referees' or technical officials' association;
- (iii) a representative of coaches' association;
- (iv) a representative of sportsmen's association;
- (v) a representative of women's association, where applicable.

(b) No co-opted member shall have the right to vote.

(c) The National Technical Director, advisor or coach appointed by the Minister, the national coach and the secretary of a federation may attend any meeting of the Managing Committee but shall not have the right to vote.

(3) No person shall be member of a Managing Committee unless –

- (a) he is 18 years of age;
- (b) he is a citizen of Mauritius;
- (c) he is domiciled in Mauritius; and
- (d) he resides for more than 9 months in a year in Mauritius.

(4) The Managing Committee shall meet at least once monthly or at any time when it is convened by its President or at the request of at least 5 of its members.

(5) The quorum shall be constituted by more than half the number of voting members of the Managing Committee.

(6) A member of the Managing Committee who has unreasonably absented himself from 3 consecutive meetings of the committee may be removed from office or suspended by the committee.

(7) (a) The General Assembly may revoke the Managing Committee by taking a vote to that effect with a majority of three quarters of the total number of votes held by all sports club enrolled with the federation.

(b) Where a Managing Committee is revoked under paragraph (a), a new Managing Committee shall be elected within a period of one month of the date of revocation of the last committee.

(8) No member shall take part in the deliberations of the Managing Committee on any matter which directly concerns a sportsman to whom he is related by blood or marriage.

(9) Every federation shall make provision in its rules for the requirement that every person wishing to stand as a candidate for election in its Managing Committee shall –

- (a) send a written and signed notification to that effect by registered post with a request for advice of delivery so as to reach the office of the federation not later than 21 days before the date fixed for the General Assembly;
- (b) include, in the notification, his name, surname and private address; and
- (c) state whether he has at any time during the preceding 4 years held office as President of the federation.

## **7. Office bearers of National Sports Federation**

(1) The office bearers of the Managing Committee shall also be the office bearers of the federation.

(2) The President shall be responsible for the proper running of the federation.

(3) The President shall notify the Minister, the Mauritius Olympic Committee, the Sports Council and the Registrar of Associations of any change effected to the membership of the Managing Committee within 2 weeks of the date of the change.

(4) Every federation shall make provision in its rules for the vacation of office by the President on his election to the presidency of the Mauritius Olympic Committee.

## **8. Annual report**

(1) The treasurer of a federation shall prepare an annual report on the financial affairs of the Federation at least one week before the date on which the General Assembly holds its annual meeting.

(2) The report shall include –

- (a) a balance sheet;
- (b) an audited statement of income and expenditure during the year;
- (c) the report of the auditor on the accounts; and
- (d) an estimated budget for the following year.

(3) The report shall be submitted to the Minister, the Mauritius Olympic Committee and the Sports Council not later than one month after the date of its approval by the General Assembly.

(4) Any federation the turnover of which exceeds 500,000 rupees for any year shall cause its statement of income and expenditure to be audited by a licensed auditor as specified in the Financial Reporting Act.

## **9. Books of account**

All the books of accounts of a federation shall be presented on demand for inspection to an authorised officer or to any member of the Managing Committee.

## **10. Amendment to rules and dissolution**

(1) An amendment to the rules of a federation or its dissolution shall be effected by a meeting of the General Assembly specially convened for that purpose –

- (a) by the Managing Committee, or
- (b) at the request of sports clubs holding at least half the total number of votes of all clubs enrolled with the federation which is notified to the Managing Committee at least one month before the date intended for the meeting.

(2) Where there is a proposal to amend the rules of a federation or to dissolve a federation, the sports club enrolled with the federation shall be

informed of the proposal at least 2 weeks before the date intended for the special meeting of the General Assembly.

(3) The quorum for the special meeting of the General Assembly shall be three-quarters of the total number of votes held by all the clubs enrolled with the federation.

(4) The decision to amend the rules of, or to dissolve, a federation shall be taken by a majority of persons representing not less than three-quarters of the clubs enrolled with the federation and shall be communicated to the Minister and the Mauritius Olympic Committee not later than 15 days of the decision.

(5) The minutes of proceedings of the special meeting of the General Assembly recording the decision to amend the rules of a federation or to dissolve a federation shall be submitted not later than 15 days after the decision to the Minister, the Mauritius Olympic Committee and the Mauritius Sports Council.

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## **FIFTH SCHEDULE**

[Section 11(5)(b)]

### **RECOGNISED NATIONAL SPORTS FEDERATIONS AND MULTISPORT ORGANISATIONS**

#### **PART I – OLYMPIC NATIONAL SPORTS FEDERATIONS**

Archery	Fédération Mauricienne de Tir à L'Arc
Athletics	Mauritius Athletics Association
Badminton	Mauritius Badminton Association
Basketball	Mauritius Basketball Federation
Boxing	Association Mauricienne de Boxe
Cycling	Association Mauricienne de Cyclisme
Equestrian	Mauritius Equestrian Sports Federation
Football	Mauritius Football Association
Golf	Mauritius Golf Federation
Handball	Mauritius Handball Association
Judo	Mauritius Judo Federation
Rugby	Rugby Union Mauritius
Swimming	Fédération Mauricienne de Natation
Table Tennis	Mauritius Table Tennis Association
Tae Kwon Do	Mauritius Tae Kwon Do Federation
Tennis	Mauritius Tennis Federation
Triathlon	Fédération Mauricienne de Triathlon
Volleyball	Mauritius Volleyball Association

Weightlifting	Mauritius Amateur Weightlifters & Powerlifters Association
Wrestling	Mauritius National Wrestling & Allied Games Association
Yachting	Mauritius Yachting Association

## **PART II – NON-OLYMPIC NATIONAL SPORTS FEDERATIONS**

Billiards	Mauritius Billiards & Snookers Federation
Body Building	Federation of Bodybuilders Association
Bridge	Mauritius Bridge Federation
Chess	Mauritius Chess Federation
Cricket	Federation of Cricket Club
French Boxing	Fédération Mauricienne de Boxe Française Savate et Disciplines Assimilées
Karate	All Mauritius Karate Federation
Kick Boxing	Fédération Mauricienne de Kickboxing et Disciplines Assimilées
Kyokushinkai	Kyokushinkai Martial Arts Federation Mauritius
Motorcycling	Fédération Mauricienne de Motocyclisme
Pétanque	Association de Pétanque de L'île Maurice
Sumo	Sumo Federation of Mauritius
Squash	Mauritius Squash Rackets Association
Underwater Diving	Mauritius Scuba Diving Association
Wushu	Mauritius Wushu Federation

### **PART III – MULTISPORT ORGANISATIONS**

Aurally Handicapped Persons Sports Federation

Commission Nationale du Sport Féminin

Fédération Mauricienne des Sports Corporatifs

Mauritius Secondary Schools Sports Association

Mentally Handicapped Persons Sports Federation

Physically Handicapped Persons Sports Federation

Visually Handicapped Persons Sports Federation

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**SIXTH SCHEDULE**

[Section 41]

**SPORTS ARBITRATION TRIBUNAL**

**OATH ON APPOINTMENT**

I do swear (or solemnly affirm) that I will faithfully assume the office of arbitrator and I will not on any account for the good management of the Tribunal, disclose the deliberations or votes of the Tribunal and that I will act independently and objectively to the best of my judgment.

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