

**THE BHOJPURI-SPEAKING UNION (AMENDMENT)
BILL (No. XIX of 2015)**

Explanatory Memorandum

The main objects of this Bill are to –

- (a) amend the composition of the Executive Council of the Bhojpuri-speaking Union;
- (b) provide that the statement of accounts on the operations of the Bhojpuri-speaking Union shall be audited by the Director of Audit.

S. BABOO

Minister of Arts and Culture

16 October 2015

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ARRANGEMENT OF CLAUSES

Clause

- 1. Short title
- 2. Interpretation
- 3. Section 2 of principal Act amended
- 4. Section 6 of principal Act repealed and replaced
- 5. Section 12 of principal Act amended
- 6. Section 17 of principal Act amended
- 7. Schedule to principal Act amended

A BILL

To amend the Bhojpuri-speaking Union Act

ENACTED by the Parliament of Mauritius, as follows –

1. Short title

This Act may be cited as the Bhojpuri-speaking Union (Amendment) Act 2015.

2. Interpretation

In this Act –

“principal Act” means the Bhojpuri-speaking Union Act.

3. Section 2 of principal Act amended

Section 2 of the principal Act is amended –

- (a) by deleting the definition of “licensed auditor”;
- (b) in the definition of “President”, by deleting the words “referred to in section 6(2)(a)” and replacing them by the words “appointed under section 6(3)(b)”.

4. Section 6 of principal Act repealed and replaced

Section 6 of the principal Act is repealed and replaced by the following section –

6. Executive Council

(1) The Union shall be administered and managed by an Executive Council which shall consist of –

- (a) 4 members having an interest in the development, propagation and promotion of the Bhojpuri language, to be appointed by the Minister;
- (b) subject to subsection (2), 4 members elected, in the manner specified in the Schedule, from the ordinary members of the Union;
- (c) a representative of the Ministry;
- (d) a representative of the Ministry responsible for the subject of education; and
- (e) a representative of the Ministry responsible for the subject of finance.

(2) (a) No election shall be held where the Union has less than 15 ordinary members.

(b) Where no election is held pursuant to paragraph (a), the Minister shall, in addition to the members appointed under subsection (1)(a), appoint 4 members having an interest in the development, propagation and promotion of the Bhojpuri language.

(3) (a) The office bearers of the Council shall consist of –

- (i) a President;
- (ii) a Vice-president;
- (iii) a Secretary;
- (iv) an Assistant Secretary;
- (v) a Treasurer; and
- (vi) an Assistant Treasurer.

(b) The Minister shall appoint a member, other than a member referred to in subsection (1)(c) to (e), as President of the Council.

(c) The members, other than members referred to in subsection (1)(c) to (e), shall, from amongst themselves, elect the office bearers of the Council referred to in subsection (3)(a)(ii) to (vi).

(4) The members and the office bearers, other than a member referred to in subsection (1)(c) to (e), shall hold office for a period of 3 years.

(5) The Council may, with the approval of the Minister, set up such ad hoc committee as may be necessary to assist it in the discharge of its functions.

(6) The Council may –

- (a) in the interest of the Union, cancel the membership of any ordinary member;
- (b) remove any member or fill any vacancy arising in its membership or any office thereof.

(7) (a) Notwithstanding subsections (1)(a) and (b), (3) and (4), the Minister shall, at the commencement of this section, appoint –

- (i) 8 members of the Council having an interest in the development, propagation and promotion of the Bhojpuri language; and

(ii) office bearers from amongst the members appointed under paragraph (a).

(b) The members and office bearers appointed under paragraph (a) shall hold office for a period of 6 months.

5. Section 12 of principal Act amended

Section 12 of the principal Act is amended, in subsections (1)(a) and (2)(a), by deleting the word "First".

6. Section 17 of principal Act amended

Section 17 of the principal Act is amended by repealing subsections (1) and (2) and replacing them by the following subsections –

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

(2) The auditor to be appointed under section 5(1) of the Statutory Bodies (Accounts and Audit) Act shall be the Director of Audit.

7. Schedule to principal Act amended

The Schedule to the principal Act is amended, in item 1, by deleting the words "sections 6(1)(a) and 19(2)" and replacing them by the words "section 6(1)(b) and (7)(a)".
