

THE MAURICE STRATEGIE BOARD BILL

(No. XI of 2024)

Explanatory Memorandum

The object of this Bill is to provide for the establishment of the Maurice Stratégie Board, which shall be known as the Maurice Stratégie.

2. The Maurice Stratégie will take over the functions and powers of the Maurice Stratégie Co. Ltd and, as a research and planning bureau, will –

- (a) provide support to the Government through the development of short-term to long-term plans, visions and strategies;
- (b) undertake in-depth economic research and analysis to support policy choices;
- (c) drive public debate and provide recommendations to support collective choices on social, economic and environmental issues; and
- (d) evaluate Government policies.

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A BILL

To provide for the establishment of the Maurice Stratégie Board

ENACTED by the Parliament of Mauritius, as follows –

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Maurice Stratégie Board Act 2024.

2. Interpretation

In this Act –

“Board” means the Board referred to in section 6;

“Chairperson” means the Chairperson of the Board;

“Economic Development Board” means the Economic Development Board established under the Economic Development Board Act;

“Executive Director” means the Executive Director of the Maurice Stratégie;

“Maurice Stratégie” means the Maurice Stratégie Board established under section 3(1);

“member” –

(a) means a member of the Board; and

(b) includes the Chairperson;

“Minister” means the Minister to whom the responsibility for the subject of economic planning is assigned;

“Ministry” means the Ministry responsible for the subject of economic planning;

“officer” –

(a) means an officer of the Maurice Stratégie; and

(b) includes the Executive Director;

“Strategic Advisory Council” means the Strategic Advisory Council referred to in section 11.

PART II – MAURICE STRATEGIE

3. Establishment of Maurice Stratégie

(1) There is established, for the purposes of this Act, the Maurice Stratégie Board, which shall be known as the Maurice Stratégie.

(2) The Maurice Stratégie shall be a body corporate.

4. Objects of Maurice Stratégie

The Maurice Stratégie shall be a research and planning bureau and shall –

- (a) provide support to the Government through the development of short-term to long-term plans, visions and strategies;
- (b) undertake in-depth economic research and analysis to support policy choices;
- (c) drive public debate and provide recommendations to support collective choices on social, economic and environmental issues; and
- (d) evaluate Government policies.

5. Functions and powers of Maurice Stratégie

(1) The Maurice Stratégie shall, in the discharge of its functions –

- (a) conduct prospective work and inform public bodies about the possible medium and long-term strategic plans that are contemplated for Mauritius;
- (b) undertake strategic studies to inform the Government of the actions required for the purpose of the preparation of reforms, in particular through an analysis of the context of the decision and its foreseeable impact in the short-term and medium term;
- (c) participate in the evaluation of Government policies;

- (d) serve as a resource centre for the identification, organisation and evaluation of public consultations and debates; and
 - (e) identify and publicise the experiences carried out abroad that may enrich reflection on such reforms as may be useful to Mauritius and the ways and means of carrying them out.
- (2) The Maurice Stratégie shall, in the exercise of its powers –
- (a) set up such subcommittees, technical committees or commissions as may be necessary to assist the Board or the Executive Director;
 - (b) seek information from any public sector agency, including –
 - (i) any information, document or other record obtained by or for any public sector agency in respect of any research and planning exercise, and
 - (ii) any data from any public sector agency which may be useful for research and planning exercise; and
 - (c) do such things as may be incidental or conducive to the attainment of any of its objects under this Act.

6. The Board

- (1) The Maurice Stratégie shall be administered and managed by a Board.
- (2) The Board shall consist of –
- (a) the Financial Secretary, who shall be the Chairperson;
 - (b) every Deputy Financial Secretary;
 - (c) a representative of the Prime Minister’s Office, not below the rank of a Permanent Secretary;
 - (d) the Chief Executive Officer of the Economic Development Board or his representative;
 - (e) the Director of Statistics Mauritius or his representative;
 - (f) a representative of the Bank of Mauritius;

- (g) a representative of the Mauritius Revenue Authority;
 - (h) a representative of the private sector; and
 - (i) a representative of academia.
- (3) The members referred to in subsection (2)(g) and (h) shall –
- (a) be appointed by the Minister; and
 - (b) hold office for a period of 3 years.
- (4) Every member shall be paid such fees or allowances as the Minister may determine.
- (5) The Board may co-opt any person who may be of assistance in relation to any matter before the Board and the co-opted member shall –
- (a) not have the right to vote at any meeting of the Board; and
 - (b) be paid such fees or allowances as the Board may determine.
- (6) No person shall be qualified to be a member where he is –
- (a) a member of the Assembly;
 - (b) a member of a local authority; or
 - (c) otherwise actively engaged in politics.
- (7) A member, other than an ex-officio member, shall cease to hold office –
- (a) on the completion of his term of office;
 - (b) on his resignation;
 - (c) where he becomes a member of the Assembly or a local authority, or otherwise actively engages in politics; or
 - (d) where, without sufficient cause, he fails to attend 3 consecutive meetings of the Board.

7. Meetings of Board

- (1) The Board shall meet as often as is necessary but at least 4 times a year.
- (2) A meeting of the Board shall be convened at the request of the Chairperson or at least 2 members.
- (3) Where the Chairperson is absent from a meeting of the Board, the members present shall elect a member to chair the meeting.
- (4) At any meeting of the Board, 5 members shall constitute a quorum.
- (5) Every member shall, in relation to any matter before the Board in which he or any person related to him by blood or marriage has a pecuniary or other material interest –
 - (a) disclose the nature of that interest in writing at or before the meeting convened to discuss that matter; and
 - (b) not take part in any deliberations of the Board relating to that matter.

PART III – ADMINISTRATION OF MAURICE STRATEGIE

8. Executive Director

- (1) There shall be an Executive Director of the Maurice Stratégie who shall, with the approval of the Minister, be appointed by the Board on such terms and conditions as it may determine.
- (2) The Executive Director shall –
 - (a) execute the policy of the Board, control and manage the day to day business of the Maurice Stratégie;
 - (b) ensure that appropriate policies are formulated and implemented, and that effective internal control, legal compliance and governance measures are deployed;
 - (c) monitor the performance of the Maurice Stratégie against agreed performance and sustainability targets and report appropriately to the Board about such performance;
 - (d) agree and recommend for approval to the Board matters specified in the policies of the Maurice Stratégie;

- (e) develop and recommend to the Board the long-term strategy and vision of the Maurice Stratégie and its quantified expression by way of critical short-term and long-term performance;
- (f) establish an organisational structure and operating model for the Maurice Stratégie to ensure effective execution of the strategy, sustainability, governance and control imperatives; and
- (g) recommend the appointment of members of the executive team and ensure proper succession planning and performance appraisal of members of the executive team.

(3) The Executive Director shall attend every meeting of the Board and may take part in its deliberations but shall not have the right to vote.

(4) In the discharge of his functions, the Executive Director shall act in accordance with such directions as he may receive from the Board.

9. Delegation of powers

The Board may delegate to the Executive Director such of its powers under this Act as may be necessary to assist in the effective administration and management of the Maurice Stratégie.

10. Staff of Maurice Stratégie

(1) The Board may, on such terms and conditions as the Minister may approve, appoint such officer of the Maurice Stratégie as it considers necessary for the proper discharge of its functions under this Act.

(2) Every officer shall be under the administrative control of the Executive Director.

(3) The Board may make provision to govern the conditions of service of the officers and, in particular, for –

- (a) the appointment, dismissal, discipline, pay and leave of the officers;
- (b) appeals by officers against dismissal and other disciplinary measures; and

- (c) the establishment and maintenance of a superannuation scheme and the contributions and the benefits payable to or from the scheme.

PART IV – STRATEGIC ADVISORY COUNCIL

11. The Strategic Advisory Council

- (1) There shall be, for the purposes of this Act, a Strategic Advisory Council.
- (2) The Strategic Advisory Council shall consist of a representative of –
 - (a) the Ministry, who shall be the chairperson;
 - (b) the Bank of Mauritius;
 - (c) the Economic Development Board; and
 - (d) 6 other members, to be appointed by the Minister.
- (3) Every member shall hold office for a period of 3 years.
- (4) Every member shall be a fit and proper person of high integrity.

12. Functions and powers of Strategic Advisory Council

The Strategic Advisory Council shall –

- (a) provide expert advice and guidance to the Board; and
- (b) make recommendations in respect of the long-term strategic plans.

PART V – FINANCIAL PROVISIONS

13. General Fund

The Maurice Stratégie shall establish a General Fund –

- (a) into which all monies received from any source by it shall be paid; and
- (b) out of which all payments required to be made for the purposes of this Act shall be effected.

14. Estimate of income and expenditure

(1) The Maurice Stratégie shall submit to the Minister, not later than 31 March in every year, an estimate of its income and expenditure in respect of the following financial year for his approval.

(2) The Minister may –

- (a) give his approval under subsection (1); or
- (b) approve only part of the expenditure under any item; and
- (c) direct the Maurice Stratégie to amend the estimate in respect of any item in such manner as he may determine.

15. Annual report

(1) The Maurice Stratégie 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 Maurice Stratégie, in respect of every financial year.

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

(3) The auditor of the Maurice Stratégie shall be the Director of Audit.

PART VI – MISCELLANEOUS

16. Powers of Minister

(1) The Minister may give such written directions of a general nature to the Maurice Stratégie, not inconsistent with this Act, as he considers necessary in the public interest and the Maurice Stratégie shall comply with the directions.

(2) The Minister may require the Maurice Stratégie to furnish such information in such manner and at such time as he thinks necessary with respect to its activities and the Maurice Stratégie shall supply such information.

17. Protection from liability

No liability, civil or criminal, shall attach to the Maurice Stratégie, the Board, a member or any officer in respect of any act done or omitted to be done in good faith in the discharge of its or his functions under this Act.

18. Execution of deed, contract or cheque

No deed, contract or cheque shall be executed by, or on behalf of, the Maurice Stratégie unless it is signed by –

- (a) the Chairperson, or in his absence, a member designated by the Board; and
- (b) the Executive Director, or in his absence, any officer designated by the Board.

19. Access to public and other records

Any person or public sector agency who has any information relating to research or planning shall, on request, provide such information to the Executive Director.

20. Confidentiality

Every member or officer, every member of the Strategic Advisory Council or every member of any subcommittee, technical committee or commission set up by the Maurice Stratégie shall, during or after his period of service with the Maurice Stratégie, maintain the confidentiality of any matter relating to this Act which comes to his knowledge, except –

- (a) for the purpose of administering this Act;
- (b) for exchanging information with a public sector agency;
- (c) where he is required to do so by law;
- (d) where he is authorised to do so by the Board.

21. Offences

(1) Any person who contravenes section 20 or any regulations made under it shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.

(2) Any person who, for the purposes of this Act, gives any information, particulars or documents or makes any statement which is false or misleading in any material particular shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500,000 rupees and to imprisonment for a term not exceeding 5 years.

22. 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 for –

- (a) the levying of fees and taking of charges;
- (b) the administration of any Scheme;
- (c) any matter necessary for, or consequential to, the implementation of this Act.

23. Consequential amendments

(1) The Economic Development Board Act is amended –

- (a) in section 4, by repealing paragraph (a);
- (b) in section 5, in subsection (1) –
 - (i) by repealing paragraph (a);
 - (ii) in paragraph (f), by deleting the words “policies and”.

(2) The Statutory Bodies (Accounts and Audit) Act is amended, in the Schedule, by inserting, in the appropriate alphabetical order, the following new item and its corresponding entry –

Maurice Stratégie Board	Maurice Stratégie Board Act 2024
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24. Saving and transitional provisions

(1) A person who is employed on the permanent and pensionable establishment of the Economic Development Board and who has been seconded for duty at the Maurice Stratégie Co. Ltd shall, on the commencement of this Act, be entitled to be transferred on the permanent and pensionable establishment of the Maurice Stratégie on terms and conditions which shall be not less favourable than those of his previous employment.

(2) A person referred to in subsection (1) who, within 28 days of the commencement of this Act, does not accept to be transferred to the Maurice Stratégie shall continue his employment with the Economic Development Board.

(3) Where a person referred to in subsection (1) accepts to be transferred to the Maurice Stratégie, his period of service shall be –

- (a) deemed to be an unbroken period of service with Maurice Stratégie; and
- (b) an approved service for the purposes of the Pensions Act or the Statutory Bodies Pension Fund Act, and any regulations made thereunder, as the case may be.

(4) Where a person referred to in subsection (1) is transferred to the Maurice Stratégie, he shall not be entitled to claim that his employment has been terminated or adversely affected in breach of any enactment.

(5) Where a person is employed on contract at the Maurice Stratégie Co. Ltd, his contract of employment shall, on the commencement of this Act, terminate and he shall be paid such benefits as provided for in his contract.

(6) The assets and funds of the Maurice Stratégie Co. Ltd shall, on the commencement of this Act, be transferred to the Maurice Stratégie.

(7) All rights, obligations and liabilities subsisting in favour of or against the Maurice Stratégie Co. Ltd shall, on the commencement of this Act, continue to exist under the same terms and conditions in favour of or against the Maurice Stratégie.

(8) Any act or thing done, or contract entered into by the Maurice Stratégie Co. Ltd shall, on the commencement of this Act, be deemed to have been done or entered into by Maurice Stratégie.

(9) A reference in any document the Maurice Stratégie Co. Ltd shall, on the commencement of this Act, be construed as a reference to Maurice Stratégie.

(10) Where this Act does not make provision for any transition from the Maurice Stratégie Co. Ltd to the Maurice Stratégie, the Minister may make such regulations as may be necessary to cater for such transition.

(11) In this section –

“Maurice Stratégie Co. Ltd” means the Maurice Stratégie Co. Ltd registered as a private limited company with the Registrar of Companies and bearing registration no. C23195357.

25. 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.
