THE TRUST FUND FOR THE BENEFIT OF CHAGOSSIANS BILL
(No. XXXII of 2025)

Explanatory Memorandum

The object of this Bill is to set up, for the benefit of Chagossians, a Trust Fund which will be capitalised by the United Kingdom of Great Britain and Northern Ireland in the sum of 40 million pounds sterling pursuant to Article 11(1)(b) of the Agreement between the Government of the Republic of Mauritius and the Government of the United Kingdom and Northern Ireland concerning the Chagos Archipelago including Diego Garcia signed on 22 May 2025 in Port Louis and London.

2. It is proposed that the Fund be established as a statutory body. The Fund will be managed by a Board consisting of 7 persons of Chagossian origin, one of whom shall be its Chairperson. To emphasise the commitment of the Government of Mauritius to the project, the Board will also comprise 2 representatives of the Government of Mauritius, one from the Prime Minister's Office being given that the Prime Minister also has the portfolio of outer islands. The other Government representative will be from the Ministry of Finance, which has expertise in financial systems and accountability. There will be, in addition be on the Board, 3 professionals appointed by the Prime Minister – one having wide experience in applied social science, a second having wide experience in project management, and a third, having wide experience in financial management. There will, in total, be 12 persons on the Board. The British High Commissioner or his representative shall be entitled to attend meetings of the Board.

3. The purpose of the Fund will be to devise and implement projects for the benefit of Chagossians. There will accordingly be set up, for that purpose, a Projects Subcommittee of the Board that will draw from the competencies of members in the fields of applied social science and project management.

4. In order to ensure the good stewardship and perennity of the Fund, the Bill makes provision for–

(a) the investment of amounts not utilised for projects; and

(b) the Board to set such minimum buffer capital as it may deem desirable.

5. The Bill provides for the Minister to have the power to make regulations for the purpose of catering for matters which are ancillary and incidental.

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

12 December 2025

THE TRUST FUND FOR THE BENEFIT OF CHAGOSSIANS BILL
(No. XXXII of 2025)

ARRANGEMENT OF CLAUSES

Clause

A BILL

To set up, for the benefit of Chagossians, a Trust Fund which will be capitalised by the United Kingdom of Great Britain and Northern Ireland in the sum of 40 million pounds sterling pursuant to Article 11(1)(b) of the Agreement between the Government of the Republic of Mauritius and the Government of the United Kingdom and Northern Ireland concerning the Chagos Archipelago, including Diego Garcia signed on 22 May 2025 in Port Louis and London

ENACTED by the Parliament of Mauritius, as follows –

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Trust Fund for the Benefit of Chagossians Act 2025.

2. Interpretation

In this Act –

"Agreement" means the Agreement between the Government of the Republic of Mauritius and the Government of the United Kingdom and Northern Ireland concerning the Chagos Archipelago including Diego Garcia signed on 22 May 2025 in Port Louis and London, and the exchange of letters between those parties concerning the implementation and interpretation of Article 11 of the aforementioned Agreement signed on the same day;

"Board" means the Board set up under section 6;

"Chagossian" –

(a) means a person born in the Chagos Archipelago before 31 December 1973; and

(b) includes a child born of parents either of whom is a person specified in paragraph (a).

"Chairperson" means the Chairperson of the Board;

"Executive Secretary" means the Executive Secretary appointed under section 7;

"financial year" means a period starting on 1 July in a given year and ending 30 June in the following year;

"Fund" means the fund set up under section 3;

"Investment Subcommittee" means the Investment Subcommittee set up under section 9(1)(b);

"member" –

(a) means a member of the Board; and

(b) includes the Chairperson;

"Minister" means the Prime Minister;

"Projects Subcommittee" means the Projects Subcommittee set up under section 9(1)(a).

PART II – THE FUND

3. Establishment of Fund

(1) There is established, for the purposes of this Act, the Trust Fund for the Benefit of Chagossians.

(2) The Fund shall be a body corporate.

4. Objects of Fund

The object~~s~~ of the Fund shall be to devise, finance and implement projects for the benefit of Chagossians.

5. Capitalisation of Fund

The Fund shall be capitalised by –

(a) the sum of 40 million pounds sterling provided by the United Kingdom of Great Britain and Northern Ireland under Article 11(1)(b) of the Agreement;

(b) contributions, donations, grants and other receipts from the private sector, national or international organisation, and any other person; and

(c) any other sum which may lawfully accrue to the Fund.

PART III – MANAGEMENT OF FUND

6. Board

(1) There shall be, for the administration and management of the Fund, a Board consisting of –

(a) 7 Chagossians to be appointed by the Minister in the manner specified in Part III of the Schedule;

(b) a representative of the Prime Minister's Office;

(c) a representative of the Ministry responsible for the subject of finance;

(d) a person having wide experience in applied social science appointed by the Minister;

(e) a person having wide experience in project management appointed by the Minister; and

(f) a person having wide experience in financial management appointed by the Minister.

(2) The members specified in subsection (1)(a) shall appoint one of their numbers to be the Chairperson of the Board.

(3) The British High Commissioner or his representative shall be entitled to attend meetings of the Board but shall have no right to vote.

(4) The Board shall meet as often as is necessary but at least once every quarter and at such time and place as the Chairperson thinks fit.

(5) A meeting of the Board may be held either –

(a) by a number of the members who constitute a quorum, being assembled together at the place, date and time appointed for the meeting; or

(b) by means of audio, or audio and visual, communication by which all the members participating and constituting a quorum can simultaneously hear each other throughout the meeting.

(6) At any meeting of the Board, 8 members shall constitute a quorum and any decision shall be taken by simple majority.

(7) (a) A resolution in writing, signed or assented to by all members then entitled to receive notice of a meeting, shall be as valid and effective as if it had been passed at a meeting duly convened and held.

(b) Any resolution under paragraph (a) may consist of several documents, including facsimile, electronic mail or other similar means of communication, each signed or assented to by one or more members.

(8) (a) The Board may co-opt such other persons as may be of assistance in relation to any matter before it.

(b) Any person co-opted under paragraph (a) shall have no right to vote on any matter before the Board.

(9) Every member shall be paid such allowances as the Minister may approve.

(10) The Board shall regulate its meetings and proceedings in such manner as it may determine.

7. Executive Secretary

(1) The Board shall, with the approval of the Minister, appoint on such terms and conditions as the Board may determine, an Executive Secretary.

(2) The Executive Secretary shall be responsible for the execution of the policy and decisions of the Board and for the control and management of the day-to-day business of the Fund.

(3) In the exercise of his functions, the Executive Secretary shall act in accordance with such directions as he may receive from the Board.

8. Staff of Fund

(1) The Board shall, with the approval of the Minister, appoint, on such terms and conditions as the Board may determine, such staff as may be reasonably necessary for the purpose~~s~~ of, or in connection with, the discharge of the functions of the Fund.

(2) Every member of the staff shall be under the administrative control of the Executive Secretary.

9. Projects and Investment Subcommittees

(1) The Board shall, from among its members, constitute –

(a) a Projects Subcommittee; and

(b) an Investment Subcommittee.

(2) The Projects Subcommittee shall be responsible for devising and implementing projects for the benefit of Chagossians.

(3) No project under this Act shall be devised or implemented without the approval of the Board.

(4) Subject to section 10, the Investment Subcommittee may invest any money of the Fund not employed for projects under this Act in such manner as the Board may approve.

(5) In discharging its functions under subsection (4), nothing shall prevent the Investment Subcommittee from having recourse to a professional investment adviser.

10. Financial management

(1) The Board shall, not later than 31 March in every year prepare a budget for the Fund for the following financial year beginning 1 July.

(2) The budget under subsection (1) shall make sufficient provision for –

(a) the implementation of projects by the Projects Subcommittee;

(b) investment by the Investment Committee;

(c) such minimum buffer capital as the Board may deem desirable to ensure the perennity of the Fund.

(3) In determining the amounts to be allocated under subsection (2), the Board may have recourse to such investment adviser as it thinks fit.

11. Audit

The accounts of the Fund shall be audited by the Director of Audit.

12. Annual report

(1) The Board shall, on or before 31 October in every year, submit to the Minister a report together with an audited statement of accounts on the operation of the Fund in respect of the 12 months ending on 30 June of the same year.

(2) The report of the Board shall be laid before the National Assembly.

13. Execution of documents

Any document may be executed on behalf of the Fund if signed by the Chairperson duly authorised by the Board.

14. Payments

Where a payment has been authorised by the Board, it shall be duly executed when jointly signed by the Chairperson and the Executive Secretary.

PART IV – MISCELLANEOUS

15. 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) prescribing anything which is required to be prescribed; and

(b) the operationalisation of the Act.

SCHEDULE

[Section 6(1)]

PART I – ASSOCIATION OF CHAGOSSIANS IN MAURITIUS

Chagos Refugees Group

PART II – ASSOCIATION OF CHAGOSSIANS IN SEYCHELLES

Chagossians Committee Seychelles

PART III – APPOINTMENT OF CHAGOSSIANS TO THE BOARD

1. Seven Chagossians shall be appointed as members of the Board in the manner specified in this Part.

2. Five members shall be appointed by the Minister on the recommendation of the association specified in Part I.

3. One member shall be appointed by the Minister on the recommendation of the association specified in Part II.

4. One member shall be a Chagossian appointed by the Minister from among Chagossians ordinarily resident in the United Kingdom and whose names have been recommended by associations of Chagossians in the United Kingdom, each association being entitled to recommend only one name.

5. An appointment under this Schedule shall be for an initial term of 2 years which may be renewed by the Minister.
