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*Government Notice No. 96 of 2008*

## **THE FINANCE AND AUDIT ACT**

### **Regulations made by the Minister under section 24 of the Finance and Audit Act**

1. These regulations may be cited as the Finance and Audit (Maurice Ile Durable Fund) Regulations 2008.

2. In these regulations –

“CEB” means the Central Electricity Board;

“Chairperson” means the Chairperson of the Committee referred to in regulation 6;

“Committee” means the Committee referred to in regulation 6;

“Fund” means the Maurice Ile Durable Fund established under regulation 3;

“MDE” means the Maîtrise de la Demande en Energie;

“member” –

(a) means a member of the Committee;

(b) and includes the Chairperson and the Vice-Chairperson;

“Vice-Chairperson” means the Vice-Chairperson appointed under regulation 6.

3. There is established for the purposes of these regulations the Maurice Ile Durable Fund.

4. The objects of the Fund shall be to finance –

(a) schemes for the preservation of local natural resources with a view to achieving sustainable development and adapting to climate change;

(b) projects to explore and harness all potential for local sources of renewable energy and to reduce dependency on imported fossil fuels;

(c) the promotion of energy savings through MDE;

- (d) programmes to reduce consumption of fossil fuels, achieve greater efficiency in the use of energy in enterprises, offices, homes, public sector, transportation sector and in hotels;
- (e) schemes to encourage innovation by households as well as by business to produce their own energy requirements and for the sale of any surplus at a premium;
- (f) the provision of –
  - (i) outright grants of 10,000 rupees for every solar water heater purchased by 31 December 2009, through the solar water heater loan scheme operated by the Development Bank of Mauritius;
  - (ii) an initial grant of up to 20 million rupees for CEB to provide compact fluorescent lamps at half the cost price; and
  - (iii) a grant to the Bus Modernisation Programme to enable all bus operators to renew their fleet, at no extra cost, with new generation buses which are environmentally friendly with reduced emissions, more comfortable and with low floors to speed and facilitate boarding;
- (g) projects and programmes to support efforts to protect the environment through recycling of waste, to encourage more efficient use of energy and to increase reliance on renewable energy;
- (h) programmes for research and analysis pertaining to the development of renewable source of energy and consumption trends and to ensure environmental sustainability;
- (i) energy management programmes through networking with local and international partners;
- (j) awareness campaigns on energy saving and the use of renewable energy sources; and
- (j) such other projects incidental to or conducive to the attainment of any of the above objects.

**5.** The Fund shall consist of –

- (a) sums received from the Consolidated Fund;
- (b) contributions made by the private sector;
- (c) donations, grants and other receipts from any other persons and international organisations;

- (d) receipts from the Maurice Ile Durable Levy under the Excise Act;
- (e) receipts from carbon offset by participating airlines and from other agencies or from carbon credits; and
- (f) any other sum which may lawfully accrue to the Fund.

**6.** (1) The Fund shall be administered and managed by a Committee which shall consist of –

- (a) the Permanent Secretary of the Ministry responsible for the subject of public utilities, who shall be the Chairperson;
- (b) a Vice-Chairperson, to be appointed by the Minister, after consultation with the Minister responsible for the subject of public utilities;
- (c) a representative of the Ministry;
- (d) a representative of the Ministry responsible for the subject of local government;
- (e) a representative of the Ministry responsible for the subject of land transport;
- (f) a representative of the Ministry responsible for the subject of environment;
- (g) the Accountant-General or his representative;
- (h) a representative of any development partner providing funds; and
- (i) three other persons, one of whom shall be from the Island of Rodrigues, to be appointed by the Minister, after consultation with the Minister responsible for the subject of public utilities.

(2) The Committee shall meet as often as is necessary but at least once every month, at such time and place and by using such medium as the Chairperson thinks fit.

(3) At any meeting of the Committee, 6 members shall constitute a quorum.

(4) The Committee may co-opt such other persons as may be of assistance in relation to any matter before the Committee.

(5) Any person co-opted under paragraph (4) shall have no right to vote on any matter before the Committee.

(6) Every member shall be paid such allowances as may be approved by the Financial Secretary.

(7) Subject to this regulation, the Committee shall regulate its meetings and proceedings in such manner as it thinks fit.

**7.** (1) The Committee shall –

- (a) on the basis of proposals made by the Ministry responsible for the subject of environment, the Ministry responsible for the subject of local government, the Ministry responsible for the subject of land transport, the private sector and by any other person or on its own proposal, prepare and submit to the Minister responsible for the subject of public utilities a 3 year strategic plan in line with programme-based budgeting indicating its visions and goals with a view to attaining the objects of the Fund;
- (b) examine projects in line with the strategic plan;
- (c) prepare an implementation plan relating to the projects with full details including sources of funding and timeframe for their completion and seek financial clearance from the Ministry; and
- (d) seek approval of the projects from the Minister responsible for the subject of public utilities.

(2) The Committee shall, within one month after the end of every quarter, submit a progress report on the implementation of the projects to the Minister responsible for the subject of public utilities, with a copy to the Financial Secretary.

(3) The Committee shall at least once every year review and update the strategic plan.

**8.** The Minister responsible for the subject of public utilities may designate such public officers as may be necessary to enable the Committee to discharge its duties and responsibilities under these regulations.

**9.** The Ministry shall periodically review the achievements of the Fund in relation to its objects and take such appropriate measures as it deems fit regarding the Fund.

**10.** The Committee shall, not later than 3 months after the end of each financial year, prepare and submit to the Director of Audit –

- (a) an annual statement of the receipts and payments for that financial year; and
- (b) a balance sheet made up to the end of that financial year showing the assets and liabilities of the Fund.

**11.** The Committee shall, as soon as practicable, after the end of each financial year, submit to the Minister responsible for the subject of public utilities –

- (a) a report dealing with the activities and financial position of the Fund during that financial year; and
- (b) a copy of the audited accounts of the Fund for that financial year, together with the audit report on those accounts.

**12.** Nothing in these regulations shall be construed so as to authorise expenditure in excess of the money standing to the credit of the Fund.

**13.** (1) Subject to paragraph (2), the surplus money of the Fund shall be invested in such manner as may be approved by the Minister, after consultation with the Committee.

(2) The Minister may approve the transfer of any amount of the surplus money of the Fund to the Consolidated Fund.

**14.** The Minister responsible for the subject of public utilities shall, at the earliest available opportunity, lay a copy of the annual report and audited accounts of the Fund before the Assembly.

**15.** In case of winding up of the Fund, the assets and liabilities of the Fund shall accrue to the Consolidated Fund.

**16.** (1) The Finance and Audit (National Energy Fund) Regulations 1990 are revoked.

(2) All monies of the National Energy Fund shall, at the commencement of these regulations, vest in the Fund.

Made by the Minister on 19<sup>th</sup> June 2008.