THE ATAL BIHARI VAJPAYEE INSTITUTE OF PUBLIC SERVICE AND INNOVATION ACT 2025

Act No. 22 of 2025

Proclaimed by [Proclamation No. 15 of 2025] w.e.f. 23 October 2025

Government Gazette of Mauritius No. 81 of 15 October 2025

I assent

DHARAMBEER GOKHOOL, G.C.S.K

10th October 2025 *President of the Republic of Mauritius*

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SCHEDULE

An Act

To provide for the establishment of the Atal Bihari Vajpayee Institute of Public Service and Innovation, as the apex training body for public officers, to grant the Institute degree awarding status and to provide for matters related thereto

ENACTED by the Parliament of Mauritius, as follows –

PART I – PRELIMINARY

1. Short title

This Act may be cited as the **Atal Bihari Vajpayee Institute of Public Service and Innovation Act 2025.**

2. Interpretation

In this Act –

"Academic Council" means the Academic Council established under section 16;

"Board" means the Board of Governors referred to in section 9;

"Chairperson" means the Chairperson of the Board, appointed under section 9(2);

"Civil Service College, Mauritius" means the State-owned private company known as the Civil Service College, Mauritius registered under the Companies Act;

"Committee" means a Committee set up under section 15;

"Director-General" means the Director-General of the Civil Service College, Mauritius;

"financial year" has the same meaning as in section 2A of the Finance and Audit Act;

"Institute" means the Atal Bihari Vajpayee Institute of Public Service and Innovation established under section 3;

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

"Ministry" means the Ministry responsible for the subject of public service;

"programme" means an educational or a training activity that imparts knowledge, skills and competencies, for which a certificate, diploma, degree or such other qualification is awarded;

"Registrar" means the Registrar of the Institute, appointed under section 20;

"Statutes" means the Statutes of the Institute, as set out in the Schedule;

"Vice Chancellor" means a person appointed under section 19.

PART II – THE INSTITUTE

3. The Institute

(1) There is established, for the purposes of this Act, the Atal Bihari Vajpayee Institute of Public Service and Innovation.

(2) The Institute shall be a body corporate.

(3) The principal place of business of the Institute shall be at the seat of the Institute.

4. Objects of Institute

The objects of the Institute shall be to –

(a) provide continuous professional training and development to public officers for an innovative public service;

(b) promote organisational excellence, ethics and values, transparency and accountability in the public service;

(c) improve the efficiency and effectiveness of the public service through good governance principles;

(d) provide consultancy services and such other facilities in the field of public administration and management;

(e) conduct research and development activities in light of the changing environment of the public service so as to promote reforms and enhance training programmes;

(f) develop a people-centric public service; and

(g) establish areas of cooperation and linkages with local, regional and international institutions, public or private, for the purpose of promoting cooperation and the sharing of knowledge and experience.

5. Functions of Institute

(1) The Institute shall have such functions as are necessary to attain its objects most effectively and shall, in particular –

(a) set standards for the provision of training and learning;

(b) plan and prescribe programmes of study to grant certificates, diplomas, degrees or other academic awards;

(c) organise and conduct examinations;

(d) award scholarships, fellowships, prizes and such other awards as it considers appropriate;

(e) establish exchange programmes and courses with other institutions;

(f) carry out research and development on emerging topics and trends on a sector-wise basis; and

(g) carry out, through its Innovation Lab, testing of innovative proposals for the purpose of transforming the proposals into practical and real-world solutions that drive meaningful improvements within the public service.

(2) The Institute shall, in the furtherance of its objects –

(a) develop and maintain adequate policies, strategies and plans; and

(b) comply with internationally accepted norms, standards and quality management systems.

6. Powers of Institute

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

(a) fix and levy fees and charges for courses;

(b) receive grant-in-aid, gifts, donations or legacies and raise funds;

(c) operate in partnership with other institutions;

(d) open a bank account;

(e) appoint, on a contractual basis or otherwise, visiting professors, consultants, fellows, scholars, course writers and other persons, from within and outside Mauritius, who may contribute to the advancement of the objects of the Institute;

(f) manage, in such manner as the Board may determine, with the approval of the Minister, any property vested in the Institute; and

(g) do all such other acts and things as may be necessary and desirable for the attainment of its objects.

7. Admission

The Institute may admit a person to any of its programme of studies on such criteria and on such terms and conditions as it may determine.

8. Inquiries

(1) (a) Subject to paragraph (b), the Prime Minister may, in respect of any matter connected with the Institute, institute an inquiry to be made by such person as he may appoint.

(b) The Prime Minister shall, in every case, give notice to the Chairperson of the Board of his intention to cause an inquiry to be made and the Board may be represented at such inquiry.

(2) The Prime Minister –

(a) shall communicate to the Board his views in respect of any inquiry; and

(b) may, after ascertaining the opinion of the Board, advise the Institute regarding any action to be taken and fix a time limit for such action to be taken.

(3) The Board shall, within the time limit fixed, report to the Prime Minister the action taken or proposed to be taken on any advice tendered in accordance with subsection (2).

(4) Where the Board does not take action within the time fixed or the action taken by the Board is, in the opinion of the Prime Minister, not satisfactory, the Prime Minister may, after considering any explanation offered or representation made by the Board, issue such directions as he may deem fit and the Board shall comply with any such direction.

PART III – ADMINISTRATION

9. The Board

(1) There shall be a Board of Governors of the Institute which shall define the policy directions of the Institute.

(2) The Board shall consist of –

(a) a Chairperson, to be appointed by the Prime Minister on the recommendations of the Minister;

(b) the Secretary for Public Service;

(c) a representative of the Ministry;

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

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

(f) a representative of the Ministry responsible for the subject of information technology;

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

(h) 4 persons, to be appointed by the Minister, at least one of whom shall be an executive head of a local tertiary education institution and another one who shall have wide experience in the field of tertiary education and open and distance learning; and

(i) a representative of the Indian High Commission.

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

(4) The Board may co-opt any other representative, including from other Ministries, as and when required, with the approval of the Minister.

(5) The Vice Chancellor and the Registrar shall be in attendance at all meetings of the Board.

(6) The Board shall appoint an officer of the Institute to act as Secretary to the Board.

(7) No person shall be qualified as a member where he is –

(a) a member of the Assembly;

(b) a member of a local authority; or

(c) otherwise actively engaged in any political activity.

(8) No member shall engage in any activity which may undermine the integrity of the Institute.

(9) The Board shall manage and utilise all assets and funds vested in the Institute in such manner, and in accordance with principles of good governance, with the approval of the Minister, so as to promote the objects of the Institute.

10. Functions and powers of Board

(1) The Board shall be the governing body of the Institute, and its principal functions shall include –

(a) devising, approving and supervising the implementation of strategic plans and policies for the Institute;

(b) overseeing its management and development;

(c) monitoring, evaluating and reviewing its operations;

(d) providing rigorous accountability standards, principles of good governance and transparency in its various operations;

(e) developing the National Policy for Training of public officers and public policy strategies of research; and

(f) conducting periodic evaluations of the performance of the Institute.

(2) The Board shall, on behalf of the Institute –

(a) confer degrees, diplomas, certificates and other academic distinctions;

(b) (i) appoint the academic and general staff;

(ii) manage and control its affairs, property and finance;

(iii) enter into any contract or other arrangement;

(iv) pursue or discontinue programmes of study; and

(v) make recommendations to the Minister to amend any Statute by way of regulations;

(c) do all such things as may be necessary for, or incidental or conducive to, the performance of its functions under subsection (1).

11. Meetings of Board

(1) The Board shall meet as often as may be necessary but at least once monthly or at such time as the Chairperson may determine.

(2) At any meeting of the Board, 7 members shall constitute a quorum.

(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, every member shall have one vote on a matter in issue and, in the event of an equality of votes, the Chairperson shall have a casting vote.

(5) The decisions of the Board shall be taken by a simple majority of the members present and the voting in the meeting.

(6) The Secretary to the Board shall –

(a) give notice of every meeting of the Board to the members;

(b) prepare and attend every meeting of the Board;

(c) keep minutes of proceedings of any meeting of the Board;

(d) have no right to vote on any matter before the Board; and

(e) perform such other duties as may be conferred upon him by the Board.

(7) A special meeting of the Board shall be convened by the Secretary to the Board within 7 days of the receipt by him of a request, in writing, signed by at least 6 members and specifying the purpose for which the meeting is to be convened.

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

(b) Any person co-opted under paragraph (a) shall –

(i) have no right to vote on any matter before the Board; and

(ii) be paid such fees and allowances as the Board may, with the approval of the Minister, determine.

(9) The Secretary to the Board shall cause minutes of proceedings of each meeting of the Board to be recorded, communicated and preserved.

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

12. Disclosure of interest

(1) Where a member has an interest, direct or indirect, in a matter being considered or about to be considered by the Board, he shall disclose to the Board the nature of his interest, and shall not take part in any deliberation or decision of the Board with respect to that matter.

(2) A disclosure of interest made under subsection (1) shall be recorded in the minutes of proceedings of the Board.

13. Chairperson of Board

The Chairperson shall –

(a) chair every meeting of the Board and any Convocation;

(b) ensure that the decisions taken by the Board are implemented; and

(c) perform such other duties and exercise such other powers as may be assigned by this Act or the Statutes.

14. Term of office of members of Board

(1) Every member of the Board, other than an ex officio member, shall hold office for a period of 3 years and may be eligible for reappointment.

(2) (a) The Chairperson may resign his office by writing to the Minister.

(b) Any appointed member of the Board may resign his office by writing to the Chairperson.

(c) Any vacancy caused by the resignation, death or removal from office of a member of the Board shall, subject to subsection (4), be filled by a fresh appointment.

(3) The term of office of a member to fill a vacancy shall continue for the remainder of the term of the member in whose place he has been appointed.

(4) Where a vacancy occurs less than 3 months before the expiry of a member's term of office, the Board may determine that the office shall be left vacant for the remainder of the term.

15. Committees

(1) The Board shall set up a Planning and Monitoring Committee, a Human Resource Committee, a Finance and Procurement Committee, a Corporate Governance, Audit and Risk Committee, a Policy Planning and Research Committee and such other Committees as it thinks necessary to assist the Board in the performance of its functions.

(2) The Board shall determine –

(a) the composition and functions; and

(b) the procedure for convening and holding meetings,

of every Committee set up under subsection (1).

PART IV – ACADEMIC COUNCIL

16. Academic Council

(1) There shall be established, for the purposes of this Act, an Academic Council.

(2) The Academic Council shall –

(a) be the principal academic body of the Institute;

(b) formulate rules, syllabi and methods of evaluation, introduce new courses and modify existing ones;

(c) make recommendations to the Board on the procedures and mechanisms to grant awards and certificates, diplomas, degrees and other academic awards; and

(d) make recommendations to the Board to set up such Divisions as may be required.

(3) The Council shall comprise –

(a) the Vice Chancellor, who shall be the Chairperson;

(b) the Registrar;

(c) the Executive Director of the Quality Assurance Authority or his representative;

(d) the Director of Human Resources of the Ministry;

(e) 2 representatives of higher education institutions, to be nominated by the Board; and

(f) the Heads of Divisions.

(4) The members referred to in subsection (3)(e) shall hold office for a period of 2 years and shall be eligible for reappointment for a further period of 2 years.

(5) A person shall cease to be member of the Council on –

(a) the completion of his term of office; or

(b) his resignation or removal from office.

(6) Where a vacancy occurs in the membership of the Council, the vacancy shall be filled by a person who shall hold office for the remainder of the term of office of the member in whose place he has been nominated.

(7) At any meeting of the Council, 6 members shall constitute a quorum.

(8) The Council may co-opt any other person, as and when required, with the approval of the Board, so as to further the objects and functions of the Institute.

(9) The members may be paid such fees or allowances as the Board may determine.

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

(11) The functions and powers of the Council shall be to –

(a) advise the Board on matters pertaining to –

(i) the control, general direction and management of any research or other teaching, training and research facility;

(ii) the institution, alteration, suspension or suppression of academic posts and qualifications and experience of the academic staff;

(b) make recommendations to the Board in respect of –

(i) the award of courses, professional development courses, undergraduate and postgraduate teaching and research;

(ii) the qualifications required for the academic staff;

(iii) the conferment of honorary degrees or such other distinctions;

(iv) the institution and award of fellowships, scholarships, prizes and medals;

(v) the promotion of collaboration between the private sector, the public service and the Institute;

(c) appoint external examiners;

(d) issue instructions to examiners;

(e) approve the results of examinations and the award of certificates, diplomas, degrees and other academic qualifications in accordance with the Statutes and regulations; and

(f) report to the Board on any matter referred to it.

17. Divisions

The Institute shall comprise such Divisions as the Board may, on the recommendation of the Council, determine.

18. Convocation

There shall be a Convocation of the Institute, the procedure for which shall be specified in the Statutes.

PART V – OFFICERS OF INSTITUTE

19. Vice Chancellor

(1) There shall be a Vice Chancellor of the Institute who shall, on the recommendation of the Board, be appointed by the Minister.

(2) The Vice Chancellor shall –

(a) be the functional head of the Institute;

(b) chair the Academic Council;

(c) hold office for a period of 3 years, and on such other terms and conditions as the Board may determine, with the approval of the Minister;

(d) preside a Convocation and confer degrees, diplomas or such other academic qualifications upon persons entitled to receive them;

(e) exercise control over the affairs of the Institute; and

(f) ensure the faithful observance of the provisions of this Act and the Statutes.

(3) (a) The Board shall, in the absence of the Vice Chancellor, appoint any officer of the Ministry or officer of the Institute, to act as the Vice Chancellor and shall have all the powers and duties of the position.

(b) The officer appointed under paragraph (a) shall be conferred all the powers of the Vice Chancellor.

20. Registrar

(1) There shall be, for the purposes of this Act, a Registrar who shall, on recommendation of the Board, be appointed by the Minister, and shall be the Academic Officer of the Institute.

(2) The Registrar shall consult the Vice Chancellor on matters concerning the management and administration of the Institute.

(3) The Registrar shall be responsible to the Board for the development and implementation of policies and strategies relating to human resource development and capacity building.

(4) The Registrar shall be responsible to the Board for the –

(a) provision of necessary advice to the Board on policy matters as well as the execution of the Board policies and decisions;

(b) day to day administration and the establishment of sound management policies and a proper internal control system for the efficient operation of the Institute;

(c) preparation of the business plan and budget for training programmes and monitor expenditure of the Institute;

(d) further development and implementation of a blended learning system to cater for demand-driven training needs in the public service;

(e) development of capacity and capability building of the Institute as an awarding body;

(f) keeping of records including admissions and results;

(g) preparation of examinations, assessments and award ceremony; and

(h) provision of support and information in relation to enrolment, programme enquiry, admission, fees, discipline and complaint.

21. Appointment of employees

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

(2) Every employee shall be under the administrative responsibility of the Registrar.

22. Conditions of service of employees

The Board may make provision for the conditions of service of its employees and may, in particular, provide for –

(a) the appointment, retirement, dismissal, discipline, pay and leave of, and the security to be given to employees;

(b) appeals by employees against dismissal and any other disciplinary measures; and

(c) the establishment and maintenance of provident and pension fund schemes and any other scheme, and the contributions payable to and the benefits recoverable from these schemes.

PART VI – FINANCIAL PROVISIONS

23. Execution of documents

Every deed, act or document relating to the Institute shall be jointly executed by the Chairperson and Vice Chancellor or any other member of the staff of the Institute designated by the Board for this purpose.

24. General Fund

(1) The Institute shall set up and operate a General Fund to which shall be credited –

(a) its income from fees, grants, donations, loans and gifts; and

(b) endowments and all monies from any other source.

(2) The amounts credited to the General Fund pursuant to subsection (1) shall be applied towards meeting the expenses incurred by or on behalf of the Institute in the discharge of its functions and the exercise of its powers.

25. Annual report

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

(2) The Institute shall furnish to the Minister such information, in respect of its activities, in such manner and at such time, as he may specify.

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

(4) For the purposes of the Statutory Bodies (Accounts and Audit) Act, the period extending from the commencement of this Act to 30 June of the following year shall be deemed to be the first financial year of the Institute.

(5) Section 7(1) of the Statutory Bodies (Accounts and Audit) Act shall not apply to the first financial year of the Institute.

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

PART VII – MISCELLANEOUS

26. Delegation

(1) The Board may, subject to such instructions as it may give, delegate to the Vice Chancellor and the Registrar, such of its powers and functions as may be necessary for the effective management of the day to day business and activities of the Institute, other than the power to –

(a) sell or exchange any property or make any donation; or

(b) borrow money.

(2) The Vice Chancellor may, with the approval of the Board, delegate any of his functions or powers to such employee as he may determine.

27. Protection from liability

(1) No liability, civil or criminal, shall be incurred by the Board or any member or any employee in respect of any act done or omitted in good faith and with respect to the principles of good governance in the execution of its or his functions or exercise of its or his powers under this Act.

(2) This section shall be in addition to, and not in derogation of the Public Officers' Protection Act, and for the purposes of that Act, every employee shall be deemed to be a public officer or a person engaged or employed in the performance of a public duty.

28. Exemptions

(1) Notwithstanding any other enactment, the Institute shall be exempt from payment of –

(a) any registration duty, fee or charge in respect of any document under which the Institute is the sole beneficiary; and

(b) any other duty, rate, charge or fee.

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

29. Assets and liabilities

(1) All moveable assets and liabilities of the Civil Service College, Mauritius shall, on the commencement of this Act, be subsumed by the Institute.

(2) The land and buildings where the Institute is located shall remain vested with the Ministry and shall be managed and maintained by the Board.

30. Intellectual property

(1) Without prejudice to any other enactment, all intellectual property arising out of any teaching and training materials produced by or on behalf of the Institute shall vest in the Institute.

(2) Any intellectual property vested in the Institute may be made available for use on such terms and conditions as the Board may, with the approval of the Minister, determine.

31. Legal proceedings

(1) The Institute shall act, sue and be sued, implead or be impleaded under its corporate name.

(2) Service of process by or on the Institute shall be sufficient if made on behalf of or on the Vice Chancellor.

32. Statutes

The Statutes may provide for the following matters –

(a) the holding of a Convocation to confer academic awards, including certificates, diplomas, degrees and postgraduate qualifications;

(b) the conferment of honorary degrees;

(c) the fees to be charged for courses of study and for admission to examinations for degrees, diplomas and certificates;

(d) the institution of fellowships, scholarships, medals and awards;

(e) affiliation with other institutions that would assist in attaining any of the object of the Institute; and

(f) such other matter as may be specified in the Statutes.

33. Regulations

The Minister may, on recommendation of the Board, make such regulations as he thinks fit for the purposes of this Act, including the power to amend the Statutes, upon recommendations from the Board.

34. Savings and transitional provisions

(1) In this section –

"College" means the Civil Service College, Mauritius registered as a State-owned private company.

(2) Notwithstanding any other enactment, every person employed by the College shall be dealt with in accordance with this section.

(3) The Director-General of the Civil Service College, Mauritius shall, on commencement of this Act, be deemed to be the Registrar of the Institute.

(4) Every person who, on the commencement of this Act, is employed on the permanent and pensionable establishment of the College shall be entitled to be transferred to the permanent and pensionable establishment of the Institute on terms and conditions which shall be not less favourable than those of his previous employment.

(5) The period of service of every person employed on the permanent and pensionable establishment of the College, who is transferred to the Institute, shall be deemed to be an unbroken period of service with the Institute.

(6) No person employed on the permanent and pensionable establishment of the College shall, on account of his transfer to the Institute or any resulting change in his job title, be entitled to claim that his employment has been terminated or adversely affected in breach of any enactment.

(7) The moveable assets, funds and records of the College shall, at the commencement of this Act, vest in the Institute.

(8) All rights, obligations and liabilities subsisting in favour of or against the College shall, on the commencement of this Act, continue to exist under the same terms and conditions in favour of or against the Institute.

(9) Any act or thing done, or any contract or agreement entered into, by the College shall, on the commencement of this Act, be deemed to have been done or entered into by the Institute.

(10) All proceedings, judicial or otherwise, commenced before and pending on the commencement of this Act, by or against the College, shall be deemed to have been commenced, and may be continued, by or against the Institute.

(11) Where this Act does not make provision for any saving or transition, the Minister may, on the recommendation of the Board, make such regulations as may be necessary for such saving or transition.

35. Commencement

Proclaimed by [Proclamation No. 15 of 2025] w.e.f. 23 October 2025

This Act shall come into operation on a date to be fixed by Proclamation.

Passed by the National Assembly on the seventh day of October two thousand and twenty five.

Bibi Safeena Lotun, C.S.K. (Mrs)
Clerk of the National Assembly

SCHEDULE

[Sections 2, 13, 16, 18, 19, 32 and 33]

STATUTES OF THE ATAL BIHARI VAJPAYEE INSTITUTE OF PUBLIC SERVICE AND INNOVATION

1. Partnership and collaboration with other institutions

The Board, on the recommendation of the Academic Council, may enter into partnership and collaboration with local and overseas institutions for such purposes and on such terms and conditions as it thinks fit for the attainment of the objects and performance of the functions of the Atal Bihari Vajpayee Institute of Public Service and Innovation.

2. Convocation Procedure

(1) The Vice Chancellor shall confer degrees, diplomas and other academic qualifications upon persons entitled to receive them at Convocation.

(2) A Convocation may be held on such date and time as the Board may determine.

(3) The proceedings of any Convocation shall otherwise be determined by the Board on the recommendation of the Academic Council.

3. Divisions

The Board may, on the recommendation of the Academic Council, set up such Divisions as it thinks fit and determine their functions.

4. Heads of Divisions

(1) The Board shall, on the recommendation of the Human Resource Committee, appoint Heads of Divisions on such terms and conditions as it thinks fit.

(2) The duties of the Heads shall be determined by the Board.

(3) In the absence of Heads of Divisions, the Board may appoint suitable persons to act as Heads of Divisions on such terms and conditions as may be decided by the Board.
