



TOWN AND COUNTRY PLANNING BOARD

BOARD CHARTER

JULY 2017



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1.0 INTRODUCTION

1.1 **Purpose**

The Board Charter (Charter) sets out the role, responsibilities and processes of the Board of the Town and Country Planning Board (TCPB).

1.2 **Complementary to Law and Articles**

These provisions are complementary to the requirements regarding the Board and Board members contained in Mauritian Legislation and Regulations and the provisions governing the relationship between committees and the Board as may be contained in charters of committees.

2.0 ROLE AND RESPONSIBILITIES OF THE BOARD

2.1 The Board is responsible for the overall strategy, governance and performance of the TCPB.

2.2 The key responsibilities of the Board are as follows:

- (a) to develop, renew and monitor the strategic objectives of the TCPB and provide strategic direction to management personnel;

- (b) to approve the annual estimates;
- (c) to ensure that appropriate organisational structures are in place to achieve the mission and vision of the TCPB;
- (d) to select and appoint the staff in accordance with the terms of appointment set out in their respective Scheme of Service;
- (e) to review and approve the TCPB's financial statements and other reports;
- (f) to consider and, if accepted, put into effect any recommendations made by the Director of Audit in the Management Letter;
- (g) to establish Committees, as and when required, to assist the Board in exercising its functions and authorities;
- (h) to monitor and manage potential conflicts of interest of Board members;
and
- (i) to monitor compliance with legal, regulatory requirements and ethical standards.

3.0 ROLE AND DELEGATION TO MANAGEMENT

3.1 The Management of the TCPB's day to day operations is undertaken by the Administrative Manager subject to specified delegations of authority approved by the Board.

4.0 BOARD COMPOSITION

- 4.1 The number of members of the Board shall be as set out in the Town and Country Planning Act, 1954, as amended.
- 4.2 The Board shall be as established in Town and Country Planning Act, 1954, as amended; and shall have a mix of members with a broad range of skills, expertise and experience from a diverse range of backgrounds which shall also reflect the responsibilities it is vested with and the duties it has to discharge and perform.
- 4.3 The Board shall continue in existence notwithstanding a vacancy and shall not be disqualified for the transaction of its business by reason only of the vacancy.

5.0 CHAIRMAN

- 5.1 The Chairman is appointed by the Minister to whom responsibility for the subject of lands is assigned.
- 5.2 The Chairman shall be a public officer not below the rank of Deputy Permanent Secretary.
- 5.3 The Chairman is primarily responsible for the integrity and effectiveness of the Board and its Committees. He/She is the principal contact for the Administrative Manager.
- 5.4 The Chairman is required to:
- (a) ensure the Board satisfies its duties;
 - (b) provide overall leadership to the Board, without limiting the principle of collective responsibility for Board decisions;

- (c) ensure that the Board Members are fully involved and informed of any business issue on which a decision has to be taken;
- (d) exercise independent judgement, act objectively and ensure that relevant matters are placed on the agenda and prioritised properly;
- (e) avail himself/herself to the Administrative Manager between Board Meetings to provide counsel and advice;
- (f) ensure that the performance of the Administrative Manager is evaluated frequently; and
- (g) address internal disputes and conflicts of interest concerning individual Board Members.

6.0 THE SECRETARY

- 6.1 The Administrative Manager (or his nominee) shall act as Secretary to the Board and attend all meetings.
- 6.2 The Secretary shall report directly to the Chairman.
- 6.3 The Secretary shall assist the Chairman in establishing the agenda of Board meetings and shall coordinate the timely completion and dispatch of Board papers.
- 6.4 The Secretary shall be accountable directly to the Board, through the Chairman, on all matters to do with the proper functioning of the Board.

6.5 Minutes of Board meetings shall be recorded and maintained by the Secretary or any other person acting in such capacity and subsequently be presented to the Board for approval.

7.0 BOARD COMMITTEES

7.1 The Board may establish committees to assist it to discharge its responsibilities.

7.2 The Board shall determine the membership of its committees, having regard to workload, skills and experience and other regulatory requirements.

7.3 The Board remains collectively responsible for the decisions and actions recommended by any committee.

7.4 A committee shall only perform the tasks delegated to it by the Board and shall not exceed the authority or power bestowed on it by the Board.

7.5 The Board shall establish (and may amend) terms of reference for each committee.

7.6 The terms of reference shall indicate the role and responsibilities of the committees, its composition and how it shall perform its duties.

8.0 BOARD PROCEDURES

8.1 Meeting of the Board shall be held, as and when necessary, at such time and at such venue as the Board deems appropriate.

8.2 Reasonable notice in writing shall be given to all Board Members.

- 8.3 Four members of the Board shall constitute a quorum.
- 8.4 In the absence of the Chairman, the Board shall elect one of its members to act as Chairman for that sitting.
- 8.5 The conduct of the members shall be consistent with their duties and responsibilities to the TCPB and consequently indirectly to Government and the general public.
- 8.6 Members shall comply with all relevant legislations and shall be required to maintain strict confidentiality of all information relating to the business of the TCPB.
- 8.7 The Board shall be disciplined in fulfilling its functions and observe the highest standards of ethical behavior.
- 8.8 The Board's discussions shall be open and constructive. The Chairman shall seek a consensus in the Board, but may, where necessary, call for a vote, and in the event of an equality of votes, the Chairman shall have a second or casting vote. Discussions and records shall remain confidential unless a specific directive is received from the Board to the contrary.
- 8.9 Board members shall have unrestricted access to all TCPB's information, records and documents. The Administrative Manager shall assist the Board or any member thereof in providing any information or document that may be required.
- 8.10 Board members who have a real or prospective interest in any matter of business shall declare such interest at a Board Meeting as soon as the Board members become aware of such specific interest. On declaration of their interests, the concerned members shall not

participate in the discussion and/or decision taking process on the matter in relation to which conflict arises.

9.0 BOARD PERFORMANCE

The Board shall undertake ongoing assessment and review of its performance and effectiveness of the Board Committees.

10.0 CHARTER REVIEW

10.1 This Charter shall be posted on the Ministry of Housing and Lands website and reviewed by the Board as and when required.

