Statutory Instrument No. 12 of 1999

FINANCE AND AUDIT ACT
(Cap. 54:01)

CONSERVATION TRUST FUND ORDER, 1999

(*Published on 8th February, 1999*)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

IN EXERCISE of the powers conferred on the Minister of Finance and Development Planning by section 25 of the Finance and Audit Act, the following Order is hereby made —

1. This Order may be cited as the Conservation Trust Fund Order, 1999. **Citation**

2. In this Order, unless the context otherwise requires — **Interpretation**

"Board" means the Board of Trustees of the Conservation Trust Fund;

"Fund" means the Conservation Trust Fund as established by paragraph 3 of this Order.

3. There is hereby established a special fund to be known as the Conservation Trust Fund. **Establishment of Fund**

4. The purpose of the Fund is to finance the — **Purpose of Fund**

(*a*) conservation of elephants; and

(*b*) development of community based projects for communities living adjacent to elephant ranges.

5. (1) The Minister shall appoint a Board of Trustees for the Fund which shall, subject to his directions, be responsible for the administration of the Fund. **Administration of Fund**

(2) The Board of Trustees shall consist of —

(*a*) the Permanent Secretary to the Ministry of Commerce and Industry, who shall be the Chairman of the Board;

(*b*) 2 representatives of Non-Governmental Organisations concerned with conservation;

(*c*) one representative of Community Based Organisations;

(*d*) one representative of the National Conservation Strategy (Coordinating) Agency;

(*e*) two representatives of the Department of Wildlife and National Parks, one of whom shall be the Secretary to the Board.

(3) The Minister shall appoint the Department of Wildlife and National Parks to undertake the day to day activities of the Fund.

Payments into Fund

6. There shall be paid into the Fund —

(*a*) all moneys received from the export of ivory in accordance with Decisions 10.1 and 10.2 at the 10th Conference of the Parties to CITES;

(*b*) donations from any persons;

(*c*) income from the investment of moneys of the Fund in accordance with paragraph 7.

Investment of Fund moneys

7. The Board shall invest the monies of the Fund not immediately required for payments from the Fund on such terms as shall contribute to the achievement of the objectives of the Fund and interest earned from such investment shall accrue to the Fund.

Disbursements from Fund

8. (1) There shall be paid from the Fund all expenses incurred in the performance of duties connected with the conservation of elephants and the development of community based projects for communities living adjacent to elephant ranges in accordance with subparagraph (2).

(2) Seventy percent of the moneys of the Fund shall be used to pay for expenses connected with the conservation of elephants and thirty percent of the moneys of the Fund shall be used for expenses connected with the development of community based projects for communities living adjacent to elephant ranges.

(3) The costs of the management and administration of the Fund shall be met by the Department of Wildlife and National Parks.

Guidelines for disbursements from Fund

9. The Board shall develop guidelines for the payment of moneys from the Fund to —

(*a*) organisations concerned with the conservation of elephants.

(*b*) the development of community based projects for communities living adjacent to elephant ranges.

Accounts of Fund

10. (1) The Board shall cause the —

(*a*) keeping and maintenance of proper accounts and records of the Fund;

(*b*) preparation for each financial year of a balance sheet and statement of income and expenditure in such form and manner as the Accountant-General may approve;

(*c*) maintenance of an account in which shall be recorded all receipts into the Fund and all disbursements from the Fund and the reconciliation of the monthly accounts of the Fund.

(2) The balance sheet and statement of income and expenditure shall be prepared by the Accountant General in the annual statement of the Fund transmitted to the Auditor General in accordance with the Act.

(3) The Minister may appoint an independent auditor to undertake audits of the Fund on such conditions as he shall in writing require.

MADE this 5th day of February, 1999.

P.H.K. KEDIKILWE,
Minister of Finance and Development Planning.

L2/7/97 III