



# THE GOVERNMENT GAZETTE OF MAURITIUS

*Published by Authority*

No. 64

— Port Louis : Saturday 20 July 2013 —

Rs. 6.00

## TABLE OF CONTENTS

### GENERAL NOTICES

- 1767 — Special Legal Supplement  
1768 — Legal Supplement  
1769 — Post declared vacant  
1770 — Appointment  
1771 — Notice under the Land Acquisition Act  
1772 — Notice under the Land Acquisition Act  
1773 — Notice for Public Inspection of EIA Report  
1774 — Invitation for Bids – Mauritius Police Force  
1775 — Sale by Authority of Justice  
1776 — Notice published under Section 56(3)(a) of the Prevention of Corruption Act 2002  
1777 — Variation of Freezing Order made under Section 45(1) of the Dangerous Drugs Act 2000  
1778 }  
to } Revocation of Freezing Order made under Section 45(1) of the Dangerous Drugs Act 2000  
1813 }  
1814 — Notice under Section 296(7) of the Companies Act 1984  
1815 }  
to } Change of Name  
1817 }  
1818 — Annual list for Registered Nurses and Midwives (Mauritius and Rodrigues) for Year 2013  
1819 — Financial Reporting Council  
1820 — Employment Relations Tribunal – Award – ERT/RN 10/2013  
1821 — Notice under the National Transport Authority  
1822 — Decision of the Commissioners of the Competition Commission – CCM/DS/0009  
1823 — Trademark Notices  
1824 — Notice under the Patents, Industrial Designs & Trademarks Act 2002

### SPECIAL LEGAL SUPPLEMENT

See *General Notice No. 1767*

### LEGAL SUPPLEMENT

See *General Notice No. 1768*

*General Notice No. 1819 of 2013*

## **FINANCIAL REPORTING COUNCIL**

### **GUIDELINES ON REPORTING ON COMPLIANCE WITH THE CODE OF CORPORATE GOVERNANCE**

**Pursuant to Sections (6)(2)(f) and 39(3) of the Financial Reporting Act, the Financial Reporting Council has issued Guidelines on Reporting on Compliance with the Code of Corporate Governance by the Auditor.**

#### **1. Title**

These Guidelines may be cited as the Financial Reporting Council (Reporting on Compliance with the Code of Corporate Governance) Guidelines 2013.

#### **2. Interpretation**

In these Guidelines –

“Act” means the Financial Reporting Act 2004;

“annual report” has the same meaning as in the Companies Act;

“auditor” means a licensed auditor;

“Audit Report” means the report to be issued by the auditor in compliance with International Standards on Auditing Series 700;

“Code” means the Code of Corporate Governance issued by the National Committee on Corporate Governance and published as General Notice No 844 of 2005;

“Council” means the Financial Reporting Council;

“PIE” means a public interest entity as defined in Section 2 and specified in the First Schedule to the Act.

#### **3. Responsibilities of Auditor**

3.1 Section 39(3) of the Act stipulates that the auditor shall report on the extent of compliance with the Code of Corporate Governance disclosed in the annual report of the PIE and on whether the disclosure is consistent with the requirements of the Code.

3.2 In complying with paragraph 3.1, the auditor shall consider the following:

3.2.1 the Statement of Compliance submitted by the PIE, pursuant to section 75(3) of the Act;

3.2.2 the extent of compliance with the requirements of the Code of Corporate Governance, as disclosed in the “Statement of Compliance” submitted by the PIE;

3.2.3 the “Statement of Compliance” issued by the PIE and corroborate same with the requirements of the Code.

3.3 The auditor shall also review the explanations given by the PIE for non-compliance with any requirement of the Code.

#### **4. Reporting by Auditor**

4.1 The auditor shall report on the extent of compliance by the PIE and on the consistency with the requirements of the Code.

4.2 The report under paragraph 4.1 shall be made in the “Reporting on other legal requirements” paragraph in the Auditor’s Report, in compliance with International Standards on Auditing (ISA) 700.

4.3 The auditor's report shall be as follows:

4.3.1 In case the PIE has complied with the requirements of the Code –

*“The Directors are responsible for preparing the corporate governance report. Our responsibility is to report on the extent of compliance with the Code of Corporate Governance as disclosed in the annual report and on whether the disclosure is consistent with the requirements of the Code.*

*In our opinion, the disclosure in the annual report is consistent with the requirements of the Code.”*

4.3.2 In case the PIE has partly complied with the Code but did not provide explanations for non-compliance with each requirement of the Code –

*“The Directors are responsible for preparing the corporate governance report. Our responsibility is to report on the extent of compliance with the Code of Corporate Governance as disclosed in the annual report and on whether the disclosure is consistent with the requirements of the Code.*

*The Directors have not given explanations on the requirements of the Code which have not been complied with.*

*In our opinion, except for the non disclosure and failure to explain the reasons for non-compliance, the disclosure in the annual report is consistent with the requirements of the Code.*

4.3.3 In case the PIE has partly complied with the Code and has provided explanations for non-compliance with each requirement of the Code.

*The auditor shall report as per paragraph 4.3.1 of this guidelines.*

4.3.4 In case the PIE has not complied with the Code and has not provided explanations for not complying with each requirement of the Code

*“The Directors are responsible for preparing the corporate governance report. Our responsibility is to report on the extent of compliance with the Code of Corporate Governance as disclosed in the annual report and on whether the disclosure is consistent with the requirements of the Code.*

*The Directors have not prepared the corporate governance report as required by the Code of Corporate Governance.*

*In our opinion, the disclosure is not consistent with the requirements of the Code”*

Made by the Council on 10 July 2013