



Foundation

RESTORING TRUST IN HADJ ADMINISTRATION

**Reforming Hadj Administration in Mauritius:
Governance Integrity, Digital Accountability, and
Institutional Renewal**

23 October 2025

Disclaimer:

This report has been prepared by ILMA Foundation as a policy and governance framework based on the official *Committee of Inquiry on Hadj 2025 Visas*. It is intended solely for institutional reform and capacity-building purposes. The report does not assign liability or responsibility to any individual or authority, and all personal names from the original inquiry have been omitted in compliance with the Data Protection Act 2017.

Submitted to: Ministry of Arts and Culture
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P R E A M B L E

For thousands of Mauritian Muslims, performing Hadj represents the fulfillment of a lifelong spiritual commitment. The Islamic Cultural Centre Trust Fund bears a sacred responsibility: to facilitate this pilgrimage with integrity, fairness, and transparency.

The Committee of Inquiry Report of 09 September 2025 revealed how profoundly that responsibility was breached. Twenty-two confirmed fraudulent visa allocations, systematic record manipulation, and institutional breakdowns exposed an administration that had strayed from its founding purpose.

This report charts a path to restoration. Rather than dwelling on past failures, it focuses on constructive renewal—rebuilding an institution worthy of the pilgrims it serves, anchored in Islamic values of Amanah (trust) and Adl (justice), strengthened by modern governance standards.

The proposed reforms are neither theoretical nor aspirational—they are practical, evidence-based, and implementable. Drawing from international best practices in Malaysia, Singapore, and South Africa, they address one essential question: how do we guarantee every eligible Mauritian pilgrim fair, transparent, and dignified treatment?

This report presents a comprehensive reform framework encompassing governance restructuring, digital transformation, and operator accountability. A summary of proposed legislative amendments is provided in Appendix 1, with the complete draft ICCTF Act 2026 in Appendix 2 translating these policy recommendations into concrete legislative provisions for the Ministry's consideration.

ILMA Foundation respectfully offers this policy framework and our technical expertise to assist the Ministry, Parliament, and all stakeholders committed to this vital work of institutional renewal.

DISCLAIMER

This report, *Restoring Trust in Hadj Administration*, has been prepared by ILMA Foundation in good faith as a policy and governance framework to support the ongoing reform and modernization of the Islamic Cultural Centre Trust Fund (ICCTF) under the supervision of the Ministry of Arts and Cultural Heritage.

The content of this document is based on information publicly available in the Committee of Inquiry Report on the Allocation of Hadj 2025 Visas (September 2025) and related official sources. The analysis and recommendations presented herein are intended to assist policymakers in strengthening institutional governance, transparency, and digital accountability.

This report represents ILMA Foundation's independent policy submission and does not constitute an official publication or endorsement by the Government of Mauritius. It does not assign or imply liability, misconduct, or culpability to any individual, officer, or entity. All references to administrative or procedural deficiencies are made strictly in the context of institutional reform and capacity-building.

Names of individuals cited in the original inquiry have been deliberately omitted to preserve privacy and compliance with the Data Protection Act 2017 and relevant ethical standards.

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ILMA Foundation, its contributors, and affiliates shall not be held liable for any reliance placed on this document or its contents for purposes other than public policy consultation and academic reference.

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EXECUTIVE SUMMARY

The 2025 *Committee of Inquiry on the Allocation of Hadj Visas* has revealed a profound systemic breakdown in the Islamic Cultural Centre Trust Fund's administration of one of Mauritius's most sacred public responsibilities. The Inquiry exposed not isolated misconduct but comprehensive institutional failure: twenty-two confirmed fraudulent visa allocations, systematic manipulation of registration records, an outdated database vulnerable to tampering, absence of audit trails, and complete breakdown of governance oversight.

This report, prepared by ILMA Foundation, provides a twofold response:

1. **Policy recommendations** for the Ministry to restore integrity, fairness, and institutional trust; and
2. **An implementation framework** showing how these reforms can be realized through modern governance principles and phased digital transformation.

The objective is not punitive but reconstructive: to rebuild the Hadj administration on a foundation of transparency, rule-based processes, and ethical service to the Muslim community.

The Solution Framework

We propose a comprehensive transformation over 18-24 months, anchored in Islamic values of Amanah (trust) and Adl (justice), strengthened by modern governance standards, and informed by international best practices from Malaysia, Singapore, and South Africa:

Foundation (0-6 months): Establish Reform Task Force, conduct comprehensive data integrity audit, suspend new registrations, and publish transparent interim criteria.

Transition (6-12 months): Adopt formal Hadj Selection Policy with rules-based criteria, initiate procurement for secure Digital Hadj Management System, and draft governance documents embedding rights and accountability.

Consolidation (12-24 months): Deploy certified digital platform with immutable audit trails, reconstitute Board with independent technical experts, establish operator licensing framework, launch complaints mechanism, and publish first Annual Hadj Governance Report to Parliament.

Key Legislative Reforms

The report includes a comprehensive draft Islamic Cultural Centre Trust Fund (Amendment) Bill 2026 that professionalizes governance, mandates digital transformation with ISO 27001 security standards, ensures transparency through automated selection and public reporting, regulates operators through licensing and performance monitoring, provides meaningful deterrence, empowers ministerial oversight, and protects pilgrim rights.

Expected Impact

These reforms will restore public trust, eliminate fraud opportunities, ensure fair treatment, improve service quality, and establish Mauritius as a regional leader in ethical pilgrimage management.

ILMA Foundation offers our combined legal and information technology expertise to support implementation if the Ministry considers external technical assistance beneficial.

1.0 CONTEXT AND PROBLEM DIAGNOSIS

The Hadj visa scandal of 2025 marks a watershed moment. It demonstrates how outdated systems, opaque decision-making, and weak institutional cultures can compromise public trust.

The Inquiry report identified falsified registration records, tampering with data entries, missing forms, double allocations of registration numbers, and the absence of a functioning oversight framework.

The problem is both technical and institutional:

- Technically, the ICCTF operates a legacy Microsoft Access system with no access control, allowing unrestricted editing and deletion of records.
- Institutionally, it functions without clear segregation of duties, leaving the same officers responsible for data entry, approval, and record maintenance.
- Governance-wise, the Ministry's oversight remains reactive rather than proactive, depending on crisis-driven interventions rather than structured supervision.

At its core, this is a governance failure — one that calls for deep structural change, not procedural patchwork.

2.0 SUMMARY OF KEY ISSUES IDENTIFIED IN THE HADJ 2025 INQUIRY REPORT

The findings of the *Committee of Inquiry on the Allocation of Hadj 2025 Visas* reveal that the problems within the Islamic Cultural Centre Trust Fund (ICCTF) are not confined to isolated acts of negligence or misconduct, but rather stem from a systemic collapse of governance, data integrity, and ethical control. The Inquiry exposed structural weaknesses across every stage of the Hadj administration process — from registration and verification to record-keeping and oversight.

The following table summarises the principal issues identified in the report, grouped by thematic area. It provides a clear diagnostic overview of how institutional failures, outdated systems, and poor accountability mechanisms combined to produce widespread irregularities in the management of Hadj 2025.

Table: Summary of Key Issues from the Hadj 2025 Inquiry Report

Category	Key Issues Identified	Impact / Consequence
1. Governance & Oversight	<ul style="list-style-type: none"> • Lack of clear ministerial and board oversight • No separation of duties among ICCTF officers • Conflicting decisions (visas cancelled, reinstated, re-cancelled) • Absence of internal control mechanisms • Intervention by politically connected individuals creating perception of external pressure • Unclear Board/Hadj Committee nomination guidelines and qualifications • No minutes or records of meetings available for review • No declarations of conflict of interest between Board/Committee members and operators • Lack of independent third-party audit mechanism for decisions 	<ul style="list-style-type: none"> • Institutional confusion and breakdown of accountability • Arbitrary decision-making • Increased risk of manipulation and cover-ups • Perception of favoritism and nepotism • Absence of transparent governance processes
2. Data Integrity & Fraudulent Practices	<ul style="list-style-type: none"> • Use of fictitious or reused registration numbers • Forged signatures on Hadj confirmation forms • Tampering of Tannazul payment records and backdated documents • Multiple cases of repeat pilgrims and queue-jumping • Missing or destroyed registration files • Unauthorized transfer of Tannazul payments to third parties • Allocation of previous/fictitious numbers based on Mahram status rather than actual queue position without proper documentation of concessions granted 	<ul style="list-style-type: none"> • Fraudulent visa issuance • Denial of rightful places to legitimate applicants • Financial irregularities and loss of traceability • Erosion of public trust • Systemic undermining of queue integrity

3. Process & Administrative Weaknesses	<ul style="list-style-type: none"> • No written policy or standard operating manual • Lack of eligibility verification (first-time status, Mahram rules, age) • Unclear rationale and validity of eligibility criteria • Inconsistent application of established criteria • Unclear role and accountability of Hadj operators • Ad hoc decision-making based on personal discretion 	<ul style="list-style-type: none"> • Inconsistent application of rules • Unfair allocation and perception of favoritism • Absence of transparent criteria for selection • Officers operating without clear guidance
4. Technology & Data Management	<ul style="list-style-type: none"> • Outdated Microsoft Access 2007 database • No password protection or user-level access control • No audit logs or version tracking • Lack of integration between payment and registration systems • No data backup or disaster recovery protocol • Manual processing requiring human intervention for all communications • No automated email or SMS notification system • No records of user logins or data modifications • Inability to verify queue position in real-time 	<ul style="list-style-type: none"> • High vulnerability to tampering and data loss • Inability to trace edits or identify responsible users • Inaccurate financial reconciliation • Breach of confidentiality and data protection standards • System completely dependent on manual intervention
5. Ethical & Accountability Gaps	<ul style="list-style-type: none"> • No whistleblower or internal reporting mechanism • Evidence of political or external influence in specific allocation decisions • Inadequate disciplinary framework • Lack of Code of Conduct and ethical awareness training 	<ul style="list-style-type: none"> • Culture of impunity and mistrust among staff • Perceived favoritism and external interference • No deterrent against future misconduct • Officers unclear about ethical boundaries

6. Transparency & Public Confidence	<ul style="list-style-type: none"> • No publication of criteria, waiting lists, or allocation outcomes • Poor communication with pilgrims and operators • Absence of grievance redress or appeal mechanism • No means for applicants to verify queue position in real-time • No public reporting on selections or processes 	<ul style="list-style-type: none"> • Public suspicion and reputational damage to the ICCTF and Ministry • Decline in confidence among pilgrims and wider community • Pilgrims unable to verify their status independently
7. Financial Controls	<ul style="list-style-type: none"> • Weak verification of Tannazul payments • Manual cash-handling processes • Lack of reconciliation between financial and registration data • Unauthorized transfer of funds to third parties • Unclear refund procedures and lack of guidelines on processing steps • No standardized protocols for payment transfers 	<ul style="list-style-type: none"> • Exposure to financial mismanagement • Risk of loss, misuse, or theft of funds • Financial data unreliable for audit purposes • Pilgrims unsure of refund entitlements
8. Record-Keeping & Documentation	<ul style="list-style-type: none"> • Missing, untraceable, or incomplete forms • Failure to archive or retrieve past records • Inconsistent storage of physical and digital data • Backlog of previous manual records still incomplete and not digitized • No systematic filing or retrieval system 	<ul style="list-style-type: none"> • Loss of institutional memory • Compromised evidence base for audit and accountability • Unable to verify historical registrations • Creates opportunities for fabrication
9. Institutional Culture	<ul style="list-style-type: none"> • Complacency and tolerance of irregularities • Resistance to change or external audit • Absence of performance or ethical evaluation • No continuous improvement mechanisms 	<ul style="list-style-type: none"> • Weak governance culture with recurring operational failures • Lack of ownership or responsibility among officers • System stagnation and deterioration

Summary Insight:

The inquiry exposes not isolated misconduct but a systemic institutional failure—combining outdated technology, weak governance, inadequate financial controls, and absence of ethical culture. The reforms required must therefore address structure, process, technology, and mindset together. Piecemeal improvements will be insufficient; comprehensive transformation is necessary to restore integrity and public trust.

3.0 GUIDING PRINCIPLES FOR REFORM

Reform must be guided by principles that blend administrative best practice with the ethical imperatives of the Hadj itself:

1. **Amanah (Trust):** Every pilgrim's application is a trust that must be handled with integrity.
2. **Adl (Justice):** Allocation must be fair, rules-based, and free of personal influence.
3. **Transparency:** Decisions and criteria should be visible and verifiable.
4. **Accountability:** Every action must have a traceable decision-maker.
5. **Efficiency:** Administrative processes must serve, not frustrate, the pilgrim.

These values underpin the proposals that follow.

4.0 INTERNATIONAL BEST PRACTICES IN HADJ ADMINISTRATION

While Mauritius faces unique challenges, several countries have successfully modernized their Hadj administration systems. Three models offer particularly relevant lessons.

4.1 Malaysia: The Tabung Haji Model

Malaysia's Lembaga Tabung Haji (Pilgrims Fund Board), established in 1963, manages Hadj for over 30,000 pilgrims annually through an integrated digital system.

Key Features:

- Digital registration with mobile applications enabling real-time status tracking
- Automated selection based on transparent criteria with minimal human intervention
- Integrated savings scheme where pilgrims accumulate funds through Shariah-compliant investments
- Annual public reporting on operations and financial performance

Relevance to Mauritius: Demonstrates how transparent queue management and digital systems can eliminate discretion while building public trust in large-scale operations.

4.2 Singapore: The MUIS Hadj System

The Islamic Religious Council of Singapore (MUIS) administers Hadj for approximately 900 pilgrims annually through a fully digitized, paperless system.

Key Features:

- Online registration portal (MyHajSG) integrated with national identity authentication
- Automated eligibility verification against government databases
- Transparent waiting list published online with personalized status dashboards
- Post-Hadj feedback system rating operators and services
- Annual public reporting with full financial transparency

Achievements: 95%+ pilgrim satisfaction ratings, significantly reduced fraud risk, and processing time reduced from weeks to days.

Relevance to Mauritius: Singapore's comparable scale (900 pilgrims) and emphasis on efficiency and transparency provide a directly adaptable model for small-nation Hadj administration.

4.3 South Africa: The SAHUC Coordination Model

The South African Hajj and Umrah Council has historically coordinated Hadj for approximately 2,500 pilgrims annually, managing a diverse Muslim population.

Key Features:

- Standardized operator licensing with performance-based accreditation
- Transparent selection criteria prioritizing first-timers and elderly applicants
- Mandatory operator bonds and insurance requirements
- Independent complaints tribunal with binding decisions
- Multi-stakeholder governance including government, Islamic scholars, and community representatives

2025 Transition Note: South Africa is currently transitioning to Saudi Arabia's centralized Nusuk platform, reflecting evolving international Hadj administration frameworks.

Relevance to Mauritius: South Africa's experience managing diversity, strong operator accountability framework, and multi-stakeholder governance address challenges similar to those faced by Mauritius.

4.4 Key Lessons for Mauritius

From these international models, several principles emerge:

1. **Technology eliminates discretion** – Digital systems with audit trails make fraud difficult and create permanent oversight records
2. **Transparency builds trust** – Public disclosure of selection criteria, waiting lists, and selections prevents suspicion
3. **Financial integration reduces fraud** – Electronic payment systems eliminate cash handling vulnerabilities
4. **Operator accountability drives quality** – Performance ratings and licensing conditions ensure service excellence
5. **Multi-stakeholder governance enhances legitimacy** – Including community representatives and independent experts builds confidence
6. **Continuous improvement through feedback** – Systematic pilgrim satisfaction measurement drives service quality

Mauritius need not reinvent Hadj administration—proven models exist and can be adapted to local context, scale, and resources.

5.0 RECOMMENDATIONS TO THE MINISTRY

5.1 Establish a Hadj Governance Reform Task Force

The Ministry should immediately constitute a *Hadj Governance Reform Task Force* mandated to clean, reform, and re-establish the integrity of the Hadj administration within 12 months.

Its functions would include:

- Supervising a comprehensive data integrity audit of all records from 2010–2025;
- Designing a new governance structure with clear reporting lines;
- Drafting a Hadj Administration Charter defining the rights and obligations of all stakeholders; and
- Recommending permanent institutional reforms to the ICCTF.

This Task Force should include non-conflicted individuals who understand the values and essence of Hadj, representatives from the Ministry, ICCTF, National Audit Office, National Computer Board, DPO and one independent ethics and IT governance expert.

5.2 Conduct a Clean Data and Integrity Audit

Before any further Hadj registration is opened, the entire existing database should be verified. All legitimate registrations must be reaffirmed; all forged or duplicated records must be nullified.

Each registrant, including those affected by misuse, should receive written confirmation of their verified registration status.

The outcome must be a *Clean Start Database*, certified by the NAO, on which future Hadj processes will rest.

5.3 Adopt a Transparent Rules-Based Selection Framework

The Ministry should publish a formal Hadj Selection Policy that sets out clear and objective criteria — first-time applicants (those who have never performed Hadj and constitute the primary queue) repeat applicants (those who have performed Hadj previously and seek to return), Mahram relationships, and health and age-based priorities — along with the precise method of selection and clear criteria of when and why exemptions can be made.

To ensure transparency and public accountability, the ICCTF shall publish on its website:

- A provisional list of selected Hadj candidates for each season
- The complete waiting list showing queue position and registration year

Both lists shall display only: full name, year of registration, selection category (first-time/repeat/Mahram/priority), and unique reference number. No sensitive personal data including NIC numbers, addresses, contact details, medical or financial information shall be disclosed. Publication shall comply with the Data Protection Act. A formal objection mechanism shall be established for raising and resolving legitimate challenges.

This policy must be published annually and audited independently. Transparency in allocation is the foundation of credibility; without it, any digital system will only automate existing flaws.

5.4 Implement a Digital Hadj Visa Management System (DHVMS)

The Hadj administration must transition from paper and Access files to a secure, online management platform designed for accountability.

- Each registration, amendments, approval, and cancellation must carry a digital signature, user identity, a timestamp and an approver with proper criteria and reasons.
- The system must generate an immutable audit log accessible to the Ministry and the Auditor-General.
- This platform will not be a technical luxury but an institutional necessity — the digital expression of integrity.

Note: Detailed technical specifications, migration strategy, and system requirements will be developed at a later stage in consultation with relevant stakeholders.

5.5 Institutional Oversight and Reporting

The ICCTF should be required to submit regular (twice per year) compliance reports to the Ministry, detailing registrations, cancellations, refunds, and complaints.

A comprehensive Hadj Governance Report should be tabled before Parliament within two months following the completion of each Hadj season, ensuring democratic accountability and public transparency. The Ministry should also establish a Religious and Ethical Oversight Committee to review fairness and compliance with Islamic principles.

5.6 Refunds, Complaints, and Citizen Interface

Refunds of unused *Tannazul* payments must become automatic within a fixed statutory timeframe.

A modern and integrated grievance redress system — online, phone, and in-person — should be established to handle appeals and complaints transparently.

Each case must be logged, tracked, and resolved within a published service standard.

5.7 Ethical and Institutional Capacity-Building

The Hadj crisis revealed not only procedural gaps but ethical fragility. Mandatory training in data ethics, confidentiality, and public service values should be instituted for all ICCTF staff.

A Code of Conduct and Whistle-blower Policy should be adopted to encourage internal accountability.

Rotation of duties must prevent any single officer from controlling an entire process chain.

6.0 IMPLEMENTATION FRAMEWORK: HOW TO ACHIEVE REFORM

The reform process can be rolled out in **three progressive stages**, each building on the previous one.

Stage 1: Foundation (0–6 Months)

The Ministry issues a Cabinet-backed directive establishing the Hadj Governance Reform Task Force comprising representatives from the Ministry, ICCTF, National Audit Office, National Computer Board, and independent technical experts.

New registrations are temporarily suspended pending the data audit. The NAO and NCB or technical experts begin forensic verification of existing digital and paper records. Public

communication is made transparent—the government announces a reform process to reassure pilgrims and community stakeholders.

Stage 2: Transition (6–12 Months)

The Ministry adopts a Revised Hadj Policy and Procedure Manual detailing duties, decision flow, and accountability checkpoints. Procurement for the new digital management platform initiated.

Drafting of the Hadj Administration Charter begins, embedding rights, duties, and ethical obligations.

Stage 3: Consolidation (12–24 Months)

The new digital platform is piloted with a limited user base and refined through feedback. Staff are trained; operators are accredited; and real-time monitoring dashboards are established.

At year-end, the first Hadj Governance Annual Report is published publicly, marking the completion of institutional renewal.

Technical Support: Independent technical expertise in legal drafting, system design, and governance frameworks would strengthen implementation. ILMA Foundation's combined legal and IT capabilities are available to support any of these stages if the Ministry considers external assistance beneficial.

7.0 ILMA FOUNDATION'S ROLE AND CAPACITY

ILMA Foundation brings a rare combination of legal expertise, information technology specialization, and community trust. This dual competency in law and technology is essential for Hadj reform, which requires both robust legal frameworks and secure digital systems.

Why ILMA is Uniquely Positioned

Independent and Credible: We have no affiliation with any Hadj operator, ICCTF personnel, or commercial interests. Our Islamic values framework and community standing ensure reforms respect religious principles while modernizing administration.

Proven Expertise: Our team combines legislative drafting skills, administrative law knowledge, database design capabilities, cybersecurity expertise, and governance framework development experience.

How ILMA Can Assist

We can support across five key areas:

1. **Legislative Reform:** Draft amendments to the ICCTF Act with enhanced governance, accountability, and technology standards.
2. **Digital System Design:** Develop technical specifications for the new Hadj Management System, including security protocols and integration requirements.
3. **Governance Documents:** Create Board charters, codes of conduct, whistleblower policies, and operational manuals.
4. **Capacity Building:** Design and deliver training programs for ICCTF staff on ethics, governance, and fraud prevention.
5. **Implementation Support:** Serve on the Hadj Governance Reform Task Force and provide ongoing monitoring and guidance.

Our role is advisory and collaborative. We recognize the Ministry's ultimate authority and offer technical assistance to support—not direct—the reform process. Our team is available to commence immediately and commits to the full 24-months implementation period.

8.0 EXPECTED IMPACT

The proposed reforms would transform the Hadj administration from a vulnerable, opaque system into a transparent and auditable institution.

They would establish clear accountability lines, safeguard data integrity, reduce human interference, and ensure that every Mauritian pilgrim is treated equitably.

Over time, this model could become a regional benchmark for ethical pilgrimage management in the Indian Ocean region, demonstrating that public faith, once shaken, can be restored through principled leadership and transparent administration.

9.0 CONCLUSION

The Hadj 2025 Inquiry should not end with condemnation; it should begin with reconstruction.

Through the proposed governance and digital reforms, the Ministry can turn this episode into a national example of ethical recovery — a demonstration that public faith, once shaken, can be restored through principled leadership and transparent administration.

A just and accountable Hadj system is not only a bureaucratic necessity. It is a moral obligation — one that honours the pilgrims, upholds the trust of the community, and reflects the values of the Republic itself.

ABOUT ILMA FOUNDATION

ILMA Foundation is a foundation registered under the laws of Mauritius (the “Foundation”).

The Foundation is a charitable foundation.

The Purpose and Object of the Foundation is to:

- i. alleviate poverty,
- ii. advance in education,
- iii. assist in the development of religion,
- iv. preserve of the environment,
- v. protect the fundamental human rights in Mauritius, in the Indian Ocean and in Africa.

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APPENDIX 1

9.1 Key Themes of Reform

1. **Governance Professionalization** - Board expertise requirements, CEO accountability, segregation of duties
2. **Technological Modernization** - Mandatory Digital Hadj Visa Management System (DHVMS) with ISO 27001 security, blockchain audit trails, data protection
3. **Transparency & Accountability** - Public disclosure, complaints mechanism, parliamentary reporting, performance ratings
4. **Operator Regulation** - Licensing, security bonds, service standards, performance monitoring, enforcement
5. **Meaningful Deterrence** - Criminal penalties aligned with severity (2-10 years imprisonment), asset confiscation, disqualification
6. **Ministerial Oversight** - Investigation powers, emergency intervention authority, enhanced supervisory committee
7. **Pilgrim Rights** - Complaints procedure, refund guarantees, data protection, appeal mechanisms

9.2 Summary Table - Key Amendments & Rationale

This table provides a concise comparison of current provisions in the ICCTF Act 1989, proposed amendments in the draft ICCTF Act 2026, and the specific findings from the Committee of Inquiry Report (09 September 2025) that each amendment addresses.

Provision	Current 1989 Act	Proposed Amendment	Addresses Inquiry Finding
Section 2 - Definitions	Limited definitions: Board, Fund, Centre, Minister	Added: CEO, Digital Hadj Management System, Hadj operator, Mahram, pilgrim, Tannazul	Establishes terminology for modern Hadj administration framework
Section 4(h) - Hadj Mandate	Vague: "deal with matters relating to the organizing, facilitating, monitoring and supervision of Islamic pilgrimage"	Detailed 8-point mandate: (i) digital registry, (ii) automated selection, (iii) operator licensing, (iv) complaints mechanism, (v) liaison with Saudi Arabia, (vi) pilgrim welfare, (vii) annual reports, (viii) prescribed functions	Committee found "no clear demarcation of duties and responsibilities" and "no control mechanism to ensure fair selection" (Report p.2)

Section 5(1) - Board Composition	Representative model: Rabita, Islamic Development Bank, Waqf Board, government ministries, 5 Islamic organizations	Independent Chairperson (lawyer/accountant/15+ years experience) + 3 technical experts (finance, IT, legal) + 2 government reps + 2 Islamic org reps + 1 civil society rep + NAO observer	Board lacked expertise and was "unaware of Master List of registered pilgrims" and "received no provisional selection lists" (Report p.4, 23)
New Section 6 - Disqualifications	None specified	Cannot serve if: bankrupt, convicted of fraud/dishonesty, affiliated with Hadj operator, conflict of interest, unsound mind, absent from 3 meetings	Prevents compromised individuals from Board membership; addresses institutional integrity failures
Section 7(1) - Board Meetings	"Board shall meet at such place and time as the Chairman may think fit" (no minimum frequency)	Mandatory: minimum once every 2 months	Board operated without regular oversight; fraud went undetected for weeks
Section 7(5) - Board Duties	None specified	Board must: approve selection lists, review quarterly CEO reports, review complaints quarterly, conduct annual risk assessments, approve IT changes, monitor operators, ensure compliance	Board "had no visibility of operational processes" and "never questioned procedural changes" (Report p.25)
Section 7(6) - Board Committees	None required	Mandatory: Audit & Risk, Ethics & Compliance, IT & Security, Hadj Operations committees	Ensures specialized oversight in key risk areas

Section 7(7) - Transparency	None	Board minutes published on website within 21 days (subject to confidentiality)	Addresses "absence of transparency" (Report diagnosis table)
Section 8(1) - CEO Appointment	"Board shall appoint... a Director on such terms and conditions as may be determined"	Competitive recruitment; must have: university degree, 10+ years experience, no fraud conviction, no operator conflicts; fit-and-proper test	The Director took no action despite fraud report on 26 April; remained silent at Board meeting 05 May (Report p.22)
Section 8(4) - CEO Reporting	"Director shall act in accordance with directions from Board"	Monthly reports on: registrations, selections, complaints, finances, system security, operator compliance	Director operated without accountability; Board received no operational updates
Section 8(5) - Immediate Reporting	None	CEO must immediately report: suspected fraud, system breaches, operator violations, staff misconduct	A whistleblower reported suspected fraud to the Director on 26 April, but no action was taken (Report, p. 22).
Section 8(6) - CEO Review	None	Annual performance review against KPIs	Establishes accountability mechanism absent in current Act
New Section 9 - Segregation of Duties	None	Separate units for: registration, verification, selection, processing, QA, complaints. No single person handles multiple functions. Dual authorization for critical actions.	The same officers were responsible for data entry, approval, and record maintenance, creating

			overlapping responsibilities that enabled manipulation and fraud (Report diagnosis).
Section 11(5) - Supervisory Committee	Permanent Secretary + 3 public officers + 2 others "conversant with management"	Enhanced: PS + MOF rep + NAO + NCB + IT security expert + legal expert + ICAC rep. Quarterly meetings mandatory.	Committee never detected systematic fraud; needs technical expertise and regular operation
Section 11(7-9) - Ministerial Powers	Only "general directions" and information requests	Added: investigation powers, commission audits, issue binding directives, emergency intervention (suspend Board, appoint judicial manager, freeze accounts, suspend operations)	Ministry learned of fraud through social media; had no legal authority to intervene during crisis
Section 12(3) - Audit Scope	Financial audit only by Director of Audit	Added: biennial operational audit (compliance, efficiency, controls) + annual IT security audit by certified firm	Antiquated Access 2007 system, missing forms, 6,000 backlog never flagged because audits covered only finances
Section 12(4) - Internal Audit	None	Mandatory internal audit function reporting to Audit Committee	Provides continuous monitoring vs. annual external audit only
Section 12(8) - Financial Segregation	None	Separate Hadj Fund Account + Refund Reserve Fund (20% of Tannazul)	Several pilgrims paid the Tannazul fee but were never refunded; no dedicated

			reserve fund was maintained for these payments (Report, p. 30).
New Section 13 - Digital Hadj Management System	None	Mandatory secure platform with: online registration, automated selection, payment gateway, complaints system, transparency portal, Saudi Nusuk integration. ISO 27001 compliance. Multi-factor auth, encryption, audit trails, blockchain for critical transactions.	"Outdated Microsoft Access 2007 database with no password protection or user-level access control, no audit logs" (Report table p.5); enabled systematic manipulation
New Section 14 - Data Protection	None	GDPR-style protections: privacy policy, consent, data subject rights (access, rectify, erase), limited third-party sharing	"Breach of confidentiality and data protection standards" (Report table p.5)
New Section 15 - Selection Process	None	Automated algorithm based on registration date, eligibility, priorities, quota. Board approval required. Manual override only with Board resolution and immutable log. Complete transparency - publish list, statistics, notify pilgrims.	"Tampering of Pilgrim Registration Forms and Hadj Confirmation Cards" (Report p.2); "no control mechanism ensuring fair selection"
New Section 16 - Tannazul & Refunds	None	Electronic payment only (no cash). Refund within 30 days. Transfers prohibited except with CEO approval and audit trail.	Multiple cases of missing Tannazul payment verification and backdated swapping letters were identified;

			several pilgrims were not refunded (Report, p. 20).
New Section 17 - Complaints Mechanism	None	Independent Complaints Committee (lawyer/judge chair + 2 members). 48-hour acknowledgment, 45-day resolution. Binding orders: compensation, specific performance, corrective action. Appeal to Minister (14 days), then Supreme Court on law points.	"Absence of grievance redress or appeal mechanism" (Report table p.6); legitimate pilgrims had no recourse
New Section 18 - Annual Hadj Report	None	Comprehensive report within 90 days: statistics, finances, operator performance, complaints, satisfaction surveys, challenges, recommendations. Tabled in Parliament.	No systematic reporting or accountability to Parliament for Hadj operations
New Section 19 - Operator Licensing	None	Mandatory license valid 3 years. Application requires: company docs, financials, insurance, security, service plan. Fit-and-proper test for directors. Performance-based renewal.	No regulatory framework; operators operated without proper vetting or accountability
New Section 20 - Security Requirements	None specified	Tiered bank guarantees: Rs 500K (≤ 100 pilgrims), Rs 1M (101-200), Rs 1.5M (201-300), Rs 2M (300+). Submit 6 months before Hadj, valid until 3 months after. Mandatory liability and medical insurance.	One Operator did not submit any bank guarantee; Another Operator submitted Rs 750K instead of Rs 1M (Report p.33-34)

New Section 21 - Service Standards	None	Minimum standards: 4-star hotels, max 4/room, 3 halal meals, A/C transport, 24/7 medical, multilingual guides. Performance monitoring via surveys, inspections, complaints. Ratings published. Quota allocation based on performance.	Ensures quality and creates accountability; prevents substandard service
New Section 22 - License Suspension/Revocation	None	Grounds: breach of conditions, inadequate security, excessive complaints, fraud, insolvency. Notice and hearing required. Appeal to Minister.	Provides enforcement mechanism against non-compliant operators
Section 27(2)(b) - Regulatory Penalties	Maximum: Rs 10,000 fine and 3 months imprisonment	Maximum: Rs 500,000 fine and 2 years imprisonment	Trivial penalties provided no deterrence for serious violations
New Section 28 - Fraud Offences	Not specified	Fraud in registration, using false numbers, tampering records, forging signatures = Rs 500K-2M fine + 2-5 years imprisonment + 10-year Hadj ban + restitution	22 fraudulent visa cases involved these exact acts; old Act had no specific fraud provisions
New Section 29 - Official Misconduct	Not specified	Board/CEO/staff who: abuse position, accept bribes, issue fraudulent visas, tamper with system, fail to report fraud, destroy records = Rs 1M-5M fine + 5-10 years imprisonment + disqualification from public office + asset confiscation	The Director's failure to act, evidence of document forgery, and the destruction of 28 registration forms amount to grave official misconduct requiring

			substantial disciplinary penalties.
New Section 30 - Operator Offences	Not specified	Operating without license, inadequate security, facilitating fraud, false information, substandard service = Individual: Rs 1M-5M + up to 7 years; Company: Rs 2M-10M. Plus license revocation, director disqualification, compensation orders. Corporate liability for directors.	Operators who facilitated fraudulent applications or failed to meet obligations must face meaningful consequences
New Section 31 - Transitional Provisions	None	Current Board: max 6 months. Current Director/CEO: max 12 months (subject to review). Hadj Governance Reform Task Force established within 6 months to: audit all records, nullify fraudulent entries, notify legitimate registrants, develop DHVMS plan. DHVMS implementation: 24 months. Operators re-license: 6 months.	Provides orderly transition without disrupting Hadj 2026; addresses immediate crisis (data integrity audit) while implementing long-term reforms

APPENDIX 2 – ICCTF AMMENDMENT BILL

THE ISLAMIC CULTURAL CENTRE TRUST FUND ~~ACT 1989~~BILL 2026

Act ~~46/1989~~/2026

~~Proclaimed by [Proclamation No. 16 of 2001] with effect from~~

~~25.09.2001~~

ARRANGEMENT OF SECTIONS

1. ~~1~~ Short title
2. ~~2~~ Interpretation
3. ~~3~~ Establishment of the Fund
4. ~~4~~ Objects of the Fund
5. ~~5~~ The Board
- ~~6.~~ 6 Disqualifications from Board membership
- ~~6.7.~~ Meetings of the Board
- ~~7.8.~~ ~~7~~ Appointment of staff
- ~~9.~~ 8 Segregation of duties
- ~~8.10.~~ Execution of documents
- ~~9.11.~~ ~~9~~ Powers of the Minister
- ~~10.12.~~ ~~10~~ Accounts of the Fund
13. 11 Digital Hadj Management System
14. Data protection
15. Hadj registration and selection
16. Tannazul payments and refunds
17. Complaints and appeals
18. Annual Hadj Report
19. Licensing of Hadj operators
20. Security and insurance requirements

21. Service standards and performance monitoring

22. Suspension and revocation of operator licenses

11.23. Service of process

12.24. ~~12~~ Annual General Meeting

13.25. ~~13~~ ~~Donation~~ Donations and legacies

26. Exemption from duty

14.27. ~~14~~ Regulations

~~To provide for the establishment and management of the Islamic Cultural Centre Trust Fund~~

28. Offences - Fraud in Hadj registration

29. Offences - Official misconduct

30. Offences - Operator offences

31. Transitional provisions

1. Short title

This Act may be cited as the Islamic Cultural Centre Trust Fund Act ~~1989~~2026.

2. Interpretation

In this Act —

"Board" means the Board of Trustees set up under section 5;

"Centre" means the Islamic Cultural Centre;

"Chief Executive Officer" or "CEO" means the officer appointed under section 8 for the management of the Centre;

"Digital Hadj Visa Management System" or "DHVMS" means the integrated information technology system established under section 13;

"Fund" means the Islamic Cultural Centre Trust Fund established under section 3;

~~"Centre"~~

"Hadj" means the Islamic ~~Cultural Centre~~ pilgrimage to Makkah and the holy places in the Kingdom of Saudi Arabia;

"Hadj operator" means a person licensed under section 19 to provide Hadj travel and logistical services;

"Mahram" means, in relation to a female pilgrim, a male relative with whom marriage is permanently prohibited under Islamic law;

"Minister" means the Minister to whom responsibility for the subject of arts and culture is assigned;

"Permanent Secretary" means the Permanent Secretary of the Ministry of Arts and Culture;

~~Amended by [Act No. 37 of 2000]~~

"pilgrim" means a person registered to perform or performing Hadj;

"Tannazul" means the fee payable by a pilgrim for inland transport services in the Kingdom of Saudi Arabia.

3. — Establishment of the ~~fund~~ Fund

There is established for the purposes of this Act an Islamic Cultural Centre Trust Fund which shall be a body corporate.

4. — Objects of the Fund

The objects of the Fund shall be —

- (a) — to preserve and promote Islamic arts and culture;
- (b) — to promote study of Arabic and Urdu;

- (c) — to collect, publish and disseminate valuable information pertaining to Islamic art and culture through the establishment of educational and welfare institutions affiliated to the Islamic Cultural Centre;
 - (d) —to —organise —lectures, —seminars, ~~—workshop, workshops,~~ exhibitions and —any —other activities —which —will —lead —to —a —better —understanding —of Islamic —arts —and culture;
 - (e) —to —create —facilities —for —documentation —and —research —on —Islamic —arts and culture;
 - (f) —to provide training in relevant fields of study;
 - (g) to establish useful links with organisations engaged in similar activities locally and internationally;
 - (h) —to ~~deal with matters relating to administer~~ the ~~organizing, facilitating, monitoring and supervision of Islamic Hadj pilgrimage to the holy places., including~~
- =

~~Amended by [Act No. 37 of 2000]; [Act No. 22 of 2001]~~

- ~~(i) maintaining a transparent digital registry of prospective pilgrims;~~
- ~~(ii) operating a fair and automated selection system based on registration date and eligibility criteria;~~
- ~~(iii) licensing and regulating Hadj operators in accordance with section 19;~~
- ~~(iv) establishing a complaints and appeals mechanism under section 17;~~
- ~~(v) liaising with the Kingdom of Saudi Arabia and the Mauritian Embassy regarding visa processing;~~
- ~~(vi) ensuring pilgrim welfare and safety during the pilgrimage;~~
- ~~(vii) publishing annual reports on Hadj operations under section 18; and~~
- ~~(viii) performing such other functions relating to Hadj as may be prescribed.~~

5. The Board

~~The Board~~

(1) ~~The Fund shall be managed by a Board of Trustees constituted as follows —(a)~~

~~a Chairman to be appointed by the Board from among the members—~~

~~of the Board;~~

~~(b) a representative from Rabita-Al-Alam-Al-islami;~~

~~(c) a representative from the Islamic Development Bank to be designated by the Rabita Office in Mauritius;~~

~~(d) a representative of the Waqf Board;~~

~~(e) a(a) an independent Chairperson appointed by the Minister, who shall —~~

~~(i) be a person of integrity and standing in the community;~~

~~(ii) possess qualifications as a Barrister, Attorney, Chartered Accountant, or have at least 15 years of senior management experience in the public or private sector; and~~

~~(iii) have no affiliation with any Hadj operator or direct financial interest in Hadj operations;~~

~~(b) three independent technical members appointed by the Minister with expertise in —~~

~~(i) financial management or accounting;~~

~~(ii) information technology or cybersecurity; and~~

~~(iii) law or regulatory compliance;~~

~~(c) one representative of the Ministry of Education, Arts and Culture; (f) a representative of the Prime Minister's Office responsible for arts and culture;~~

~~(g) — a(d) one~~ representative of the Ministry ~~of Finance, responsible for finance;~~

~~(h) — 5 (e) two~~ representatives ~~to be designated by of~~ Islamic — socio —
cultural organisations ~~after consultation with the Rabita Office in~~
~~Mauritius, designated through a transparent process approved by the Minister;~~

~~(2) — The Board may coopt 5 additional members who shall be chosen
from persons capable of helping in the advancement of the objects of the
Centre.~~

~~(f) one representative of a civil society organisation engaged in governance or
ethics, appointed by the Minister; and~~

~~(g) one observer from the National Audit Office without voting rights.~~

~~(2) Board members appointed under subsection (1)(a), (b), (e), and (f) shall be
appointed through an open, transparent process involving public advertisement and
interview by a selection committee.~~

~~(3) — A member of the Board appointed under subsection (1)(a), (b), (e), or (f) shall
hold office for a ~~period term~~ of 3 years ~~but and~~ shall be eligible for ~~re-appointment for
another period of 3 years, reappointment for one further term only.~~~~

Amended by [Act No. 1 of 1991]

~~6. — (4) No person shall serve more than two consecutive terms as a Board member.~~

6. Disqualifications from Board membership

~~(1) A person shall not be appointed or continue as a member of the Board if that person~~

~~=~~

~~(a) is an undischarged bankrupt;~~

~~(b) has been convicted of an offence involving fraud, dishonesty, or corruption,
whether in Mauritius or elsewhere;~~

~~(c) is a director, shareholder, employee, or consultant of any Hadj operator;~~

~~(d) has a direct or indirect pecuniary interest in any Hadj operator or related
business;~~

~~(e) is a public officer, except where appointed as a government representative
under section 5(1)(c) or (d);~~

(f) is of unsound mind;

(g) has been absent from three consecutive Board meetings without reasonable excuse; or

(h) has been disqualified from holding public office under any law.

Meetings of the Board

~~(1) The Board shall meet at such place and time as the Chairman may think fit or as may be requested in writing by not less than 3 members, not more than one of whom may be a co-opted member.~~

(2) Every person nominated for appointment to the Board shall undergo a criminal record check, bankruptcy search, and conflict of interest assessment.

(3) Any member who becomes subject to any disqualification under subsection (1) shall immediately cease to be a member and notify the Minister in writing.

(4) The Minister may remove a Board member from office on the ground of –

(a) misconduct or misbehaviour;

(b) inability to perform the functions of the office;

(c) breach of fiduciary duty;

(d) failure to declare a conflict of interest;

(e) conviction of a criminal offence;

(f) bankruptcy; or

(g) any disqualification under subsection (1).

(5) Before removing a member under subsection (4), the Minister shall give the member written notice of the grounds for removal, allow 14 days to make representations, and consider any representations made.

7. Meetings of the Board

~~—5(1) The Board shall meet at least once every two months.~~

(2) The Chairperson shall convene meetings and shall also convene a meeting upon written request of not fewer than four members.

(3) Seven members of the Board shall constitute a quorum, including the Chairperson or Deputy Chairperson and at least one technical member.

~~(3) — (4)~~ No member who has a direct or indirect pecuniary interest in any item on the agenda of the Board shall take part in the deliberations of the Board on that item. Such member shall disclose the interest, not vote, and withdraw from the meeting during consideration of the matter.

(5) The Board shall –

- (a) approve strategic plans and annual operational plans;
- (b) approve annual budgets and monitor financial performance;
- (c) review and approve the annual Hadj selection list before publication;
- (d) monitor the Digital Hadj Management System and approve system changes;
- (e) review quarterly operational reports from the CEO;
- (f) review the complaints register and appeals decisions quarterly;
- (g) conduct annual risk assessments;
- (h) review and approve policies for Hadj operator licensing;
- (i) evaluate CEO performance annually; and
- (j) ensure the Fund complies with all legal and regulatory requirements.

(6) The Board shall establish the following committees –

- (a) Audit and Risk Committee;
- (b) Ethics and Compliance Committee;
- (c) Information Technology and Security Committee;
- (d) Hadj Operations Committee; and
- (e) such other committees as the Board deems necessary.

(7) Minutes of all meetings shall be recorded, approved at the next meeting, signed by the Chairperson, and published on the Fund's website within 21 days, subject to redaction of commercially sensitive or personal information.

8.

~~7. — Appointment of Staff~~

Appointment of staff

(1) — ~~The Board shall appoint on such terms and conditions as may be determined a Director, through an open competitive recruitment process, a Chief Executive Officer~~ for the management of the Centre.

(2) — ~~A person shall not be appointed as CEO unless that person –~~

~~(a) holds a university degree in management, public administration, Islamic studies, or law;~~

~~(b) has at least 10 years of senior management experience;~~

~~(c) has no criminal record involving fraud, dishonesty, or corruption;~~

~~(d) has no conflict of interest with any Hadj operator; and~~

~~(e) passes a fit and proper person test.~~

(3) The ~~Director~~CEO shall be responsible for the execution of the policy of the Board and for control and management of the Centre.

~~(3) — (4)~~ In the exercise of his ~~or her~~ functions, the ~~Director~~CEO shall act in accordance with such directions as he ~~or she~~ may receive from the Board.

~~(4) — (5)~~ The CEO shall –

~~(a) implement the policies and decisions of the Board;~~

~~(b) manage the day-to-day operations of the Fund;~~

~~(c) ensure effective administration of the Hadj registration and selection process;~~

~~(d) prepare monthly operational reports for the Board covering registrations processed, selections made, complaints received and resolved, financial performance, system performance and security, and Hadj operator compliance;~~

~~(e) immediately report to the Board any suspected fraud or corruption, system security breaches, operator violations, or staff misconduct;~~

~~(f) maintain the integrity of the Hadj registration system;~~

~~(g) ensure compliance with this Act and regulations; and~~

~~(h) perform such other functions as the Board may direct.~~

(6) The Board shall conduct an annual performance review of the CEO against agreed key performance indicators.

(7) The Board may terminate the appointment of the CEO for misconduct, gross negligence, incompetence, poor performance, breach of fiduciary duty, criminal conviction, bankruptcy, or any disqualification that would apply to Board membership under section 6.

(8) The Board may appoint or employ, on such terms and conditions as the Board may determine, such staff as may be reasonably necessary for the purposes of or in connection with the discharge of its functions.

~~(5)~~—(9) Every member of the staff shall be under the administrative control of the CEO.

~~Director~~(10) All staff appointments shall be made through transparent, merit-based processes and every staff member shall undergo background checks before appointment, sign a Code of Conduct, declare any conflicts of interest annually, and undergo annual performance reviews.

9. Segregation of duties

(1) The Board shall ensure that the organizational structure of the Fund provides for clear segregation of duties.

(2) The Fund shall establish separate operational units for –

- (a) registration of pilgrims;
- (b) verification of eligibility;
- (c) selection of pilgrims;
- (d) visa processing;
- (e) quality assurance and compliance; and
- (f) complaints handling.

(3) No single staff member shall have responsibility for more than one of the functions listed in subsection (2).

(4) The following actions shall require dual authorization by two separate officers –

- (a) approval of selection lists;
- (b) issuance of visa documentation;
- (c) modifications to the Hadj registration database;

(d) financial transactions exceeding Rs 50,000; and

(e) refunds of Tannazul payments.

(5) Staff rotation between units shall occur at least every four years to prevent entrenchment and reduce fraud risk.

10. ~~=~~

~~8.~~ **Execution of documents**

(1) ~~—~~ No document shall be executed by or on behalf of the Fund unless it is signed by the Chairman and another member appointed by the Board or, in the absence of the Chairman, by 2 members appointed by the Board.

(2) ~~—~~ Every document signed in accordance with subsection (1) shall be deemed to be duly executed by or on behalf of the Fund.

9. ~~—~~

11. Powers of the Minister

(1) ~~—~~ The Minister may, in relation to the exercise by the Board of the powers of the Fund under this Act, after consultation with the Board, give such general directions to the Board, not inconsistent with the provisions of this ~~Bill~~ Act, as he or she considers necessary in the public interest and the Board shall comply with those directions.

(2) ~~—~~ The Board shall furnish to the Minister such returns or copies of such documents, including the minutes of proceedings of the Board, the accounts of the Fund and such other information with respect to the activities of the Fund, as the Minister may require.

(3) ~~—~~ The Minister may set up a committee which shall supervise, from time to time, the proper functioning of the Fund.

(4) ~~—~~ The Committee shall consist of ~~—~~

(a) ~~—~~ ~~The the~~ Permanent Secretary or his or her representative as Chairperson;

~~(b) — 3 public officers to be designated by the Minister, one of whom shall be an accountant;~~

~~(c) — 2 other persons conversant with the management of associations, to be appointed by the Minister on such terms and conditions as he may think fit.~~

~~(5) — (b) a representative of the Ministry responsible for finance;~~

~~(c) a representative of the National Audit Office;~~

~~(d) a representative of the National Computer Board;~~

~~(e) an information technology security expert;~~

~~(f) a legal expert in administrative law; and~~

~~(g) a representative of the Independent Commission Against Corruption.~~

~~(5) The Committee shall meet at least quarterly and shall review Board minutes and decisions, inspect operational reports, review complaints and appeals, conduct spot checks and inspections, test the integrity of the Digital Hadj Management System, review audit reports, assess compliance with this Act, identify systemic risks and deficiencies, and report to the Minister quarterly with recommendations.~~

~~(6) No person appointed by the Minister under subsection (4) shall be deemed to be a public officer by reason only of his or her appointment.~~

~~10. — (7) The Minister may at any time –~~

~~(a) conduct or commission investigations into the affairs of the Fund;~~

~~(b) require the production of any document or information;~~

~~(c) interview Board members, CEO, or staff;~~

~~(d) commission independent audits (financial, operational, or IT); and~~

~~(e) issue binding directives to remedy deficiencies.~~

~~(8) Where the Minister has reasonable grounds to believe that the Fund is insolvent, has engaged in serious misconduct or maladministration, is failing to perform its statutory functions, there is widespread fraud or corruption, or pilgrim interests are seriously at risk, the Minister may by notice in the Gazette –~~

~~(a) suspend the Board and CEO;~~

~~(b) appoint a judicial manager or administrator to manage the affairs of the Fund;~~

~~(c) freeze bank accounts pending investigation;~~

(d) suspend Hadj operations for the current year; or

(e) refer matters to the Independent Commission Against Corruption or the Police.

(9) Emergency measures under subsection (8) shall remain in force for such period as the Minister determines but shall not exceed 12 months unless extended by resolution of the National Assembly.

12. Accounts of the Fund

(1) — The Board shall on or about the ~~31st~~^{31st} of October in every year prepare a statement of accounts and balance sheet of the finances of the ~~fund~~^{Fund}.

(2) — The statement of accounts and balance sheet of the ~~fund~~^{Fund} shall be annually audited by the Director of Audit, who shall report on the accounts of the Fund to the Board.

~~(3) —~~ (3) In addition to the financial audit under subsection (2), the Fund shall commission –

(a) a biennial operational audit covering compliance, efficiency, risk management, and internal controls; and

(b) an annual IT security audit by a qualified information security firm covering system security controls, vulnerability management, data protection compliance, audit trail integrity, backup and recovery procedures, and user access management.

(4) The Board shall establish an internal audit function reporting to the Board's Audit and Risk Committee.

(5) The Board shall, as soon as practicable after the end of each financial year, furnish to the Minister a copy of the accounts duly audited together with the Director of Audit's ~~Audit's~~ report thereon: and all other audit reports commissioned under subsection (3).

~~(4) —~~ (6) The Minister shall, at the earliest available opportunity, lay a copy of the audited accounts together with ~~the report thereon~~^{all audit reports} before the National Assembly.

~~(5) — (7)~~ The treasurer of the Fund shall keep the accounts of the Fund which shall at all reasonable times be open for inspection by any person having an interest in the Fund.

~~(6) — (8) The Fund shall maintain a separate Hadj Fund Account for all Hadj-related revenues and expenditures, including Tannazul payments, and shall establish a Refund Reserve Fund equal to 20% of annual Tannazul collections to ensure availability of funds for pilgrim refunds.~~

~~(9)~~ The financial year of the Fund shall be the period starting on 1 July and ending on 30 June in the next year.

~~Amended by [Act No. 25 of 2004]~~

~~40A.~~

~~13. Digital Hadj Management System~~

~~(1) The Fund shall establish and maintain a Digital Hadj Management System for all Hadj-related functions.~~

~~(2) The Digital Hadj Management System shall provide –~~

- ~~(a) online registration portal accessible via website and mobile application;~~
- ~~(b) automated eligibility verification integrated with national databases;~~
- ~~(c) secure storage of all pilgrim records and documents;~~
- ~~(d) automated selection algorithm as required by section 15;~~
- ~~(e) online payment gateway for Tannazul and fees;~~
- ~~(f) operator management module for licensing and monitoring;~~
- ~~(g) complaints management system;~~
- ~~(h) reporting and analytics dashboard;~~
- ~~(i) public transparency portal; and~~
- ~~(j) integration with the Kingdom of Saudi Arabia's Nusuk Masar system.~~

~~(3) The Digital Hadj Management System shall incorporate –~~

- ~~(a) multi-factor authentication for all users;~~
- ~~(b) role-based access control with principle of least privilege;~~

- (c) individual user accounts with unique credentials and prohibition on credential sharing;
- (d) encryption of all data at rest and in transit using industry-standard protocols;
- (e) comprehensive, immutable audit trails of all system activities;
- (f) intrusion detection and prevention systems;
- (g) regular vulnerability scanning and penetration testing;
- (h) daily automated backups with off-site storage;
- (i) disaster recovery plan tested quarterly; and
- (j) compliance with ISO 27001 or equivalent information security standards.

(4) The Digital Hadj Management System shall be certified by the Government Online Centre or an independent certification body before deployment and shall be audited annually for security and compliance.

(5) The Fund shall procure the Digital Hadj Management System through open tender in accordance with the Public Procurement Act.

14. Data protection

(1) The Fund shall comply with the Data Protection Act in all aspects of data processing.

(2) The Fund shall publish a Privacy Policy on its website explaining what personal data is collected, purposes for which data is used, legal basis for processing, data retention periods, data subject rights, security measures in place, and data sharing practices.

(3) The Fund shall obtain explicit consent from pilgrims for data processing.

(4) Pilgrims shall have the right to access their personal data, rectify inaccurate data, erase data where permissible by law, restrict processing, data portability, and object to processing.

(5) The Fund shall not disclose pilgrim personal data to third parties except with explicit consent, to Hadj operators for operational purposes only, to the Kingdom of Saudi Arabia for visa processing, as required by law, or to law enforcement for legitimate investigations.

15. Hadj registration and selection

(1) Any person wishing to register as a prospective pilgrim shall submit an application through the Digital Hadj Management System.

(2) To be eligible for selection to perform Hadj, a person must –

(a) be a citizen or permanent resident of Mauritius;

(b) be at least 18 years of age;

(c) not have performed Hadj previously, except where the person is a male traveling as Mahram to a female first-time pilgrim, is traveling as a medical doctor or paramedic as part of the official Hadj mission, or is traveling in an official capacity as determined by the Board;

(d) be physically and mentally fit to undertake the pilgrimage;

(e) have no outstanding debts to the Fund; and

(f) meet such other criteria as may be prescribed.

(3) The selection of pilgrims for each Hadj shall be conducted using an automated algorithm based on registration date and time (earliest first), eligibility status, priority categories for persons above 65 years or with medical conditions that may worsen with delay, and quota allocated by the Kingdom of Saudi Arabia.

(4) The selection algorithm shall be transparent, auditable, operate without human intervention except as provided in subsection (5), generate a full audit trail, be tested and certified annually by an independent auditor, and be published on the Fund's website.

(5) Manual override of the automated selection shall be permitted only with written approval of the Board, for exceptional humanitarian reasons, with full documentation of reasons, and with the override recorded in an immutable log accessible to the Minister and the National Audit Office.

(6) The CEO shall present the provisional selection list to the Board for approval before publication.

(7) Upon Board approval, the Fund shall publish the complete selection list on its website, notify selected pilgrims via SMS, email, and registered mail, publish statistics including number selected, age distribution, and geographic distribution, and invite appeals within 14 days.

(8) The Fund shall publish on its website the total number of registered pilgrims, the current registration queue position, historical selection data, and estimated waiting times.

16. Tannazul payments and refunds

(1) Every selected pilgrim shall pay the prescribed Tannazul fee into the Hadj Fund Account within 30 days of notification through online payment gateway, bank transfer, or electronic payment methods at the Fund. No cash payments shall be accepted.

(2) Upon receipt of payment, the Fund shall issue an official receipt, a Hadj Confirmation Card with security features, information about licensed Hadj operators, and pre-departure guidance materials.

(3) Where a pilgrim is unable to perform Hadj after payment, the Fund shall refund the Tannazul within 30 days of written request.

(4) The transfer of Tannazul payments between pilgrims shall be prohibited except with written approval of the CEO in exceptional circumstances and with full audit trail.

17. Complaints and appeals

(1) The Board shall establish an independent Complaints Committee consisting of an independent Chairperson who is a Barrister, Attorney, or retired Judge, and two other independent members with relevant expertise.

(2) The Complaints Committee shall have jurisdiction to hear complaints regarding registration issues and rejections, selection irregularities, Hadj operator misconduct, staff misconduct, delays in refunds, data protection breaches, and any other grievance related to Hadj administration.

(3) Any person may lodge a complaint by completing an online complaint form, submitting a written complaint to the Fund, or appearing in person at the Fund's offices.

(4) Upon receipt of a complaint, the Fund shall acknowledge receipt within 48 hours, assign a unique reference number, conduct an initial investigation within 14 days, and refer the matter to the Complaints Committee if not resolved.

(5) The Complaints Committee shall conduct a hearing within 30 days, allow the complainant to make representations, allow the respondent to respond, consider all relevant evidence, and issue a written decision with reasons within 45 days of receipt of the complaint.

(6) The Committee may make binding orders including compensation to the complainant, specific performance of obligations, directions to the Fund to take corrective action, referral of matters for disciplinary action, and such other orders as may be just.

(7) Any person aggrieved by a decision of the Complaints Committee may appeal to the Minister within 14 days. The Minister shall decide appeals within 30 days.

(8) A further appeal on a point of law may be made to the Supreme Court within 28 days of the Minister's decision.

(9) The Complaints Committee shall maintain a register of all complaints and publish an anonymized summary quarterly on the Fund's website.

18. Annual Hadj Report

(1) The Fund shall prepare and submit to the Minister an Annual Hadj Report within 90 days after the conclusion of each Hadj pilgrimage.

(2) The Annual Hadj Report shall include statistical data on registrations, selections, and departures; demographic analysis of pilgrims; financial report on Tannazul collections, expenditures, and refunds; performance evaluation of licensed Hadj operators; summary of complaints received and resolutions; assessment of pilgrim satisfaction based on surveys; report on collaboration with the Kingdom of Saudi Arabia; system performance and security audit summary; challenges encountered and lessons learned; recommendations for improvement; and such other information as the Minister may require.

(3) The Minister shall table the Annual Hadj Report in the National Assembly within 60 days of receipt.

(4) The Fund shall publish the Annual Hadj Report on its website.

19. Licensing of Hadj operators

(1) No person shall operate as a Hadj operator without a valid license issued by the Fund.

(2) An application for a license shall be made to the Fund in the prescribed form and shall be accompanied by company registration documents, details of directors and shareholders, financial statements for the past 3 years, business plan for Hadj operations, insurance certificate, security or bank guarantee as required by section 20,

details of accommodation and transport arrangements, emergency response plan, customer service procedures, and the prescribed license fee.

(3) A license shall not be issued to an applicant if any director, shareholder holding more than 10% of shares, or key management person has been convicted of fraud or dishonesty, is an undischarged bankrupt, has been disqualified from acting as a director, has previously had a Hady operator license revoked, or has failed to pay taxes or other statutory obligations.

(4) A license shall be valid for 3 years and may be renewed subject to satisfactory performance review.

(5) Every license shall be subject to conditions including that the operator shall provide services in accordance with standards prescribed in section 21, maintain the prescribed security and insurance, submit quarterly reports to the Fund, not charge fees exceeding prescribed limits, refund payments to pilgrims in the event of cancellation within 14 days, cooperate with the Fund's monitoring activities, and not engage in fraudulent practices.

20. Security and insurance requirements

(1) Every Hady operator shall, before commencing operations for each Hady season, provide to the Fund a security or unconditional bank guarantee from an approved bank in the following amounts –

- (a) Rs 500,000 for up to 100 pilgrims;
- (b) Rs 1,000,000 for 101 to 200 pilgrims;
- (c) Rs 1,500,000 for 201 to 300 pilgrims; and
- (d) Rs 2,000,000 for more than 300 pilgrims.

(2) The security or bank guarantee shall be submitted at least 6 months before the Hady season, remain valid until 3 months after completion of Hady, be callable by the Fund without reference to the operator in the event of breach of license conditions, and be used for compensation to pilgrims or settlement of complaints.

(3) Every Hady operator shall maintain insurance coverage for public liability, professional indemnity, and pilgrim medical emergencies.

(4) Failure to provide the required security or insurance shall result in immediate suspension of the license.

21. Service standards and performance monitoring

(1) Every Hadj operator shall provide services meeting minimum standards including accommodation in minimum 4-star rated hotels with maximum 4 pilgrims per room and air-conditioned rooms with ensuite facilities; three halal meals per day prepared in hygienic conditions; air-conditioned coaches for all ground transport; multilingual guides and support staff available 24/7; medical assistance; and assistance with special needs and disabilities.

(2) The Fund shall implement a performance monitoring system including post-Hadj surveys of all pilgrims, on-site monitoring during Hadj by Fund officials, collection of complaints and compliments, and review of operator reports.

(3) Each operator shall be assigned a performance rating based on pilgrim satisfaction scores, compliance with service standards, quality of accommodation and services, responsiveness to complaints, financial transparency, and cooperation with the Fund.

(4) Performance ratings shall be published annually on the Fund's website.

(5) Quota allocation for the following year shall be influenced by performance ratings, with high-performing operators receiving increased quota and poor performers receiving reduced quota or no allocation.

22. Suspension and revocation of operator licenses

(1) The Fund may suspend a Hadj operator's license if the operator breaches any license condition, fails to maintain required security or insurance, complaints against the operator exceed prescribed thresholds, the operator provides false or misleading information, engages in fraudulent practices, becomes insolvent or bankrupt, any director becomes subject to disqualifications under section 19(3), or the Fund has reasonable grounds to believe pilgrims' interests are at risk.

(2) Before suspending a license, the Fund shall give the operator written notice of the grounds for suspension, allow 14 days to make representations, and consider any representations made.

(3) The Fund may revoke a license on any of the grounds in subsection (1) where the breach is serious or repeated.

(4) An operator whose license is suspended or revoked may appeal to the Minister within 14 days. The Minister's decision shall be final, subject to judicial review.

~~Notwithstanding any other enactment, no stamp duty or registration fee or duty shall be payable in respect of any document under which the Fund is the sole beneficiary.~~

~~Added by [Act No. 37 of 2000]~~

~~11.~~ **Service of process**

Service of process on the ~~Secretary of the Board~~ Chief Executive Officer at the registered office of the Fund shall be equivalent to service on the Fund.

~~12.~~ **24. Annual General Meeting**

A General Meeting of the Board shall be held once in every year not later than 3 months after the end of the financial year.

~~25.~~ **13. Donations and legacies**

Article 910 of the Code Napoléon shall not apply to the Fund.

~~14~~ **26. Exemption from duty**

~~Notwithstanding any other enactment, no stamp duty or registration fee or duty shall be payable in respect of any document under which the Fund is the sole beneficiary.~~

27. Regulations

(1) ~~—~~ The Board may, with the approval of the Minister, make such regulations as it thinks fit for the purposes of this Act.

(2) ~~—~~ Any regulations made under subsection (1) may provide ~~—~~

(a) ~~—~~ for the taking of fees and levying of charges; and

(b) ~~—~~ that any person who contravenes them shall commit an offence, and shall, on conviction, be liable to a fine not exceeding ~~40Rs 500,000 rupees~~ and to imprisonment for a term not exceeding ~~3 months~~ 2 years.

Repealed and replaced by [Act No. 37 of 2000]28. Offences - Fraud in Hadj registration

(1) A person commits an offence who –

- (a) provides false or misleading information in a Hadj registration application;
- (b) uses another person's registration number or identity;
- (c) registers under multiple identities;
- (d) tampers with registration records or documents;
- (e) creates fictitious registrations;
- (f) forges signatures on Hadj-related documents;
- (g) obtains a Hadj visa by deception or fraud; or
- (h) aids, abets, or conspires with another person to commit any of the above offences.

(2) A person who commits an offence under subsection (1) shall, on conviction, be liable to –

- (a) a fine of not less than Rs 500,000 and not more than Rs 2,000,000;
- (b) imprisonment for a term of not less than 2 years and not more than 5 years; or
- (c) both such fine and imprisonment.

(3) In addition to the penalties under subsection (2), the court may order restitution of any financial benefit obtained, disqualification from performing Hadj for 10 years, confiscation of any property obtained through the fraud, and payment of costs of investigation and prosecution.

29. Offences - Official misconduct

(1) A Board member, CEO, staff member, or any person employed by or contracted to the Fund commits an offence who –

- (a) abuses position for personal gain or the benefit of another;
- (b) accepts or solicits a bribe, gift, or other inducement;
- (c) deliberately issues a fraudulent Hadj visa or document;
- (d) tampers with the selection system or algorithm;

- (e) fails to report known fraud or suspected fraud;
- (f) destroys, conceals, or falsifies records;
- (g) discloses confidential information without authorization;
- (h) engages in nepotism or favoritism in Hadj allocations; or
- (i) breaches fiduciary duty to the Fund or pilgrims.

(2) A person who commits an offence under subsection (1) shall, on conviction, be liable to –

- (a) a fine of not less than Rs 1,000,000 and not more than Rs 5,000,000;
- (b) imprisonment for a term of not less than 5 years and not more than 10 years; or
- (c) both such fine and imprisonment.

(3) In addition to the penalties under subsection (2), the court may order disqualification from holding public office, confiscation of assets constituting proceeds of misconduct, restitution to affected persons, and payment of costs.

30. Offences - Operator offences

(1) A Hadj operator commits an offence who –

- (a) operates without a valid license;
- (b) fails to provide the required security or insurance;
- (c) facilitates fraudulent Hadj applications;
- (d) provides false or misleading information to the Fund;
- (e) fails to meet prescribed service standards causing harm to pilgrims;
- (f) fails to refund payments to pilgrims as required;
- (g) charges fees exceeding prescribed limits; or
- (h) breaches any other material license condition.

(2) A Hadj operator who commits an offence under subsection (1) shall, on conviction, be liable to –

- (a) in the case of an individual, a fine of not less than Rs 1,000,000 and not more than Rs 5,000,000 or imprisonment for a term not exceeding 7 years, or both; and

(b) in the case of a company, a fine of not less than Rs 2,000,000 and not more than Rs 10,000,000.

(3) In addition to the penalties under subsection (2), the court may order permanent revocation of the operator's license, disqualification of directors from managing Hadj operations for 10 years, dissolution of the company, compensation to affected pilgrims, and payment of costs.

(4) Where an offence under this section is committed by a company, and it is proved that the offence was committed with the consent or connivance of, or was attributable to neglect on the part of, any director, manager, secretary, or similar officer, that person as well as the company shall be guilty of the offence.

31. Transitional provisions

(1) The Islamic Cultural Centre Trust Fund established under the Islamic Cultural Centre Trust Fund Act 1989 shall continue in existence as the Fund under this Act.

(2) All assets, rights, liabilities, and obligations of the Fund immediately before the commencement of this Act shall continue to be assets, rights, liabilities, and obligations of the Fund under this Act.

(3) The Board of Trustees in office immediately before the commencement of this Act shall continue in office for a period not exceeding 6 months or until a new Board is constituted under section 5, whichever is earlier.

(4) The Director in office immediately before the commencement of this Act shall continue as Chief Executive Officer for a period not exceeding 12 months or until a new CEO is appointed under section 8, whichever is earlier, subject to satisfactory performance review by the Board.

(5) All staff employed by the Fund immediately before the commencement of this Act shall continue in employment on the same terms and conditions until such time as the Board reviews and revises employment terms in accordance with this Act.

(6) The Minister shall, within 6 months of commencement of this Act, establish a Hadj Governance Reform Task Force to conduct a comprehensive data integrity audit of all Hadj registration records, identify and nullify fraudulent registrations, notify all legitimate registrants of their verified status, develop implementation plans for the Digital Hadj Management System, draft necessary regulations under this Act, and report to the Minister with recommendations within 12 months.

(7) The Fund shall procure and implement the Digital Hadj Management System within 18 months of commencement of this Act.

(8) All existing Hadj operators shall apply for new licenses under section 19 within 6 months of commencement of this Act. Operators may continue operations pending determination of their applications, provided they comply with security and insurance requirements under section 20.

(9) All regulations, rules, and directions made under the Islamic Cultural Centre Trust Fund Act 1989 that are not inconsistent with this Act shall continue in force until revoked or replaced by regulations under this Act.

(10) The Islamic Cultural Centre Trust Fund Act 1989 is repealed.