

## THE CORPORATE SOCIAL RESPONSIBILITY: LEGISLATIVE PROVISION IN MAURITIUS

Ambareen Beebeejaun<sup>1</sup>

<sup>1</sup>(Department of Law, Faculty of Law and Management, University of Mauritius, Reduit, Mauritius)

---

**Abstract:** *The concept of corporate social responsibility (CSR) has been the subject of long-standing debate amongst scholars who have differing views on whether or not companies need to expend capital that rightly belongs to shareholders to address concerns relating to society and the environment. Too often, business enterprises have viewed CSR as just another source of pressure and in this light, the box-ticking approach is adopted without really addressing the concerns which the CSR contributions are geared to remedy. In this light, Mauritius has enacted legislative provisions on CSR in 2016 to include some priority areas of intervention towards which CSR funds will be utilised. The amended legislation has also come up with a new system of CSR funds collection which this paper aims to analyse in-depth with a view to identify loopholes in the present system and to suggest possible recommendations. The methodologies adopted for the study are the black letter approach by analysing laws and regulations on CSR, and the socio-legal analysis by conducting interviews with the directors of the top fifteen companies on the official list of the Stock Exchange of Mauritius as at 31<sup>st</sup> March 2017. A brief comparative study is also carried out on the CSR governance framework of another country and the selected jurisdiction is the US. The research concludes that there is a lack of confidence and transparency among stakeholders regarding the manner in which CSR funds are allocated and used in Mauritius. This study is amongst the limited researches carried out on CSR in Mauritius and may be of use to government and other authorities to enhance the existing CSR legislative framework in the country.*

**Keywords:** CSR in Mauritius, CSR and priority areas, focus areas of CSR, Amendments to the income tax act of Mauritius, National CSR Foundation in Mauritius

**Research Area:** Corporate Social Responsibility

**Paper Type:** Research Paper

---

### 1. INTRODUCTION

The concept of corporate social responsibility (CSR) has been the subject of long-standing debate amongst scholars who have differing views on whether or not companies need to expend capital that rightly belongs to shareholders to address concerns relating to society and the environment. Jamali (2008) argues that corporate scandals and failures have redirected attention to issues such as good governance, ethics, trust and accountability. Coming to the definition of CSR, Grafstrom et al (2008) identified that over the past three decades, the term has been extensively debated by companies and amongst scholars, but common consensus provides that CSR aims to ensure corporate responsibility towards the community by fulfilling obligations to broader society and being responsible for actions to the society at large. Corporates have started recognising that their activities have both direct and indirect impacts on the environment and the society, and therefore, CSR may be termed as an umbrella concept that encapsulates the various terms that are used to explain the practice by which corporates are encouraged to promote ethics, fairness, transparency and accountability in dealings.

CSR's history in Mauritius traces back to the idea of philanthropic gestures practiced by corporates that are characterised by informal activities which contribute to or support social and community-related activities, unrelated to business operations and strategy (Mauritius Employers Federation, 2006). However, global economic, a financial crisis such as the great recession of 2008 and corporate crashes like the Maxwell Publishing Empire, Enron and WorldCom have prompted the intervention of government in the operation of the business sector across the globe. Similarly, in Mauritius, to increase the awareness of the impacts of business activities on the community and the environment, the Government had in 2011 brought amendments to the Income Tax Act of 2005 to make it compulsory for corporates incorporated or registered in Mauritius to set up a CSR Fund equivalent to 2% of their book profits to set up or finance programmes that contribute to the social and environmental development of the country.

The aim of this paper is to critically analyse the need to identify priority areas for CSR contributions and this purpose, the research primarily focuses on the evolution of Mauritius legislative provisions on CSR. Another objective of this study is to identify the loopholes in the present legislation on the subject matter and to suggest possible improvements. In a nutshell, evaluating the CSR measures in support of the vulnerable groups is the backbone of the research. To achieve these research objectives, this paper has adopted the black-letter approach, the socio-legal analysis and a brief comparative study is also conducted on the CSR governance framework of another country which is the US. This country is selected because of the high level of compliance with CSR by its corporate bodies despite the absence of CSR formal rules in the country (Jentsh, 2018) and hence, it is worth to analyse the CSR framework and level of support in the US.

## **2. APPROACH AND METHODOLOGY**

For the purpose of this paper, the methodologies adopted for the study are the black letter approach and socio-legal analysis. Through the black letter analysis, CSR provisions in the relevant legislation of Mauritius, recent literature including scholar articles and budget speeches on the evolution of CSR are examined. The black letter approach sets out the basic legal principles that are accepted by all or the majority of practitioners and scholars as being rigid rules which somehow brings consistency to a particular field of law. However, since the black letter method omits to investigate on the relevance, origin or context of the law, the socio-legal research methodology is adopted to obtain empirical knowledge and an understanding of how CSR legislative provisions impact on the parties involved.

The socio-legal approach is an interdisciplinary study that tries to make the link between law and the relationship between people and the wider society. For this purpose, interviews have been carried out with the directors of the top fifteen companies on the official list of the Stock Exchange of Mauritius as at 31<sup>st</sup> March 2017. However, some difficulties have been faced in this process mainly because of the reluctance of some directors to opine on the legal provisions on CSR since firstly it is a newly implemented provision and secondly, there is the fear of criticising the governmental authority who has come up with legislating the priority areas of intervention. In addition, the key executives of the top companies are not easily available due to work commitments, and to tackle the availability issue, some interviews have been conducted via skype and through telephonic conversations.

## **3. THE CORE CONCEPTS OF CSR**

Back in the year 1969, Henry Ford II uttered the following statement that led to other businessmen ponder on the impacts of their business dealings,

*“The terms of contract between industry and society are changing... Now we are being asked to serve a wider range of human values and to accept an obligation to members of the public with whom we have no commercial transaction.”*

Ally (2013) argues that Henry Ford’s statement refers to the dependence by corporations on the society and their surrounding communities at large to ensure the existence and sustainability of business activities. In other words, the link between the external community, the environment and the internal economic motivation of a company are all three areas of concerns of CSR. During the 1970s, it has been noted that CSR is mostly viewed as an obligation to work for social betterment (Frederick, 1994), while during the 1980s, CSR is viewed as a means to the return of an ethical or moral basis of informing managerial action (Moir, 2001). Nowadays, we are witnessing that the issue is currently to focus on the “how” and not on the “why” as it was a long time back. The focus of most research today is on the lengths that corporations can go to for their actions to be considered socially responsible in order to be a successful business (Ally, 2013).

For the moment, there is no agreed worldwide consensus on the definition of CSR although several scholars have attempted to define CSR since its conception. The European Commission (2001) regards the voluntary contribution by corporations that is used for the betterment of the society and the environment as CSR while Mikalsen (2014) advocates that CSR is viewed in a broader perspective by referring to the definition provided by the World Business Council on Sustainable Development which states that CSR is the continuing commitment by business to contribute to the economic development while improving the quality of life of the workforce and their families as well as of the community and society at large. Mikalsen (2014) further categorises the term into internal and external CSR in that the internal side deals with labour rights of employees and other ways to improve the company from within, while the external side of CSR is more focused on how the company affects its surroundings, the local community and society as a whole. While there is no predefined set of principles or definition of CSR, one has to bear in mind that this concept is constantly evolving with the changes in society and markets and the measures that will fall under the term ‘CSR’ will continue to evolve. Viewed from this perspective, there is a risk that any activity having a philanthropic object may be termed as CSR. In this respect, there has become a dire need to regulate the measures that would qualify under CSR programmes especially in countries where the legislator has chosen to enact laws to influence the amount of CSR work that is being done by corporations.

## **4. CSR IN MAURITIUS**

### *4.1 CSR Legislative Framework in Mauritius*

Up to date, there is no formal legislative definition of CSR although the concept was introduced in the Income Tax Act in 2009. However, the new code of corporate governance 2016 (**Code**) which has been launched in February 2017 and effective as from the 1<sup>st</sup> of July 2017 has described CSR as the concept whereby companies act to balance their own economic growth with the sustainable social and environmental development of the country. The code further advances that a company performing highly in CSR is one that goes beyond compliance with the legal framework to actively pursue positive impacts on local communities and the environment.

In Mauritius, all companies incorporated under the Mauritius Companies Act 2001, foundations established under the Foundations Act of 2012 and trusts established under the Mauritius Trusts Act 2001 have to pay the CSR charge, exceptions are made for those vehicles that hold global business licences under the Financial Services Act 2007 or IRS

companies under the Investment Promotion (Real Estate Development Scheme) Regulations 2007. The first inclusion of a legislative framework of CSR dates back to 2009 when amendments were made to the Income Tax Act to the effect that companies were required to devote 2% of their profits for carrying out CSR activities under programmes approved by the Minister of Finance and Economic Development as per published guidelines. The money is to be kept in a CSR fund at the level of each corporation and it was noted that as a matter of practice, approval was given to all programmes having a minimum philanthropic object that is considered to be beneficial to the society (Budget Speech, 2016). Consequently, businesses had started to implement programmes that serve for dual purposes, one for the object of catering for the environment or community but at the same time, the programmes were a means to avoid paying taxes and hence, there has been a proliferation of all types of organisations and clubs just to benefit from CSR funds without really tackling the issues of social ills and environmental concerns.

In 2010, the government had reviewed the utilisation of CSR funds with the aim to focus on the most urgent problems to maximize the social benefits and ensure national coverage. Businesses were then required to submit 50% of their CSR resources to three national programmes as per published guidelines which are for social housing, the welfare of children and eradication of absolute poverty. However, due to the criticisms faced by this new policy for limiting the choice of business enterprises to use their CSR funds accordingly, and the concerns faced by NGOs to access funds under the CSR programmes of companies, the law was changed in 2015 to remove all CSR guidelines and hence, corporates were allowed to use their CSR funds according to their own CSR framework. The establishment of the “CSR framework” was left to the sole discretion of the board of the relevant companies and any NGO having a minimum philanthropic object could easily access to CSR funds. Alternatively, if no CSR programme is established by a business, then the equivalent amount of 2% of book profit had to be remitted to the MRA that in turn channel the money to a consolidated fund which is managed by the government for providing financial support to non-governmental organisations.

Yet, numerous concerns were raised by the civil society in that there have been many instances where the CSR funds were not directed to the support of vulnerable groups. Further concerns related to the operation of the CSR system were the lack of transparency in the allocation of CSR funds as well as inappropriate monitoring and evaluation of CSR programmes by companies, and the difficulties faced by some NGOs in access to finance from the consolidated fund. In 2016, legislative amendments were brought such that businesses are now required to contribute through the MRA at least 50% of their CSR Fund for the period January to December 2017, and the rate of 75% of their respective CSR Fund as from January 2018. The recent budget of 2017-2018 has reverted the rate of 75% to 50% for one additional year until 2017 in order to give time to corporations to adjust any contribution which they have to make to their own existing CSR framework. The MRA acts as an agent to remit the sum to a new body set up under the aegis of the Ministry of Social Integration and Economic Empowerment under the name of National CSR Foundation that will in turn have the responsibility to allocate the CSR Funds collected into programmes that fit in six priority areas identified by government which are referred to in Part A of the Tenth Schedule of the Income Tax Act, namely poverty alleviation, educational support, social housing, support to disables, health problems resulting from poor sanitation and poor sanitation, and family protection. Part B of the said schedule explicitly exempts a list of activities that have the objectives of promoting discrimination, social unrest, pursuing personal interests of shareholders or other officers of the corporation, trade unions, staff

welfare and marketing activities to qualify under the CSR as understood by the Income Tax Act. Businesses are then free to use the remaining amount in the CSR Fund as per their own CSR framework until 2019, and after that year, the remaining fund is to be used to implement programmes or to finance NGOs that have the object of intervening in the priority areas set out in the Income Tax Act. It is to be noted that the amended Act does not give any further detail on the focus areas of intervention.

To the use of the remaining CSR funds, it is common practice in Mauritius for companies to donate the remaining amount after contribution to the MRA to new and existing organisations rather than to establish their CSR projects which can be costly and time-consuming. For example, Indian Oil (Mauritius) Ltd has for the year 2018/2019 donated over MUR 1 Million to existing non-governmental organisations such as Global Rainbow Foundation, Link to Life and Caritas and around MUR 645,000 to new organisations like Solaris, Special Education Needs and APSA. Likewise, Ciel (Mauritius) Ltd has donated MUR 5 Million in the year 2018/2019 to SOS Village and Amnesty International Mauritius, which are both accredited bodies by the National CSR Foundations and thus entitled to receive CSR funds.

#### *4.2 CSR Studies in Mauritius*

Amongst the few literatures on CSR in Mauritius, the study conducted by Gokulsing (2011) has assessed the rationale behind CSR activities in the country and how the CSR programmes were contributing to business objectives of companies. The research also assessed the relationship between business and poverty reduction and also the successes and failures of CSR initiatives. The author conducted in-depth interviews with stakeholders from the private sector and some non-governmental organisations in Mauritius. The findings showed that CSR was not embedded in corporate culture and was used as a window-dressing for the gallery as a sideshow since it was a trendy issue and everybody was doing this alongside with wide media coverage. In this respect, Gokulsing (2011) recommended for concerted effort to be undertaken at the private sector level, in the civil society and at the governmental level to achieve sustainable development.

In addition, Ramdhony and Oogarah (2012) have investigated the motivations for CSR reporting and proposed solutions to enhance comparability of CSR disclosures. The study involved a survey questionnaire responded by some 300 randomly selected qualified accountants and the results demonstrated that the main reason for reporting CSR in Mauritius is reputation management followed by the need to comply with the Code of Corporate Governance. Also, the respondents deplored the limited guidelines and the absence of sanctions for not reporting CSR as per the Code and as such, the research recommended that CSR monitoring and reporting disclosure needed to be made in annual reports to fulfil the primary purpose of disseminating information to various stakeholders.

Furthermore, closely linked to reporting requirements is the study conducted by Bissoon (2018) that sought to ascertain the level of CSR reporting of a top multinational hotel group in Mauritius by using content analysis based on annual reports. This project aimed to explore the possibility of using the legitimacy theory as a plausible explanation for CSR reporting practices by multinational hotel groups in the context of a developing country. The legitimacy theory suggests that there is a social contract between business and society since society is allowed to allow companies to exist and have rights, and in return, society expects businesses to fulfill its expectation about how their operations should be conducted. The study analysed the annual reports of 6 hotel groups and it was found that disclosures tend to have a public-relations bias, with “good news” type of disclosures being mostly dominant



while “bad news” disclosures tend to be minimal. The conclusions of this research provided for some support to the legitimacy theory in explaining CSR disclosures.

While the above-mentioned studies tend to be focused on some particular aspects of CSR, there is limited research conducted on the efficiency of the updated legislative provisions in the Mauritius Income Tax Act, whereby the legislator has introduced the priority areas of intervention and made it compulsory for companies to invest their CSR funds in projects that fit in these areas. Consequently, to address this research gap, this paper has conducted in-depth interviews with directors of listed companies on the Stock Exchange of Mauritius and a brief comparative study with some other countries’ framework on CSR has also been conducted with the view of seeking recommendations to address the loopholes in the Mauritius legal framework on CSR.

## 5. CSR IN THE US

To assess the efficiency of Mauritius CSR legislative framework, it is imperative to analyse the governance framework of another country and for this purpose, the US is chosen. This country is selected mainly due to the soft law nature on CSR, the extensive guidance provided to companies by the US authorities in matters of CSR and the high level of compliance with CSR by corporate bodies in the country despite the absence of a hard law on CSR.

In the US, CSR is a form of soft law since it is not a requirement by any US statute or regulation. However, CSR is seen as obligatory by most corporations due to consumer expectations and internal norms. Consequently, several agencies of the US government are employing CSR programs that are intended to guide the corporate bodies on some common CSR policies such as reduction of carbon emission to protect the environment, improvement of labour conditions, prevention of human rights abuses, the establishment of fair trade policies amongst others. Even though there is no corrective action for failure to engage in CSR activities, the US has witnessed a rise in environmental disclosure by companies by publishing annual sustainability reports. For instance, in 2017, 85% of companies in the S&P 500 Index publish CSR reports and this represents a rise of 50% from the year 2011 (George, 2019).

In practice, US companies have the luxury of defining and interpreting their view of responsible business within the context of their own company. Indeed, this implies that US companies are able to measure and promote activities with greater freedom than their international counterparts who are bound by mandatory laws on CSR. In this respect, the CSR team in the Bureau of Economic and Business Affairs (EB) helps in guiding these corporate bodies and promotes responsible and ethical business practices. The EB helps in partnering businesses with NGOs and other members of civil society looking to have a positive impact. It also helps businesses adhere to multinational business conduct guidelines like the Organisation for Economic Cooperation and Development Guidelines for Multinational Enterprises.

Hence, with the supportive guidance from the US government and the increased importance attached to enterprises that are socially responsible by consumers, the US has been able to demonstrate a high level of compliance with CSR. In other words, rather than simply a box-ticking approach, US companies are indulging in activities on a purely voluntary basis intending to prove that they cater for other stakeholders apart from their businesses. Additionally, the concerted efforts by the EB and corporations are helping businesses to operate in a socially responsible environment which is vital to ensure long term sustainability.

## 6. ANALYSIS AND FINDINGS

As seen, the amended Income Tax Act of Mauritius limits the choice of business enterprises to use part of their profits for charitable purposes. However, the fact that CSR covers a wide range of stakeholders and the lack of global consensus on the definition of the term “CSR”, make it impossible to satisfy all stakeholders concerned. Initially, the lack of proper areas of intervention in the legislative provisions of CSR had resulted in corporations interpreting and implementing CSR the way as they please. CSR was left out to “voluntary measures” without any specific focus (Sithanen, 2007). To this end, cultural activities, staff welfare and self-financing activities were also often termed as forming part of CSR programmes. Besides, when corporations implement CSR, it is usually for free publicity or some kind of indirect benefit towards the well-being of their business (Ally, 2013). Allen (2011) argues that CSR is becoming ubiquitous and consequently, on one hand, it proves its value and increased importance or acknowledgement in the corporate arena, while on the other hand, it is getting harder to distinguish one company’s efforts from the other. As put forward by Das (1995), it is not that companies do not spend on CSR activities, it is just that nothing is visible on the ground because the efforts and spending are scattered.

Viewed from this perspective, CSR leaders have started to notice that people are capable of effectively addressing and focusing only on specific objectives (Allen, 2011). There is also a significant risk that without proper direction and definition of CSR areas, business owners may not base their opinions on facts pertaining to a situation, but rather base them on emotions, values or principles which are another irreconcilable suggesting that there may be no good way to satisfy all stakeholders (Walden, 2007). To avoid such a subjective approach and to streamline the process, the government of Mauritius has come up with a set of priority areas of intervention to ensure greater transparency and better outcomes in the implementation of CSR programmes. Such programmes in priority areas will not only empower or broaden opportunities for the less advantaged people but will also give a helping hand to the government to contribute towards the development of the economy as a whole.

To better dive in the subject, the local opinions of CSR contributors have been thought on the amended provisions of the Income Tax Act setting out the focus areas of CSR interventions. A survey has been conducted amongst the top fifteen companies listed on the Official Market of the Stock Exchange of Mauritius whose chief executive officers or executive directors have been interviewed with both open-ended and closed-ended questions. Ninety percent (90%) of the interviewees believe that government intervention in areas of CSR needs to kept a minimum level and that prioritising certain areas has limited the choice of the private sector to engage in other types of activities which may be beneficial to the society as a whole. Eighty percent (80%) of the respondents have shown concerns about the functioning of the National CSR Foundation and with respect to the way in which CSR funds allocated to the said body will be utilised. Some have advanced the argument that since the National CSR Foundation is a governmental institution, there is a risk that there will be no proper continuity of actions once a new political party will be elected in the following national elections. One particular director is of the view that because the government has failed to cater for the vulnerable groups which were provided for under their electoral campaigns prior to the elections, the legislators have devised a mechanism to force the private sector to assist them to fulfil their promises to the population by including priority areas for CSR in the Income Tax Act. Seventy percent (70%) of the respondents believe that the future of CSR in Mauritius is bleak and is subject to discriminatory practices and the whims and caprices of the government in force while the benefits derived by the vulnerable groups are yet to be assessed. Concerning the question as to whether the existing CSR laws

and framework require amendments, all of the respondents gave an affirmative response and some directors have suggested that CSR cannot be applied to all types of companies, for instance, imposing CSR payments on Small and Medium Enterprises (SMEs) may not be a good idea if the government would want to stimulate an entrepreneurial culture. Others have suggested that a more sensible approach needs to be taken by the government to provide for a flexible framework which allows businesses to make a start in one or more of the core CSR pillars directly rather than the National CSR Foundation taking that decision for allocation of funds on their behalf.

Furthermore, following the analysis of the CSR governance framework in the US, it is seen that the country has adopted the culture of conducting socially responsible businesses by providing the appropriate guidance by governmental agencies and by inculcating the belief that socially responsible business is imperative for the long term sustainability of any country. The increased CSR compliance is therefore demonstrated by the high level of environmental sustainability reporting in the annual report of companies (George, 2018). To this effect, one may enquire on the efficiency of having mandatory CSR laws or should CSR be rather a soft law.

## **7. RECOMMENDATIONS AND CONCLUSIONS**

While imposing mandatory measures for the setting up or financing of CSR programmes, one should not forget the main aim behind CSR legislative provisions being the driver of social or environmental change in a positive manner. In some cases, CSR is merely being used as window-dressing (Gokulsing 2011) or as box-ticking method to comply with the law or to attract media attention. For CSR to be the national development tool, it is important that coordinated and concerted efforts to be undertaken amongst various stakeholders concerned to achieve meaningful change and sustainable development. In this light, merely identifying social priorities for community investment is not enough and it is often noticed that such areas are established as per the governmental agenda of the political party in force. Even if that is the case, the sharing of such responsibility with the corporate world is not harmful as long as the priority areas are indeed reasonable subject matters that have to be addressed. However, leadership comes from providing employees, customers and external stakeholders with a significant depth of information about the social issue. This can be done through credible research, white papers, videos, stories, social media and/or social networks. For instance, IBM's Smarter Planet programmes have been able to come up with sophisticated projects being supplied by volunteers further to their huge sensitisation campaigns setting out the importance for sustainability practices. It is only with the concerted efforts and collaboration of all the private sector, the civil society, people with the relevant expertise and the government that CSR programmes will achieve the purposes for which the CSR provisions have been legislated.

It is to be noted that the 2016 amendments to the Income Tax Act of Mauritius have come up with the establishment of a National CSR Foundation that is in operation as from January 2017. As elaborated above, the MRA has the responsibility to remit to the National CSR Foundation any amount of unspent CSR fund established by business enterprises. The said foundation will, in turn, allocate the monies into activities that support projects that fit in the six identified priority areas of the government. However, since the foundation has recently been established, it is expected that management issues crop up which may hinder its proper functioning. For instance, the foundation's charter which is to set out the main mandate is yet to be established (Maurice Info, 2017) even though CSR funds are already being transferred to the bank account of the National CSR Foundation through the MRA. Critics are expected to attack the composition of the foundation as well. The budget speech



2016/2017 has proposed that the foundation falls under the aegis of the Ministry of Social Integration and Economic Empowerment, and shall be comprised of representatives from the Prime Minister's Office, Ministry of Finance and Economic Development, Ministry of Social Integration and Economic Empowerment, Ministry of Social Security, two representatives of each the private sector, civil society and the academia. In total, four representatives of the government have been appointed as council members and this threatens the independent functioning of the foundation. Since the government has already shown its commitment to driving social change by bringing forward priority areas in the form of amendments to the Income Tax Act, there should be no government interference at the level of management. The board or council of the foundation should be comprised only of representatives of the private sector, experts in the relevant field of philanthropic identification areas, NGOs and academia, since it is the same board that has the onus of granting CSR contributions to programmes. In this pursuit, to avoid bias, conflict of interest or to prevent favouritism to particular parties, the board should be free to manage and allocate CSR funds remitted to the foundation in an independent manner, but the accountability needs to remain with the Ministry of Social Integration and Economic Empowerment either through regular meetings or reports for the Ministry to keep abreast of the uses of the funds. In other words, the monitoring function should remain with the Ministry while the managerial functions should be kept at the level of the board. This could be achieved by establishing a dual or two-tier board at the level of the National CSR Foundation.

Besides, to build or boost the private sector's confidence in this new system of CSR funds' allocation, it is suggested that reports elaborating on the use of CSR funds be made publicly available and this will, in turn, motivate business enterprises to invest more than the mandatory amount required by law in CSR projects. Also, as elaborated above, the National CSR Foundation will have to play an active role in sensitising people on the need to devote resources and energy towards the programmes that it will approve such that business enterprises can bring forward voluntary contributions in addition to the compulsory CSR payments. However, it is still important to inculcate the "sustainability thinking" into business processes to make enterprises consider the social and environmental impacts of their activities, otherwise, the CSR legislative provisions will be again a box-ticking approach. Education for CSR could help to accelerate the process, for example, it could be included in entrepreneurial education or integrated in economic studies, as well as the development of job roles such as CSR consultants or counsellors would also be beneficial (Stockholm Report on CSR, 2013).

Having scrutinised the recent amendments in CSR provisions of the Income Tax Act and the opinions of some local stakeholders, it has been found that there is a dire need to regulate the manner in which the National CSR Foundation is or will function to ensure greater transparency as well as accountability to CSR contributors. It has been suggested that management of the CSR funds and accountability should be kept as separate functions and to avoid bias, government involvement needs to be kept at a minimum in the functioning of the National CSR Foundation. In addition, legislating priority areas limits the choice of the private sector to engage in community activities, therefore, it is also recommended that the list of focus areas of intervention be widened to also include activities that are beneficial to the public in general. To conclude, identifying priority areas of intervention is not enough to cure social and environmental ills of business activities, imbibing the culture of sustainability reporting in business minds is, therefore, necessary to ensure long term continuity of actions.

## REFERENCES

- Allen, F. (2011). “The five elements of the best CSR programs” [Online]. Available from <https://www.forbes.com/sites/csr/2011/04/26/the-five-elements-of-the-best-csr-programs/#15e93dd84bd5> [Accessed on 11 April 2017].
- Ally, S. (2013). “Corporate Social Responsibility: Practices, Trends and Developments” [Online]. Available from [https://open.uct.ac.za/bitstream/handle/11427/4659/thesis\\_law\\_2013\\_ally\\_shamaara.pdf?sequence=1](https://open.uct.ac.za/bitstream/handle/11427/4659/thesis_law_2013_ally_shamaara.pdf?sequence=1). [Accessed on 11 April 2017].
- Das, R. (2015). “Jharkhan government identified priority areas for CSR” [Online]. Available from <http://timesofindia.indiatimes.com/city/ranchi/Jharkhand-government-identifies-priority-areas-for-CSR/articleshow/47210165.cms> [Accessed on 2 May 2017].
- Frederick, W. C. (1994). “From CSR1 to CSR2: The maturing of business and society thought”. *Business and Society*, Vol. 33, pp. 23-30.
- George, E. (2019). “Can CSR be legally enforced?” [Online]. Available from <https://www.forbes.com/sites/uhenergy/2019/10/11/can-corporate-social-responsibility-be-legally-enforced/#1563384d3d44> [Accessed on 17 March 2020].
- Gokulsing, R. D. (2011). “CSR matters in the development of Mauritius”. *Social Responsibility Journal*. Vol. 7, No. 2, pp. 218-233.
- Grafstrom, M., Gothberg, P., and Windell, K. (2008). “*CSR: Foretagsansvar I forandring, Malmo*”. Denmark: Liber AB publications.
- Jamali, D et al. (2008). “Corporate Governance and Corporate Social Responsibility Synergies and Interrelationships”. [Online]. Available from [http://www.eurocert.org.uk/Files/Posts/Portal1/34767627\\_4.pdf](http://www.eurocert.org.uk/Files/Posts/Portal1/34767627_4.pdf) [Accessed on 10 April 2017].
- Jentsh, V. 2018. ‘CSR and the law: International Standards, Regulatory Theory’. Available at [https://cadmus.eui.eu/bitstream/handle/1814/59084/MWP\\_WP\\_Jentsch\\_2018\\_05.pdf?sequence=1&isAllowed=y](https://cadmus.eui.eu/bitstream/handle/1814/59084/MWP_WP_Jentsch_2018_05.pdf?sequence=1&isAllowed=y) [Accessed on 16 March 2020].
- Mauritius Employers Federation. (2006). “Survey report on the practical implementation of CSR” [Online]. Available from <http://www.orange.mu/Magic/CSR.pdf> [Accessed on 10 April 2017].
- Maurice Info. (2017). “First meeting of the national CSR foundation” [Online]. Available from <http://www.maurice-info.mu/first-meeting-of-the-national-csr-foundation.html> [Accessed on 11 April 2017].
- Mikalsen, M.F. (2014). “CSR: A global comparative analysis” [Online]. Available from <http://munin.uit.no/bitstream/handle/10037/7160/thesis.pdf;sequence=2> [Accessed on 2 May 2017].
- Moir, L. (2001). “What do we mean by CSR?, Corporate Governance”. *African Journal of Legal Studies*. Vol. 3, Issue 6, pp. 65-75.
- Ramdhony, D. and Oogarah, V. (2012). “Improving CSR Reporting in Mauritius”. *World Journal of Social Sciences*. Vol. 2, No. 4, pp. 195-207.
- Sithanen, R. (2007). “Consolidating the transition and securing full employment – Budget speech 2007-2008” [Online]. Available from

<http://mof.govmu.org/English/Pages/Past%20Budgets%20Documents/2007-2008/Budget-Speech.aspx> [Accessed on 11 April 2017].

Stock Exchange of Mauritius. (2017). "Official Market – classification of companies in official market" [Online]. Available from <http://www.stockexchangeofmauritius.com/downloads/OFF%20TOP%2010.pdf> [Accessed on 2 May 2017].

Stockholm. (2013). "Peer Review on Corporate Social Responsibility" [Online]. Available from [ec.europa.eu/social/BlobServlet?docId=11475&langId=en](http://ec.europa.eu/social/BlobServlet?docId=11475&langId=en) [Accessed on 5 May 2017].

Walden, M. (2007). *"Business and Economics, Battleground Business"*. UK: Greenwood Publishing Group.