GOAL PROJECTS 2 & 3 - ALLEGED ILLEGAL FINANCIAL TRANSACTIONS

(No. B/492) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the allegation of illegal financial transactions, in relation to funds allocated by FIFA for the Goal Projects 2 and 3, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand in regard to the inquiry carried out thereinto.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that on 30 July 2012, Mr B. M., the Secretary of Managing Committee of the Mauritius Football Association reported a case of “Alleged Embezzlement” to the CCID against Mr A. V., Administrative Secretary of the MFA. The latter is accused of having allegedly embezzled a sum of Rs450,000 during the implementation of Goal Projects II and III which were financed by FIFA.

I am informed that on 09 August 2012, the Mauritius Football Association suspended Mr A.V. until further notice.

During the course of the enquiry, Police have recorded statements from twelve persons. The case file was referred to the Director of Public Prosecutions for advice. On 10 June, the Director of Public Prosecutions has requested the Police to probe further on certain aspects of the enquiry.

Mr Quirin: M. le président, l’honorable Premier ministre peut-il nous dire quelles sont les personnes qui ont été interrogées par la CCID dans le cas de cette affaire?

The Prime Minister: It would not be right to mention the names, but 12 persons have been interviewed.

Mr Quirin: M. le président, l’honorable Premier ministre peut-il indiquer à la Chambre qui est le principal enquêteur dans cette affaire?

Mr Speaker: It’s better not to mention names.

The Prime Minister: That is for the administration of the Police, it is not me who chooses who will enquire into what.

Mr Speaker: It is not safe. Next question, hon. Baloomoody!
HAMILTON COLLEGE – ALLEGED PAEDOPHILIA

(No. B/493) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the recent arrest of one Mr A. A., following an alleged case of paedophilia at the Hamilton College, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry carried out thereinto, indicating -

(a) if Mr A. A., had previously been involved in any sexual offence and, if so, indicate where matters stand as to the inquiry carried out thereinto, and

(b) if the victims are being harassed and, if so, the measures being taken, if any, for their protection.

The Prime Minister: Mr Speaker, Sir, following a statement made on 25 May 2013 at the Blue Bay Police Station by a student aged 11 years, accompanied by her mother and a representative of the Child Development Unit, Police started an inquiry which led to the arrest of Mr. A. A. on the next day, that is, 26 May 2013.

On 27 May 2013, a provisional charge of ‘causing a child to be sexually abused’ was lodged against Mr A. A. before Grand Port District Court and he has been remanded to Police cell. On 10 June 2013, he appeared before the Court and he was remanded to jail until 14 June 2013. On 12 June he appeared in Court following a bail motion which was denied. He appeared in Court again on 14 June 2013 and has been remanded to Police cell up to 20 June 2013.

In regard to part (a) of the question, I am informed by the Commissioner of Police that Mr A. A was involved in two cases of ‘Breach of Information and Communication Technologies Act’ reported in January 2008. Police had started inquiries in both cases. In one case, the Director of Public Prosecutions has advised no further action. Following the withdrawal of the complaint, a warning had been administered to the accused. In the second case, Mr A. A. is being prosecuted for “using Telecommunication Service to cause annoyance to another person.” The case has been lodged before the Intermediate Court.

In regard to part (b) of the question, I am informed by the Commissioner of Police that no complaint of harassment has been received from the victims as at to date.
Mr Baloomoody: Can I ask the hon. Prime Minister whether with regard to the two cases of using wireless or telephone, they were linked with obscene phone calls of sexual nature?

The Prime Minister: I have not enquired into what the details of the phone calls were, but the Police are enquiring into that. The first case, as I said, the DPP has reported no further action except a warning and the second case is gone to Court.

Mr Uteem: Mr Speaker, Sir, in the light of these very serious allegations, does the hon. Prime Minister consider it not appropriate that there be a code of conduct for all schools before they recruit any teachers, to do a screening, and ensure that all the teachers recruited do not have any cases of a sexual nature against them?

The Prime Minister: I think the hon. Member is right; that is what should be done.

Mrs Navarre-Marie: Mr Speaker, Sir, in view of the fact that there is nowadays an increasing number of sexual abuses against minors, will the hon. Prime Minister state whether he proposes to set up a registry, a register of persons who had ever been charged of sexual abuse pending a comprehensive Sexual Offences Act?

The Prime Minister: We are thinking of not exactly whether they have been charged, but whether they have been found of being guilty. I think it would be more appropriate, Mr Speaker, Sir, because we have had in past cases where there have been these allegations which were not proven afterwards. So, it would be better, I think, if they have been proven, then to put them on the list.

Dr. S. Boolell: Mr Speaker, Sir, considering the number of sexual assaults on children, would the hon. Prime Minister not be of the view that there should be a time limit for investigations from the Police on these matters and implement a fast track for the cases to be heard in a Court of law because far too often, Mr Speaker, Sir, we have noticed young kids appearing in Court four or five years after the event?

The Prime Minister: It is unfortunate. We have tried to say it, as for the administration of justice, that has been relayed many times to the people concerned, to the Judicial Department, but also to the Police; we have told them. That is why there is a restructuring of the Police going on at the moment.

Mr Speaker: I have to remind hon. Members in asking supplementary questions, they should avoid asking for an expression of opinion.
Mr Ganoo: The hon. Prime Minister has mentioned that in one case a warning was administered to the suspect, Mr A. A. Now, is the hon. Prime Minister aware that, in fact, warnings are administered to accused persons or to suspects on the condition that they should admit their guilt and this is when the DPP decides to administer the warning. In this case, as rightly pointed out by my hon. friends, can the hon. Prime Minister see to it that our law is amended in line with what obtains in the UK so that a thorough screening is done, so that there is due diligence with regard to everybody who applies to work in a school, in a kindergarten, in a place where there are children so that the risks of paedophilia or sexual abuses against kids are addressed? This is the law in the UK! An employee, before he is recruited in a place where children are to be found, a thorough screening must be done on that person. Not only his previous convictions must be looked into because people may not have previous convictions, but it does not mean that they have never committed any sexual crime as in this case. So, can the hon. Prime Minister liaise with the Attorney General’s Office so that our law is amended as quickly as possible to address this problem?

The Prime Minister: I thank the hon. Leader of the Opposition. In fact, this is something that we are taking up. But I must tell him that even in the UK, in spite of the screening you get cases of people who were not screened properly. It happens everywhere. But we have to minimise the risk.

(Interruptions)

Yes.

Mr Jhugroo: Can the hon. Prime Minister inform the House whether this person was involved in previous cases of sexual offence?

The Prime Minister: There is no such information here, Mr Speaker, Sir. The information is that he has been involved in two cases, that I mentioned, which is Breach of Information and Communication Technologies Act. Maybe in the details there might be, but it is not there in my file.

Mrs Hanoomanjee: Can the hon. Prime Minister say whether in cases of paedophilia what measures are being taken so that the victims do not confront the perpetrator directly?

The Prime Minister: This is not directly in the question, but we have started taking steps. There is video recording and all this. I know hon. Baloomoody has mentioned that in some cases, it is not done in all cases, but we will accelerate the procedure.
Mr Speaker: One last question, hon. Dr. Sorefan!

Dr. Sorefan: Mr Speaker, Sir, may I know from the hon. Prime Minister whether this Mr A. A. is the son of the Chairperson of LGSC?

Mr Speaker: No, this is not a proper question! Next question, hon. Bhagwan!

POLICE FORCE – MOTORCYCLES - PURCHASE

(No. B/494) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the motorcycles of the Police Force, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to -

(a) the number thereof in service, indicating the engine capacity thereof in each case;

(b) if the purchase of new ones is being considered and, if so, indicate if the type and specifications thereof are being reviewed following complaints received, and

(c) training courses offered to the Traffic Officers in relation thereto.

The Prime Minister: Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that the Mauritius Police Force currently has a fleet of 506 motorcycles in service and I am tabling the information requested by the hon. Member.

In regard to part (b) of the question, I am informed that for the financial year 2013, provision has been made for the acquisition of 29 new motorcycles as follows -

(i) 14 with engine capacity in the range of 240cc to 275cc;

(ii) 13 with engine capacity of 125cc, and

(iii) 2 with engine capacity in the range of 590cc to 675cc.

The type and specifications of motorcycles are worked out by a Board of Specifications set up at the Procurement and Supply Unit of the Police and comprising an Engineer from the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, and the Officer in Charge of the Police Technical Unit. The type, engine capacity and choice of motorcycle to be purchased depend on the requirements of each Division and the Branch to which the motorcycles are to be allocated.
I am further informed that in November 2011 and March 2013, upon receipt of information that a few Police riders had complained that they were suffering from back pain due to the use of motorcycles with engine capacity in the range of 250 to 300 cc, the hon. Member himself had raised that issue in Parliament, the Commissioner of Police issued two circulars inviting all Deputy Commissioners, Divisional Commanders and Branch Officers to submit to the Police Headquarters all written complaints received in that connection. Only three riders out of 129 users of such motorcycles have made complaints.

Nevertheless, the Commissioner of Police has already decided to amend the specifications for future procurement of motorcycles by extending the engine capacity from 250cc to the range of 240cc to 275cc to ensure a wider choice and to address this problem that the hon. Member had referred to in the past.

In regard to part (c) of the question, I am informed that all Police riders have undergone targeted training, including safe driving, riding in dense traffic conditions and defensive driving. Several refresher training sessions are conducted on a regular basis for the benefit of riders. In this context, a one-week course was conducted between 29 November and 06 December 2008 by a French Officer from the “Section Motocycliste d’Escorte No. 1” in France for the benefit of riders of VIPSU and the Traffic Branch. A Riders’ Development Course was organised by the Traffic Branch from 13 to 17 August of last year, that is 2012, a Defensive Driving Course was held at the Mauritius Institute of Training and Development from 02 to 22 December 2012 by foreign trainers from Singapore, an Advance Training Course in Riding Skills was dispensed by Emcar Ltd. from 14 to 21 April of last year and a training course was dispensed by representatives of Yamaha (Japan) on 19 and 20 February 2013.

**Mr Bhagwan:** Can I know from the hon. Prime Minister whether his attention has been drawn to the interference - I am sorry - of his Special Adviser, Mr B., who was in the Police Department, as a matter of security, that he has been interfering in the day-to-day work of the Traffic Department? He can give advice. Can I make a request to the hon. Prime Minister that now that he is a retired officer, he should not interfere in the running of the Traffic Department and let them do their work properly?

**The Prime Minister:** In fact, I am not aware that this has been the case and nobody is allowed to interfere. Not even a Minister is allowed to interfere in the Department of the Police.
Mr Jhugroo: Can the hon. Prime Minister give us a guarantee that no more smaller motorcycles will be purchased for our tall policemen like it was in the recent past?

The Prime Minister: The size, as I explained, Mr Speaker, Sir, depends on what they are being used for, but certainly we have taken on board what hon. Bhagwan has said in the past and that is why there has been this change in the specifications precisely to address this problem.

MEDIA - REPORT

(No. B/495) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the media, he will state the follow up actions being envisaged by Government following the submission of the report in relation thereto by Mr G. R., QC, indicating the timeframe set therefor.

The Prime Minister: Mr Speaker, Sir, as the House is aware, a preliminary report on media entitled “Media Law and Ethics in Mauritius” was presented to the Press by Mr Geoffrey Robertson, QC, on Saturday 13 April 2013.

This preliminary report was released to the public on that same day for views and comments by stakeholders and the public at large. It can be consulted on the website of my office as well as the website of the Attorney General’s Office.

In his presentation, Mr Geoffrey Robertson, QC, had indicated that submissions should be sent to the Attorney General’s Office or to the Prime Minister’s website at latest by 15 September 2013.

Mr Geoffrey Robertson, QC, will then consider the proposals received and submit a final report for Government.

Mr Obeegadoo: I have two questions, Mr Speaker, Sir. My first question is: being given that this report is an official report commissioned by Government, why is it that the public consultation process has not been properly structured by the Prime Minister’s Office so that there is a clear plan on the way forward as opposed to the vague timeframe that was set forward by Mr Geoffrey Robertson?

The Prime Minister: I don’t think it would be proper for me to start, the Opposition will themselves say that I am trying to influence what people have to say. There is a website,
they have been advised to go on the website - directly if they want - to submit their comments and then, he will look at them and then, he will submit a final report.

Mr Obeegadoo: Mr Robertson, in the course of his press conference, also said that if he obtains the green light from Government, he will put forward a draft piece of legislation. Now, being given the reservations already aired by the hon. Prime Minister concerning the Freedom of Information Act, does that mean that there will be no green light or will the hon. Prime Minister give us the guarantee otherwise?

The Prime Minister: Mr Speaker, Sir, it works like this. The report is submitted by whoever but Government will analyse the report and decide whether they accept the whole report or part of the report or what they don’t really agree with. And that, in fact, I am the one who drew the attention of Mr Robertson on what the former British Prime Minister said on Freedom of Information Act and I think he quotes that in his report. So, that is why we have to look at it very carefully.

Mr Obeegadoo: My point was that Mr Robertson intends to put forward draft legislation if he has the green light of Government. Is it Government’s intention to give such green light?

The Prime Minister: It is Government’s intention. It is in the Government Programme. Let me remind the hon. Member that in the Government Programme of 2010-2015, we had enunciated that we are going to bring this reform to media law. We again did it in the new Government Programme of 2012-2015 and, therefore, I would be discussing with him. Once he gets all the views, then we will decide. Certainly, that is what we want to do.

Mr Speaker: Yes, hon. Leader of the Opposition!

Mr Ganoo: Does the hon. Prime Minister think that the proper legislation will come before this House by the end of the year?

The Prime Minister: He has asked that he wanted all the submissions to reach him so that he can see it by the latest on 15 September 2013 and then we will be starting with the Budget after that. So, it depends. I will try, certainly, because it is in my intention that I want to bring these reforms.

Mr Bodha: Thank you, Mr Speaker, Sir. May I ask the hon. Prime Minister whether he is aware that NGOs have proposed to conduct debates with the participation of political parties on the report and the second thing is who is going to draft the Bill to be proposed? Is
it going to be Mr Robertson or is it going to be with the help of the State Law Office and what is going to be the position of Government on this matter?

**The Prime Minister:** This is what I said, we will discuss after all the stakeholders have expressed their opinion. Then, naturally it will have to be through the State Law Office, but he will be helping the State Law Office. He will be advising on the drafting of the law. He will be working together with the State Law Office in other words, and then we will come to the House. As for the debate that the hon. Member has mentioned, I have no problem against it as long as it is an informed debate, because many people do not read the report and they are expressing opinions; already this is happening.

**Mr Speaker:** Hon. Nagalingum! Wait a minute! You have got a question, hon. Mrs Labelle! The next question will be answered by the hon. Minister of Social Security, National Solidarity and Reforms Institution.

### REHABILITATION YOUTH CENTRE – INMATES

(No. B/496) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the inmates –

(a) undergoing sentence and

(b) on remand at the Rehabilitation Youth Centre (RYC), he will, for the benefit of the House, obtain from the Commissioner of Prisons, information, in each case, gender wise, as to the number thereof who are (A) involved in serious offences (B) involved in minor offences and (C) categorized as child beyond control.

(Withdrawn)
SRI LANKA - COMMONWEALTH HEADS OF GOVERNMENT MEETING – MAURITIUS PARTICIPATION

(No. B/497) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Commonwealth Heads of Government Meeting to be held in Sri Lanka in November 2013, he will state if following his recent meeting with the Commonwealth Secretary General, Government is reconsidering its participation thereinto.

The Prime Minister: Mr Speaker, Sir, let me just tell the hon. Members how this works out at the Commonwealth Heads of Government Meeting because not everybody would know.

At each Commonwealth Heads of Government Meeting (CHOGM), the Heads of Government choose the venues for the next two CHOGMs. Thus at the CHOGM held in Kampala, Uganda in 2007, the decision was there taken that the two next CHOGMs will be the one in 2009 to be held in Trinidad and the one in 2011 will be held in Sri Lanka. However, at the CHOGM held in Trinidad and Tobago in November 2009 the decision for CHOGM 2011 came back on the table, whether it should be held in Sri Lanka was questioned by many members. This led to an impasse on the venue of CHOGM 2011.

Following my personal intervention with other Commonwealth leaders, including the then Prime Ministers of UK and Australia, Mr Gordon Brown and Mr Kevin Rudd, and after consultation with the Head of the Sri Lankan delegation, a deal was brokered whereby Australia would host the CHOGM of 2011, followed by Sri Lanka in 2013.

I then insisted, Mr Speaker, Sir, that since it is Mauritius – it is I who came up with a solution to broker a deal – CHOGM should exceptionally in that case include Mauritius for CHOGM of 2015 and, therefore, we should add a third country for this time. This was unanimously agreed at CHOGM.

This decision was taken to give Sri Lanka additional time to implement its national reconciliation policies and to comply with its international human rights obligations.

The Perth Declaration following CHOGM 2011 reaffirmed the decision to hold CHOGM 2013 in Sri Lanka. Furthermore, on 05 October 2012, the Commonwealth Secretary General issued an official statement confirming Sri Lanka as the official venue for
the next CHOGM. I know in-between there have been consultations with various Heads of Government.

Mr Speaker, Sir, the purpose of my meeting with the Secretary General of the Commonwealth was to have an update on the political situation in Sri Lanka and the progress that has been made on the human rights issue as far as the Tamils are concerned.

I must say that the Secretary General was consistently asking if we intend to host the CHOGM of 2015 we need to say now. That is why I need to have a full briefing from the Secretary General to take a decision, as I said in Parliament.

In the course of this meeting, the Secretary General briefed me on the arrangements for the Commonwealth Heads of Government Meeting in Sri Lanka later this year and on the political situation in that country. The Commonwealth Secretary General informed me that he was holding high level talks with the political leadership in Sri Lanka on this issue.

In this regard, the Secretary General pointed out that the Commonwealth has provided a number of recommendations on best practices to the Sri Lankan Government.

I was informed, Mr Speaker, Sir, that since the end of the conflict in 2009, the only Province which has not held elections is the Northern Province which has a Tamil majority. The remaining eight Provinces are all controlled by the Government. The Secretary General stated that he has constantly encouraged Sri Lanka to hold Provincial Elections in the Northern Province as per the recommendations of the Human Rights Councils resolutions. The Secretary General has also urged the political leadership of Sri Lanka to stand by its own commitments with regard to the holding of these elections.

I stressed upon the Secretary-General that the Commonwealth should ensure that these elections are held before CHOGM 2013.

Mr Speaker, Sir, the Secretary General has informed me that he expected all the Commonwealth Countries to be represented at the highest level in Sri Lanka. He added that Mauritius being the Host Country for the 2015 Commonwealth Heads of Government Meeting, it is essential that as Prime Minister of the Host Country I should attend the meeting in Sri Lanka this year. I accordingly propose to do so.

I wish to emphasise that the position of Mauritius is consistent with that of the UK and Australia and like-minded Commonwealth Countries which put engagement at the forefront of the approach to Sri Lanka.
Furthermore, the Secretary General discussed the practicalities for the CHOGM 2015 and stressed that it is the usual practice for the next host country to send a full team to look at the whole organisational arrangements usually due for CHOGM, that is, the next CHOGM that they would host. I agreed to send an advance party for the two meetings to be held in August.

Mr Speaker, Sir, let me also reaffirm that Mauritius will never be indifferent to the Human Rights situation in Sri Lanka. Mauritius, as a multi-ethnic and multi-religious society, places social harmony as one of its highest priorities in its sustainable development strategy. To this end, the Government is committed to uphold the highest standards insofar as respect for fundamental human rights is concerned. Our policy is to call for a meaningful engagement with the political leadership in Sri Lanka through a process of political dialogue and confidence building. In this perspective, Mauritius has always responded positively to calls from the international community, through the Human Rights Council, to enable an independent international report to be prepared detailing the events of the final month of the war in Sri Lanka.

I would like to mention that in March 2012 Mauritius worked closely with the international community for the adoption of a resolution by the Human Rights Council for the promotion of reconciliation and accountability in Sri Lanka. In that resolution the Council noted with concern that the report of the *Lessons Learnt and Reconciliation Commission*, which was set up by the Government of Sri Lanka, did not adequately address serious allegations of violations of international law and called upon the Government of Sri Lanka to implement the constructive recommendations made in the report of the Commission and also to take all necessary additional steps to fulfil its relevant legal obligations and commitment to initiate credible and independent actions to ensure justice, equity, accountability and reconciliation for all Sri Lankans.

Mr Speaker, Sir, we believe that, since the 30-year civil war that plagued the country has now come to an end, Sri Lanka must reach out to the people by building trust, national reconciliation, resettlement of internally displaced people and reconstruction programmes, release of political prisoners and respect for the civil, political, economic, social and cultural rights of all its citizens, including those of minorities.

At bilateral level, Mauritius has, through dialogue, encouraged Sri Lanka in its post-war healing efforts. Our participation in the forthcoming CHOGM in Colombo will allow us
to promote this dialogue and engaged further with the Sri Lankan Government with a clear message about our concerns and about the need for Sri Lanka to live up to the values of the Commonwealth.

**Mr Nagalingum:** Is the hon. Prime Minister aware that the Post-War Peace Reconciliation Process in Sri Lanka has been seriously compromised because the Sri Lankan Government is still violating the conditions imposed by the United Nations Rights Commissions?

**The Prime Minister:** That is why we voted against that at the UN, Mr Speaker, Sir, as I have mentioned, and that is why I stressed with the Secretary-General and he also stressed that they are putting pressure on Sri Lanka. It must respect the engagement taken.

**Mr Ganoo:** Mr Speaker, Sir, in spite of all the undertakings and commitments taken by the Sri Lankan Government, we know it as a fact that abuses and violations of human rights continue unabated in this country. The hon. Prime Minister has informed us, therefore, that Government has already taken its decision to attend the Summit. But, in view of what was said a few days ago, weeks ago by the Deputy Prime Minister Nick Clegg, attacking the lack of press freedom in Sri Lanka, speaking of unspecified consequences if the Sri Lankan Government continues to ignore the international commitment, referring to the suppression of press freedom with politically motivated trials, assaults on lawyers, despicable human rights violence. All these comments, Mr Speaker, Sir, came from the mouth of Deputy Prime Minister Nick Clegg! Does not the hon. Prime Minister think, in spite of his endeavours to justify his attendance at the Summit, he should not, as Prime Minister, personally attend, and leave it to his Minister of Foreign Affairs to participate and to do the needful, although we all know that the next conference will be hosted by our country!

(Interruptions)

**Mr Speaker:** Silence!

(Interruptions)

Order, please!

**The Prime Minister:** It is a disservice that they are doing to you. But let me say, Mr Speaker, Sir, that I explored all this with the Secretary General. There was a long meeting - nearly one and a half hour - with his own team, not just him, and we had a team with us also. He said to me, I must say, that not everything that is alleged is true, but some of them are
true. That is why pressure is being put on the Sri Lankan Government. That is why I insisted also that he must hold these elections. What Deputy Prime Minister Clegg said in Parliament is exactly what I am saying also, namely that there will be consequences if he does not do what has to be done as far as human rights are concerned. But he also stressed that it would be unprecedented for the Prime Minister of the host country not to be there. In other words, we cannot not be there because there is a whole procedure to be followed; there is a speech for the Prime Minister of the host country to make. That is the difficulty that we have.

Mr Nagalingum: Is the hon. Prime Minister convinced that there is no longer any genocide in Sri Lanka, and that the Tamil community has equal rights now?

The Prime Minister: I cannot say that, Mr Speaker, Sir - it is not for me! But this is what the Secretary General and the UN are doing to ensure that this is the case. I agree with the hon. Leader of the Opposition that we are not satisfied. That is why! Otherwise, we would not have had to have this meeting in the first place. We want this to go further and quicker, and we want to ensure that they hold these elections in the Northern Province, which hasn't been held since 2009.

Mr Baloomoody: The hon. Prime Minister wants us to believe that he went to London to meet the Secretary General of the Commonwealth, so as to have an idea of the situation in Sri Lanka. Did he not think it fit to take the opportunity, when he was in London, to meet the NGOs that are working for the Tamils in Sri Lanka, and also the Secretary General of the Commonwealth Parliamentarians, the Commonwealth Bar Association who have given recently damning reports, showing clearly that there is general violation of human rights, be it against women, children, and also the judiciary which is not functioning? There is pressure everywhere against the minority.

The Prime Minister: Mr Speaker, Sir, let me assure the hon. Member that I don't think it is right for the Prime Minister to go and meet every NGO. I have to deal with the Secretary of the Commonwealth to ensure, first of all, who is not going to Sri Lanka, whether it is going to be held in Sri Lanka, what is the progress that is being made. I must tell the hon. Member again that not only the Secretary General but others also have said that not everything that is being alleged is true, as obviously can be the case.

(Interruptions)

No! You have to listen what are the words that I am using! Not everything that is alleged is true, but there are some things that turn out to be true, and that is why this pressure is being
put on the Sri Lankan Government because they are refusing to have the elections in the Northern Province since 2009. That has to be held. There will be consequences if they don't hold it. That is what I said.

Mr Obeegadoo: Mr Speaker, Sir, being given the growing body of opinion calling for the boycott, for the cancellation of that Summit in Sri Lanka, is he aware that includes not only NGOs such as Human Rights Watch and Amnesty International but the British Opposition, former Minister Rifkin, the Bar of England and Wales? Is the hon. Prime Minister aware that Canada has adopted a very strong stand and will not participate? Is he aware of the political problems in India as a result of this? And do I…

Mr Speaker: Hon. Member, I have to interrupt you. Time is up, but I am allowing you time to put your question. Shorten your question.

Mr Obeegadoo: I shall sum up. Do we understand the hon. Prime Minister to be telling us that, in order to salvage the next Summit in Mauritius, we have to go and attend this Summit in a country that is not respecting the fundamental values of the Commonwealth?

The Prime Minister: Mr Speaker, Sir, I thought I made it plain. The Secretary General has assured me that they took the decision in October 2012. I think I mentioned that he issued an official statement confirming Sri Lanka as the official venue for the next Summit. There were discussions; they didn't just issue that communiqué just like this. There were discussions among members. He has now told me that, as far as he was concerned, on the day that we met, there is no question of any Commonwealth countries not attending. They have decided on balance that it is best to hold it and to put pressure on Sri Lanka instead of allowing Sri Lanka to do what it wants as far as human rights are concerned. One of the issues is why it is not holding the elections for the Tamil community, where they are in majority in Northern Province. He has consistently refused to hold these elections. He must hold these elections because he is controlling all the other provinces. All the human rights issues have been raised. There have been discussions with other Prime Ministers of the Commonwealth, and that is when the decision was taken. That is the issue: that the Commonwealth Heads of Government meeting is going to be held. Finally, this is the place where they decide whether it will be held or not held. I, myself, as I said, intervened; I managed to change that position in Trinidad and Tobago when Sri Lanka did not want to give in. So, that is why I have to go by what the Secretary of the Commonwealth says, and he has assured me that this is going to be held and that every other country is attending.
Mr Speaker: Time is up! Question addressed to hon. Ministers. The Table has been advised that PQ B/500 has been withdrawn. Now, I have an announcement to make that the hon. Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping has informed me that he has to attend a funeral, and has asked leave for Parliamentary Questions B/503 and B/509 addressed to him be taken out of turn. I have acceded to his request. Then, I would invite Dr. hon. Sorefan to put PQ B/503.

SAVANNE & BLACK RIVER – POVERTY ALLEVIATION

(No. B/500) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Minister of Social Integration and Economic Empowerment whether, in regard to poverty, he will state -

(a) if any survey has been carried out to identify the pockets thereof and if so, the number thereof, indicating those located in the region of Savanne and Black River in Constituency No.14, if any, and

(b) the measures to be taken in regard to poverty alleviation.

(Withdrawn)

RING ROAD PHASE 1 PROJECT – CONSULTANT - FEES

(No. B/503) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to Ring Road Phase I Project, he will, for the benefit of the House, obtain from the Road Development Authority, information as to -

(a) the fees paid to the Arab Consulting Engineering Ltd. for the review and supervision of the design thereof, and

(b) if any additional fees was claimed in respect of variation works, if any, and, if so, the amount thereof.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Speaker, Sir, the fees paid to Arab Consulting Engineering Ltd for the review and supervision of the Ring Road (Phase 1) as at date are MUR 8,365,693.92 and USD 1,098,289.53.
I am advised that no additional fees were paid to consultant in respect of variation works.

**Dr. Sorefan:** Mr Speaker, Sir, may I know from the hon. Minister whether this Arab Consulting Engineering Ltd was registered locally for this project only?

**Mr Bachoo:** Mr Speaker, Sir, I have to check this. But, in case that consultant has been allowed to work in the country, he might have been an international consultant who has been recognised by Mauritius.

**Mr Uteem:** May I know from the hon. Vice-Prime Minister whether this Arab Consulting Engineering Ltd has recruited any local engineers, qualified in Mauritius, to help them in this assignment?

**Mr Bachoo:** As far as I know, I don't think that they have recruited any engineer. In fact, most of the engineers were coming from Egypt.

**Mr Roopun:** Does not the hon. Vice-Prime Minister think that it should be part of any consultancy contract given to foreigners that they share their knowledge with local engineers, so that there can be some benefit for the country in the long run?

**Mr Bachoo:** In fact, they share their knowledge with the engineers who are at the RDA and with the institution with which they are working. But, in fact, the law does not provide. It is not compulsory for them to recruit any engineer.

**Mr Baloomoody:** Consulting Engineering Ltd was recruited for Ring Road Phase I Project. May I know whether they are still in the country and, if so, whether they are working for other firms?

**Mr Bachoo:** I am not aware about other firms, but they are still in the country because certain works had to be done by them as far as the Ring Road was concerned.

**Mr Roopun:** Could the hon. Vice-Prime Minister consider that, in the future, whenever foreign consultants are appointed there is a specific provision so that they employ also local engineers or whatever professional in that field, because of the unemployment problem we have with our own people?

**Mr Bachoo:** I will have to take up this matter with the institutions concerned.

**Dr. Sorefan:** The hon. Vice-Prime Minister has mentioned that he does not know about this consultant working for others, but if he finds out that…

**Mr Speaker:** No ‘if’! No hypothetical question!
Dr. Sorefan: Sorry, Mr Speaker, Sir. The Arab Consultants are working here after this project, and in that situation, following that the hon. Vice-Prime Minister finds out that the company has no right to work, can we know whether he will take action?

Mr Bachoo: That depends. The institutions responsible will have to take care of them, because as far as we are concerned, as RDA, we have enlisted the services of those consultants to come and work for our project. Once our project is over, we have nothing to do with those consultants. If they go against the law, then they will have to pay the consequences.

RICHE TERRE – ROAD PROJECT

(No. B/509) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the road works along the road adjacent to Jin Fei Industrial Zone leading to Tombeau Bay, he will, for the benefit of the House, obtain from the Road Development Authority, information as to –

(a) the contractual start and completion date thereof;
(b) the value thereof, and
(c) if any extension time has been requested by the Contractor and if so, the reasons therefor.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Dr. A. Bachoo): Mr Speaker Sir, as regards part (a) of the question, the contractual start date for the Upgrading of Riche Terre Road (B33) project was 26 October 2012 and the contractual completion date is 22 June 2013.

As regards part (b), the contract value of the project is Rs89,322,306.95.

As regards part (c), the contractor has submitted a request for extension of time up to end of October 2013 for the following reasons -

(i) relocation of existing services;
(ii) renewal of CWA pipeline due to poor state and recurrent leakages;
(iii) objection of land owners to allow entry on site; for example two plots of land which was under receivership were denied access till 22 May 2013. An additional plot of land had to be acquired compulsorily, and
Mr Lesjongard: May I ask the hon. Vice-Prime Minister whether the said contractor has left the site?

Mr Bachoo: No, Sir. They are still on the site.

Mr Lesjongard: May I ask the hon. Vice-Prime Minister whether he is aware that there are hardly two or three workers on site for a project which is worth Rs89 m.?

Mr Bachoo: Mr Speaker, Sir, they are bound to complete the work on time or else they will have to pay liquidated damages. They are bound once the request is acceded to. I have just mentioned that there were two plots of land which were under receivership and they had been denied access on that plot of land. After negotiation, they have been allowed recently. Another plot of land has been acquired compulsorily. So, as far as we are concerned, once extension of time is given and they do not complete the work, they will have to pay the consequences.

Mr Lesjongard: With regard to this contractor, may I ask the hon. Vice-Prime Minister whether there has been a performance appraisal carried out at the level of his Ministry or at the level of the Public Procurement Office, because we understand that the said contractor has obtained lately a number of contracts and the workforce in Mauritius - because it is a foreign workforce – has remained the same?

Mr Bachoo: Mr Speaker, Sir, this particular contractor has received the contract and have passed through the proper channel, that is, the CPB. In any project which was above Rs100 m, they had to get the contract through CPB and whichever was below Rs100 m., that was through the RDA Board.

Secondly, as far as appraisal is concerned, I am perfectly aware of it. There are about five projects which they have undertaken. They are working in five projects and in most of the cases they are on time, with the exception of this one, where the responsibility also befalls on us, because we have not been able…

(Interruptions)

Let me complete!

Mr Speaker: Silence!
Mr Bachoo: If they do not want to listen…

(Interruptions)

Mr Speaker: Listen, please!

Mr Bachoo: I am just telling that the appraisal has been done internally in the RDA. I have gone through all of them and I have seen that there has been a slight delay in one or two cases. This one has been a case where we have not been able to offer them the land because there was a problem as the land was under receivership; secondly, we had to acquire a plot of land. The second project which they are looking after is Providence, Quartier Militaire to Wooten. There also, there has been a slight delay, not because of their fault, but because we had to acquire land and acquiring land takes a bit of time. As far as the other projects are concerned, more or less they are on time. I am not here to defend any contractor, nor am I here to defend that particular contractor. I am following that contractor carefully almost on a day to day basis. If he fails anywhere, he will have to pay. I can give the assurance to the House that the contractor will have to pay for the consequences. We are looking at the quality also thoroughly.

Mr Ganoo: Can the hon. Vice-Prime Minister tell the House whether any advance payment has been made to this contractor? Will he elucidate on the penalty clause to be found in this contract and how much security has been paid by the contractor?

Mr Bachoo: I am going to submit to the House a list of the projects as well as the amount of money which had been paid according to law, according to the contract. All the details will be submitted on the Table of the Assembly.

Mr Bhagwan: We are here to defend the public, the taxpayers’ money. Is the hon. Vice-Prime Minister aware there are connivance - I know what I am saying - between not only the contractor but officers of the RDA and the consultant, and the public is losing money? So, can I ask the hon. Vice-Prime Minister whether he will request the Director of Audit or the Ministry of Finance to carry out a detailed report on all the works performed by Sinohydro here and which is doing a lot of harm to the country?

Mr Bachoo: Mr Speaker, Sir, I am not going to cast aspersions on anybody. I maintain and I have just given assurance to the House that I am following that contractor very closely and I want to see to it that whatever contract …

(Interruptions)
Mr Speaker: Allow the hon. Vice-Prime Minister to answer, please!

Mr Bachoo: … which has been awarded legally in the RDA has to be properly executed. This is what I’ve said and if in case there is any unnecessary delay, then they will have to pay for the consequences. We have made the appraisal and we are following it.

(Interruptions)

Mr Speaker: Hon. Bhagwan!

(Interruptions)

Silence!

Mr Uteem: Mr Speaker, Sir, may I know from the hon. Vice-Prime Minister what is the percentage of work that has been completed on this project and how much money has been paid on that project to date?

Mr Bachoo: That’s why I have mentioned that I am not aware of how much money has been paid. I am going to submit…

(Interruptions)

I am not…

(Interruptions)

Mr Speaker, Sir, as far as the quantum of money paid, that is not the responsibility of the Minister to say how many rupees RDA is paying.

(Interruptions)

Mr Speaker: Silence! If you want the hon. Vice-Prime Minister to answer, you have to keep quiet. Hon. Lesjongard!

Mr Lesjongard: Thank you, Mr Speaker, Sir. In replying to a question earlier on, the hon. Vice-Prime Minister has stated three reasons why that contractor is asking for an extension of time. Two reasons are linked to the relocation of existing services and compulsory acquisition of land.

This has to be done and the hon. Vice-Prime Minister is well aware of that; prior to allocating the contract, not after. The third reason is because of bad weather. Mr Speaker, Sir, work is being carried out in Riche Terre and we all know it is a dry area.

Mr Speaker: Hon. Lesjongard, I am still waiting for your question.
If you have no question …Hon. Bhagwan!

Silence! There is a question.

**Mr Bhagwan:** Do I understand that the hon. Vice-Prime Minister is refusing to give to the country an independent inquiry on all the works performed by Sinohydro?

**Mr Bachoo:** Mr Speaker, Sir, there was no question of any independent inquiry. I just heard about the reasons which had led to the delay. The House should be made aware that all the CWA pipes in that region are already rusted; all are being changed, and you are bound…

No! Once the work started, the CWA…

**Mr Speaker:** No interruption!

**Mr Bachoo:** Once the work started, the CWA made the request to RDA to see to it that the pipes have to be changed and the pipes are being changed, they are providing the fittings. That has taken time.

Secondly, I have mentioned that access was denied on two plots of land which were under receivership, then we had to negotiate.

Thirdly, as far as land acquisition is concerned, once project starts - there are hundreds of cases which I can prove. The need is felt to acquire additional land, and once land acquisition starts, that takes six months to one year. So, we have to obey…

I say if they do not want to listen, I am not here to answer, that’s all.

**Mr Ganoo:** Mr Speaker, Sir, when the question was asked to the hon. Deputy Prime Minister some weeks ago through a PNQ regarding the same contractor in relation to the project of Arnaud, the hon. Deputy Prime Minister, to his credit, gave this House the percentage of works completed. Can the hon. Vice-Prime Minister do the same today and tell us what is the percentage of works completed in this project?
Mr Bachoo: I have got no problem. I have just mentioned that there is a delay and they have asked for extension of time. I am going to submit to the House not only on this project but on all the projects which are being undertaken by this contractor. I do not have any problem.

Mr Soodhun: Taking from what the hon. Vice-Prime Minister has just mentioned in the House that he is monitoring day-to-day, will the Vice-Prime Minister inform the House and through the House, the nation that the work is being carried out at night and whether there is any engineer who is supervising the work, especially at night and in the daytime, there are only a few prisoners who are working?

Mr Bachoo: Mr Speaker, Sir, I am not aware of any prisoner who is working...

(Interruptions)
They have to complete...

(Interruptions)
Mr Speaker, Sir, well, I do not know who is the prisoner among the workers. I am not aware of this.

(Interruptions)
Whether the Chinese Government allows the exportation of prisoners to Mauritius, I am not going to pass judgement on any State outside Mauritius.

(Interruptions)
Secondly, the amount of work...

(Interruptions)
Mr Speaker: Silence, please!

(Interruptions)
Yes. You have finished? Yes, hon. Lesjongard!

(Interruptions)
Put your question again!

Mr Soodhun: I have asked whether the work is being done.
Mr Speaker: The hon. Member should put the question again. He will get the chance to put his question!

Mr Lesjongard: May I ask the hon. Vice-Prime Minister since there has been considerable delay in the execution of this project and the reasons put forward by the contractor for extension of time are frivolous, will he agree to cancel that contract and allocate it to a new contractor?

Mr Bachoo: If the hon. Member is willing to pay for all the allowances that are met by that contractor…

(Interruptions)

Mr Speaker: Silence!

(Interruptions)

No, no, no, no, wait please! Silence! I am on my feet now!

(Interruptions)

I am on my feet! I want complete silence! Hon. Vice-Prime Minister, it is your duty to answer a question.

Mr Bachoo: Yes, I am going to answer.

Mr Speaker: The way the hon. Vice-Prime Minister answered his question is not proper!

(Interruptions)

Mr Bachoo: Mr Speaker, Sir, I have just mentioned that the contractor has requested for extension of time and the matter is being looked at by the RDA. I have today repeatedly been telling what were the reasons for which they have been asking for extension of time. If the RDA finds that plausible, they will have to give the extension of time. How much time will be given will depend on the RDA and the engineers who are working on that. But I have already told and I, again, give the assurance to the House - but I cannot, I do not have any legal right to stop a contractor who is doing its work. If there is any failure, the RDA will have to take the actions that need to be taken.

(Interruptions)

Mr Baloomoody: The hon. Vice-Prime Minister stated that…
Mr Speaker: I am sorry, the hon. Member is interrupting his own colleague. Please, keep quiet!

Mr Baloomoody: The hon. Vice-Prime Minister told us that he is following that work closely. Can I ask him a simple question? How many workers are working on this particular site and how many workers this contractor has brought in Mauritius?

Mr Bachoo: Well, I do not know how many workers the contractor has brought and I do not know how many workers exactly are working on different sites. But one thing that I can tell the House is that my duty as a Minister is to see to it that the work is completed on time and legally whatever extension of time is to be granted will have to be done …

Mr Speaker: No, hon. Vice-Prime Minister, I am sorry, the question is not on time!

Mr Soodhun: I would like to ask the hon. Vice-Prime Minister who is responsible for the RDA, which Ministry? If it is the Ministry of Public Infrastructure, will the hon. Vice-Prime Minister confirm that the night duty performed by the Sinohydro Construction is completely out of the rules and regulations of the RDA?

Mr Bachoo: Mr Speaker, Sir, I am responsible as Minister for the RDA. I give directives of general nature to the RDA. This is number one.

Secondly, the whole responsibility of looking after road projects depends on the RDA and it has got competent engineers and for each project we have one or more engineers who are working. They prepare the report and in case there is any work which is defective, it is the responsibility of those engineers to see to it and exert pressure on the contractor. In case there is any failure on the part of the contractor, definitely action will have to be taken. The RDA and the engineers have that much of liberty and freedom! My duty is to supervise and have a look at it and to see to it that public money is properly spent.

Mr Ganoo: Does not the hon. Vice-Prime Minister who is an experienced Minister and who has been heading this Ministry for so long, agree with me that this stratagem, the trick and the colourable device of this contractor is to quote 30, 40 or 50% less than the other contractors? He is awarded the contract and then later he asks for extension of time and then he comes up with all sorts of demands and pretexts. Then he is always late in his contracts. Does not the hon. Minister has the responsibility, as a Minister accountable for the public
body to liaise with the CPB and the PPO to watch out this contractor and to see to it that he is banned, disbarred and suspended as the law provides in case he defaults again!

**Mr Bachoo:** Mr Speaker, Sir, there is a question which has been asked and I am giving a written answer where I have clearly spelt out on all the projects how many days delay there are and what are the causes for the delay, and where extension of time has been granted. If I am satisfied and my Ministry is satisfied that there has really been a deliberate move on the part of the contractor then definitely we are going to take actions. Many times I have been repeatedly telling it that I am going to take action. But I am not going to take action where we are on illegality, we have to see to it that whatever request is made by the contractor is justified or not. If it is justified, they will get it and if it is not justified we are going to write to the PPO. I do not have any problem. In the past, we had written to the PPO against contractors.

**Mr Speaker:** One last question! Hon. Jhugroo!

**Mr Jhugroo:** Being given that the hon. Vice-Prime Minister mentioned that he was monitoring all these projects closely on a daily basis, how come he does not know how much has been paid to this company?

**Mr Bachoo:** Definitely, Mr Speaker, Sir, as far as payment is concerned I do not poke my nose on payment…

(*Interruptions*)

Being given that the hon. Vice-Prime Minister mentioned that he was monitoring all these projects closely on a daily basis, how come he does not know how much has been paid to this company?

**Mr Bachoo:** Definitely, Mr Speaker, Sir, as far as payment is concerned I do not poke my nose on payment…

(*Interruptions*)

I do not poke my nose…

(*Interruptions*)

I do not have...

(*Interruptions*)

Mr Speaker, Sir, I do not...

(*Interruptions*)

Let me speak!
I do not have anything...

Mr Speaker: Well, if the hon. Members are going to disturb the Vice-Prime Minister, they will not get the answer! Proceed hon. Vice-Prime Minister!

Mr Bachoo: I do not have...

Mr Speaker: Silence now!

Mr Bachoo: Mr Speaker, Sir, payment is not my concern, the authorities look after it. I have to see to it that the project is implemented on time and the quality of work is good because I am answerable to Parliament and I am answerable to the public.

Mr Speaker: That is a proper time to break. I suspend for one and a half hours.

At 1.01 p.m. the sitting was suspended.

On resuming at 2.34 p.m. with Mr Speaker in the Chair.

MINISTRY OF EDUCATION & HUMAN RESOURCES - MRS S. B. – RECRUITMENT

(No. B/501) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Minister of Civil Service and Administrative Reforms whether, in regard to Mrs S. B., presently posted at the Ministry of Education and Human Resources, he will state -

(a) the date of her first recruitment in the Public Service, indicating -

(i) in what capacity, and

(ii) the Ministry at which she was posted

(b) if the post was advertised, and

(c) the different posts she has occupied as at to date.

The Minister of Business, Enterprise and Cooperatives (Mr J. Seetaram): Mr Speaker, Sir, with your permission, I shall reply to this question.
I am informed that Mrs S. B. was first recruited and delegated powers of appointment by the Public Service Commission on 20 September 2006 as handy worker on a casual basis in the Ministry of Labour, Industrial Relations and Employment.

As regards part (b) of the question, I am informed that the post was not advertised in view of the delegation of powers by the Public Service Commission as it is the case for recruitment in such grades in the Public Service.

Concerning part (c) of the question, I am informed that Mrs S.B. assumed duty on secondment at the Ministry of Education, Culture and Human Resources on 15 September 2008. Subsequently, she was transferred to that Ministry as from 01 February 2010. She still holds the same substantive post until now.

Mr Jhugroo: Can the hon. Minister inform the House how many candidates have applied and who went for the interview and who chose the panel to do that interview?

Mr Seetaram: Mr Speaker, Sir, I am not aware of the interviewees and the panel. If the hon. Member comes with a substantive question, obviously, I would reply.

Mr Jhugroo: Can the hon. Minister confirm whether there was only one candidate?

Mr Speaker: No, the word ‘confirm’ is not allowed. The hon. Member can change the word.

Mr Jhugroo: Can the hon. Minister state whether there was only one candidate who went for that interview?

Mr Seetaram: Again, Mr Speaker, Sir, I cannot confirm this. I would need notice of it.

Mr Jhugroo: Can the hon. Minister inform the House as to who gave instructions to transfer Mrs S. B. from the Ministry Labour, Industrial Relations and Employment to the Ministry of Education as soon as the Minister of Education took office in year 2008, and why her name had been on the establishment and payroll …?

Mr Speaker: No. I am not interrupting you. I just want to guide you. In one question you have asked, in fact, several questions. Come one by one! You will be given the chance.

Mr Seetaram: In fact, from the information I have, Mr Speaker, Sir, she was appointed by the Ministry of Education on 01 February 2010, that is, she was transferred there. That is all that I have.
Mr Jhugroo: Can the hon. Minister give us the reason for this immediate transfer?

Mr Seetaram: I say it again. I have only information concerning the date and the transfer. I do not know whether it is immediate or not.

(Interruptions)

Mr Speaker: You follow the trend of your answer. So, you better come with substantive questions to get better answers with the substantive Minister. This is what I advise.

Mr Seeruttun: Mr Speaker, Sir, will the hon. Minister inform the House whether – because in his reply, he just mentioned that lady was employed on a casual basis – that lady is still on a casual basis at the Ministry of Education?

Mr Seetaram: She was employed …

(Interruptions)

Mr Speaker: Well, I have to intervene. If she is actually working at the Ministry of Education, your question is better put to the Ministry of Education.

(Interruptions)

May I continue? He is answering in lieu and stead of the Minister of Labour. So, it makes a difference between the two Ministries.

Mr Jhugroo: Can the hon. Minister confirm whether it is in the scheme of service …?

Mr Speaker: The word ‘confirm’ is not allowed.

Mr Jhugroo: Can the hon. Minister state whether it is in the scheme of service of Mrs S.B. to travel in company of the hon. Minister?

Mr Speaker: Look, the question as it has been asked …

(Interruptions)

May I? Your question targets the Ministry of Labour.

(Interruptions)

Wait a minute! The matter rests with the Ministry of Labour. Confine any supplementary question you may put with regard to my guidance, that is, any question should be in
connection with matters that fall within the jurisdiction and competence of the Minister of Labour.

Mr Jhugroo: Can the hon. Minister state whether it is in the scheme of service of Mrs S.B. to accompany …

Mr Speaker: No. Last time, I said something about the way you put your question. Please, I will not tolerate colourable device again. I said you follow my guidance. You may put any supplementary questions. I will allow them if the questions concern the Ministry of Labour, that is, the period when that particular person was working there.

Mr Jhugroo: Mr Speaker, Sir, my question was addressed to the Minister of Civil Service Affairs.

Mr Speaker: Personally, as Speaker, I do not have any control on who should answer a particular question. This is the decision of Cabinet. Well, I am bound to accept it as it is. That is why I have suggested that the hon. Member should come with a substantive question. Next question!

(Interruptions)

No cross talking! Hon. Dr. Sorefan!

PALMAR - STATE LAND - LEASE

(No. B/502) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Housing and Lands whether, in regard to State land leased at Palmar (ex-livestock), he will give a list of the lessees thereof, indicating in each case the extent and purpose thereof.

Dr. Kasenally: Mr Speaker, Sir, it was in 2008 that Government decided that a Master Plan be prepared for the judicious utilisation of the State land formerly occupied by the Livestock Breeding Station at Palmar. This Master Plan provides, *inter alia*, for hotel sites, bungalow sites, a major commercial site, a major leisure and recreational centre, a public parking area, a central link road serving the inner plots and connecting to the coastal road, and a pedestrian/cycling/jogging track. The site will need to be provided with infrastructural facilities such as access roads, electricity and water network.

Mr Speaker, Sir, in the context of what the Master Plan provides, as I have just mentioned, a number of applications for lease of various plots of land were received, studied,
and processed in accordance with the conditions governing the grant of lease, starting with the grant of reservation letters. The exercise is in progress.

The list of successful applicants is being compiled and will be placed in the Library with the specifics requested as soon as the compilation exercise has been completed which should not take much time.

**Dr. Sorefan:** Well, I hope the list is not too long to be compiled since …

**Mr Speaker:** No comment.

**Dr. Sorefan:** Can we know if any lease has been signed to any lessee?

**Dr. Kasenally:** A number of leases have been signed, but this will be in the list which I will be compiling, I will give you the exact date. The reservation letter has been given and also the lease, if any, which has been signed.

**Dr. Sorefan:** May I know from the hon. Minister whether Mr Gooljaury and Mr Goolfee form part of that lessee list?

**Mr Speaker:** Well the Minister has answered and said that a list will be circulated. Once the list is circulated and if the hon. Member is not happy, he can come again with supplementary questions, but better avoid mentioning names.

**Mr Jhugroo:** Mr Speaker, Sir, can we have a time frame when this list will be tabled?

**Mr Speaker:** Yes, question allowed.

**Dr. Kasenally:** Yes, Mr Speaker, Sir, in fact, I made a reference that it will be done expeditiously, perhaps within the next four weeks.

**Mr Uteem:** May I know from the hon. Minister whether in respect to the State land there were more than one application and if this is the case what criteria was used for his Ministry to allocate the land to the successful applicants?

**Dr. Kasenally:** In fact, I said that there were a number of applications - more than one - and the criteria for the allocation of the land is submission of a project write up, source of financing, clarity, specificity, project cost and number of jobs to be created.

**Mr Roopun:** Could the hon. Minister inform us about the type of project for which the land has been given and whether there has been any public request for application?
Dr. Kasenally: Look here, if you had listened carefully – I have made it quite clear what it is meant for. It was made, as I have said – I have repeated for hotel sites, bungalow sites, major commercial sites, major leisure and recreational centre. These are the projects that would be considered.

Mr Baloomoody: The hon. Minister just mentioned that one of the criteria is creation of job. May I know from those who have benefited from a plot of land how many jobs have been created?

Dr. Kasenally: Well, I don’t have what you call …

Mr Speaker: Substantive question, you may ask!

Dr. Kasenally: I don’t have the answer for that, but the projects are ongoing and when completed then we can have an idea. The problem is that there is still a lot of infrastructural work to be done, most of them are not finished and therefore when the time comes we will probably give you an idea.

BLACK RIVER & SAVANNE - FISHERMEN - REGISTRATION

(No. B/504) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Minister of Fisheries whether, in regard to the fishermen, he will state the number thereof in the District of Black River and Savanne who have, since 2010 to date, applied for registration, indicating the number of applications -

(a) approved, and
(b) not yet approved.

Mr Von-Mally: Since 2010 to date, 123 applications for a fisherman card have been received from the District of Black River and Savanne. In addition 258 applications have also been received from other regions of the island. However, these applications are not being processed by my Ministry since 2010 given that the production in the lagoon has been dropping significantly over the years from 947 tonnes in 2005 to 705 tonnes in 2012. I wish to highlight that there are already 443 registered fishermen in Black River and 259 in Savanne and the total number of registered fishermen in Mauritius stands at 2156.

Adopting a precautionary approach as guided by the FAO Code of Conduct for Responsible Fisheries to allow regeneration of fish stocks, my Ministry is not issuing fishermen cards since 2010. I must inform the House that my Ministry is sparing no effort to
reduce fishing pressure in the lagoon. To this effect, lagoon fishermen are being relocated to fish around Fish Aggregating Devices (FADs) in the open sea.

My Ministry is also promoting small-scale coastal aquaculture for the artisanal fishermen. As at now, two pilot coastal aquaculture projects in floating cages started last year at two sites, namely Grand Gaube and Trou D’Eau Douce for the fishermen in the region. Last week, on Thursday 13 June 2013 the harvest of fish proved successful after six months of culture with a catch of 200 kg Cordonnier from one cage at Grand Gaube.

Fishermen are being encouraged by my Ministry to group themselves into cooperatives and take advantage of this new venture.

Mrs Radegonde-Haines: Mr Speaker, Sir, given that the hon. Minister is very well aware that the demand of fishermen in the region Savanne and Black River exceeds the supply of our natural resources in the lagoon, doesn’t he consider to take action of providing the old age fishermen who are in the incapacity of using their permits with a basic retirement pension scheme and to release permits to new ones who are long awaiting for their own?

Mr Von-Mally: In fact, we’re working in that direction concerning the cost implication and so on.

Mrs Radegonde-Haines: Mr Speaker, Sir, we heard the hon. Minister talking about some innovation in the fishing sector. Can the hon. Minister consider providing technical assistance to those interested therewith and reducing the many barriers of obtaining same?

Mr Von-Mally: Yes, I will take note of what the hon. Member is saying and we will work in that direction also.

Mr Barbier: Mr Speaker, Sir, the Minister just mentioned that the number of fishers who are actually working around the island has diminished, is that so? I mean that there has been no new issue of cards. Since 2005 to now I think some cards might have been retrieved or returned or even due to death some people might have stopped working. Compared to 2005, can we know how many fishers do we have around the island and how many do we have now?

Mr Speaker: In fact, I have to remind the hon. Member that question No. B/504 is very …

(Interruptions)
Will you allow me? Specific to a particular constituency. Your question concerns the whole island, this is my observation. Now, if the Minister wishes to answer, he may or he may not.

**Mr Von-Mally:** In fact, Mr Speaker, Sir, it is since 2010 that we have not been given new fishermen cards. In order to protect the resources of our lagoon, we don’t want to come to a point where we have more fishermen than fish in our lagoon. There are about 2157 fishermen actually having fishermen cards. So, we do not intend to give new fishermen cards, but if we can retrieve the cards from older fishermen, we are working on the cost implications and give new cards to younger fishermen. I think this is the way that we must follow.

**Mr Soodhun:** The fact that the Minister has opened the debate, can he inform the House how many fishing landing stations do exist in the north?

**Mr Von-Mally:** Mr Speaker, Sir, the question concerns Black River, it has nothing to do …

**Mr Speaker:** You see now you have understood my ruling!

**Mr Soodhun:** He answered that in the whole country, he has not only answered for a specific region for the registration of the fishermen. If it would be only in the region of Black River, I would have understood. But as the hon. Minister has opened the answer, I want to open the question. In that respect, I would like to know how many fishermen have been registered in the north, I mean Trou aux Biches to Cap Malheureux, Grand Gaube and how many applications are being considered?

**Mr Von-Mally:** If the hon. Member comes with a substantive question, I will give him the answer.

**Mr Soodhun:** At least, as a Minister responsible, who knows everything in his Ministry, the hon. Minister can say how many fishing landing stations exist in the north. This is very simple; two, three or one.

**Mr Von-Mally:** The question concerns the region of Black River, Mr Speaker, Sir.

**Mr Speaker:** You see it is important to be relevant when a question is answered. Hon. Mrs Hanoomanjee!

**Mrs Hanoomanjee:** Thank you, Mr Speaker, Sir. Can I ask the hon. Minister whether, in the district of Savanne and Black River, those who have applied and whose applications have not yet been approved, this has been communicated to them or not because I understand that the Consultative Committee...
Mr Speaker: No. You put a question, enough! Leave your understanding!

Mrs Hanoomanjee: Because the Consultative Committee is not working.

Mr Speaker: You have put your question. Your question is clear. Yes, hon. Minister!

Mr Von-Mally: Whether these fishermen have been made aware that we have received their applications. Yes.

Mrs Hanoomanjee: No, that the applications have not been approved. But there is no Consultative Committee.

Mr Von-Mally: Of course, but we...

Mr Speaker: Put your question again, hon. Mrs Hanoomanjee!

Mrs Hanoomanjee: Can I put it clearly that those who have applied and whose applications have not yet been approved - and I understand that the applications will not be approved - has this been communicated to the fishermen? There was a platform, but the platform is no longer there. There was a platform. There was a Consultative Committee, but since the demise of Mr Mathieu Laclé, this platform is not working.

Mr Von-Mally: In fact, it is ongoing, Mr Speaker, Sir, and it is in the process of being done.

MARE CHICOSE - INHABITANTS - RELOCATION

(No. B/505) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Local Government and Outer Islands whether, in regard to the relocation of the inhabitants of Mare Chicose, he will state -

(a) the number of families who have not yet received their cash compensation and title deed;
(b) where matters stand in regard to the extended families eligible for a plot of land, and
(c) if consideration will be given for a review of the amount of compensation in view of the escalation of construction costs.

Mr Aimée: Mr Speaker, Sir, as I had informed the House through Parliamentary Questions 1B/161 of 2010 and B/482 of 2012, the relocation exercise of the inhabitants of
Mare Chicose is being carried out in a phased manner. The first phase relates to the swapping of land and payment of compensation, which has reached a very advanced stage of implementation. Land swapping and payment of compensation is being effected by the Notaries appointed by Government upon signature of the relevant deeds by the eligible beneficiaries.

As at date, the notarial deeds for 29 families out of 36 residential landowners in Mare Chicose who have accepted the offer of Government have been finalised and funds totalling the sum of Rs59 m., including payment of registration duties by Government, have been released by my Ministry. The respective compensation amounts have been paid to the 29 beneficiaries concerned. Moreover, I am given to understand that some seven families have already constructed and moved in their new houses at the relocation site of Marie Jeannie, Rose Belle.

Mr Speaker, Sir, as regards parts (a) to (c) of the question -

(a) I am informed by the Ministry of Housing and Lands that seven families who are residential landowners, have not yet received their cash compensation and their title deeds. The deed of exchange and payment of compensation for these families are currently being finalised by the Notaries. The reasons for the delay in processing these cases include legal issues which had to be sorted out by the landowners and disputes among heirs of the deceased landowners. However, it is expected that the notarial deeds of these seven families will be finalised by the end of this year, subject to the impediments being cleared by the landowners.

(b) Government had agreed that the tenants and extended families living at Mare Chicose village would be offered the opportunity to buy a plot of State land at the relocation site. An initial list of 22 families, whose names were given by the late Chairman of the Forces Vives of Mare Chicose, were to be offered land on sale and 22 plots of State land, each of an area of about 224 m² have been reserved at Marie Jeannie, Rose Belle. Furthermore, Government has acceded to the request of the inhabitants of Mare Chicose to reduce the sale price of the land from Rs70,000 per perche, as recommended by the Valuation Department, to Rs33,000 per perche. However, as I informed earlier, the sale of State lands would entail an amendment to the State Lands Act to empower the Minister of Housing and Lands to sell portions of State land to the
potential beneficiaries. In this respect, instructions have already been issued by the Ministry of Housing and Lands to the Attorney General’s Office for the drafting of the Amendment Bill. In addition to the above, my Ministry, in collaboration with the Ministry of Housing and Lands, is pursuing its efforts to identify land for an additional list of some eight families who have expressed their wish to purchase land, and whose names were submitted by the current President of the Forces Vives of Mare Chicose.

I was made aware that a written request had been made by the Chairman of the Forces Vives of Mare Chicose to revise upward the compensation amounts for those who have not yet received their compensation due to escalation costs. I wish to inform the House that the matter is under consideration, and the Chairman of the Forces Vives will be informed accordingly.

Mr Seeruttun: M. le président, à écouter la réponse du ministre, et quand je regarde la réponse qu’il avait donnée lors d’une PQ de l’année dernière, PQ B/482, c’est à peu près la même réponse qu’il m’a donnée. Donc, je veux savoir, depuis l’année dernière, lors de la question qui a été posée, PQ B/482, et aujourd’hui, qu’est-ce qui a été fait, parce que le nombre de personnes qui attendent encore d’être compensées n’ont toujours rien reçu. Il avait dit que le ministère du Logement et des Terres allait travailler sur un amendement à la loi pour pouvoir accorder des terres à ceux qui sont éligibles d’avoir des terres additionnelles ; toujours rien. Donc, je veux savoir qu’est-ce qui a été fait entre juillet 2012 et aujourd’hui, parce qu’il avait dit que les démarches avaient vraiment avancé ; donc, les procédures étaient à un advanced stage, mais aujourd’hui il redit la même chose, et rien n’a été fait, M. le président.

Mr Aimée: Mr Speaker, Sir, the fact of drafting the amendment to the State Land Act does not depend on me. It depends on two ministries, namely the Ministry of Housing and Lands and the Attorney General’s Office. So, there are certain cases that are pending with regard to the sale of State land because my Ministry cannot entertain selling State land unless the law is amended.

Mr Seeruttun: M. le président, en août 2010, il y a eu une rencontre avec les habitants de Mare Chicose où il y a eu aussi un tirage au sort pour allouer les terrains dans la région de Marie Jeannie, et jusqu’à aujourd’hui ces personnes qui ont été reçues et qui ont eu leurs lots n’ont toujours rien reçu comme contrat. Peut-on savoir pourquoi ça tarde?
Mr Aimée: Mr Speaker, Sir, there are at least six unresolved cases which would need to be dealt with at some point in time, namely one case of alleged unlawful prescription and another case where the landowner is unwilling to be relocated from Mare Chicose village. In the first case, upon the advice of the Attorney General, no offer of land swapping and payment of compensation has been made pending the outcome of the Court case.

Mr Seeruttun: Encore une fois, M. le président, lors de sa réponse l’année dernière, l’honorable ministre avait dit que le gouvernement allait considérer la question de revoir à la hausse la compensation, compte tenu du retard dans l’allocation de la compensation pour la construction des bâtiments de leurs maisons, et il redit aujourd’hui que le gouvernement compte considérer cette requête. Peut-on savoir quand l’honorable ministre va le faire et si effectivement ils vont le faire ?

Mr Aimée: Mr Speaker, Sir, again in December 2010, a compensation amount for each individual house was raised upward by the Valuation Department in view of the rise in construction cost as recommended. Thus, over the above amount of Rs71.4 m., Government has disbursed additional funds to the tune of Rs8.8 m. to pay for the increased compensation cost relating to price escalation. The total compensation cost to be disbursed by Government to the inhabitants of Mare Chicose amounts to some Rs80.2 m.

Mr Seeruttun: M. le président, une dernière question. En ce moment, à Mare Chicose il y a des familles dont les grands-parents ont reçu leurs contrats ; ce qui nous indique qu’ils vont bouger dans les mois à venir. Ce sont des personnes qui s’occupaient des enfants des familles dont la maman et le papa travaillent. Aujourd’hui, avec une situation où les grands-parents vont devoir bouger dans leurs nouvelles maisons à Rose Belle, les parents doivent toujours rester à Mare Chicose parce qu’ils n’ont toujours pas reçu leurs contrats, donc ils ne peuvent pas construire leurs maisons à Rose Belle. Il se trouve que maintenant les enfants doivent rester seuls à la maison après les heures de classe parce que les grands-parents ne seront plus là pour veiller sur eux.

Est-ce que je peux demander à l’honorable ministre de voir dans quelle mesure on peut donner une attention particulière à cette situation et que ces gens reçoivent la considération voulue dans une période raisonnable afin qu’ils puissent tous bouger à Rose Belle pour que cela ne pose pas de problème à la famille ?
Mr Aimée: Mr Speaker, Sir, I could have said, okay, I am going to look into the matter, but still I want to reply to the hon. Member that the case of the inhabitants of Mare Chicose is very complex.

(Interruptions)

Yes, it is very complex because, Mr Speaker, Sir, we have what we call the extended family. A letter was transmitted to my Ministry and the Ministry of Housing and Lands to that effect. In the meantime, many children have left the area; some are at Pointe aux Sables, some at Pointe aux Piments, some at Trou aux Biches, some at Bambous. It is difficult for us to identify all these people and to have a proper enquiry. State lands can’t be given like that. We have to follow procedures for State lands.

(Interruptions)

Mr Speaker: Next question, hon. Seeruttun!

UNIVERSITY OF TECHNOLOGY, MAURITIUS – PART-TIME LECTURERS

(No. B/506) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the part time lecturers at the University of Technology of Mauritius, he will, for the benefit of the House, obtain therefrom –

(a) a list thereof, indicating in each case, the respective qualification requirements, and

(b) if the posts were advertised.

Dr. Jeetah: Mr Speaker, Sir, with regard to part (a) of the question, I am tabling a list.

As regards part (b), I am informed by the University of Technology (UTM) that the recruitment of part-time lecturers was advertised in the press and the website of the University in February 2011 and a pool of part-time lecturers have been constituted on the basis of the applications received.

Mr Seeruttun: M. le président, est-ce que l’honorabele ministre peut nous dire si parmi les part-timers au niveau de l’UTM, il y a un certain Monsieur U. R. qui travaillait à la Mauritius Duty Free Paradise et qui a été suspendu sous une allégation de vol, et si aujourd’hui il est un employé as a part-timer à l’UTM?
Dr. Jeetah: I did say, Mr Speaker, Sir, that I will table a list and the hon. Member could find out. I will have to go through it myself. I don’t know this Mr U. R. personally.

(Interruptions)

Well, you will have to wait.

(Interruptions)

I have a Mr U. T. I don’t know if he is the gentleman that you are after. This person holds a Masters in Business Administration with specialisation in HR and Knowledge Management; a Diploma in Communication Studies. He is also a Lead Editor for ISO 9000. He is a registered trainer; a training manager and a programme officer registered by MQA.

Mr Seeruttun: Est ce que l’honorable ministre peut nous confirmer si dans un cas pareil une personne qui a été suspendue chez un autre employeur peut être recrutée chez l’UTM?

Dr. Jeetah: Can I respond to this hypothetical question, Mr Speaker, Sir?

Mr Speaker: Rephrase your question, hon. Seeruttun!

Mr Seeruttun: Ce que je demande à l’honorable ministre, est-ce que dans la procédure normale des critères une personne qui a été suspendue chez son ex-employeur peut être considérée pour un emploi chez l’UTM?

Mr Speaker: Wait a minute! You see, the basis of a question should be factual. On what fact is the hon. Member basing his question?

Mr Seeruttun: M. le président, ma question est la suivante. Est-ce qu’une personne qui est suspendue pour une allégation de vol au Mauritius Duty Free Paradise est éligible de travailler à l’UTM?

Mr Speaker: That is okay!

Dr. Jeetah: Mr Speaker, Sir, the question refers to U. R. I have been through further inside the list of names. There are about a few hundreds. I have got another U. W. and another U. K. A. Would the hon. Member like me to give their credentials so that he can see whether it is the same …

Mr Speaker: You don’t mention name!

Dr. Jeetah: No, I said U. K. A.
Mr Speaker: That’s correct!

Dr. Jeetah: There is no U. R. I haven’t seen any U. R. So, all these are hypothetical questions.

Mr Baloomoody: Can I ask the hon. Minister whether it is the practice at UTM to recruit lecturers who have been suspended in their original work and who are facing provisional charge before a court of law to work on a part-time basis as lecturer?

Dr. Jeetah: I am not aware of any such case, Mr Speaker, Sir, but I can certainly look into the matter.

Mr Speaker: Next question!

Mr Seeruttun: Est-ce que vous permettez que je cite le nom de la personne?

Mr Speaker: No!

(Interruptions)

Next question, hon. Ms Anquetil!

**NATIONAL AUCTION MARKET - CONSTRUCTION**

(No. B/ 507) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Minister of Agro-Industry and Food Security whether, in regard to the project for the construction of a national auction market, he will state where matters stand.

Mr Faugoo: Mr Speaker Sir, my Ministry is implementing a project for the construction of a National Wholesale Market which is a broader market concept compared to an Auction Market and has been included in the Government Programme 2012-2015.

An invitation for expression of interest for consultancy services to carry out a feasibility study for the setting up of this National Wholesale Market was launched by my Ministry. The expressions of interest have already been evaluated.

I am further informed that the tender for the consultancy services will be launched by the end of this week by the Agricultural Marketing Board, which has been mandated to implement and manage the project.

I have also set up an Implementation Committee at the level of my Ministry comprising Senior Officials of the AMB, AREU and the Small Farmers Welfare Fund to fast track the implementation of the project.
Ms Anquetil: Mr Speaker, Sir, can the hon. Minister table the names of the short-listed consultants?

Mr Faugoo: I am not aware of the list of consultants because as Minister I do not approve same. I have not gone through it. I have no intention to table it, because they are launching the tender now which is an independent matter. I am not going to look into it.

Ms Anquetil: A last one, please! Can the hon. Minister state the specific time frame for the project to be implemented?

Mr Faugoo: As I said, Mr Speaker, Sir, there has been set up an Implementation Committee to see to it that the implementation of the project is put on fast track. So, as at now, they are launching the tender for the consultancy. I won't be in a position to say the exact time frame, but I can come up with a timeframe when the tender is launched and the consultant is selected and when they have submitted the report, Mr Speaker, Sir.

Mr Barbier: May I ask the hon. Minister whether the location of this project has been finalized?

Mr Faugoo: Not yet, Mr Speaker, Sir. One of the factors which is going to be considered by the consultant would be the appropriate site for this project.

Mr Speaker: The Table has been advised that PQs B/496, B/520, B/523 and B/524 have been withdrawn. I invite the Deputy Speaker to come and take the Chair.

At this stage the Deputy Speaker took the Chair.

The Deputy Speaker: Yes, hon. Lesjongard!

EBÈNE CYBERCITY – LOW VOLTAGE EXTENSION WORKS - PAYMENT

(No. B/508) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to projects for minor development and low voltage extension works in the region of Ebène Cybercity, he will, for the benefit of the House, obtain from the Central Electricity Board, information for the period 2008 to 2009 -

(a) a list thereof;
(b) the amount of outstanding payment as at to date, indicating the amount written off, if any, and
(c) if reminders have been sent to the debtors.
The Deputy Prime Minister: Mr Deputy Speaker, Sir, I am informed by the CEB that minor development/low voltage extension works relate to residential and small commercial and industrial consumers whose local requirements do not exceed 20 kVA. I am also informed that there were no minor development and low voltage extension works carried out by the CEB in the region of Ebène Cybercity during the period 2008-2009, except for the street lighting by the local authorities.

I am further informed by the Central Electricity Board that the region of Ebène Cybercity is supplied by an underground 22 kV network up to the boundary of all plots and these works were implemented in 2004/2005. The associated costs amounting to Rs29.8 m. were incurred by Business Parks of Mauritius Ltd (BPML).

Mr Lesjongard: May I ask the hon. Deputy Prime Minister, from the list submitted to him by the Central Electricity Board, whether there is an outstanding payment of Rs620,000 for an LV extension to the Ramnath Jeetah Trust at plot 51 Ebène Cybercity at Réduit?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I thought I mentioned already. There is no list, there is nobody. On the question asked, there is no one.

Mr Lesjongard: May I ask the hon. Deputy Prime Minister whether he has been informed by the Central Electricity Board of a non-refundable capital contribution for a low voltage network which was carried out in 2009 and that payment was supposed to be made by three instalments, that is, a first payment of Rs250,000; a second payment of Rs200,000 and a third payment of Rs178,000, and as at to date, no payment has been effected by the Ramnath Jeetah Trust?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I want to stress the question was on minor development and low voltage extension and the answer is there is no list, there is no one under that item.

Mr Lesjongard: Mr Deputy Speaker, Sir, may I table two documents to substantiate what I am saying and may I ask the Deputy Prime Minister to look into this issue and if this is the case, to request that trust to pay that outstanding amount because it is from that contribution that other consumers get their low voltage network extended?

The Deputy Prime Minister: I am sure, Mr Deputy Speaker, Sir, if such is the case, it will go to Court. The CEB will send it to Court. The hon. Member should know that.
Mr Lesjongard: May I then ask the Deputy Prime Minister why is it that in certain cases where consumers do not pay their electricity bills, they have their supply cut off and in this case there is an outstanding payment of Rs620,000 since 2009 and there has not been any reminders sent to that trust?

The Deputy Prime Minister: I say it again, Mr Deputy Speaker, Sir, the question was on a very specific issue and I have replied to that. My attention having been brought to this case; I can assure the House that all necessary measures will be taken if such is the case.

Mr Roopun: In the light of the statement made by hon. Lesjongard, may I urge the hon. Deputy Prime Minister once he checks all the information, to come to this House to make a statement as regards what has been the situation so that the whole country may know?

The Deputy Prime Minister: As I have said, I have already replied to that. If such is a case, the problem would be attended to and if it is in Court, it is in Court.

Mr Uteem: May I know from the Deputy Prime Minister before the Central Electricity Board took this decision, whether the decision was backed by any legal advice?

The Deputy Prime Minister: I am not aware of this. All I am saying is that this question is very specific, and it is a narrow question and I have answered to this question. If the hon. Member comes with other questions next week or in a week after, I will reply to them.

Mr Lesjongard: May I ask the Deputy Prime Minister also to confirm whether the payment in instalments were as per the instructions of the General Manager at that time?

The Deputy Prime Minister: I am not aware of this. I will find out, Mr Deputy Speaker, Sir.

Mr Bhagwan: Is the hon. Deputy Prime Minister aware that the internal audit and even the external audit of the CEB have drawn the attention of the management on that issue and nothing has been done.

The Deputy Prime Minister: If such is the case, the issue is being attended to.

Mr Jhugroo: Can I ask the hon. Deputy Prime Minister why he is refusing to inform the House as to what action will be taken? Why is he refusing?

The Deputy Prime Minister: Because very simply, Mr Deputy Speaker, Sir, the question asked was not on this issue.
Mr Baloomody: Can I ask the hon. Deputy Prime Minister, in this specific case we are talking, whether that trust has given any guarantee before the CEB embarks on such a project?

The Deputy Prime Minister: I will look into the matter because it has been raised.

The Deputy Speaker: Next question hon. Uteem!

SOUTH AFRICA/MAURITIUS - DOUBLE TAXATION AVOIDANCE AGREEMENT

(No. B/510) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Double Taxation Avoidance Agreement with South Africa, he will -

(a) state if any recent amendment has been brought thereto and if so, why, and

(b) indicate if any study has been carried out to evaluate the likely impact thereof on our economy.

The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Deputy Speaker, Sir, the Double Taxation Avoidance Agreement between Mauritius and South Africa was signed in July 1996 and it entered into force in June 1997. It was revised at the request of South Africa, which in March 2009 had written to Mauritius to express concerns on the 1996 Agreement and its use in a manner that was not originally intended. To address the concerns of South Africa, a first round of discussions to revise the Agreement was carried out in November 2009 and a second and final round conducted in January 2011. The new Agreement was signed on 17 May 2013 but is not yet in force as it has not yet been ratified.

With regard to part (b) of the question, Mr Deputy Speaker Sir, the House may wish to note that there is presently considerable debate on how to strengthen the global fight against tax evasion and avoidance. The G8, which is presently holding its Summit in Northern Ireland, again is placing special focus on tax and transparency in addition to trade – the so-called “3-Ts Agenda”.

Stakeholders of our Financial Services Sector need to realize that the presence of clear economic substance in the jurisdiction is of utmost importance to be able to stand up to the scrutiny of tax authorities. This is why Mr Deputy Speaker, Sir, in my Budget Speech 2013, I announced that Tax Residence Certificates will in the future be issued only upon
compliance with enhanced commercial substance requirements. My Ministry and the Financial Services Commission are currently working with stakeholders of the Financial Services Industry on how best to implement this measure.

As such, regarding the Mauritius-South Africa revised DTAA the relevant factor taken into consideration also included whether we would continue to have a Double Taxation Avoidance Agreement which addresses the concerns of our partner or not to have a DTAA at all.

Mr Uteem: Mr Deputy Speaker, Sir, may I know from the hon. Vice-Prime Minister whether, at any point in time, the Revenue Authorities in Mauritius had any consultation with the stakeholders of the industry about this renegotiation of treaty?

Mr Duval: I must say, Mr Deputy Speaker, Sir, that these negotiations were held in 2009 and in January 2011, before I joined the Ministry. That has to be clear. I must also admit, Mr Deputy Speaker, Sir, that since then we have changed and we change the way in which we approach the Double Taxation Agreements. Recently, we agreed with the industry that we would have much closer cooperation before agreements are signed.

Mr Uteem: May I know from the hon. Vice-Prime Minister why is there a double standard? When it comes to the treaty with India, there is wide consultation and publication and press releases, but when it comes to treaty with other countries - South African is not the first one - everything is done behind the back of the stakeholders with disastrous consequences.

Mr Duval: As I mentioned, this particular one was before I joined the Ministry. But I must say, Mr Deputy Speaker, Sir, I don’t disagree with the hon. Member that there should be closer consultations. I am saying it quite openly because I told the industry that, two weeks ago myself. So, it is not a secret that we would like to have closer consultations.

Mr Bodha: Mr Deputy Speaker, Sir, may I ask the hon. Vice-Prime Minister whether he is aware that there is a huge debate presently in South Africa about this issue and there is a lot of uncertainty, the more so about issues, about companies with dual residency in South Africa and in Mauritius?

Mr Duval: Yes, absolutely, Mr Deputy Speaker, Sir. There is concern about how this Article 4 of the Double Taxation Agreement is going to be interpreted. It has not yet been ratified. I spoke to the High Commissioner for South Africa. We are going back to the South Africans. We want to ensure that, at least, between South Africa Revenue Service (SARS)
and the MRA, there is a clear understanding of how this article is going to be interpreted both ways. It is not always good to discuss openly about negotiations, but there are also other avenues that we are looking into. We are not all that happy with this agreement as it stands.

Mr Uteem: As the hon. Vice-Prime Minister is fully aware, this new treaty would allow South Africa to disregard the Double Taxation Treaty and tax the residents. May I know from the hon. Vice-Prime Minister whether it is any way possible during the negotiations that they are going to have with South Africa, to, at least, argue for a grandfather clause so that all the existing companies that had relied on the existing treaty provisions are not affected by this new provision?

Mr Duval: Mr Deputy Speaker, Sir, there are various things we can look at, grandfathering being one of them, as I mentioned, a greater clarity between the two Revenue Authorities. The other thing, Mr Deputy Speaker, Sir, is a most favoured nation clause. There are various things that we can look into. This was negotiated before my arrival, but I must also say, Mr Deputy Speaker, Sir, that there has been a lot of pressure from the South African Authorities for this to be done. Of course, a treaty is an agreement between two countries, we also need to avoid for the South Africans just to cancel the treaty on their side.

MOROCCO - AFRICAN TRIATHON CHAMPIONSHIP - MAURITIAN PARTICIPANTS

(No. B/511) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the African Triathlon Championship held in Agadir, Morocco on 25 May 2013, he will -

(a) give a list of the Mauritian participants, and
(b) state the budget allocated by his Ministry therefor.

Mr Ritoo: Mr Deputy Speaker, Sir, It is the policy of my Ministry to provide funding for participation in Regional and International athletic meets within the budget allocated to Sports Federations. However, the responsibility for the selection of participants lies with the respective sports federations.

In the case of the African Triathlon Championship held in Agadir, Morocco in May 2013, the list of participants, as per information received from the federation, is as follows -

1. Stephano Mariette } Head of delegation
2. David Bardi } Coach
I have further been informed that the federation met the full cost of 4 selected participants and 2 coaches and part of the cost (accommodation, entry and visa) in respect of 2 athletes who reached the minima at the selection race prior to their departure.

With regard to the remaining 4 athletes who did not meet the minima, they made a request to participate at their own expenses. Their request was acceded to by the federation which agreed to pay the entry fee only.

The budget allocated to the federation for this particular competition is Rs 300,000. as agreed at the time of submission of their calendar of activities in January 2013. This amount, I am made to understand, has been used to meet the full cost of the 4 selected participants and the 2 coaches and part cost for 2 other athletes who reached minima. The federation has confirmed that this was according to their planning in terms of utilisation of funds for the Agadir Meet.

**Mr Quirin:** M. le président, l’honorable ministre peut-il nous dire si le Triathlète Mathias Mongelard qui a remporté la médaille d’or lors de ces championnats d’Afrique, a bénéficié du financement de son ministère pour ce déplacement?

**Mr Ritoo:** No, Mr Deputy Speaker, Sir.

**Mr Quirin:** M. le président, j’ai en ma possession une lettre de la Fédération Mauricienne de Triathlon en date du 6 mai de cette année qui s’adresse à l’honorable ministre des Sports et dans laquelle ladite fédération sollicite l’aide financière, un supplément du
budget qui les aurait aidé à financer le déplacement de ceux qui n’avaient pas été sélectionnés dans un premier temps, mais qui avaient réalisé les minima. Est-ce que le ministre peut nous dire pourquoi il n’a pas pris en considération cette lettre de la Fédération ?

**Mr Ritoo:** Mr Deputy Speaker, Sir, according to the federation, strictly speaking, only four selected athletes plus two coaches should have been in the participation list. However, as some money was left, Mathias Mongelard and Timothée Hugnin were roped in with part cost paid. This explains why they had to make their own arrangements for part funding of their participation, otherwise, they would have been in the list of those who participated at their own cost. Mr Deputy Speaker, Sir, I think it is a good initiative for the federation to allow a maximum number of athletes to get high level international exposure. I would also like to congratulate the parents and sponsors who believe in those athletes and contributed in their participation cost.

**Mr Quirin:** M. le président, vu que le jeune Mathias Mongelard a fait honneur au pays, ne serait-il pas juste que le ministère de la jeunesse et des sports rembourse à ce jeune ses frais de déplacement ?

**Mr Ritoo:** This is not the policy of my Ministry, Mr Deputy Speaker, Sir, but the federation was agreeable, at the very outset, to have Rs300,000 for the participation for the total of 10 athletes. Now, if the federation felt that, at that point in time, they should include 12 athletes, they could have come up with additional demand, but they were agreeable with the Rs300,000 for a total of 10 athletes which means the whole delegation. We gave them the money and they were agreeable to that amount.

**Mr Quirin:** M. le président, le ministre est-il au courant qu’il y a un Triathlète, Boris Toulet, si je peux citer le nom, sélectionné et qui a bénéficié du soutien du ministère de la jeunesse et des sports, mais qui finalement n’a pas participé à la compétition ? Peut-on connaître les raisons de sa non-participation ?

**Mr Ritoo:** Mr Deputy Speaker, Sir, it is only after the event that the federation has informed my Ministry that Boris Toulet did not turn up at the competition. Consequently, the federation will have to claim necessary refund from the travel agency. But in the meantime, I would like to remind the hon. Member that the *Triathlète* Mathias Mongelard a été valorisé, remercié et récompensé financièrement par mon ministère samedi dernier.

**BREAST CANCER – TESTS – JULY 2012-JUNE2013**
Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Health and Quality of Life whether, in regard to breast cancer, he will for the period July 2012 to date, state the number of patients who have undergone –

(a) tests therefor, and

(b) mastectomy.

Mr Bundhoo: Mr Speaker Sir, I am informed that from July 2012 to date 766 Fine Needle Aspiration Cytology (FNAC) and 1219 biopsy tests on breast have been carried out in public hospitals. It has to be highlighted that a patient might have undergone more than one test.

Moreover, 610 mammography tests have been carried out during the same period. Mammography tests are done at SSRN and Victoria Hospitals.

Mr Speaker Sir, as regards part (b) of the question, I am advised that from July 2012 to date, some 200 cases of mastectomy have been performed in public hospitals.

And Mr Speaker Sir, allow me to mention how these figures compare on a yearly basis since 2010 for it to have some sense.

- In 2008 it was 1733, that is 78.4% of mastectomy carried out for positive tests
- En 2009 it was 1752, c’est à dire 45.1 % of positive tests;
- En 2010 it was 2060, 46.0 %, there was a slight increase;
- En 2011 the figure was 1968, that is 43.0%, and
- In 2012 out of 2038 number of tests for breast cancer performed, the number has been reduced percentagewise over the years from 78.4% in 2008 to 36.6% in 2012.

Mr Deputy Speaker, Sir, in 2008, 78.4% over the 255 positive cases of breast cancer detected had undergone mastectomy. In 2009 it decreased as said earlier and however in 2010, this percentage increased slightly. Subsequently, as I said earlier again, the percentage of mastectomy being carried out is on the decline from 43% in 2011 to 36.6% en 2012.

Mrs Hanoomanjee: Can I ask the hon. Minister as to why up to now a test which is known as HER2 is not carried out as with this test if cancer is detected positively and treated with the appropriate medicine, the patient can be cured hundred percent?

Mr Bundhoo: Mr Deputy Speaker, Sir, I kindly invite the hon. Member to come with a substantive question, I will find the information and have it given to her.
Dr. Sorefan: Thank you, Mr Deputy Speaker, Sir. I would like to know from the hon. Minister whether it is in the protocol of treatment to provide free breast prosthesis after a mastectomy?

Mr Bundhoo: I am not so sure what exactly the case is, but as far as I understand, we do provide as much as possible facilities especially to ladies undergoing this kind of treatment.

Mr Jhugroo: Mr Deputy Speaker, Sir, with regard to the figures mentioned by the hon. Minister, does it include patients from the private sector?

Mr Bundhoo: These are the figures given to me by the Cancer Register and that is why regarding the figure for 2012, as requested by hon. Mrs Hanoomanjee, I used the word ‘some’ because it is not a confirmed figure. It takes some time to compute the figures from the private and public sectors before they go officially to the Cancer Register of Mauritius and then internationally.

Mrs Hanoomanjee: May I ask the hon. Minister whether he is aware that a digital mammography was purchased – that was when I was Minister – and this is a highly sophisticated equipment which not only locates the tumor as the ordinary mammography does, but can also remove small tumors with a small incisive which does not require an operation theatre or hospitalisation. Can I know why is it that this sophisticated equipment is not being used?

Mr Bundhoo: Mr Deputy Speaker, Sir, allow me to make a slight correction to what the hon. lady just said about since she was Minister she had purchased it. In fact, the tender was launched on 14 February 2012 and the equipment was delivered some time on 06 December 2012. The equipment is being used now. As for the second part she is right. It is not fully commissioned with regard to the biopsy and training is being provided for that.

Let me also remind the hon. Member that provision to buy these machines was made by the then Government since 2009. Thank you.

(Interruptions)

The Deputy Speaker: Hon. Dr. Sorefan!

Dr. Sorefan: Will the hon. Minister inform the House whether with a view to promoting the prevention of breast cancer he will take on board the possibility to provide free routine mammography to all women aged 40 plus by his Ministry?
Mr Bundhoo: In fact my Ministry is working on that and we are contemplating it. I replied to a question a couple of weeks ago that in my last visit after the World Health Organisation, I stepped over in Paris and I met with a Professor from the Université de Paris. He is coming to Mauritius in September to advise us on the course of action.

Mrs Labelle: The hon. Minister has mentioned a decrease in the percentage of positive tests, but at the same time there is an increase of 36% positive. The percentage has decreased. May we know in absolute figures what has been the trend because some two years back we had an increasing trend of about 66%. In absolute figure, what is the situation?

Mr Bundhoo: I will have the figure circulated, Mr Deputy Speaker, Sir.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, I do not know whether the Minister is talking about the same equipment I have been talking about. I have been talking about the digital mammography which was purchased then. Can I ask the Minister as to why, as in other countries, for a tumor which is less than five centimeters, chemotherapy is done first, which reduces its size and then the tumor is removed and not the breast because he would surely agree that a woman whose breast has been removed is psychologically affected. Can we know why this is not done up to now?

Mr Bundhoo: Mr Deputy Speaker, Sir, I am not going to be rude. The hon. Member was Minister for 14 or 16 months already, I could have put the same question to her when I was sitting there as a backbencher.

(Interruptions)

But I did not…

(Interruptions)

Let me finish!

(Interruptions)

I have listened to her …

(Interruptions)

Let me finish!

The Deputy Speaker: Hon. Minister of Health…

(Interruptions)
I am sorry, I am sorry, I am on my feet! It is the duty of the hon. Member to ask questions and it is the duty of the hon. Minister to give answers!

**Mr Bundhoo:** I also feel, Mr Deputy Speaker, Sir, it is my duty to remind her of her failures!

*(Interruptions)*

**The Deputy Speaker:** Hon. Mrs Radegonde-Haines!

**Mrs Radegonde-Haines:** Mr Deputy Speaker, Sir, may I ask the hon. Minister if he is aware of the psychological stress that these women undergo after the mastectomy. Will he state what system his Ministry has put in place to support them because in my Constituency I have many women who have undergone such operation and I have to link them with the Link to Life.

**Mr Bundhoo:** Mr Deputy Speaker, Sir, the hon. lady rightly put that question the way she has. This is why we have made all efforts to reduce the number of mastectomy and I have just said earlier, Professor Khayat is coming from Paris, he is one of the leading professors, to advise us and to set up a new strategy with regard to that and especially as my friend rightly said, non invasive surgical intervention.

**Mrs Navarre-Marie:** Mr Deputy Speaker, Sir, in view of the fact that breast cancer is causing death among women and that mastectomy is causing depression among women, will the hon. Minister propose to launch a national campaign to encourage women to be detected early?

**Mr Bundhoo:** Yes, Mr Deputy Speaker, Sir.

**Mrs Labelle:** May I ask the hon. Minister the number of medical oncologists we actually have? Has he been able to recruit additional medical oncologists? Because at a particular point in time we had only one. Is the figure still the same?

**Mr Bundhoo:** I think it has been increased. In fact, I have requested the figure prior coming to the National Assembly, and I will circulate it as soon as I get it.

**Mr Jhugroo:** M. le ministre, étant donné que pendant 14 mois que l’honorable Mme Hanoomanjee était ministre elle a pris la décision d’acheter un équipement qui s’appelle le *Digital Mammography*, comment expliquez-vous votre incompétence ? Après cet achat, vous n’avez pas encore mis cet appareil en opération.
The Deputy Speaker: Hon. Member of the Opposition, please ask your question in a straightforward manner, without imputing motives.

Mr Jhugroo: Je demande au ministre pourquoi cet appareil qui s’appelle le Digital Mammography que l’ancien ministre avait acheté, n’est pas opérationnel jusqu’à présent. Pour quelle raison?

Mr Bundhoo: Mr Deputy Speaker, Sir, let me make it very clear. I said it in my last reply in the Assembly, and I am going to repeat it again. I have just given the reply, and I will repeat it again. I am going to submit a copy of this for the benefit of the hon. Member. First, the tender was launched on 14 February 2012, and not by the previous Minister, but by me, the present Minister. Second, the equipment was delivered at Victoria Hospital in December 2012, when I have been appointed Minister for only a year. Third, this equipment is already working, and is already been commissioned by my Ministry. Only the biopsy is not being utilised because …

(Interruptions)

Let me finish. Only part of the biopsy because we are waiting for further training in order to fully utilise the equipment. What the hon. Member said earlier is unfounded, that is, it was purchased, installed and commissioned by the previous Minister.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, I think that this debate is a very serious one. It is not a question of who did this or who did that. What I am asking the Minister is what he can do for women who are suffering from breast cancer. Can I ask the Minister how many women up to now have been subject to chemotherapy before they have been subject to a surgical operation, where their breasts have been removed?

Mr Bundhoo: Mr Deputy Speaker, Sir, let me remind the House what I am doing with regard to chemotherapy. We have opened new units at the Sir Seewoosagur Ramgoolam Hospital, a new one at the Jawaharlal Nehru Hospital and, at this end of the month, we are scheduled to open a new one at Dr. Jeetoo Hospital. So, this is what the Government is doing.

Secondly, we have already sought advice, and the Professor from France is coming to Mauritius in September of this year, to advise us on the way forward.

Mrs Labelle: Mr Deputy Speaker, Sir, regarding the Radiotherapy Centre at Candos, may I ask the hon. Minister what measures have been taken recently regarding this old
machine, which is always breaking down? Following a reply to a PQ some time ago, the hon. Minister said that he was to take corrective measures regarding this Radiotherapy machine. May we know what measures have been taken? Have these machines been replaced or properly repaired?

**Mr Bundhoo:** All necessary actions are being taken to have a new set of equipment with regard to Radiotherapy, including a new bunker, as the new machines will require a new bunker.

**Mr Jhugroo:** May I know from the hon. Minister what is the cost of this Digital Mammography which has been purchased and the name of the supplier?

**Mr Bundhoo:** The name of the company is Robert Le Maire, and the full-fledged cost of everything is around Rs13 m.

**The Deputy Speaker:** Last question, hon. Mrs Hanoomanjee!

**Mrs Hanoomanjee:** Can the hon. Minister give the guarantee to this House that the hospital will make optimum use of this Digital Mammography equipment, that is, it will be used even on Saturdays?

**Mr Bundhoo:** I have every reason to believe that not only we are having one at Victoria Hospital, but everything will be done for us to have optimal use of the equipment. I have also given instructions to introduce the same service at the Dr. Jeetoo Hospital.

**MINISTRY OF PUBLIC INFRASTRUCTURE - SINOHYDRO LTD. - CONTRACT**

(No. B/513) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the projects implemented by his Ministry, since 2005 to date, he will state the number thereof awarded to Sinohydro Ltd. indicating in each case, the –

(a) date the contract was signed;

(b) value thereof, and

(c) contractual completion date thereof, indicating the delay, if any, and the additional cost involved in connection therewith.
The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, the information which the hon. Member has requested for is being tabled.

Mr Fakeemeeah: Can I know from the hon. Vice-Prime Minister who, on behalf of Sinohydro Ltd., interacts with the Government and whether he meets the hon. Vice-Prime Minister directly?

Mr Bachoo: Mr Deputy Speaker, Sir, I do not meet Sinohydro Ltd. because they deal with the Road Development Authority.

Mr Fakeemeeah: Can the hon. Vice-Prime Minister state to the House the number of projects where Sinohydro Ltd. cannot meet the deadline?

Mr Bachoo: I am circulating the list, and the hon. Member can go through it. There are places where extension of time has been granted, and there are places where they have asked for extension of time. I can assure the hon. Member that everything will be done legally by the RDA.

Mr Bhagwan: Can I know from the hon. Vice-Prime Minister whether any adviser attached to his Ministry has had sub-contracts with Sinohydro Ltd. and also with COLAS for landscaping purposes?

Mr Bachoo: As far - I maintain - as I am aware, not a single advisor of my Ministry is involved. It is not to my knowledge.

Mr Uteem: Mr Deputy Speaker, Sir, the hon. Vice-Prime Minister mentioned that he is going to table all the information. But may I know from the hon. Vice-Prime Minister whether he is in a position to tell the House today, out of all the projects undertaken by Sinohydro Ltd., if a single one has been completed in time.

Mr Bachoo: Sinohydro Ltd is looking after about five projects, and all projects are on. The time has not come for those projects to be completed. There are cases where extension of time has already been granted. I am just waiting for the time to lapse, and then we will take action if the company has not been able to do the job.

Mr Bhagwan: The hon. Vice-Prime Minister has stated that he is not aware that one adviser has obtained sub-contract from COLAS and Sinohydro Ltd. Can the hon. Vice-Prime Minister enquire whether that adviser, together with another adviser from the Prime Minister’s Office, has formed a sub-company, and they are being awarded sub-contracts by
the contractors that I have mentioned, through the existing contracts on the motorway, either for COLAS or for Sinohydro Ltd?

**Mr Bachoo:** The hon. Member just asked this question, I can remember, about any adviser from my Ministry. So I have mentioned not to my knowledge, as far as my Ministry is concerned.

Now, the question is about other Ministries and other Departments. I have to look into. But, I can assure the House, as far as my Ministry is concerned, not to my knowledge.

**Mr Jhugroo:** Can I know whether there have been any variation costs in these projects, and if so, can we know the amount?

**Mr Bachoo:** I am going to circulate the answer. The hon. Member has to go through it. I do not have any problem.

**Mr Ganoo:** I am going to ask a very simple question to the hon. Vice-Prime Minister. Can he tell the House how many contracts presently Sinohydro Ltd. is engaged in, and how many of these contracts the contractor has asked for extension of time?

**Mr Bachoo:** There are five contracts. In the first one, extension of time has already been granted. In a second case, the extension time has been granted, but with no addition costs. For the third one also, no additional costs, as far as I have been informed. For the fourth one, the determination of extension of time is still being finalised. And, the fifth one, an extension of time of four days only has been granted.

**Mr Ganoo:** Can I take it from the hon. Vice-Prime Minister that, in all the five cases, extension of time has been asked for?

**Mr Bachoo:** If I am not mistaken, in one of them, they have asked for extension of time, but I can mention that no additional cost is involved. The extension time is basically because of bad weather. Secondly, because of the services. It is very important, Mr Deputy Speaker, Sir, because when the services are there, it takes too much of time. Thirdly, because of land acquisition. There are plenty of reasons why. That is why the RDA, before giving an extension of time, either has to consult the consultant or has to consult the engineers.

**Mr Soodhun:** Mr Deputy Speaker, Sir, concerning the airport up to the North, in the middle you have these iron bars. They contract out with local contractors and this has been done without any tender and the RDA insists - as my hon. friend Bhagwan mentioned - that
the tender be given to these people. I would like to know whether the Vice-Prime Minister is aware of the fact?

**Mr Bachoo:** The hon. Member is talking about guardrails. He can come with a substantive question and I am going to give the answer.

**Mr Soodhun:** As a matter of principle, I would like to know whether the hon. Vice-Prime Minister is aware if there is any tender, because he must be aware if there is any specific tender for the local contractor to place these iron bars in the middle for safety.

**Mr Bachoo:** Mr Deputy Speaker, Sir, these guardrails are supposed to be placed – if I am not mistaken - by the district contractors and they are bound to do the job. The work of the RDA is to contract out to the district contractors who have been appointed legally by the Central Procurement Board. That is why I am telling if a substantive question is put to me, I can give the names of those contractors, because the RDA has been dealing with the contractors who have been appointed by the Central Procurement Board. Now, whether they subcontract it, that risk is at their level; they have to take the risk, not the RDA.

**Mr Bhagwan:** The question I want to ask is about landscaping works on the central verge, either on the motorway north/south where subcontracts have been given from the original contractor with the connivance of the RDA to two advisers that I have mentioned - I know what I am saying; one is from the Minister of Public Infrastructure who is in association with one adviser from the Prime Minister’s Office. Can the hon. Vice-Prime Minister, at least, give the guarantee to the House that he will ask the Director of Audit or somebody else to commission an enquiry on what I am saying?

**Mr Bachoo:** Mr Deputy Speaker, Sir, the hon. Member is free to take any action, because if a contractor …

*(Interruptions)*

Let me finish! If a contractor has any dealings with anybody, - I have just mentioned that I am not aware of my Ministry - definitely if any such case occurred that is brought to my notice in my Ministry, I can assure the House that I will take action not the day after tomorrow or after one month’s but tomorrow or today in the afternoon. This is far as my Ministry is concerned, but whoever be the persons, if they have any contract with any contractor who has nothing to do with my Ministry, that is their responsibility. There are so many contractors, they keep on subcontracting their works and I am not to be held responsible; that does not fall under my jurisdiction.
Mr Ganoo: May I ask the hon. Vice-Prime Minister who has so much experience in this field, who have been a Minister for such a long time and having headed this particular Ministry, doesn’t he think that his Ministry should review the penalty clause, imposing the delay damage per day and also the bid security, because they are too much on the low side and this encourages non-performing contractors to take this Ministry for granted and this is why they can afford to do what they are doing? So, review it on the increase, please.

Mr Bachoo: I fully concur with the hon. Leader of the Opposition. Let me honestly speak out my heart. Every day I undergo a lot of pressure when projects are not completed on time because I know the difficulties and at the same time if you want to take them to court, it takes us so much of time and then there are so many legal intricacies that we can’t even take up actions. That is the reason why I have the habit of warning them repeatedly but, if need be, if anything has to be improved in our Regulations, I won’t have any hesitation. I can, once again, assure hon. Members that I am as much concerned as anybody because all the responsibilities befall upon me.

Mr Jhugroo: Est-ce que le Vice-Premier ministre peut nous donner la garantie qu’il va ouvrir une enquête pour voir si les contrats ont été sous-loués et si oui, de voir s’il y a des advisers ou d’autres political nominees who have been involved in any transaction and inform the House later on?

Mr Bachoo: Mr Deputy Speaker, Sir, I have just mentioned, for any adviser in my Ministry action is taken; but as far as any other person, or any adviser doing any type of job, if they have gone through the proper procedures then they don’t have anything to do with that, provided they do the jobs. Because the law automatically allows them to tender if they have got a company, if they want to want to go into negotiations with any contractor who has been awarded works in any parastatal body. They can do so, but, as far as we are concerned, we are bound to get our works done to the satisfaction of the RDA.

Mr Bhagwan: After what we have seen, heard and witnessed, especially with the increase of cost and so on, not only for that Sinohydro, we are talking for other big contracts like Colas and others, does the hon. Vice-Prime Minister not consider that it is now time to review this RDA? The whole problem lies with the RDA. The hon. Vice-Prime Minister has himself informed us that he suffers undue pressure. The RDA is the central mafia organisation. I can say it to the House - I know what I am saying. This is where the problem lies ...
Mr Bachoo: Mr Deputy Speaker, Sir, on a point of order, the hon. Member is imputing motive ... 

Mr Bhagwan: I have not finished ... 

Mr Bachoo: No! On a point of order, please!

The Deputy Speaker: I am on my feet! There is a point of order that the hon. Vice-Prime Minister wants to raise.

Mr Bachoo: It can’t be a mafia!

Mr Bhagwan: I say RDA!

The Deputy Speaker: There is a point of order.

Mr Bachoo: Mr Deputy Speaker, Sir, one institution like RDA handling...

If you don’t want to listen to my answer, I won’t answer then!

I am not going to answer then. The hon. Member is asking questions and he won’t listen to my answer, I won’t answer.

The Deputy Speaker: Just put your question, please!

Mr Bhagwan: I have not finished what I had to say. The problem lies with the RDA, the connivance of the engineers, the top management of the RDA with contractors that I said is like a mafia with the public money! Billions and billions of rupees are being spent!

Mr Bachoo: Mr Deputy Speaker, Sir, the hon. Member is free to go either to the Police, to the CID, to the ICAC or he can start a private prosecution against ...
The Deputy Speaker: Order please! Allow the Vice-Prime Minister to answer the question.

Mr Bachoo: Mr Deputy Speaker, Sir, ...

(Interruptions)

The Deputy Speaker: Hon. Bhagwan, you asked a question, allow the hon. Vice-Prime Minister to answer the question!

Mr Bachoo: Mr Deputy Speaker, Sir, just imagine one institution handling projects worth billions and billions of rupees.

(Interruptions)

The Deputy Speaker: Hon. Jhugroo!

Mr Bachoo: It is not an easy task and I can tell that I am satisfied with the way the engineers are doing their works.

The Deputy Speaker: Last question, hon. Leader of the Opposition!

Mr Ganoo: Mr Deputy Speaker, Sir, the hon. Vice-Prime Minister has told us a few minutes ago that there are about five contracts in which Sinohydro is presently involved in and none of these projects has yet been completed. Can I ask the hon. Vice-Prime Minister, therefore, that since in each and every contract between the Ministry and the Department with any other contractor, there is a defect liability period so that in this case Sinohydro n’a pas encore livré un chantier and we do not know if after they hand over the project what will happen. That is why there is a defect liability period. I ask the hon. Vice-Prime Minister this, in view of the fact that I know - although I put the question - that in many countries this contractor has been made to leave for bad performing and non-performing, and in the case of Malaysia when they were constructing a reservoir they made an improper mix between water and cement and they were kicked out.

The Deputy Speaker: Hon. Leader of the Opposition, put your question please!

Mr Ganoo: Can I ask hon. Vice-Prime Minister what precautions - and if he has not taken, please, do take all the precautions – he has taken so that when this chantier will be livré by this particular contractor, we don’t have surprises when they leave the country or when they hand over the project, by looking carefully at this defect liability period please?
Mr Bachoo: Mr Deputy Speaker, Sir, I have mentioned that contracts have been awarded, extension of time has been granted but the works, we are waiting for the extension of time to be over to see whether the contractor has performed. I would like to *ouvert une parenthèse* here to say that not only this contractor, here he can be late for 10 days, 20 days or one month. We have got contractors in our country who are late by almost seven to eight months in projects, but here out of the five not a single case there has been such a long delay. For example, in a project of Rs926 m. which is being financed by the World Bank, there is an extension of time asked, it has been granted, but there has not been a single rupee which we have spent more than what has been approved by the Central Tender Board.

Second, Colville Deverell Bridge to Grewals, there has been an extension of time requested because the steel girders from Luxembourg are still coming. There has been a delay as far as the shipping is concerned, but here also, no additional cost is involved.

Third, Savanne, Beau Climat to Nouvelle France, the work is on. Here, there are no additional costs though there has been extension of time granted because of the difficulties that we had on the site and that too, it was given.

*(Interruptions)*

I am talking about Sinohydro, I would like to request the hon. Member because I am answering to the Leader of the Opposition.

*(Interruptions)*

The fourth one is Riche Terre. In the morning, questions were asked to me. I have mentioned that extension of time is being looked into and during the recess, I enquired. We have paid them up till now - as I told you I am not concerned about the payment but I had to enquire from them - Rs14 m. out of approximately Rs83 m. and 40% to 43% of the work has been completed and today on the site, there were 26 workers contrary to what hon. Lesjongard was telling, two or three prisoners.

Then, the last one is the widening of Avenue Tulip. It is important for the hon. Member; they have asked me the question, it is important for them to know. As far as Tulip Avenue is concerned, there is a delay of four days. So, what do you expect me to do; we have given extension of time, but not in cases where it has gone beyond one year, seven months, eight months, four months or five months.
So, that’s why I am monitoring the situation and in each project, we have appointed at least a minimum of one to two engineers including Principal Engineers plus Technical Officers on a daily basis to monitor and to report to my office as far as the standard of work is concerned.

**The Deputy Speaker:** Next question!

**MEDICAL NEGLIGENCE – ALLEGED CASE - STILLBORN**

(No. B/514) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Quality of Life whether, in regard to the alleged case of medical negligence, following the delivery of a stillborn on 20 December 2012 and reported by Mrs S. R. J., he will state if an inquiry has been carried out thereinto and, if so the outcome thereof.

**Mr Bundhoo:** Mr Deputy Speaker, Sir, a preliminary inquiry has been carried out at the level of my Ministry into the case of alleged medical negligence following the delivery of a stillborn on 20 December 2012 as reported by Mrs S. R. J.

The inquiry revealed that there were grey areas in the management of the case and in the light of the findings the case was referred on 18 March 2013 to the Medical Council for an in-depth inquiry. The report of the Council is awaited.

**Mr Fakeemeeah:** Will the hon. Minister agree that there are too many cases in the prenatal *et aussi dans les départements post natals*, and will he look into these issues seriously?

**Mr Bundhoo:** Yes, Mr Deputy Speaker, Sir.

**Dr. S. Boolell:** Mr Deputy Speaker, Sir, I would like to know from the hon. Minister when are enquiries conducted by his Ministry and when are enquiries conducted by Fact-Finding Committees? What are the indications for both?

**Mr Bundhoo:** Mr Deputy Speaker, Sir, this question was for a particular case with regard to Mrs S. R. J. I would kindly invite the hon. Member to come with a substantive question, but nonetheless I can tell him that in all cases of maternal deaths or child deaths automatically there is an internal enquiry by the regional hospital concerned. If there is any grey matter, it is then reported to the Medical Council for further investigations and necessary actions, but sometimes due to some complications, I personally then take the decisions to have a Fact-Finding Committee and I have already replied to the question of the hon.
Member sometime back that we would try to do away with this practice of Fact-Finding Committee and that’s why we are amending the Medical Council in order to expedite matters with regard to enquiry and discipline subsequent to the enquiry.

Mr Obeegadoo: Mr Deputy Speaker, Sir, may I know what will actually happen in this case since we have had so many cases of enquiries into allegations of medical negligence that have gone nowhere? I understand according to the hon. Minister there is presently a Ministerial Committee looking again at the Medical Council Act. Could he tell us whether that Ministerial Committee has met? How many times it has met and what is the time frame for it to recommend amendments to the present legislation?

Mr Bundhoo: Mr Deputy Speaker, Sir, I only replied to this question last week. In fact, only yesterday the Ministerial Committee has met again in the office of the hon. Minister, Dr. Kasenally who chaired this meeting, in the presence of hon. Faugoo, hon. Dr. Bunwaree, hon. Dr. A. Boolell, Dr. Pauvaday, myself, and others.

Now, I have also said last week that the hon. Prime Minister, when he was in the UK, has initiated actions and talks with the General Medical Council of the United Kingdom in order to assist us to reform our Medical Council in Mauritius.

Mr Baloomoody: The hon. Minister mentioned a preliminary enquiry. Did the hon. Minister mention a preliminary enquiry at the level of his Ministry, and if it was a preliminary enquiry or an enquiry, may we know who conducted that enquiry and further, when the case is referred to the Medical Council, does the relatives of the victim get access to the findings of the enquiry and to the personal medical file of the patient?

Mr Bundhoo: Mr Deputy Speaker, Sir, the preliminary enquiry was set up on 15 January 2013 and the Chairperson was Dr. Ramdoyal, the RHD of the Jawaharlal Nehru Hospital assisted by Dr. Hoolooman, Ag. Consultant in Charge, Obstetrics and Gynaecology of Flacq Hospital, Dr. K. Choychoo, Ag. Consultant in Charge, Paediatric Unit, Victoria Hospital, and the AS was Mr Puddoo.

Mr Uteem: Mr Deputy Speaker, Sir, may I know from the hon. Minister in respect to this particular case whether any doctor or nurse or Medical Officers have been suspended pending the outcome of the enquiry and whether the Police is also enquiring into this matter?
Mr Bundhoo: Mr Deputy Speaker, Sir, I have already replied that the matter has been referred to the Medical Council for appropriate disciplinary action after the enquiry would be carried out.

Dr. S. Boolell: Mr Deputy Speaker, Sir, won’t the hon. Minister consider that in matters where there are grey areas or hazy areas that the matter should be referred to the Police and eventually, a judicial enquiry conducted whereby the family may have access to information?

Mr Bundhoo: Mr Deputy Speaker, Sir, when we put Fact-Finding Committees, they tell us not to do that. When we take disciplinary actions, they tell you why did you do that, and now that we have referred the matter to the Medical Council, he wants us to have a judicial enquiry and if we were to open a judicial enquiry, only God knows what other enquiry would he have asked me to do.

(Interruptions)

The Deputy Speaker: Hon. Mrs Labelle!

Mrs Labelle: Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, on this question of informing the relatives of alleged victims, may I ask the hon. Minister if he can clearly state whether there is a particular mechanism to inform the families of what is going on? I take an example with your permission, I have a boy of 13 years, there was an alleged case of medical negligence and this family is not aware of what has happened? So, is there a particular mechanism to inform families of the alleged victims?

Mr Bundhoo: Mr Deputy Speaker, Sir, I remember quite well, hon. Dr. S. Boolell did put the question to me and I have replied substantively to this question in the House. I have explained to him as a matter of principle, the family has a full-fledged right to be informed of the outcome of any enquiry. Hon. Ms Anquetil put the same question to me and I have also replied to that. You, yourself, hon. Mrs Labelle, you put the question to me; I have given you this reply before. Now, both of them have put the question, I have already replied to this and I have said to a plea by Dr. S. Boolell, he asked me to kindly review it and I have said: yes, we will and we shall review and I have given clean and firm instructions to all RHDs as a matter of principle they have an obligation to inform those who are concerned with the outcome of the enquiry.
**Mrs Hanoomanjee:** Since we are talking of the delivery of a stillborn child, can I ask the hon. Minister whether he does not feel that it is high time to have a general reform of the gynaecological section and to devise new protocols in new circumstances?

**Mr Bundhoo:** I fully conquer with the hon. Member. What have been done when she was there, we shall do it.

**Mr Baloomoody:** The hon. Minister should be aware that whenever there is mort d’homme resulting from a case of negligence, there is and there should be a judicial enquiry. In this case, can I ask the hon. Minister whether the medical file and the report of his internal enquiry have been communicated to the victims?

**Mr Bundhoo:** I have replied to the hon. Member personally about this a couple of weeks ago. If the hon. Member goes to the Hansard, he will see the reply. I have said –

“Yes, all would be submitted to the aggrieved persons on request of their Barrister-at-law.”

**Mr Fakeemeeah:** Mr Deputy Speaker, Sir, I wonder if the hon. Minister is aware of the difficult psychological trauma still affecting the mother, in this specific case, who lost the baby. I would like to know from the hon. Minister what has been done and what is being done to repair the damages caused?

**Mr Bundhoo:** I think, if I am not mistaken, I have personally visited this lady at the Dr. Jeetoo Hospital. I think I have. I think that was done at the request of hon. Dr. Arvin Boolell who, on a Sunday morning, asked me to do that. I am sure, I have taken the matter with the RHD and I will have to see to it whether they were provided psychological support.

**Mr Jhugroo:** Can the hon. Minister inform the House, with regard to medical negligence, how is the monitoring done between his Ministry and the Medical Council?

**Mr Bundhoo:** I have just replied extensively to this, Mr Deputy Speaker, Sir. Whenever there is a case of alleged medical negligence and whenever we open an internal enquiry, if there is any grey matter, it is referred to the Medical Council precisely because we are not satisfied. The time lag and the action that is being taken with regard to the negligence, and the disciplinary action is not a reflection of the negligence that has taken place. That is why we are reviewing this and also. The Ministerial Committee would provide a mechanism for monitoring also.
The Deputy Speaker: Time is over! The Table has been advised that PQs B/516, B/519, B/521, B/522, B/525 and B/526 have been withdrawn.

MOTION

SUSPENSION OF S.O. 10 (2)

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I beg to move that all the business on today’s Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval) rose and seconded.

Question put and agreed to.

The Deputy Speaker: I suspend the sitting for 44 minutes.

At 4.16 p.m. the sitting was suspended.

On resuming at 5.01 p.m. with Mr Speaker in the Chair.