

Mr R. G. – ALLEGED CRIMINAL OFFENCES

(No. B/414) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Mr R. G., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons why no Police action has been initiated against him as at to date although serious allegations of criminal offences have been levelled against him, namely, regarding the –

- (a) excessive loans and dealings with the Mauritius Co-operative Central Bank Ltd.;
- (b) shops and restaurants at the Sir Seewoosagur Ramgoolam International Airport;
- (c) State Insurance Company of Mauritius Ltd. Tower;
- (d) allocation of State lands;
- (e) Roche Noire case, and
- (f) Mauritius Duty Free Paradise Ltd.

The Prime Minister: Madam Speaker, in regard to part (a) of the question, I am informed by the Commissioner of Police that, on 27 April 2015, the Bank of Mauritius reported alleged acts of malpractice and abuse of power at the Mauritius Post and Cooperative Bank (MPCB), following which Police initiated an enquiry.

I am further informed that the enquiry is still ongoing at the level of the MPCB to collect relevant documents pertaining to the case. Mr D.G. is not required for investigation for the time being, but will be convened in due course, if need be.

Madam Speaker, in regard to parts (b), (c) and (d) of the question, I am informed by the Police that there is no enquiry being carried out. However, I am informed that the Independent Commission against Corruption has initiated an investigation on Mr D.G following a complaint against Airports of Mauritius Ltd in relation to the allocation of a contract to Airway Coffee Ltd for the operation of its Food and Beverages Service and Lounge Management at Sir Seewoosagur Ramgoolam International Airport.

Madam Speaker, regarding part (e) of the question, I am informed by the Police that the case of larceny armed with offensive weapon reported by Mr D.G. was re-opened in the light of fresh information obtained. In the course of the enquiry, three persons have been

arrested and provisionally charged for the offence of conspiracy to commit an unlawful act to wit: effecting public mischief.

The enquiry has been completed and referred to the Director of Public Prosecutions on 25 June 2015 for advice.

Madam Speaker, as regards to part (f) of the question, I am informed by the Police that it started an enquiry on the Mauritius Duty Free Paradise Ltd following receipt of an anonymous letter on 25 January 2015. During the course of the enquiry, Mr D.G. gave statements to the Police on five occasions.

One person has been provisionally charged before the District Court of Curepipe on 04 June 2015 for the offence of conspiracy to commit money laundering and bribery for procuring contract. The enquiry is still in progress.

I am informed that the Independent Commission Against Corruption is also investigating into an alleged act of corruption in the allocation of contract to Dufry AG by the Mauritius Duty Free Paradise Co. Ltd.

Mr Bhagwan: Can I ask the Rt. hon. Prime Minister whether he will see to it, despite what we have heard from the reply, and he will give directives, that no interference should occur at any level - even at any of the political level - that Mr D. G. can escape scot-free from all the murders he has committed?

The Prime Minister: Anyway, if there had been murder he would have been in already! I must say that for the time being we need Mr D. G. as a witness in one of the most important cases that the CCID is dealing with.

Mr Bérenger: Can I ask the Rt. hon. Prime Minister whether, in fact, he is confirming that the gentleman has not and will not benefit from any *immunité*?

The Prime Minister: For the time being he is being used as a witness.

Mr Mohamed: There is one thing I would have to pick up. The tenor of the question talks about excessive loans and dealings with the Mauritius Co-operative Central Bank Ltd. Could the Rt. hon. Prime Minister tell us in relation to the words “excessively used” at the time when loans were made available to, they call him, Mr D.G. - and here I see Mr R. G.; I guess they are the same person -

would not it be possible for the Rt. hon. Prime Minister to tell us whether any special, unusual, abnormal facilities were given in terms of interest or otherwise to Mr R. G. that would make it suspicious or whether it was normal as any other client, as far as banking facilities and interest for the repayment of the loans are concerned?

The Prime Minister: The enquiry is still on. In any case, I need a specific question to this.

Madam Speaker: Next question, hon. Bhagwan!

Mr Bhagwan: I have one last supplementary question, Madam Speaker?

Madam Speaker: Hon. Bhagwan, would you, please, move on to the next question?

Mr Bhagwan: Madam Speaker, this is a very important question! One last supplementary question, please!

Madam Speaker: I will allow you one last, but nobody else!

Mr Bhagwan: Can I make a request to the Rt. hon. Prime Minister, taking into consideration the excessive loans taken at the MPCB Ltd, we have been made to understand that all these loans have been transferred to the DBM Ltd? Can the House have a guarantee from the Rt. hon. Prime Minister, through the Minister of Finance and Economic Development, that there will not be any write-off of all these loans at the level of the DBM Ltd.?

The Prime Minister: Well, we need specific questions from the hon. Member. We cannot answer it.

Madam Speaker: Next question, hon. Bhagwan!

HORSE RACING - COMMISSION OF INQUIRY - INTERIM REPORT

(No. B/415) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Commission of Inquiry on Horse Racing in Mauritius which was set up on 24 September 2014, he will state if he is in presence of the confidential Interim Report thereof submitted to the President of the Republic

on 28 April 2014, as stated at paragraph 6 of page 11 of the Executive Summary in relation thereto and, if so, indicate if any action has been initiated for the urgent carrying out of investigations into alleged cases of cheating and, if not, why not.

The Prime Minister: Madam Speaker, as I informed the House, while replying to Parliamentary Question No. B/57, I have not seen any interim report. I have been told that an interim report was forwarded to the former Prime Minister. What he has done with it, I don't know.

Madam Speaker: Yes, hon. Bhagwan!

Mr Bhagwan: Being given the remarks made by the Commissioners at paragraph 6 of the report concerning urgent criminal investigation, can I know from the Rt. hon. Prime Minister whether his Office has asked for a copy of the interim report from the Commissioners?

The Prime Minister: Well, I have not got any, I have not seen any.

Mr Bérenger: My information is that, in fact, the Commissioners had submitted a confidential interim report to the then President of the Republic who transmitted it to the then hon. Prime Minister. I am sure if that is the case, there must be a copy at the State House. Has the Rt. hon. Prime Minister enquired at the State House with the now President of the Republic whether such a document does exist?

The Prime Minister: Well, if that is so, the State House should have given it to me.

Mr Mohamed: Could the Rt. hon. Prime Minister consider - I would not go as far as to suggest that the Rt. hon. Prime Minister contacts the former Prime Minister to ask him whether he could give him his copy, may I humbly suggest - the possibility of carrying out an in-depth enquiry to find out that interim report, at least, *pour faire taire les rumeurs*? Because there is information that I have, that is circulating out there and I am not saying it is true, that there is a discrepancy or a difference between the interim report and the final report. Which is which? If that is not the case, then it is important, at least, that the hon. Members of this House see that there has been no change or editing made to the interim report as opposed to the final one. So, would he consider the possibility of carrying out an enquiry to get that report?

The Prime Minister: There are already too many enquiries being carried out. One document had disappeared, but there are many other documents, even in the Prime Minister's Office, which have disappeared.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: I will insist again on the Rt. hon. Prime Minister whether his Office could - because we have paid from public funds for the commissioning of this report, perhaps millions of rupees! It is a very important report which recommends urgent criminal investigations and actions. Can I make a request, in the public interest, that the Government of Mauritius writes to these Commissioners to have a copy of that interim report so as to take urgent actions as recommended by them?

The Prime Minister: The former Prime Minister has been a very good ally of the hon. Member, can't he ask him for a copy?

(Interruptions)

Madam Speaker: Next question, hon. Bhagwan!

(Interruptions)

Don't make comments from a sitting position!

HORSE RACING – COMMISSION OF INQUIRY - RECOMMENDATIONS

(No. B/416) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Commission of Inquiry on Horse Racing in Mauritius which was set up on 24 September 2014, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, a list of the actions initiated, if any, especially in respect of alleged cases of -

- (a) cheating;
- (b) taxes not paid to the Mauritius Revenue Authority by SMS Pariaz;
- (c) under invoicing on the importation of horses;
- (d) the *Police des Jeux*, and
- (e) live monitoring of bettings.

The Prime Minister: Madam Speaker, with your permission, I am replying to part (a) of the question. I am informed that, for any offences committed under Part XXIV of the

Gambling Regulatory Authority Act 2007, as subsequently amended, the Gambling Regulatory Authority (GRA) has recourse to the assistance of the *Police des Jeux*. Any alleged case of cheating is, therefore, referred to the *Police des Jeux*, for further investigation and necessary action.

In addition, regular meetings, in relation to cases of alleged malpractices, are held by the GRA with the Mauritius Turf Club (MTC) for safeguarding the integrity of the horse racing industry and upholding public confidence.

As stated in the Report of the Commission of Inquiry on Horse Racing in Mauritius, the GRA lacks competency in the reading of horse race running and determining any case of cheating. To overcome this competency problem, the GRA is in the process of enlisting the services of an expert from the horse racing industry, abroad, for -

- i. the reading of horse race running and determining any case of cheating not detected by the MTC, and
- ii. building capability, both, at the GRA and the *Police des Jeux*.

Moreover, my Office is enlisting the services of Messrs. Benn Gunn and Paul Scotney, the two assessors of the Commission of Inquiry on Horse Racing in Mauritius, to assist in the implementation of the recommendations thereof. One of their responsibilities will, also, be to build capacity at the GRA and the *Police des Jeux*, for better monitoring of illegal activities related to horse racing.

As regards part (b) of the question in relation to tax dues of SMS Pariaz Ltd, the Mauritius Revenue Authority has advised that SMS Pariaz Ltd, has submitted all its returns during the last five years, and paid the taxes due as per return submitted. For period August 2008 to now, the Mauritius Revenue Authority has collected an amount of Rs193,432,777 from SMS Pariaz Ltd.

I am, further, advised that, as to date, the tax audit of SMS Pariaz Ltd, undertaken by the Mauritius Revenue Authority, has not been completed, in view of the fact that SMS Pariaz Ltd did not grant access to its computer system for details of bets placed, to the officers of the Mauritius Revenue Authority.

The GRA was consequently informed of this development. However, in view of the legal implications arising under the Data Protection Act of 2004, as subsequently amended, and over which the GRA has no authority/jurisdiction, the Mauritius Revenue Authority has been advised to lawfully resolve the issue with SMS Pariaz Ltd.

I am now answering part (c) of the question. The matter of Importation of horses falls under the purview of the Mauritius Revenue Authority. I wish to refer the hon. Member to the

reply, I made to a question, at the sitting of 28 April 2015, as regards the process involved in the importation of horses for horse racing.

I am informed that, following an investigation carried out in 2007, the Mauritius Revenue Authority uncovered an undervaluation of racehorses imported from South Africa for period 2003 to 2007, which resulted in the payment of additional VAT by the Mauritius Turf Club amounting to approximately Rs15 m.

I have been advised by the Mauritius Revenue Authority that no further case of undervaluation of racehorses has been detected by Customs, subsequent to the above mentioned investigation.

I have also been apprised that, as a means to monitor under invoicing, a reference price chart devised by the Mauritius Revenue Authority (MRA) and the Mauritius Turf Club is used as a risk management tool to assist Customs in establishing the value of racehorses according to their categories (A, B, C and D), which are based on the age and the merit rating of the time of import.

In line with recommendation 15 of the Commission of Inquiry on Horse Racing in Mauritius, the bills of entry for the importation of race horses are being submitted to Customs by the Mauritius Turf Club through its Customs Broker with the name of the consignee (name of owner or stable) clearly mentioned in the Customs Declaration Form.

The current process regarding the importation of horses is being included in the Terms of Reference of the assignment given to Messrs. Benn GUNN and Paul SCOTNEY, the two assessors of the Commission of Inquiry on Horse Racing in Mauritius, who will assist in the implementation of the recommendations, thereof.

I am, now, replying to part (d) of the question. The *Police des Jeux* has been restructured and reinforced with additional manpower. There has also been a cleanup exercise. There is now a better co-operation and synergy among the GRA, *Police des Jeux* and the Mauritius Revenue Authority, at all levels.

As I stated earlier, both my Office and the GRA are enlisting the services of experts to build competency and capacity at the *Police des Jeux*, for better monitoring of illegal activities related to horse racing.

As regards part (e) of the question, as I informed the House, while replying to PQ No. B/255 and PQ No. B/305, the Gambling Regulatory Authority Betting Control System which was transferred to the Mauritius Revenue Authority, in March 2013, is still being used to monitor horse racing betting and football betting.

With the enhancements made to the system, the Mauritius Revenue Authority is, now, in a better position to -

- i. do more timely comparison of betting turnover declared in tax returns with the information on the system;
- ii. in case of non-compliance, such as non-submission of returns, raise timely assessments;
- iii. verify whether betting receipts are being correctly declared, and
- iv. analyse the database of betting information to detect any abnormal pattern.

As regards the Central Electronic Monitoring System, a two stage bidding exercise, in line with the Public Procurement Act 2006, is in progress, at the Mauritius Revenue Authority, to shortlist potential bidders for the implementation of this system.

I have also been informed, by the Mauritius Revenue Authority, that the outcome of the pilot testing exercise of Electronic Fiscal Device of a bookmaker stall was comparable to the current Gambling Regulatory Authority Betting Control System and, therefore, there is no compelling reason to use the Electronic Fiscal Device in the horse racing sector for the time being.

I wish to reassure the House, here, of my commitment to take appropriate actions to redress the horse racing sector as recommended by the Commission of Inquiry on Horse Racing in Mauritius.

Mr Bhagwan: Madam Speaker, one the main recommendations of the Commission of Inquiry was the setting up of a Mauritius Turf Authority. Can I know from the Rt. hon. Prime Minister whether preliminary work has started for the setting up of that Mauritius Turf Authority?

The Prime Minister: No. I must be honest, I am not aware. I don't know whether work has started.

Mr Bérenger: Madam Speaker, the Rt. hon. Prime Minister has informed us that *La Police des Jeux* has been restructured. Can I know who is at present at the head of the *Police des Jeux*?

The Prime Minister: One Mr Gérard.

(Interruptions)

I don't know him, I don't know who he is.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL - MR G. C. – FEES PAID

(No. B/417) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Mr G. C., he will state the assignments for which his services were retained by Government, over the period July 2005 to 10 December 2014, indicating in each case, the -

- (a) amount of fees paid out thereto, giving a breakdown thereof and,
- (b) number of visits he has effected to Mauritius in connection therewith, further indicating -
 - (i) the dates thereof;
 - (ii) the purposes therefor;
 - (iii) the expenditure incurred in connection therewith in terms of air tickets, accommodation and other allowances, if any, and
 - (iv) if Government car facilities had been provided thereto.

The Prime Minister: Madam Speaker, during the period July 2005 to 10 December 2014, the services of Mr G.C. had been retained by the Government in connection with cases before the Judicial Committee of the Privy Council. His services were also retained in 2013 in the Michaela Harte case. The total fees paid to Mr G.C. for these cases amounted to Rupees fourteen million two hundred and sixty thousand two hundred and eight and forty-seven cents (Rs14,260,208.47). I am tabling the information requested by the hon. Member in respect of each of these cases.

Madam Speaker, in regard to part (b) of the question, Mr G. C. visited Mauritius on 16 occasions between September 2008 to 10 December 2014. He did not travel to Mauritius between 2005 to 2007.

His visits from September 2008 to 2012 were mainly in connection with matters related to claims made against the Government in regard to land at Le Morne. For these cases, Mr G.C. had been paid an additional fee of £47,000. Other expenditure in relation to the visits of Mr G.C. and his family members were as follows -

- (i) Air tickets - Rs2,464,413.00
- (ii) Accommodation - Rs1,497,214.59

I am tabling the detailed information requested by the hon. Member in regard to expenditure incurred on air tickets and accommodation.

As regards Government car facilities, I am informed by the Commissioner of Police that Mr G.C. was provided with a chauffeur-driven car by the VIPSU during each of his visits to Mauritius.

Madam Speaker, I am not in a position to provide information on the purpose of the visits of Mr G.C. during the period October 2012 onwards as I am informed by the Private Office of the Prime Minister's Office that no record is available.

(Interruptions)

Mr Jhugroo: Can the Rt. hon. Prime Minister confirm whether his service was retained in the case of Bangalia? I know that many documents have disappeared from the PMO.

(Interruptions)

May I ask the hon. Prime Minister whether he can confirm whether his services were retained in the case of Bangalia?

The Prime Minister: Well, it may be there in the document that I am producing. Sincerely, it is not to my knowledge; I cannot answer.

Madam Speaker: Next question, hon. Uteem!

OFFENCE OF MURDER CASES - INQUIRY

(No. B/418) Mr R. Uteem (First Member for Port Louis South & Port Louis Central) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the offence of murder, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported/detected cases thereof, since 2005 to date, indicating the number thereof which -

- (a) are still under inquiry, and

(b) have been tried, indicating the outcome thereof in terms of conviction and acquittal.

The Prime Minister: Madam Speaker, the information requested for is being compiled and will be tabled in the Library of the National Assembly.

Mr Uteem: Thank you, Madam Speaker. There have been lately some high profile cases of murders which have resulted in acquittal by the Jury. May I know from the Rt. hon. Prime Minister whether he will agree that it is time for our Police to be trained to stop relying on confession to secure a conviction?

The Prime Minister: Do I understand that confession should no more be taken into consideration?

(Interruptions)

Well, if it is proved; we know that already it is in the law. If the confession is not obtained legally, the Court will not allow it to be admitted.

Madam Speaker: Hon. Uteem!

Mr Uteem: Thank you, Madam Speaker. Being given the number of cases that have led to acquittal in the case of murder because of unsoundness of confession made, would the Rt. hon. Prime Minister give the assurance to the House that the Police and Criminal Evidence Act which has already been prepared by the previous Government would be presented this Session so that there is an improvement in the law regarding the taking of confession?

The Prime Minister: I have been told it is being looked into.

Madam Speaker: Next question, hon. Jhugroo!

SSR INTERNATIONAL AIRPORT – AIRWAY COFFEE LTD. - CONTRACT

(No. B/419) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the allocation of the contract to Airway Coffee Ltd. for the provision of catering services at the Sir Seewoosagur

Ramgoolam International Airport, allegedly to the detriment of Tropical Times, he will, for the benefit of the House, obtain from Airports of Mauritius Ltd., information as to if the case has been referred to the Commissioner of Police for inquiry and, if so, indicate the outcome thereof and, if not, why not.

(Withdrawn)

**MAURITIUS POST & COOPERATIVE BANK LTD. – CHIEF EXECUTIVE
OFFICER - INQUIRY**

(No. B/420) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Mr R. B-P., former Chief Executive Officer of the Mauritius Post and Cooperative Bank Ltd., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the where matters stand as to the inquiry being carried out in relation thereto, indicating the charges lodged against him, if any.

The Prime Minister: Madam Speaker, I am informed by the Commissioner of Police that on 27 April 2015, the Bank of Mauritius reported a case of malpractice and abuse of power in sanctioning loans and overdrafts to various customers against Mr R.K.B., former Chief Executive Officer of the Mauritius Post and Cooperative Bank. An enquiry was then initiated by the Police.

During the course of the investigation, Mr R.K.B. was interviewed and arrested on 08 July 2015. On the next day, he appeared before the District Court of Port Louis (South) and was provisionally charged with “Conspiracy” and “Failing to comply with the banking guidelines and instructions issued by the Central Bank”. As at to date, two persons from the Bank of Mauritius and one from the Mauritius Post and Cooperative Bank have given statements to the Police.

On 10 July 2015, Mr R.K.B. was granted bail and his next appearance in Court is scheduled for 12 November 2015.

I am further informed that the enquiry is still in progress.

Mr Jhugroo: Is the Rt. hon. Prime Minister aware that several documents have disappeared from the bank after the election?

The Prime Minister: Well, that's what I have been told, yes.

Madam Speaker: The Table has been advised that PQ No. B/431 addressed to the Rt. hon. Prime Minister has been withdrawn. Time is over!

Questions addressed to hon. Ministers! The Table has been advised that Parliamentary Question Nos. B/443, B/451, B/452, B/454, B/455, B/471, B/472, and also B/465 and B/466 have been withdrawn.

The Table has been further advised that PQ No. B/436 in regard to the forthcoming Hajj pilgrimage addressed to the hon. Minister of Arts and Culture will now be replied by the hon. Vice-Prime Minister, Minister of Housing and Lands.

Madam Speaker: Hon. Bhagwan!

OFFSHORE COMPANIES - MODI GATE SAGA/IPL CRICKET LEAGUE, INDIA - MONEY LAUNDERING

(No. B/433) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Lalit Modi Gate Saga/IPL Cricket League, India, he will state if the Indian authorities have sought the assistance of the Mauritian authorities in relation to the inquiry it is carrying out regarding the transfer of black money through offshore companies in Mauritius and, if so, indicate where matters stand, indicating the -

- (a) amount of money allegedly involved, and
- (b) name of the companies allegedly involved therein.

Mr Bhadain: Madam Speaker, I am informed by the State Law Office that the information requested is privileged under Section 20 of the Mutual Assistance in Criminal and Related Matters Act 2003 which provides that documents exchanged between States and international Tribunals cannot be disclosed.

I am further informed, Madam Speaker, by the Financial Services Commission that information relating to offshore companies is confidential under section 83 of the Financial

Services Act 2007. This information can only be obtained following an order for disclosure by the Supreme Court under section 83(5) and this order can only be obtained upon application of the Director of Public Prosecutions for the purpose of any enquiry or trial into or relating to the trafficking of narcotics and dangerous drugs, arms trafficking or money laundering under section 83(6).

I also wish to draw the attention of the hon. Member to the fact that information held by the Financial Intelligence Unit is confidential under section 30 of the Financial Intelligence and Anti-Money Laundering Act 2002 and can only be disclosed to third parties to enable the FIU to carry out its functions (under section 30(2)(a)), in the interests of the prevention or detection of crime (under section 30(2)(b)) or in connection with the discharge of any international obligation to which Mauritius is subject (section 30(2)(c)).

Regarding requests from overseas FIUs, Mauritius and India are both members of the Egmont Group of Financial Intelligence Units and exchanges of information within the Group are governed by the Egmont Principles for Information Exchange. These principles are incorporated into our domestic legislation under section 20(2) of the FIAMLA and only cater for information to be disseminated for administrative, investigative, prosecutorial or judicial purposes (as approved by the foreign FIU).

Regretfully, Madam Speaker, the information sought by the hon. Member cannot be obtained in view of the legal restrictions that I have mentioned.

Madam Speaker: Yes, hon. Bhagwan!

Mr Bhagwan: Can I know from the hon. Minister whether he has taken cognizance of the last speech made by the Leader of the Opposition at the Lok Sabha. While intervening on Lalit Modi's case, he made mention of one company, Wilton Associates, situated at Ebène Skies Building where millions of black money was being transferred to that company. I would like to know whether he is aware of that speech, whether he has taken cognizance of that and what action is being taken.

Mr Bhadain: Yes, Madam Speaker, I have taken cognizance of the speech in the Lok Sabha by the Leader of the Opposition and I refer the hon. Member to the answer that I have given before. Unfortunately, because of the legal restrictions, none of these issues can be disclosed.

Mr Bhagwan: I have two supplementary questions being given the importance. Can I ask the hon. Minister whether he has inquired into the Lalit Modi's scandal, that somebody

who has been involved, in one way or another, in the companies which have been mentioned, has been appointed as Member or Chairperson in one of the Government-owned companies?

Mr Bhadain: The investigation is being conducted and because of legal restrictions, we cannot get into that. But I am not aware of the issue which has been raised by the hon. Member.

Mr Bhagwan: Can the hon. Minister inquire whether one of the persons is involved in all these transactions which are associated with this company, Wilton Associates or another company situated at Ébène? If it is found true, immediately that person must be sacked as Chairperson of that very important banking institution with regard to our reputation.

Mr Bhadain: Madam Speaker, Mauritius is *un État de droit*. I don't know whether there are any persons who are involved in banking institutions, who are the subject matter of the case that the hon. Member is mentioning, but, as I stated, inquiries are being conducted and because of legal restrictions - I wish I could explain more to the hon. Member, but I can't.

(Interruptions)

Madam Speaker: Please, don't use unparliamentary expressions! Next question! Hon. Uteem, you have a question?

(Interruptions)

Hon. Bhagwan, please!

(Interruptions)

Order, please! Can you allow hon. Uteem to ask his question?

(Interruptions)

Hon. Uteem, please, carry on!

Mr Uteem: Thank you, Madam Speaker. I note that there is a change in the attitude of Members of this House answering questions on offshore companies because previously, before this very House, at the beginning of the year, the hon. Leader of the Opposition asked a question about Belvédère which is a global business company and, at that time, the hon.

Minister concerned did not have any problem answering on this matter. There was no issue of confidentiality. Being given that last week, in this very House, the hon. Minister of Finance and Economic Development referred to Mauritius as being a land where crooks put their money, being given that the hon. Minister of Finance and Economic Development went on radio and one of these newspapers and talked about the time of Mauritius being a tax haven is over.

Madam Speaker: The hon. Member must ask his question.

Mr Uteem: Would the hon. Minister give the assurance to the House that the FSC and the regulatory authorities would be ruthless against all Directors and Management Companies involved in all these scandals?

Mr Bhadain: Madam Speaker, as a lawyer, the hon. Member should know that the case of Belvédère was not subject to section 20 of the Mutual Assistance in Criminal and Related Matters Act 2003. We are talking about different things. Now, with regard to what he has said about the offshore sector, I think the hon. Member should know by now that this Government is all about transparency and good governance and we are cleaning up the mess which has been left behind and the offshore sector is one sector where we are inculcating a new vision of substance, of transparency, of good governance which is going to take this country forward.

(Interruptions)

Madam Speaker: Next question, hon. Ameer Meea!

CATTLE (LIVE) - EID-UL-ADHA FESTIVAL - IMPORTATION

(No. B/434) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to live cattle, beef, goats and mutttons, he will, for the benefit of the House, obtain information as to the number thereof imported since January 2015 to date, indicating the –

(a) names of the -

(i) importers

- (ii) sellers, and
- (iii) resellers thereof;
- (b) number of complaints received at the Consumer Protection Unit in relation thereto;
- (c) number of contraventions established in relation to the importation thereof in anticipation of the forthcoming *Eid-Ul-Adha* festival, indicating the -
 - (i) price per kilogram thereof of each, indicating if same is fixed, and
 - (ii) countries of origin thereof, and
- (d) if Government is proposing to acquire a cattle carrier therefor and, if so, where matters stand.

Mr Gungah: Madam Speaker, with your permission, I propose to reply to PQ B/434 and B/459 together as they relate to the same matter.

Madam Speaker, in my reply to PQ B/162 in March 2015, I informed the House that the importation of live cattle, beef, goats and muttons has been liberalised and subject to an import permit from the Veterinary Services of the Ministry of Agro-Industry and Food Security, any person may import live cattle for the purpose of *Eid-Ul-Adha* Festival and any other purposes.

I am informed by the MRA that the number of live cattle, goats and sheep imported from January 2015 to 31 August 2015 is as follows -

Cattle:	9,689;
Goats:	631, and
Sheep:	352.

As regards part (a)(i) of question B/434, the importers are Bosmara Cattle Breeders Co. Ltd, Sains Product Ltd and Socovia Belle Vue Ltée. However, for the forthcoming *Eid-Ul-Adha* festival, I am informed by the Veterinary Services of the Ministry of Agro-Industry and Food Security that only Socovia Belle Vue Ltée has imported 4,696 cattle and 983 goats and sheep.

As regards to part (a)(ii), I am informed that there are some 18 resellers. With your permission, Madam Speaker, I am tabling a list thereof.

Madam Speaker, concerning part (b) of the question, 22 complaints, including five anonymous ones have been received at the Consumer Affairs Unit of my Ministry, out of which 21 refer to the sale of cattle at prices higher than the fixed price of Rs125/Kg, and one on the age of the cattle being less than two years old.

As regards part (c), no contravention has been established as none of the complainants produced documentary evidence to support the complaints in respect of higher prices being charged.

In August this year, the Consumer Protection (Control of Sale of Imported Live Animals for Home Slaughter) (Amendment) Regulations 2015 was gazetted to fix the retail selling price of live cattle imported from South Africa for the forthcoming *Eid-Ul-Adha* festival at Rs125 per kilogram.

In the beginning, after the gazetting of these regulations, some confusion arose on the type and grade of cattle being put on sale.

In order to remove this confusion, last Friday, Government took the decision to the effect that only one price of Rs125/Kg shall be charged in respect of live cattle imported from South Africa for slaughtering on the occasion of the forthcoming *Eid-Ul-Adha* festival, irrespective of their type and grade. Purchasers of live cattle who have already been charged a higher price will be reimbursed the difference.

Regarding the complaint that the cattle might be less than two years old, as prescribed, officers of my Ministry accompanied by Veterinary Officers of the Ministry of Agro-Industry and Food Security carried out a verification exercise through random sampling. The Veterinary Officers checked the teeth of the cattle. I was informed that they were all above two years old.

The Veterinary Officers are also effecting spot checks regularly to verify that the cattle offered for sale in relation to *Eid-Ul-Adha* festival 2015 are above two years old. The Veterinary Officers will also be posted to attend to any complaint regarding the age of the cattle on the scheduled dates of sale of cattle as from 17 September. Furthermore, officers of the Legal Metrology Services of my Ministry are also ensuring that duly assized weighing

instruments will be used for weighing of cattle for the forthcoming *Eid-Ul-Adha* festival. I wish also to inform Members of the House that a constant presence of the Police on the farms will be ensured during that period.

4,839 live cattle, 352 live sheep and 631 live goats have been imported from South Africa. The other countries of origin are Australia and Kenya from where 1,903 and 2,947 live cattle have been imported respectively.

Madam Speaker, the possibilities of affreighting a cattle carrier for the transport of live cattle for Eid-Ul-Adha festival has been examined and has not been found to be viable, as I explained in my reply to PQ B/162 in March 2015. Regarding the acquisition of a cattle carrier, the governmental institutions concerned will look into the feasibility of such a project.

Mr Ameer Meea: Madam Speaker, there has been so much confusion regarding the prices of live cattle recently and one of the reasons was that the main importer, Mr Peerbux from Socovia Ltd. has stated that he had an agreement with the Ministry concerning the prices and that prices would be Rs125 and for different types of cattle, that is, the charolais would be sold at Rs140. Can the hon. Minister confirm the existence of this agreement and make it public?

Mr Gungah: Madam Speaker, there has been no agreement between Socovia Ltd. and the Ministry concerning prices. In fact, when negotiations were carried out together with the hon. Vice-Prime Minister, it was decided to fix the price at Rs125 per kilo for all cattle that are imported from South Africa and that is in the regulation.

Mr Ameer Meea: Madam Speaker, now that it is clear that there would be only one price for all the cattle, may I ask the hon. Minister how the reimbursement will be done for those who have already paid for the higher prices?

Mr Gungah: Madam Speaker, those, who have already reserved, have been issued an invoice. They have to present their invoice at the counter and they will be refunded the amount.

Mr Ameer Meea: Referring to the past PQ that the hon. Minister just stated was asked by myself in March this year, I will quote part of the reply of the hon. Minister –

“However, I am informed by the Mauritius Meat Authority that it intends to import live cattle, goats and sheep to regulate the market to control unfair practices.”

May I ask the hon. Minister where matters stand regarding the Mauritius Meat Authority importing live cattle?

Mr Gungah: As I said, Madam Speaker, in the beginning, the possibilities of affreighting a cattle carrier was found not to be viable and concerning the acquisition of cattle carrier, the governmental institutions, concerned with it, are going to look into the feasibility of the project.

Mr Mahomed: I understand from the hon. Minister that a sampling has been done as regards the age of the cattle and they are found to be okay. I also understand that, as from the 17 of September, an officer of the Veterinary Division will be full-time present on site. Will he ensure that each and every cattle that is being sold pass the age of two years at the material time?

Mr Gungah: Madam Speaker, I do not know the procedures that take place normally because I never assisted such a procedure, but I think it is a well-established protocol. I am sure the veterinarians of the Agro-Industry will do their work as they have already done it in the past and it should be fine according to me.

Mr Uteem: I thank the Government for clarifying the situation on the Rs125 kilo. The regulations apply to cattle. Would consideration be given, maybe not for this year, but in coming years, to also fix the price of sheep and goat so that there is no exploitation during Eid-UI-Adha?

Mr Gungah: Madam Speaker, the Committee that was set up under the presidentship of the Vice-Prime Minister, myself and the Minister of Agro-Industry, is still working. I can inform the House that we are working with the aim to reduce the others, that is, goat, sheep, muttons and we are trying to do it this year. Most probably, very soon, we will announce it to the public.

Madam Speaker: Next Question, hon. Ameer Meea!

DOMAINE LES PAILLES LTD - LOSSES

(No. B/435) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Finance and Economic Development whether, in regard to the Domaine Les Pailles Ltd., he will, for the benefit of the House, obtain from the State Investment Corporation, information as to –

- (a) the amount of profit or loss thereof, as the case may be, since January 2014 to date;
- (b) the number of persons presently employed thereat;
- (c) if the assets thereof are being disposed of and, if so, give details thereof, and
- (d) if the sale thereof is being envisaged and, if so, give details thereof.

Mr Lutchmeenaraidoo: Madam Speaker, with regard to part (a) of the question, I am informed by the State Investment Corporation Ltd (SIC) that Domaine Les Pailles Ltd (DLP) has been making losses for years. In fact, the total losses of DLP as at 31 December 2014 stood at Rs422 m. For the period January 2015 until the cessation of operations in July 2015, the Domaine Les Pailles has incurred additional losses of Rs21 m., that is, an average of Rs3 m. monthly.

In relation to part (b) of the question, I wish to inform the House that the SIC gave DLP six months to turn-around this loss making company. However, DLP continued to accumulate losses due to its high overhead cost and its inability to generate additional revenue. Following consultations with the employees and the union, the 142 permanent employees of DLP have opted to voluntarily leave the company against payment of two months compensation per year of service. The total compensation paid to the employees amounted to Rs49 m. As at date, there are no permanent staff on the payroll of DLP.

Concerning part (c) of the question, I wish to inform the House that the tendering exercise was carried out in 2012 under the previous Government for an outright sale of the land and buildings belonging to DLP. Yihai International Investment Management Ltd, a Chinese Company, which offered Rs441 m., was selected. Accordingly, action was initiated for the sale of those assets.

Madam Speaker, after the 2014 General Election, Government decided not to sell the DLP land and buildings. Instead, SIC entered into a Joint Venture Agreement with Yihai International Investment Management Ltd to undertake a mixed infrastructural development project with Smart city components. SIC will contribute 30% of the equity of the Joint

Venture in the form of land and buildings which were to be sold to Mr Yihai while the 70% will be held by Yihai International Investment Management Ltd.

Regarding part (d) of the question, I wish to reaffirm Government intention not to dispose of the land and buildings of DLP.

Mr Ameer Meea: From the figures that the hon. Minister of Finance just gave us, the SIC would contribute to 30% of the shareholding by bringing the land and the assets of the company. Can I ask the hon. Minister how much the structure shareholding has been valued and how much this 30% represents and in parallel the 70% that Yihai would bring, how much does it amount?

Mr Lutchmeenaraidoo: The 30% of SIC equity is represented by the land that was going to be sold to Yihai which means that the 70% that will be paid by Yihai is equal to the value of those lands. It must be Rs441 m.

(Interruptions)

You are right.

And plus 18 Arpents which was valued at Rs57 m. by the Evaluator. There was an additional acreage of some 18 Arpents.

Following an evaluation exercise carried out by NP Jeetun Chartered Valuation Surveyors, the extra land was valued at Rs55.7 m. This amount was proposed to be high. However, Yihai International Investment Management Ltd. was prepared to pay only Rs1.8 m. This was in 2014.

The former management of SIC agreed to the price of Rs1.8 m., that is, each acre were being sold for Rs100,000. Naturally, this was well below the price. This amount also has been added to the Rs441 m. of the lands which were to be purchased by the company. Am I being right or is there any question?

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

Mr Bérenger: We have been informed that under the previous Government the tender exercise was carried out, but the new Government decided to cancel that tender exercise and we have been informed that discussions are on between SIC and, I take it that it is a company from China, Yihai International Investment Management Ltd. I would like to know whether Yihai International Investment Management Ltd. was amongst those companies who

tendered in under the previous Government and, if not, who approached, who chose and who carried out discussions with that company?

Mr Lutchmeenaraidoo: There was a tendering exercise carried out by the former Government whereby this company won the tender to buy all the lands. In fact, when we took over we said that we would not sell those lands at any cost. That was the first decision not to sell lands to a

foreigner. Then, it was clear that there were interventions, the former Secretary General of the Labour Party was involved in it. So, it was for obvious reasons and for clarity also that we said we would not sell. Then, the buyer was to go to Court because he was the one who was selected. This is where I said: okay, let us go for a joint venture. The land would not be sold but it would go into a joint venture whereby Yihai International Investment Management Ltd. will invest more money. In fact, it is a huge project. This new project will total an investment of Rs11 billion and in the process of discussions, it is clear now that SIC will get two or three times more than the money agreed upon if the land was sold.

Mr Bérenger: Can I ask on a point of clarification, is the hon. Minister telling us that Yihai International Investment Management Ltd. won the tender under the previous Government and is now negotiating with SIC, the same company?

Mr Lutchmeenaraidoo: Well, it is the same company. In fact, the purchase was nearly completed. It was just that on the day of the election, one director of SIC was not present on the site. So, that was our chance that the land was not sold. It is the same company. In fact, the same company was going to prosecute Government because there was a legal commitment by SIC to sell.

Madam Speaker: Yes, hon. Ganoo!

Mr Ganoo: Do I take it from the hon. Minister, if I understood him properly, that the bidder offered the sum of Rs400 m. approximately during the last Government? The hon. Minister also said that the outstanding debt, now, left by Domaine Les Pailles Ltd. is more than Rs500 m. so that, in

fact, Domaine Les Pailles Ltd. has become more or less a toxic asset because there are more debts than the value itself?

Mr Lutchmeenaraidoo: The hon. Member is right. In fact, the auditor's report came to conclusion that the debt of Domaine Les Pailles Ltd. was higher than its assets and that the company could no longer go on.

(Interruptions)

As usual!

(Interruptions)

Madam Speaker: Last question on this issue, hon. Ameer Meea!

Mr Ameer Meea: Yes. Thank you, Madam Speaker. I will come back to the figures because there is no quarrel that the Rs441 m. was not a good price that was signed by the previous Government. On this, there is no quarrel. But, according to press statement *le Defi Quotidien* of 25 June 2015, it was stated that the present Government *est en train de renégocier à ce niveau et espère pouvoir obtenir plus de R800 millions pour céder les 70% de ses parts dans la compagnie gestionnaire du Domaine Les Pailles*. So, my question is, now that 70% has been given to this Chinese company, but at what price? Because we agree that the Rs441 m. was a much lesser price and not worth the value of the assets. What I want is a clear answer from the hon. Minister of Finance and Economic Development on what is the value.

Mr Lutchmeenaraidoo: Maybe I explained myself wrongly. The land that was supposed to be sold to this company was not sold. So, SIC used this land as equity which represents 30% of the company. The 70% is represented by all the investments that the new company will bring in. It is an Rs11 billion project. Therefore, the new company which is the Yihai International Investment Management Ltd. will bring in 70% of new assets or new equity.

Madam Speaker: Next question, hon. Ameer Meea!

(Interruptions)

Mr Lutchmeenaraidoo: I would ask the hon. Member to put question. We don't sit down and put question and say *cadeau*. Put your question!

Madam Speaker: Okay, hon. Ameer Meea, next question, please!

Mr Lutchmeenaraidoo: Madam Speaker, I don't understand this gentleman. He says 'free' and then he sits down! Stand up and put your question!

(Interruptions)

Madam Speaker: Please, don't make comments from a sitting position!

(Interruptions)

Hon. Minister of Finance and Economic Development, please sit down!

(Interruptions)

Hon. Minister of Finance and Economic Development, please sit down! I have already ordered the next question. Would you, please, allow hon. Ameer Meea to ask his question?

Mr Ameer Meea: Yes. But, Madam Speaker, it was a question of national importance and public funds. That was why I wanted to ask a last supplementary question on this issue because there has been so much confusion from the answer given by the hon. Minister.

Madam Speaker: Hon. Ameer Meea, I have asked you to ask the next question, please!

(Interruptions)

HAJJ MISSION - COMPOSITION

(No. B/436) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Arts and Culture whether, in regard to the forthcoming Hajj pilgrimage, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to –

- (a) the composition of the –
 - (i) pre-Hajj mission, and
 - (ii) Hajj mission, and

- (b) measures that have been or will be taken to avoid shortcomings in the organization thereof which arose in the previous pilgrimages.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):

Madam Speaker, with your permission, I shall reply to this Parliamentary Question.

I am informed that the pre-Hajj mission was effected by Mr Abdool Gaffoor Kassim who is the Officer-in-charge of the Islamic Cultural Centre.

Regarding the Hajj mission, the delegation was made up of the following -

- | | | | |
|-------|-----------------------------|---|---|
| (i) | Mr Samiollah Lauthan | - | Chairman of ICC is the Head of
Delegation |
| (ii) | Mr Fareed Jaunboccus | - | Board Member of ICC |
| (iii) | Mr Abdool Gaffoor Kassim | - | Officer-in-charge of ICC |
| (iv) | Mr Ahmad Faizee Khodabaccus | - | Interpreter |
| (v) | Mr Twahair Budullah | - | Hajj/Programme officer of ICC, and |
| (vi) | Mr Aboo Bakar Manjoo | - | as a person with long experience in
Hajj missions. |

There is no political agent. I would like to inform the House that all the 1040 visas provided for the benefit of Mauritian Hajjis have already been issued according to the Register of the ICC.

As for part (b) of the question, I have to inform that Hajj concerns about 3 million people from around the whole world. There is a constant effort on the part of Saudi authorities to improve the conditions in which Hajj is performed.

At our level there is still room for improvement, especially as regards expectations of Mauritian Hajjis and attitudes of Operators.

However, the following measures have been taken to improve the situation further -

- 1 greater stress on Hajj Awareness Programme organised by the ICC attended by the prospective Hajjis to take note on role and responsibilities of each Hajj stakeholder, viz ICC, Muassassah, Saudi authorities, Operators and Hajjis;
- 2 to ensure that accommodation is of required standard as laid down hereunder by the ICC, the Officer-in-Charge of the ICC was sent to Saudi Arabia to inspect buildings booked in Makkah and Madinah prior to finalisation of contracts by operators.

The standard which is required for accommodation requires that the hotels, duly approved by Saudi Ministry of Commerce and listed on the Saudi Electronic System, are 3 stars up. The amenities should include -

- o single beds,
- o air conditioner in each room,
- o attached bathroom, table, wardrobe/hanger.

The hotels should also be provided with lifts and necessary fire escapes.

The number of pilgrims per room as per Tasreeh and not exceeding five in any case.

It is also required that the distance to Haram should be reasonable, that is 800 metres maximum.

Following complaints from the operators and pilgrims performing Hajj in 2014, accommodation in Makka will be in three buildings this year instead of two last year and accommodation in Madina will be in four buildings instead of three last year.

To avoid all misunderstanding and prevent undue expectations, all clauses in contract between Hadjis and Operators have been spelt out and explained clearly in details during meetings held at ICC prior to signature of contracts especially as regards components included in the package/s, location and type of accommodation and all other services offered in Saudi Arabia. In fact, the packages offered to pilgrims include all costs including air tickets and all charges in Saudi Arabia and exclude only qurbani and food.

Facilities provided during the five days of Hajj have already been upgraded to category B this year instead of C plus last year. This will hopefully give more comfort to our brothers, sisters and elderlies to performing hajj and also ensure provision of food and drinks during the five days of the pilgrimage.

I would also like to specify that food on flight will be served according to the wish of Mauritian Hadjis.

As for the selection of Operators, a notice was published in the local press inviting all those interested to act as operators to register themselves with the ICC. More than 30 applications were received. ICC carried out a selection exercise by interview of all those who applied for a licence. Provisional licences were issued to 16 of them and pilgrims were free to choose an operator. After the latter exercise, a final list of 11 operators were given a final licence.

All operators have also submitted a performance bond of Rs275,000/= and Rs500,000/= depending on the number of pilgrims in their group to ensure they respect all the clauses in their agreement with the pilgrims.

With such arrangements, I am confident that Hajj 2015 will be performed in the best conditions.

Mr Ameer Meea: Thank you Madam Speaker. Now, that the ICC has been transferred to the Ministry of Housing and Lands, can I ask the hon. Minister whether the number of visa compared to last year has increased or decreased and also the free tickets that will be issued either by the ICC or from free tickets received from the Saudi Authorities may he table a list of the beneficiaries.

Mr Soodhun: Thank you for this pertinent question and I will just like to inform my friend, hon. Uteem, who visited the Mecca Haram this year and he is aware that construction is going on and it is not possible to cater with the satisfaction of the whole world. This year 1040 visas will be issued and we hope '*insha allah*' next year will be more than that. Concerning the free tickets, there is no free ticket this year, it was only last year, but not this year. There is no free ticket.

Mr Mahomed: With regard to the number of Hadjis, my question is as follows – what is the backlog being given that not everybody could go this year? What is the back log that is left behind?

Mr Soodhun: Nearly 4000.

Mr Uteem: The hon. Minister mentioned that the accomodation will be according to criteria, mainly, it has to be hotel standard and within a radius of 800 metres. My information

from the Hajj organisers who went there, is that, we were not going to get hotels, but dormitories with the basic amenities and it is not going to be within the 800 metres radius and the reason for that according to these organisers is the delay from the Mauritian mission to go there and to book these accommodation. May I ask the hon. Minister whether he has the same information as I had?

Mr Soodhun: No, it's different because what we have done is that we have sent an officer from our ICC department for the first time and at the same time when the organisers are looking for the buildings and so on. So, the officer has

checked and confirmed on the spot and then he gave us all the information. According to my information, it is exactly what I have already mentioned in my statement.

Mr Ameer Meea: One of the recent numerous press conferences made by the hon. Minister, he stated that he will do surprise check there. May we know what is he going to check there?

Mr Soodhun: If needed, why not!

Madam Speaker: The Table has been advised that PQ No. B/419 which was to be replied by the Deputy Prime Minister, Minister of Tourism and External Communication has been withdrawn. I think it is high time for lunch. I suspend the sitting for one and a half hours.

At 1.17 p.m. the sitting was suspended.

On resuming at 2.53 p.m. with Madam Speaker in the Chair.

Madam Speaker: Yes, hon. Ameer Meea!

PORT LOUIS & ROCHE BOIS - FISHERMEN - MARINE POLLUTION

(No. B/437) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the fishermen of the Port Louis and Roche Bois regions, he will state if he has been informed of the inconveniences they are facing due to marine pollution being caused by the port development works and, if so, indicate if

consideration will be given for the setting up of a ministerial committee to look thereinto with a view to finding solutions thereto and, if not, why not.

Mr Koonjoo: Madam Speaker, I am informed by the Mauritius Ports Authority (MPA) that it is fully complying with the EIA Licence for the extension and strengthening of the Mauritius Container Terminal Quay Project. Furthermore, MPA is not in the presence of any complaint lodged by any fisherman on any pollution caused to the environment by the port development activities.

However, during the execution of the port development project, the fishermen have made representations that their fishing activities are being affected. In this respect, discussions were held between the MPA and the fishermen and it was agreed that their representations would be referred to a mediation/arbitration process. The former Chief Justice Mr B. Sik Yuen was appointed as Mediator/Arbitrator and a Mediation/Arbitration Agreement was duly signed between the parties on 07 July 2014. Mediation was not successful and it was therefore agreed to proceed for arbitration which was scheduled for November 2015.

However, around June 2015 some 220 fishermen out of the 278 registered fishermen who had signed the Mediation/Arbitration Agreement signified their intention to quit the arbitration process.

The fishermen contacted me. At their request, I chaired a meeting with the *Association des Pêcheurs* on 14 May 2015 in the presence of representatives of the MPA, Ministry of Tourism and External Communications and also the Ministry of Environment, Sustainable Development and Disaster and Beach Management.

In the light of discussions, I was informed by the *Association des Pêcheurs* about a petition signed by some 250 fishermen to withdraw from the arbitration.

My Ministry held a further meeting with the *Association des Pêcheurs* on 29 July 2015. During that meeting, the fishermen requested for a speedy settlement of the issues involved.

Further discussions were held with the representatives of the fishermen and an agreement was reached between the MPA and the fishermen. Discussions are still going on and I learned even today that they have almost arrived at a conclusion, at an agreement, and maybe in a couple of days they will be given a substantial compensation.

Mr Ameer Meea: Thank you, Madam Speaker. In my question, I asked the hon. Minister whether he is aware of the marine pollution caused by the port development and,

whether consideration will be given for the setting up of a ministerial committee. I did not receive any answer through this specific question.

Madam Speaker: If the hon. Minister has answered...

(Interruptions)

He has answered.

Mr Ameer Meea: Madam Speaker, my question is specific to the issue of marine pollution. EIA is something different.

Madam Speaker: Hon. Minister, maybe you can repeat what you have just said about marine pollution.

Mr Koonjoo: Yes, Madam Speaker. For the information of the hon. Member - I repeat - I said that MPA is not in the presence of any complaint lodged by any fisherman on any pollution caused by the environment.

(Interruptions)

Mr Ameer Meea: The hon. Minister said that he received representations.

Mr Koonjoo: Yes, I met the fishermen. I discussed with them.

Madam Speaker: Hon. Baloomoody!

Mr Baloomoody: Can I ask the hon. Minister, the negotiations now is between only those who are registered fishermen. There are around 29 fishermen, people who are earning their living by fishing and they have produced certain evidence to show that they are fishermen but, unfortunately, they are not registered. The mediation is not on because the terms of reference of that mediation were only for those who were registered. Now that there is direct negotiation between the fishermen and the Ministry, can I ask the hon. Minister whether he is prepared to, at least, listen to these 29 people who were earning their living by fishing, but are not registered, so that they can have a compensation?

Mr Koonjoo: Madam Speaker, the negotiations have been going for more than one year.

Ultimately, the fishermen themselves have agreed on this agreement for a compensation. I said just now that they have already agreed and, maybe, in a couple of days they are getting the money. The hon. Member is asking me to see the persons who are not registered as fishermen; I don't have any problem to see them.

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

Mr Bérenger: Just on a point of clarification! I heard the hon. Minister refer to *l'Association des Pêcheurs* as representing the fishermen. Now, the organisation existing and

claiming to represent them is *le Syndicat des Pêcheurs*. Are we talking about the same thing? Because, the official name is *Syndicat des Pêcheurs* and the hon. Minister has mentioned *l'Association des Pêcheurs*. Is it the same organisation and is the hon. Minister giving the wrong name?

Mr Koonjoo: I presume it is the same association, Madam Speaker.

Mr Ameer Meea: The hon. Minister stated that an agreement is being reached; may we know the quantum, the amount that would be paid to each fisherman?

Mr Koonjoo: To answer to the question of the hon. Member, there will be a substantial compensation.

Madam Speaker: Hon. Barbier!

Mr Barbier: The hon. Minister mentioned that 278 fishers are concerned with the problem. May I know from the hon. Minister whether it includes fishers from Tombeau Bay, Roche Bois, Les Salines, Sable Noir, Grande Rivière and Pointe aux Sables or only parts of these regions? Because all these regions are concerned with the port development actually. Furthermore, I have a question which I don't think we will have time...

Madam Speaker: Hon. Barbier...

Mr Barbier: May I ask the hon. Minister, at least, to clarify out of these 278, which regions are concerned with the compensation?

Madam Speaker: You will note that the question is in regard to fishermen of Port Louis and Roche Bois regions.

Mr Koonjoo: I need notice of this question, Madam Speaker.

Madam Speaker: Next question, hon. Uteem!

BRAMER ASSET MANAGEMENT LTD – INVESTORS - REPAYMENT

(No. B/438) **Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the

investors who have invested into or through the Bramer Asset Management Ltd., he will, for the benefit of the House, obtain from the Financial Services Commission, information as to how the debentures to be issued thereto will be repaid.

Mr Bhadain: Madam Speaker, I am informed by the National Property Fund Ltd. that eligible claims from Bramer Asset Management Ltd. investors who have registered amounted to Rs3.08 billion. To date, the National Property Fund Ltd. has repaid a total of Rs240 m. to these investors and the remaining amount of Rs2.84 billion will be settled through debentures issued in five annual tranches as from 30 June 2016.

These debentures will be repaid through sale of immoveable properties including, *inter alia* –

1. disposal of properties held by Bramer Property Fund, which is currently valued at Rs1.24 billion, and
2. disposal of the Apollo Bramwell Hospital property, which has been valued by the previous Special Administrators at Rs1.60 billion.

Madam Speaker, I will be making a statement later on today on the BAI Ponzi scheme, where matters have reached and the payment of debentures with respect to the victims of Super Cash Back Gold policyholders and investors of Bramer Asset Management Ltd.

Mr Uteem: Madam Speaker, in the application for debentures which investors in Bramer Asset Management Ltd. were requested to file, mention is made that they would be repaid only the aggregate principal amount invested, less 20%. So, they will get 20% less than what they have invested. May I know from the hon. Minister why this figure of 20% and whether the same principle applies to Super Cash Back Gold also?

Mr Bhadain: Madam Speaker, with regard to Bramer Asset Management Ltd. and the related funds, including the Bramer Property Fund and Discretionary Portfolio Management Fund, the special Administrators had informed us that they would be able to recover 27 cents in the rupee, but when we had representations from all the relevant people who had lost their money through this huge scam and they explained to us how their investment were no different to Super Cash Back Gold and how agents had come into their houses with the forms to say that this is Super Cash Back Gold, this is Bramer Property Fund

products, there was no difference whatsoever. So, we had to make a special effort. Government and the Rt. hon. Prime Minister took the decision that we had to be compassionate with these people because they were going to be left out. So, after having worked out all the figures, we came to the conclusion that people who had invested less than Rs500,000 in Bramer Asset Management Ltd products, could be repaid 85%. So, 85 cents in the rupee instead of 27 cents in the rupee and there was a deduction of 15%, whereas people who had invested Rs500,000 or more, then the deduction would be 20%; hence, the 80% which is being reimbursed.

Madam Speaker: Yes.

Mr Bhadain: And just to say, Madam Speaker, it is not the same for Super Cash Back Gold.

Mr Uteem: Madam Speaker, on Friday, in an interview, the hon. Minister of Finance and Economic Development stated, and I quote -

“Il est clair qu’actuellement l’argent dont on dispose ne suffira jamais à remplir nos engagements vis-à-vis de tous ceux qui se sont fait prendre par le jeu malsain de Bramer Property ou de Super Cash Back. Mais à l’heure qu’il est, les actifs ne suffisent pas pour que je puisse remplir mes engagements auprès de ceux qui ont joué à la loterie.”

So, in the light of the statement made by the hon. Minister of Finance and Economic Development that the assets will not be sufficient to repay to all policyholders, may I know from the hon. Minister how Government intends to come up when the hon. Minister of Finance and Economic Development, himself, said that –

“On ne dispose jamais suffisamment pour remplir nos engagements.”

Mr Bhadain: Madam Speaker, the imperative word in that statement by my colleague, the hon. Minister of Finance and Economic Development is ‘*maintenant*’, meaning that at this present moment in time, it is true that we will not be able to fulfil all the commitments in relation to the huge fraud which has happened. However, we have a well-defined plan in terms of how we are going to meet those commitments and I am going to explain that today in the statement that I am going to make later.

Madam Speaker: Next question, hon. Uteem!

Mr Uteem: I have a last question on the debenture, Madam Speaker.

Madam Speaker: The hon. Minister will make a statement later on.

Mr Uteem: No, this is pertaining to the debenture holders.

(Interruptions)

Madam Speaker: I will allow you a last question.

Mr Uteem: Thank you, Madam Speaker. The conditions attached to the debentures state, at item 7, that the debentures shall not be transferrable. May I know from the hon. Minister, I know he made a statement himself to say that he would be handing out those debentures so that people could use the debentures as guarantee to get loans from various banks. So, if the debentures are not transferrable, what use will those debentures be to the debenture holders?

Mr Bhadain: The purpose of the debentures, Madam Speaker, is for people to be repaid over a period of five years and they are at zero-coupon rate, no interest and it is redeemable over a period of five years, so 20% every year. Now, I don't have a copy of the form, but what is meant by transferrable, I believe, in the form is that you cannot transfer it to another person and by 'person' I mean, another individual. Now, the question as to whether they can be redeemed with a bank, MCB factors, for instance, which wants to do factoring, probably that is possible.

Madam Speaker: Next question, hon. Uteem!

SMALL AND MEDIUM ENTERPRISE BANK – SETTING UP

(No. B/439) Mr R. Uteem (First Member for Port Louis South & Port Louis Central) asked the Minister of Finance and Economic Development whether, in regard to the proposed creation of a Small and Medium Enterprise Bank, he will state where matters stand.

Mr Lutmeenaraidoo: Madam Speaker, as the House is aware, in my Budget Speech, I stated that the most ambitious goal of this Government is to make the SME sector the backbone of our economy.

In this respect, I announced the launching of the Small and Medium Enterprises Bank (SME Bank) to provide seed capital to entrepreneurs without need for personal guarantee. Accordingly, an amount of Rs10 billion would be made available to the Bank over the next five years.

Madam Speaker, after wide consultations, it was found that creating a new bank, a dedicated SME Bank, was not the right solution given that Government already owns the Mauritius Post and Cooperative Bank and the National Commercial Bank Ltd. with all the infrastructure and facilities to service the SME sector.

In this context, Government has found it more appropriate to merge these two banks under which there will be, among others, a dedicated SME Banking Department. This will allow SME banking activities and services to be embedded in a stronger institution with much larger asset base, bigger market share and broader spectrum of products and services.

Accordingly, Government has incorporated a wholly owned company under the name of MauBank Holdings Ltd. on 03 September 2015. MauBank Holdings Ltd. will be the holding company of both the National Commercial Bank Ltd. and the Mauritius Post and Cooperative Bank Ltd.

The necessary procedures have already been initiated for the above merger exercise, which is expected to be completed by 01 January 2016.

SME Banking activities will in due course be delivered in all the branches of the new bank. In the meantime, both the National Commercial Bank Ltd. and the Mauritius Post and Cooperative Bank Ltd. will be providing financing for SME projects through their various branches.

I wish to inform the House that a Launching Ceremony will be held this Thursday.

Madam Speaker, in order to provide sustained support to young entrepreneurs and ensure that their projects are well-prepared, bankable and successful, an SME “One Stop Shop” has already been set up under the aegis of the Ministry of Business, Enterprise and Cooperatives to work with the new bank.

In fact, the “One Stop Shop” will be providing under one roof, all the support, financing and information as well as the delivery of all permits and licenses that SMEs require to start and grow their businesses.

The “One Stop Shop” will be located in Port Louis as it is more accessible and convenient.

Mr Bérenger: I want to understand that clearly. So, I take it that as far as branches are concerned, there will no longer be branches of the former Post Office Bank or the new bank, there will be only MauBank, and a new bank, there would be only officers of that MauBank across the country.

Mr Lutchmeenaraidoo: Yes, in a transition it opens on Thursday. In fact, all the branches of NCB and MPCB will change name to MauBank. Now, all the branches will be functional. There are, in fact, 35 branches which would be functional and 700 experienced employees. Then, the rationalisation of the merging process will take 3 months. In those 3 months, naturally we will ensure that the best merge is possible in the interest of MauBank. Anyway, we have injected money in the equity because the cash adequate ratio is too low for both banks and they could not survive. So, we will have to inject more capital in those banks to make them really viable.

Mr Bérenger: So, I take it that there is no longer talk of Special, Small and Medium Enterprise Bank, we are now talking of MauBank, the bank like any other with a department dedicated to Small and Medium Enterprises as in the State Bank of Mauritius and elsewhere.

Mr Lutchmeenaraidoo: This one is specialised. In fact, the new bank has a triple objective. One is to be a simple retail banker like all banks. The second aspect will be mostly in offshore, it will be an important component of the new bank, and number three, this bank will also specialise in SMEs. In fact, each branch will have one officer dedicated to meeting with potential small scale investors and help them in the process.

Mr Bérenger: Can I know from the hon. Minister, this new bank, being given that, from what we see, the Mauritius Post Office and Corporate Bank has billions of rupees of toxic loans. What is going to happen to those toxic loans? Does the new bank, as a result of the merger, inherit those toxic loans?

Mr Lutchmeenaraidoo: No. In fact, as with the National Commercial Bank, we helped to eliminate all the toxic assets from Bramer and NCB was, therefore, set up without the toxic assets; the same thing is with MPCB. The Rs1.7 billion, which have been lost through loans given to *petits copains*, will not be written off, it is being transferred to a new agency which is not the DBM and which will ensure that money which have been borrowed, will have to be paid by law.

Mr Léopold: During the last Budget Speech given by the hon. Minister of Finance, he mentioned that Rodrigues will have a SME Bank. I just want to know where matters stand and whether he has already had consultations with the local authorities in Rodrigues?

Mr Lutchmeenaraidoo: In fact, Rodrigues will not only have a branch of a new bank, but will also have a One Stop Shop. Measures that we have taken up with Rodrigues will be fulfilled totally.

Mr Uteem: The NCB and MPCB are commercial banks with commercial objectives. Now, we are told by the hon. Minister of Finance and Economic Development that there would be a section dedicated to SMEs, and, in his own Budget Speech, he mentioned a dedicated bank because the objective is not to make profit, but to help SMEs. So, how would that new bank reconcile the objective of making profit from commercial entities and helping small and medium enterprises.

Mr Lutchmeenaraidoo: I like this question because finally the commercial banking activities are commercial, the second bid is commercial. The mission of the bank as far as the SMEs is concerned, is within a channel to small investors, the Rs2 billion earmarked in the Budget each year. Therefore, this is a specialised bank. There is no doubt that the bank will not be able to sustain losses that can come out of the management of their services, but then it is public funds that should go and finance them.

Mr Uteem: May I know from the hon. Minister, following the merger of these two banks, whether there would be any loss of employment.

Mr Lutchmeenaraidoo: In fact, from the 01 of January, we would have been completing the merging process at the level of the information system to ensure that all bank accounts are working. Number two, we have also considered the question of employment. In fact, employment will stay the same or there will be an increase in view of the new mission of the bank itself.

Madam Speaker: Next question!

**MINISTRY OF FINANCIAL SERVICES, GOOD GOVERNANCE AND
INSTITUTIONAL REFORM – ADVISERS & CONSULTANTS**

(No. B/440) Mr R. Uteem (First Member for Port Louis South and Port Louis Central) asked the Minister of Financial Services, Good Governance and Institutional

Reform, Minister of Technology, Communication and Innovation whether, in regard to the advisers and consultants whose services have been retained in connection with the various investigations carried out under the aegis of his Ministry, since January 2015 to date, he will state, in each case, the –

- (a) names and qualifications thereof;
- (b) terms and conditions of appointment thereof;
- (c) amount of fees/allowances paid out thereto, and
- (d) criteria used for the selection thereof.

Mr Bhadain: Madam Speaker, reviews and investigations are connected by the staff of the Office for Public Sector Governance (OPSG) which was previously set up under the Prime Minister's Office by the previous Government and also the newly created Public Sector Efficiency Bureau which is headed by the former Director of Audit, Mr Rajun Jugurnath. These two departments are now integral part of my Ministry. The services of advisers or consultants have not been retained for the conduct of any specific investigation.

Mr Uteem: May I know from the hon. Minister, being given that the hon. Minister has just mentioned that no special advisers have been retained for specific investigation, would the hon. Minister be prepared to table a list of all advisers and consultants within these two Public Sector Bureaux and the other bureau that works permanently to carry out these investigations.

Mr Bhadain: In those two offices, there are no advisers or consultants, they are all staff who were there under the OPSG and also staff who have been transferred from the Ministry of Finance - auditors and Internal Control staff, who are now operating under Mr Rajun Jugurnath, the former Director of Audit..

With regard to the structure of the Ministry, Madam Speaker, because it is a new Ministry, it did not exist before Financial Services, Good Governance and Institutional Reforms, we had to take people on contract to resource ourselves and these people have been taken on contract because in the public sector, it is either the PSC or in an advisory capacity, so it is in an advisory capacity. Now these people do not work on investigations. They are people who work with me, in my Ministry. However, as from, I believe, next month, the proper structure is being sent to the PSC now for recruitment on a permanent pensionable basis as in any other Ministry.

Mr Bérenger: If they work with the Minister, they are paid out of public funds, will the Minister lay a copy of all those advisers by whatever name called who have been recruited, who are working - as requested in the question - a complete list of all these people and the conditions attached to their employment.

Mr Bhadain: Madam Speaker, I am a bit confused. Are we talking only of people who are working on investigations as the question originally was or are we talking about the full Ministry. If it is the full Ministry, there is no problem. I will send a list of everybody who works in the whole Ministry.

MAURITIUS POST AND COOPERATIVE BANK LTD - LOANS

(No. B/441) Mr P. Jhugroo (Second Member for Mahebourg and Plaine Magnien) asked the Minister of Finance and Economic Development whether, in regard to the allegation of various cases of approval of loans without proper prior investigations having been carried out by the Mauritius Post and Cooperative Bank Ltd., he will state and obtain information as to the measures that have been or will be taken to prevent the recurrence thereof.

Mr Lutchmeenaraidoo: Madam Speaker, I wish to inform the House that upon the appointment of the new Board of the MPCB Ltd, it was found that the financial situation of the bank was in a precarious state. As a result, the new Board retained the services of Ernst & Young Mauritius (EY) to carry out a Strategic Review of the loan portfolio of the MPCB Ltd, with special focus on its non-performing loans.

The findings of the Review confirmed that the problems of non-performing loans have arisen due to reckless lending decisions by the previous management of the MPCB Ltd. In fact, an amount of around Rs1.7 billion, which is a significant share of the loan portfolio, has been made without proper assessment and without sufficient collaterals.

Madam Speaker, despite the disastrous financial situation of the Bank, Government decided to protect the 345,000 customers, including depositors as well as some 330 employees of the MPCB Ltd. In this regard, Government injected Rs500 m. as fresh capital in a bid to redress the financial situation of the bank and to preserve employment. As I have mentioned earlier, Government is now proceeding with the merger of the MPCB and NCB which would result in a more robust and financially sustainable bank.

As at date, I am informed that four suspected cases have been referred to the Police for enquiry.

In addition, the bank has taken several measures to prevent recurrence of past reckless banking practices. These measures are being tabled for the benefit of the House.

Mr Jhugroo: Is the hon. Minister of Finance and Economic Development aware that one Mr Prameshwar Gooljaury had been granted several loans since year 2010 to 2012 amounting to Rs200 m. and it is only in March 2015 that the same loan was duly registered?

Mr Lutchmeenaraidoo: Yes, Madam Speaker, I will have to clear that questions concerning clients of banks cannot be divulged. I am held by the banking law and will never release. I am trying just to cooperate the maximum. This will also, for the SIC I wanted to make things clear but, naturally, I don't master all the figures there. It is very far from the Ministry of Finance and Economic Development but we are, therefore, trying to give information which might *éclaircir* the House. But, I cannot reveal information which cannot be revealed under the Banking Act.

Mr Jhugroo: Can the hon. Minister of Finance and Economic Development state whether it is a practice of the banking law that a loan which is taken in year 2010 be registered several years after?

Mr Lutchmeenaraidoo: I would need notice of this question.

Mr Jhugroo: Can we know whether interest has been paid for the loan taken since year 2010 and, if so, can we know what amount and, if not, why not?

Mr Lutchmeenaraidoo: I am being hard pressed but I have to reply that those information cannot be released. What we have said is that there has been Rs1.7 billion of toxic assets. Those toxic assets have been removed from the balance sheet of the bank. But, naturally, it implies that there are people inside who have misused their management powers to give loans to those who should not have been given. But, I cannot release. Other questions are coming that will hit to customers, but I will not be able to answer.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Concerning this Mr R.G. and Co. Ltd., can the hon. Minister give the guarantee to the House, the country and the nation that all these toxic loans that have been

transferred to the DBM Ltd. and henceforth for recovery, that not a single cent will be written off and he will make sure to submit a return to the National Assembly regularly?

Mr Lutchmeenaraidoo: The principle is simple. In fact, when we decided to remove the toxic assets from the bank I said that we will chase those who owe this money until they refund it totally. Secondly, DBM Ltd. also has got a lot of toxic assets as you know. So, I can't ask DBM Ltd. to claim other toxic assets. We are setting up a new institution. I will be coming to the House for a new institution that will be specialised in debt collection for Government.

Mr Bérenger: Can I ask the hon. Minister, what entity are we talking about? When will it be set up and under what name to recover those loans?

Mr Lutchmeenaraidoo: Well, we need some patience because we are working it with the Bank of Mauritius. In fact, we are working on two projects. One is to have only one Central Government Agency that will be responsible for debt collection, whether it be from the MRA or any other institution. Secondly, we are also working on a Bill that will guarantee depositors in banks. Both Bills are being prepared together and it will come to the National Assembly.

Mr Jhugroo: Can the hon. Minister confirm whether there are three loans taken by the former Executive Chairman, Mr Rajiv Kumar Beeharry; for year 2006 an amount of Rs2.4 m.; in year 2008 it was Rs12 m.; in year 2010 Rs1.2 m.? Can the hon. Minister tell us whether all these loans are toxic loans taken by Mr Rajiv Kumar Beeharry?

Mr Lutchmeenaraidoo: I see that my friend is very well informed. I won't know.

(Interruptions)

Madam Speaker: I have allowed. Okay, hon. Mohamed!

(Interruptions)

Hon. Mohamed, I am here to rule! If there is anything wrong I will rule out. Hon. Mohamed! I think you have to respect the Chair at least!

(Interruptions)

If you are talking about the Standing Orders, Standing Orders are for me to apply!

(Interruptions)

Hon. Rughoobur!

MELVILLE - KOKI BAY PROJECT - PROMOTERS

(No. B/442) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or) asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the Koki Bay Project in Melville, in Grand Gaube, he will

—

- (a) state the;
 - (i) name of the promoters thereof, and
 - (ii) date on which the State land was allocated therefor, indicating the conditions of the renewal thereof, if any, and
- (b) table copy of the Environment Impact Assessment license in relation thereto.

Mr Dayal: Madam Speaker, with regard to part (a) (i) of the question, I wish to inform the House that an Environment Impact Assessment (EIA) application was received at my Ministry on 13 October 2006 for a proposed hotel project at

Pointe Osborne, Grand Gaube. The promoter of the project was BR Property Ltd which was represented by Mr B. Ramloll, Managing Director.

With regard to part (a) (ii), I am informed by the Ministry of Housing & Lands that BR Property Ltd was granted an Industrial Site Lease for a Hotel Development Project over three portions of State land of a total extent of 4ha7172m² being part of *Pas Géométriques* at Melville for period starting 9.01.08 to 30.06.27.

In line with the then Government policy, BR Property Ltd opted to enter into a new Industrial Site Lease. Accordingly, the lease mentioned above was cancelled as from 30.09.2009 and the company was granted a new 60 years Industrial Site Lease at Melville for period starting 01 October 2009 to expire on 30 September 2069.

With regard to part (b) of the question, I am tabling a copy of the EIA licence issued to BR Property Ltd on 31 January 2007 for the construction of a four-star hotel comprising of 174 bedrooms. Thank you, Madam Speaker.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: Thank you, Madam Speaker. I have two questions for the hon. Minister. I would like, first of all, that the hon. Minister assures the House that the conditions of the Environment Impact Assessment (EIA) are strictly complied with the project. Will the hon. Minister conduct a sort of a communication exercise with the fishermen and the people of the region - because they are very sceptical about the project, I must tell you that most of them are against the project - to assure them that the access to the beach would not be a problem because I am made to understand that there is a diversion there? Will the hon. Minister, please, look into these two issues?

Mr Dayal: Madam Speaker, for the first part of the question, all the conditions are to be applied *in toto* and I see to it that all the projects done are in the national interest.

Second part of the question, I come from a Government known as *L'alliance Lepep*. We are close to the community and all our projects are community based. We work for the high interest of the people. So, therefore, I will be very happy to meet anybody, any society, any group wishing to meet me, but then I want to reassure my colleague that, in that particular project, I make it a point like I do for other projects to have a site visit with all my technical staff and to see to it that everything is being done as per track. Thank you very much.

Mr Bérenger: May I ask the hon. Minister since he made a site visit, what stage has this project reached? Is it being built or construction works on within delay provided for in the lease?

Mr Dayal: During my site visit, I made a *constat de visu* of the works in progress, Madam Speaker.

(Interruptions)

DISTRICT COUNCILS – FUNDS

(No. B/443) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or) asked the Minister of Local Government whether, in regard to the district councils, he will state if he is in presence of representations therefrom to the effect that funds are lacking to meet the demands for the carrying out of infrastructural works and for the organisation of welfare activities thereat and, if so, indicate if remedial measures will be taken in relation thereto.

(Withdrawn)

VERDUN TERRE ROUGE HIGHWAY LINK ROAD – REPAIRS

(No. B/444) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Verdun Terre Rouge Highway Link Road, he will, for the benefit of the House, obtain from the Road Development Authority, information as to -

- (a) the number of engineers thereof having been suspended, indicating why and if the grant thereto of six vehicles is being investigated into, and if so, indicate where matters stand;
- (b) the cost of repairs of the fissures following the landslide between Ripailles and Valton;
- (c) if geological studies had been carried out prior to the construction thereof and, if so, indicate by whom and table copy of the report thereof, and
- (d) the findings of the preliminary technical reports undertaken by the South African and Réunion Island consultants and table copy thereof, indicating the quantum of fees paid out thereto.

Mr Bodha: Madam Speaker, with regard to part (a) of the question, I refer to the reply I made to a Private Notice Question at our sitting on 20 February last, when I informed the House that following the embankment failure observed on 18 January 2015, Government had decided to request the Ministry of Financial Services, Good Governance and Institutional Reforms to carry out a technical and financial audit into all the contracts awarded by the Road Development Authority since 2010. I had also informed the House that the RDA Board had decided to suspend two Officers who were directly involved in the implementation and monitoring of the project and to set up an enquiry under the chairmanship of Me Ravin Chetty to investigate and to situate responsibilities of the officers of the RDA.

I am informed, Madam Speaker, that the Investigative Committee under the chairmanship of Me Ravin Chetty submitted its report on 19 March 2015 wherein it concluded the two officers of the RDA had indeed committed acts of negligence and that disciplinary proceedings should be instituted against them.

Subsequently, the RDA Board proffered two charges against the two officers and set up a Disciplinary Committee to investigate further into the matter and to establish the responsibilities of the officers of the RDA.

Madam Speaker, the Disciplinary Committee held eight hearings where several officers of the RDA were called upon to depone and to produce records and documents. The two suspended officers were also given the opportunity to defend themselves. The Committee submitted its report on 15 July 2015 and it concluded that the two charges proffered against the two officers were proved and they were found guilty of serious acts of negligence in the performance of their duties.

In the light of the findings of the Disciplinary Committee, the RDA Board, at its meeting on 16 July 2015 and decided to dismiss the two officers with immediate effect.

Madam Speaker, I am also informed that, in its report, the Disciplinary Committee highlighted the responsibility of what it called the ‘collective failure’ of the management of the RDA in the matter. Consequently, the RDA Board, at its meeting on 10 August 2015, decided to suspend the General Manager and the Deputy General Manager and to set up an Investigative Committee to investigate into the various major road infrastructural projects contracted by the RDA since 01 January 2010 to date. The terms of reference of the Investigative Committee have already been prepared by the Attorney General’s Office and the Committee is being set up very soon.

Regarding the issue of grant of six vehicles to the officers of the RDA by the Contractor, I am informed that this was within the terms and conditions of the contract. However, we consider this issue as an abusive facility and the Investigative Committee will also look into this aspect.

Madam Speaker, as regards part (b) of the question, I am informed that the consultant ARQ Consulting Engineers from South Africa, appointed by the RDA to undertake a geotechnical investigation to determine the causes of the failure of the embankment and to recommend remedial measures has not yet submitted its final report. However, a preliminary report has been submitted on 03 July 2015 and the final report, including cost estimates and options for the repair works will be submitted by next week.

Madam Speaker, concerning part (c) of the question, I am informed that Consultant Egis BCEOM carried out geological/geotechnical studies prior to the design of the Terre Rouge-Verdun Link road. I am tabling a copy of the report submitted by the consultant.

It is clear, Madam Speaker, that the tests which were carried out as part of the study, particularly, at that site which is sloppy, complex and very wet were totally inappropriate and inadequate. This was confirmed by the first signs of instabilities in 2010 and the first cracks in 2013.

Madam Speaker, with regard to part (d) of the question, I am informed that the RDA Board has appointed only one consultant, that is, ARQ Consulting Engineers from South Africa to undertake the geotechnical investigation to determine the causes of the failure and to recommend remedial measures. As mentioned earlier, the consultant has submitted its preliminary report. The report indicates the presence of a soft layer underlying the embankment at the place of the cracks. This soft layer does not possess adequate bearing capacity for the road. I am tabling a copy of the report.

I am also informed that, as to date, 50% of the fees, that is, Rands 265,364 have been paid to the Consultant.

Dr. Sorefan: Madam Speaker, the hon. Minister in a question B/49 answered about the same issue and he said –

‘I am tabling a copy of each of the report’.

But up to now I have never got the report. May we know from the hon. Minister, like he said he is going to table it, that this time I get the report?

Mr Bodha: Madam Speaker, the reports are here, in fact, we had some problem to recover them at the Road Development Authority.

Mr Jhugroo: Can the hon. Minister confirm whether the former Minister of Public Infrastructure and Land Transport was chairing a Committee to look after the project of Terre Rouge-Verdun Road and, if so, can we know whether he was made aware of the cracks on this particular road and, if so, when and what action has been taken?

Mr Bodha: I can't answer this question, Madam Speaker.

Mr Mohamed: Madam Speaker, I thank the hon. Minister for his very clear answers and to have found the report. All along, we hear issues about engineers,

could I ask, Madam Speaker, that we know who was the Consultant responsible for this whole work because it seems as though that we have Civil Servants or Engineers who are made to pay consequences of what happened, may wrongly pay the consequences, but we don't hear at all about the responsibilities of the Consultants. Is it that one is being made to pay for a situation whereas the others are being forgotten altogether? Why is it that we don't hear about the Consultants?

Mr Bodha: Not at all, Madam Speaker. Egis and BCEOM were the Consultants who did the test and designed the roads and supervised the works together with the RDA. Now, we are going to have the final reports on the embankment failure which occurred at Valton and we are now going to proceed to claim damages for all that has happened to the embankment, Madam Speaker. The works, first of all, started at Rs2.1 billion ended up at Rs3 billion and at Rs4 billion. Now, we don't know how much it is going to cost us to repair the embankment which is 18 metres on 250 metres. So, once we have this final report as regards the cost of repairs and the technology which we are going to use for the repair, we are going to put up a case to claim damages to the Consultants and the company which was Colas which, in fact, undertook the works.

Madam Speaker: Hon. Leader of the Opposition!

Mr Bérenger: We have been told that the Head of the RDA - can we have the names of those at the Head of the RDA now?

Mr Bodha: We have the Officer-in-Charge, Mr N. Veerapa.

(Interruptions)

No, he was on the list of the Engineers, he was No. 3. We have Ms J. Alimohamed who was No. 4. So, they are in charge of the RDA at present.

Madam Speaker: Hon. Lesjongard!

Mr Lesjongard: Thank you, Madam Speaker. I heard the hon. Minister state that this was a turnkey project based on design and build. May we know who had the responsibility to check the design of the project and also the construction phase of the project?

Mr Bodha: No. it was not a design and build. The test and the design were done by Egis BCEOM. The construction was done by Colas and the supervision was done by and Egis BCEOM and the RDA.

Madam Speaker: Hon. Jhugroo!

Mr Jhugroo: Can we know whether tender procedures had been used to choose for the Consultant and, if so, can we know what amount had been earmarked to pay the Consultant and what amount has been paid so far?

Mr Bodha: May I ask which Consultant?

(Interruptions)

Well, what has been surprising, and I have always said so in Parliament, Madam Speaker, the geotechnical tests of a project which cost Rs2.1 billion was 12,000 euros. That is where we failed from the very start.

(Interruptions)

Yes!

Madam Speaker: Hon. Dr. Sorefan! Last question on this issue!

Dr. Sorefan: May we know from the hon. Minister, now that we have paid loads and loads of money to the Consultant, geotechnical, etc., whether he will give the guarantee to this House that there would not be any landslide in the near future?

(Interruptions)

Mr Bodha: Well, Madam Speaker, this is a guarantee that is not easy to give, but what I can say is that the works which are being done now at Terre Rouge/Verdun at that spot, which is a very complex one, we are taking all the precautions, and I am convinced that the permanent works are going to be adequate.

Madam Speaker: Next question, hon. Dr. Sorefan!

M1 HIGHWAY - LIGHTING

(No. B/445) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the M1 Highway, he will, for the benefit of the House, obtain information as to if it has been reported that the lamps found along same, heading south, have been intermittently out of order over the past three years and, if so, indicate -

- (a) the reasons therefor, and
- (b) if consideration will be given for the introduction of legislation for the setting up of a Road Lighting Authority.

Mr Bodha: Madam Speaker, with regard to part (a) of the question, I am informed that, at present, the role of the Road Development Authority (RDA) is limited to the commissioning and installation of the street lighting network on classified roads, that is, on motorways and main roads which the RDA subsequently hands over to the Local Authority concerned for maintenance and for the payment of the related electricity bills. The street lighting network along rural and urban roads is put up and is maintained by the Local Authority concerned which also has the responsibility to make payment to the CEB for the electricity consumption.

I am further informed that the problems of lamps being intermittently out of order along different segments of the motorway M1 have been reported to the Local Authority concerned. The main reasons for such problems being –

- loss of underground electric cables by theft;
- blackouts due to solar switch because of faults on the networks, heavy rainfall, wear and tear of wires, loose connections, amongst others, and
- in some cases, where loss of underground electric cables have been reported, they have been replaced by overhead cables.

Madam Speaker, I have to inform the House that in view of repeated criticisms received from various quarters in regard to the defective lighting system along roads, and to ensure more homogeneity in the maintenance of the street lighting network, my Ministry is proposing to take over all the responsibility of a new entity to be set up under the Road Development Authority.

Hon. Members of the House will agree that an effective street lighting system is not only one of the prime conditions for road safety, but is also a major requirement for a modern, reliable and safe land transport system. In this connection, I have already initiated discussions with stakeholders on the most effective and efficient legislative and institutional

framework to be set up for the commissioning, installation, maintenance and payment of the appropriate bills in relation to the street lighting system.

In fact, the Attorney General's Office has already worked out a draft Road Development Authority (Amendment) Bill by amending section 4 of the Act to provide for the RDA to be responsible for the lighting of all the motorways.

My Ministry, however, considers that it will be more appropriate that the new entity under the RDA takes over the responsibility of street lighting for the entire road network over the island, including rural and urban roads and to use the solar system.

Dr. Sorefan: Madam Speaker, I heard the hon. Minister say that RDA will take over the lighting.

(Interruptions)

New entity! We would like to know from the hon. Minister whether this is in the pipeline and the time frame that he will come to it, because this has been going on for the last three years and we are suffering on the tourist level and when we go to the north or to the south it is the same thing - blackout.

Well, let's hope that blackout does not start today because it is a must. The Road Authority is doing the road, but the lighting is really creating havoc.

Mr Bodha: I totally agree with the hon. Member, Madam Speaker. This is an urgent matter and we have whole segments of the motorway and classified roads which are out of power and they can be a cause for concern for road safety, for road traffic and we are going to give it all the urgent attention it needs.

Madam Speaker: Hon. Osman Mahomed

Mr Mahomed: Thank you, Madam Speaker. With regard to cable theft; will it not be more appropriate to have the street lighting replaced by solar powered ones, therefore discarding the need of having cables?

Mr Bodha: Madam Speaker, the hon. Member is right. We have now solar system where the battery, in fact, is put in a cement case underground. So, we are moving towards this.

Madam Speaker: Hon. Shakeel Mohamed!

Mr Mohamed: Madam Speaker, thank you very much. I have, in relation to the issue of whether lights should be used or not, since the issue is about wires disappearing, bad connections and what not. I have driven over many roads, be it in France, be it in United Kingdom or Germany and there are many long, hundreds of kilometres of sections where there are no lights on highways. It has no lights there and it is the trend, because at night people drive over those highways and have headlights. So, what is the point of having headlights and lights at the same time? So, it is only at intersections, residential agglomerations that there are lights. Could the hon. Minister consider the possibility of reducing wastage by not necessarily having to have lights at areas where there are no residential agglomerations and one can very well see very clearly using headlights because since this is the practice in Europe, since this is the practice in countries that are developed why, therefore, do we, as an island, have to be a country...

(Interruptions)

Madam Speaker: Order, please!

Mr Mohamed: ...where proportionately to the number of kilometres and lights thereto, we are paying much more than in European countries?

Mr Bodha: We will see to it that we have a system which is efficient. There are many accident-prone segments on the road. So, we will have to see in such a manner that the funds are spent judiciously and we have an effective system.

Madam Speaker: Hon. Jhugroo!

Mr Jhugroo: With regard to the loss of electrical cables in motorway M1, may we know whether these cases have been reported to the Police by RDA and what amount has been involved so far, and what measures are envisaged by RDA to prevent this from happening in the future?

Mr Bodha: What I said, Madam Speaker, is that the installation and the commissioning was the responsibility of the RDA. The maintenance and the payment of the bills are under the responsibility of the local authority. That's why we say that we have to coordinate the whole thing and I am sure that the theft has not been reported. So, this is where we have to find a solution to see to it that we have an effective system.

Madam Speaker: Next question, hon. Dr. Sorefan!

RING ROAD PHASE I – REPAIR WORKS

(No. B/446) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Ring Road Phase I, he will, for the benefit of the House, obtain from the Road Development Authority, information as to –

- (a) the reasons why the services of an Expert Consultant from Reunion Island to confirm the viability thereof is being sought, and
- (b) who is supervising the repair works undertaken by the contractor therefor, indicating if -
 - (i) the Arab consulting company is involved therein, and
 - (ii) who prepared the scope of works therefor and if copy thereof will be tabled.

Mr Bodha: Madam Speaker, with regard to part (a) of the question, I am informed by the Road Development Authority that it has not appointed any Consultant from Reunion Island for the Port Louis Ring Road Phase I.

As regards part (b) of the question, I am informed that the repair works undertaken by the contractor Rehm Grinaker-Colas are on a “design and build” basis. The consultant for the contractor is ARQ (Pty) Ltd. from South Africa and Arab Consulting Engineers (ACE) is supervising the works on behalf of the RDA.

The House would also like to note that when the first defects occurred in January 2014, the whole road infrastructure was still within the defects liability period of one year. In fact, the project was completed on 31 January 2013 and the defects liability period was up to 31 January 2014. Consequently, the contractor was made to remedy the defects at his own costs.

With regard to part (b) (i) of the question, I am informed that ACE is still providing consultancy services and its involvement will continue up to the completion of the repair works which are scheduled now for February 2016. The fees for ACE are being met from the balance of contract amount which is still in the custody of the RDA.

As regards to part (b) (ii), the design and scope for the reconstruction of the works have been prepared by ARQ Consulting Engineers (Pty) Ltd. and I have no objection in tabling a copy thereof.

Madam Speaker, I would also like to inform the House that on 29 January 2015, Government appointed Dr. J. P. Lourens, an independent Geotechnical Expert from South Africa to assess the adequacy of the remedial measures proposed by the contractor, that is, Rehm Grinaker-Colas. In his report, which he submitted in March 2015, Dr. Lourens concurred with the assessment made by ARQ (Pty) Ltd. in regard to the reasons for the failure of the Ring Road and its inference that the original design was inadequate. He also concluded that the reconstruction design submitted by ARQ (Pty) Ltd. was adequate.

Madam Speaker: Hon. Dr. Sorefan!

Dr. Sorefan: Madam Speaker, the hon. Minister, in a recent site visit, said that he is going to recruit a consultant from Reunion Island to see the viability of that road. That's why I came with that question. Will the hon. Minister confirm whether he said that in the recent site visit he did and that was reported on the MBC?

Mr Bodha: This is not what I said. In fact, I had gone to visit the site after a visit I had made to Reunion Island where they are doing - *ce qu'on appelle* the new coastal road which is going to be one of the most expensive infrastructural roads in the world. And I said that we will send somebody from our team to go and visit Reunion Island and not *vice versa*.

Madam Speaker: Hon. Mahomed!

Mr Mahomed: Yes. In an earlier question in Parliament with regards to the next stretch of the Ring Road, the hon. Minister mentioned that possibilities were being looked into to have an elevated platform along Boulevard Victoria in Port Louis. Is this proposition still on?

Mr Bodha: Yes, but this has nothing to do with the Ring Road Phase I.

Madam Speaker: The question relates to Ring Road Phase I. So, the hon. Member must come with a specific question, next time.

(Interruptions)

Hon. Jhugroo!

Mr Jhugroo: Can the hon. Minister inform the House whether RDA has got a geotechnical consultant, and, if not, would RDA consider to employ one?

Mr Bodha: No, the RDA does not have a Geotechnical Consultant. But what we are doing now, in view of the new projects, the projects which are coming, we are training some of our staff. We are doing this capacity building to be able to provide consultancy for geotechnical tests for tunnels, for viaducts and for all the coming projects.

Madam Speaker: Yes, hon. Dr. Sorefan!

Dr. Sorefan: May we know from the hon. Minister whether the damaged part on the other side is also being taken into consideration for repair because adjacent to the damaged side, the lane going towards the mountain and the one coming from the mountain is next to the damaged side? Has there been any study to know whether this part also has not been cracked underneath?

Mr Bodha: Madam Speaker, we had the collapse at one point, but we have to see to it that the whole segment of the road is roadworthy. In fact, there are cracks at the end of Ring Road I. That is going to be another phase.

Madam Speaker: Next question, hon. Dr. Sorefan!

QUATRE BORNES - WASTEWATER SEWERAGE NETWORK PROJECT

(No. B/447) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Wastewater Sewerage Network Project in Old Quatre Bornes, he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to where matters stand as to the implementation thereof, indicating -

- (a) if all the households have been connected to the network and, if not, why not, and
- (b) the amount of money paid to the contractor for the variation works, as at to date.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): Madam Speaker, the Wastewater Management Authority informs me that

part of Old Quatre Bornes has already been sewered under the Plaine Wilhems Sewerage Project Lot 2 which was completed in March 2015.

The number of connections which have been carried out amount to some - I lay stress on the approximation – 2,620 house connections. The remaining part of Old Quatre Bornes is being sewered under the ongoing contract Lot 1A. Some 536 approximately house connections have been completed and the remaining approximately 616 connections will be completed by November 2016.

With regard to part (b) of the question, I am informed by the Authority that the original contract price for sewerage project Lot 2 was Rs2.49 billion for a total of 12,200 connections. This was increased to Rs2.86 billion at the end of the project.

The Lot 1A contract was awarded in October 2009 for the sum of Rs2.84 billion comprising 11,600 connections. In view of the significant increase in the cost of the project from Rs2.86 billion to Rs3.92 billion, this Government, after having looked into it, decided to complete only Lot 1A North and to close/secure Lot 1A South. The contract value will be Rs3.15 billion, that is, an increase of around Rs330 m. over the original one.

Madam Speaker: Yes, hon. Dr. Sorefan!

Dr. Sorefan: Madam Speaker, I have asked for a specific site at Rue Anthelme where all the households, except one part, that has not been connected and it seems that everything is in order there. When I phoned them, they were lost. They came and you know – I will say it in the House – it happens to be my residence and my household and...

(Interruptions)

As if everything has been done except at my place.

Madam Speaker: The hon. Member is declaring interest!

(Interruptions)

Dr. Sorefan: If the hon. Minister could intervene to see that this is done.

(Interruptions)

Madam Speaker: Order!

Mr Collendavello: I am sure ...

(Interruptions)

Madam Speaker: Order, please!

Mr Collendavello: ...the hon. Member knows that he should not further his very cause in Parliament. I will look into it, of course, but if he sees me privately, I will certainly look into it and deal with him directly.

(Interruptions)

Madam Speaker: Hon. Ramano!

(Interruptions)

Order, please, hon. Jhugroo!

Mr Ramano: Est-ce que je peux savoir du ministre pourquoi malgré le fait que les travaux sont partiellement terminés, est-ce que les travaux d'asphaltage sont concernés dans le *scheme of work* du contracteur?

Mr Collendavello: Yes, they should be and in all the contracts, it is a condition that the road should be re-instated, but I will look into it if there are any particular areas. I know and I have seen that there are many places where this was not done. I personally intervened normally to get this done very quickly

Madam Speaker: Yes.

Mr Ramano: C'est vrai de savoir que malgré le fait que les travaux sont terminés depuis maintenant plusieurs mois, les travaux d'asphaltage n'ont pas été faits.

Mr Collendavello: I take note.

Madam Speaker: Next question, hon. Lesjongard!

MINISTRY OF ARTS AND CULTURE – ADVISERS

(No. B/448) **Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Minister of Arts and Culture whether, in regard to the advisers attached to his Ministry, he will state the number thereof, indicating in each case the –

- (a) names and qualifications thereof;
- (b) post held, and
- (c) monthly salaries and allowances drawn.

Mr Baboo: Madam Speaker, two advisers are attached to my Ministry and one adviser is attached to the “*Centre de Lecture Publique et d’Animation Culturelle*”, which is a unit of my Ministry, operating under an agreement signed with the “*Organisation Internationale de la Francophonie*”.

All the advisers are employed on a contract of one year.

With regard to parts (a), (b) and (c) of the question, I am tabling the information regarding the names, respective qualifications, monthly salaries and allowances drawn.

CEB - CONSULTANT MOTT MAC DONALD COMPANY – CONTRACTS

(No. B/449) **Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Consultant Mott Mac Donald Company, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the number of contracts awarded thereto, since 2005 to date, indicating –

- (a) the amount of money paid out thereto in respect of each contract, and
- (b) if all of them were awarded thereto following a bid exercise and, if not, indicate the reasons therefor.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): First of all, with regard to part (a) of the question, Madam Speaker, the CEB tells me that since 2005, it has awarded 7 contracts to Mott Mac Donald Company. I am tabling the information on the amount paid under each contract.

With regard to part (b) of the question, according to the information from the CEB, 5 contracts were awarded. Following the restricted bidding, one contract was awarded directly on the basis of continuity of service for Fort Victoria Phase II Project, that is, after Phase I and one contract was awarded following an expression of interest and a request for proposals.

Mr Lesjongard: Regarding the contract that was awarded on the basis of continuity, may we know whether this was for the technical assistance for the implementation of the Fort Victoria Power Station redevelopment?

Mr Collendavelloo: Actually, it was.

Mr Lesjongard: Is it normal that this was done the way it was done or should the CEB have gone through a tendering procedure?

Mr Collendavelloo: I also asked that question. I was told that it is a normal procedure that, for continuity of service, they sometimes award a contract to the same consultant. I would not be able to say more, so please, do not ask me supplementary questions.

RIGHTS MANAGEMENT SOCIETY – BOARD MEMBERS – ELECTION

(No. B/450) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Arts and Culture whether, in regard to the Rights Management Society, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) if the election of three artists to represent the interests of the artists on the Board thereof has been carried out and, if so, indicate when and, if not, why not;
- (b) the qualifications and experience in copyright, related rights and intellectual property in general of the two Board Members appointed by the Honourable Minister;
- (c) the subcommittees to which the above mentioned Board Members have been appointed, and
- (d) the total amount of money paid thereto as at to date in terms of –

- (i) Board Member fee, and
- (ii) Committee Member fee.

Mr Baboo: Madam Speaker, the Copyright Act 2014, which provides for the establishment of the Rights Management Society was passed in the National Assembly in April 2014 and proclaimed in July 2014. However, the Board of the RMS was constituted only on 06 March 2015.

In regard to part (a) of the question, I am informed that the Society initiated procedures for the holding of elections for the three (3) representatives of artists to form part of the Board in accordance with section 43(4)(h) of the Copyright Act 2014.

The election of the three (3) members of the RMS to the Board was fixed on 12 July 2015.

In the meantime, a court case was entered by a member regarding payment of membership fees to be eligible to stand as candidate of the RMS. During the hearing of the court case, it was found that there was no legal basis for the levy of Membership fees in the Copyright Act 2014. Hence, the election was postponed.

Madam Speaker, in line with Government 2015-2019 to review the Act for better representation of the rights holders, my Ministry is in the process of amending the Copyright Act 2014, in collaboration with the World Intellectual Property Organisation (WIPO).

The amended Act will include a section for the levying of membership fees. The election of the three representatives of the members of the Society will be held thereafter. I can assure the House that the current Board of the RMS has the required quorum to make decisions for the smooth running of the institution.

Madam Speaker, with regard to part (b), section 43(4)(g) of the Copyright Act 2014 empowers me to appoint two members having knowledge and experience in the field of copyright and related rights. Accordingly, two members were appointed.

Both appointed Board members have been for more than ten years, members of the then MASA, now RMS. Moreover, one Mr A.C. was an elected member of the Board from 2011 to 2014. The other member, Mr A.R., was member of the Musical Works and Membership Committee, that is, a sub-Committee of the then MASA during period 2013 to 2014. Hence, both Members have ample knowledge and experience to serve the Board.

In regard to part (c) of the question, I am informed by the RMS that Mr A.C. has been member of the Human Resource Committee for period March to June 2015, whereas Mr A.R. is member of the Finance Committee since 13 August 2015 to safeguard the interest of the artists. Both are also members of an Ad-Hoc Committee set up on 14 May 2015, to look into the day to day running of the Society in the absence of the Director who was interdicted on 30 June 2011.

The information requested to part (d) of the question, I will table it.

Mr Quirin: Madame la présidente, peut-on savoir si le ministre des arts et de la culture trouve normal que le Board Rights Management Society fonctionne sans les représentants des artistes?

Mr Baboo: We have nominated, as I just mentioned, the two Members who came from the artist representatives.

Mr Quirin: Madame la présidente, les deux personnes qui ont été nommées pour siéger au Board du Rights Management Society sont des nominés politiques choisis par le ministre lui-même et qui ne représentent pas les artistes. Ils représentent les intérêts du ministre, de son ministère d'après le Copyright Act. Donc, là on comprend et le ministre vient de nous informer qu'il va amender la loi, c'est à dire, le Copyright Act et par la suite il reviendra avec la tenue des élections en ce qui concerne les représentants des artistes et des créateurs. Je trouve cela une aberration, Madame la présidente. On aimerait savoir quand il compte amender le Copyright Act, combien de temps cela va prendre, parce que le Board du Right Management Society ne peut pas fonctionner sans les représentants des artistes?

Mr Baboo: Well, as I said, we are working together with WIPO on that Act and it is coming very soon. But the Board is on, as they already have a quorum and they are working.

Mr Bérenger: I heard the hon. Minister say that the Director has been suspended. Can I know since when and why? Who is replacing the suspended Director and what is going to happen next?

Mr Baboo: Well, he has been interdicted on 30 June 2011 and Court proceeding is still going on.

Mr Barbier: Since the hon. Minister is envisaging amending the law, would the Minister consider the possibility, the advice, as artists always claim that they need to have, as it was in the MASA, more representatives, which number was 7 under the past legislation and

which is now 3. So, will the hon. Minister consider also while amending the law to increase the number of artists to be elected by the artists on the Board of the RMS.

Mr Baboo: Well, I will take the hon. Member's advice into consideration, but let me tell the hon. Member that the law will be in favour of the artists and for the artists.

Mr Bérenger: Madam Speaker, I have a second question. We heard the Minister say that elections were going to take place and the Ministry was advised that it is illegal to claim membership fees, and therefore, the whole thing was cancelled. Can I know whether this legal advice or advice was received from the State Law Office and whether - I am not asking for the legal opinion, I am saying that legal advice which the Minister referred to, was it from the State Law Office and can it be laid on the Table of the Assembly?

Mr Baboo: Well, it was from the State Law Office and I will table it.

Madam Speaker: Next question, hon. Teeluckdharry!

STRAY DOGS & CATS

(No. B/451) Mr K. Teeluckdharry (Second Member for Pamplemousses & Triolet) asked the Minister of Agro-Industry and Food Security whether, in regard to the stray dogs and cats, he will, for the benefit of the House, obtain information as to the number thereof which have been exterminated by the former Mauritius Society for Prevention of Cruelty of Animals and the Mauritius Society for Animal Welfare (MSAW) respectively, since 2005 to date, indicating if consideration will be given for the –

- (a) introduction of legislation to do away with the practice of catching and killing same, and
- (b) closing down of the MSAW and the setting up of another institution in replacement thereof with one of the objectives being to adopt a humane and empathic approach to solve the problem thereof in Mauritius.

(Withdrawn)

BIOMETRIC IDENTITY CARDS PROJECT - DATABASE

(No. B/452) Mr K. Teeluckdharry (Second Member for Pamplemousses & Triolet) asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Biometric Identity Cards Project, he will state –

- (a) the cost incurred for the implementation, setting up and maintenance of databases therefor, and
- (b) if Government proposes to do away with the –
 - (i) practice of compulsorily requiring Mauritian citizens to give their fingerprints and other biometric data for the purpose of obtaining a national identity card, and
 - (ii) features contained in the biometric card, namely, the contactless integrated micro-chip and the integrated Radio Frequency Identification Device (RFID).

(Withdrawn)

ADDITIONAL STIMULUS PACKAGE SCHEME – BENEFICIARIES

(No. B/453) Mr K. Teeluckdharry (Second Member for Pamplemousses & Triolet) asked the Minister of Finance and Economic Development whether, in regard to the Additional Stimulus Package Scheme, he will state the –

- (a) names of the direct and indirect beneficiaries thereof since the implementation thereof to date, and
- (b) amount of public expenditure incurred in relation thereto since 2005 to December 2014.

Mr Lutchmeenaraidoo: Madam Speaker, as the House is aware, in December 2008, the then Government introduced the Additional Stimulus Package Scheme to assist manufacturing enterprises which were affected by the 2008 global economic crisis.

As at December 2014, 69 companies have benefitted from direct support for a total amount of Rs2.86 billion and 5,608 enterprises were assisted through indirect support for a total amount of Rs4.16 billion. Details are being tabled.

Madam Speaker, I wish to inform the House that following an assessment of the direct and indirect support under the stimulus package, it was found that certain companies have been making abuse of the scheme. In spite of the support provided, these companies failed to recover and hence had to close down, resulting in significant job losses and financial losses.

Mr Bérenger: Can we have the names and the identity of those firms which had abused the scheme?

Mr Lutchmeenaraidoo: Well, I am circulating a list of those who have benefited from those loans. I don't think the amount has been given. But, the hon. Leader of the Opposition is very well aware that there are two notorious cases; one is RS Denim and RS Fashion where we lost more than Rs349 m. in the process as well as the other notorious case of Jean Suzanne.

Madam Speaker: Hon. Jhugroo!

Mr Jhugroo: Can I ask the hon. Minister of Finance and Economic Development whether in the list of names of the companies just tabled there is a former Member of the National Assembly who is the Director of a company and can we know what is the amount of the stimulus package involved and whether this amount of money has been refunded?

Mr Lutchmeenaraidoo: The former Member of Parliament was involved in RS Denim and RS Fashion and those are the two companies where we have directly lost Rs349 m. outside losses made by DBM Ltd. also, through other loans given to him.

Madam Speaker: Last question, hon. Rughoobur!

Mr Rughoobur: The hon. Minister mentioned more than Rs350 m. that were public funds. Can I know from the hon. Minister whether there is no possibility of recuperating those funds or bringing those people and companies to the Court to recuperate the funds?

Mr Lutchmeenaraidoo: Yes, there are ongoing procedures to recoup those lost funds.

REGISTRAR OF ASSOCIATION - SPORT FEDERATION – OPERATION

(No. B/454) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether he will state if he has received a correspondence from the Registrar of Association concerning a sport federation which -

- (a) is operating outside the legal framework prescribed therefor, and
- (b) has not participated in the Indian Ocean Islands Games, since 2003 to date.

(Withdrawn)

SPORTS COMPLEXES – RENTAL

(No. B/455) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the sports complexes of the Ministry of Youth and Sports, he will –

- (a) for the benefit of the House, obtain from the Mauritius Sports Council, information as to the reasons why the quantum of the rental thereof has been increased, and
- (b) state if he is aware of the prejudices that the increase of the quantum of rental thereof are causing to the sports practitioners who use these facilities and, if so, indicate if he proposes to take any action in relation thereto.

(Withdrawn)

Madam Speaker: The Table has been advised that Parliamentary Question No. B/469 has been withdrawn. Time is over!