

## ORAL ANSWERS TO QUESTIONS

### ICAC – FINANCIAL CRIME COMMISSION & BOARD MEMBERS

**The Leader of the Opposition (Mr P. Bérenger)** (*by Private Notice*) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Independent Commission against Corruption, he will

–

- (a) state –
  - (i) when legislation to set up a Financial Crime Commission and a revised and enhanced Independent Commission against Corruption model will be introduced, and
  - (ii) the date and time the two members thereof, other than the Director General, were appointed;
- (b) obtain information as to the date and time on which the new Director General thereof made and subscribed to the prescribed oath in respect of the –
  - (i) disclosure of assets and liabilities before the Master and Registrar of the Supreme Court, and
  - (ii) oath of secrecy before the District Magistrate, and
- (c) obtain from the Independent Commission against Corruption, information as to if the new Director General or Commission has stopped any ongoing investigation or prosecution.

**The Prime Minister:** Madam Speaker, I would like to reply to the PNQ together with PQ B/54 as both relate to ICAC.

In regard to part (a)(i) of the question, as the House is aware, the Government Programme 2015-2019 provides as follows, I quote –

“Government (has a mandate for change and) will relentlessly fight fraud, corruption and financial crime. To that effect, a Financial Crime Commission will be set up to act as an apex body to oversee the ICAC, the Financial Intelligence Unit and the enforcement department of the Financial Services Commission.

Government will (leave no stone unturned to) eradicate fraud, corruption, malpractices and irregularities in all aspects of public life and restore our national values. To this end, a new Declaration of Assets Act for MPs and high ranking public officers and a Financing of Political Parties Act will be enacted. A new Code of Conduct will be introduced for all MPs and public officers.”

In this context, the Minister of Financial Services, Good Governance and Institutional Reforms and the Attorney General are on mission at present in London for, *inter alia*, discussions with the following institutions regarding assistance in the setting-up of the Financial Crime Commission -

- Serious Fraud Office;
- Foreign and Commonwealth Office;
- Financial Conduct Authority, and
- National Crime Agency.

The Financial Crime Commission will be set up as an umbrella organisation to oversee the operations of a revised and enhanced ICAC model, the FIU and Asset Recovery Unit, the enforcement units of the Financial Services Commission and the Financial Reporting Council relating to securities, insurance and financial reporting fraud within a newly set up Anti-Fraud Unit. This will bring harmonisation in the structure for the fight against financial crime in Mauritius and will ensure better coordination amongst existing institutions. This will also mitigate the risks of fraudsters exploiting loopholes in the functioning of institutions which may have led to the recent cases of Ponzi schemes where many innocent but gullible persons have lost their hard earned money.

As an immediate measure, pending the setting-up of the Financial Crime Commission, an amendment will be brought to the Asset Recovery Act and the Asset Recovery Unit will be merged with the Financial Intelligence Unit.

Madam Speaker, the present composition of the Board of the Independent Commission Against Corruption is as follows -

Chairperson : Mr Luchmyparsad AUJAYEB

Members : Mr Narainkrishna PEERUN, and  
 : Miss Shakilla Bibi JHUNGEER

The appointments of the previous Board Members were terminated under section 113(4) of the Constitution and after consultation with the Solicitor-General. All the outgoing members have been paid compensation for loss of office in accordance with section 113(5) of the Constitution and section 52 of the Employment Rights Act. They have also been paid all their benefits due and accrued.

In regard to part (a)(ii) of the PNQ, the two other Board Members of the ICAC were appointed on 10 February 2015. They assumed duty on 16 February 2015 in the morning.

As regards part (b)(i) of the question, I am informed that the new Director General has on, 28 January 2015, subscribed before the Master and Registrar of the Supreme Court to the oath in respect of the disclosure of his assets and liabilities as required under section 25 of the Prevention of Corruption Act.

With regard to part (b)(ii) of the question, I am informed that the new Director General has already taken the oath of secrecy as required under section 81 of the Prevention of Corruption Act.

With regard to part (c) of the question, I am informed that –

- (i) the Commission which is the sole authority vested under the Prevention of Corruption Act with the power to discontinue an investigation, was constituted on 16 February 2015. No ongoing investigation has been discontinued by the Commission so far, and
- (ii) by virtue of section 72 of the Constitution, only the Director of Public Prosecutions can discontinue a prosecution.

**Mr Bérenger:** Madam Speaker, the Rt. hon. Prime Minister quoted the Government Programme but, as the Rt. hon. Prime Minister is aware, before that, in the Electoral Programme, what was put forward, what was promised, was a Financial Crime Commission that would conduct its enquiries and that would *englobera différentes institutions existantes dont l'ICAC etc.* Then, we move to the Government Programme which said -

“A Financial Crime Commission ...”

The Rt. hon. Prime Minister just quoted that paragraph.

“... will be set up to act as an apex body”.

And then last Tuesday, here, the Minister of Financial Services, Good Governance and Institutional Reforms, hon. Bhadain, said that the Financial Crime Commission will be set up as an umbrella organisation to oversee the operations of a revised and enhanced ICAC model. I have tried to hear when will the two things be done, that is, when will the legislation to set up the new institution, and to replace ICAC by ‘an enhanced’ to use the words of the hon. Minister, ‘a revised and enhanced ICAC model’, come?

**The Prime Minister:** Well, we have already started working on it. They have been to London to get further information to help us in this context and we will do our best to come as soon as possible.

**Mr Bérenger:** Well, I am glad to hear that Government will come forward with the legislation as soon as possible. But, then, can I ask why the new Director General, under the present law, has been appointed for three years in the letter that he has received and which I received; I will move on to that later on?

**The Prime Minister:** For the time being, we have been acting under the present law.

**Mr Bérenger:** I take it that with the new legislation everything will be reviewed?

**The Prime Minister:** Well, I do not know what there will be. I cannot foresay beforehand!

**Mr Bérenger:** Well, then, at least, can I put the following question? The Rt. hon. Prime Minister will remember that the essential difference between the present Prevention of Corruption Act and the one which we voted in 2000-2005 was the existence of an Appointment Committee to appoint the Director General and the others and to remove them with the unanimous vote to remove them so as to secure security of tenure which is the essential part thereof. Can I know from the Rt. hon. Prime Minister whether the present law which was rushed in after the 2005 general elections will be replaced by a new, to use the words again of the

Minister concerned, ‘a revised and enhanced ICAC model’ like in the legislation which we voted in 2000–2005, there will be a guarantee of security of tenure of the Chairperson, the Director General and the other members?

**The Prime Minister:** We will do everything that we feel is necessary.

**Mr Bérenger:** Can I know whether the Rt. hon. Prime Minister is aware that when he made his speech last Tuesday, the hon. Minister included in the forthcoming Financial Crime Commission not only ICAC, FIU, Asset Recovery Unit, but also the Financial Reporting Council? Is he aware that the Financial Reporting Council like, for example, the Bank of Mauritius is a regulatory body and not a crime combating agency?

**The Prime Minister:** There is always some fine-tuning to be done, Madam Speaker.

**Mr Bérenger:** Fine-tuning is being done in London, I understand.

*(Interruptions)*

Therefore, can I insist that the way that they are appointed and that they are removed, especially the way they will be removed, can I have that guarantee from the Rt. hon. Prime Minister that we will have, at least, the same security of tenure as in our law in 2000–2005?

**The Prime Minister:** We will do everything that will be in the best interest of this country.

**Mr Bérenger:** In his speech last Tuesday again the hon. Minister said, I am quoting, Madam Speaker, from the Hansard -

“As an immediate measure pending the setting-up of the Financial Crime Commission, an amendment will shortly be brought to the Asset Recovery Act and the Asset Recovery Unit will be removed ...”

*Très élégant!*

“... from the Office of the Director of Public Prosecutions and will be merged with the FIU (...)”

How immediate will be immediate? Can we take it that this piece of legislation which has been promised to be introduced as an immediate measure will be very soon forthcoming? Can I know whether the DPP has been consulted about that removal of the Asset Recovery Unit from the DPP's Office and, if yes, what his reaction has been?

**The Prime Minister:** I cannot say whether the DPP has been consulted and so far as "immediate" is concerned, it is not most immediate, but it will be immediate.

*(Interruptions)*

**Mr Bérenger:** If I can move to the next part of my question, as we know Madam Speaker, the law provides for consultation between the Rt. hon. Prime Minister and the hon. Leader of the Opposition before the appointment of the Director General is made. Is the Rt. hon. Prime Minister aware that I received the letter of consultation, supposedly, on 30 December 2014, in the afternoon and the next day the Press reported that he had taken office on the same day, that is, on 30 December 2014?

**The Prime Minister:** Madam Speaker, the letter for consultation was issued and then we proceeded with the appointment of the new Director of ICAC. It was an urgent matter because the Members of Parliament had to do what we call the declaration of assets and that was the last day. Therefore, because of the emergency, things went on very fast.

**Mr Bérenger:** That was not done at all! But, does he realise that, in fact, the appointment is irregular? The law provides that the Leader of the Opposition must be consulted before he is appointed! Now, I received a letter - I am not usually very slow - but, in the same afternoon, the gentleman concerned took office supposedly because of declaration of assets requirement. Can the Rt. hon. Prime Minister tell me that he agrees with that and that the appointment was regular?

**The Prime Minister:** We all know consultation means consultation! We had already made up our mind. Whatever would be the comments of the hon. Leader of the Opposition, Mr Aujayeb was going to be appointed!

*(Interruptions)*

**Mr Bérenger:** Well, can I ask the Rt. hon. Prime Minister whether he is aware that if he had given me not even an afternoon - in other words he is saying: "we don't consult, we decide and we send a letter like that" - I would have informed him that I object to the appointment of that gentleman and I would have given him in confidence why, what information I have found since then, that in my view, disqualifies this gentleman from this job? Is he aware of that?

**The Prime Minister:** This gentleman took office on the next day; it was on 31 December.

*(Interruptions)*

**Mr Bérenger:** The Rt. hon. Prime Minister was reading, so probably, he did not catch my question. My question is: is the Rt. hon. Prime Minister aware that had I been consulted as the law requires, I would have advised against appointing him because I would have communicated in confidence information which shows that that gentleman is unfit to occupy that job?

**The Prime Minister:** The Leader of the Opposition could have phoned me and informed me. He didn't do so.

**Mr Bérenger:** Madam Speaker, honestly, the Rt. hon. Prime Minister has been President of the Republic. Usually, I react within two days whenever he consults me and the President. He finds it decent that I received a letter in the afternoon. The gentleman *prête serment* in the same afternoon, he starts work, and he has just confirmed the next day. I don't even have time to react. I have to seek information. I don't *agir à la légère*. Is he seriously telling us that that was in order? *Vitesse de croisière n'a pas encore été atteinte*, bureaucratic model, what have you?

**The Prime Minister:** In the circumstances, we have no alternative.

**Mr Bérenger:** Madam Speaker, if I can move on to the other two members. We have now the Director General and the Chairperson whom I consider unfit to sit in that job. I am prepared to communicate to the Rt. hon. Prime Minister the reasons I said that.

Now, if we can move to the two other appointments, Madam Speaker. We are supposed to instil confidence in ICAC. The previous Government and the previous Prime Minister changed

the law and destroyed ICAC over the years. Now, supposedly, we want to instill confidence to show that the members are all independent. Is the Rt. hon. Prime Minister telling me, honestly, that it will instill confidence in the independence of ICAC and that the two other members are –

- (i) a senior Police officer at the head of the NIU - a good friend of mine - but a Police officer to sit as an independent member for long years at the head of the NIU. He can be given any other kind of job; he is a friend of mine, and
- (ii) a young lady to sit on ICAC with the supposedly an image of independence when that lady on 22 March 2014 was proudly presented by the hon. Minister Pravind Jugnauth - this is right - as an upcoming political recruit of the MSM.

I am tabling that, of course.

Is this kind of appointment going to instill confidence in the population in this new ICAC?

**The Prime Minister:** Madam Speaker, we will judge these people after the action they will be taking in ICAC. We have, in this country, precedence where political people, people who have already been Ministers, people who have been in this House, been appointed in the Judiciary, an independent Judiciary, where they have been delivering, doing their duties properly and we have had no reproach whatsoever. Why not in this case?

**Mr Bérenger:** Madam Speaker, I move on to the last part of my question to give some time to my colleagues who have their own questions. I am glad that the Rt. hon. Prime Minister, at least, did not hide like the former Prime Minister, behind the Parliamentary Committee. The Parliamentary Committee has a wide ambit to monitor ICAC, open-ended, but the former Prime Minister and the member he appointed at the head of ICAC put on a very restrictive, prohibitive interpretation on the monitoring of ICAC to be done by the Parliamentary Committee. I am glad that the Rt. hon. Prime Minister today has not adopted the same attitude. Can I know whether he has in mind the member who will instill confidence and will chair - because we walked out of that committee under the previous Government. It was useless and a waste of public money because the Chairperson took orders from the former Prime Minister to paralyse the Parliamentary Committee. Do we have a guarantee that this will be allowed to work this time

and that the Rt. hon. Prime Minister will choose the right person as Chairperson to let that Committee do its work?

**The Prime Minister:** I have no one in mind so far, but we will certainly do what the hon. Leader of the Opposition is suggesting. This is really our aim, what we want to aim at.

**Mr Bérenger:** On the last part of my question again. Is the Rt. hon. Prime Minister aware that there have been several Press articles in which it was reported that the DPP being dissatisfied with the way ICAC was conducting one specific enquiry, called in the Director General, I quote –

“... a *convoqué le conseil légal de la commission* to express his dissatisfaction with the way ICAC was conducting one given enquiry”.

Now, we know that the DPP likes *mise au point, communiqué* and so on, but there was none in that case. It was reported on several occasions, but there was no *démenti, no mise au point, no communiqué*. Can we know whether the Rt. hon. Prime Minister has looked into that and whether it is in fact that the DPP expressed his dissatisfaction in that way?

**The Prime Minister:** I am not aware of this.

**Mr Bérenger:** The last part of my question was whether any prosecution or investigation has been or is being stopped by the new Director General or the Commission as a whole now that it is constituted. Can I know from the Rt. hon. Prime Minister whether he is aware that two sitting Ministers in the present Government have been targeted by the former ICAC? An enquiry was conducted on two now sitting Ministers and ICAC with the green light of the DPP was going ahead with prosecution. Can I know from the Rt. hon. Prime Minister whether he is aware of that and, if he is not, whether he will look into it?

**The Prime Minister:** I am not aware of this, Madam Speaker. But, if there is any decision to prosecute, the DPP is free to do that.

**Mr Uteem:** The Rt. hon. Prime Minister stated that the Director General and other members of the Commission were dismissed under section 113 subsection (4) of the Constitution. Is the Rt. hon. Prime Minister aware that under the Prevention of Corruption Act,

there is a special procedure under section 23 for revocation of the Director General by the Parliamentary Committee? Would he agree that by bypassing this statutory provision and going under the Constitution, the Government is going against the United Nations Convention on Prevention of Corruption, which provides for security of tenure to people at the head of corruption investigating agencies?

**The Prime Minister:** Madam Speaker, I am advised that everything has been done according to our law.

**Mr Ganoo:** I will pursue on the point which my hon. friend has just raised. Doesn't the Rt. hon. Prime Minister agree that the state of our law, as it is today, including the provisions of our Constitution which have been used for the termination of the appointment of the previous Director General means that any Director General or high ranking member of the ICAC is at the mercy of any freshly new elected Government? Does not the Rt. hon. Prime Minister think that there is need to amend our law for further clarity so that impartiality and the independence of the Director General of the ICAC should be entrenched by further amending the law?

**The Prime Minister:** We will do everything that is necessary in the interest of the country.

**Madam Speaker:** Last question, hon. Leader of the Opposition!

**Mr Bérenger:** As a last question, can I say the following? The Rt. hon. Prime Minister and you Madam Speaker will allow me to say that the new ICAC *a pris un très mauvais départ*, the worse possible. Is he prepared to review the appointment of the new Director General, to go through the proper procedures and to call for *appel de candidature*, as is claimed nearly every day, to review the appointment of the new Director General and the two members so as to instill the required confidence in the public or alternatively to introduce as soon as possible legislation to set up the Financial Crime Commission and to set up the revised and enhanced ICAC model that has been promised; to do that, either to review their appointment or to come forward with the legislation as soon as possible?

**The Prime Minister:** The second part I have already answered, we will do our best to come as soon as possible. Insofar as the first part is concerned, to me it looks like *après la mort, la tisane*.

**Madam Speaker:** Last question to the hon. Leader of the Opposition!

*(Interruptions)*

I will give the hon. Member some additional time.

**Mr Uteem:** Thank you, Madam Speaker. The Rt. hon. Prime Minister stated that the former Board was revoked on 26 December and we heard that it is only on 31 December that the Director General was appointed. May I know from the Rt. hon. Prime Minister, in those five days, who were in charge of those highly confidential materials, sitting in the offices of ICAC?

**The Prime Minister:** Well, there were other people who were there; they were in custody of those that were there.

**Madam Speaker:** Any other question, Leader of the Opposition? Do you have any other question, Leader of the Opposition?

*(Interruptions)*

Leader of the Opposition, I am asking you whether you have a final question now, because we have got only two minutes left. So, I am just asking you if you have; if you don't have?

*(Interruptions)*

If you don't have any, then time will be over in two minutes. Questions addressed to the Rt. hon. Prime Minister! Hon. Uteem!

### **ICAC- BOARD COMPOSITION**

**(No. B/54) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Independent Commission Against Corruption, he will, for the benefit of the House, obtain therefrom, information as to the -

(a) composition of the present Board thereof, and

(b) procedure followed for the termination of office of the members of the previous Board thereof.

*(Vide Reply to PNQ)*

## NATIONAL HUMAN RIGHTS COMMISSION - APPLICATIONS

**(No. B/55) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the National Human Rights Commission, he will, for the benefit of the House, obtain therefrom, information as to the number of applications received for an inquiry to be carried out as to whether there exist sufficient fresh and compelling evidence to refer the conviction to the Court of Appeal for review, since 2013 to date, indicating in each case the outcome thereof.

**The Prime Minister:** Madam Speaker, the Protection of Human Rights Act was amended in 2013 by introducing Section 4A, so as to allow a convicted person or his representative to apply to the National Human Rights Commission requesting the latter to conduct an inquiry as to whether there exists sufficient fresh and compelling evidence to refer the case back to the Supreme Court for a review of the proceedings.

I am informed by the National Human Rights Commission that two applications have been received since 2013 for inquiry to be carried out as provided under Section 4A of the Protection of Human Rights Act.

Inquiry in the first case, received on 10 July 2014, is ongoing and same is expected to be completed by mid-2015. I refer the hon. Member to my reply to Parliamentary Question No. B/15 of the sitting of 10 February 2015.

In regard to the second application dated 28 July 2014, the Commission is presently gathering additional information regarding the conviction, over and above the information provided by the convicted person.

**Mr Uteem:** Madam Speaker, answering to PQ No. B/15, the Rt. hon. Prime Minister stated that the search for the existence of fresh and compelling evidence is a complex exercise and that is why it is taking more than six months. May I know from the Rt. hon. Prime Minister whether the Government intends to come forward with amendment to the existing legislation to

facilitate people who feel that they have been wrongfully convicted to ask for the reopening of their cases?

**The Prime Minister:** In fact, we had stated in our party programme that we were going to bring amendments in order to facilitate this task. But, being given now that there has been already an amendment and the Commission is acting under it, we'll wait for the result and see what happens.

**Mr Bérenger:** Can I precisely on that point, is the Rt. hon. Prime Minister aware that when legislation was brought in this House by the former Government, former Prime Minister in 2013, when the law was amended, I pleaded with the former Prime Minister - *suppliez* – that, instead of only fresh and compelling evidence – the law is the law, the Commission and subsequently the Court if it reaches the Court, the Commission will have to go by the law. The law say unless there is fresh and compelling evidence the case will not be reopen. Whereas in UK, in Australia, in New Zealand and so on, if exceptional circumstances are found there is latitude for the Commission to reopen the case. I pleaded with the former Prime Minister, *j'ai supplié* that we should follow the example of UK, Australia, New Zealand and include 'exceptional circumstances also'. I don't know why the former Government, the former Prime Minister refused bluntly, and now, it is a tight jacket. Will the Rt. hon. Prime Minister agree with me that there is need to look at that? What has been already introduced for years in the UK, Australia, New Zealand and so on should be introduced here?

**The Prime Minister:** We don't look behind, we look forward and we will consider that.

**Mr Mohamed:** Madam Speaker, after the amendment was brought in 2013 as stated by the hon. Leader of the Opposition, there was an enquiry that started out at the National Human Rights Commission and it is only as stated by the Rt. hon. Prime Minister, Madam Speaker, during the last general election several Members of the now Government have stated that they would reopen the enquiry. This is what was stated, that they would reopen the enquiry, at several public meetings ...

**Madam Speaker:** Please, come with your question!

**Mr Mohamed:** So, the question is, does the Rt. hon. Prime Minister intend to keep his promise of reopening the enquiry because what is going on before the National Human Rights Commission is a hearing. Does he intend to keep his promise of reopening the enquiry that he made public during the last general election?

**The Prime Minister:** We don't reopen in a vacuum; we will have to pass the necessary law before acting.

**Mr Uteem:** Madam Speaker, being given the time that it is taking the Human Rights Commission to complete a single enquiry, has there been any request from the Human Rights Commission for the increase in staff or logistics or financial assistance for them to speed up their enquiries?

**The Prime Minister:** Not so far that I am aware of.

**Mr Bérenger:** I am glad if I heard correctly, but I am glad I heard the Rt. hon. Prime Minister say that he will consider amending the law as per what prevails already in UK, etc.. I understand that, apart from going before the National Human Rights Commission that the families of the persons concern are thinking or are going to the Privy Council *à leur frais*, and I am sure lot of us would help. Can I know from the hon. Prime Minister if assistance is sought from those families, if they go ahead with assistance before coming to help them before the Privy Council, not to pay for this or that but to help them to get the Privy Council to hear that case as soon as possible?

**The Prime Minister:** Well, I can't answer to this question unless we study this situation deeply and see what can be done.

**Madam Speaker:** Next question, hon. Jhugroo!

#### **PRIME MINISTER (FORMER) - OVERSEAS MISSIONS - DELEGATION**

**(No. B/56) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to each of the overseas missions undertaken by

the former Prime Minister, since July 2005 to December 2014, he will give a list thereof, indicating in each case, the -

- (a) countries visited;
- (b) composition of the delegation, including the names of the accompanying journalists, if any;
- (c) duration thereof;
- (d) total amount of money spent in terms of -
  - (i) air ticket;
  - (ii) *per diem*, and
  - (iii) other allowances, if any, and
- (e) name of the hotels in which he stayed.

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

#### **HORSERACING - COMMISSION OF INQUIRY**

**(No. B/57) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Commission of Inquiry set up to look into all the aspects of horseracing in Mauritius, he will state if it has now completed its works and submitted a report thereto and -

- (a) if so, indicate -
  - (i) when, and
  - (ii) the main recommendations thereof, and
- (b) if not, will he, for the benefit of the House, obtain therefrom, information as to the -

- (i) reasons therefor, and
- (ii) cost incurred by the Commission for the inquiry.

**The Prime Minister:** Madam Speaker, I am informed that the Commission of Inquiry on horseracing has already completed its work and is currently finalising its report. I am further informed that the Commission will honour its commitment to submit its final report prior to the start of the 2015 horseracing season.

In regard to part (b)(ii) of the question, a total sum of Rs4,790,673.98 representing air tickets, accommodation costs and part payment of fees, has been disbursed so far.

An additional sum of around Rs3,008,348 will have to be disbursed on receipt of the final report. This sum represents outstanding fees and expenses for the visit of two Commissioners to Hong Kong in connection with the inquiry.

Madam Speaker, I wish to inform the House that my Government is fully determined to fight the mafia that has brought horseracing in Mauritius into disrepute. Once the final report of the Commission is submitted, appropriate action will be initiated.

**Mr Lesjongard:** Madam Speaker, is Government envisaging making public an interim report before the final report is obtained?

**The Prime Minister:** In any case, I am not aware of any interim report.

**Mr Mohamed:** Is the hon. Prime Minister aware - because I am a bit taken aback by his last answer - that there is already an interim report and is he telling the House that he has not been made aware of that interim report that already exists?

**The Prime Minister:** 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.

*(Interruptions)*

**Mr Bérenger:** Can I know from the hon. Prime Minister, the former Prime Minister used to tell us at length in the House that he had called the Commissioners and told them to be ruthless, to be tough on anybody and not to spare anybody. Can I know from the hon. Prime

Minister whether the new Prime Minister met the Commissioners and asked them to behave in the same manner?

**The Prime Minister:** I have not met anybody so far.

**Mr Bhagwan:** Madam Speaker, one of the main problems we have witnessed concerning the mafia operating at the Champ de Mars is the way the GRA was operating. Can the hon. Prime Minister give the assurance to the House and to the country that while choosing the person to be at the head of GRA, at least, we have somebody who will not be linked directly or indirectly with the Mauritius Turf Club?

**The Prime Minister:** We will do our best.

**Madam Speaker:** Last question!

**Mr Lesjongard:** Thank you, Madam Speaker. Since we understand that there is an interim report somewhere in the office of the former Prime Minister...

*(Interruptions)*

In the safe! Can we request the Rt. hon. Prime Minister to have a fresh look in the safe and make public that report, if ever there is an interim report?

**The Prime Minister:** I have neither the key nor the code!

*(Interruptions)*

**Madam Speaker:** Order, please! Next question, hon. Jhugroo!

### **PRIME MINISTER (FORMER) - RESIDENCE - SEARCHES**

**(No. B/58) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, following the searches carried out at the residence of the former Prime Minister, respectively at Desforges Street, in Port Louis, and at Riverwalk, in Vacoas, from Friday 06 to Sunday 08 February 2015, he will, for the benefit of the House, obtain from the Commissioner of Police -

- (a) a list of the exhibits secured thereat, indicating in each case, the quantum of money seized, and
- (b) information as to the charges that have been lodged against him as at to date.

**The Prime Minister:** Madam Speaker, in regard to part (a) of the question, I am informed by the Commissioner of Police that the inquiry into the case involving the former Prime Minister is ongoing, and at this stage, it would not be appropriate to disclose material facts or any other information related to the inquiry, as this may cause prejudice to its proper unfolding.

As for part (b) of the question, I wish to refer the hon. Member to my reply to the Private Notice Question on Tuesday 10 February 2015, wherein I stated that provisional charges of “Conspiracy” and “Money Laundering” were lodged against the former Prime Minister on 07 February 2015. He appeared before the Bail and Remand Court on the same day and was granted bail on the same day subject to the condition that he furnishes a surety of Rs200,000 and enters a recognizance of Rs1 m. under each charge. He was released on parole on that same day pending his appearance before the District Courts of Upper Plaines Wilhems and Riviere du Rempart for the fulfilment of the conditions of his bail.

He appeared before the District Courts of Upper Plaines Wilhems and Rivière du Rempart on Monday 09 February 2015, and furnished the required sureties.

**Mr Jhugroo:** Madam Speaker, can the hon. Prime Minister confirm whether during the search at Riverwalk, a sum of - not at the office - Rs110 m. and a sum of 10 m. in foreign currency have been found in the luggage and in the safe?

**The Prime Minister:** Well, I have not asked for the details. I don't know.

**Mr Jhugroo:** Madam Speaker, can the hon. Prime Minister state how many sex stimulant tablets were found in the safe and whether these tablets had been registered with the Pharmacy Board?

*(Interruptions)*

**Madam Speaker:** Order, please!

**The Prime Minister:** Well, I cannot answer this question, Madam Speaker.

**Madam Speaker:** Next question, hon. S. Mohamed!

### **MAURITIUS POLICE FORCE - PERMUTATIONS, DEMOTIONS & PROMOTIONS**

**(No. B/59) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Mauritius Police Force, he will, for the benefit of the House, obtain from the Commissioner of Police, a list of the officers thereof who have, since 10 December 2014 to date, been subject to -

- (a) permutations;
- (b) demotions, and
- (c) promotions

indicating, in each case, the reasons therefor.

**The Prime Minister:** Madam Speaker, with regard to part (a) of the question, it is presumed that by the word “permutations”, the hon. Member is referring to transfer/posting of Police officers within the Force.

I am accordingly informed by the Commissioner of Police that, from 10 December 2014 to 19 February 2015, 781 Police officers of all ranks have been transferred within the Divisions, Branches, Units and Stations of the Police Force. It is the prerogative of the Commissioner of Police to conduct this exercise, taking into consideration the best interest and exigencies of the service as well as to ensure quality service delivery by the Police.

The list of transfers in the Police Force is published in the Police Routine Orders which is meant for internal circulation. Besides, the hon. Member would recall that such information were not being divulged to the House in the past on the ground that the posting of officers is considered to be of a sensitive nature and relates to the security of the country.

Madam Speaker, in regard to part (b) of the question, I am also informed by the Commissioner of Police that since 10 December 2014, no Police officer has been demoted.

However, in the context of filling of vacancies in specialised units, officers who have been assigned higher duties may be considered for promotion in a substantive capacity after

having satisfactorily completed a minimum period of six months' assignment in their respective post.

In the event they are transferred to other Divisions/Branches/Units of the Force during that period, their assignment of duties lapses.

From 10 December 2014 to 20 February 2015, 21 Police officers posted to the Very Important Persons Security Unit and one officer posted to the Fingerprints Section of the Central Criminal Investigation Department which are specialised units of the Force, and who were assigned higher duties on 05 October 2014, were posted out to other Divisions/Branches/Units of the Force. As they had not completed a minimum period of six months at these specialised Units, their assignment of higher duties lapsed when they were reverted to their former ranks.

Madam Speaker, as regards part (c) of the question, I am further informed by the Commissioner of Police that promotion in the Police Force falls under the purview of the Disciplined Forces Service Commission and is governed by Regulations 14 and 19 of the DFSC Regulations and Police Standing Order No 16.

From 10 December 2014 to 20 February 2015, one Assistant Commissioner of Police has been promoted to the rank of Deputy Commissioner of Police and three Inspectors to the rank of Chief Inspectors of Police in a substantive capacity. Thirty-one Police officers, all ranks inclusive, have been assigned higher duties when they were posted to the VIPSU. In addition, 1 Superintendent of Police has been assigned duties as Director General of the National Security Service.

**Mr Mohamed:** Madam Speaker, can the Rt. hon. Prime Minister tell us whether it is also within the prerogative or prerogatives of the Commissioner of Police to demote, for whatever reason, people who were responsible for the security of the former Prime Minister and Ministers and to promote those who are now responsible for the security of actual Prime Minister and Ministers? Is this also within the prerogative of the Commissioner of Police?

**The Prime Minister:** I don't know anybody who has been demoted, but this hon. Member should know better than I do what in his Government the former Prime Minister was doing.

*(Interruptions)*

**Mr Mohamed:** I had understood that the Rt. hon. Prime Minister said that he does not look in the *rétroviseur*, but looks forward. Can he tell us when he will start looking forward?

*(Interruptions)*

**The Prime Minister:** I look eye to eye to the hon. Member!

*(Interruptions)*

**Madam Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** Since the question relates to changes that have taken place or are taking place since the last general elections and we are informed, if I am not mistaken, that the Commissioner of Police has already left on leave prior to retirement - the Constitution provides that the Defence Forces Service Commission appoints the Commissioner of Police after consulting the hon. Rt. Prime Minister - can I know whether the Rt. hon. Prime Minister has already been consulted by the Defence Forces Service Commission in relation to the next Commissioner of Police?

**The Prime Minister:** Well, I have not yet been consulted. I know that the present Commissioner of Police is retiring and the next in seniority, if I understand rightly, is going to act.

**Madam Speaker:** One last question!

**Mr Jhugroo:** Is the Rt. hon. Prime Minister aware that the former Prime Minister took several years, we asked so many PQs regarding the promotion in the Police Force and these promotions have been given only to some of his *petits copains*?

**The Prime Minister:** I thought the question was aimed at .....

*(Interruptions)*

**Madam Speaker:** The Rt. hon. Prime Minister has to answer to this question!

**The Prime Minister:** Madam Speaker, we all know the past. In fact, so far as transfers and all that are concerned, after the general election of 2005, many more transfers took place.

**Madam Speaker:** Next question, hon. Shakeel Mohamed!

**VACOAS POLICE STATION – VEHICLE REGISTRATION NO. 6271OCT08 –  
REPORTED CASE**

**(No. B/60) Mr S. Mohamed (First Member for Port Louis Maritime and Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, on 09 January 2015, a case was reported at the Vacoas Police Station regarding vehicle bearing registration number 6271 Oct 08 owned by the Tourism Authority and, if so, indicate –

- (a) who was driving the vehicle at the material time and in which capacity, and
- (b) the outcome of the inquiry carried out thereinto.

**The Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that on 09 January 2015, in the morning, a road accident was reported at Vacoas Police Station. The accident involved a van owned by the Tourism Authority. It was driven by one Mr L.M.S.A, a Manager of the Authority to whom the vehicle was allocated.

**Mr Mohamed:** Is the hon. Prime Minister aware that according to information, this van in question was driven by someone who was a former employee of the Tourism Authority and only reinstated in his position as employer of Tourism Authority after the accident?

*(Interruptions)*

As far as backdated is concerned, I don't know who did it, but it is not us!

*(Interruptions)*

**Madam Speaker:** No cross-talking, please! No cross-talking! Allow the Rt. hon. Prime Minister to reply!

*(Interruptions)*

**The Prime Minister:** The information that I have is that he was already employed and in that capacity he was driving that van.

**Mr Mohamed:** Would the Rt. hon. Prime Minister, therefore, table in this House the letter of appointment of that person since we want a clarification as regards this issue.

**The Prime Minister:** We will do that in due course.

**Madam Speaker:** Next question, hon. Shakeel Mohamed!

### **PARASTATAL BODIES - RECRUITMENT**

**(No. B/61) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in the light of the announced policy of Government to proceed by way of interview for recruitment in the parastatal bodies and other institutions wherein the State is a majority shareholder, he will, for the benefit of the House, obtain from the parastatal bodies and other institutions falling under the aegis of his Ministry, information as to the vacancies existing thereat which will be advertised and those which will not, indicating the reasons therefor.

**The Prime Minister:** Madam Speaker, in regard to my office, there is only one statutory body, namely the National Adoption Council and one Government-owned company, namely, the Mauritius Duty Free Paradise Co Ltd, falling under its aegis.

The National Adoption Council is administered by a Board and is fully serviced by public officers.

Regarding the Mauritius Duty Free Paradise Co Ltd there is at present no vacancy at CEO level.

**Madam Speaker:** Next question, hon. Baloomoody!

### **CRIMINAL CASES - SUSPECTS – SURETY**

**(No. B/62) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to money deposited as surety by suspects in criminal cases,

he will state if he has been made aware that same are not refunded within reasonable delays once the cases are over and, if so, will he, for the benefit of the House, obtain information as to –

- (a) the reasons therefor, and
- (b) if remedial measures will be taken in relation thereto.

**The Prime Minister:** Madam Speaker, I am informed by the Master and Registrar of the Supreme Court that once a criminal case is disposed of by the Court, procedures are initiated to refund the money deposited as security by a surety.

In regard to part (a) of the question, I am further informed that, there can be delays in the refund process due to the following reasons-

- (i) the surety does not come to the Court for the refund;
- (ii) the surety fails to notify the Court of changes in his address or his telephone number;
- (iii) the surety fails to furnish accurate information regarding the Court case;
- (iv) the Registrar-General's Office needs a reasonable time to process the registration of documents;
- (v) the Attorney General's Office has to submit a taxed bill of costs, and
- (vi) the Certificates of Character are awaited in cases where the convicted parties have been conditionally discharged and required to be of good behaviour during the period specified by the Court.

In regard to part (b) of the question, the Master and Registrar is presently working on updated procedures and guidelines to be implemented as from March 2015 in order to avoid delays for the refund in the future.

**Mr Baloomoody:** Is the Rt. hon. Prime Minister aware that there are many people out there who are waiting – not months, not weeks – for years to get their money refunded and this is being delayed because there is no staff in the Court and very often the ink on the receipt has

faded away; there is no evidence, and they can't get back their money. It is a small ticket, smaller than the *ticket bis*?

**The Prime Minister:** I am not aware of this situation. I can only say what I have been told by the Master and Registrar.

**RIVIÈRE DU REMPART POLICE STATION – MR A. K. R. – DEATH**

(No. B/63) Mr S. Rutnah (Third Member for Piton & Rivière du Rempart) asked the Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the death of Mr A. K. R. whilst in Police custody at the Rivière du Rempart Police Station, on 30 July 2011, he will, for the benefit of the House, obtain from the Commissioner of Police, in relation to the said Police Station, information as to the number of officers who –

- (a) were on duty thereat during that night, indicating the name of the Chief Inspector of Police who was on duty thereat at the material time and
- (b) have been subject of transfers following this incident, indicating in each case, the
  - (i) date of transfer, and
  - (ii) reasons therefor.

**The Prime Minister:** Madam Speaker, I wish to refer the hon. Member to my reply to the Private Notice Question of 10 February 2015, wherein I stated that following fresh information obtained, the Police have reopened the enquiry on the death of Mr A.K.R. on 30 July 2011 in Police custody at Rivière du Rempart Police Station.

Madam Speaker, I am informed by the Commissioner of Police that following the death of Mr A.K.R., Police Officers who were on duty that night have been transferred with effect from 30 July 2011.

As the enquiry is ongoing, it would not be appropriate to give the name of the Chief Inspector of Police who was on duty at the Station on 30 July 2011.

I am further informed by the Commissioner of Police that, in cases of suspected death in Police custody, it is an established practice to transfer personnel working at the material time of the death in order to avoid all risks of tampering with evidence and witnesses, which practice is in line with the instructions of the National Human Rights Commission.

**Mr Rutnah:** Can the Rt. hon. Prime Minister state whether, during the course of the enquiry, investigative authorities or those who are in charge of scientific and/or biological evidence or the photographic department of the Police have secured or taken any photographs of the corpse of Mr A. K. R. hanging?

**The Prime Minister:** Hanging, certainly not, because he was lying on the ground as far as I know. But I have not been given any such information.

**Madam Speaker:** Time is over! Hon. Members, the Table has been advised that Parliamentary Question B/98 in regard to St. Louis Power Station Project addressed to the hon. Minister of Finance and Economic Development will now be replied by the Vice-Prime Minister, Minister of Energy and Public Utilities. Questions addressed to Ministers! Hon. Quirin!

#### **MAURITIUS FOOTBALL ASSOCIATION - MR D. S - RECRUITMENT**

(No. B/68) **Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to Mr D. S., he will, for the benefit of the House, obtain from the Mauritius Football Association, information as to the terms and conditions of his recruitment.

**Mr Sawmynaden:** Madam Speaker, I am informed by the Mauritius Football Association that the services of Mr Didier Six have been enlisted by the MFA and the Professional Football League on a seven months contract basis as from 16 January 2015 to act as General Manager, National Technical Director and national coach of Club M and will be renewed for a further period of two years.

I am further informed by the MFA that he has been paid the sum of 35,000 euros at the time of signature of the contract. During the seven months' period he will be paid a monthly salary of 10,000 euros. That amount also includes the salary of his assistant, Mr Alain Happe who will also be in charge of the female football team. Mr Didier Six will also be provided with accommodation and transport facilities.

Furthermore, Mr Didier Six will regularly communicate with the press on progress made by our national team.

**Mr Quirin:** Madame la présidente, l'honorable ministre peut-il nous dire, quelle est la participation de son ministère concernant les dépenses qui seront effectuées par rapport au

recrutement de M. Didier Six comme entraîneur national et comme Directeur Technique National ?

**Mr Sawmynaden:** The contribution of my Ministry for the seven months period contract is Rs2.1 m.

**Mr Quirin:** Madame la présidente, avant que M. Six ne soit engagé par le ministère des sports, la MFA, la ligue professionnelle, l'honorable ministre peut-il nous dire où a-t-il exercé comme entraîneur national et pendant quelle période? Et aussi où a-t-il exercé comme Directeur Technique National et encore une fois durant quelle période ?

**Mr Sawmynaden:** Madam Speaker, from November 2011 till January 2014, Mr Didier Six was *l'entraîneur national de l'équipe nationale du Togo* and he brought the same team to the Quarter-Finals of the CAN.

**Mr Quirin:** Dois-je déduire, Madame la présidente, que M. Six n'a jamais été Directeur Technique National dans un autre pays ?

**Mr Sawmynaden:** Madam Speaker, Mr Didier Six has the qualification to be the DTN.

**Madam Speaker:** Next question, hon. Quirin!

**Mr Quirin:** Madame la présidente, je peux venir avec une autre question supplémentaire par rapport à cette même question ?

**Madam Speaker:** Next question!

## **REUNION ISLAND - INDIAN OCEAN ISLAND GAMES – TRAINING PROGRAMME**

(No. B/69) **Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the 9th Indian Ocean Island Games which will be held in Réunion Island in August 2015, he will state the proposed training programme in Mauritius and abroad, in respect of each sports discipline participating therein, indicating the budget allocated by his Ministry and the Club Maurice Company respectively thereto.

**Mr Sawmynaden:** Madam Speaker, training in sports is an ongoing process. However, with regard to specific training in view of the 9<sup>th</sup> Indian Ocean Island Games, I am tabling a Training Programme of all the 14 sports disciplines and the four handisports disciplines.

Moreover, each discipline, including handisports, has been granted the possibility to organise at least two local training camps and one international training camp. The training camps to be organised are still being finalised by the respective sports federations.

Matters will be expedited once the budget 2015 will be approved by the National Assembly. An amount of Rs2.5 m. has already been made available by Club Maurice to some 10 sports federations pending receipt of further contribution from other sponsors.

Madam Speaker, since I took office, I have visited numerous sports infrastructures and attended many sports activities with a view to evaluating the environment in which our athletes are training and performing. I must say that some sites need renovation while others are adequate.

I can assure the House that I will leave no stone unturned to ensure that our athletes are training in optimum conditions not only for the coming Jeux des Iles, but also for all other competitions.

**Mr Quirin:** Madame la présidente, peut-on savoir de l'honorable ministre aux jeux de 2011, Maurice avait récolté, je pense, 37 médailles d'or, peut-on savoir par rapport aux prochains jeux qui auront lieu en août de cette année, quels sont les objectifs que lui-même et son ministère se sont fixés en termes de médailles d'or?

**Mr Sawmynaden:** Malheureusement, Madame la présidente, je n'ai pas de boule de cristal et je ne peux pas répondre.

**Mr Quirin:** Madame la présidente, peut-on savoir si chaque sélection nationale a, en ce moment, un entraîneur national et nous indiquer les noms ?

**Mr Sawmynaden:** Madame la présidente, for badminton we have a coach coming from Malaysia, basketball is Mr Cornich, football M. Didier Six, Judo M. Velici, swimming Mr Philippe, tennis c'est Mr Oyoo plus two coaches et weighlifting M. Constantin. The other sports federations are working on the other coaches.

**Mr Quirin:** Une question, Madame la présidente. Peut-on savoir de l'honorable ministre quelle est la totalité de la somme qui a été récoltée jusqu'ici par le Club Maurice Company pour la préparation des différentes sélections?

**Mr Sawmynaden:** I have just replied to that in the first question. Rs2.5 m. has been made available to the sports federation by Club Maurice.

**Madam Speaker:** Hon. Uteem has a question.

**Mr Uteem:** Thank you, Madam Speaker. May I know from the hon. Minister whether his Ministry proposes to give financial reward to people who will bring back medals for Mauritius?

**Mr Sawmynaden:** It has always been a normal practice. It will be done in the same way.

**Madam Speaker:** Next question, hon. Ameer Meea.

### **PLAINE VERTE & ROCHE BOIS - DISTRIBUTION METHADONE CENTRES**

**(No. B/70) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to the Distribution Methadone Centres found in the Plaine Verte and Roche Bois regions, he will state if consideration will be given for the relocation thereof and, if so, when, giving details thereof.

**The Minister of Youth and Sports (Mr Y. Sawmynaden):** Madam Speaker, as the hon. Member is aware, methadone was being dispensed to around 575 beneficiaries in a caravan in the vicinity of Dr. Idrice Goomany Centre at Plaine Verte and to some 325 beneficiaries at Route Abattoir, Roche Bois. This was resulting in overcrowding and loitering at these two dispensing sites.

Similarly, in the other regions methadone was being dispensed to an average of 500 beneficiaries in each site. This again was leading to loitering, overcrowding and there were numerous representations from the public about this antisocial behaviour. Moreover, dispensing of methadone was being effected from 6 a.m. to noon at certain sites.

As this Government is committed to address problems relating to the methadone programme, the Ministry of Health and Quality of Life has already taken several important measures. These include a decentralisation process which, as far as possible, reduces the number of beneficiaries at any one site.

The decentralisation process started in the region of Beau Bassin on a trial basis. The number of sites was increased from 2 to 8 with an average of 75 beneficiaries per site and the

dispensing time was rescheduled so as to reduce it from 6 hours to 2 hours starting from 6 a.m. to 8 a.m.

The decentralisation process is focused on control mechanism as well as a component relating to rehabilitation.

As the decentralisation process in Rose Hill and Beau Bassin were successfully implemented, it was decided to extend the process throughout the island.

In this respect, my colleague, the Minister of Health and Quality of Life had consultations on 30 January 2015 with the stakeholders concerned, including representatives of NGOs and members of the Press to finalise new locations for dispensing of methadone in the region of Port Louis. All Members of the National Assembly of Constituency Nos. 1, 2, 3 and 4 were invited to the meeting. Unfortunately, those from the other side of the House, including the hon. Member did not turn up.

Madam Speaker, as from 14 February 2015, all dispensing sites in Mauritius, including those at Plaine Verte and Roche Bois have been decentralised. More than half of the number of beneficiaries from Plaine Verte...

*(Interruptions)*

**Madam Speaker:** Order, please!

**Mr Sawmynaden:** ... have been redirected to new sites at Plaine Verte Police Station, Cité La Cure Community Health Centre and Terre Rouge Police Station. The methadone clients are at present getting their dose at a centre which is closest to their declared place of residence.

As regards Roche Bois Dispensing Site, some beneficiaries have been redirected to new sites at Cité La Cure Community Health Centre and Baie du Tombeau, Terre Rouge and Abercrombie Police Stations.

An evaluation and monitoring team from the Ministry of Health and Quality of Life has visited all the dispensing sites, including those at Plaine Verte and Roche Bois for assessment. This is a better control on the distribution of methadone with beneficiaries having now to present their identity card as well as a 'carte d'accès'. Besides, with the hours of distribution being

renewed to 6 a.m. to 8 a.m. and most of the dispensing sites being in the compound of Police stations, the overall impact is positive.

However, the Ministry of Health and Quality of Life will keep monitoring the situation in Port Louis and other areas.

**Mr Ameer Meea:** Madam Speaker, the hon. Minister in his reply stated that the Members of Parliament from the Opposition side were invited to a Press conference. Do you find it normal for Members of Parliament from the Opposition side to come in a Press conference of the Minister and that we should have known what has happened to the relocation of Plaine Verte and Roche Bois methadone Centres? Therefore, can I ask the hon. Minister, because I did not hear from his reply whether the Roche Bois Methadone Centre has been relocated or will be relocated?

**Mr Sawmynaden:** I don't have an answer to this question but, as it is mentioned here, the Members of Constituency Nos. 1, 2, 3 and 4 were invited to a meeting.

*(Interruptions)*

**Madam Speaker:** Next question, hon. Bhagwan!

**TRUST FUND FOR SPECIALIZED MEDICAL CARE – EXECUTIVE  
DIRECTOR**

**(No. B/71) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Health and Quality of Life whether, in regard to the Trust Fund for Specialized Medical Care (Cardiac Centre at Pamplémousses), he will state if the post of Executive Director thereof has been filled and, if so, indicate -

- (a) when;
- (b) the name of the incumbent, giving details of his terms and conditions of employment;
- (c) if the post was advertised and, if so, when and, if not, why not, and
- (d) if the prior approval of the Board thereof was sought and obtained and, if so, when.

**The Minister of Youth and Sports (Mr Y. Sawmynaden):** Madam Speaker, with regard to parts (a) and (b) of the Question, I would like to inform the House that as a result of the termination of the employment on 31 December 2014 of the former Executive Director, Mr D. Poinosawmy, a vacancy arose. The approval of Government was obtained on 30 January 2015 for the constitution of the Board and the appointment of Ms Vijaya Kumaree Sumputh, a Barrister, holding LLB and postgraduate qualifications as the new Executive Director of the Cardiac Centre. The Ministry of Civil Service and Administrative Reforms which has been consulted, has conveyed approval to employ her on terms and conditions in line with the recommendations of the PRB Report.

With regard to part (c) of the Question, similar to the case of the former Director, the post was not advertised, but the approval of Government was obtained for appointing the Executive Director of the Cardiac Centre.

With regard to part (d) of the Question, after obtaining Government's approval, the Cardiac Centre was informed of the appointment of the new Executive Director. At the last Board Meeting of the Trust Fund for Specialized Medical Care held on 13 February 2015, the Board gave its approval for the appointment.

**Mr Bérenger:** Can I know from the hon. Minister - we can understand why Minister Gayan is not here - since he gave us the diplomas and so on of the '*madame là*' ...

*(Interruptions)*

Is he aware that on 01 August 2006, the issue relating to that '*madame là*' was raised here, and Minister X. L. Duval replied? Then, she was appointed - same lady - Director of Tourism Authority, travelled all over the world on missions which had nothing to do with, supposedly, her appointment...

**Madam Speaker:** Come with your question, hon. Leader of the Opposition!

**Mr Bérenger:** If I cannot introduce my question I will not put the question!

**Madam Speaker:** Hon. Leader of the Opposition....

**Mr Bérenger:** Shame!

**Madam Speaker:** I do not want...

*(Interruptions)*

I don't want anybody to usurp the rights of the Speaker!

*(Interruptions)*

**Mr Bérenger:** Yes, yes, you are protecting him!

**Madam Speaker:** I will repeat, hon. Leader of the Opposition, I don't want anybody to usurp the rights of the Speaker! You may, please, reply hon. Minister. *(Interruptions)*

Please reply, hon. Minister.

**Mr Bérenger:** Shame!

*(Interruptions)*

**Madam Speaker:** You do not have the right to usurp...

**Mr Bérenger:** You are usurping our rights....

*(Interruptions)*

**Madam Speaker:** I am really sorry, hon. Leader of the Opposition. Are you challenging....

*(Interruptions)*

**Mr Bérenger:** You are asking me, I tell you!

**Madam Speaker:** Are you challenging the rights of the Speaker?

*(Interruptions)*

Are you challenging the rights of the Speaker?

**Mr Bérenger:** I am saying that I should be given a minimum decent time to put my question! This has always been so until now when Minister Gayan is in question, and is not here!

**Madam Speaker:** Hon. Leader of the Opposition, I think I have given you sufficient time to explain and to ask your question. But, I will repeat once more, I will not allow any Member of this House to usurp the rights of the Speaker! Hon. Minister, you may please reply!

*(Interruptions)*

Next question, hon. Bhagwan!

**Mr Bhagwan:** It is my supplementary question!

**Madam Speaker:** You may please proceed!

**Mr Bhagwan:** Can we know from the substantive Minister - it is unfortunate that the Minister is not here - when he says that Government has given its approval, do we understand it is Cabinet decision? Because we have gone through the Cabinet decision and we have not seen anywhere that the appointment was mentioned officially?

*(Interruptions)*

I am asking! You are not the Minister!

*(Interruptions)*

**Mr Sawmynaden:** Hon. Bhagwan, I think Government is Government. The Government has made the decision!

**Madam Speaker:** Hon. Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. Could the hon. Minister tell us, since we are talking here about an Executive Director of the Specialised Medical Care (Cardiac Centre at Pamplémousses) and, at one point, that same person was appointed as Head of the MTPA, is the common denominator - that is what I wanted to know – that hon. Minister Gayan there?

*(Interruptions)*

**Madam Speaker:** Yes, hon. Bhagwan last question on this issue!

*(Interruptions)*

Order, please! Hon. Jhugroo!

*(Interruptions)*

Hon. Bhagwan, could you please proceed with your question?

*(Interruptions)*

Please sit down!

**Madam Speaker:** Hon. Bhagwan, please proceed with your question!

**Mr Bhagwan:** Since we have heard on many times, even the Rt. hon. Prime Minister stated that this new Government will stop the politics of *petit copain* and *petite copine*. Can, at least, the hon. Minister state to the nation ... it is a clear case of *politique de petite copine*?

**Mr Sawmynaden:** I think I have already answered the question. The person is qualified and this been through Government.

**Madam Speaker:** Next question hon. Bhagwan!

*(Interruptions)*

This question has sufficiently been canvassed! Next question, please!

**Mr Bhagwan:** One last question!

**Madam Speaker:** Hon. Bhagwan, his question has sufficiently been canvassed, next question, please!

### **MONT ROCHES – VERGER BISSAMBAR – SEWERATE PROJECT**

**(No. B/72) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Sewerage Project at Verger Bissambar, Mont Roches, in Beau Bassin, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to the –

(a) date of

(i) launch of the tender;

- (ii) award of the contract;
  - (iii) signature of the contract, and
  - (iv) handing over of the site therefor
- (b) name of the contractor therefor;
  - (c) contract value thereof;
  - (d) expected start and completion dates thereof, and
  - (e) number of housing units to be connected.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavello):** Madam Speaker, my information from the Wastewater Management Authority is that –

- (i) the tender was launched on 22 July 2014;
- (ii) The contract was awarded on 11 November ...

*(Interruptions)*

I shall resume when there is some order.

**Madam Speaker:** Any Supplementary questions, hon. Bhagwan!

**Mr Bhagwan:** I waiting!

**Mr Collendavello:** Well, when you stop talking...

The contract was ....

*(Interruptions)*

Madam Speaker, either I talk or he talks.

**Madam Speaker:** Hon. Bhagwan, allow the hon. Minister to reply.

**Mr Collendavello:** I am not going to talk if people are going to talk.

- (i) the tender Sewage Project was launched on 22 July 2014;
- (ii) the contract was awarded on 11 November 2014, one month prior to general elections to Onix Co. Ltd for the sum of Rs63,885,437.70 m. inclusive of VAT;
- (iii) the contract document has not according to my information yet been signed;
- (iv) the site was handed over to the contractor on 09 January 2015;
- (v) the project start date is 1 December 2014 and the expected completion date is 31 May 2016, and
- (vi) 207 houses will be connected under this project.

**Mr Bhagwan:** I have one supplementary question, Madam Speaker. Can we know from the Vice-Prime Minister whether the contractor with the Wastewater Management Authority has had a meeting with the inhabitants, at least, to inform them of the progress of work?

**Mr Collendavelloo:** I precisely ask that supplementary information and I was told that there had been a meeting on 20 January 2014 with the inhabitants to inform them of the implementation of the project. I am insisting that such meeting be done its time there will be such a project. This morning I was told that a second meeting is scheduled for Saturday, 28 February 2015.

Can I add, if that is of interest to you, that wastewater overflowing on the road near the Mont Roches Training School and religious institutions is being regularly pumped. I am giving this information in the light of what I said with regard to Cité Marcel Gabon, in Albion.

**Mr Bhagwan:** Can we know from the hon. Minister, whether he could request the Wastewater Management Authority to give a hotline. We all know that in such type of very delicate works in front of people premises, there are problems which arise when they are digging. Can the Wastewater Management Authority, at least, give a hotline or an officer responsible to which they can address - even to the MPs of the Constituency - the problem whenever such problem arises at any period of time?

**Mr Collendavelloo:** I shall convey that.

**Madam Speaker:** Any other questions? Hon. Uteem!

#### **STC – BETAMAX SHIPPING LTD - PETROLEUM PRODUCTS**

**(No. B/73) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the contract for the transport of petroleum products by Betamax Shipping Ltd., he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the –

- (a) total amount paid by the Corporation to date in respect thereof, and
- (b) reasons for the termination thereof, indicating the financial implications to the Corporation as a result thereof.

**Mr Gungah:** Madam Speaker, I am informed by the State Trading Corporation that USD 145.7 m. has been paid by the Corporation to Betamax Ltd for the transportation of petroleum products for the period ranging from August 2010 to January 2015.

I wish to point out here that prior to the arrival of Red Eagle, a 10-month contract was in operation between the STC and Betamax Ltd under which the latter was required to provide separate tankers for the transportation of White and Black Oils. Those vessels were sourced on the market as and when required.

The amount paid under that contract was USD 20,459,726 for the importation of 855,985 tons of Petroleum Products. The average freight paid by STC for those vessels was USD 23.90 per ton. That was deemed to be fair market rate and was not questioned.

As from the date of arrival of the Red Eagle, that is, in May 2011, a new 15-year contract came into operation. This is the one which has been the subject of concern. Under this contract, the Red Eagle carried both White and Black Oils. The Red Eagle could, however, carry only 925,000 to 970,000 tons of the annual requirements of STC, which is 1.1 to 1.2 million tons. The balance had to be transported by other tankers provided by Betamax Ltd but for which the STC was invoiced freight charges on same terms as for Red Eagle.

Under this contract, STC had paid USD 125,244,128, to Betamax Ltd for the importation of 4,067,703 tons of Petroleum Products. The average freight was, therefore, USD 30.79 per ton.

It will be of interest to note that with the arrival of Red Eagle, the cost of freight per ton to STC rose from USD 23.90 to USD 31.32 in its very first year of operation and to USD 31.61 in the second year.

For the information of Members and to clarify this issue of freight paid, I have decided, Madam Speaker, to table a paper on payments effected to Betamax Ltd under this Contract of Affreightment.

Madam Speaker, with regard to part (b) of the question, in December 2014, Government set up an Inter-Ministerial Committee to review the process that led to the award of the Contract of Affreightment (COA) of petroleum products between STC and Betamax Ltd, which was signed in November 2009. In the first instance, it was decided to renegotiate the COA with Betamax Ltd, more specifically, freight rates, demurrage fees, the “escalation” clause, port dues and bunker consumption. Betamax Ltd did not express any willingness for renegotiation. Instead, they insisted that they had made the country save Rs500 m. to date and would make the country

save another Rs1 billion in future. Subsequently, after examining the facts and circumstances and legal advice obtained, it was found that the solicitation/invitation to bid, award and signing of the contract were in breach of Section 14 of the Public Procurement Act and, therefore, unlawful.

At this stage Madam Speaker, it is premature to determine the financial implications, if any at all, to the STC.

However, I must point out that STC is definitely making savings by having recourse to other tankers for the transport of petroleum products. For the first shipment of white oil, STC has paid an all-inclusive freight at the rate of some USD 26.57 per ton for a spot charter, as compared to USD 32.25 per ton paid to Betamax Ltd for the last spot tanker Great Manta. Regarding fuel oil, the average freight rate for the first spot chartered tanker will be about USD 28 per ton, as compared to USD 35.15 per ton paid to Betamax Ltd for the last spot tanker that was named Great Manta.

Regarding fuel oil, the average freight rate for the first spot chartered tanker will be about USD 28 per ton as compared to USD 35.15 per ton paid to Betamax Ltd for the last spot tanker Roy Maersk.

For the second shipment of white oil, STC had more time and thus launched a request for quotation and obtained an even better price of about USD 20 to USD 21 per ton. The price is within the range indicated by STC's consultants as being those currently obtainable on the market.

A similar exercise is being carried out by the STC for a second spot charter for fuel oil.

In the next three weeks, STC will launch an international tender for a standard and unbiased COA to cover the remaining period of our contract with MRPL, that is, up to July 2016.

**Madam Speaker:** Does the hon. Minister have a long statement to make or is he nearly finishing?

**Mr Gungah:** I have nearly finished.

**Madam Speaker:** Because otherwise you may circulate your reply.

**Mr Gungah:** I have nearly finished. For such a COA lasting for some 15 to 16 months, it is expected that the savings to be made by the STC will be even more important.

Madam Speaker, I also wish to inform the House that, on 30 January 2015, Government also decided that the case be referred to the Police. I am advised that an enquiry has been instituted into the matter by the Central Criminal Investigation Division (CCID).

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Madam Speaker, I hope you will allow me to quote from Hansard because what the hon. Minister just told this House is completely opposite to what was stated by hon. Soodhun when he was then Minister of Industry. We asked the same question about whether procedures were followed under the Public Procurement Act and this is what the hon. Minister stated following a PNQ of 10 August 2010 -

“We, in this country, have a lot of businessmen, many *cousins, cousines*, they never invested Rs2 billion. It is the first time in Mauritius that a Mauritian is going to invest and we already have a contract. Mr Speaker, Sir, the contract was awarded after STC was exempted from the Public Procurement Act and, I think, as a lawyer, the hon. Member should know.”

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo, don't use unparliamentary words!

**Mr Uteem:** May I know from the hon. Minister why is it that when the MSM is in power - they defended the contract *bec et ongles* and said that the procedures were followed and now the hon. Minister is saying that this was not properly done?

**Mr Gungah:** Madam Speaker, the hon. Member would agree that it was hon. Soodhun, who was at that time Minister of Industry and Commerce, asked a forensic enquiry to be conducted in the Betamax.

**Mr Mohamed:** I have one question, Madam Speaker. The hon. Minister said that legal advice was obtained as regards the breach of the Public Procurement Legislation. Could he, first of all, tell us from whom was this advice obtained and when and could he table that legal advice?

**Mr Gungah:** Madam Speaker, being given that the case has been referred to the Police, I prefer not to venture into tabling any document right now in order not to cause prejudice to any party.

**Mr Uteem:** Following my learned friend's question, can the hon. Minister tell the House who was the legal adviser who gave that advice because answering to a PQ on 24 May 2011, the hon. Minister Soodhun, in an answer to me, stated that -

‘In fact, Mr Deputy Speaker, Sir, the advice of the SLO was that the agreement is legally in order.’

So, I want to know whether it is the same SLO who is now changing ...?

**Mr Gungah:** Madam Speaker, I don't have the names with me right now, but I can give that reply to the hon. Member later on.

**Mr Jhugroo:** Madam Speaker, I listened to the answer of the hon. Minister earlier that an amount of USD 145.7 m. which amounts to Rs4.4 billion rupees paid to Betamax Ltd. So, can he confirm whether payment has been effected even when the vessel was out of service?

**Mr Gungah:** Yes, Madam Speaker, I confirm.

**Mr Mohamed:** I have a question, a very simple one. Can the hon. Minister tell us whether it is the SLO that gave advice for another private party who was given a contract to give that advice?

**Mr Gungah:** Madam Speaker, I repeat that being given that the case has been referred to the Police, I won't reply to it.

**Madam Speaker:** I have to inform the hon. Members that PQ Nos. B/98 and PQ B/99 have been withdrawn.

*At 1.04 p.m. the sitting was suspended.*

*On resuming at 2.25 p.m. with Madam Speaker in the Chair.*

**MAURITIAN ECONOMY - EURO DEPRECIATION**

**(No. B/74) 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 depreciation of the Euro, he will state -

- (a) if any study has been carried out to assess the impact thereof on the Mauritian economy, and
- (b) the remedial actions he proposes to take in relation thereto.

**Mr Lutchmeenaraidoo:** Madam Speaker, with regard to part (a) of the question, the Bank of Mauritius, in line with its mandate, closely monitors developments on the international currency market and the evolution of the exchange rate of the rupee against major currencies. I am informed that its staff regularly conducts internal reviews on the effects of fluctuation in the exchange rate on our economy, our competitiveness and the balance of payment.

Mauritius sells some Rs25 billion worth of goods to the Eurozone market, including sugar, textiles and clothing, and seafood, which represents 35 per cent of total exports of goods. On the services side some 55 per cent of tourism earnings are in euro due to a high concentration of arrivals from the Eurozone countries. The ICT/BPO sector is also heavily reliant on the European market.

The depreciation of the euro against the rupee implies that the rupee value of our euro earnings will fall. This generally leads to a fall in revenue for exporters and operators which impacts on their profits during the year. However, exporters of goods and services see currency fluctuations as a risk that they have to manage. They can do so through various financial instruments available for hedging, diversification of markets in terms of currency and building contingencies during times when the exchange rate is favourable or in periods of positive shocks.

As the House is aware, the current depreciation of the euro against the rupee is not due to a general appreciation of the rupee on the domestic market. It is due to a weakening of the euro on international markets combined with a strengthening of the US Dollar. On the cross rate the Euro which was standing at 1.37 one year back has moved down to 1.14.

The adverse impact of the depreciation of the Euro on enterprises may either be partly offset by the appreciation of the US Dollar or can even be reinforced in some cases. For example, enterprises that are receiving payment in Euro and have to pay for import in dollars will be doubly hit by the situation on the market.

The depreciation of the Euro would also generally have a favourable impact on cost of imported goods paid in Euro, which represents some 20 per cent of our total imports. The bulk of our imports, is 1 million US dollar, the bulk of our imports which represent some 70 per cent of operations and US dollar is also appreciating.

Government revenue would also be affected by the fall in the value of the euro as taxes levied at importation are based on the rupee value of the goods.

In this case as well because the euro is depreciating along with an appreciation of dollar, the net impact will be mitigated.

The same assessment can be applied to the management of our debt.

As regards part (b) of the question, the Bank of Mauritius has already held working sessions with banks, through the Banking Committee, and with economic operators, particularly MEXA and AHRIM. I understand that the bank will continue to have an on-going dialogue with the main players of the economy on that issue.

Likewise, in the context of a preparation of the Budget, I am having consultative meetings with the hosts of the economic operators, including SMEs. We will certainly discuss possible measures that can be taken to help exporters both of goods and services to mitigate this adverse effect.

**Mr Uteem:** Madam Speaker, the former Governor of the Central Bank had a policy of intervening in the market to support the rupee to fight inflation. Being given that inflation is under control and being given that the double impact – doubly hit, as the hon. Minister rightly pointed out - has the hon. Minister held consultation with the Governor of the Central Bank to coordinate action to mitigate any double currency impact by intervening or not intervening in the market to support the currency?

**Mr Lutchmeenaraidoo:** That is a good question. The point is that we have been fighting for years on the concept of strong rupee, weak rupee, which is for the best for the economy. I feel that the rupee should be at the rate of exchange it should be, depending on the internal strength of the economy and also *vis-à-vis* our trading partners with whom we are trading. Those two factors normally determine the exchange rate. So, the question of a strong rupee or a weak rupee does not arise. We tend to speak of a competitive rupee which means a rupee like this

normally goes down, floats down. We are following very closely. The Bank of Mauritius and myself are meeting regularly to look into the whole question of exchange rate. There is no doubt that we are moving in a period of very high volatility in exchange rate. It was on the US dollar a few years back and today it is on the Euro. Probably, the private sector will have to learn to deal with volatility in exchange rates in its own dealing which implies taking measures that can correct measuring balances in exchange rate.

**Mr Uteem:** Madam Speaker, may I know from the hon. Minister whether to limit the impact of the appreciating dollar and depreciating euro, Government-owned enterprises, State-owned enterprises including Air Mauritius, State Trading Corporation are going to hedge the currency risk?

**Mr Lutchmeenaraidoo:** Yes, but we have to understand that we don't control the cross rates, dollar to euro cross rates; we don't control it. It is international and is based on world movements. On the other side, do we have at local level means of fiddling with exchange rate, we don't have it. We don't have it and we naturally are encouraging the major uses of currencies like the State Trading Corporation, Air Mauritius to look into ways and means of protecting themselves again higher fluctuations in exchange rate.

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

**Mr Bérenger:** Can I know from the hon. Minister whether changes are being envisaged to the composition of the Monetary Policy Committee and its terms of reference so that they should deal, they should consider not just interest rates matters but also foreign currency issues?

**Mr Lutchmeenaraidoo:** Yes, the Monetary Policy Committee is mainly a committee that decides on interest rate and it is a funny situation because we have been trying to copy the major markets and instituting their committees which look after its exchange rate, forgetting that we are not New York, we are not London, we are not Tokyo in the sense that any minor fluctuation in exchange rate can determine growth and investment trend. So, I have strong reservation on a Monetary Committee that will just look into controlling inflation when we know in Mauritius since Independence, the average rate of inflation has been very high; 6 to 7%. It is inbuilt in the system and there is not much we can do. Even now at this situation, at a time the rate of interest is close to zero in most major economies, we are still with an inflation rate which is above 3%

because it is inbuilt in the system. Therefore, I am not convinced that the Monetary Policy Committee can and should limit its long hours of work just to know whether modulation in the rate of interest will determine investment trend in the country.

The second question of the hon. Leader of the Opposition was whether we should extend the powers of this Committee to look also in the exchange rate is something that cannot be considered, because it is the sub Monetary Policy Committee that looks into interest rate.

**Madam Speaker:** Next question, hon. Jhugroo!

### **SSR INTERNATIONAL AIRPORT - AIRWAY COFFEE LTD. – TENDERS**

**(No. B/75) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the occupation of spaces by Airway Coffee Ltd. at the old and new terminals respectively of the Sir Seewoosagur Ramgoolam International Airport, he will, for the benefit of the House, obtain from Airports of Mauritius Ltd. and Airport Terminal Operations Ltd., information as to when tenders were launched therefor, indicating the –

- (a) mode thereof;
- (b) criteria laid down therefor;
- (c) name of the bidders therefor, and
- (d) if Airway Coffee Ltd. met all the criteria of the tender.

**The Deputy Prime Minister, Minister of Tourism and External Communications (Mr X. L. Duval):** Madam Speaker, with your permission I shall reply to PQs B/75 and B/76 together as they relate to the same subject.

I am informed by the Officer-in-Charge of Airports of Mauritius Ltd (AML) that a first public tender exercise for Food and Beverage Operations in the old Passenger Terminal at the SSR International Airport was launched by AML on 27 May 2009 through an advertisement in the local press. The closing date was fixed for Monday 22 June 2009.

Six bids were received and evaluated and these were from -

- Tropical Times
- Sunworld Co. Ltd
- Sen & Ken Ltd
- Airway Coffee Co. Ltd
- Mungroo & Sons Co. Ltd
- Sanremo

Tropical Times scored the highest marks in all the options. Surprisingly, Madam Speaker, the process was annulled.

A new tender exercise for Food and Beverages Operations was subsequently launched by AML on 24 December 2009, therefore a few days later and the closing date was 29 January 2010. The Tender Notice was published in the local press. Bids were called by AML for Option 1 which was for the Airside Departing Passengers, and Option 2 for Landside Well-Wishers Hall, Landside Welcomers Hall and for Lounge Management.

Seven bidders submitted their offer at the closing date on 29 January 2010. These are -

- (i) Tropical Times Ltd;
- (ii) Airway Coffee Ltd;
- (iii) Flic-en- Flac Management Services Ltd;
- (iv) Mungroo & Sons Co Ltd;
- (v) Kissaten Co. Ltd;
- (vi) Sen & Ken Ltd; and
- (vii) Island Famous Brands Ltd.

The bids were opened on the same day at AML Boardroom by the AML Tender Committee in the presence of two bidders.

The Evaluation Committee met on 11 March to analyse the bids and submit an Evaluation Report. The tenders, as the hon. Member asked, were evaluated under the following criteria -

- (a) demonstrated understanding of AML Ltd. requirements;
- (b) proposed concession fee and monthly minimum guarantee for AML;
- (c) competence and relevant experience;
- (d) range of food and beverages offered;
- (e) details of person(s) to be involved in the project;
- (f) demonstrated ability to provide rapid response to urgent requirements.

In addition, to these requirements in the press advertisement, it was stated that all bidders should be well established and have at least 5 years' experience.

The Committee submitted its Report on 29 March 2010, wherein it recommended the award of the tender for Option 1 to Airway Coffee Co. Ltd although the Company was registered only in March 2009 and had no direct experience in catering. Instead, Airway Coffee submitted a copy of the Technical Services Agreement with a well-known restaurant.

The Committee also recommended the award of the tender for Option 2 to Tropical Times.

The Board of AML approved the Bid Evaluation Report on 01 April 2010. Madam Speaker, consequently, on 05 April 2010 Airway Coffee Ltd was allocated the contract for Option 1. The Concession Agreement was signed on 03 June. The Agreement was based on a monthly concession fee of 28% of its turnover to be paid to AML, subject to a minimum guarantee fee of Rs1 m. In addition, Airway Coffee had to submit a Concession Security deposit of Rs3 m.

Madam Speaker, the Concession Security Deposit was never paid, in spite of several reminders and nevertheless, the Agreement with Airway Coffee Ltd was renewed for the period January 2013 to 31 March 2013, and the minimum guarantee fee was reviewed to Rs1.1 m. + VAT for the Airside Departure and Rs66,000 + VAT for the Well-wishers outlet, and the lounge management remained the same, at Rs151.00 for adult and Rs66.00 for children. For State Lounge it is Rs66.00 per person.

Moreover, Madam Speaker, Airway Coffee Ltd was allocated the management of Lounges in March 2011 as the contract of Tropical Times Ltd which was the operator at that time was cancelled, it is claimed due to poor and unsatisfactory service.

In April 2011, Airway Coffee Ltd was also allocated the contract for Food and Beverages in the Well-Wishers' Hall following the departure of Tropical Times Ltd.

From April 2013 to September 2013 the Agreement was renewed on a month to month basis.

Madam Speaker, I am also informed that the Board of AML decided that the existing concessionaires and tenants operating at the old Passenger Terminal would be transferred automatically to the new Passenger Terminal. Consequently, there was no tender exercise for the award of commercial spaces at the new Passenger Terminal.

Madam Speaker, although, at that time, Airway Coffee had outstanding claims and had not paid the concession security deposit, AML gave a favourable recommendation on the performance of Airway Coffee.

On 17 December 2012, Airway Coffee Ltd signed a Concession Agreement with ATOL, the operator of the new terminal and, thereafter started operation at the New Passenger Terminal. The new Concession Agreement was signed for the operation of three retailed restaurant outlets. The new Concession fees were as follows –

- 28% of gross revenues for the international departure.
- 21% of gross revenues for domestic departure.
- 21% of gross revenues for the public restaurant at level 2.
- The minimum guarantee fee payable to ATOL was Rs3,130,000. monthly.
- A monthly payment of Rs87,000 for air conditioning and maintenance of common equipment.

I am informed by the Chief Executive Officer of ATOL that the above rates were reviewed on 23 July 2014, it is claimed to be in view of the investment for provision of modern catering facilities by Airway Coffee. These are now as follows –

- For the international departure from 28% reviewed downwards to 26%;
- For domestic departure and public restaurants from 21% to 19%, and
- The monthly guarantee fee from Rs3,130,000 to Rs3 m. for 6 months peak period and to Rs2.8 m. for the six months off peak period.

Madam Speaker, the amounts owed including interest/penalties by Airway Coffee to AML and ATOL on an aged basis are as follows –

<b>Year</b>	<b>AML (Rs m.)</b>	<b>ATOL (Rs m.)</b>
2011	7.6	-
2012	7.4	-

2013	13.8	11.6
2014	22.4	22.0
2015	-	26.0
<b>Interest*</b>	8.3	-
<b>Penalty*</b>	-	2.2
<b>Total</b>	<b>30.7</b>	<b>28.2</b>

The grand total, Madam Speaker, is Rs58.9 m.

I am informed that AML has sent reminders for the amounts due in 2011, 2012 and 2013 on several occasions.

- However, after the General Elections, a final reminder was sent by AML on 15 December 2014 to recover the total amount due otherwise legal action would be initiated.
- I am informed that ATOL, on its part, held several meetings with the management of Airway Coffee Ltd in July, October and November 2014 requesting payments as per contract, and reminders were also sent.

Madam Speaker, on 12 January 2015, the advice of the Solicitor General was sought with regard to legal action to be taken against Airway Coffee Ltd for the amounts due to AML and ATOL.

Following legal advice received on 27 January 2015, both AML and ATOL have initiated winding up proceedings against Airway Coffee Ltd. Two notices “Statutory Demands” have been served on 14 February 2015 by the Attorney-at-Law of both AML and ATOL to recover the amount due pursuant to Section 180 of the Insolvency Act.

Airway Coffee Ltd has up to 02 March 2015 to apply to the Bankruptcy Division of the Supreme Court for the Statutory Demand to be set aside and 15 March 2015 to settle the amount claimed. If no such application is lodged, then AML and ATOL shall within one month as from

15 March 2015, they have one month to proceed with the filing of a petition for the winding up of Airway Coffee Ltd.

Madam Speaker, in line with Government Programme 2015-2019 to review the entire process of tendering, procurement and contract allocation, to increase competition, transparency and accountability, the contract for the provision of Food and Beverages will be publicly advertised and more than one provider will be selected.

**Mr Jhugroo:** Madam Speaker, can the hon. Deputy Prime Minister inform the House whether the evaluation of the bids for the second tender was carried out at the PMO instead of Airports of Mauritius Ltd. office?

**The Deputy Prime Minister:** I do not have the information, Madam Speaker. I just know that it was opened at the AML boardroom in Port Louis. I gave that information in the former reply.

**Mr Jhugroo:** Can we know from the hon. Deputy Prime Minister who were the Chairperson and members of the Evaluation Committee which recommended that the contract be awarded to Airway Coffee?

**The Deputy Prime Minister:** The Evaluation Committee, Madam Speaker, Mrs Fong Weng, Permanent Secretary at PMO, was the Chairperson; Mr Ringadoo was a Board Member; Mr Serge Petit was the Chief Executive, AML; Mr Seenarain, General Manager, Constance Academy and Mr Teha, Commercial Officer, AML, he was the Secretary

**Mr Jhugroo:** Are you aware hon. Deputy Prime Minister that ATOL, a private company, does not even have an Internal Audit Department to ensure transparency and prevent malpractices?

**The Deputy Prime Minister:** I am not aware. I know AML has. I will check for ATOL.

**Mr Lesjongard:** Madam Speaker, from what I understand from the Deputy Prime Minister, there were two tender exercises. May we know why the first tender exercise was cancelled and whether there were new requirements in the second tender exercise?

**The Deputy Prime Minister:** The tender was virtually identical on both occasions. I did not check the final tender document, but, as far as I know, they were identical. The reason which I don't find very plausible was that they wanted to have more bidders. In fact, they had, I think,

seven bidders at the first time, virtually the same bidders, but, obviously, when you open the tender, everybody knows what the prices are and if you do it a few months later, then the whole game is absurd.

**Mr Bérenger:** Being given that legal action has already been taken for winding up of Airway Coffee, can I know what arrangements are being made so that in no circumstances winding up, not winding up, pending new tenders being issued and so on, what arrangements are being made that in no circumstances shall we end up with no catering offered to incoming and outgoing tourists?

**The Deputy Prime Minister:** No coffee, you mean?

*(Interruptions)*

We will make arrangements so that there is no break in the service.

**Mr Jhugroo:** How come despite that Airway Coffee had a debt of Rs25 m., was given a red carpet to move to ATOL, a private company which is not governed by PoCA and Public Procurement Act?

**The Deputy Prime Minister:** Madam Speaker, this is obviously a question how it was given green light whilst not having paid the concession, even the concession deposit of Rs3 m., but I intend, in fact, Madam Speaker, to send the file to the Ministry of Financial Services, Good Governance and Institutional Reforms so that they can have a look and take whatever action is required.

#### **SSR INTERNATIONAL AIRPORT – AIRWAY COFFEE LTD – AMOUNT OWED**

**(No. B/76) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the occupation of spaces by Airway Coffee Ltd. at the old and new terminals respectively of the Sir Seewoosagar Ramgoolam International Airport, he will, for the benefit of the House, obtain from Airports of Mauritius Ltd. and Airport Terminal Operations Ltd., information as to the amount of money it owes thereto in each case, indicating –

(a) since when, and

- (b) if measures have been taken for the recovery thereof and, if so, give details thereof and, if not, why not.

*(Vide Reply to PQ No. B/75)*

### **BAGATELLE DAM PROJECT - CONTRACT**

**(No. B/77) 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 Bagatelle Dam Project, he will, for the benefit of the House, obtain from the Water Resources Unit, information as to –

- (a) who took the decision to –
- (i) change the scope of works, and
  - (ii) suspend the works, indicating the;
  - (iii) value of the variation order issued in respect thereof, and
  - (iv) the percentage increase it represents to the initial cost of the project;
- (b) the construction cost of the new project thereof, and
- (c) if the main contract falls outside the purview of the Public Procurement Act.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavello):** My reply may be read in conjunction with the answers given to PNQ of 12 April 2011, PQ A/216 of 28 June 2011, PQ B/186 of 03 April 2013, PQ B/967 of 17 December 2013 and more especially PQ 1B/54.

In June 2012, Coyne et Bellier of France in association with Servansingh Jadav and Partners, recommended a change in the design of the spillway of the dam and in the type of foundation. This was because additional tests had revealed that the soil could not accommodate the original design.

The answer to part (a) (i) of the question is that it was the Ministry which changed the scope of works, after obtaining the views of the Consultant together with the views of the geotechnical expert from the University of Mauritius, amongst others.

As regards part (a) (ii), the Ministry and the Water Resources Unit instructed the suspension of the works as from 27 July 2012. This suspension was lifted on 27 December 2013 on the advice of the Consultant.

Following the procurement exercise for the cut-off wall, a Variation Order was issued to the Contractor for the sum of Rs1.7 billion (exclusive of VAT), representing 58% increase of the initial cost after seeking Government approval in October 2013.

With regard to part (b), the revised cost of the project is estimated at Rs4.9 billion (excluding VAT).

With regard to the last part of the question, the then Government obtained funding to the tune of RMB 580 m. for the Bagatelle Dam Project from the Government of the People's Republic of China through EXIM Bank (China) . One of the funding conditions was that the works should be undertaken by a contractor from that country. I am informed that the then Government requested the Chinese authority to submit the names of, at least, three contractors that would be invited to submit bids in accordance with the Public Procurement Act.

However, the Chinese authorities maintained that they would submit the name of only one contractor and designated China International Water & Electric Corporation (CWE) to proceed with bid negotiations.

The State Law Office considered that this funding was from a donor organisation to which section 3(3) of the Public Procurement Act applies. This section provides that the rule of a donor organisation prevails over our rules of procurement. It is a moot point whether the People's Republic of China was a donor organisation.

**Madam Speaker:** Hon. Lesjongard!

**Mr Lesjongard:** Madam Speaker, may I ask the hon. Vice-Prime Minister to confirm whether at the time the tender was launched for the construction of the cut-off wall there was no estimate made on the cost of construction of that cut-off wall?

**Mr Collendavelloo:** I have it, I have read it somewhere, but it is difficult for me to find it outright. The construction of a cut-off wall was estimated at Rs1.7 billion exclusive of VAT, that is, what I read in a paper which I have in front of me.

**Mr Lesjongard:** What I want to confirm with the hon. Vice-Prime Minister is whether it is true that at the time the tenders were launched no estimate of that cut-off wall was available?

**Mr Collendavello:** The time the initial tender was launched?

**Mr Lesjongard:** No.

**Mr Collendavello:** The time the tender for the cut-off wall. Probably so! What I read is that the construction of the cut-off wall, commonly known as COW, not envisaged initially, would amount to Rs1.7 billion exclusive of VAT. Whether that estimate had been done prior to tender or at the time of tender or afterwards, I don't know. I would have to check all that.

**Mr Lesjongard:** May I ask the hon. Vice-Prime Minister another question related to COW, that is the cut-off wall? Is it right to say that even a tender was launched, the works were allocated by way of a variation order?

**Mr Collendavello:** I think it was allocated by way of a variation order, but then, I would have to check again.

**Mr Lesjongard:** It is there in the Audit Report. My question now is why was a tender launched and then afterwards the works were allocated by way of a variation order?

**Mr Collendavello:** That is Labour Party Government, what can I tell the hon. Member! That was the practice under that Government. They do contracts, they do tenders and then they do variations!

*(Interruptions)*

What can we do! This dam is costing about Rs1.5 billion more. The hon. Member was with them, he should ask them.

**Madam Speaker:** A last question on this issue!

*(Interruptions)*

Order, please!

**Mr Lesjongard:** Hon. Vice-Prime Minister,...

*(Interruptions)*

**Madam Speaker:** Order! Please proceed, hon. Lesjongard!

**Mr Lesjongard:** Thank you, Madam Speaker. I am doing my job, okay.

*(Interruptions)*

**Madam Speaker:** No cross talking, please!

**Mr Lesjongard:** My question is in relation to the use of taxpayers' money. I am paid for that, okay? Whether the hon. Vice-Prime Minister is a new Minister, he has to reply when I am asking a question.

**Madam Speaker:** Hon. Lesjongard, please address the Chair!

**Mr Lesjongard:** Is the hon. Vice-Prime Minister aware that - because he stated a figure of Rs4.9 billion for the total cost of the project - in the Audit Report the figure stated is Rs5.4 billion for the total cost of the project?

**Mr Collendavelloo:** I know. That is what the contractor is claiming, but we do not agree with that at all. I know the figure of 5.4 has been bandied about, but I stick to 4.9 which is the figure which I have on file.

**Madam Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** Being given that works have been suspended at the request of the Mauritian side, can I know from the hon. Minister what is being paid to the contractor in the meantime and whether since the last general elections the Government of Mauritius has taken up the whole issue with the Government of China?

**Mr Collendavelloo:** Well, let me answer the first part first. I have taken this issue personally with the ambassador of the PROC, I have been on site with him, I have visited the site together with my technicians.

I take that very seriously, although I do not know much about cows and all these technical matters. I stand guided by my technical officers. I am putting the pressure that I can. The issue being that we will get this dam completed as fast as possible.

With regard to suspension of the works, what I saw on site is that the works were ongoing. In fact, my information is that although the works were suspended in July 2012, this suspension was lifted on 27 December 2013. The works are ongoing. They are being monitored. In so far as the works themselves are concerned, my technicians tell me that they are satisfactory. The question is the question of finance and what are these additional claims. I must add that with regard to the consultants, there is now a dispute resolution process which has been engaged by Government to claim ultimately through an arbitration process damages from the consultants. According to us, it is because of the consultants that all this has happened.

**Madam Speaker:** Next question hon. Lesjongard!

#### **CONSULTANCY FIRM - BAGATELLE DAM PROJECT**

**(No. B/78) 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 Bagatelle Dam Project, he will, for the benefit of the House, obtain from the Water Resources Unit, information as to the name of the consultancy firm responsible for the detailed design thereof, indicating –

- (a) the cost of the consultancy fees thereof, and
- (b) when the contract thereof was terminated, indicating the reasons therefor.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavello):** Madam Speaker, I am informed that –

- (a) The contract was awarded to Messrs Coyne et Bellier (France) in association with Servansingh Jadav and Partners, for the sum of Rs147 m. (excluding VAT) following a procurement exercise carried out by the Central Procurement Board.
- (b) On 13 January 2014, the Ministry terminated the Consultant's contract with effect from 15 February 2014. The Ministry has entered into a dispute resolution process with regard to financial prejudice caused as a result of gross negligence on the part of the Consultant.

A new Consultant Artelia Ltd was appointed as from February 2014.

**Mr Lesjongard:** The hon. Vice-Prime Minister stated that the contract was terminated on gross negligence. Can he elaborate on that?

**Mr Collendavelloo:** Well, I am no longer a lawyer, but from what I know is that these consultants failed to do the adequate job technical works and that led them to recommend a particular design –

- (i) to the foundation, and
- (ii) to the wall.

As the work started, it was found that the basalt under the water could not stand that dam and the design had to change and that led to an increase in cost. That is what Government is claiming. Under the contract, *Coyne et Bellier* would be liable to all the damages if you can prove *faute lourde*. If you cannot prove *faute lourde*, then the limitation is capped to a certain amount. That is the whole issue.

In addition, *Coyne et Bellier* is claiming now from Government. Now, that we are putting a claim they are putting a cross claim, of course, some Rs238 m. against Government.

The matter is not yet before the arbitrator. The matter is now under amicable dispute solution. The French party has now seemingly refused any amicable settlement because we, on the Government side, had asked an extension of time. This matter is being sorted out by the State Law Office. I don't think there will be big problems before we reach the arbitrator.

Let me add that the arbitration is to be held in Mauritius under the rules of the MCCI - LCIA which is one, probably the only good thing in this contract.

**Mr Ganoo:** Can the hon. Vice-Prime Minister confirm that further to the suspension of the works because of the design changes, nevertheless the consultant did give notice of additional claims and the Ministry paid an amount of about Rs130 m. to the consultant?

**Mr Collendavelloo:** I am not aware of this. I would not be able to say outright.

**Mr Bérenger:** Madam Speaker, I have one question. Was the decision to sue for gross negligence was already taken by the previous Government?

**Mr Collendavelloo:** The previous Government.

**Mr Bérenger:** By the previous Government. Then my question would be: I heard the hon. Vice-Prime Minister saying that on the French side, they are refusing an amicable settlement. Does that mean that the claim of gross negligence will not be that easy to prove?

**Mr Collendavello:** That is a legal matter. I do not know whether it is going to be easy or not. What has happened, to make it crystal clear, is that after we took over, the State Law Office asked for an extension of time awaiting instructions from the new authorities. The French side grew upset about it and they wrote a letter saying that they were not going to accept any delays and they did not want to enter into the amicable dispute resolution. We have explained the situation to them and we are still willing to undertake the amicable dispute settlement else we will go to arbitration. In any case.....

**Madam Speaker:** No mobile phones inside, please!

**Mr Collendavello:** ... before the arbitration starts, there will be amicable settlement discussions, of course.

**Mr Bérenger:** In the case of the roads, now the RDA is taken to task by the new Minister. Is the Minister satisfied that the Water Resources Unit and the Government side played fully its role in that matter?

**Mr Collendavello:** I would not wish to pass judgment, Madam Speaker. Let me say that I personally am not very happy at that stage of things. But before I pass any judgment, let me reflect calmly over that situation which is a complicated matter.

#### **PAILLES & POINTE AUX SABLES - SEWERAGE NETWORK PROJECT**

**(No. B/79) Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the sewerage network project in the region of Terasson and in the nearby region of Pointe aux Sables, he will state where matters stand regarding the region of Pailles and the vicinity thereof, indicating –

- (a) the reasons why the project is being delayed, and
- (b) if due consideration will be given to ensure the implementation thereof in the near future.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavello):** The Wastewater Management Authority informed me that with regard to the region of Terasson and the nearby region of Pointe aux Sables - which this hon. Member knows very well - it has carried out a detailed feasibility study for implementing a sewer network in the following regions -

Terasson

700 households

Verger Mangué	75 households
Pointe aux Sables	1,400 households
Petit Verger and Kensington Place	650 households

The estimated cost of the project is Rs2.4 billion. The Wastewater Management Authority is considering the implementation of the project, in phases, starting with Terrasson, which is most vulnerable. The cost of the works at Terrasson is around Rs320 m.

With regard to the region of Pailles, I am informed by the Wastewater Management Authority that bids have been invited for Phase 1 of the project which includes the construction of 4 kms trunk sewer and a pumping station. The closing date is 25 February 2015.

Of course, if the hon. Member so wishes, I will gladly accompany him all over his constituency to visit all the places that he considers necessary.

**Mr Barbier:** I thank the hon. Vice-Prime Minister for his answer. May I know from the hon. Vice-Prime Minister - concerning the regions of Pointe aux Sables and Terrasson - whether he can give some precise information about the date the project will start it and whether preliminary works have been completed. I mean the drawings, surveys and all that. If not, when can we expect it to be completed? When tender can be launched? And when can we expect the works to physically start on the site?

**Mr Collendavelloo:** I have no answer for the moment, Madam Speaker but, of course, if my hon. Colleague is so minded I would welcome him in my Office at any time that is convenient to him in order to fully discuss the matter.

**Mr Barbier:** I thank the hon. Vice-Prime Minister and I ...

**Mr Collendavelloo:** Without giving any bait, of course.

**Mr Barbier:** May I ask the hon. Vice-Prime Minister whether ...

**Madam Speaker:** Hon. Barbier, do you have one additional question on the same issue?

**Mr Barbier:** Ok, B/80!

**PAILLES - FOOTBALL PITCH**

(No. B/80) **Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West)** asked the Minister of Local Government whether, in regard to the football pitch situated near the Police Station at Pailles, he will state if consideration will be given for same to be vested with the Municipal Council of Port Louis with regard to the maintenance thereof.

**Mr Husnoo:** Madam Speaker, I am informed that the football pitch referred to and situated near the Police station at Pailles is not a football ground as per established standard. The plot of State land on which stands this playing field whereat teenagers of this region practice football, is only 150 sq ft x 80 sq ft and was formerly being used for illegal dumping of waste. My Ministry had therefore in year 2009 cleaned this site and converted it into a playing field for the benefit of the youngsters of that region.

I am further advised that there already exists two football playgrounds at Morcellement Raffray and St. Louis Street, Pailles.

However, I am making the necessary arrangement to hand over this playing field to the City Council of Port Louis for maintenance purpose, as requested by the hon. Member.

**Mr Barbier:** I thank the hon. Minister. May I know whether we already have engaged some procedures for the handing over of this football pitch at Pointe aux Sables to the Municipal Council?

**Mr Husnoo:** As I have mentioned, my Ministry is making the arrangement just now.

**Mr Barbier:** Can we know by when?

**Mr Husnoo:** It is going to take a few weeks or months I think; we should do it. There should be no many major problem, we are going to do it as soon as we can.

**Mr Uteem:** Madam Speaker, I heard the hon. Minister say that the football ground will be handed over to the Municipal Council of Port Louis and this concerns several football grounds. Would the hon. Minister ensure that when these football pitches are vested in the municipal council that appropriate funding is also given to the municipal council to maintain and operate these football fields?

**Mr Husnoo:** Yes. I know this problem we have discussed it already with the Lord Mayor and the Chief Executive, I am going to look into it.

### **TURKEY REARING PROJECT**

**(No. B/81) Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West)** asked the Minister of Agro-Industry and Food Security whether, in regard to the Turkey Rearing Project, he will state if the experimental phase thereof is now complete and, if so, indicate if turkey chicks will be made available to farmers who are interested therein and, if so, when.

**Mr Seeruttun:** Madam Speaker, I am informed that, in the context of the Turkey Rearing Project, a first batch of 514-day old turkey chicks of reproductive breed Orlopp Bronze was imported from France in October 2013 for reproduction purpose and eventual distribution to interested farmers.

The Animal Production Unit of my Ministry has experimented on the adaptability of the imported turkeys to local conditions and has investigated parameters such as fertility, hatchability, growth rate and feed conversion efficiency which are of paramount importance in turkey production. The tests have shown that the turkeys were well acclimated to local conditions.

However, one of the main constraints identified was the low fertility rate which has not allowed the desired results to be achieved. Turkey reproduction is facilitated by artificial insemination, a technique which the staff of the Animal Production Unit has not acquired yet. The expertise of the Chinese experts working at Albion under the Chinese Agricultural Technical Cooperation Programme has been sought to impart the necessary training to the staff.

I am advised that the turkeys imported in October 2012 have been distributed to some 50 farmers in June 2014. Pending the capacity-building programme and the resumption of the Turkey Reproduction Project, turkeys of commercial breed are being imported and sold directly to farmers. A first batch of 1,000 turkey chicks have accordingly been imported in September 2014. A second batch is planned for May 2015.

**Mr Barbier:** May I ask the hon. Minister, concerning those chicks which have already being distributed, whether the Ministry has had an assessment of the progress achieved, so far,

by the farmers to know whether all the aspect of this rearing business is being looked into and whether any adjustment needed is being sought?

**Mr Seeruttun:** Madam Speaker, in fact, assessments and monitoring are being made. Those farmers that are in that kind of breeding they are backyard farmers doing artisanal breeding. So, what we are planning to do is, given that the demand for turkey meat is on the high side, we are thinking of revamping or increasing that industry. We are looking at ways and means to get more farmers into the breeding of turkeys so that we could increase more and more people to produce locally the turkey meat.

**Mr Barbier:** As the hon. Minister may be aware there are so many types of species of turkeys which can be developed because there is a high demand on the international market. Will the hon. Minister consider the possibility of having the help from our friend countries which can help us in having the right varieties to be able to have this business developed on a commercial basis as it can be very important source of income for the country?

**Mr Seeruttun:** Madam Speaker, in fact, we are contemplating to look for partners from overseas to assist our local people here to get more acquainted with that type of breeding so that we could get into more commercial breeding of turkey.

### **HALAL & VEGETARIAN FOOD - REGULATIONS**

**(No. B/82) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to halal and vegetarian food, he will state where matters stand pertaining to the regulations in relation thereto which had been finalized by his Ministry and the State Law Office, following the working sessions held with the other relevant stakeholders, last year.

**The Minister of Youth and Sports (Mr Y. Sawmynaden):** Madam Speaker, discussions and consultations have reached an advance stage in relation to the introduction of relevant and appropriate provisions pertaining to Halal and Vegetarian Food in the Regulations under the Food Act.

The main provisions in this respect, pertain to:

- (i) definition of Halal and Vegetarian Food;
- (ii) setting up of relevant Certification Bodies with appropriate powers, and
- (iii) labelling requirements.

There are still certain issues that remain to be addressed. These include:

- (i) enforcement aspects;
- (ii) the Authority/Body to be assigned responsibility for enforcement, and
- (iii) the establishment of a Certification Body for Vegetarian Food.

Further consultations are therefore under way with relevant stakeholders.

**Mr Mohamed:** Madam Speaker, as you would recall you yourself were then Minister of Health had started this project and I only wish that it could come to conclusion as soon as possible. Could the hon. Minister inform us who are the stakeholders and whether those stakeholders have been informed of the forthcoming meetings and when will those meetings be held?

**Mr Sawmynaden:** I know that the State Law Office and the Regional Public Health Superintendent, the members of the Ministry itself, but I don't have the other information about who are the stakeholders exactly.

**Mr Mohamed:** Since this is - we will all agree - not an issue on which politics or anything should be done, could the hon. Minister, even though he is not the substantive Minister, consider the possibility of asking for help from all members who would like to contribute for this matter to come to conclusion as soon as possible?

**Mr Sawmynaden:** I will pass on the message to my colleague Minister.

**Mr Uteem:** Madam Speaker, may I know from the hon. Minister whether this Committee that is looking into the labelling of food will also cover imported food, because a lot of food have labels and, therefore, we need to have agreements with other countries that, before they put halal or vegetarian label that should comply with Mauritian law?

**Mr Sawmynaden:** I think that these are certain issues that remain to be addressed like the authority body to be assigned responsibility for enforcement.

**Madam Speaker:** Next question!

### **EX-CHA & CITÉ EDC HOUSES – SALE**

**(No. B/83) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the ex-CHA and Cité EDC houses, including those located in Constituency No. 14, Savanne and Black River, he will, for the benefit of the House, obtain information as to the number thereof sold to the occupiers thereof, as at to date, indicating the -

(a) location thereof, and

(b) number of owners thereof who have not received their respective title deed as at to date, indicating the reasons therefor in each case.

**The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):** Madam Speaker, as a matter of fact, there are 177 ex-CHA housing estates consisting of 19,442 housing units spread in 145 different localities throughout the island. All the housing units have by now been sold to their owners. This exercise started in 1985 and was completed in 1993.

Madam Speaker, I wish to point out, however, that out of these ex-CHA owners, there are 188 who have not finalised their deed of sale yet. In the vast majority of these cases, the owners of the housing units have not turned up to submit the relevant documents to allow for the drawing up of the title deed. In a few cases, the legal heirs of the deceased beneficiaries have not agreed among themselves about the succession, and in a few other cases, the present owners are not residing in their houses which are being occupied by a third party. In the face of what is obtainable, my Ministry is setting up a structured administrative mechanism along with appropriate legal action to have these 188 cases regularised at the earliest. Obviously, the cases in Constituency No. 14 will also be dealt with.

Madam Speaker, the list of the 188 cases will be laid in the Library of the National Assembly.

For Constituency No. 14, which is of direct interest to the hon. Member, there are 23 cases for which deed of sale has not been finalised. Out of the 23 cases, 6 have succession

problems, in 16 cases, documents are missing and in 1 case, the housing unit is being occupied by a third party.

**Madam Speaker:** Hon. Mahomed, next question!

### **LRT SYSTEM PROJECT – CONSULTANCY SERVICES**

**(No. B/84) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Light Rail Transit System Project, he will state the amount of money successive Governments have spent in relation thereto in terms of recruitment of consultants and consultancy services since the implementation thereof in Mauritius has been envisaged.

**Mr Bodha:** Madam Speaker, with regard to the Light Rail Transit System, a number of consultancy services have been carried out. The first study, in fact, dates back as far as 1991. Most of the studies were carried out in relation to the transport system in general, with the Light Rail Transit System as an option.

I am informed that the first payment was, in fact, effected in 1993. The information requested is, therefore, being compiled and will be tabled in due course.

**Madam Speaker:** Any supplementary, hon. Mahomed?

**Mr Mahomed:** May I ask the hon. Minister to table figures that have been carried out on consultancy services not specifically meant for the light rail transit, but which came to the conclusion that the light rail transit will be the best option for the Republic.

**Mr Bodha:** As the hon. Member is aware, Madam Speaker, there have been many surveys and studies and, in fact, between 2005 and 2010 the preferred option by the then Minister was the busway and it was only in 2010 when there was a change in Government that the whole issue of the light rail came again, but between 2010 and since then, the preferred option has been the light rail. But there have been a number of consultancy services. The last one is the consultancy services which were requested from Singapore and then you had two stages: one was consultancy services for the implementation of the Action Plan and the second one was the consultancy services for securing the transaction management services.

I will compile all the information and it will be laid on the Table of the National Assembly in due course.

**Madam Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** Pending us having the information including the latest consultant and this Singapore enterprise is a Government body, is appointed by the Government of Singapore, pending us having the amount of money that they have been paid, can I know, now that Government has decided to put the project on hold for the time being, what communication there has been with the Singapore authorities? Have there been exchanges of correspondences and meetings? Have they been informed that the project is put on hold and what arrangement - termination contract or what have you - has been arrived at with the consultants?

**Mr Bodha:** Nothing of the sort has been done so far. What has happened so far is that the Singaporean Company has, in fact, delivered on the transaction management of the project and Government is going to take a decision in the days to come and then, we will contact the Singaporean company in due course.

**Madam Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** May I ask the hon. Minister whether the project has been temporarily shelved, completely abandoned?

**Mr Bodha:** It has been shelved.

**Madam Speaker:** Hon. Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. Since we are pleased to learn that the first level consultant work on this matter of light rail was in 1991 which was an excellent idea and still is today and so many successive Governments have spent so much money on this whole consultancy for the project of light rail and the hon. Pravind Jugnauth. I remember, he was right when he came in 2010 and tried to push for the whole idea of light railway. Could we not, therefore, find out how much money has been really spent by the Republic and whether it is not worthwhile to not delay it remaining on the shelf? Lesser the time it remains on the shelf, maybe

we will not be faced with another situation where the whole project cost eventually will be another increase that will be more of a problem for us to face if ever we want to implement it.

**Mr Bodha:** Madam Speaker, the hon. Member is right, we have to take a decision and we have taken the decision. When the hon. Pravind Jugnauth was, in fact, very in favour, we all were in favour for the light rail project, I think the estimated cost was Rs15 billion and last time the hon. Minister, my predecessor, came to present this project, it was Rs25 billion. So, this is what I am saying. In fact, we have taken a decision and then, we will come back with a list of all the expenses. You will have an idea of how much money has been spent since 1991. In fact, in 1995 when the hon. Prime Minister lost in December 1995, the project cost Rs4 billion.

**Madam Speaker:** Next question, hon. Mahomed!

#### **LRT SYSTEM PROJECT - LAND ACQUISITION**

**(No. B/85) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the implementation of the Light Rail Transit System Project, he will state if the land acquisition exercise therefor has been completed and, if so, indicate the -

- (a) number of houses concerned therewith, and
- (b) cost thereof.

**Mr Bodha:** Madam Speaker, I have been informed that in connection with the implementation of the Light Rail Transit System, 92 plots of land have been earmarked for acquisition along the corridor between Curepipe and Port Louis. Procedures for land acquisition have already been completed at the level of the Ministry of Housing and Lands and as at today, 88 portions of land have already been acquired by Government.

As regards the remaining 4 plots, the matter is *sub judice*, as the owners have challenged the legality of the compulsory acquisition. Out of the 92 plots of lands surveyed, only 27 houses are concerned with regard to that project.

With regard to part (b) of the question, the Ministry of Housing and Lands has informed that owners of the lands have not yet been compensated as evaluation procedures are still underway.

However, as the House is aware and as is mentioned in the Government Programme, Government has decided for economic reasons not to proceed with the Light Rail Transit System. In the present situation, a technical committee is studying the various options as regards to a mass transit transport system in the context of a decongestion programme, in view of a new economic and physical development plan.

**Madam Speaker:** Hon. Mahomed!

**Mr Mahomed:** Yes, Madam Speaker, thank you. Thank you, hon. Minister. What will become of these plots of land that are affected by this project?

**Mr Bodha:** This is a very important question, Madam Speaker. We are considering different options, the alignment is there; the lands have already been acquired and could be put to good use in the Decongestion Programme.

**Mr Mahomed:** I have an additional question, Madam Speaker. Is there any construction currently ongoing on the land that is strategically reserved for the ex Railway, Light Rail Transit now meant for something else?

**Mr Bodha:** I am not aware. The information I have is that we have 27 residences among that 92 plots. But whether there are any new constructions; I don't think I am aware. I think my colleague, the hon. Vice-Prime Minister is monitoring the situation closely.

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** Can I know from the hon. Minister if however we have to pay for the acquired land, how much it will cost the Government?

**Mr Bodha:** The evaluation process is on.

**Madam Speaker:** Last question!

**Mr Mahomed:** One last question, Madam Speaker. What I meant just now is that land on the ex-Railway track behind the Quatre Bornes Market. Is there a parking currently being constructed over there?

**Mr Bodha:** Well, now that the hon. Member has provided the information, I think we will contact the hon. Minister for Local Government who will monitor the situation with the Municipality of Quatre Bornes.

**Madam Speaker:** Next question, hon. Osman Mahomed!

### **SIGNAL MOUNTAIN - HEALTH TRACK - SOLAR STREET LIGHTING SYSTEM**

**(No. B/86) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the project for the installation of the Solar Street Lighting System along the Health Track on the Signal Mountain approved for funding by the Maurice Ile Durable Fund, he will state where matters stand, indicating the time frame for the commissioning thereof.

**Mr Dayal:** Madame Speaker, the specifications for the Solar Street Lighting System for installation along the Health Track on the Signal Mountain have been finalised. My Ministry is now consulting the Municipality of Port Louis regarding modalities for the implementation of the project. A time frame can only be established after the consultation process.

**Mr Mahomed:** Madame Speaker, I have an additional question. Is the original scope of work, meaning lamp posts to be fixed along the whole Health Track being maintained?

**Mr Dayal:** Everything has been done. Once the process of consultation is finalised, we have funding and everything, the project will be on.

**Madam Speaker:** Next question, hon. Jhuboo!

### **CHEMIN GRENIER - MARKET FAIR PROJECT**

**(No. B/87) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Local Government whether, in regard to the Chemin Grenier Market Fair Project, he will state if the construction thereof is being envisaged.

**Dr. Husnoo:** Madam Speaker, I am informed that the District Council of Savanne has, taking into consideration that the existing market fair at Chemin Grenier is in a bad state, decided that a new market fair be constructed for the benefit of the inhabitants of that region.

In that context, a plot of private land to the extent of *2 Arpents 67 perches* has been identified and procedures have already been initiated by the Ministry of Housing and Lands for its acquisition. Given that the owner of three contiguous plot of land, Mr Jabar Boodhoo Meah is not agreeable to the sale of these portions of land, compulsory acquisition procedures have been initiated by the Ministry of Housing and Lands.

The project is being considered positively by my Ministry. Once it is approved by the Project Plan Committee, we will contact the Ministry of Finance regarding the availability of fund.

**Madam Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** Madam Speaker, can the hon. Minister indicate a time frame in relation to the land acquisition by Government?

**Dr. Husnoo:** I think the time frame would depend on the Ministry of Housing, not on the Ministry of Local Government.

**Madam Speaker:** Yes, hon. Jhuboo!

**Mr Jhuboo:** Will the hon. Minister give an urgent attention to that matter since both the public and the sellers are penalised by the lack of poor infrastructure.

**Dr. Husnoo:** Yes, if I may say so, Madam Speaker contacted me about this project sometimes ago and we are working on this project. We have been working on this project and once, as I say, we get the land, we are going to get the project approved by the Project Plan Committee and then we will get it going. Thank you.

**Madam Speaker:** Let's say that it is not in order to make reference to the Speaker in any question, but we allow the hon. Minister.

*(Interruptions)*

Yes, hon. Ganoo!

**Mr Ganoo:** Can the hon. Minister - pending the acquisition of the land and the construction of the new Market Fair – see to it that the *marchands* there are allowed by the authorities to operate in the meantime?

**Dr. Husnoo:** Yes. We will look into that and make sure that everybody will be able to work.

**Madam Speaker:** Next question, hon. Ameer Meea!

### **MOTORCYCLE RACING –TRACK**

**(No. B/88) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Youth and Sports whether, in regard to motorcycle racing, he will state if consideration will be given for the setting up of a dedicated track therefor with a view to preventing the organization of illegal motorcycle racing on public roads and, if so, when and, if not, why not.

**Mr Sawmynaden:** Madam Speaker, as the hon. Member is aware there is presently no dedicated circuit for motorcycle racing in Mauritius. Consequently, with a view to preventing the organisation of illegal motorcycle racing on public roads, the facilities at the parking ground of Anjalay Stadium at Belle Vue have been made available freely to motorcycle racers.

All motorcycling organisations availing themselves of the facilities have to make their own arrangements to improve safety during racing and carting on the parking space.

The Mauritius Motorsport Federation which caters for both motorcycling and auto rally sports also organises motorsport races in other locations like La Nicolière, le Mont Blanc, the Chamarel Road and Plaine Champagne. Before any rally is organised, the appropriate authorisation and clearances are sought from the different authorities like Police, Fire Services, the Ministry of Environment, National Emergency Centre and the Beach Authority and the Local Authorities, among others.

Madam Speaker, all these arrangements have been made pending the setting up of a dedicated track which is not only a very costly project but the health, safety and environmental

aspects will also have to be considered. Once an appropriate plot of land will be identified to accommodate a circuit, necessary provisions will be made for the project to be implemented. Meanwhile, I am proposing the request of the Commissioner of Police and the National Transport Authority to enforce existing Legislation concerning the required standard and norms of motorcycles used for racing.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** I understand from the reply of the hon. Minister that actually the Government is not contemplating to go forward with such a track, but one of the numerous reasons of fatal accidents on our roads is that there are so many illegal motorcycles racing among the youths. Will the hon. Minister consider a study on the matter and accordingly, can he react on the findings of the study and then try to rethink about whether we will have a track or not?

**Mr Sawmynaden:** As I have mentioned, once the appropriate plot will be identified, my Ministry will make provision to go ahead. But regarding motorcycle racing, we will request the Commissioner Police to see to it because motorcycles used for racing and those used on the roads are two completely different machines that is why they are very dangerous. The technical team of my Ministry is looking into the matter and once everything will be finalised, we will go ahead with the project.

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Mohamed:** Madam Speaker, maybe the hon. Minister is not aware, but the technical team of his Ministry has been looking into this matter for many years. Now, they are still looking into it.

*(Interruptions)*

The technical team is the technical team!

*(Interruptions)*

I am not talking about the hon. Minister; I am talking about the technical team. *(Interruptions)*

**Madam Speaker:** Order!

**Mr Mohamed:** I am not talking about the hon. Minister; I am talking about the technical team. There is a big difference. That is why I started by saying: 'maybe he is not aware' and it is not him that I blame. What I would like to say here is the following: would the hon. Minister look into, first of all, all the illegal racings that are going on at *La Passerelle* area, Roche Bois, in Constituency No. 3 where both types of motorcycles are used; racing as well as normal motor bikes every night where you have spectators sitting on both sides of the highway and watching and we have food sellers selling food and accompanying those who are watching.

Taking that into account and because of that there were 25 acres of land that his predecessor had stated in this august Assembly, had already been found and racing track would be built thereon. That is why, I understand, that the hon. Member, Ameer Meea, has come up with this question. It is because his Ministry has already found 25 acres and there was a commitment to come up with a proper racing track. Could he, therefore, follow suit with this commitment that his Ministry had made and his technicians had helped to come up with?

**Mr Sawmynaden:** Regarding the first question, that is why I have requested the Commissioner of Police and the National Transport Authority to enforce the law. As regards the 25 acres of land, it is nowhere to be found in my Ministry. We have look into the matter; there is no file regarding this plot of land.

**Mr Uteem:** The hon. Minister just mentioned that already there are certain tracks being used, namely in the stadium in Rivière du Rempart. Being given that most motorcycle accidents in racing happen due to bad design, may I know from the hon. Minister whether people from his Ministry do look at the design before giving any authorisation for any legal motorcycle racing to be carried out in Mauritius?

**Mr Sawmynaden:** I think this up to the federation and they need to get all the clearances before doing any motorcycle racing.

**Madam Speaker:** Last question, hon. Uteem!

**Mr Uteem:** Yes. The hon. Minister just stated that the plot of 25 acres of land is not yet there. Therefore, can I ask the hon. Minister if he will make a formal request to his colleague, the Minister of Housing and Lands, so that any land be identified for this project?

**Mr Sawmynaden:** I am already looking into the matter and please rest assured that I have already identified a site and will come up with a proposal shortly.

**Madam Speaker:** Next question, hon. Ameer Meea!

### **BUS SERVICE – VELORE & NICOLAY ROADS**

**(No. B/89) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the bus routes No. 70 and 77 plying towards the Immigration Square, Port Louis, he will state if he is aware that the buses along these routes do not pass along the Velore and Nicolay Roads, thereby causing hardships to passengers who have to alight thereat and, if so, indicate if –

- (a) the remedial measures that will be taken in relation thereto, and
- (b) consideration will be given for the setting up of a bus stop along the Mariamen Temple Street, near the Sunnassee Building.

**Mr Bodha:** Madam Speaker, according to authorised itineraries, bus route No. 70 which starts from Cité La Cure Traffic Centre and bus route No. 77 which starts from Terre Rouge Police Station, should both transit through Noor-E-Islam Road, previously known as Nicolay Road, on their way to Immigration Square.

As regards Velore Road, which is a link between Military Road and Noor-E-Islam Road, it has been removed from both routes and itineraries since several years now, because of the difficulty for vehicles to exit at the junction. Buses instead proceed up to the junction of Military Road and Noor-E-Islam Road, where it is safer for vehicles to exit at the junction because of the presence of traffic lights.

I am informed that complaints have been received to the effect that buses owned by individual operators along both routes, regularly fail to follow the authorised itinerary on reaching Quay 'D' roundabout. They instead move along the motorway, thus bypassing Military Road and Noor-E-Islam and Mariamen Temple Roads.

Madam Speaker, I am informed that since the beginning of the year, four contraventions have been established, because the NTA is monitoring the situation in that region and regular checks are being carried out to ensure strict compliance with the conditions attached to the Road

Service Licences. Disciplinary action will henceforth be taken against both the bus crew and the bus owner in the event of repeated offences.

However, with regard to part (b) of the question, the National Transport Authority along with the Traffic Management and Road Safety Unit will carry out a survey soon, to explore the possibility of siting a bus stop along the Mariamen Temple Road.

I am also open to any suggestion of the hon. Member.

### **BUSINESS PARKS OF MAURITIUS LTD. – MINISTERIAL COMMITTEE – REPORT**

(No. B/90) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Technology, Communication and Innovation whether, in regard to the Business Parks of Mauritius Ltd., he will state if consideration will be given for the setting up of a full-fledged inquiry into the management thereof, since the appointment of Mr D. N. as Chief Executive Officer thereof and, if so –

- (a) table copy of the report of the Ministerial Committee presided by the former Minister of Public Infrastructure in relation thereto, especially concerning allocation of land at Ebene, Rose Hill, and
- (b) consider taking immediate measures regarding the prevailing chaotic situation and the degradation caused to the environment by parking and hawkers at the Ebene Cyber City.

**Mr Jugnauth:** Madam Speaker, in line with the commitment of this Government to eradicate corruption, nepotism and malpractices, the Ministry of Financial Services, Good Governance and Institutional Reforms will be requested to carry out a full-fledged inquiry into the management of the Business Parks of Mauritius Ltd., from June 2007 to December 2014, the period during which Mr D. N. was Executive Chairman. The terms of reference, thereof, are being drafted.

As requested by the hon. Member, I am tabling a copy of the report of the Ministerial Committee presided by the ex-Minister of Public Infrastructure in relation thereto.

Madam Speaker, in respect to part (b) of the question, I agree with the hon. Member that a chaotic situation still prevails at Ebène Cybercity with respect to illegal parking and hawkers which BPML has not been able to sort out until now.

The proposed multi-storey parking tower has not yet been finalised and, in the meantime, as an interim measure, temporary parking for some 1,030 cars has been allowed on selected plots. I am also informed that the 40 buildings or so that have been completed so far, have parking slots which can accommodate some 3,600 vehicles in total. In addition, I am told that double-yellow lines have also been painted on all the main arteries of the Cybercity and the Police is exercising control over illegal parking.

The problem of hawkers is still pending and is as problematic as before.

I have, therefore, requested BPML to review both issues and to come up with sustainable solutions and I propose, of course, to follow up closely on the problems raised by the hon. Member.

**Mr Bérenger:** Madam Speaker, why are we wasting so much time to appoint new people there? We must have new people in charge of BPML and I am sure they will have right ideas in terms of food courts and so on. I cannot understand; it is not difficult to solve those problems.

**Mr Jugnauth:** We are in the course of appointing the people to constitute the Board. We will do so very soon.

**Mr Bhagwan:** Would the hon. Minister confirm to us whether in the terms of reference for the inquiry, *le Gooljaury Tower*, the way the land was given, misappropriating of leisure, land space, *cela a été réservé pour l'environnement*. Can we know whether the whole issue of that project also would be included into the inquiry which would be conducted?

**Mr Jugnauth:** Of course, the Ministry of Good Governance, I mean the inquiry will look into this aspect also. We will look into the report, the findings of the Ministerial Committee at that time which, unfortunately, concluded that there were a lot of shortcomings and it remained just like that and no action was taken. So, they will have to look as far back as the conclusion of that report also.

**Mr Shakeel Mohamed:** I thank the hon. Minister for tabling this report which is a very, very good act on his part. With regard to immediate measures that could be taken to stop the chaotic situation, could the hon. Minister consider the possibility of ensuring that there are pavements that are free from any obstruction that would permit people to walk from offices to restaurants and to stop them from walking on the streets, because road accidents could really

occur at any minute, as we are speaking now. And this would be, maybe, only a suggestion and I wish you could really take it into account.

**Mr Jugnauth:** Of course, Madam Speaker, we have to review the infrastructure that prevails there and taking into account the fact that pedestrians also need to have a place which is safe for them to move from one place to the other.

**Mr Bhagwan:** Can I also make a request to the Minister? The Ebene area appeared to be found in a no man's land, neither it is supposedly to be under the responsibility of the Moka-District Council which is far away, neither the Municipality of Quatre Bornes nor Beau Bassin/Rose Hill has any jurisdiction on the area. The hon. Minister would see by himself, *comment cet endroit est mal entretenu*. Can I appeal to the hon. Minister, at least, to liaise or give directives to our Ministers responsible and the Minister of Local Government to have a common meeting so that this area can be cleaned, at least, every day?

**Mr Jugnauth:** Madam Speaker, I believe that it falls under the jurisdiction of the Quatre Bornes Municipal Council.

*(Interruptions)*

No, not Moka. It is Quatre Bornes

### **MBC – AUDIT EXERCISE**

**(No. B/91) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Technology, Communication and Innovation whether, in regard to the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, information as to the results of the audit exercise carried out by Mr R. J., former Director of Audit, on the management thereof by Mr D. C., former Director General thereof, indicating –

- (a) the names and grades of the officers who have recently been laid off/made to retire and the reasons thereof;
- (b) the status of the overdrafts and accumulated loans due to Government and private institutions, and
- (c) when a full-fledged Board will be constituted as per the MBC Act.

**Mr Jugnauth:** Madam Speaker, with regard to the management of MBC by the former Director General, I am informed that the audit exercise, being carried out by the former Director of Audit, is still underway and will be completed shortly.

As regards part (a) of the question, I am tabling the information requested.

Madam Speaker, with regard to part (b) of the question, the status of the overdrafts and accumulated loans due to Government and private institutions amounts to Rs818 m. The breakdown is as follows –

Overdraft -

- (a) MPCB, Rs208.4 m.;
- (b) SBM, Rs6.6 m.

With regard to loans –

- (a) SBM, Rs110 m.
- (b) Government of Mauritius, Rs53 m.
- (c) People's Republic of China, Rs440 m. making a total of Rs818 m.

Madam Speaker, after receipt of the Report of the enquiry with reference to Finance, the management of the MBC will be in a better position to review expenses and revenue to make the institution more effective. The Corporation, I am informed, has already embarked on a cost reduction exercise and comparative figures show, at least, some improvement over the past performance. For example, MBC has made a saving of Rs1,986,125 since 30 December 2014 to end January 2015, that is, over a period of one month. And I believe that if we take that figure over a period of twelve months it, will make around Rs24 m. This gives us an indication of, in fact, the mismanagement of funds under the previous management.

As regards part (c) of the question, the constitution of the Board is under process.

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** Can we know from the hon. Minister whether the auditors of the former Director of Audit will also enquire into the purchase of equipment, specialised cameras purchased and which were being used on only specific occasions and the costs of the equipment?

**Mr Jugnauth:** I believe it also includes the acquisition of equipment.

**Mr Bhagwan:** Can I also make a request to the hon. Minister to ask the auditors to enquire into the subcontracting of works by the MBC to specialised agencies where even civil servants and advisors have been involved, whether this aspect will be taken into consideration?

**Mr Jugnauth:** Of course, I also think that they will be looking into that but, if any Member has any information, they can, of course, communicate to me directly and I will pass on to ....

*(Interruptions)*

...hon. Members from both sides!

**Mr Bhagwan:** Can I ask the hon. Minister what is the latest concerning the enquiry of the very rapid amount of emoluments given, taking pension by the former Director General when he just fled from the MBC/TV?

**Mr Jugnauth:** I can confirm that this is part of that enquiry. In fact, this is the first part of that enquiry and, at this stage, of course, I cannot say anything until the conclusion comes to my knowledge.

**Madam Speaker:** Hon. Bhagwan, a last question!

**Mr Bhagwan:** Can we know exactly the amount pocketed by the Director General?

**Mr Jugnauth:** Unfortunately, I don't have this amount now. I remember there was a question, unfortunately it was not reached, but it must have gone written so...

*(Interruptions)*

But, of course, I undertake to give the figures.

**Madam Speaker:** You have a question, hon. Jhugroo?

**Mr Jhugroo:** On MBC yes, only one small question. Can I know from the hon. Minister who took the decision at the MBC to pay the former Director General, I think around Rs5 m.?

**Mr Jugnauth:** Well, if I can recall, there was one clause in his contract called a ‘*Clause de conscience*’, whereby he decided that he could no longer remain as Director General and then I suppose that he must have written to the Board - but I am just speaking from memory. I know that the information was relayed to the Prime Minister’s Office and from what I recall I believe the former Secretary of Cabinet dealt with it. But, I do not want to mislead Parliament. If the hon. Member will come with a substantive question, I will provide all the information.

*(Interruptions)*

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

**Mr Bérenger:** From what the hon. Minister has just said, from what I understand, he is saying that the former Director General used and abused a clause of the management contract, ‘*Clause de conscience*’. Can the hon. Minister tell us when, what year, that ‘*Clause de conscience*’ was introduced in the management contract of the Director General, the former, a long time before him, but in what year was that clause introduced in that management contract?

**Mr Jugnauth:** I have to check because I don’t have the information. I can provide...

*(Interruptions)*

The question is addressed to me.

*(Interruptions)*

**Madam Speaker:** The Table has been advised that Parliamentary Question B/95 has been withdrawn. Time is over!

## MOTIONS

### SUSPENSION OF S.O. 10 (2)

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

**The Deputy Prime Minister rose and seconded.**

*Question put and agreed to.*

(4.10 p.m.)

**PRESIDENT'S ADDRESS – MOTION OF THANKS**

*Order read for resuming adjourned debate on the following motion of the hon. Second Member for Grand River North West & Port Louis West (Mrs D. Selvon).*

*"That an Address be presented to the President of the Republic of Mauritius in the following terms -*

*"We, the Members of the Mauritius National Assembly, here assembled, beg leave to offer our thanks to the President of the Republic of Mauritius for the Speech which he has addressed to us on the occasion of the Opening of the First Session of the Sixth National Assembly."*

*Question again proposed.*

**Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien):** Madame la présidente, permettez-moi tout d'abord de vous féliciter en tant que présidente de la nouvelle Assemblée nationale, plutôt deux fois qu'une, puisque vous êtes aussi la première femme à occuper de telles fonctions. Mes félicitations vont également à votre Vice-président.

Je voudrais aussi saisir l'occasion pour féliciter notre *Leader of the House*, le Premier ministre, Sir Anerood Jugnauth, qui a su vaillamment amener l'Alliance Lepep à une victoire cinglante et sans appel aux élections législatives de décembre 2014. Ainsi que mon *Leader* le Premier ministre adjoint, l'honorable Xavier-Luc Duval pour la confiance qu'il a placée en moi car, Madame la présidente, c'est mon deuxième mandat.

Pour la deuxième fois consécutive, je suis reconduit au Parlement pour représenter la circonscription numéro 12 Mahebourg/Plaine Magnien et je voudrais remercier ces mandants de m'avoir renouvelé leur confiance après une campagne rude, et même dans certains cas, malsaines.

Cette victoire, faut-il rappeler, Madame la présidente, est la victoire de toute l'Ile Maurice. Une victoire contre le complot de deux soi-disant grands partis qui voulaient bafouer la démocratie ; une victoire sur la corruption et le mensonge. C'est aussi une victoire des idées

nouvelles contre la pensée unique. Une victoire de la modernité sur l'immobilisme, car L'alliance Lepep a su comprendre les attentes du peuple. C'est pourquoi il y a eu une telle adhésion à notre programme.

Faut-il rappeler que dans les jours qui ont suivi les élections, dès la formation du gouvernement, nous avons immédiatement pris des mesures importantes, telles que –

- l'augmentation de la pension de vieillesse ;
- le gel des sentences sur les permis de conduire ;
- la reprise des terrains de bail accaparés par les petits copains ;

C'est cela un gouvernement responsable, c'est cela une alliance qui tient ses promesses, Madame la présidente. Et ça ne fait que commencer !

Dans le programme électoral nous avons mis en avant certaines idées phares car nous sommes conscients des enjeux qui attendent l'île Maurice aux plans économique, social et environnemental.

**//Nous retrouvons aujourd'hui dans le discours programme ....**