

## WRITTEN ANSWERS TO QUESTIONS

### ICAC – CASES

**(No. B/307) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Independent Commission against Corruption, he will, for the benefit of the House, obtain therefrom, since 2015 to date, information as to the number of –

- (a) inquiries having been discontinued;
- (b) court cases having been withdrawn, and
- (c) new cases lodged before court.

**Reply:** As the House is aware, the Independent Commission Against Corruption which has been established under the Prevention of Corruption Act 2002, is required by law to operate as an independent body.

Section 61 (1) of the Act provides for its operation to be monitored only by the Parliamentary Committee which comprises Members from both sides of the House.

In regard to part (a) of the question, I am informed by the Independent Commission Against Corruption that during the period January to 23 April 2015, there have been 171 enquiries which have disclosed no case as follows –

- (a) in 135 cases, preliminary enquiries did not disclose any corruption or money laundering offence, and
- (b) in 36 cases, the Director of Public Prosecutions' Office has advised no further action.

In regard to part (b) of the question, I am informed that during the same period, there have been no court cases which have been withdrawn.

In regard to part (c) of the question, I am further informed that 20 new cases have been lodged since the beginning of this year.

Not surprisingly, I note that the hon. Member is keenly interested with only the past few months of 2015, while he is deliberately covering up, as usual, the practices of the previous

regime, which he actively and vigorously defended, while the Independent Commission Against Corruption was being used as a political instrument to victimise political opponents and those who dared to raise voices against the previous regime.

As a matter of fact, it is noted that for period 2008 to 2014, the Commission set aside an average of 974 complaints yearly out of an average of 1,485 cases yearly.

Furthermore, over the same period, the Commission decided to discontinue an average of 440 cases yearly after preliminary investigation.

It is also noteworthy that the DPP advised no further action in an average of 123 cases yearly over period 2008 to 2014, upon recommendation of the ICAC, following further investigation by the Commission in these cases.

### **BANGLADESHI NATIONALS – DEPORTATION**

**(No. B/311) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Bangladeshi nationals, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof deported, since March 2015 to date, indicating in each case, the –

- (a) reasons therefor, and
- (b) number of reported casualties, if any, in the course of the operations carried out in relation thereto.

**Reply:** I am informed by the Commissioner of Police that, from 01 March to 23 April 2015, no Bangladeshi national has been deported and consequently, parts (a) and (b) of the question do not arise.

However, I wish to inform the House that during the same period, five Bangladeshi nationals have been repatriated on grounds of illegal stay. The repatriation exercise proceeded without any incident or casualty.

As the House may be aware, Bangladeshi nationals form the bulk of foreign workers presently living in Mauritius.

Some 1,500 female Bangladeshi workers at *Compagnie Mauricienne de Textile* (CMT), Phoenix recently went on strike following a case of missing reported in respect of one of their colleagues who was subsequently found safe and sound. In the meantime, this resulted in incidents whereby the workers were instigated to stop work and threatened by their co-workers. Given the negative impact of the illegal sit-in on the operations of the factory, CMT management decided to terminate the contract of employment of 68 workers identified as ringleaders and on 02 and 03 April 2015, sent them back to Bangladesh.

From time to time, such incidents involving expatriate workers make the headlines and trigger afresh public debate about the pros and cons of employing foreign workers. Government is fully aware of all these problems and it is for this very reason that, in line with the Government Programme 2015-2019, a High Level Committee has been set up under the aegis of the Ministry of Labour, Industrial Relations, Employment and Training to look into issues relating to employment of foreign workers, including the review of the existing regulations and the streamlining of procedures for the issue of work permit.

#### **PORT LOUIS MARITIME & PORT LOUIS EAST – FLOOD PRONE AREAS**

**(No. B/318) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Constituency No. 3, Port Louis Maritime and Port Louis East, he will, for the benefit of the House, obtain from the National Development Unit, information as to if any survey has been carried out to identify the areas which are flood prone in the event of torrential rainfall and, if so, indicate the –

- (a) areas which have been so identified, and
- (b) preventive measures, if any, that have been or will be taken to avert the occurrence of floods thereat.

**Reply:** I am informed by the NDU that there has not been a study specifically for Constituency No 3 in respect of flood prone areas.

However, in the Land Drainage Study Report effected by GIBBS (MTIUS) LTD in 2002, mention is made of two locations forming part of Constituency No. 3 namely, Roche Bois Cemetery and Ail Doré St in Port Louis.

Furthermore, I am informed that in 2011 following public complaints pertaining to flooding at Balisage Street, Roche Bois, a comprehensive study was undertaken by the NDU through GIBBS (MTIUS) LTD for that area.

In view of the fact that no comprehensive study has been conducted for the whole of Constituency No. 3, part (a) of the question cannot be replied. As regards part (b), I am informed by the NDU that works orders for drain projects at Roche Bois to the tune of Rs40 m. were awarded during period 2013-2014 and are in the process of completion.

Moreover, drain projects for Constituency No. 3 were also awarded in 2013 and 2014 to the tune of Rs11.3 m. These have already been completed.

Construction of drains is a recurrent activity at the NDU and drain projects for Constituency No 3 on a priority basis are presently being identified for implementation during the next financial year 2015-2016 given that in this current financial year NDU has to mop up all outstanding payments.

### **RACEHORSES- IMPORTATION**

**(No. B/330) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance and Economic Development whether, in regard to horseracing, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to if inquiries have been carried out into the importation of horses therefor, over the past ten years, indicating –

- (a) the modalities of purchase thereof, and
- (b) if money laundering offences, if any, have been suspected in relation thereto, especially having regard to the observations made at paragraphs 18 and 19 on page 30 of the Report of the Commission of Inquiry on Horseracing.

**Reply (The Prime Minister):** I am informed that in 2007, the Mauritius Revenue Authority carried out an investigation into the importation of racehorses and uncovered an undervaluation of racehorses imported from South Africa for period 2003 to 2007, which resulted in the payment of additional VAT by Mauritius Turf Club amounting to approximately Rs15 m.

As regards part (a) of the question, I am advised that the modalities of purchase are as follows –

- (i) Prior to the importation of any horse in Mauritius, the clearance of the Mauritius Turf Club is required.
- (ii) It has been the practice for the Mauritius Turf Club to handle the importation of racehorses.
- (iii) The Mauritius Turf Club is declared as the importer on the bill of entry and the names of the stables on behalf of which the racehorses are imported are declared as consignee as specified on the invoices. However, the names of the owners do not appear on any documents submitted to Customs.
- (ii) However, as per information received from the Mauritius Turf Club and their representatives from South Africa, some individual owners and stable purchase horses from South Africa on their own. These individual owners and stables must have prior clearance from the Mauritius Turf Club.
- (iii) Michel NAIRAC acts as a Bloodstock Agent for the Mauritius Turf Club and is responsible for coordinating export procedures and consolidating shipments of all racehorses acquired by various stable owners.
- (iv) Michel NAIRAC, the Bloodstock Agent, ensures that inoculations of racehorses and all of the quarantine regulations are complied with prior to transporting the racehorses to the airport for shipment from South Africa to Mauritius.
- (v) The Mauritius Revenue Authority and the Mauritius Turf Club have devised a reference price chart to be used as a risk management tool to assist Customs in establishing the value of racehorses according to their categories (A, B, C and D), which are based on the age and the merit rating at the time of import.

In view of the pertinent issues raised by the “Commission of Inquiry on Horse Racing in Mauritius” on the importation of horses for horse racing, the Gambling Regulatory Authority is looking into the whole process.

The House can rest assured that appropriate action will be taken to redress the horse racing sector as recommended by the Commission of Inquiry on Horse Racing in Mauritius.

**HORSE RACING – SMS PARIAZ – TAX**

**(No. B/331) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Finance and Economic Development whether, in regard to the observations made at paragraph 20 on page 8 of the Report of the Commission of Inquiry on Horseracing, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to if an inquiry is being carried out as to whether any tax has been claimed from *SMS Pariaz*, in relation to the five year period during which it was not connected to the online system of the Gambling Regulatory Authority and, if so, indicate the outcome thereof.

**Reply (The Prime Minister):** I am advised that in December 2012, SMS PARIAZ was connected to the Gambling Regulatory Authority Betting Control System and thus a copy of all its betting transactions was uploaded on the server of the Mauritius Revenue Authority. Prior to its online connection, SMS PARIAZ was submitting to the Gambling Regulatory Authority a list of all its betting transactions on a weekly basis on a CD which was subsequently remitted to the Mauritius Revenue Authority.

Following the transfer of the Gambling Regulatory Authority Betting Control System to the Mauritius Revenue Authority in March 2013, the latter took over the monitoring of all betting activities, including that of SMS PARIAZ.

At the time of the Commission of Inquiry on Horse Racing, there were 5 remote communication operators connected to the Gambling Regulatory Authority Betting Control System. SMS PARIAZ is one of the five operators connected thereto by remote communication.

The Mauritius Revenue Authority took the initiative to switch the remote communication operators from batch to continuous online. Two of them were successfully done in early 2014. Shifting of the remaining three operators including SMS PARIAZ to the online mode is in progress.

SMS PARIAZ has submitted all returns during the last 5 years, and paid the taxes due as per return submitted. The books and records of SMS PARIAZ are currently under examination by the Mauritius Revenue Authority.

**EMPLOYEES - LAID OFF - 2010-2014**

**(No. B/333) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Labour, Industrial Relations, Employment and Training whether he will state the number of employees who have been laid off, since 2010 to 2014, indicating the respective sectors in which they were employed.

**Reply:** According to records available at my Ministry, the total number of employees who have been laid off between 2010 and 2014 is 7,803. The majority of the employees who were laid off were from the construction, hospitality, manufacturing, and retail and wholesale sectors.

I am placing in the Library the detailed information as requested by the hon. Member.

**BUNKERING PROJECT - MACQUARIE BANK LIMITED**

**(No. B/335) 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 bunkering project, he will -

- (a) table copy of the Letter of Intent signed with the Macquarie Bank Limited therefor, and
- (b) state the reasons for the selection of the Macquarie Bank Limited therefor.

**Reply:** I shall start by replying to part (b) of the question.

In November 2013, the then Minister of Finance and Economic Development announced the liberalisation of bunker trade. The Consumer Protection (Control of Imports) Regulations were amended to that effect in December 2013.

As announced in the Government Programme 2015-2019, this Government will develop a regional bunkering hub as one the new pillars for economic growth. As reiterated in the budget speech 2015-2016, Port Louis harbour will be transformed into a hub for bunkering petroleum and other activities. In this context, any interested company may submit project proposals.

Three companies had expressed formal interest to carry out offshore bunkering activities in Port Louis Harbour, namely Macquarie Bank Ltd, Group Five and Vitol Asia Pte Ltd.

On 02 April 2014, the Ministry of Finance and Economic Development signed a Memorandum of Understanding with Atlantic Energy Consulting Ltd introducing Macquarie Bank Ltd as the promoter for the establishment of an offshore bunkering station at Port-Louis.

On 29 April 2014, the Ministry of Finance and Economic Development signed a Memorandum of Understanding with a second promoter, namely, Group Five.

On 22 September 2014, Vitol Asia Pte Ltd signed a Memorandum of Understanding with the Ministry of Industry, Commerce and Consumer Protection for the same purpose.

Whilst Macquarie Bank Ltd and Group Five submitted their outline business plans for their respective bunkering projects, Vitol Asia Pte Ltd has not submitted any project proposal so far.

Several meetings and working sessions were held at the Ministry of Industry, Commerce and Consumer Protection, the Ministry of Finance and Economic Development and the Mauritius Ports Authority (MPA) with representatives of other concerned Ministries/Organisations and the State Trading Corporation, as well as with the two promoters to examine the Commercial/Financial terms and Technical/Operational aspects of the offshore bunkering project in Port Louis Harbour.

Following these meetings and working sessions, the commercial terms agreed by the two promoters were approved by Government. Subsequently, the Letters of Intent, duly vetted by the State Law Office, were issued to Macquarie Bank Ltd and Group Five on 24 March 2015.

As regards part (a) of the question, the Letter of Intent contains the commercial terms, which have been agreed between Government and the two promoters. The Letter of Intent also includes, *inter-alia*, the conditions that need to be fulfilled by the promoters before proceeding further with the project and eventual signing of a Formal Agreement for the implementation of the project. As per the Letter of Intent, the promoters have to submit the following -

- (a) A detailed Operational Plan and a list of qualified personnel to be mobilised;
- (b) An Environment Impact Assessment and a Risk Assessment;

- (c) Oil Spill response measures and a list of pollution combat equipment and trained personnel to be mobilised; and
- (d) A Procedures Manual.

On 08 April 2015, Macquarie Bank Ltd has proposed amendments to the Letter of Intent. These are under consideration. My Ministry has not yet replied to Macquarie Bank Ltd. On 07 April 2015, Group Five has signified its agreement to the Letter of Intent.

On 27 April 2015, after taking cognizance of the Parliamentary Question, Group Five has informed my Ministry that the contents of the Letter of Intent are highly confidential and, in the spirit of Consumer and Commercial Law, the Letter of Intent should not be disclosed.

In the present circumstances, it would be premature to make public the contents of the Letter of Intent. I, therefore, do not propose to table the Letter of Intent at this stage.

### **2015 HAJJ PILGRIMAGE - VISAS**

**(No. B/336) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Arts and Culture whether, in regard to the 2015 Hajj Pilgrimage, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to -

- (a) the number of visas obtained, indicating the criteria for the allocation thereof, and
- (b) if the contract for the transport of the pilgrims has been awarded.

**Reply (Vice-Prime Minister, Minister of Housing and Lands):** I have been informed that the number of visas obtained as at date from the Saudi Authorities for 2015 Hajj pilgrimage is 1040.

#### **Criteria for allocation of visas**

The criteria's for allocation of visas were agreed upon by all stakeholders in 2014 and these are being maintained.

An exercise was carried out on 17.07.2014 by the ICC under the supervision of the Electoral Commissioner's Office in the presence of all parties concerned and a list of 2540 eligible hadjis was determined and confirmed.

Visas are now being allocated in numerical order according to that list.

I have been informed that it is mandatory to enter into an agreement for the transport of pilgrims with the General Transportation Association in Makkah, Saudi Arabia and this agreement has been signed by the ICC in March 2015.

### **QUAY D / MER ROUGE ROUNDABOUT - STREET LIGHTING**

**(No. B/345) 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 M2 Motorway, from its junction with the Quay D roundabout to the Roche Bois roundabout, he will state if he is aware of the absence of light at night thereat, thus causing inconveniences to the road users and to the pedestrians thereof and, if so, will he, for the benefit of the House, obtain information as to if consideration will be given for the provision of street lighting thereat and, if so, when and, if not, why not.

**Reply:** I am informed that on M2 Motorway, there are street lightings at Quay D and Mer Rouge roundabout and its approaches. The section of the Road from Mer Rouge roundabout to Cocoterie Roundabout is provided with street lighting along the central verge.

However, a stretch between Quay D and Mer Rouge is not yet provided with street lighting. The Road Development Authority has been instructed to give priority of consideration to the lighting of that section of the Road.

### **EX-SERVICEMEN – PENSIONS & BENEFITS**

**(No. B/357) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the ex-servicemen, she will, for the benefit of the House, obtain from the Ex-Servicemen Trust Fund, information as to the present number thereof, indicating the -

- (a) monthly pensions that are being paid thereto and if consideration will be given for an increase thereof, and
- (b) services and other benefits to which they are entitled.

**Reply (The Minister of Finance and Economic Development):** I am informed that the number of Ex-Servicemen to date stands at 1,986.

With regard to part (a) of the question, the House may wish to note that the monthly pension of the Ex-Servicemen has been increased by 6 percent in January 2015. They are currently paid, over and above their normal old age pension and other old age benefits, a monthly pension of Rs1,204 for those below 100 years old and Rs1,649 for those having 100 and above.

Regarding part (b) of the question, I am placing the information in the Library.