

Second Reading

**THE MAURITIUS SOCIETY FOR THE PREVENTION OF CRUELTY TO
ANIMALS (TEMPORARY PROVISIONS) BILL**

Order for Second Reading read

The Minister of Agro-Industry and Food Security (Mr S. Faugoo): Mr Speaker, Sir, I beg to move that the Mauritius Society for the Prevention of Cruelty to Animals (Temporary Provisions) Bill be read a second time.

Mr Speaker, Sir, the welfare of animal is presently governed by six different legislations which have been enacted at different times. These are the following -

1. The Animal Destruction Act 1918;
2. The Animal Diseases Act 1925;
3. The Artificial Insemination of Animals (Control) Act 1946;
4. The Prevention of Cruelty to Animals Act 1957;
5. The Mauritius Society for the Prevention of Cruelty to Animals 1971, and
6. The Mauritius Society for the Prevention of Cruelty to Animals (Officers' Powers and protection) 1972.

The House will note, Mr Speaker, Sir, that the oldest legislation dates back to 1918 and the latest to 1972, that is, 95 years and 41 years respectively. Mr Speaker, Sir, I must point out that the context and issues relating to welfare of animals has evolved greatly since the first legislation which dates back as I have said to 1918 and undergone deep changes as a result of societal attitudes towards animals. New attitudes, challenges and opportunities have emerged and these call for our attention and need to be addressed. In fact, the present day institutions, policies and legislative frameworks fall short of today's requirements.

In this context, my Ministry has embarked on an innovative, profound and holistic reform programme for the sector. Our new approach will impose a duty of care and responsibility on owners of pets and animals.

Animal Welfare cannot be achieved without responsible ownership, which requires knowledge, skills and long-term commitments to animals.

Resources devoted to animal welfare are scarce and limited. Our concern is to avoid duplications, streamline processes, adopt owner friendly procedures and cut down on costs and finally optimize on available resources.

Animal Welfare also means keeping abreast with evolution in medical care for animals. Presently, we do not have the required facilities and competencies. Fortunately, our call for international assistance has received positive response. We can rely on international friendly organisations.

The Mauritius Society for the Prevention of Cruelty to Animals (Temporary Provisions) Bill constitutes the first major step of the reform programme that I have initiated with the aim of delivering the essential building blocks as regards animal welfare in Mauritius.

Mr Speaker, Sir, as the House is aware, the MSPCA is a body corporate set up under the Mauritius Society for the Prevention of Cruelty to Animals Act 1971 and 1972 with the following objects, namely to -

- (a) promote kindness and to prevent or suppress cruelty to animals;
- (b) organise the catching and disposal of stray dogs, and
- (c) do anything which the society considers to be conducive or incidental to the attainment of its objects.

The MSPCA manages three clinics, namely at Rose-Hill, Union Park and Calodyne to provide for animal care and treatment. The Society also carries out literary activities, sensitisation campaign, stray dog catching, pet shows, dog shows and dog training.

Revenue generated from services provided at the hospital, donations as well as the yearly Government grant of Rs3.5 m. are used by the MSPCA to finance its activities including dog catching.

Mr Speaker, Sir, the MSPCA is presently managed by a Council consisting of 18 members elected every two years at its annual general meeting. The last election was held in July 2012 when the present Council was constituted. The Act also provides for a Secretary to service the Council as well as to oversee the day to day business of the Society. The Secretary is appointed by the President of the Society on recommendation of the Council.

Mr Speaker, Sir, my Ministry has received representations regarding the MSPCA and I will briefly mention the main ones -

- to start with, the size of the Council with 18 members itself impedes on effective decision making;
- it has also been brought to my attention that the election process is not fair as it is not carried out under the supervision of an independent body;
- Moreover, it has been reported that abuse is made of the proxy system in place. The election process is not satisfactory and requires review. These issues will be addressed in the Animal Welfare Bill, which is under preparation and will be introduced soon in this House.

Mr Speaker, Sir, as the House is aware, MSPCA is the Body responsible for registering dog breeders. It is, however, noted that some members of the MSPCA Council are also registered as dog breeders with the MSPCA. This, in my view, may give rise to conflict of interest.

Dog breeding today is a lucrative business and certain dog breeders are denied opportunities both in breeding and dog shows. This is particularly prevalent in dog shows organised by the MSPCA. These dog shows act as a business platform for certain breeders.

As regards dog shows, there is no legislation regulating such activity. In this case too, I have received representations that there are abuses in terms of exorbitant participation fees charged to participants and the requirement for affiliation with the *Fédération Canine Centrale* (FCC), a non-governmental association registered with the Registrar of Associations, in order to participate in such shows.

Mr Speaker, Sir, the issue of a Pedigree certificate is also another cause of concern. Presently the legislation does not provide for an authority to issue pedigree certificate nor does my Ministry recognise any organisation for the issue of same.

My Ministry has received complaints that the *Fédération Canine Centrale* (FCC) has proclaimed itself as the authority to issue Pedigree certificates. Some members of the MSPCA Council are also members of the FCC. One of the conditions imposed by the MSPCA for registration of puppies of pure breed is to have a birth certificate delivered by the FCC.

Mr Speaker, Sir, the House will agree that the stray dogs are a real nuisance to Mauritius. This has been a matter of concern to Government for quite some time.

Accordingly, Government has provided a sum of Rs10 m. for financial year 2012 as well as 2013 - that is, Rs20 m. altogether - to intensify the campaign for the control of stray dogs.

Mr Speaker, Sir, in spite of the additional resources made available by Government, the MSPCA has failed to meet the target set for the control of stray dogs.

The situation has worsened since January 2013 as the MSPCA has ceased to pursue the agreed established dog catching programme. The MSPCA is using only one van for dog catching and the number of stray dogs caught for the first two months of 2013, that is this year, is 676 as compared to 1,857 for the corresponding period last year, bearing in mind that the initial target - which we agreed to the Ministry and MSPCA - was to catch 2,500 stray dogs on a monthly basis.

Mr Speaker, Sir, with your permission, I will now elaborate on the objectives of the MSPCA (Temporary Provisions) Bill. The objectives of the Bill are -

- a) to provide for the setting up of an interim Management Committee of the Mauritius Society for the Prevention of Cruelty to Animals (MSPCA) with a reduced membership. In fact, only five, from 18 we are bringing it down to only five members;
- b) to abolish the post of Secretary and to appoint a full fledged Director for the overall management of the Society, delivery of services and the running of the three Animal Hospitals, and
- c) to recognise the activities of the MSPCA to be in line with its stated objectives, as per the law and regulations, and also to reflect that of Government policies in this particular sector.

Mr Speaker, Sir, the present MSPCA Act dates as far back as 1971. From its inception to date, new issues have emerged, especially regarding issues beyond prevention of cruelty, caring of animals, obligations of pet owners and new technologies for treatment of animals among others. Hence, there is an impending urgency to review the Act itself with a view to give a new orientation and sense of direction to the MSPCA.

This Temporary Provisions Bill goes in this direction. It will make provision for the setting up of an Interim Management Committee which will consist of five members only. It will also have as main responsibility to reorganise, restructure and set up a sound and transparent financial and audit system at the MSPCA.

Mr Speaker, Sir, I mentioned earlier that my Ministry has embarked on a profound reform programme on Animal Welfare.

We are presently reviewing the existing legislations including the MSPCA Act with regard to animals to come up with an Animal Welfare Bill. The Animal Welfare Bill will address issues in relation to welfare of animals, dog control including dangerous dogs, pedigree and dog shows.

In respect of animal welfare, my Ministry is adopting a holistic approach and moving towards a more humane and modern legislative framework. We are proposing to limit dog catching to only essential circumstances and places, and adopting a policy for mass sterilisation. So, we are shifting, in fact, from one programme, that is, of dog catching and killing to dog catching and neutering and releasing, Mr Speaker, Sir.

This shift in policy and gigantic step is a result of the numerous consultations my Ministry had with stakeholders both at national and international level. In this exercise my Ministry has been able to galvanise support from competent international bodies in India, UK and USA in terms of technical expertise, human and financial resources to implement the programme.

One of the major tasks of the Interim Management Committee will also be to prepare the ground for the major shift to mass sterilisation and to create a platform for all stakeholders for its implementation.

Mr Speaker, Sir, the present dog catching and killing method adopted by the MSPCA has not proved to be effective to control stray dogs so far. In fact, this has been the cause of bad publicity from overseas Animal Welfare groups towards Mauritius.

Mr Speaker, Sir, in the forthcoming months my Ministry in association with the Humane Society International and the International Animal Welfare and Protection Coalition will undertake a major dog population survey in Mauritius. Such a survey has never been carried out in Mauritius and the number of stray dogs estimated by the MSPCA is very doubtful. The proposed survey will be useful for the Ministry for policy formulation and decision making especially for the implementation of the mass sterilisation project.

Last, but not the least, my Ministry is going ahead with the construction of a modern Animal Hospital which will provide a state of the art facilities including pathological services, surgical operations in hi-tech operation theatres, equipped laboratory for clinical diagnosis and ward for animals under observation.

Mr Speaker, Sir, Mauritius is undergoing a profound cultural change in all walks of life including the human – animal relationship. In this process of cultural change we cannot remain unresponsive to change.

This Bill is a first step and requires the comprehension and support of one and all.

Mr Speaker, Sir, with these words, I commend the Bill to the House.

Dr. A. Boolell rose and seconded.

(6.17 p.m.)

Dr. S. Boolell (Second Member for Curepipe & Midlands): Mr Speaker, Sir, about a year ago the Daily Mail online carried an article on Mauritius and I will seek your indulgence to just quote from the Mail Online.

“The dogs on death row in paradise: One English woman's battle to take on a holiday island which cruelly kills thousands of pet dogs a year.”

About 80% of these dogs are our pet dogs. Dogs which are collected to make up the numbers required for the MSPCA to be able to justify the Rs3.5 m. being given to justify their existence and, in addition, to justify the Rs400 per dog which is caught so they catch your dog and your pet dog gets killed. In this article, which I will not quote any further, the word dog ‘pound’, ‘pound’ can only be described as a concentration camp for dogs. There was further an undercover investigation.

So, today when the hon. Minister is coming up with this idea of moving the existing Council out and moving an Interim Committee in, I fully agree with it. The only thing is why is this coming so late? There have been umpteen questions and the MP from this side has always, I think, been most commonly hon. Mrs Hanoomanjee who has been asking parliamentary questions. I remember one answer where the hon. Minister said that despite an ICAC investigation on the Council, he found that there was no conflict of interest between the Council and of the Canine Organisations following advice from the State Law Office. I just wonder what kind of advice the State Law Office gave when they investigated the links between this MSPCA and the other Canine Organisations, but be as it is, however much we want to be polite towards the MSPCA, I find that the hon. Minister instead of saying straight that he is sacking the current group and bringing a law to replace 18 people who were not elected according to the rules of the game having made use - as the hon. Minister himself has said - of the proxy system to its limit whereby some members who are candidates even pay

for the membership fees of others to create this kind of fake membership. So, I think the hon. Minister should, at least say, I am getting rid of them, I want a new start in life, and an Interim Committee will have a Chair and will have five members. I hope in addition to one being from the Veterinary Council of Mauritius, that the three of the members include somebody from the Registrar of Associations to make sure that all those who will vote eventually to set up the new Council. There should be somebody from the Registrar and somebody may be from MRA. There are some issues of controversy that the hon. Minister has brushed on. He is not satisfied with the pet shows, the dog shows and the *salon du chien*. One only has to look at the reports which have been published for the MSPCA to find that there are no figures given for dog shows. The only figure which gets published is pet show, and I am assuming maybe the pet show covers the dog show, when actually there are pet shows and dog shows. According to the MSPCA Act, the *salon du chien*, the dog shows have to be organised by the MSPCA. So, what happens is that the MSPCA, having entered in some form of dichotomy, - or may be dichotomy is too polite - an incestuous relationship with two other organisations, has delegated its responsibilities towards holding of dog shows to one organisation, whose very president and members of the executive committee are also on the MSPCA and, to make things even better, another one has come up with an organization called 'Animalia', which imports dog food, pet food, dog toys. It's a good business that is going on. That is why I mentioned about the MRA.

(Interruptions)

Well, I think we should have somebody from Health; maybe a dog psychiatrist. This does exist. There is something called a dog psychiatrist.

(Interruptions)

You might even have a dog psychiatrist on that Board.

(Interruptions)

At the end of the day, one of these organisations has been given the responsibility of Pedigree certification. To us, Mr Speaker, Sir, one dog looks very much like the other one. But an organisation which comes up without a Pedigree Act, is going to certify and to have your dog certified true blood, blue blood, red blood or purple blood...

(Interruptions)

That's a venous blood coming back.

(Interruptions)

Blood which returns to the heart is rather purple. The one that goes away from the heart is red.

(Interruptions)

To get back to the business of the day while you don't have a pedigree Act, the hon. Minister will agree that this organisation is actually pedigreeing your dogs and you are paying pedigree prices. Also, there seems to be a kind of monopoly with the same people when they are on the three Boards; then, there is a monopoly for the breeders. For those among you who maybe are not satisfied with your own little mongrel collected from your constituency, let me tell you what the prices of a dog are.

(Interruptions)

A French dogue costs Rs100,000; a dogue *de Bordeaux*, Rs80,000 ; a Doberman, Rs40,000; a Great Dane Rs40,000. You can well imagine that it pays to breed dogs rather than kids. Your kids might leave you; your dogs are there to be sold. There is monopoly of some breeders, those who are breeding independently cannot breed unless they pay their respect financially to the members of the MSPCA who are on the *Fédération Canine du Chien*, on Animalia and on the MSPCA. With regard to registration fees - I hate to talk about it - I would have liked to be able to go into figures and tell you what are *les recettes du salon du chien*. Dogs which will speak to you in French or English, God knows. There is one thing which is more alarming. Have you not noticed recently, Mr Speaker, Sir, that there is a certain amount of theft at the level of dogs? Actually, the names of those who buy are recorded and are known. The minute you buy an expensive dog, you have got to take insurance, otherwise you have got to mind the dog rather than the dog minding your house because the dog might get stolen. This is the kind of business that is going on. At the same time, we are having the other figures; the dog catching business, where the hon. Minister has said he is not satisfied with the figures given. But then this is the way the MSPCA has been going on and functioning.

Then, we have the elections at the MSPCA - I think I have mentioned the elections at the MSPCA. I would like the hon. Minister, when he is actually setting up an Interim Committee, to have a time frame on the duration. We do not want any Interim Committee to have a certain degree of permanence and stay there forever because there is a lot of great

racketeering and great financial business and, at the end of the day, the consumer, the dog lover has to be protected.

There are also other items coming up - animal way - which would be, I think, the clinical trials on animals. I think most MPs have been receiving communications to that effect where the monkeys, the macaques will be exported. The MSPCA should be reminded that their role is to be proactive and get involved in all animals - not MPs - but all animals, and protect all species of animals. In anticipation of what is coming, I think the MSPCA demands not only a cleanup, it demands a reshaping, and I sincerely hope that we use this opportunity to, at least, clean up one organisation, which in the past had been very well run. The hon. Prime Minister was a member of the MSPCA before he joined politics. Then, he decided this one will be better as a home. It was a club of gentlemen. These days, I doubt what kind of a club it is. I think I have said enough, and I do not wish it, Mr Speaker, Sir, to be a case of 'dogs bark but the caravan goes on'. But, as was told in history, les étables d'Augias n'avaient pas été nettoyées pendant 30 ans, et il a fallu Hercule pour les nettoyer. Je crois que l'honorable ministre a un bon rôle : être Hercule et nettoyer ces écuries d'Augias.

Merci.

(6.27 p.m)

The Minister of Agro-Industry and Food Security (Mr S. Faugoo): Mr Speaker, Sir, let me first of all thank my friend, hon. Dr. S. Boolell, for his intervention on this present Bill. From the tenor of his speech and also the issues which he has raised, I believe that he is in agreement with the amendments which I am bringing to the House.

In fact, I recall that before the break of the last session of this House, he told me in the corridor - if I am allowed, with his permission, to say so - why I am protecting the MSPCA. I told him to have some patience, and he will see whether I am protecting the MSPCA or I am doing away with MSPCA - in a way to say.

Mr Speaker, Sir, we are here today with the first stepping stone, as I said, the first action which we are taking. He asked me why I do not say it loud and clear that I am cleaning, I am doing away with the actual team, the actual Council and replacing it by another one. I will be wrong if I do that; if I do just that; taking those people from there and replacing them by other people. What I am doing, Mr Speaker, Sir, is to do away with the Council for the reasons which I have mentioned earlier in my speech, but with a new vision and mandate altogether, to look into the sector altogether; what changes need to be brought,

and not only for animal welfare. I mentioned earlier that we are adopting a holistic approach to all the business in this particular sector, from issuing of Pedigree certificate to breeding activities, granting of licences for breeding activities, from dog shows and pet shows to also disease control in a more efficient manner. We are also, as I said, not only planning; we are working on this. We have gone quite a long way ahead for the construction of a modern animal hospital; where there is none! Today, in 2013, we don't have an animal hospital in Mauritius. What we have is like a small dispensary where only basic health care is given. It is not a hospital; it cannot be called a hospital because it is not. So, we are coming up with the construction of a modern hospital.

On the question of dog control, as I said, we need to educate and sensitise the public. Only last week I was in London and I met a vet there. In fact, he is the owner and Director of an animal clinic. He told me that 50 years ago, other countries used to face the problem which Mauritius is facing today, and they have done away with those problems.

The problem of stray dogs, for example, in a modern country does not arise, because owners are educated, owners are responsible. Owners know the exact responsibility when they decide to rear a pet. This is not so in Mauritius; we have a long way to go.

Again, he said, what he had to do is to treat broken bones 50 years ago. And for the past 50 years, he has done away with this. No dog comes into his clinic with broken bones, because there is no accident, because of the education and sensitisation programmes which they have carried out, Mr Speaker, Sir. Owners do not go to the hospital because of diseases, for example, skin disease in those countries. They have done away with this, but we are still struggling with these factors, Mr Speaker, Sir.

Today, they go for other kinds of problems like cancer, heart problem, complicated surgeries and these kinds of problems. They are ahead of us in all spheres. So, we are working in this also, Mr Speaker, Sir.

As I said, now as far as controls of stray dogs are concerned, we are all conscious of the environmental problem, especially Mauritius being a tourist destination which the country faces with stray dogs. It is a big problem which has been there for quite some time but, as I said earlier, the programme which was set in place for so many years has not shown positive results. The catching and killing of dogs have not shown any result, neither here nor in any other country, Mr Speaker, sir. They have shifted from catching and killing to catching, neutering and releasing. It might sound a bit crazy, Mr Speaker, Sir.

In so many countries this has shown that in the long run, this is the programme by which we can get rid of the stray dogs.

As I said, we are also doing away with the present committee because the election which was held six months ago, I believe, was tainted, because they abused on the proxy system. So, it is not only replacing the committee members by other members - I am going to as I said. This is an interim committee.

A very valid point which was raised by hon. Dr. S. Boolell is the question of time. I, myself, asked this question. I discussed this issue with the officers of my Ministry. I said I do not want to replace this committee by another committee on a permanent basis, because there would be no election. I said, we have within a reasonable time, and I am giving a guarantee. I am assuring the House that within months I am going to be here again with the Animal Welfare Bill, which will take care of most of the issues which have been raised in this House today. Within a month I will come back to the House, Mr Speaker, Sir, and, as I said, for the construction of the hospital, we are working on this. So, this is a first step towards modernisation of the sector and a profound change and reform of the sector, Mr Speaker, Sir.

With these words, I commend the Bill to the house.

Question put and agreed to.

Bill read a second time and committed.

(At this stage the Deputy Speaker took the Chair)

COMMITTEE STAGE

(Mr Deputy Speaker in the Chair)

The Mauritius Society for the Prevention of Cruelty to Animals (Temporary Provisions) Bill (No. III of 2013) was considered and agreed to.

On the Assembly resuming with Mr Speaker in the Chair, Mr Speaker reported accordingly.

Third Reading

On motion made and seconded, the Mauritius Society for the Prevention of Cruelty to Animals (Temporary Provisions) Bill (No. III of 2013) was read the third time and passed.