

No. 2 of 2010



REPUBLIC OF MAURITIUS

## FOURTH NATIONAL ASSEMBLY

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**FIRST SESSION**

**TUESDAY 23 MARCH 2010**

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*Members**Members***THE CABINET****(Formed by Dr. the Hon. Navinchandra Ramgoolam)**

Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	<i>Prime Minister, Minister of Defence and Home Affairs</i>
Dr. the Hon. Ahmed Rashid Beebeejaun, GCSK,FRCP	<i>Deputy Prime Minister, Minister of Renewable Energy and Public Utilities</i>
Hon. Charles Gaëtan Xavier Luc Duval, GCSK	<i>Vice-Prime Minister, Minister of Tourism, Leisure and External Communications</i>
Dr. the Hon. Rama Krishna Sithanen, GCSK	<i>Vice-Prime Minister, Minister of Finance and Economic Empowerment</i>
Hon. Anil Kumar Bachoo	<i>Minister of Public Infrastructure, Land Transport and Shipping</i>
Dr. the Hon. Arvin Boolell	<i>Minister of Foreign Affairs, Regional Integration and International Trade</i>
Hon. Dharambeer Gokhool	<i>Minister of Industry, Science and Research</i>
Dr. the Hon. Abu Twalib Kasenally	<i>Minister of Housing and Lands</i>
Hon. Mrs Sheilabai Bappoo, GOSK	<i>Minister of Social Security, National Solidarity and Senior Citizens Welfare &amp; Reform Institutions</i>
Hon. Mrs Indranee Seebun, GOSK	<i>Minister of Women's Rights, Child Development &amp; Family Welfare</i>
Dr. the Hon. Vasant Kumar Bunwaree	<i>Minister of Education, Culture and Human Resources</i>
Hon. Jayarama Valayden	<i>Attorney-General</i>
Hon. Satya Veyash Faugoo	<i>Minister of Agro Industry, Food Production and Security</i>
Dr. the Hon. Rajeshwar Jeetah	<i>Minister of Health and Quality of Life</i>

Hon. Mahendra Gowressoo	<i>Minister of Business, Enterprise and Cooperatives</i>
Hon. Mohammed Asraf Ally Dulull	<i>Minister of Information and Communication Technology</i>
Hon. Sylvio Hock Sheen Tang Wah Hing	<i>Minister of Consumer Protection and Citizens Charter</i>
Hon. Jean François Chaumière	<i>Minister of Labour, Industrial Relations and Employment</i>
Hon. Lormus Bundhoo	<i>Minister of Environment and National Development Unit</i>
Dr. the Hon. Balkissoon Hookoom	<i>Minister of Civil Service and Administrative Reforms</i>
Hon. Satyaprakash Ritoo	<i>Minister of Youth and Sports</i>
Hon. Louis Hervé Aimée	<i>Minister of Local Government, Rodrigues and Outer Islands</i>

*Members*

*Members*

PRINCIPAL OFFICERS AND OFFICIALS

*Mr Speaker*

Purryag, Hon. Rajkeswur, GCSK, GOSK

*Deputy Speaker*

Sinatambou, Hon. M. J. Noël-Etienne Ghislain

*Deputy Chairman of Committees*

Rucktooa, Hon. Dharmajaye

*Clerk of the National Assembly*

Dowlutta, Mr R. Ranjit

*Deputy Clerk*

Lotun, Mrs B. Safeena

*Clerk Assistant*

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*Chief Hansard Reporter and Sub-Editor*

Lam Shu On, Ms Clivie

*Senior Library Officer*

Pallen, Mr Noël

*Serjeant-at-Arms*

Munroop, Mr Kishore

**MAURITIUS**

**Fourth National Assembly**

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**FIRST SESSION**

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**Debate No. 2 of 2010**

**Sitting of Tuesday 23 March 2010**

**The Assembly met in the Assembly House, Port Louis,**

**at 11.30 a.m**

**The National Anthem was played**

*(Mr Speaker in the Chair)*

**PAPERS LAID**

**The Prime Minister:** Sir, the Papers have been laid on the Table –

**A. Speaker's Office:**

The Annual Report and Audited Accounts of the Independent Commission Against Corruption for the period 2008-2009 (*In Original*).

**B. Prime Minister's Office –**

- (a) Certificate of Urgency in respect of the following Bills:-
- (i) The Criminal Code (Amendment) Bill (No. I of 2010);
  - (ii) The Arabic-Speaking Union Bill (No. II of 2010);
  - (iii) The Bhojpuri-Speaking Union Bill (No. III of 2010);
  - (iv) The Creole-Speaking Union Bill (No. IV of 2010);
  - (v) The Mandarin-Speaking Union Bill (No. V of 2010); and
  - (vi) The Sugar Cane Planters Trust (Repeal) Bill (No. VI of 2010).
- (b) The Civil Aviation (Terminal Expension Fee) Regulations 2010 (Government Notice No. 13 of 2010).
- (c) The Civil Aviation (Amendment) Regulations 2010 (Government Notice No. 17 of 2010).
- (d) The Civil Aviation (Security) (Amendment) Regulations 2010 (Government Notice No. 18 of 2010).

**C. Ministry of Renewable Energy and Public Utilities –**

The Report of the Director of Audit on the Financial Statements of the Wastewater Management Authority for the year ended 30 June 2009  
(*In original*).

**D. Ministry of Finance and Economic Empowerment –**

- (a) The Digest of Energy and Water Statistics 2008.
- (b) The Excise (Amendment) Regulations 2010 (Government Notice No. 1 of 2010).
- (c) The Annual Report of the Lottery Committee for the year 2008/2009  
(*In Original*).
- (d) The Freeport (Amendment of Schedule) Regulations 2010 (Government Notice No. 19 of 2010).
- (e) The Report and Accounts of the Portable Pension Fund for the year ended 30 June 2009 (*In original*).
- (f) The Digest of External Trade Statistics for the year 2008.
- (g) Poverty Analysis for the year 2006/2007.
- (h) The Public Procurement (Amendment of Schedule) Regulations 2010 (Government Notice No. 54 of 2010).
- (i) The Financial Services (Consolidated Licensing and Fees) (Amendment) Rules 2010 (Government Notice No. 61 of 2010).
- (j) The Digest of Social Security Statistics 2008.
- (k) The Borrower Protection (Amendment of Schedules) Regulations 2010 (Government Notice No. 67 of 2010).
- (l) The Loan Agreement for Aide Programme Environment from Agence Française de Developpement (*In Original*).

**E. Ministry of of Public Infrastructure, Land Transport & Shipping –**

- (a) The Road Traffic (Bus Fares) (Amendment) Regulations 2010 (Government Notice No. 14 of 2010).
- (b) The Road Traffic (Control of Vehicle Emissions) (Amendment) Regulations 2010 (Government Notice No. 15 of 2010).
- (c) The Road Traffic (Construction and Use of Vehicles) Regulations 2010 (Government Notice No. 53 of 2010).
- (d) The Pointe aux Piments-Mon Choisy Coast Road (B38) (Modification) Regulations 2010 (Government Notice No. 56 of 2010).

**F. Ministry of Social Security, National Solidarity & Senior Citizens Welfare & Reforms Institutions –**

- (a) The National Pensions (Collection of Contributions) (Amendment) Regulations 2009 (Government Notice No. 8 of 2010).
- (b) The National Pensions (Amendment of Schedule) Regulations 2009 (Government Notice No. 9 of 2010).
- (c) The National Pensions (Registration of Employers) (Amendment) Regulations 2009 (Government Notice No. 10 of 2010).
- (d) The National Savings Fund (Amendment of Schedule) Regulations 2009 (Government Notice No. 11 of 2010).
- (e) The National Savings Fund (Collection of Contributions) (Amendment) Regulations 2009 (Government Notice No. 12 of 2010).
- (f) The Report of the Director of Audit on the Financial Statements of the National Council for the Rehabilitation of Disabled Persons (NCRD) for the year 2008/2009 (*In original*).
- (g) The Statutory Bodies Pension Funds (Amendment of Schedules) Regulations 2010 (Government Notice No. 66 of 2010).

- (h) The National Pensions (Increase in Pensions) Regulations 2010 (Government Notice No. 68 of 2010).
- (i) The National Pensions (Pension Points) Regulations 2010 (Government Notice No. 69 of 2010).
- (j) The National Pensions (Industrial Injuries) Regulations 2010 (Government Notice No. 70 of 2010).
- (k) The National Pensions (Amendment of Schedule) Regulations 2010 (Government Notice No. 71 of 2010)
- (l) The Annual Report on the Probation & After Care Service for the Year 2008.

**G. Ministry of Women's Rights, Child Development, Family Welfare & Consumer Protection –**

The Rodrigues Regional Assembly Child Protection (Placement Home) Regulations 2009 (Government Notice No. 1 of 2010).

**H. Ministry of Education, Culture and Human Resources –**

- (a) The Report of the Director of Audit on the Financial Statements of the Mauritius Qualification Authority for the year ended 30 June 2008.
- (b) The Mauritius Institute of Training and Development (Transitional Provision) Regulations 2010 (Government Notice No. 16 of 2010).

**I. Ministry of Health & Quality of Life –**

- (a) The Food (Amendment) Regulations 2010 (Government Notice No. 48 of 2010).
- (b) The Medical Council (Recognised Professional Body) (Amendment) Regulations 2009 (Government Notice No. 49 of 2010).

- (c) The Report of the Director of Audit on the Financial Statements of the Morris Legacy Fund for the year ended 30 June 2009 (In original).
- (d) The Medical Council (Medical Institutions) Regulations 2010 (Government Notice No. 57 of 2010).
- (e) The Medical Council (Medical Institutions) (Amendment) Regulations 2010 (Government Notice No. 58 of 2010).
- (f) The Dental Council (Medical Institutions) (Amendment) Regulations 2010 (Government Notice No. 59 of 2010).

**J. Ministry of Consumer Protection and Citizens Charter –**

- (a) The Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment) Regulations 2010 (Government Notice No. 2 of 2010).
- (b) The Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 2) Regulations 2010 (Government Notice No. 3 of 2010).
- (c) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment) Regulations 2010 (Government Notice No. 4 of 2010).
- (d) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 2) Regulations 2010 (Government Notice No. 5 of 2010).
- (e) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 29) Regulations 2010 (Government Notice No. 6 of 2010).
- (f) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 3) Regulations 2010 (Government Notice No. 47 of 2010).

- (g) The Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 3) Regulations 2010 (Government Notice No. 50 of 2010).
- (h) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 4) Regulations 2010 (Government Notice No. 51 of 2010).
- (i) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 5) Regulations 2010 (Government Notice No. 52 of 2010).
- (j) The Consumer Protection (Trade Fair and Exhibition) (Amendment) Regulations 2010 (Government Notice No. 60 of 2010).
- (k) The Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 4) Regulations 2010 (Government Notice No. 62 of 2010).
- (l) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 6) Regulations 2010 (Government Notice No. 63 of 2010).
- (m) The Consumer Protection (Control) of Price of Taxable and Non-Taxable Goods) (Amendment No. 5) Regulations 2010 (Government Notice No. 64 of 2010).
- (n) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 7) Regulations 2010 (Government Notice No. 65 of 2010).

**K. Ministry of Labour, Industrial Relations and Employment –**

- (a) The Attorneys' and Notaries' Employees (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 20 of 2010).

- (b) The Baking Industry (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 21 of 2010).
- (c) The Blockmaking, Construction, Stone Crushing and Related Industries (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 22 of 2010).
- (d) The Catering and Tourism Industries (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 23 of 2010).
- (e) The Cinema Employees (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 24 of 2010).
- (f) The Cleaning Enterprises (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 25 of 2010).
- (g) The Distributive Trades (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 26 of 2010).
- (h) The Domestic Workers (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 27 of 2010).
- (i) The Electrical Engineering and Mechanical Workshops (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 28 of 2010).
- (j) The Export Enterprises (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 29 of 2010).
- (k) The Factory Employees (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 30 of 2010).
- (l) The Field-Crop and Orchard Workers (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 31 of 2010).
- (m) The Light Metal and Wooden Furniture Workshops (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 32 of 2010).

- (n) The Livestock Workers (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 33 of 2010).
- (o) The Newspapers and Periodicals Employees (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 34 of 2010).
- (p) The Nursing Homes (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 35 of 2010).
- (q) The Office Attendants (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 36 of 2010).
- (r) The Pre-Primary School Employees (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 37 of 2010).
- (s) The Printing Industry (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 38 of 2010).
- (t) The Private Secondary School Employees (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 39 of 2010).
- (u) The Public Transport (Buses) Workers (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 40 of 2010).
- (v) The Salt-Manufacturing Industry (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 41 of 2010).
- (w) The Sugar Industry (Agricultural Workers) (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 42 of 2010).
- (x) The Sugar Industry (Non-Agricultural Workers) (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 43 of 2010).
- (y) The Tailoring Trade (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 44 of 2010).
- (z) The Tea Industry Workers (Remuneration Order) (Amendment) Regulations 2009 (Government Notice No. 45 of 2010).

- (aa) The Travel Agents and Tour Operators Workers Remuneration (Amendment) Regulations 2009 (Government Notice No. 46 of 2010).

**L. Ministry of Youth and Sports –**

The Sports (Amendment of Schedule) Regulations 2010 (Government Notice No. 55 of 2010).

**M. Ministry of Local Government, Rodrigues and Outer Islands –**

The Municipal Council of Port Louis (General Rate) Regulations 2009 (Government Notice No. 7 of 2010).

**ORAL ANSWERS TO QUESTIONS**

**RICHE TERRE LAND SETTLEMENT - VEGETABLE GROWERS -  
COMPENSATION**

**The Leader of the Opposition (Mr P. Bérenger)** (*By Private Notice*) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the case of the 23 vegetable growers of Riche Terre Land Settlement who refused the compensation offered to them, and his decision to appoint a committee, comprising of Mr Alain Noël and Mr Jairaj Ramkissoon as independent arbitrators to look thereinto, he will –

- (a) state the terms of reference of the committee, indicating the time frame within which it will submit its report, and
- (b) table copy of the report of the Principal Government Valuer which deemed that compensation offered to them was fair and reasonable.

**The Minister of Agro Industry, Food Production and Security (Mr S. Faugoo):** Mr Speaker, Sir, with your permission, I am replying to this Private Notice Question as well as PQ No. B/51 as both relate to the same issue.

In October 2006, Government decided to set up the Mauritius Tianli Economic Trade Cooperation Zone. On 27 October 2006, a Ministerial Committee was set up to look into the allocation of appropriate plots of land for the setting up of that zone.

On 31 October 2006, the Ministry of Housing and Lands requested my Ministry to initiate necessary action in connection with the following –

- (a) a survey on the number of planters in the region of Riche Terre and Terre Rouge;
- (b) the possibilities of relocating the planters in the vicinity, and
- (c) the setting up of a committee comprising the Chief Government Valuer, AREU, the Irrigation Authority and the Board of Investment to work out on the quantum of compensation to be paid to the planters if they could not be relocated.

According to a field survey report submitted by AREU on 14 and 15 November 2006, out of the 120 planters only 51 lease holders were cultivating their plot of land on a regular basis. The Chief Government Valuer had assessed the question of compensation to be paid. In his report, it is mentioned that the valuation was based on a standard lease of 30 years starting 01 September 1985 with annual rent of Rs120 per *arpent* and that the loss of crops was to be assessed by AREU.

AREU submitted a report on 27 November 2006 on crop status and an estimate of compensation. However, the question of payment of compensation for loss of crops did not arise as all the 51 active planters concerned were given a reasonable delay to harvest their standing crops before leaving the land.

On 06 March 2007, a letter duly vetted by the Attorney General's Office was issued to the 120 lease holders informing them the Government was resuming possession of all State lands falling under the Riche Terre Land Settlement, that the lease agreement was cancelled and compensation would be paid to them as provided under Article XI of the General Conditions of the lease. They were given up to 30 April 2007 to vacate the land.

The President of the Riche Terre Mixed Farming Cooperative Society which grouped all the planters wrote to my Ministry on 09 March 2007, confirming that no new plantation would

be undertaken on the land and all planters would vacate the land as from April 2007. He had, however, requested that the planters be allowed to harvest existing crops until 30 June 2007.

At a meeting which the then Minister of Agro Industry had with members of the Riche Terre Mixed Farming Cooperative Society on 19 March 2007, it was decided that land on the State Agricultural Stations at Arsenal and Bois Marchand would be allocated to the 51 active planters, i.e. 1A to each of them, to allow them to continue their activities, in addition to the cash compensation. It was also agreed that the planters would be allowed up to end of June 2007 to harvest any existing crop.

On 17 May 2007, the Prime Minister met the 120 planters to announce the measures taken in their favour. In fact, at the request of the planters, the Prime Minister indicated that the cash compensation would be increased from Rs100,000 per *arpent* as assessed by the Government Valuer to Rs120,000 per *arpent*.

Payment of compensation and drawing of lots for land at Bois Marchand and Arsenal were effected on 23 and 24 May 2007 upon production of the lease agreement by the beneficiaries. 97 planters (including heirs of deceased planters) have taken the compensation and 38 out of the 51 active planters had signed the lease agreement. 23 planters had refused the cash compensation including 13 planters who were also eligible for land.

Six of the 23 planters had refused to leave the land. My Ministry had to apply to the Supreme Court to issue an eviction order against these planters. The Judge in Chambers, on 04 October 2007, accordingly ordered each of the planters to quit, leave and vacate the plots occupied by them under the lease agreement by 30 November 2007.

On 11 October 2007, the six planters lodged a notice of appeal against the State of Mauritius to have the judgment quashed, reversed, set aside or amended. On 17 October 2007, they applied for a stay of action on the judgment delivered by the Judge in Chambers on 04 October 2007. The application for stay was withdrawn on 28 December 2007.

The appeal which was lodged by the planters was fixed to 05 November 2009 for Merits before the Supreme Court. On 23 October 2009, the State Law Office informed my Ministry that the appeal was withdrawn on 15 October 2009. Subsequently, on 10 March one of the 23

planters has accepted the compensation proposed by Government and has signed a lease agreement.

The planters had made an initial claim of up to Rs3.9 m. Subsequently, they have made a revised claim for a compensation of Rs900,000 to each of them plus 10P of land for residential purpose. These planters were advised all along to await the court judgment as Government was bound to comply therewith. However, they had decided to withdraw the case. Following the withdrawal of the case in November 2009, they were invited to depone individually before a committee of officials set up by my Ministry to justify their claim for a higher compensation but they had refused to do so. In fact, we had convened all the 23 in writing to come to the office and depone.

Government has now decided to appoint two independent arbitrators, namely Mr Alain Noël, Chairman of the Food and Agricultural Research Council, and Mr Jairaj Ramkissoon, Director of the Food and Agricultural Research Council, to look into the case of the planters who have refused the compensation.

The terms of reference of the Committee are as follows -

- (i) to verify whether all procedures for termination of lease agreement in respect of State Agricultural Land at Riche Terre Land Settlement have been adhered to;
- (ii) to review the reports of the Land Use Division of the Agricultural Services and the Agricultural Research and Extension Unit in relation to land occupancy and crop status of the fields occupied by the ex-planters and the report of the Government Valuation Office in relation to the amount of compensation payable to the ex-planters and to ascertain whether all relevant factors have been duly considered in determining the nature/quantum of compensation granted to these ex-planters;
- (iii) to examine whether the claim for higher compensation by a group of 22 ex-planters is justified, and
- (iv) to submit a report on paragraphs 1, 2 and 3 above.

I have impressed upon the committee to submit its report within a reasonable time. However, I have been advised by the committee that it will submit its report in a month's time.

Mr Speaker, Sir, in regard to part (b) of the question, I am tabling the report of the Director, Valuation and Real Estate Consultancy Services, the then Chief Government Valuer dated 17 November 2006 on the assessment of compensation payable in respect of ex-planters.

Mr Speaker, Sir, it is worth noting that in a judgment delivered by the Supreme Court in the case brought by Government against the six planters for eviction, the Judge, *inter alia*, stated that not only has there been an assessment by the Chief Government Valuer, but the applicant has offered and made available to the respondents since 18 May 2007, a higher compensatory amount in addition to the lease of an alternative plot of land of the same size.

As a matter of fact all the planters were offered compensation substantially higher than the figure determined by the Government Valuer.

Mr Speaker, Sir, I should like to highlight the fact that, over and above the cash compensation, Government has provided the following additional measures -

- (i) writing-off of debts owed to Irrigation Authority and the CEB amounting to about Rs2m;
- (ii) re-scheduling of repayment of loan contracted with DBM, and
- (iii) allocation of State agricultural land at Arsenal and Bois Marchand to 51 active planters to enable them to continue their activities. The rental of land namely Rs120 per year remained unchanged, although the rental has been revised for other lessees. In fact, they are paying Rs1,500 actually.

Mr Speaker, Sir, the House will appreciate that the Government has throughout acted in good faith and in a humane manner. We should today avoid doing the work that has been entrusted to the Independent Committee.

**Mr Bérenger:** Mr Speaker, Sir, I have put my question to the hon. Prime Minister because it was his decision to set up that two-man committee and also because there are more than two Ministers concerned: the Minister of Agro Industry, Food Production and Security and the Minister of Housing and Lands. I hope the hon. Minister will be able to reply to questions which I could have put to the Prime Minister. Can we start with numbers, Mr Speaker, Sir? At his press conference on 05 March and today, the hon. Minister said that 23 vegetable growers refused the compensation. But at his press conference and today he said that only 13 of those 23 were, in fact, cultivating their land and that, therefore, only 13 would get one *arpent* of land for

further cultivation. Has this been double-checked because the planters concerned say that all 23 of them were cultivating their land?

**Mr Faugoo:** What I have stated, Mr Speaker, Sir, is factually correct. In fact, as I said, out of the 120 planters lease holders only 51 were in actual occupation of the land and out of the 51, 38 had already accepted. They had accepted the compensation and they had signed the lease agreement for the new plot of land. Out of the 23, only 13 were entitled to the cash compensation and the land. We had already reserved certain plots of land of one acre each and the land is still available, Mr Speaker, Sir.

**Mr Bérenger:** Mr Speaker, Sir, will Government agree that the two-man committee should look at the files also - AREU and elsewhere - to confirm whether these 10 others were not, in fact, cultivating their land as they say?

**Mr Faugoo:** It is part of the terms of reference, Mr Speaker, Sir. They will be given all the latitude and all the documents. In fact, they have to probe into it. This is the claim of the planters. I am talking about the facts as they are represented in the file officially, Mr Speaker, Sir.

**Mr Bérenger:** We had 51 according to the records who were cultivating their land, 23 refused the compensation and 38 agreed. Out of these 38, can I know how many have settled down on this one *arpent* of land allocated to them?

**Mr Faugoo:** From a survey which we carried out, Mr Speaker, Sir, most of them are actually in occupation of the land, and we never had any complaints from any single of those 38 who had accepted initially to take the land, Mr Speaker, Sir.

**Mr Bérenger:** The hon. Minister has informed us, Mr Speaker, Sir, that today or yesterday the two-man committee said that their report would be available in about one month's time. I am sure the hon. Minister is aware that when Mr Alain Noël went to speak to the small planters on hunger strike, which was a very good move – belated, but a very good move – he told them that his report would be out within 15 days - two weeks. This morning, in a press statement, he says three weeks and the hon. Minister tells us four weeks. Well, what's in a week, we could say, but I am sure the hon. Minister and Government are aware that this is very touchy. Will the hon. Minister, on behalf of Government, impress that the work of the committee must be well done, but within a reasonable time frame?

**Mr Faugoo:** Mr Speaker, Sir, right from the beginning we have impressed upon the committee. Mr Ramkissoo was abroad, he came back on Saturday. I have read in the press what the hon. Leader of the Opposition is saying, that Mr Alain Noël had said he will take 15 days. This is what I have read in the press. But officially, when they took stock of all the documents and the nature and scope of the work, they said that it will take at least three weeks. Today, officially, they have confirmed that it will take at least a month. Within a month - it could be three weeks – they are going to submit the report.

**Mr Bérenger:** Can I know whether the report of this two-man committee will be made public?

**Mr Faugoo:** We will decide afterwards. Let's have the report first. We will have a look at the contents and then we will decide.

**Mr Bérenger:** Can I move on to the question of the terms of reference? Can I know from the hon. Minister how were these terms of reference communicated to the two-man committee - vey a letter from the Prime Minister's Office, the Ministry of Agro Industry, Food Production and security or in some other way?

**Mr Faugoo:** It was the Prime Minister's Office, Mr Speaker, Sir. It is independent of my Ministry because we might be a party to it. We might be asked to come and depone and give facts and figures. This is why it was issued and set up by the Prime Minister's Office. But still all the documents pertaining to this issue remains at the Ministry of Agro Industry, Food Production and Security, Mr Speaker, Sir.

**Mr Bérenger:** Concerning the terms of reference, I listened carefully to the hon. Minister, but I just want to make it double clear that the terms of reference are not for that two-man committee to review whether there has been any confusion, any mistakes, any bad recording, but that the terms of reference allow that two-man committee to have a fresh look at the compensation itself, both financial and in terms of one *arpent* of land, specially so because this morning, Mr Alain Noël forcefully in the press said: *nous reprenons tout a zéro*. Therefore, I want to have it clear that the compensation to be paid itself is allowed to be reviewed under the terms of reference.

**Mr Faugoo:** I can confirm to the House that it is included. They are going to review the compensation. Not only that, they are even free to call for independent expert evidence, Mr Speaker, Sir.

**Mr Bérenger:** If I can move on to the compensation itself, the lease agreement between Government and the small planters had it that the Government Valuer must assess a fair and reasonable compensation. The hon. Minister is aware that these leases were to expire in 2015, therefore, there were still five years for those 51 small planters to cultivate and earn money, be it Rs100,000 or Rs200,000 of revenue per year. How can we explain that whereas there were 5 years of lease left, the Government Valuer estimated that only Rs100, 000 per *arpent* was to be paid?

**Mr Faugoo:** I cannot put myself into the shoes of the Chief Government Valuer but, we must bear in mind, Mr Speaker, Sir, that the rent was Rs120 per year. It is Government land and not private land. They were left with only 5 years and they were allowed to harvest whatever they had planted. But, over and above, Mr Speaker, Sir, we could have stopped there, the lease agreement refers to compensation to be assessed by the Government Valuer, this is what we did exactly and this is what has been said in the judgement by the Supreme Court, that we followed the procedure and we have given sufficient compensation. But, over and above, to allow them to continue their activities, we have given them land which is of extra value and more productive and a lot of other services. We have given extension services to them. It is fenced and there will be irrigation over there. 30% of their produce was being stolen as there was theft where they were, but this one is well secured. So, it is a better place, more productive, with less cost and we were still prepared under the Food Security Programme to help them to start. This is what we have done exactly in the case of the 35 planters, Mr Speaker, Sir.

**Mr Bérenger:** I will come to that later on. But sticking to the amount of compensation, I am sure that the hon. Minister is aware that he would not have to step into the shoes of the Chief Government Valuer, but in the shoes of AREU because the Chief Government Officer relied on a report from AREU to come to the final compensation arrived at. Therefore, is it clear that the two-man committee having been set up will also look at the report from AREU which was used by the Chief Government Valuer to come to the final compensation offered?

**Mr Faugoo:** I would advise the Leader of the Opposition to go through the terms of reference. In fact, we have already given all these documents to the committee, Mr Speaker, Sir, namely the report of the Land Division, the report of AREU, the report of the Chief Government Valuer and, over and above, if they want us to come and depone, I will ask my technicians to do so, because we have so far done everything in a transparent manner. It is not now that we are

going to hide things, we have already given them and we will still give whatever they will ask for.

**Mr Bérenger:** The terms of reference which the hon. Minister has again referred to include, I take it also, that request of 10 perches for residential purposes because many of them were living on that piece of land which has been withdrawn.

**Mr Faugoo:** None of them was living there. This is what they created, Mr Speaker, Sir. Every time they come up with a new thing and this is something that I have only heard today. Not a single one was living on the land as they were not allowed to construct on the land, Mr Speaker, Sir. If that was the case, it would have come out in the report of AREU. So, I confirm to the House that there was not a single planter who was actually living on that particular land.

**Mr Bérenger:** That also, I take it, will be subject to review by the two-man committee, including their request for 10 perches of land for residential purposes.

**Mr Faugoo:** I do not know what they are going to ask, they started with Rs3.9 m. and they might increase it to Rs4 m. now. They might ask not for 10 perches, but maybe one acre for residential purposes. I do not know, Mr Speaker, Sir. They are going to depone before the committee and they might revise it because every week, every month and every year they have been coming with different representations and I do not know what they are going to ask for. We will have to wait for the committee. They have the right to be accompanied and they are going to depone before the committee. Let us wait for the report of the committee. I do not want to be seen to be putting pressure on the committee, it is independent and they are going to do their work in all transparency. So, let us wait for the report.

**Mr Bérenger:** The hon. Minister has made reference to certain other things apart from the compensation and he said, as in his press conference, that the one *arpent* land offered to them is *plus productif* than the land which they were exploiting. Can I know who has made that assessment and whether there is any report saying so that is available?

**Mr Faugoo:** Mr Speaker, Sir, the land which we offered to them was an agricultural station which was being cultivated by the Ministry. We were growing seeds over there. This is why I said that it is a better land and more productive. We do not need a report. This is common sense, Mr Speaker, Sir. It was an agricultural station, Mr Speaker, Sir that we were using. Had it not been productive and a good land, why would the Ministry of Agriculture choose Arsenal and Bois Marchand to grow seeds in the first place?

**Mr Bérenger:** Apart from common sense, I take it that there is no report, no assessment by AREU or by anybody else. The hon. Minister has also said that the security would be better.

*(Interruptions)*

**Mr Speaker:** Order!

**Mr Bérenger:** My information is to the contrary. That is why, if it was the hon. Prime Minister replying, I would also have asked him whether there is a Police report, because I know that there have been moves towards the Police of that area as the planters are worried at Bois Marchand especially, but in general, that there will be security problem. Therefore, have the Police been approached and has a security audit been carried out?

**Mr Faugoo:** Mr Speaker, Sir, the proof of the pudding is in the eating. We must just go and visit the 38 planters who are occupying the land and see whether it is productive or more productive. We have no report so far of any larceny, Mr Speaker, Sir. Had there been any report, we would have come up with it.

**Mr Bérenger:** I did not hear the hon. Minister say that with any precision today but, at his press conference, and elsewhere, he said that Government, through different parastatal bodies and institutions, is prepared to help those planters get their land ready for production. Can I know what has been offered exactly and whether this has been offered in writing to the planters concerned?

**Mr Faugoo:** In fact, they were called at the office and they were informed that this is what Government is doing generally and not only for those 23 planters. This Government has voted Rs1 billion to boost up the agricultural sector, Mr Speaker, Sir. They can benefit, just like others are benefitting. We informed them that we can prepare the land, give them extension services, seeds so that they can start their activities, Mr Speaker, Sir. This is an offer which was made and which is still valid, Mr Speaker, Sir.

**Mr Bérenger:** My final question relates to Tianli, now Jinfei. We know that they have obtained 500 *arpents* of very prime land which represents a fortune. They are supposed to invest billions of rupees in that economic zone. Can I know whether Tianli/Jinfei, throughout the saga, has offered any financial contribution in regard to the compensation to be paid to these planters and if not, whether Government has approached them for anything of the sort?

**Mr Faugoo:** The answer is no, Mr Speaker, Sir, for the simple reason that this was a very big project, first of its kind, huge investment, creation of 40,000 direct and indirect employment. We have compensated by strictly complying with the lease agreement; over and above, we have given land, Mr Speaker, Sir. Where is the question of compensating more or asking the Chinese Government? It does not stand, Mr Speaker, Sir.

**Mr Bérenger:** I did not mention the Chinese Government. I mentioned Tianli/Jinfei.

**Mr Gunness:** It seems that only the annual rental value has been taken into account when compensating. Can I know from the hon. Minister whether the officers of AREU went on field to see the investment of the planters in terms of fencing, land preparation, their investment and their indebtedness, whether these have been taken into account?

**Mr Faugoo:** I said, Mr Speaker, Sir, one of the factors which was taken into account is the rental that they were paying. They have also taken into account the length of the lease. It was going to expire in five years' time and also the report of AREU which mentions all these.

**Mr Dullo:** Could the hon. Minister say when the 23 planters definitely turned down the offer and whether at that time an inquiry was made on each individual plot, since they were claiming that they were occupying and actively cultivating the individual plots, to determine since when they have been occupying and cultivating same and how they have invested and improved the land over that long period?

**Mr Faugoo:** The hon. Member is a lawyer, Mr Speaker, Sir. As soon as there was a judgement of the court, they appealed before the Supreme Court and the case was *sub judice* all along until November of last year. When they withdrew the case we asked them to come and depone and to show how much they have spent, in what way they have been prejudiced, how we can increase whatever has been paid, Mr Speaker, Sir, but they chose not to do.

**Mr Guimbeau:** Mr Speaker, Sir, recently in the same region, an agricultural land user got a compensation of Rs7.5 m. on a piece of land which has been evaluated by the Chief Government Valuer at Rs 500,000. The House would like to know why such difference.

**Mr Speaker:** The hon. Minister is not the Government Valuer.

**Mr Gunness:** Concerning the 38 planters who have been granted a plot of land and who have signed a lease agreement, can we know the lease is for how many years?

**Mr Faugoo:** For seven years, Mr Speaker, Sir. This is the usual length of time that we give.

**Mr Guinness:** Is the hon. Minister prepared to lay on the Table of the Assembly the report that was prepared by AREU at some point in time before deciding on the compensation?

**Mr Faugoo:** I think the best would be to wait for the report of the Committee. As I said, let us not put ourselves in the shoes of the committee, Mr Speaker, Sir.

**Mr Guimbeau:** Mr Speaker, Sir, to be fair towards the planters, can the hon. Minister refer the case of the planters to a Board of Assessment to review the value of the land?

**Mr Faugoo:** The hon. Member must go and read the law, Mr Speaker, Sir. The Value Assessment Tribunal is for private property, Mr Speaker, Sir.

**Mr Bérenger:** There is a delicate question of confidence building. Clearly, Mr Alain Noël has managed to come across well to those planters who were on the strike; the hunger strike has stopped, they are to work and they will produce their report. Will the hon. Prime Minister look carefully into it? I think the Government would say yes, that the report will be made public. When the hon. Minister said that we will study it first, then we will see whether we will make it public, breaks down confidence in the independence of that committee, breaks down confidence generally. So, why not just say yes; you have chosen the two gentlemen concerned, they are highly respected, that report should be made public whatever it contains.

**Mr Faugoo:** I have no problem with that, Mr Speaker, Sir. If we have to make it public, we will do so. As I said, it is being done in a transparent manner, there is nothing to hide and we will make it public.

**Mr Speaker:** Questions addressed to Dr. the hon. Prime Minister! The Table has been advised that PQ B/37 addressed to hon. Attorney General will be replied by Dr. the hon. Prime Minister, time permitting. Hon. Mrs Hanoomanjee!

#### ***JARDIN DE LA COMPAGNIE AND RUISSEAU DU POUCE - POLICE PATROLS***

**(No. B/1) Mrs S. Hanoomanjee (Second Member for Savanne & Black River)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the police patrols effected at night, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof effected, in the vicinity of the *Jardin de la Compagnie* and of the *Ruisseau du Pouce*, over the past six months, indicating -

- (a) the number of arrests effected, if any, and

- (b) if during the night of Friday 06 November 2009, between 1900 hours and midnight, any police patrol was effected and, if not, why not.

**The Prime Minister:** Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that from September 2009 to 17 March 2010, 701 night patrols have been effected by Police in the vicinity of the *Jardin de la Compagnie* and of the *Ruisseau du Pouce* next to *Jardin de la Compagnie*. These patrols were carried out by different units of the Police, including the personnel of Pope Hennessy Police Station which covers that region, the Metropolitan South Divisional Support Unit, the CID Metropolitan South and the Emergency Response Service. A total of 10 persons have been arrested in 10 different cases in the region during that period.

As regards to part (b) of the question, I am informed that on the night of 6 November 2009 between 1900 hours and midnight two patrols were effected in that specific area by a crew of the Emergency Response Service and a team of the Divisional Support Unit together with personnel of the Special Supporting Unit . During the patrols, people were stopped and questioned, but nothing unusual was detected at that time.

**Mrs Hanoomanjee:** Mr Speaker, Sir, can I just ask the hon. Prime Minister, given that this area is considered as a red light area, why is it that the Commissioner of Police does not deem it fit to have policemen at specific places regularly there?

**The Prime Minister:** This is what I said. There are police patrols regularly there. In fact, as I said, from the days the hon. Member mentioned, there were 701 night patrols effected.

### **POLICE OFFICERS – BSc POLICE STUDIES**

(No. B/2) **Mrs S. Grenade (Second Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the police officers who have followed the BSc Police Studies courses at the University of Mauritius, in collaboration with the University of Portsmouth, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, indicating those who have not yet been promoted.

**The Prime Minister:** Mr Speaker, Sir, upon my initiative, an agreement was signed in October 1999 between the Government and the University of Portsmouth for the running by the University of Mauritius of a BSc (Hons) Degree Course in Police Studies.

The course was designed to enhance the professional development of the Mauritius Police Force and with the overall aim of facilitating organisational change and reform.

A first batch of officers was enrolled for a BSc (Hons) Degree Course in Police Studies at the University of Mauritius in academic year 1999-2000 and the last batch in academic year 2004-2005. 314 Police Officers are presently holders of a BSc (Hons) in Police Studies.

Promotion in the Police Force falls under the purview of the Disciplined Forces Service Commission (DFSC) and is governed by Regulations 14 and 19 of the DFSC Regulations. For promotion to the grade of Sergeant and Inspector of Police, Police Officers are required to undergo written examinations.

Officers of specialised/technical units are promoted according to their specialist skills, knowledge and experience in their respective discipline in those particular units upon the recommendation of the Commissioner of Police.

At the present time, all police officers including those holding a degree have to go through the same promotion exercise. Out of the 314 police officers having a BSc in Police Studies, 26 have been promoted.

However, I am informed by the Commissioner of Police that a new scheme is being finalised to allow entry of holders of a degree at the level of Inspector of Police. The proposed scheme provides for the creation of the post of Police Cadet Inspector, which will contribute to the establishment of a modern, accountable, efficient, effective and community focused police service.

As I mentioned when I launched the National Policing Strategic Framework on 24 February 2010, holders of BSc (Hons) in Police Studies will have the opportunity of being posted to critical positions within the service such as Divisional Staff Officers, Force Crime and Intelligence Analysts, Divisional Crime and Intelligence Analysts, Community Police Officers and Neighbourhood Officers with a view to enhancing their contribution in the organisational change and reform.

**Mrs Grenade:** Mr Speaker, Sir, can I ask the hon. Prime Minister to inform the House when is the next promotion exercise? I think it was by mid-November.

**The Prime Minister:** It is being carried out at the moment.

**Mr Dayal:** Mr Speaker, Sir, the laudable initiative of the hon. Prime Minister in 1999 was very much appreciated. The prospective candidates were given a prospectus whereby the purpose of the reform was given to them and side by side they were proposed a few incentives. May I ask whether that could be looked upon?

**The Prime Minister:** That was the whole purpose of it and I am glad to say that not only we initiated it, but Government which came afterwards continued the process.

**Mr Bérenger:** Hon. Mrs Grenade has just said that 100 of Police Constables are waiting to be promoted to the post of Sergeants and Sergeants to Inspectors. For months and months they had been waiting. That very long delay - is it linked in any way to what we have just been informed concerning this scheme?

**The Prime Minister:** This is also the case Mr Speaker, Sir. I must say that during the last Budget, posts were created in the Budget for this precisely.

**Mr Bérenger:** I have been told 314 - if I heard correctly - policemen who had qualified through the BSc Police Studies course, University of Mauritius. Only 26 have been promoted in the ordinary course of events. I am sure that the hon. Prime Minister is not satisfied with such a situation, apart from promotion which, I agree, is done through the Discipline Forces Commission - it has to. But has there been any redeployment so that those who have acquired those skills are better utilised and do not feel frustrated? Having graduated they could, without being promoted, do this job instead of that job.

**The Prime Minister:** Mr Speaker, Sir, probably some hon. Members would know that there used to be Police Cadets where you could have accelerated promotion, and that for some reason it was stopped. That is precisely why this scheme was made. First of all, it motivates the policemen, and I agree with the hon. Leader of the Opposition that it gives motivation. When they pass the exam, they expect to be promoted. I must say, in all fairness, that there were some problems with that scheme, and that is why there has been a delay. There were some problems,

because it appeared to be in conflict with other regulations. But that has been sorted out and that is why posts were created for Police Cadets in the last Budget.

**Mrs Jeewa-Daureeawoo:** Out of the 26 Police officers who have been promoted, may I know how many are women?

**The Prime Minister:** It is a good question and, for the first time I must say, I have the figures, it is 22. I am sorry. I didn't mean 22 have been promoted. What I mean is that, out of them, there are 22 female who hold the BSc.

**Mrs Labelle:** Mr Speaker, Sir, the hon. Prime Minister has mentioned that a new scheme is being worked out for the BSc holders. May I ask the hon. Prime Minister whether he has an indication as to when this scheme will be ready? Some years back I put a question and the answer given to me was that a new scheme is being worked upon for the new BSc holders. May we have an indication as to when this scheme will be ready for these persons?

**The Prime Minister:** I did not want to go into the detail, Mr Speaker, Sir. As I explained, there were some conflicts and there were questions about the procedure as far as the scheme is concerned. That is why there was the delay. But this scheme is being finalised. In fact, some posts have been created in the last Budget.

#### **CONSOLIDATED FUND - MPs VOLUNTARY CONTRIBUTION**

**(No. B/3) Mr P. Jugnauth (First Member for Quartier Militaire & Moka)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the voluntary contribution from hon. Members of Parliament to the National Solidarity Fund or any other fund in favour of the poor, he will, for the benefit of the House, obtain information as to the names of those who are contributing therein, indicating the amount of money collected as at to date.

**The Prime Minister:** Mr Speaker, Sir, with your permission, I am tabling a statement giving the information requested by the hon. Member, as provided by the Clerk of the National Assembly.

I should like to inform the House that, for the period 01 July 2009 to 31 December 2009, the monthly salary of Ministers was reduced by Rs10,000 per month and that of the Prime

Minister by Rs15,000, and all such deductions from the salary of the Prime Minister and the Ministers were paid into the Consolidated Fund.

#### **CMT LTEE - MR S. M. G – DEATH**

**(No. B/4) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the Police inquiry carried out in relation to the death of one Mr S. M. G., which occurred on 13 December 2008, at the Compagnie Mauricienne de Textile Ltée., at La Tour Koenig, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Commissioner of Police that the enquiry into the death of one Mr S.M.G, which occurred on 13 December 2008, following an accident at Compagnie Mauricienne de Textile Ltée., has been completed. The Director of Public Prosecutions has directed the holding of a judicial enquiry in virtue of sections 111 and 112 of the District and Intermediate Courts (Criminal Jurisdiction) Act, and the Police have already taken appropriate steps to lodge the case.

In the meantime, I am also informed that the Ministry of Labour, Industrial Relations and Employment carried out an enquiry into this fatal accident, and legal proceedings have been instituted against Compagnie Mauricienne de Textile Ltée. for breach of sections 5(1) and 53(5) of the Occupational Safety and Health Act 2005. The case has been lodged at the Industrial Court on 03 December 2009 and is coming for trial on 11 May of this year.

**Mrs Navarre-Marie:** Mr Speaker, Sir, this unfortunate accident occurred in 2008 but, up to now, the family has not been informed about the outcome of the enquiry. Will the hon. Prime Minister see to it that, at least, the family be informed about the situation?

**The Prime Minister:** The case is coming to court on 11 May of this year. But if you say that the family is not aware that the case is going to court, then they should have been.

#### **STOLEN PROPERTY – REPORTED CASES**

**(No. B/5) Mr N. Bodha (First Member for Vacoas & Floreal)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to possession of stolen property, he will, for the benefit of the House, obtain from the Commissioner of Police,

information as to the number of reported cases thereof, since January 2009 to date, indicating in each case, if an inquiry has been carried out thereinto and the outcome thereof.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Commissioner of Police that, for the period January 2009 to 18 March 2010, 371 cases of possession of stolen property have been established, and the outcome of these cases is as follows -

- (a) in 108 cases, the accused have been sentenced/fined;
- (b) 35 cases have been dismissed;
- (c) 114 cases are pending in front of the court, and
- (d) 114 cases are pending enquiry.

Mr Speaker, Sir, I should add that the police are relentlessly pursuing three-tier operations triggered at the Force, Divisional and Station levels aimed at combating larcenies. Through enhanced intelligence and increased crack-down operations, targeted raids and monitoring, the Police have been successful in dismantling many gangs operating in various regions of the island and recovering several stolen properties.

**Mr Bodha:** Mr Speaker, Sir, may I ask the hon. Prime Minister whether there is a network of *receleurs*, a network of people who are involved in possession of stolen property, and will he agree that dismantling such networks will help a long way towards the inquiry in the larcenies themselves?

**The Prime Minister:** This is precisely what I said, Mr Speaker, Sir, namely that the police have been successful in dismantling many gangs who were operating in that area. I should say that this is not something that is happening now. The trend has been increasing, and I can give you the figures.

**Mr Bérenger:** When we look at law and order, criminal issues, I am sure the hon. Prime Minister will agree with me that the trend is very important. We are here talking about possession of stolen property. Can I know from the hon. Prime Minister what is the trend? In 2009, has the situation improved as compared to 2007/2008?

**The Prime Minister:** Since 2000, the trend has been gradually increasing. I believe that, with the new police three-tier operations, I think they are now being more successful in

dismantling these gangs.

**Mr Bodha:** Mr Speaker, Sir, may I ask the hon. Prime Minister whether the Field Investigation Unit has been involved in this process?

**The Prime Minister:** I would have thought so, Mr Speaker, Sir.

**Mrs Hanoomanjee:** Mr Speaker, Sir, stolen property also includes agricultural products. Can the hon. Prime Minister say whether he has figures from the Commissioner of Police and whether there has been traceability of stolen agricultural products?

**The Prime Minister:** I know that the police have been investigating for agricultural products. But as to whether it is included in that, they have not given me details of the stolen property.

**Mrs Jeewa-Daureeawoo:** Mr Speaker, Sir, out of the 108 offenders who have been sentenced and fined, can I ask the hon. Prime Minister how many have been re-offending?

**The Prime Minister:** I don't have the figures, Mr Speaker, Sir, but I can let the hon. Member have them later on.

### **GYMKHANA JOGGING TRACK – FACILITIES**

**(No. B/6) Mr S. Dayal (Second Member for Quartier Militaire & Moka)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the Gymkhana jogging track at Vacoas, he will, for the benefit of the House, obtain from the Special Mobile Force, information as to if consideration will be given for the advisability of -

- (a) extending the opening hours thereof to the public, and
- (b) providing, wherever required, additional floodlights to enable workers who finish up late, to avail themselves of the facilities.

**The Prime Minister:** Mr Speaker, Sir, as regards to part (a) of the question, I am informed by the Commissioner of Police that the Vacoas Gymkhana sports grounds, including the jogging track, fall within the security zone of the Special Mobile Force. However, with a view to encouraging the practice of physical exercises, the facilities of the jogging track are opened to the public during specific hours from 06 00 hours to 10 00 hours and from 14 00 hours to 18 00 hours in winter, and from 05 00 hours to 10 00 hours and from 14 00 hours to 19 00

hours in summer. However, there have been numerous requests for the extension of the opening hours because some people feel that, by the time they reach home and they go there, the track is closed. These requests have been passed on to the Commissioner of Police who will also take into account that this is a security zone, but he is relooking at it.

As for part (b) of the question, I am informed that the Special Mobile Force is presently working on a joint project with the Ministry of Environment and National Development Unit and the Municipal Council of Vacoas/Phoenix, to review the lighting system around the Gymkhana sports grounds. The project consists of the installation of double head lamps along the road enclosing the jogging track to enhance visibility thereat and for the safety of the users. The Ministry of Environment and National Development Unit will provide additional vapour lamps, and the Municipal Council will arrange for all fittings, including brackets.

**Mr Speaker:** The Table has been advised that PQ No. B/7 has been withdrawn.

#### **PLAINE MAGNIEN MAIN ROAD – LEARNER’S LICENCE**

**(No. B/7) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the holders of the learner’s licence, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons why they cannot drive on the main road in Plaine Magnien and, if so, the remedial measures that will be taken, if any.

*(Withdrawn)*

#### **MR S. C. - COURT CASE - DISMISSAL**

**(No. B/8) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the case of conspiracy to import Subutex in Mauritius against Mr S. C. and others before the Intermediate Court which was recently dismissed, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, as recommended by the Director of Public Prosecutions, an inquiry has been carried out, following the refusal of witness Ms C. L. to depone therein and, if so, the outcome thereof.

**The Prime Minister:** Mr Speaker, Sir, I am informed by the Commissioner of Police that on 03 November 2009, a case for the offence of conspiracy to import Dangerous Drug, in breach

of section 109(1) of the Criminal Code (Supplementary) Act coupled with sections 12 and 29(1)(a) of the Dangerous Drugs Act was lodged against Mr S.C. and one Mr P.C.S.V.

On 10 February 2010, the case was heard before the Intermediate Court. Ms M.C.L. who was the main witness for the prosecution and whose evidence was crucial for the prosecution to establish its case, refused to give evidence and to confirm the allegations she herself made in her statements to the Police. The case was dismissed by the Magistrate for lack of evidence to link both accused parties for the offence. Ms M.C.L. was inflicted the maximum fine of Rs2,000 for refusing to give evidence.

I am also informed that following the dismissal of the case, the Commissioner of Police was advised by the Director of Public Prosecutions on 15 February 2010 to enquire as to whether Ms M.C.L. had not committed an offence pursuant to section 42 of the Dangerous Drugs Act, that is, giving false statements or false evidence. In this regard, after consultation with the Director of Public Prosecutions, the Police is carrying out an enquiry into the conduct of Ms M.C.L. in Court in February, for "Giving Misleading Evidence" in Court in breach of sections 42(2)(a)(4) of the Dangerous Drugs Act.

Mr Speaker, Sir, in her judgement, the Magistrate of the Intermediate Court has made the following observations, and I quote -

"This Court cannot but view this matter with much concern and tends to believe that this sort of conduct on the part of this witness verges on a mockery of justice either by making false allegations to the Police or if the allegations were genuine ones by refusing to confirm them under oath in Court. This is a serious matter which the Court cannot take lightly in its overriding duty of dispensing justice. This sort of conduct is indeed a common occurrence in this Court and it is high time that it should be discouraged and severely dealt with and in such a manner as to deter potential offenders along those lines."

I concur absolutely with the observations of the Magistrate and I intend, therefore, to bring necessary amendments soon to review the main provisions on "Refusing to give evidence" and "Giving false evidence". In particular, section 128(2) of the Courts Act will be amended to increase the penalty which a Court may inflict on a person who refuses to give evidence, which it

is now, from a maximum fine of Rs2,000 to a maximum fine of Rs10,000 and committal to prison for a period not exceeding seven days.

Mr Speaker, Sir, I also note that, while the offence of “Giving false statements or false evidence” in connection with a drug offence or for any purpose relevant to the Dangerous Drugs Act, is actually punishable by a fine of not less than Rs10,000 and not exceeding Rs100,000, together with a term of imprisonment of not less than two years and not more than 10 years, the offence of “Giving false evidence” in connection with the other offences is, therefore, punishable by imprisonment for a term not exceeding two years only. Section 126(2) of the District and Intermediate Courts (Criminal Jurisdiction) Act will shortly be amended to provide for tougher penalties for such offence.

**Mr Bérenger:** Mr Speaker, Sir, from what I have heard I take it that the Police enquiry is looking only at whether Ms M.C.L. made false allegations and so on. Is the enquiry by the Police looking also whether she has been threatened or pressurized by anybody to change her stand as she did?

**The Prime Minister:** Mr Speaker, Sir, that is also part of the Police enquiry as to why she refused to confirm the statements she made to the Police.

**Mr Bérenger:** We are talking about Police enquiry and we have only one Police. Can I ask the hon. Prime Minister who is responsible for the Police, whether he is satisfied with the way the enquiry was carried out right from the onset when Ms M.C.L. was caught at the airport? According to me, it was messed right from the beginning.

**The Prime Minister:** I cannot completely agree with the hon. Leader of the Opposition because, in fact, through intelligence gathering, the person was actually caught with these tablets of Subutex and this is what the enquiry proceeded. I cannot say for sure, Mr Speaker, Sir, whether there has been a mess up or not, but this is the situation; she came to court, she made the allegations, she made the statements and then she refused to confirm the allegations in Court.

**Mr Bérenger:** The ADSU makes its intelligence work and it was successful at the airport but, from then on, it is the ordinary Police that carry out the enquiry. Can I ask the hon. Prime Minister whether, he has looked at the way the driver who came to pick up that lady, money movements and so on, were fully enquired into by the Police?

**The Prime Minister:** That was done by a specialised Police, Mr Speaker, Sir; it was done by ADSU at the time.

**Mr Bhagwan:** I have two questions, Mr Speaker, Sir. This issue is linked with the whole Subutex saga. This issue has been raised on several occasions in the National Assembly. Can I know from the hon. Prime Minister, since we have been talking about the Subutex affairs, whether any political acquaintance trail has been effected by the Police?

**Mr Speaker:** Can I intervene here and tell the hon. Member who has put the question that this is a very specific question concerning one particular case? Now, he cannot enlarge the question, talking about Subutex generally. He can come with another question.

**Mr Bhagwan:** Looking into the case, can I ask the hon. Prime Minister whether the Police has conducted any political acquaintance trail and even an audit trail before and after the judgement? After *la dame a été acquittée*, has any audit trail been done as far as, I would say, the financial affairs of this lady is concerned?

**The Prime Minister:** I can tell the hon. Member that no stone is being left unturned in this case.

**Mr Ganoo:** Since the hon. Prime Minister has rightly identified the solution to this problem, that is, the law needs to be amended in view of the fact that every day we have drug cases being tried in all our courts and it is a matter of urgency, because this case can set a bad precedent in view of the fact that all witnesses can come and adopt the same attitude as this witness, he come as quickly as possible with the amendments which he rightly proposed in his answer, that is, next week? This is a Bill which should have carried a Certificate of Urgency because everyday if witnesses start adopting the attitude of this lady, all accused parties in all our cases which are being tried today will benefit from this same refusal to answer.

**The Prime Minister:** Mr Speaker Sir, the Dangerous Drugs Act was passed a long time ago, amended again and it is not the first time that witnesses are not deponing according to their statements in court. I also said that under the Dangerous Drugs Act already it is punishable; if you give false evidence or false statements in connection with the drug offence for any purpose relevant to the Dangerous Drugs Act, it is punishable by a fine of not less than Rs10,000 and not exceeding Rs100,000 together with a term of imprisonment of not less than two years and not

more than 10 years for the offence of giving false evidence in connection with the Dangerous Drugs Act. It is felt - we discussed it with the State Law Office - that this is appropriate as it is, this is not being amended. What is being amended is the Courts Act, in fact, where somebody refuses to give evidence in spite of the fact that he has given statements. We feel that the maximum fine of Rs2,000 which the person got is not enough.

**Mr Ganoo:** In the Commission of Enquiry Act, somebody who fails, who refuses to depone in a matter of unlawful drugs, in fact, can be fined to Rs5 m. for the same attitude as this lady has adopted. So, there is urgency and our law does make provision already for other pieces of legislation for witnesses who refuse to depone without sufficient cause.

**The Prime Minister:** I want to make it clear, Mr Speaker, Sir, we are not talking about the Dangerous Drugs Act which already is felt quite severe as it is. I think it was done by the previous Government, if I am not mistaken. We have amended it later on, but we are talking about the Courts Act, where, in fact, there is contempt of court when somebody makes statements to the police and then refuses to confirm the statements he made.

**Mr Bérenger:** We are dealing here with a case where the DPP has asked for the Police to carry out an enquiry; whenever, we are dealing with Mr S.C. it seems that extraordinary things happen. Now, is the hon. Prime Minister aware of what took place yesterday between the Police and the DPP's Office, with open war before the Magistrate, where the Magistrate ordered a Police officer to come because a junior officer had been sent? The DPP's representative broke down in tears at the end of the episode and Mr S.C. was having fun at the Police officer's concern? Has the hon. Prime Minister been made aware of that and is he going to take action so that nothing of the sort happens between the DPP's office and the Police?

**The Prime Minister:** In fact, I am well aware of it, Mr Speaker, Sir. The senior Police officer who was asked to come and depone did not come and depone because he said he had already delegated somebody junior. The DPP insisted that the senior officer would come to court; eventually, he did come to court. I think the case is being taken up today as well. I have asked the Commissioner of Police, without going into the administrative works of the Police, that if the DPP has asked a senior Police officer to come and depone, I would have thought he should have come and deponed in the first place.

**Mr Bhagwan:** Can I know from the hon. Prime Minister whether any inquiry has been effected by the Police, the ADSU or MCIT of all persons who have visited that lady in prison? Has any list been prepared?

**The Prime Minister:** The Police, of course, know who visits who in the prison, Mr Speaker, Sir. I don't think I should go further in that because it is police matters.

**Mr Bhagwan:** Can I ask the hon. Prime Minister whether his attention has been drawn to the fact that *des personnes louches étaient en cour à chaque fois - surtout les derniers jours - que cette dame était présente, fixant leurs regards sur elle, l'intimidant.*

*(Interruptions)*

They are laughing, this is very serious!

**Mr Speaker:** I think this is in Indian films.

**Mr Bhagwan:** But things happen in Mauritius. Members of Parliament have given access to VIP lounge to that lady.

*(Interruptions)*

This has happened in Mauritius.

*(Interruptions)*

**Mr Speaker:** Order, Order, Order! I was just joking.

**Mr Bhagwan:** I am not joking. This is serious. If you go in the deprived regions you will see all these poor youngsters...

**Mr Speaker:** The hon. Member should put his question.

**Mr Bhagwan:** ... whose health is being damaged by Subutex. So, I am asking the Prime Minister very seriously whether he has been made aware that *des personnes louches étaient en cour régulièrement pendant les derniers jours, fixant leurs regards sur cette dame.*

**The Prime Minister:** I was not in court to know who fixed whom, Mr Speaker, Sir. It is for the police to do it.

**Mr Guimbeau:** Mr Speaker, Sir, the biggest concern for people in the House and out there is that this lady got access to the VIP with the help of a politician. Can we know from the

Prime Minister whether from now on he is going to have all VIPs and VVIPs searched? The Subutex came through the VIP. Can we get the name of the politician who gave her access to VIP lounge?

**Mr Speaker:** No!

**The Prime Minister:** This question has already been asked. First of all, Mr Speaker, Sir, I should say that, in fact, we forget that actually the person was caught with Subutex tablets; let's not forget that. Secondly, since then, I have already given instructions - hon. Members may not like it - that hon. Members of Parliament will not get access to the State lounge, except certain of them like the hon. Leader of the Opposition. We have to make a distinction for persons occupying a certain post like hon. Cuttaree who he is in charge of the Public Accounts Committee and all this. But, generally, Members of Parliament are now not going to get access to the State lounge which means they must expect to be searched, if need be.

**Mr Speaker:** Time is over! The Table has been informed that Parliamentary Question B/13 has been withdrawn. Questions addressed to hon. Ministers! Hon. Mrs Hanoomanjee!

#### **PROTECTION FROM DOMESTIC VIOLENCE – LEGISLATION - AMENDMENT**

**(No. B/26) Mrs S. Hanoomanjee (Second Member for Savanne & Black River)** asked the Attorney General whether, in regard to the protection from domestic violence, he will state if Government proposes to amend the existing legislation with a view to strengthening the implementation thereof.

**Mr Valayden:** Mr Speaker, Sir, I wish to remind the hon. Member and the House that amendments have already been brought to the Protection from Domestic Violence Act through the Protection from Domestic Violence (Amendment) Act 2007 which was passed in the National Assembly on 04 December 2007 and which awaits proclamation.

These amendments were brought in line with the Government Programme 2005-2010 which highlights the need to strengthen the enforcement mechanism of the Act.

We are awaiting proclamation because the Rules Committee of the Supreme Court has not yet finalised the draft report of the rules which pertain to the Act.

**Mrs Hanoomanjee:** Mr Speaker, Sir, can I ask the hon. Attorney General whether in the light of new developments - because we see every day that despite protection orders, women are still being raped and battered to death – he doesn't think that there are other amendments to be brought to the Assembly so that remedial actions can be taken and that we can see results?

**Mr Valayden:** Mr Speaker, Sir, the hon. Member is right. We not only have to amend, but we have already amended, we are waiting for the Rules Committee to sit and give us its report for it to come into operation. But I have also asked the Law Reform Commission to look at it again so that we can bring new amendments. We will not stop amending and we will continue reinforcing the mechanism in order to protect the women of this country.

**Mrs Hanoomanjee:** Can I ask the Attorney General whether the Law Reform Commission will also include social workers, opinion leaders and other legislators as well to come and give their opinion, those who are working regularly with those people so that we may come up with something concrete?

**Mr Valayden:** Before the new amendment was brought into this august Assembly, there was a seminar. There were committees with different members, even Members of this House, but I will ask the Law Reform Commission to ask people who know about the problem to come and depone so that they can have information before going on with certain proposed amendments and also everybody can bring his contribution.

#### **DOMESTIC VIOLENCE & CHILD ABUSE – AUDIT REPORT**

**(No. B/27) Mrs S. Hanoomanjee (Second Member for Savanne & Black River)** asked the Minister of Women's Rights, Child Development and Family Welfare whether, in regard to domestic violence and child abuse, she will state if an audit of the existing facilities to combat same has been carried out, since January 2007 to date and, if so, indicate the –

- (a) outcome and recommendations thereof, and
- (b) if weaknesses have been identified and, if so, the remedial measures that have been taken.

**Mrs Seebun:** Mr Speaker Sir, in regard to domestic violence, an Audit Report on Existing Services and Care provided in Family Support Bureaux and Shelters was launched on 25 November 2009. As concerns child abuse, a similar audit exercise will follow.

As regards part (a), I am tabling a copy of the Audit Report which acknowledges that support services offered to victims in the Family Support Bureaux are appreciated by our clients and also underlines that our institutional mechanism is fulfilling its mandate. Concurrently, the Report also makes recommendations to address identified shortcomings.

Concerning part (b), my Ministry has already taken the following measures to address some of the weaknesses identified in the Audit Report –

- (i) to achieve more effective communication campaigns in the community, in collaboration with Community Based Organisations and other stakeholders, a Strategic Planning and Capacity Building Programme to Combat Domestic Violence has already been organised for our main stakeholders, namely -
  - the Ministry of Local Government, Rodrigues and Outer Islands
  - the Ministry of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions
  - the Ministry of Environment and National Development Unit through the Citizens' Advice Bureaux
  - the Sugar Industry Labour Welfare Fund
  - the National Women`s Council
- (ii) additionally, an Open Day was organised by my Ministry on 18 March 2010 in the presence of Mrs Mary Jo Wills, Ambassador of the United States of America, to sensitise the public at large on support services given to victims of domestic violence;
- (iii) training on Counselling Techniques was conducted for Family Counselling Officers and Family Welfare and Protection Officers of my Ministry by the University of Mauritius in November 2009. The training programme has enhanced the skills of the officers to deal with victims of domestic violence as well as abusers;

**Mr Speaker:** I am sorry to interrupt the hon. Minister. If she has long answers like this, she just has to circulate her answers. It takes a lot of time and finally we don't reach the end of the Question Time.

**Mrs Seebun:** It is almost finished, Mr Speaker, Sir.

- (iv) we have put up 6 Area Domestic Violence Committees, and
- (v) we have also set up a Victim Empowerment & Abuser Rehabilitation Policy which is under way.

Finally, the hon. Member should already be aware about the Special Collaborative Programme for Support to Women and Children in Distress.

**Mrs Hanoomanjee:** Mr Speaker, Sir, pending the fact that I take cognizance of the recommendations of the report, one of the weaknesses identified is the question of the Family Support Bureaux. Since 2005 there have been six Family Support Bureaux under the aegis of the Ministry. With the increase in the number of cases, does not the Minister think that there should have been a decentralisation of the Family Support Bureaux?

**Mrs Seebun:** In fact, it is already envisaged and we are having very shortly nine Family Support Bureaux for the nine different districts.

**Mrs Hanoomanjee:** Mr Speaker, Sir, there was a sort of joint monitoring committee between the Ministry and the Police department regarding these cases. Can the Minister say whether this joint monitoring committee is still in existence or has it already been dissolved and why?

**Mrs Seebun:** Already in 2006, Mr Speaker, Sir, we had set up a protocol of assistance with the Police department and we are working in close collaboration.

**Mr Speaker:** Is it still there?

**Mrs Seebun:** It is still there and operational.

#### **WOMEN – VIOLENCE VICTIMS - EMPLOYMENT**

**(No. B/28) Mrs S. Hanoomanjee (Second Member for Savanne & Black River)** asked the Minister of Women's Rights, Child Development and Family Welfare whether, in regard to women who have been victims of violence, she will state the number of cases thereof reported to her Ministry, since January 2006 to date, indicating the number thereof who –

- (a) were not in gainful employment,

- (b) have been provided training to enable them join the labour market, and
- (c) have ultimately joined gainful employment.

**Mrs Seebun:**, Mr Speaker, Sir, I wish to inform the hon. Member that for the past four years, a total of 7295 cases of women victim of domestic violence has been reported to the Family Support Bureaux of my Ministry, that is, an average of about 1800 each year.

Concerning parts (a) and (b) of the Parliamentary Question, as per the practice at my Ministry, unemployed women who are victims of domestic violence are immediately referred to appropriate institutions namely National Women Entrepreneur Council (NWECC), National Women's Council (NWC), National Empowerment Foundation (NEF), Mauritius Institute of Training and Development (MITD) and Small and Medium Enterprise Development Authority (SMEDA), for training and gainful employment.

As regards part I, since 2005, policies and programmes of my Ministry are directed towards economic independence of women, which certainly goes a long way in helping them to break the cycle of violence.

I am tabling the number of unemployed women who have been sensitized, trained, obtained employment or set up their own enterprises.

**Mrs Hanoomajee:** Mr Speaker, Sir, I thank the Minister, but whilst I appreciate that all the institutions which have been mentioned by the Minister cater also for all women, not specifically for women victims of violence, because she will appreciate that a woman victim of violence, her immediate need is to earn a living, what is being done specifically for these women? Has something been set up for them?

**Mrs Seebun:** We do believe that economic independence of women will go a long way in sorting out the problem of violence. In the past, we did not have in our intake form the element of employment and we are capturing this information as well, whether the battered women are employed or unemployed and in case they are unemployed, we are doing the needful.

#### **CEB – WORKERS – TREATMENT & COMPENSATION**

**(No. B/29) Mrs S. Grenade (Second Member for GRNW & Port Louis West)** asked the Deputy Prime Minister, Minister of Renewable Energy and Public Utilities whether, in regard to the accident which occurred on the premises of the Central Electricity Board, on 29

September 2008, he will, for the benefit of the House, obtain from the Board, information as to the number of workers who were injured, indicating -

- (a) the number thereof –
  - (i) whose treatment have been completed,
  - (ii) having been sent abroad for treatment,
  - (iii) awaiting to be sent abroad for treatment, and
- (b) if the Board proposes to give any compensation to them.

**Dr. Beebeejaun:** Mr Speaker, Sir, the hon. Member may wish to refer to the reply I made to PQ No. B/1259, wherein I informed the House that five employees sustained injuries, namely –

1. Mr Clency Bibi - Shift Foreman,
2. Mr Benjamin Moutou - Assistant Shift Foreman
3. Mr Bernard Raffa – Shift Technician
4. Mr Twafick Pooloo - Cadet Technician
5. Mr Jean Pitchen - a contractor's employee.

Mr Pitchen and Mr Pooloo have completed treatment and have resumed duty in September and December 2008 respectively. Mr Bibi resumed duty on flexi-time on medical advice at Fort Georges Power Station on 01 March 2010. As regards Messrs Raffa and Mr Moutou, they are still on injury leave and are receiving their full salary from the CEB.

Messrs C. Bibi and B. Moutou were sent to Réunion for treatment. All the medical and travel expenses of the employees and their close relatives were met by the CEB. Mr Moutou needs further treatment. In this regard a Medical Specialist of Bellepierre Hospital in Réunion would be visiting Mauritius and will examine him shortly.

I am also informed by the CEB that its employees are covered by a Group Personal Accident Insurance Policy for bodily injuries arising from accidents on and outside duty, on a 24-hour basis and worldwide. As regards compensation, it will be paid by the insurance company when the permanent/partial disability is assessed by the treating Medical Specialist.

## SOCIAL HOUSING UNITS - CONSTRUCTION

(No. B/30) **Mr P. Jugnauth (First Member for Quartier Militaire & Moka)** asked the Minister of Housing and Lands whether, in regard to the social housing units, he will state the number of new units constructed by Government, since November 2007 to date, excluding those whose construction started prior to that date, indicating the –

- (a) location thereof, and
- (b) amount of money spent, as at to date.

**Dr. Kasenally:** Mr Speaker Sir, in regard to part (a) of the question, I am informed that in May 2009, the NHDC awarded the contract for the construction of 550 low cost housing units over 11 sites, namely Petite Rivière, Glen Park, La Tour Koenig, Camp Diable, Plaine Magnien, Grand Bel Air, Britannia, d'Epinay, Cottage, Calebasses, and Roche Bois. Works have already started on all sites and are expected to be completed by February 2011.

As regard part (b) of the question, the total cost of the project is Rs325 m., comprising of Rs169 m. in respect of building cost to be met by the NHDC and Rs156 m. in respect of infrastructure works to be met from Government funds. As at date a total amount of Rs25 m. has been spent on the infrastructure component.

**Mr Jugnauth:** Mr Speaker, Sir, how many units have already been completed up to date?

**Dr. Kasenally:** Mr Speaker, Sir, the work has just started in May and they are going all over. It is not yet completed. It is an ongoing process. We already completed construction of 533 housing units which were started just before 2005.

**Mr Jugnauth:** Mr Speaker, Sir, can I just get a clarification from the hon. Minister? I understand that there was a project that has been completed at La Valette, which probably falls under the Empowerment Programme Project. If the Minister has the information, how much contribution has been obtained from the Medine Sugar Estate?

**Dr. Kasenally:** Mr Speaker, Sir, La Valette was constructed by the National Empowerment Fund which falls under the aegis of the Ministry of Finance and Economic Cooperation but, as from now on, from this Budget, my Ministry has taken over the construction of all the social units where there is a lot still in the pipeline.

**Mr Dowarkasing:** Mr Speaker, Sir, the hon. Minister has stated that there are 11 sites. Can he table a copy of those 11 sites with the respective number of houses that are being constructed there?

**Dr. Kasenally:** Yes, Sir, I shall do so.

#### VACOAS/PHOENIX – SME INDUSTRIAL ESTATE

(No. B/31 **Mr P. Jugnauth (First Member for Quartier Militaire & Moka)** asked the Minister of Business, Enterprise and Co-operatives whether, in regard to the new Small and Medium Enterprise Industrial Estate constructed in Vacoas-Phoenix, he will state the exact location thereof.

**The vice-Prime Minister, Minister of Finance and Economic Empowerment (Dr. R. Sithanen):** Mr Speaker, Sir, with your permission, I shall reply to PQ B/31.

As the House is aware, initially a plot of land belonging to the SIT was identified at Belle Rive Junction along the Hermitage Road. However, this plot of land was already leased to the MSIRI for experimental purposes prior its purchase. As the acquisition of the proposed plot of land did not materialise, DBM started negotiation in April 2009 with the SLDC to acquire an appropriate plot of land owned by the latter.

However, on this new site construction works could only start after several months as basic industrial infrastructure such as 3-phase electricity, sewerage disposal system etc, was not available.

Around the same time, factory space of 25,000<sup>2</sup> ft leased from DBM, situated not far from the previous earmarked site, was surrendered by two tenants at the Vacoas-Phoenix Industrial Estate situated at Valentina, Phoenix along the road leading to Petit Camp.

Consequently, instead of constructing a new building as initially planned, DBM proceeded with the partitioning of the released industrial space in order to convert it into smaller units ranging from 1,000<sup>2</sup> to 2,000<sup>2</sup> ft so as to accommodate the SMEs. I am informed some 13 units are available for occupancy and DBM has offered them for lease to SMEs who were on its waiting list.

**Mr Jugnauth:** Can I just know from the hon. vice-Prime Minister whether all the units have been occupied as at to date?

**Dr. Sithanen:** The information I have, Mr Speaker, Sir, is that 13 SMEs were offered these facilities. I am informed as follows: two have already completed the necessary formalities and the keys of the units have been handed to them; seven of the SMEs are completing necessary formalities; four SMEs have declined the offer for space. So, the Bank has offered the space through SMEDA to incubaties currently operating in the Business Incubator Centre at Coromandel and whose lease agreement with SMEDA has expired.

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, may I ask the hon. vice-Prime Minister whether he can give us the date on which the DBM started the partitioning work on this site?

**Dr. Sithanen:** I don't know. I think it must be the last quarter of 2009, because it was only in the second quarter of 2009 that they realised that it will take quite a lot of time to have all the infrastructure installed on the site that was initially earmarked.

#### **BUSINESSES - CESSATION**

**(No. B/32) Mr P. Jugnauth (First Member for Quartier Militaire & Moka)** asked the vice-Prime Minister, Minister of Finance & Economic Empowerment whether, in regard to the businesses registered by the Registrar of Companies and the Registrar of Business, he will, for the benefit of the House, obtain information as to the number thereof having ceased business, since July 2006 to date.

**The vice-Prime Minister, Minister of Finance & Economic Empowerment (Dr. R. Sithanen):** Mr Speaker, Sir, since the coming into effect of the Business Registration Act, on 01 October 2006, all persons carrying out business in Mauritius either as a company or otherwise, should be registered with the Registrar of Businesses. There were 29,000 companies existing prior to October 2006, and these companies were deemed to have been automatically registered.

As such, inclusive of these companies, since October 2006 to date, 123,730 businesses have been registered of which 43,052 are domestic companies.

Over the same period, 9,383 businesses were deregistered of which 6,260 were companies.

The House may wish to note that the Companies Act now provides for the Registrar to administratively strike-off companies for non-compliance with companies from certain provisions of the Act like non-filing of returns or non-payment of registration fees.

Consequently, under this administrative flexibility to weed out its books, out of the 6,260 companies, the Registrar struck off 4,453 from its register for not complying with the requirements of the Companies Act. On the other hand, 232 companies were wound up by the court and the remaining 1,575 companies went through voluntary winding up.

Mr Speaker, Sir, these figures do not necessarily indicate what has been the contribution to the economy. Job creation in large establishment has been well above 19,000 during the period 2006/2008. During the same period more than 16,000 jobs were created in small establishments. In 2009, in spite of the difficult situation, net job creation in small establishments has been around 7,600.

**Mr Jugnauth:** I am sure the hon. vice-Prime Minister is concerned about the number of cessation of businesses. Of course, as he has just explained, there is a number of factors that have contributed to those cessations, but can he inform the House whether any study has been carried out in order to know the exact causes, so that if there are businesses that have been set up and have been unsuccessful, at least, that will have to be addressed.

**Dr. Sithanen:** It's a fair question, Mr Speaker, Sir. We all know that for SMEs and micro enterprises, the first two years are usually difficult. I have just informed the House, Mr Speaker, Sir, that prior to 2006, there were around 29,000 companies and after that there were 123,000 companies. That's a four-fold increase. Obviously, some of them are bound not to succeed but, in the overwhelming majority of cases, they are continuing to do business and that's why their contribution to GDP and their contribution to employment have increased. Now, we have both at Enterprise Mauritius and at the Ministry responsible for small business, a Unit that advises, that gives counsel to enterprises on how they should go through that painful period. Government will continue to do that job and to support enterprises during that initial period, because the evidence suggests that, very often, in that critical period of two years, it may be extremely difficult for some of the SMEs to survive. So, we will have to follow them up during that period of two years.

**Mr Jugnauth:** I have one more additional question. May I, again, draw the attention of the hon. vice-Prime Minister that there is a number of people who set up a small enterprise. They go and register with the Registrar and, ultimately, because there is a policy decision from local councils, for example, hawkers' licences are not granted and they end up with no possibility of going forward with that kind of business. So, if initially, at least, they are made aware that in certain lines of entrepreneurship they won't be able to get any licence. Would the hon. vice-Prime Minister look into that?

**Dr. Sithanen:** Yes, I'll do that.

### PLANTERS – HARVEST LOSS

(No. B/33) **Mr S. Dayal (Second Member for Quartier Militaire & Moka)** asked the Minister of Agro Industry, Food Production and Security whether, in regard to the small and medium planters, he will state the number thereof who are losing harvests, due to the regrouping projects.

**Mr Faugoo:** Mr Speaker, Sir, the project of regrouping small and medium sugar cane planters' fields, specifically referred to as the Field Operation Regrouping and Irrigation Project, the FORIP, is an important component of the sugar sector reform under the Multi Annual Adaptation Strategy (MAAS).

The basic objective of the FORIP is to reduce cost of production of the small and medium sugar cane planters and increase productivity to enhance their competitiveness. The main rationale is to enable the planter to withstand the EU price cut of sugar by 36% as a result of the reforms of the EU Sugar Regime and also the phasing out of the Sugar Protocol. Furthermore, it is also important to keep the small and medium planters in the main stream of production. This is to enable the sugar industry to have the critical MASS in terms of cane production. Otherwise, the viability of the whole industry is at stake.

It is worth noting that the FORIP Project was first initiated in 2007 at Queen Victoria, FUEL and as at date the project has recorded a successful rate of 90%. As at date, there are some 2,000 planters on the waiting list to join the project over an acreage of 1,600 ha., and no planter has pulled out of the project so far.

Some 4,000 ha. of land have so far been regrouped and derocked. Some 2,000 planters, covering some 1,279 ha., have foregone one crop and they have been paid a cash advance of Rs 15,000 per *arpent*.

In fact, Mr Speaker, Sir, the House will note that the replantation of most of the fields were undertaken during the *Grande Saison*. This implies that the planters whose fields have been planted during the *Grande Saison* will only be able to harvest the cane in the following crop year. All the planters who have joined in the FORIP were aware of this fact as stipulated in the contract agreement. This explains the decision taken by this Government to make available a cash advance for any crop foregone in order to alleviate the cash flow problems which may arise during the prevailing year.

Under the FORIP, provision is made for the payment of a cash advance of Rs15,000 per *arpent* to planters whose fields were under sugar cane prior to joining the project and whose fields are being planted during the long season period.

I have been informed by the Mauritius Sugar Authority that 19 of these planters have lost a second crop. The Project Implementation Committee which is monitoring the implementation of the FORIP has recommended the payment of a second cash advance of Rs7,500 per *arpent* to these planters in order to ease any further cash flow problem.

It is worth noting that one of the major setbacks which has had an impact on the progress of work is the severe climatic conditions, that is, heavy rainfall prevailing during the year 2008, derocking and land preparation works and this had caused major delay in some instances.

I have also been informed that the implementation processes have been reviewed at the level of the Project Implementation Committee and the MSA. In view of shortcomings noted, corrective measures are being undertaken where appropriate.

Furthermore, the House will note that the Head of Delegation from the European Union has also shown a special interest on this project and several field visits have been organised. The last site visit was held on 18 March 2010 and I am informed that the delegations are satisfied with the overall implementation of the project.

Mr Speaker, Sir, I wish also to apprise the House that the contract for the appointment of a consultant to undertake a mid-term review of the MAAS as provided for in the plan, is

presently being finalised by the Ministry of Finance and Economic Empowerment. It is expected that any weaknesses observed in the implementation of the MAAS and in particular the FORIP, will be addressed and remedial actions will be taken accordingly.

**Mr Dayal:** Mr Speaker, Sir, I have several questions.

**Mr Speaker:** We will continue after lunch then in one and a half hours.

*At 12.59 p.m. the sitting was suspended.*

*On resuming at 2.30 p.m. with the Deputy Speaker in the Chair.*

**The Deputy Speaker:** The Table has been advised that PQs B/36 and B/67 have been withdrawn.

**Mr Dayal:** Mr Deputy Speaker, Sir, I thank the hon. Minister for his comprehensive reply. In fact, I appreciate the work done by the previous and present Minister of Agro Industry, Food Production and Security, but I would like to bring a concrete example of planters who have lost their crops. Is the hon. Minister aware that the...

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mr Dayal:** ...Mohit group, as per the advice of the Sugar Authority...

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mr Dayal:** ...had to do premature harvesting...

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mr Dayal:** ...in 2007, that is, right at the beginning of harvesting when the cane was not even ripe. So, they followed the instructions, allowing the Sugar Authority to start the derocking, the land preparation and then plantation to be completed by December 2007. This group cooperated with the result that they had to lose the sucrose content. They even accepted to forego the first crop. Mr Deputy Speaker, Sir, is the hon. Minister aware that they had forgone the 2008 and 2009 harvests also? Until today the cane has not been planted and equipment have

not been installed. So, it will amount to losing a third harvest and this is creating lots of hardship to this group.

**Mr Faugoo:** Mr Deputy Speaker, Sir, I am aware of these facts pertaining to the Mohit group. As I said, in this project, we have recorded a success rate of 90%. It must surely be one of those falling under the 10%. We had some problems with this project initially; there was a delay due to non supply of electricity. This was the original problem. I am also aware that they were not able to plant in time. The cause of the delay was that there was no electricity supply. I am aware of the problem. We have taken stock of the problem. I have sent the MSA on site to take stock and to do a survey of what is happening there and they are finding a solution. Within a reasonable time this will be sorted out, Mr Deputy Speaker, Sir.

**Ms Deerpalsing:** Mr Deputy Speaker, Sir, in the context of these people who are losing harvest, may I ask the hon. Minister whether he is aware of the problems that have arisen with respect of – we are talking about derocking – the rocks of these small planters' fields because in the contract they don't have the rocks? Is he aware of the side business that is being conducted with these rocks, who is taking these rocks and who is selling to whom and at what price?

**Mr Faugoo:** According to the contract and the policy which have been formulated, Mr Deputy Speaker, Sir, the rocks which come out from derocking are sold by the contractor to people who are ready to buy and they, in fact, predict the accounts of the MSA with the proceeds of sale. I have been told that there is indeed some lack of monitoring; there is a lack of control which I am actually looking at and I will come up with a proper sort of monitoring and control.

**Mr Dayal:** I thank the hon. Minister for the attention he is showing to the planters in question but, at the same time, I would like to request him to speed up matters because of the delay in the implementation of the plantation of cane and the installation of necessary equipment. The same group cannot have access to four *arpents* of land which were under fruit cultivation because while the derocking was done, it has damaged the water network and this is creating a lot of hardship.

**Mr Faugoo:** I'll look into the matter and the needful will be done.

**Ms Deerpalsing:** I have just a follow-up question on derocking and the rocks. I thank the hon. Minister for his answer. May I ask him as to whether he would look into having a

complete survey of all these planters who are in regroupment projects and having a consistent and systematic survey of all these contractors who are taking rocks from their fields and selling to whoever third parties and the amount of revenue that is being credited to the MSA on their credit? Would the hon. Minister agree to have a systematic survey on that?

**Mr Faugoo:** I will definitely look into the matter.

**Mrs Hanoomanjee:** Mr Deputy Speaker, Sir, can I ask the hon. Minister whether he is aware that several planters are losing their harvest because the sugar estates concerned do not have the crushing capacity? The cane is harvested, but it remains in the fields because of the crushing capacity of the sugar estates.

**Mr Faugoo:** The hon. Member can come with a substantive question, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** The hon. Member can do that.

**Mrs Hanoomanjee:** Mr Deputy Speaker, Sir, there have been several problems in this regrouping project, but I understand there was a monitoring committee at the level of the Mauritius Sugar Authority. Can the hon. Minister say whether it is the same officer who is chairing that monitoring committee or there has been a change in the chairmanship of that committee and who is chairing that committee now?

**Mr Faugoo:** In fact, Mr Deputy Speaker, Sir, there was no such monitoring committee. There was a project implementation committee and we had a lot of problems with some planters precisely because there was no monitoring committee and it is only now that I have set up a monitoring committee where the planter forms part of the committee. He and the different persons who are chairing the different committees can follow up all the actions, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Last question, hon. Dayal!

**Mr Dayal:** Mr Deputy Speaker, Sir, according to the contract, the planters who had to forgo their crop, were entitled to Rs15,000 in advance per *arpent* to be reimbursed in several instalments, but what about those planters who have had no crop, no cane plantation and no harvest? Are they supposed to pay? Because they have no harvest, so, they are not earning anything. What about them?

**Mr Faugoo:** As I said, Mr Deputy Speaker, Sir, it is a cash advance. So, they only pay back when they start harvesting. This is an advance which is given by the Government for the cash flow due to non-harvesting of the crop. This is given bearing in mind that they had to forgo one harvest, Mr Deputy Speaker, Sir. They will only have to pay back once they start harvesting.

**Mr Dayal:** Those who have forgone the 2008 and 2009 harvests, will they have to reimburse because they have forgone, they have no income and no earning? Will they keep the money advanced to them or will they have to reimburse?

**Mr Faugoo:** I must put it on record, Mr Deputy Speaker, Sir, that none of the planters has lost three harvests. I said out of nearly 4,000 planters, there are only 19 who have lost their second crop and, as I said, the cash advance is given to those who are losing their first crop. We are giving Rs7,500 for the second crop. But this is an advance and they will have to pay according to the terms and conditions of the contract once they start harvesting.

**Mr Dayal:** What is the form of compensation for those who have forgone several crops?

**Mr Faugoo:** There is no compensation, Mr Deputy Speaker, Sir.

### **OLD AGE PENSION - BENEFICIARIES**

**(No. B/35) Dr. A. Husnoo (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions whether in regard to the old age pension, she will state if consideration will be given for making it compulsory for her Ministry to contact the eligible persons, once they have reached the age of sixty, in replacement of the present system whereby the onus is on the person to contact the Ministry.

**Mrs Bappoo:** Mr Deputy Speaker, Sir, the old-age pension is a universal pension and it has always been the responsibility of future beneficiaries to notify my Ministry when they reach the age of 60.

According to present practice, all future beneficiaries are requested to put up their applications, at least, three months before they become entitled. If they are unable to do so because of physical disability or for any other reasons, they may enlist the assistance of a proxy.

I wish to inform the House that, although my Ministry has a database of citizens of Mauritius above the age of 18, yet information contained in that database relating to residential addresses, cannot be relied upon as future beneficiaries do not keep my Ministry informed of any latest residential addresses. According to report available, we have only around 15 applications submitted with a delay of less than six months on a yearly basis of an average total of 10,000 cases. This comes, Mr Deputy Speaker, Sir, to around 0.14% of the total number of applications and these beneficiaries are paid their full entitlement with the required number of months of arrears. As regards to those who are late for a period exceeding six months, it is around 3% of the total number of cases and most of them relate to those who were abroad.

I wish to inform the House that my Ministry has already embarked on a new national sensitisation campaign to inform members of the public of the procedures to be followed for the timely submission of their applications for the Basic Retirement Pension. A first communiqué has been issued in the press in January last and thereafter the communiqué will be issued and explained every three months in the media and in all the networks of the Ministry.

#### **HOSPITALS & DISPENSARIES - CHINESE TRADITIONAL MEDICINE**

**(No. B/36) Dr A. Husnoo (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to the Chinese traditional medicine, he will state if same is practised in Government hospitals and, if not, if Government will consider its introduction thereat and in the dispensaries.

*(Withdrawn)*

#### **WIDOWS - RELIGIOUS MARRIAGE - PENSION**

**(No. B/38) Mr S. Mohamed (Third Member for Rivière des Anguilles & Souillac)** asked the Minister of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions whether she is aware of the cases of the 800 widows who were married only

religiously during the period 1987 to 1990 and who are not receiving their widow's pension, and if so, will she state the remedial measures that Government proposes to take.

**Mrs Bappoo:** Mr Deputy Speaker, Sir, my Ministry does not have any record of the number of cases of widows who were religiously married during the period 1987 to 1990 and who are not receiving their widow's pension. Such information is not even available at the Civil Status Office.

However, my Ministry is fully aware of this issue and being given that it is a sensitive one, which is not solely linked to the payment of pensions, we have to tread carefully. Several meetings have been held between my Ministry and the relevant stakeholders including the State Law Office and the Civil Status Office to work out an appropriate solution to the problem.

The House may wish to note, that the National Pensions Appeal Tribunal had in its rulings given in April 1998 and August 2003 by Justice Ahnee in the case of Mrs Seckdiouman and Mrs Oozeer respectively v. the National Pension Officer upheld the decisions of the National Pension Officers not to grant the Basic Widow's Pension to the two claimants, who were religiously married during that period. So, based on these rulings, no similar cases can henceforth be entertained if appropriate changes are not brought to the Civil Status Act to give legal recognition to religious marriages celebrated during the period 1987 to December 1990. The more so as Art 228-8 and 228-10 of the Civil Code stipulate as follows. I quote –

“For a religious marriage to be governed by those articles of the Code, including the provision that a widow of such marriage may claim widow's pension, such marriages have to be registered in accordance with the Civil Status Act.”

Mr Deputy Speaker, Sir, as the House can observe, this issue is not only a pension issue, but it is a cross cutting one and we have thus to adopt an integrated approach with all the Ministries and stakeholders concerned.

The House may wish to note that discussions are still ongoing with all the concerned stakeholders regarding the appropriate course of action to follow.

**Mr Mohamed:** Mr Deputy Speaker, Sir, I have carefully listened to the answer provided for by the hon. Minister. Before I put my next question, may I just briefly explain that it seems as though between 1987 and 1990, widows who were married religiously during that period are

not entitled to widow's basic pension as opposed to widows married after 1990 or as opposed to women married religiously before 1987. As such I am happy to note that the hon. Minister recognises that by operation of law and politicking there are two classes of widows in Mauritius: those who are entitled to basic widow's pension and those who are not. We, at least, admit that there are two classes of widows who are not being treated equally.

The hon. Minister has also stated that there have been several meetings carried out even with the State Law Office. Is there at least a draft legislation that is being proposed to bring changes to the law in order to correct this inequality and to bring fairness to the system and to remove the two classes of widows from the system?

**Mrs Bappoo:** At this very stage, Mr Deputy Speaker, Sir, there is nothing as a draft legislation proposed by the State Law Office, but I know that we are relying on the Civil Status Office for its views, then the State Law Office maybe will be able to find the policy which needs to be implemented as far as the amendment of the law is concerned. The amendment won't be an amendment to the National Pension Act. It will be mainly amendment to the Civil Status Act. So, I rely on the legal advice to be given by the State Law Office in the near future.

**Mr Mohamed:** I try to understand; I don't want to be nasty or anything, but I am just trying to know. I have the impression that the answer we have obtained here is not relying on the pension issue, therefore, the hon. Minister's Ministry, but we are talking here about the Civil Status issue which is the Prime Minister's Office. I would like to draw the attention of the House to reason as follows: granted that this is an inter-ministerial issue, what does the hon. Minister propose? Meetings again, fair enough! When is the next meeting? Has there been an official request emanating from the hon. Minister's Ministry to the State Law Office or to the Prime Minister's Office requesting the need for a meeting? If that is the case, when that meeting is going to be? Is the agenda for change of the law on the notes of the meeting and, if that is not the case, why is it not? That is the problem. We want to go fast with it. Since 1987 people are suffering.

**Mrs Bappoo:** It is most unfortunate, Mr Deputy Speaker, Sir. I cannot answer on behalf of the Prime Minister's Office and the Civil Status Office. We have been stuck at the level of the Civil Status Office. I need to stand by the guidance of the State Law Office because it is not an amendment to be brought at the level of my Ministry. The amendment to the Civil Status Act

will be at the level of another Ministry, because the widow's pension is an issue of marriage; it is not an issue of pension. I am just waiting for that. I can only inform the hon. Member that I can only again request the Civil Status Office for the final views so that we can inform the State Law Office or the State Law Office to advise the Civil Status Office what is the course of action.

**Mr Mohamed:** One last question, with your permission, Mr Deputy Speaker, Sir. Since this is an urgent matter and since we are talking about a class of widows who, for a period of four years, are not entitled to pension, it does not only concern the State Law Office, but the Civil Status Office, and since it concerns, from the very words of the hon. Minister, an amendment to the Civil Status Act which would bring order and equality to widows in Mauritius that they are all fitted equally, may I humbly request that the hon. Minister takes this up with the hon. Prime Minister since it concerns his Ministry? If she has not already done it, may I request that she formally does so in the shape of a Cabinet paper?

**Mrs Bappoo:** Mr Deputy Speaker, Sir, how can the hon. Member speak about a Cabinet paper? I cannot bring a Cabinet paper on behalf of the Civil Status Office. My answer is so simple.

**Dr. Husnoo:** Mr Speaker, Sir, since we are having conflicting views from different Ministries, different legal views, would the hon. Minister consider setting up a committee under the chairmanship of the Attorney General to look at the conflicting views to sort out this problem?

**Mrs Bappoo:** I do appreciate that reflection of the hon. Member. I will certainly ask my colleague, the Attorney General, to give a helping hand, so that we know what will be the exact policy to be followed.

#### **ROBINSON, CUREPIPE – CLOAK ROOM - CONSTRUCTION**

**(No. B/39) Mr M. Dowarkasing (Third Member for Curepipe & Midlands)** asked the Minister of Environment and National Development Unit whether, in regard to the project for the construction of a cloak room, a kiosk and a bowling alley in the region of Robinson, Curepipe, he will state if works have started and, if so, where matters stand.

**Mr Bundhoo:** Mr Speaker, Sir, I am informed that due to numerous problems such as encroachment from resident, presence of CWA pipes and complaints from inhabitants to the effect that the cloak room would be too close to their houses, the project has encountered long delay. I have, however, after consultations with hon. Dowarkasing, requested the consultant of the NDU to look afresh at the construction of the cloak room.

As regards the kiosk, a contract was awarded to Pointe aux Piments Agro Mechanical Cooperative Society Ltd on 01 June 2004, and the contractual starting and completion date was 12 July 2004 and 23 January 2005 respectively. The contract was terminated on 03 June 2005, because the contractor failed to complete the work due to inadequate resources deployed on site. NDU consultant, Lux Consult, was requested on 02 February 2010 to carry out a survey and submit scope of work and cost estimate for the completion of the work.

Further, the consultant would also submit scope of work and cost estimate for the following works: a parking area adjacent to the football ground, demolishing of existing base work of the cloak room, if necessary, subject to the recommendations of the consultant. A report from the consultant is expected by the end or mid April, and tendering procedure will follow. Work is likely to start afterward.

**Mr Dowarkasing:** Mr Speaker, Sir, I thank the hon. Minister for his reply. May I, at the same time, ask him - because this land falls under his Ministry - if he could take appropriate steps so that all those people squatting on that particular piece of land are removed? There have been garages built on it and extension of houses. Could that piece of land be secured so that this project can go ahead?

**Mr Bundhoo:** I would certainly liaise with my colleague, the Minister of Housing, and all the relevant authorities to do the needful.

#### **EDUCATIONAL REFORMS – FORM III – NATIONAL EXAMINATIONS**

**(No. B/40) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne & Phoenix)** asked the Minister of Education, Culture and Human Resources whether, in regard to the proposed education reform, he will state if national examinations will be introduced at Form III level and, if so, when.

**Dr. Bunwaree:** Mr Speaker, Sir, in the context of the ongoing educational reforms and as per the Education and Human Resources Strategy Plan 2008-2020, a recommendation has been made for the introduction of a formal assessment at Form III level. Initially, the proposal was for the assessment to take place at Form IV. However, further to consultations with stakeholders, there was unanimity, I must say, in having this examination held at Form III. This has a two-fold purpose -

- (i) it will help towards the evaluation of competencies acquired by students and identification of areas of further learning more attuned to their aptitudes and inclinations, and
- (ii) sustain a culture of achievement and commitment towards learning right from an early age.

It is proposed to carry out, this year, a simulation of the National examinations at Form III level for core subjects in the curriculum being currently followed. This simulation exercise will help students and teachers to be familiar with the new mode of assessment. The students will sit for the examinations in their respective schools. A standardised syllabus for each core subject will be considered, taking into consideration the different levels of schools. The papers will be set by the Mauritius Examinations Syndicate.

My Ministry has already started working on the technical modalities in collaboration with the MES, MIE and PSSA. Discussions would soon be held with the Federation of Unions of Managers of Private Secondary Schools to work on the operational aspects of this major reform.

Mr Speaker, Sir, we want this examination to be fully embedded in the system prior to it culminating in a National Certificate of Achievement, wherein the level attained in the core competencies will be stated and the achievement of the student will be recognised.

**Mr Dayal:** Mr Speaker, Sir, is the hon. Minister aware that his policy of educational reform proposed does not carry unanimity of the educational stakeholders, including parents and teachers?

**Dr. Bunwaree:** I am not aware of this, Mr Speaker, Sir.

**Mr Dayal:** Is the hon. Minister satisfied that the reform he proposes to make will respond to our economic requirement for the decades to come?

**Dr. Bunwaree:** Mr Speaker, Sir, this question is specifically on the examination of Form III. It is a very minute part of the reform.

**The Deputy Speaker:** The hon. Minister can just ask the hon. Member to come with a substantive question because he needs notice thereof.

**Dr. Bunwaree:** Yes. This is what I was going to say.

**Mr Dayal:** It is on educational reform as is in the question.

**The Deputy Speaker:** The question is specific and the hon. Minister states that he needs notice thereof.

**Mr Gunness:** Mr Speaker, Sir, since the hon. Minister said that there will be a simulation in all schools this year - I presume it will be at the end of the year - can I know if this simulation exercise will be the result which the schools will take into consideration for promotion exercise in Form IV or will there be another exam as is the case every year in every school?

**Dr. Bunwaree:** For this year, it will just replace the examination. We will not have one examination for the school and this examination. This examination will be as if it was the school examination. But it's only a simulation.

#### **QUALITY ASSURANCE OFFICERS - RECRUITMENT**

**(No. B/41) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne & Phoenix)** asked the Minister of Education, Culture and Human Resources whether he will state if his Ministry has now recruited Quality Assurance Officers and, if so, indicate the number thereof.

**Dr. Bunwaree:** Mr Speaker, Sir, I would like to refer the hon. Member to my reply to PQ B/751, wherein I stated that the scheme of service for the various posts in the Quality Assurance cadre were being prescribed. In line with existing procedures, the draft scheme of service is currently being considered at the level of the Federations of Civil Service Unions. Eight posts of Quality Assurance Officer have been created and, as soon as the scheme of service is prescribed, the vacancies would be filled.

In the same reply, I further stated that my Ministry was in the process of recruiting, on contract, one Project Manager (Quality Assurance), and six Quality Assurance Officers under the Capacity Building Programme.

It has not been possible so far to recruit Quality Assurance Officers on contract under the Capacity Building Programme as proposed, because procedures for recruitment under this programme are also being revised.

In the meantime, arrangements have been made at the level of my Ministry for the Quality Assurance and Inspection Division to be manned by one Acting Director, one Adviser on Quality Assurance and Inspection Matters, and four Pedagogical Inspectors.

I wish to reiterate that quality assurance is a priority concern for my Ministry for dispensing quality education to our children. It will help in aligning our schools with new trends and developments in education and also with latest standards and benchmarks that are being adopted in educational systems worldwide.

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, may I ask the hon. Minister whether he is aware about the urgent need for pedagogical inspection in schools presently? I do appreciate that there are works going on, but still it is important to ensure that pedagogical issues are treated in a proper manner in the 200 secondary schools of the island.

**Dr. Bunwaree:** In fact, the hon. Member knows, because it is the second time we are coming with the same question. As I explained, we are having some administrative delays but, in the meantime, we have set up a Division with at least one Ag. Director and five other people to help us in the work we are doing. I appreciate the difficulty that the hon. Member is raising in the House. In fact, it is one; we hope that very soon we will be able to get the schemes of service and have a full-fledged Division set up.

#### **PLAINE MAGNIEN - JHUMMUN LANE**

**(No. B/42) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Local Government, Rodrigues and Outer Islands whether, in regard to the road adjoining the housing estate, commonly known as Jhummun Lane, along the Cemetery Road in Plaine Magnien, he will state the reasons why it has not yet been declared as public road and, if so, the remedial measures that will be taken, if any.

**Mr Aimée:** Mr Deputy Speaker, Sir, I am informed by the Grand Port/ Savanne District Council that the Jhummun Lane has not been tarred nor declared public because there was no request made to that effect by the inhabitants of the area and the users of that road.

**Mr Varma:** Mr Deputy Speaker, Sir, can I kindly request the hon. Minister to check the information because according to us, elected MPs, there are petitions which have been sent to the Grand Port/Savanne District Council to that effect? Can I humbly request him to check the information again?

**Mr Aimée:** I will do so, Sir.

#### **RAILWAY ROAD, QUARTIER MILITAIRE – DRAIN WORKS**

**(No. B/43) Mr S. Dayal (Second Member for Quartier Militaire & Moka)** asked the Minister of Environment and National Development Unit whether, in regard to the Railway Road, Quartier Militaire, he will state when drain works thereat will start, indicating the expected date of completion thereof.

**Mr Bundhoo:** Mr Deputy Speaker, Sir, in reply to PQ B/1304 on 01 December 2009, I informed the House that subject to all way leave issues being resolved, the Works Order for the project at Quartier Militaire would be issued some time in March 2010. The way leave issues are still being sorted out with the Water Resources Unit and Road Development Authority.

Furthermore, the NDU's Consultant has submitted its proposal and subject to all way leave issues being sorted out, bids for the project are expected to be floated by the end of April 2010 and the works are likely to start by July 2010. The duration of the works is expected to be around six to seven months and is expected to cost some Rs20 m.

**Mr Dayal:** I would like to request the hon. Minister to try to speed up matters and liaise with the relevant authorities so that matters are sped up, because it is really creating much hardship to the inhabitants.

**Mr Bundhoo:** I will surely do that before the election, Sir.

#### **DAGOTIERE – ROAD - UPGRADING WORKS**

(No. B/44) **Mr S. Dayal (Second Member for Quartier Militaire & Moka)** asked the Minister of Environment and National Development Unit whether, in regard to the upgrading works being carried out on the road, from the Dagotière Mosque leading up to the residence of one Mr S., he will state when they will be completed.

**Mr Bundhoo:** Mr Deputy Speaker Sir, I am informed that upgrading works on the road from the Dagotière Mosque leading to the residence of Mr S. have been delayed due to problems of alignment, which had to be addressed. I am glad that NDU Consultants have already sorted out the issue and submitted a revised scope of works. Works are expected to start soon and be completed by end of June 2010.

#### **MARINE ENVIRONMENT – PROTECTION**

(No. B/45) **Mr M. Dowarkasing (Third Member for Curepipe & Midlands)** asked the Minister of Public Infrastructure, Land Transport and Shipping whether, in regard to the marine environment, he will state if the shipping department of his Ministry has carried out any activity for the protection thereof and, if so, give details thereof.

**The Minister of Environment and National Development Unit (Mr L. Bundhoo):** Mr Deputy Speaker Sir, with your permission, I will reply to this question. I beg your indulgence as it might be a little bit lengthy.

I am informed that the Shipping Department of the Ministry of Public Infrastructure, Land Transport & Shipping is participating in the implementation of a Regional Marine Highway Project. The objective of the project is to increase the safety and efficiency of navigation and thus protect marine resources and ecosystems from major oil spill and other marine pollution. The project to the tune of USD 26 m. started in May 2007 and will end in June 2011. The countries involved are: Comoros, Kenya, Madagascar, l’Ile Maurice, Mozambique, Seychelles, l’Afrique du Sud et Tanzanie.

During the first phase of the project, a maritime highway is being developed in the Mozambique Channel whereby ships navigating in the channel will be encouraged to be equipped with appropriate electronic navigational equipment to prevent navigational accident, and thus eliminate all chemical spill risks. Hydrographic surveys are under way in the Mozambique Channel to achieve this objective. Hydrographic surveys will also be carried out in

participating States, including Mauritius, for preparation of navigational charts which is a vital tool for safety of navigation and prevention of accidents and associated pollution.

Mr Deputy Speaker, Sir, the House will appreciate that Mauritius being a small island and given its topography, an inland activity has an impact on the coastal zone and, hence, the marine environment. The major source of marine pollution come from land-based activities and if the marine environment has to be protected, then land-based activities need to be controlled. My Ministry has thus formulated policies and strategies which are, *inter alia*, meant to reduce the pollution load entering the marine environment. The main ones are the National Environment Policy 2008 and the National Environmental Strategy (NES).

Moreover, the following activities have been carried out -

- (i) cleaning/desilting of rivers: solid wastes as well as silt that accumulate in rivers are removed. In this way siltation of the lagoon is minimised;
- (ii) under the Western Indian Ocean project for addressing Land-Based sources of Marine Pollution eight grids have been placed in the rivers in Port Louis area in order to minimise entry of solid wastes within the Port waters and an incinerator will be installed within the Port area to cater for solid wastes from ships;
- (iii) some four kms of shore has been rehabilitated to protect the shore from further degradation at Flic en Flac, Belle Mare, Le Morne, Pte D'Esny, Bain Des Dames , Rivière des Galets and Tamarin;
- (iv) lease holders in the region of Pte D'Esny and La Preneuse have been sensitised and encouraged to remove hard structures, such as groins and concrete jetties from the dynamic beach zone. Some 10 jetties are concerned in the first phase;
- (v) oil spill is one of the major threats that may significantly damage our marine ecosystem. Therefore, annual oil spill drills are undertaken by my Ministry in collaboration with all stakeholders concerned who are sensitised on the procedures contained in the National Oil Spill Contingency Plan, and
- (vi) regular clean up of the beach and lagoons are carried out throughout the island in collaboration with NGOs and other stakeholders.

Mauritius, Mr Deputy Speaker, Sir, is party to several marine related conventions which ensure safety of shipping, insurance and precautionary measures needed for the protection of the

marine environment. A Marine Pollution Bill is being drafted with a view to controlling and avoiding marine pollution from ships.

**Mr Dowarkasing:** Mr Deputy Speaker, Sir, in fact, I had addressed the question to the Minister of Public Infrastructure because this item falls under his Ministry and there is even a budget line for that item. In view of the protection of the marine environment, may we know whether we have analysed the degree of pollution that is being witnessed in the ocean around the island?

**Mr Bundhoo:** Yes, Mr Deputy Speaker, Sir, there is a laboratory to this effect in the Environment Unit of my Ministry and we do that regularly. I have the pleasure to inform the House that we are very much within limit and we can safely say, after the Environment International Index from Europe that, not only are we classified sixth worldwide with regard to the best environment practices, but with regard to marine protection we are also doing very well and the water is being monitored regularly by our equipment in our laboratory.

**Mr Dowarkasing:** I have a second supplementary question, Mr Deputy Speaker, Sir. The hon. Minister said that there are so many countries which are sitting together just to define the policy around. Can we know whether they have defined any maritime lanes along the ocean where ships should be taking only those lanes? Have we defined those lanes as it is being done elsewhere in order not to allow ships to take the sea in any part of the ocean?

**Mr Bundhoo:** I am sure, Mr Deputy Speaker, Sir, this is the reason why all these countries have grouped together in order to define these specific lines in order to avoid unnecessary pollution within the territory of the sea of the Indian Ocean.

**Mr Dowarkasing:** I have a last supplementary. The hon. Minister has spoken about the oil spill plan. Can we know what this plan is and how efficient it is in case anything happens?

**Mr Bundhoo:** Mr Deputy Speaker, Sir, the proof of the pudding is in the eating. Unfortunately, or should I say, very fortunately...

*(Interruptions)*

**The Deputy Speaker:** Order, order, please!

**Mr Bundhoo:** We have not had a major oil spill and this is why in my reply I informed the hon. Member and the House earlier that, at regular intervals, we do conduct oil spill drills in

order to make sure to the best of our possibility that the drills do work to ‘actual effect’ when they have to be carried out.

**Mr Bhagwan:** The hon. Minister has just informed the House about the good quality of sea water. Can the hon. Minister inform the House whether regular analysis of the sea water at the public beaches, mainly at Flic en Flac and Grand’ Baie, are being effected? What is actually the result as far as the water quality in Port Louis after the commissioning of the sewerage treatment plant is concerned?

**Mr Bundhoo:** Again, Mr Deputy Speaker, Sir, I have to assure the House that this is done regularly. But, unfortunately, I do not have the figures with me. Of course, there may be some disparities between the harbour and other areas which are not within the parameters of the harbour, but I can safely say to the House that we are well below limit.

#### **PARASTATAL BODIES - PERFORMANCE AUDIT**

**(No. B/46) Mr M. Dowarkasing (Third Member for Curepipe & Midlands)** asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether, in regard to the parastatal bodies, he will state if any performance audit has been carried out in any of them and, if so, give details thereof.

**The vice-Prime Minister, Minister of Finance and Economic Empowerment (Dr. R. Sithanen):** Mr Deputy Speaker, Sir, I am informed that the National Audit Office (NAO) presently carries financial and value for money audit in all Ministries, Departments, Divisions and Parastatal Bodies.

Furthermore, as the House is aware, Government has moved from the traditional line Budget formulation for appropriation of resources to that of Programme-Based Budget which sets performance targets in respect of deliverables and services to be provided by Ministries and Departments with resources put at their disposal. It is therefore not enough for the Director of Audit to continue carrying out financial and value for money audits only, but it is equally important for it to now audit the service level standards as set with respect to performance indicators in the PBB.

Taking this need into consideration, the Finance and Audit Act 73 (section 16) was amended in 2008 by making provision for the Director of Audit to also carry out performance

audit in Ministries, Department or Division. The objective of a performance audit will thus be to assess and evaluate as to how those entities are applying their resources and are carrying out their operations economically, efficiently and effectively with respect to the set standards.

However to be able to carry out such performance audit, the National Audit Office needs specific skills. In this respect, the National Audit Office has embarked on a capacity building programme with the assistance of the Commonwealth Secretariat, and 18 of its officers are being trained. The training is expected to end in May 2010 and as part of its training programme, the National Audit Office has carried out three issue-based performance audit assignments. On completion of the training programme, the NAO plans to carry out performance audit in Ministries, Departments and Divisions. It is envisaged that, once the Audit Office has developed the necessary competence in this area, performance audit would be extended to parastatal bodies.

However, to enable performance audit to be carried out in parastatal bodies, it is necessary for these bodies, in the first instance, to also prepare their budget estimates using the PBB. In this respect, attention of Supervising Officer has been drawn in early February this year, on the new provision of the Statutory Bodies (Accounts and Audit) Act that requires 26 parastatal bodies to operate on the basis of PBB as from 2011 and to be naturally followed by a performance audit.

#### **FRENCH TV CHANNEL M6 – EMISSION “CAPITAL” – PROGRAMME ON MAURITIUS**

**(No. B/47) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the hon. vice-Prime Minister, Minister of Tourism, Leisure and External Communications whether he is aware that the French TV channel M6 broadcasted a programme on Mauritius a few weeks ago and, if so, state whether it has created a negative impact on the reputation of Mauritius as a selective tourist destination and, if so, whether his Ministry has carried out an inquiry thereinto, indicating the –

- (a) outcome thereof, and
- (b) corrective measures that will be taken.

**The vice-Prime Minister, Minister of Tourism, Leisure and External Communications (Mr X. L. Duval):** Mr Deputy Speaker, Sir, the French TV Channel M6

featured Mauritius on 14 February 2010 during its emission entitled “Capital”. The programme purported to show in a very superficial way, that rebated rates and tariffs were being applied in hotels in Mauritius. As the House is aware, Mauritius is often portrayed in TV programmes overseas, particularly in our main market France.

Indeed only last week, the same TV channel, Mr Deputy Speaker, Sir, M6, carried a very popular programme entitled “*Accès Privé*”, which, this time, showcased Mauritius as a tourist paradise for the ultra rich.

Following the broadcast of the “Capital” programme, my Ministry issued a communiqué pointing out that the programme had completely bypassed the fact that we are in a worldwide economic crisis.

I am comforted to say, Mr Deputy Speaker, Sir, that from feedback received from our PR representative in France, there has not been any negative impact on our destination. This is the result of the following factors -

Firstly, the TV programmes broadcasted in the emission “Capital” are known to be controversial and provocative in nature.

Secondly, during the past four years, we have created and consolidated a very positive image of Mauritius in France.

Thirdly, seen from a different angle, the programme portrayed Mauritius as a “*destination de rêve*” which is now more accessible.

Finally, Mauritius has, since that programme, continued to be portrayed – as I mentioned last week - as an up-market destination in all of the French media, through, for instance, the visit of Alain Prost, Richard Virenque, Claude Lelouche to name, but a few.

Mr Deputy Speaker, Sir, as regards hotel service levels, my Ministry has, for a number of years now since election, set up a Monitoring and Control Mechanism whereby there is regular monitoring by the Tourism Authority of the quality of hotel establishments.

As the result of our inspections, that particular hotel referred to in the film, some six months ago, I had a meeting with its Managing Director and the owner of the hotel group and advised them – therefore six months ago - in strong terms, on the need for them to improve their hotel standards.

Furthermore, Mr Deputy Speaker, Sir, immediately after the TV Programme, new inspections were carried out. On 26 February 2010, the Tourism Authority decided to suspend the licence of the hotel. On 15 March 2010, the Licensing Committee decided to waive the suspension upon being satisfied that most of the works had been completed. The hotel is now subject to close control and monitoring.

Finally, Mr Deputy Speaker, Sir, my Ministry has, during the past five years, created and consolidated that image of Mauritius as an attractive tourist destination. As the House is aware, according to our Hotel Development Strategy, only 4 and 5-star hotels are authorised to be constructed in Mauritius. It is to be noted that the hotel showed in the programme was built during the tenure of the previous Government. The five hotels constructed during our mandate and four other hotels presently under construction are all of very high standard, Mr Deputy Speaker, Sir.

Furthermore, the House will note that Mauritius has recently won the World Leading Island Destination title at the recent World Travel Award.

**Mr Bhagwan:** Whatever action is being effected by the Ministry or the parastatal bodies falling under the Ministry - MTPA and others - the fact remains that the first film did tarnish the image of Mauritius. The hon. Minister had evento send a rejoinder. Can I know from the hon. Minister whether the organisers contacted or discussed with the Ministry before embarking in the preparation of that first film?

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, the hon. Member may not believe it, but some press are independent and these guys are independent of us and we do not control them. They come to Mauritius, but we cannot control their editorial content. Obviously, we were allowed to give our views which is correct, but I repeat some press are actually independent.

*(Interruptions)*

**The Deputy Speaker:** Order, please! Thank you!

**Mr Bhagwan:** This is the opinion of the hon. Minister to which I do not agree.

**The Deputy Speaker:** Please, put the question hon. Bhagwan! Thank you.

**Mr Bhagwan:** Can I ask the hon. Minister whether the relevant authority was sought because in that film which we have seen, one of the episodes shows the Minister in a CAB office

receiving the people of Quatre Bornes with other Members of Parliament. I do not find anything wrong personally. The hon. Minister has just stated that they are independent people, they work on their own.

*(Interruptions)*

**The Deputy Speaker:** Order! Please address the Chair! Thank you.

**Mr Bhagwan:** The fact remains that the shot was not made for a promotion of the hon. Minister himself. But I am asking ...

*(Interruptions)*

**The Deputy Speaker:** Order please! Hon. Bhagwan, would you please address the Chair? Thank you.

*(Interruptions)*

Hon. Members, please behave! Thank you.

**Mr Bhagwan:** Can I ask the hon. Minister whether his approval was sought by the M6 people for that particular shot?

*(Interruptions)*

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, I can confirm that it was not a *caméra cachée*.

**Mr Bhagwan:** Can I ask the hon. Minister if he can at least inform the House or table copy of letters of protests which he has received at the Ministry, from different agencies falling under his Ministry following the presentation of that film?

**Mr X. L. Duval:** If I have, I would be happy to show it. But, as I mentioned, we did actually get views from our PR agency and the views were, in fact, mitigated by the fact that -

- (i) it is known to be a controversial programme;
- (ii) the destination itself did not come under attack neither my receiving the public.

What came under criticism was that particular hotel. The food was criticised, if you remember. In fact, everyone is aware that there is a big financial crisis and that hotels have discounted. But it is good to know - I bring that particular figure because we have to talk about

empirical facts and not just impressions - that last year 2009 the statistical office recorded a revenue loss of 13% in Mauritius whereby the number of tourists as 6.5% less. You can say that, in fact, the price effect of that is 6-7 % reduction overall. Some hotels put up their prices and some reduce their prices, but overall the Statistical Office shows that there is about 6% drop in price over the whole year compared to the previous year which is – you will agree - minimal. It does not stand what the capital showed.

### **TOUR OPERATOR (FOREIGN) - MAURITIUS – LOW COST DESTINATION**

**(No. B/48) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Vice-Prime Minister, Minister of Tourism, Leisure and External Communications whether he is aware that a foreign tour operator is marketing Mauritius as a low cost destination and, if so, will he state if it is being done with his Ministry's approval, and if not, the measures he proposes to take.

**Mr X. L. Duval:** Mr Speaker, Sir, I am informed that, in accordance with the Tourism Authority Act, the Tourism Authority is responsible for the regulation and control of the activities of the Tour Operators operating in Mauritius only.

Foreign Tour Operators do not fall under their aegis and we have, therefore, no control on their pricing policies.

**Mr Bhagwan:** Although the Ministry or the Tourism Authority has not any control, does not the Minister think that it is also the duty of the Ministry to have an overall look at what is being done by the Tour operators.

**Mr X. L. Duval:** I must say, Mr Deputy Speaker, Sir, that we are very concerned - I am going to be very frank and not have *la langue de bois* - by the activities of MARMARA, this is what we were talking about, when they came. I had myself called in the Managing Director of TUI when he was in Mauritius to talk to me and say that this is not the image that Mauritius wants to portray. But what is the solution? We will never be able to control the pricing policies of foreign properties. If they are able to buy their rooms cheap, they will sell them cheap. The question is: how can we upgrade the hotel in Mauritius so that they don't sell rooms cheap? This is why, in fact, we spoke to this particular group which controls about 1000 rooms in Mauritius

and this is why we are concerned by that group. I don't want to give the name for obvious reasons, I think people can know what it is. To upgrade constantly the quality of our hotels, our Monitoring Unit of the Tourism Authority effected 650 visits in different tourist establishments last year to try and get by coercion and support the level to rise and obviously there will always be one or two hotel constructions on private land. But, as far as possible, we do not allow 3-star hotels to be constructed. If we look at the history of this Government the track record is excellent: the Four Seasons, the Grand Mauritian, Intercontinental, Tamassa and the Club Med 5-star is already operational and under construction we have the St Régis, the New Coco Beach, the Long Beach and the Trou-Aux-Biches hotels. These hotels are all excellent 4 or 5- star hotels.

### **HOTEL CLUBS – FOOD - COMPLAINTS**

**(No. B/49) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the hon. vice-Prime Minister, Minister of Tourism, Leisure and External Communications whether he will state if he has received complaints and feedback on the poor quality of food served in the low cost hotel clubs that are operating in Mauritius, since 2006 to date and, if so, state if an inquiry has been carried out thereinto, indicating where matters stand.

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, I have been informed that my Ministry has received no complaint regarding the poor quality of food served in the hotel clubs in Mauritius.

**Mr Bhagwan:** Can I ask the Minister whether he has taken cognizance of a letter published in "*le Routard*", by somebody who came to Mauritius and has written about the poor quality of food. He has copied the letter to the Ministry. We will send a copy to the Minister and I would advise the Minister *d'abonner à "le Routard"*, which is an international magazine for the tourism sector.

**Mr X. L. Duval:** Please do send me! By all means, we are here to work. Obviously, Mr Deputy Speaker, Sir, taste is a question of taste. You can be from Middle East and don't like this food. This is not for us to say about the taste but, with the help of the Ministry of Health, we carried out, as I mentioned, 650 inspections last year and we looked at the sanitary and the health conditions of the food. It is very difficult for us to say whether this curry or that pie is better than the other one. It is a question of our budget. We all know if we go to the *hotel du thé* next door or

if we go to St Géran we will not get the same quality of food. I do take it, and I will certainly look at it, but again, we are limited as to the sanitary conditions and the health aspects.

**Mr Bhagwan:** I am talking about the poor quality of food - it is not taste - which is mentioned in that letter and which has been published by the International magazine '*le Routard*'.

**Mr X. L. Duval:** Mr Deputy Speaker, Sir, we do get about a million tourists a year. So, there will always be, but we will take it seriously, and I will look at it.

### **PRIMARY AND SECONDARY SCHOOLS – COUNSELLING UNITS**

**(No. B/50) Mrs F. Labelle (Third Member for Vacoas & Floreal)** asked the Minister of Education, Culture and Human Resources whether, in regard to the counselling units of the primary and secondary schools, he will state the number thereof, if any, which are operational, indicating the -

- (a) names of the schools, and
- (b) number of psychologists or counsellors attached thereto.

**Dr. Bunwaree:** Mr Deputy Speaker, Sir, the National Education Counselling Service (NECS) of my Ministry which is under the responsibility of a Senior Educational Psychologist and supported by ten Educational Psychologists and 18 Educational Social Workers, provides guidance and counselling as well as psychological and social support services to the pre-primary, primary and secondary schoolchildren needing individual and special attention.

With regard to the primary schools, there are no counselling units as such attached specially to them, but the Educational Psychologists and Educational Social Workers are posted at the four Zonal Directorates and cater for the individual and specific needs of schoolchildren. They respond to individual requests from Heads of School, Teachers and parents regarding specific children needing psychological support. Such requests may also come from institutions like the Ministry of Women's Rights, Child Development and Family Welfare, the Ombudsperson for Children Office or the Ministry of Health and Quality of Life in respect of schoolchildren.

Further, for children with special educational needs, the Educational Psychologists and Educational Social Workers of the NECS also conduct school visits and counselling sessions are also held on a case-to-case basis on request.

As for the secondary sector, counselling units are found in 33 State Secondary Schools that have been profiled for provision of such services. However, the pool of Psychologists and Counsellors also caters for the other schools on a cluster basis zone wise.

As far as private secondary schools are concerned, Managers of private secondary schools may avail themselves of the services of Educational Psychologists of the Ministry of Education, Culture and Human Resources who are posted to the four Educational Zones.

#### **RICHE TERRE & TERRE ROUGE – EX-PLANTERS - COMPENSATION**

**(No. B/51) Mr G. Gunness (Third Member for Montagne Blanche and GRSE)** asked the Minister of Agro Industry, Food Production and Security whether, in regard to the 23 ex-planters of Riche Terre and Terre Rouge who vacated their land as a result of the Jing Fei Project, he will state if Government is now prepared to reconsider the compensation to be paid to them.

*(Vide reply to PNQ)*

#### **SUGAR SECTOR/TRADE UNIONS – WAGES - NEGOCIATIONS**

**(No. B/52) Mr N. Bodha (First Member for Vacoas & Floreal)** asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the negotiations between the trade unions and the sugar sector in respect to an increase in wages of the workers, he will state where matters stand.

**Mr Chaumière:** Mr Deputy Speaker, Sir, I am informed that following deadlock in the negotiations held between the Unions of Artisans of the Sugar Industry (UASI), the Sugar Industry Labourers Union (SILU), the Artisans and General Workers' Union (AGWU) and the Organisations of Artisans Unity (OAU), and the Mauritius Sugar Producers Association (MSPA) on wages and conditions of employment of workers of the sugar industry, the unions have, on 03 March 2010, reported to the President of Commission for Conciliation and Mediation, a labour dispute against the MSPA.

I am further informed that a preliminary meeting was held on 10 March 2010 at the Commission for Conciliation and Mediation. With the consent of both parties, the Commission has extended to 14 April 2010, the statutory delay for the settlement of the dispute and another meeting has been scheduled for that date.

**Mr Bodha:** I do not want to be unfair with the Minister, but I would like to ask him whether he is aware that serious discrepancies have been reported in the figures which have been given by the MSPA during those negotiations to explain why they can't afford or give an increase in salaries?

**Mr Chaumière:** Mr Deputy Speaker, Sir, all these matters will be taken up before the Commission for Conciliation and Mediation.

**Mr Bodha:** Mr Deputy Speaker, Sir, may I ask the hon. Minister whether the Mauritius Sugar Authority which overviews the functioning of the industry cannot be of help here to certify whether the figures which have been presented by the MSPA are correct to facilitate the negotiations?

**Mr Chaumière:** Mr Deputy Speaker, Sir, I am not aware whether the MSPA is able or is not able to certify. As for my part, the matter being before the Commission for Conciliation and Mediation, I think we should let the Commission work upon this case.

**Mr Bodha:** The question I was asking, Mr Deputy Speaker, Sir, is: should the Mauritius Sugar Authority be involved to provide the figures that we need to be able to facilitate the negotiations?

**Mr Chaumière:** Mr Deputy Speaker, Sir, I do not have anything to do with the Mauritius Sugar Authority.

**The Deputy Speaker:** Yes, hon. Ms Deerpalsing!

**Ms Deerpalsing:** Thank you, Mr Deputy Speaker, Sir. When the Minister answered, he mentioned the Conciliation Committee, if I am not mistaken. May I ask him whether he would be agreeable to the Conciliation Committee in providing the workers and artisans with accounting experts? What is happening is that the Mauritius Sugar Producers' Association has contracted out the work of all the figures to BDO and the other party does not necessarily have the accounting expertise. My question is whether the Conciliation Committee takes into

consideration, or will take into consideration, the asymmetrical level of expertise in accounting that would be required to have equal discourse.

**Mr Chaumière:** Mr Deputy Speaker, Sir, the hon. Member does not seem to be aware that the Conciliation and Mediation Commission is an independent body and that I cannot impose whatever on the Commission. Let the Commission work on what it has got before it and then it will come with the result that it has.

**Ms Deerpalsing:** Yes, this is precisely why we ask questions because we do not know. My next question would be: given that the Conciliation Committee is an independent body, as the hon. Minister has said, is he aware then that there is an asymmetry of expertise from both parties and whether this can be resolved in whatever way that the hon. Minister has within his means?

**Mr Chaumière:** Mr Deputy Speaker, Sir, the Commission is presided over by a very competent person, Professor Torul. I think we should let the Commission work serenely in order to get the best results out of all this.

**The Deputy Speaker:** Thank you. Next question, please!

#### **HERMITAGE & PETIT CAMP - FOOTBALL GROUNDS**

**(No. B/53) Mr S. Soodhun (Fifth Member for La Caverne & Phoenix)** asked the Minister of Local Government, Rodrigues and Outer Islands whether in regard to the football grounds at Hermitage and at Petit Camp, he will, for the benefit of the House, obtain from the Municipal Council of Vacoas and Phoenix, information as to if they have been vested in the Council and, if so, indicate the measures taken for the upgrading thereof.

**Mr Aimée:** Mr Deputy Speaker, Sir, I am informed by the Municipality of Vacoas and Phoenix that the construction of a football ground at Petit Camp funded by the National Development Unit is in progress.

I am further informed that practical completion of the works is scheduled for today and the Council will take over and maintain the football ground thereafter.

With regard to the football ground at Hermitage, I am informed that no upgrading works have started because the land has not yet been vested to the Council by the Highlands Sugar Estate.

**Mr Soodhun:** Mr Deputy Speaker, Sir, can the hon. Minister inform the House whether there has been any meeting to investigate whether the land can be vested in the Municipality or has there been any request from the Municipality to be vested with the land?

**Mr Aimée:** Yes, Mr Deputy Speaker, Sir, the Municipality of Vacoas-Phoenix had on 22 March 2005 made a request to the Highlands Sugar Estate for the vesting of the Hermitage football ground in the Council to undertake upgrading work thereat. I have got a copy of the letter that I will table. However, the Highlands Sugar Estate had on 28 April 2005 conveyed only its authorisation to the Council for carrying out upgrading works to the football ground as per copy that I will table. Consultations have since been held by the Council with the Highlands Sugar Estate on this request, but no reply has been received up to now.

**Mr Soodhun:** Can the hon. Minister use his good offices to ask the Highlands Sugar Estate when this land will be vested in the Municipal Council? If this is not the case, I do not think that the Municipality will do the necessary to upgrade the land.

**Mr Aimée:** The hon. Member can rest assured that I will deal with that particular case.

#### **MESNIL & PARISOT – SEWERAGE PROJECT**

**(No. B/54) Mr S. Soodhun (Fifth Member for La Caverne & Phoenix)** asked the Deputy Prime Minister, Minister of Renewable Energy and Public Utilities whether, in regard to the sewerage project in the region of Mesnil and Parisot, he will state when it will be implemented, indicating the number of houses which will be connected.

**Dr. Beebeejaun:** Mr Deputy Speaker, Sir, I am informed by the Wastewater Management Authority that the contract for sewerage project along Parisot and Riverside Roads in Mesnil was awarded on 20 January 2010. Works along Riverside Road have started this month and works at Parisot Road will start by the first week of May 2010. The works are expected to be completed by August 2011.

As regards the number of house connections, 35 houses will be connected at Riverside Road and about 155 at Parisot Road. The survey being conducted by the contractor will confirm the exact numbers.

#### **PLATFORM, PETITE RIVIÈRE - NHDC HOUSING UNITS - FLOODING**

(No. B/55) Mrs S. Grenade (Second Member for GRNW & Port Louis West) asked the Minister of Housing and Lands whether, in regard to the construction of the new NHDC housing units at Platform, Petite Rivière, he will, for the benefit of the House, obtain from the National Housing Development Corporation, information as to if specific measures against flooding are being envisaged.

**Dr. Kasenally:** Mr Deputy Speaker, Sir, with regard to all construction sites including Petite Rivière Housing Estate, it is normal procedure to provide for an adequate drainage system.

#### **POINTE AUX SABLES - COMMUNITY HEALTH CENTRE - UPGRADING**

(No. B/56) Mrs S. Grenade (Second Member for GRNW & Port Louis West) asked the Minister of Health and Quality of Life whether, in regard to the Pointe aux Sables Community Health Centre, he will state where matters stand regarding the upgrading thereof.

**Dr. Jeetah:** Mr Deputy Speaker, Sir, regarding the upgrading of the Pointe aux Sables Community Health Centre, I wish to point out that late hon. James Burty David did raise this matter with me.

I am informed that the position is as follows -

- (i) the Ministry of Housing and Lands has already vested a plot of land of an extent of 368 m<sup>2</sup>, adjacent to the existing Community Health Centre, with my Ministry for its extension, and
- (ii) the Ministry of Public Infrastructure, Land Transport and Shipping has already started a survey for this project. Preliminary designs will be completed by the end of May 2010 and construction works will start by the end of the year.

The existing Community Health Centre will be extended to include the following -

- (a) one Records Room;
- (b) one Pharmacy store;
- (c) one Family Planning/Ante Natal Care Clinic;
- (d) one Mess Room;
- (e) additional toilets for both patients and staff, and

(f) an extension to the pharmacy and waiting area.

I am also informed that action has been initiated for the renting of floor space of about 1200 to 1500 sq ft to accommodate the CHC so as to ensure the continuity of the services. However, tender procedures have been unsuccessful on two occasions. A third tender exercise has been initiated and will be finalised shortly.

### RIAMBEL - EX-CHA HOUSES - SALE

(No. B/57) **Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Housing and Lands whether, in regard to the sale of the ex-CHA houses at Cité EDC Riambel, he will state where matters stand.

**Dr. Kasenally:** Mr Deputy Speaker, Sir, there are 136 occupiers of Ex-CHA housing units who have already become owners of their houses at Cité EDC Riambel, more commonly referred to as Surinam Ex-CHA Housing Estate.

According to records at my Ministry, Surinam Ex-CHA Housing Estate is situated on *Pas Géométriques*. The hon. Member would appreciate that as the law stands now, portions of land found on *Pas Géométriques* form part of the *domaine public* and are inalienable and imprescriptible – in short the land on which stands the EDC Housing Units cannot be sold.

**Mr Ganoo:** At one time, the hon. Minister told the House, in previous questions, that advice from the State Law Office had confirmed that. Is that correct?

**Dr. Kasenally:** Mr Deputy Speaker, Sir, in order to be able to sell these lands, we have to change the Constitution, which is a major task. I will give extra information. As far as these houses are concerned, only 50% of them want to buy them because the land, if at all is being sold, will cost Rs4,000 *grosso modo*. Some prefer to go on paying the Rs150, especially those people who are about 60 or 70 years old, because they say they are not going to live beyond 100 years old and it will cost them less than Rs4,000.

**Mr Barbier:** Mr Deputy Speaker, Sir, if you allow me, the question is specific to Riambel. But the problem of CHA houses on *Pas Géométriques* is scattered across the island. May I know from the hon. Minister what is the number of CHA houses on *Pas Géométriques* around Mauritius which would not be able to be sold to the occupiers?

**Dr. Kasenally:** As far as *Pas Géométriques* is concerned, they are scattered over 16 sites, ranging from Anse Jonchée to Trou aux Biches. There are 896 such houses, and only 489 people have applied. As I have said, we cannot sell these houses. CHA houses elsewhere have been sold, I think, by the previous Governments, ranging from Rs150 to Rs1,000.

**MARE TABAC, MARE D'ALBERT, TROIS BOUTIQUES & PLAINE MAGNIEN  
- FLOODS**

**(No. B/58) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Environment and National Development Unit whether, in regard to the floods caused by the recent heavy rainfalls in Mare Tabac, Mare d'Albert, Cité Paul Langlois-Plaine Magnien, Carreau Esnouf and Trois Boutiques, he will state the remedial measures that are being envisaged, indicating the time frame for implementation.

**Mr Bundhoo:** Mr Deputy Speaker, Sir, following the heavy rainfalls from 09 to 12 February 2010, and subsequent to a request from hon. Dr. Bunwaree and the Member of Parliament of the constituency, a site visit was carried out on the following day, that is, on 13 February 2010.

The consultant is conducting a thorough survey in the regions of Mare Tabac, Mare d'Albert, Trois Boutiques and Plaine Magnien, and will submit its proposal and cost estimates within two months. Upon receipt of the proposals, the NDU will consider the implementation of the project.

In the meantime, the consultant has advised some cleaning works along Mahebourg-Nouvelle France Road, Football Lane and Fabrique Road in Mare d'Albert, and the local authorities concerned have been accordingly advised.

**Mr Varma:** Mr Deputy Speaker, Sir, is the hon. Minister aware that the natural drains that used to exist on the sugarcane plantations have been blocked recently?

**Mr Bundhoo:** Yes, Mr Deputy Speaker, Sir, we are aware of that, and this is why an inter-ministerial committee has been set up under the chairmanship of the Minister of Public Infrastructure, Land Transport and Shipping, composing of the Minister of Agro Industry, Food Production and Security, the Minister of Local Government, Rodrigues and Outer Islands and

myself, to precisely look into the matter. We are shortly expecting a report from the technicians of this sub-committee to advise the ministerial committee on the way forward.

**Mr Varma:** As regards the problems that arose in the various regions I mentioned in the question, is there a time frame for the implementation of the measures?

**Mr Bundhoo:** As I just explained, Mr Deputy Speaker, Sir, the causes of floods over the last six months are with regard to mechanisation and other works within the sugarcane fields and the natural drains being blocked are not specific to Constituency No. 12. It is happening all over the island and in a few specific places. In fact, in Constituency No. 13...

**The Deputy Speaker:** But does the hon. Minister have a time frame?

**Mr Bundhoo:** Hon. Mohamed and hon. Peetumber, as well as for Constituency No. 11...

**The Deputy Speaker:** No. The hon. Minister should answer the question put, please.

**Mr Bundhoo:** I am afraid, I cannot, at this moment in time, give a specific time frame because we are still awaiting the recommendations of the technical committee.

**Mr Varma:** A few days back, there was heavy rainfall and again we were faced with problems. Can I request the hon. Minister, because time is of the essence in this particular matter, to see to it that matters are taken seriously and solutions found to the problems as soon as possible?

**Mr Bundhoo:** Mr Deputy Speaker, Sir, it is precisely because of the difficulties faced by the people, because time is of the essence and we are a sub-tropical country with heavy rains regularly that Cabinet has set up this ministerial committee to propose timely solutions which are durable in the long term.

#### **MON TRÉSOR MON DÉSSERT & UNION VALE - HOUSING ESTATES - PHASING OUT**

**(No. B/59) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Agro Industry, Food Production and Security whether, in regard to the phasing out of the Mon Trésor Mon Désert and the Union Vale Housing Estates, he will, for the benefit of the House, obtain from the Mauritius Sugar Authority, information as to where matters stand.

**Mr Faugoo:** Mr Deputy Speaker, Sir, in reply to Parliamentary Question No. B/1024 addressed by the hon. Member, I informed the House of developments taking place on the sites identified to relocate 168 camp dwellers of Mon Trésor Mon Désert and Union Vale Housing Estates. These sites are Desplaces, Trois Boutiques and Memoire, Plaine Magnien.

The situation on the three sites, as reported to me by the Mauritius Sugar Authority, is as follows -

- (i) with regard to the sites at Trois Boutiques and Memoire, water supply works have been completed in 2009. Road and drainage works, which started in January this year, are in progress and are expected to be completed by end of July 2010, as per the programme of works;
- (ii) regarding the site at Desplaces, the geo-technical study carried out by the University of Mauritius on the observation of a cavity during the cut and fill works, have been completed in December 2009. The report indicates that construction may be effected on the plots, provided additional measures are taken because of foundation related risks. The plots have been classified as follows –
  - (i) high foundation related risk;
  - (ii) medium foundation related risk, and
  - (iii) foundation related risk.

The Mauritius Sugar Authority has sought the assistance and advice of the Ministry of Public Infrastructure in January 2010 regarding measures to be taken to address the foundation related works. The Ministry of Public Infrastructure has advised the Mauritius Sugar Authority to seek the services of a private structural engineer. Action is being taken by the Mauritius Sugar Authority accordingly.

I am also advised that the MSA had a meeting with representatives of the camp dwellers on 18 March 2010 in the presence of representatives of the sugar estate, to apprise them of the findings of the geo-technical survey carried out by the University of Mauritius and on the way forward. The MSA proposes to meet them again once the recommendation of the structural engineer is obtained.

**Mr Varma:** Mr Deputy Speaker, Sir, I didn't quite listen to what the hon. Minister said. Is there a meeting that is scheduled with the inhabitants of Mon Trésor Mon Désert Housing Estate?

**Mr Faugoo:** In fact, they have said that they propose to meet again once the recommendation of the structural engineer is obtained. So, we will have to wait for the report. I will keep my colleague informed.

### **PRIMARY SCHOOLS - ENHANCEMENT PROGRAMME**

**(No. B/62) Mrs F. Labelle (Third Member for Vacoas & Floreal)** asked the Minister of Education, Culture and Human Resources whether, in regard to the Enhancement Programme in the primary sector, he will -

- (a) state the number of
  - (i) teachers and trainee teachers involved therein, and
  - (ii) the monthly financial implications thereof, and
- (b) table copy of the cursus thereof.

**Dr. Bunwaree:** Mr Deputy Speaker, Sir, as regards part (a) of the question, 422 educators and 95 trainee teachers are involved in the Enhancement Programme, and the monthly financial costs which basically cover allowances amount to about Rs4 m.

As regards part (b) of the question, I am tabling a copy of the Teacher's Manual for the first term 2010, which has been prepared by the Mauritius Institute of Education (MIE).

I wish to highlight that all educational reform documents that have been elaborated over the years have stressed the need for the holistic and integrated development of the child, which is the very essence of education. Even the Convention for the Rights of the Child, to which we are party, recognises, in Article 31, the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child, and to participate freely in cultural life and the arts. Indeed, it is for the first time in our history that a programme has been developed along that line and concretely translates into action such an intention.

The Enhancement Programme is pupil centred and focuses on five core subject areas. It makes use of innovative pedagogical tools that are more activity based and involve hands-on

experience. This is supplemented by other creative practices such as drama, sports, painting, sculpture, music and others. The overall objective, therefore, is to provide more equity in learning opportunities for all, thereby rendering the learning experience of pupils more enriching and rewarding.

The programme which was launched on 17 February 2010 has seen a level of participation of pupils of Std IV beyond expectation. Even at the very early outset, some 80% of pupils were attending the Enhancement Programme; the level of pupil participation has now reached about 85% in Mauritius, which makes it clear that the large majority of parents are strongly supportive of the programme. The programme is also being implemented in Rodrigues and Agalega, where participation has reached 90% in Rodrigues and 100% in Agalega respectively.

**Mrs Labelle:** Concerning the 95 trainee teachers who are involved in this programme, may I ask the hon. Minister whether it is by choice or because of lack of teachers who wish to join the programme?

**Dr. Bunwaree:** Both! In fact, these trainee teachers are those who are going to join the schools in the month of June. I must also inform the House that the trainee teachers have been fully involved in this mode of pedagogy. They are, I won't say better, but well prepared for this programme. In fact, little by little, the programme is going to be extended to other classes as well.

**Mrs Labelle:** May I ask the hon. Minister whether he is aware or has been made aware that in many cases, above the Enhancement Programme, the pupils are having their private tuition, which means that, instead of being at school three days per week as it was the case, now the kids are having a higher burden of work?

**Dr. Bunwaree:** I don't think it is a minority of cases, but we are aware of it. We are following it very closely. I make an appeal to all teachers to be very careful. In fact, in schools it is not allowed to give private tuition in standard IV and outside schools we are opening our eyes. If there are cases, please let us know.

**RODRIGUES - SIR GAËTAN DUVAL AIRPORT - RUNWAY**

(No. B/63) **Mr J. R. Spéville (Second Member for Rodrigues)** asked the vice-Prime Minister, Minister of Tourism, Leisure and External Communications whether, in regard to the Sir Gaëtan Duval Airport at Plaine Corail, he will, for the benefit of the House, obtain from the Airports of Mauritius Ltd. information as to if a feasibility study has recently been carried out for the extension of its runway and the outcome thereof.

**The Minister of Local Government, Rodrigues and Outer Islands (Mr H. Aimée):** Mr Deputy Speaker, Sir, with your permission, I shall reply to this question.

The Airport of Mauritius Ltd. has no control over the Sir Gaëtan Duval Airport at Plaine Corail.

In fact, the Sir Gaëtan Duval Airport is managed by the airport of Rodrigues Ltd. which provides Air Control Tower services and other logistical facilities with the support of the Department of Civil Aviation of Mauritius and Rodrigues Regional Assembly.

I am informed that, to date, no feasibility study has been carried out for the extension of the runway in Rodrigues.

However, I am further informed that, in January 2008, it was decided that the best alternative would be to construct a new runway of 2100m adjacent to the existing runway with possibility of extension up to 3000m.

The RRA is in the process of appointing consultancy firms to undertake a feasibility study for the new runway with the financial support of the World Bank. In this regard, expressions of interest had been invited internationally and the closing date was 01 February 2010. Consequently, a number of consulting firms expressed their interests which are being evaluated by the RRA. A shortlist of firms to which detailed Request for Proposals would be sent, in line with the World Bank procedures for procurement, is being worked out.

**Mr Spéville:** The hon. Minister said that the consultancy firms undertook a feasibility study and the closing date for expressions of interest was 01 February. When is he expecting them to submit the report and what is the next step?

**Mr Aimée:** I don't have the information. I will table it later on.

**The Deputy Speaker:** Maybe the hon. Member can come with a substantive question.

### SOLITUDE - SPORTS COMPLEX – LAND ACQUISITION

(No. B/64) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Housing and Lands whether, in regard to the land compulsory acquired for a sports complex at Solitude, he will state if it has been sold or leased and, if so, indicate –

- (a) to whom, and
- (b) the sale price or rent payable.

**Dr. Kasenally:** Mr Deputy Speaker, Sir, the land has been reserved for the grant of an industrial lease in the name of PADKAM Investment Holdings Ltd. for the setting up of an entrepreneur village. The lease agreement is yet to be signed. Rental for the leased land will be in accordance with the recommendation of the Director, Valuation and Real Estates Consultancy Services which has already been consulted.

Sir, may I also refer the hon. Member to replies made to PQ B/1193 of 27 November 2007, PQ B/1136, PQ B/1369 of 11 December 2007 and PQ B/910 of 22 July 2008 on the above subject where it has been extensively ventilated in this House.

### MALHERBES - FOOTBALL GROUND

(No. B/67) Mr M. Dowarkasing (Third Member for Curepipe & Midlands) asked the Minister of Youth and Sports whether, in regard to the upgrading of the Malherbes Football Ground and the turfing works thereat, he will state where matters stand.

*(Withdrawn)*

### MOTION

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

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

**Mr X. L. Duval rose and seconded.**

*Question put and agreed to.*

**The Deputy Speaker:** There being no statement by Ministers, I will suspend the sitting for half an hour for tea.

*At 3.57 p.m. the sitting was suspended.*

*On resuming at 4.35 p.m with Mr Speaker in the Chair.*

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded the following Bills were read a first time -*

- (a) The Criminal Code (Amendment) Bill (No. 1 of 2010)
- (b) The Arabic-Speaking Union Bill (No. II of 2010)
- (c) The Bhojpuri-Speaking Union Bill (No. III of 2010)
- (d) The Creole-Speaking Union Bill (No. IV of 2010)
- (e) The Mandarin-Speaking Union Bill (No. V of 2010)
- (f) The Sugar Cane Planters Trust (Repeal) Bill (No. VI of 2010)

### *Second Reading*

## **THE MAURITIUS BLOOD SERVICE BILL**

**(NO. XXII of 2009)**

*Order for Second Reading read.*

**The Minister of Health and Quality of Life (Dr. R. Jeetah):** Mr Deputy Speaker, Sir, I move that the Mauritius Blood Service Bill (No. XXII of 2009) be read a *second* time. Mr Speaker, Sir, as we are all aware health is wealth and the right to health is a fundamental human right. The vision of our Prime Minister for our health care system is to benchmark with that of Singapore. The commitment to social and welfare strategies, including the delivery of free health care services and free education to the entire population, emanates from the philosophy of the Father of the Nation, that is, the late Sir Seewoosagur Ramgoolam. Government strongly believes that healthy human capital is a pre-requisite for economic growth. In view of the fact that health and economic development are closely inter-related, we believe that investment in the health of the nation brings in substantial dividends.

For these reasons, health has always been placed at the core of the socio-economic agenda of Governments, since we attained independence in 1968. Despite economic difficulties, Mauritius continues to sustain the provision of health care, including hi-tech medical care, free of user cost to the entire population under the leadership of our Prime Minister. As a matter of fact, my Ministry's budget has been increased from Rs3.7 billion in the year 2004/2005 to Rs7.5 billion in 2010. Mr Speaker, Sir, this represents an increase of more than 100%. This is again a proof of this Government's strong commitment to invest massively in health infrastructure, equipment and capacity building to continuously enhance the quality of our health service delivery.

Mr Speaker, Sir, at the outset, I would like to point out that presently there is no legislative framework governing the operation of the current Blood Transfusion Service. The Blood Transfusion Service forms part of the overall Central Health Laboratory and it operates in accordance with administrative guidelines only. However in this modern era, the Blood Transfusion Service cannot continue to maintain *status quo* in view of the increase in demand for blood and blood products, the inherent risks associated with blood due to its biological nature, advances in technology as well as rising processing costs. Hence, it is high time for the blood service to operate within an appropriate legislative framework.

My Ministry is sparing no effort to introduce new services in our health care institutions. Allow me, Mr Speaker, Sir, to enumerate some of the new or proposed services -

- a Cardiac Unit and a Neonatal ICU at Jawaharlal Nehru Hospital;
- a Diabetes and Vascular Health Centre at Souillac Hospital;
- a new Cancer Children Ward;
- a Paediatric Surgery Service;
- an Institute of Women's Health, and
- a Geriatric Hospital.

Mr Speaker, Sir, the rapid expansion in health services and the introduction of new hi-tech services have led to a significant increase in the demand for blood and blood products. More than 8 million patients visit our health care institutions annually representing 22,000 patients daily. Mr Speaker, Sir, day in, day out, the public health system receives 22,000 patients. In fact, in 2009, both in public and private hospitals some 600 cardiac surgeries were undertaken, 931 patients were on dialysis and some 1500 patients were treated for different types of cancer.

150 pints of blood are required daily to meet the needs of these patients. The management of these patients would not have been possible without adequate blood transfusion support.

Furthermore, the development of medical tourism is one of the priorities of this Government. Mauritius is already receiving foreign patients for various types of treatment. In fact, in 2008, some 1,500 overseas patients visited this country for various medical and aesthetic care, including cardiac surgeries. It is now our objective to reach a target of 10,000 foreign patients visiting our country by the end of this year, that is, 2010, and we have set ourselves a target of inviting and attracting 100,000 patients by the end of year 2015. I seize this opportunity to remind the House that the two largest hospital groups of India (Apollo & Fortis) are presently operating in Mauritius, and this is through the active inducements given to these large groups so that they can come and settle here in Mauritius. Such an occurrence has been possible due to the sound policies and conducive business environment put in place by Government. This is indeed a testimony of the vision of our Prime Minister for the health sector.

To sustain the increase in demand for blood and blood products and to cater for future growing demands, the current Blood Transfusion Service needs to be restructured and modernised. Hence, my Ministry is coming forward with this Mauritius Blood Service Bill.

As stated in the Explanatory Memorandum, the object of the Bill is to provide for the establishment of the Mauritius Blood Service which is, amongst others -

- (a) establish and operate an effective and sustainable blood service;
- (b) promote blood donation, and recruit and retain blood donors;
- (c) collect, test and process blood and blood products;
- (d) ensure a safe and adequate supply of blood and blood products, and
- (e) promote research and training in the field of transfusion medicine.

We are all aware, Mr Speaker, Sir, that we have four groups of different types of blood that exist. But, if one was to ask a question of how many might be available, one might not know. So, it is very important to be able to conduct research and to be able to have a timely provision for this very important resource. Transfusion of blood and blood products forms an essential component of a sound health care system. I wish to reiterate the fact that many disciplines of medicine such as cardiac surgery, dialysis and cancer treatment cannot be envisaged in the absence of blood transfusion support. Moreover, there are patients who are

transfusion dependent throughout their lives for their survival. Therefore, it is vital that an adequate stock of blood and blood products is available at all times.

Blood transfusion is indeed life saving. Safe and adequate supply of quality blood and blood products for one and all, and particularly for groups of people who rely on lifelong transfusion support, is an absolute priority of my Ministry. However, blood and blood products, which are of biological origin, can be vehicles of transmission of infections. We are all well aware of the scandalous HIV transmission of the 1980s through blood transfusion in many parts of the world.

I now wish to speak briefly on the current situation regarding blood service in the country and to elaborate on the need for reorganisation. The Blood Transfusion Service has been in existence for more than 50 years as one of the eight Departments of the Central Health Laboratory services in Mauritius. It is the only institution in Mauritius responsible for the collection, testing, processing and distribution of blood and blood products to all health institutions, be it public or private. However, contrary to the other departments of the Central Health Laboratory which provide largely diagnostic services, the Blood Transfusion Service is unique, as it provides therapeutic services through blood donors recruited from the community at large.

Maintaining a strong, voluntary blood donor pool is critical to ensuring that there is a robust blood supply to meet the patients' demands 365 days throughout the year, whether the demand is for scheduled treatment or emergencies. Disasters, natural or man-made, do not respect geographical boundaries. They can strike at any moment, at any time and at any place, leading to mass casualties requiring massive blood transfusion in order to save lives. This is clearly exemplified by the recent catastrophes that struck Haiti and Chili.

Mr Speaker, Sir, as we are all aware, despite massive strides in technologies, blood cannot be produced artificially. We shall continue to be dependent on our fellow human beings to fulfil our need for blood. As a consequence, blood donors are major stakeholders in the provision of health services to the community. This community representation is not reflected in the present structure of the Blood Transfusion Service. This issue will be addressed in the new legislation.

Blood Transfusion Service has steadily expanded and improved over the years. This is reflected in the steady increase of blood units collected, increase in the number of staff in Blood Transfusion Service from 35 in 1998 to 84 in 2009, expansion in the infrastructure with the addition of four rooms and acquisition of additional equipment for preparation and appropriate storage of blood components. The Blood Transfusion Service is fully computerised as from 2008, and this has helped in maintaining a national donor data base and reinforcing the blood safety.

Here, I wish to place on record my appreciation for the valuable contribution of NGOs such as the Blood Donors Association, the Association of Blood Donors Organisers and other NGOs for their relentless efforts in motivating and recruiting voluntary blood donors. I must perhaps also congratulate and show my appreciation to my wonderful staff who do this day in day out whenever the need arises. I must say that they have also shown leadership, Mr Speaker, Sir.

The staffs of Blood Transfusion Service have also been trained in Quality Management System by a WHO Consultant, and the Blood Transfusion Service will shortly be undergoing assessment for Certification to MS ISO 9001-2008. Guidelines have also been defined in the National Blood Policy Document for the operation of National Blood Service. Documents such as Donor Selection Criteria, Guidelines for Clinical Use of Blood and Standards for the Practice of Blood Transfusion have been generated to standardise our practice of blood banking and blood transfusion.

In spite of all these improvements, we still need to re-engineer our operational system to cope with the ever increasing demand in blood and blood products. Although the number of blood units collected has shown a steady increase from 41,452 in year 2005 to 48,479 in year 2009, presently the demand and supply for blood and blood products is manageable. But, the Blood Transfusion Service is almost reaching a plateau in terms of blood units collected and fractionated annually. We forecast that, in the medium term, with the expansion in health services, we might need up to 60,000 blood units annually. The avenues for further improvements in the quantity and quality of blood collected appear to be limited under the current set-up.

In the absence of a regular donation of blood by blood donors, management of blood stock becomes difficult. Moreover, transfusion of blood to the patients being dependent on blood group compatibilities, it is imperative that there is not only a sufficient overall stock of blood, but also the availability of specific blood groups being maintained at all times. This constraint is further exacerbated by the fact that blood has a limited shelf life and cannot be stored indefinitely, for example, 35 days for whole blood and five days for platelets.

The world of blood banking and transfusion medicine is continuously changing, as new technologies evolve to further reduce risk associated with blood and blood products. Education and training is fundamental to every aspect of blood safety, as well as successful utilisation of blood and blood products in saving lives. Few healthcare providers receive advanced training on transfusion medicine during their formal medical or nursing education. This lack of training sometimes results in avoidable death and complications related to the use of blood and blood products.

Blood Banking and Transfusion Medicine is evolving as a speciality in many countries and the restructuring of our Blood Transfusion Service will pave the way for the training of our health care providers in this very specialised field and for the recognition of transfusion medicine as a speciality.

Mr Speaker, Sir, as I stated earlier, the vision of this Government is to transform Mauritius into a Medical Tourism hub as is the case of Singapore. We wish to develop the medical sector as another pillar of the Mauritian economy. With the rising cost of healthcare around the world, it is estimated that there is a large captive market for people in Europe, United States and other countries, who are privately insured and willing to seek medical treatment overseas, where costs are much lower than at home. To tap this potential market, Mauritius has to expand and upgrade its health structure and take appropriate measures to be at par with best medical facilities worldwide, thereby reinforcing the confidence of people in our health care delivery. A good health care infrastructure, good support services and good blood banking and transfusion facilities will bridge the gap between the public and private sectors and will thus enable Mauritius to acquire the required additional edge. The purpose is to have parity in standards and quality of service delivery between the public and private sectors.

Mr Speaker, Sir, although blood is donated voluntarily and freely by blood donors, there are considerable costs attached to the collection, processing and testing of blood. I must put on record our appreciation of each and everybody here, to the donors as well without whom we would not have been able to save lives. I know of many donors, even here in this House, who do this regularly. It is, therefore, imperative that the organisation responsible for the provision of safe blood and blood products is recognised as a unique entity, which is managed with the collaboration and support of major stakeholders, that is, the blood donors and patients, under appropriate legislative framework. Hence, the vital role of blood donors will be recognised through their representation on the Board and participation in decision-making.

Mr Speaker, Sir, I wish to emphasise that there is no fee charged for blood and blood products. All patients attending public health institutions are being provided blood and blood products, free of user cost and they will continue to enjoy this privilege. I would like to say this again, this Government does not propose to charge this commodity - we just cannot do it. However, for patients attending private health institutions, a fee of Rs1,500 is being charged presently to recover the cost of processing the blood (that is, collecting, testing, fractionating, etc). This will enable the upgrading of the blood service in terms of modern equipment, consumables and new technologies. What matters here, Mr Speaker, Sir, is the availability of the product and we want to make sure that we have the best state-of-the-art technology to be able to provide the best testing and so on, so that people can safely use this commodity.

The trend worldwide, as is the case in countries such as the United Kingdom, France, South Africa and Malawi, shows that the blood services should be organised as an autonomous body managed by a Board of Directors, with representatives of all stakeholders concerned. Such a model helps in managing blood transfusion service in a more rational, cost effective and sustainable manner. There have been several reports and recommendations in the past, amongst others, by Dr. J. B. Tapko, Regional Advisor for Blood Safety, WHO AFRO, Mr Neil Rosin, WHO Consultant in Quality Management System and Dr. Jean Emmanuel, Consultant Safe Blood International to reorganise our Blood Transfusion Service along similar models for the sake of sustainability, quality and cost effectiveness. Some of the main recommendations of these consultants are to –

- (a) implement the National Blood Policy;

- (b) enact appropriate legislation to govern blood service;
- (c) implement a National Quality Management System, and
- (d) reorganise the Blood Transfusion Service as an autonomous body.

In fact, the recommendations of these consultants are along the lines advocated by WHO, the International Society of Blood Transfusion, as well as the UK and European Standards for blood transfusion.

The present Bill makes provision under section (3) for the establishment of a body corporate, administered and managed by a Board of 10 Members, including the Chairperson to operate the Mauritius Blood Service (MBS). Other members include, *inter alia*, a representative of the blood donors and a representative of clinical users of blood and blood products. The day-to-day business of the MBS will be managed by an Executive Director appointed by the Board with the approval of the Minister as stipulated in section (11) of the Bill. The Executive Director will be a registered medical practitioner and will be a non-voting member of the Board.

The MBS will have such functions as are necessary to attain its objects most effectively. These functions, as laid out at section (5) of the Bill shall, *inter alia* -

- (a) adopt appropriate procedures for the selection and screening of safe blood donors prior to the collection of blood;
- (b) test each unit of blood or blood product collected with a view to ascertaining its safety for transfusion purposes;
- (c) ensure that blood and blood products are properly stored, transported and distributed;
- (d) supply blood and blood products equitably to public hospitals, health institutions and registered medical practitioners, and
- (e) to comply with internationally accepted norms, standards and quality management systems.

The MBS is empowered under section (6) of the Bill to -

- (a) receive grants, gifts, donations or legacies and raise funds;
- (b) charge service fees for the testing and processing of blood and blood products supplied to the private health institutions;
- (c) open any bank account, and
- (d) subject to the Public Procurement Act, enter into any contract.

Mr Speaker, Sir, the Bill also stipulates at section (24) that the MBS shall be the only Service responsible for the import, collection, processing and distribution of blood and blood products for transfusion purposes. This provision will prevent the proliferation of private blood services which otherwise would compete for the same blood donors thereby leading to commercialisation of blood and compromising blood safety. In addition, the MBS will ensure flexibility in operation in terms of timely decision-making, for example to accept donations/grants and to organise fund-raising activities, which is not currently the case, I must say. It will also pave the way for the modernisation and the introduction of hi-tech procedures such as a stem cell bank.

The Bill also makes provision at section (26) for relevant Regulations to be made for the proper functioning of the Mauritius Blood Service based on established ethical standards and best practices.

Mr Speaker, Sir, I wish to add that with the autonomous status, the possibility of contracting out not-fit-for use/surplus products such as plasma can be explored with manufacturing companies for the preparation of reagents and for research purposes (of course, subject to approval by appropriate bodies, that is, the Ethics Committee) that might exist on a cost-recovery basis. Such a practice will reduce wastages and will instead bring in revenues. Lastly, flexible hours of work can be introduced to ensure that all blood collected is processed and separated into components, thereby ensuring a constant supply of blood and blood components. Currently, overtime is resorted to at increased costs.

The MBS will work on a cost recovery basis from private health institutions. As regards patients requiring transfusion in public health institutions, my Ministry will provide an annual grant, based on the current running costs of the MBS.

Mr Speaker, Sir, "Blood is a gift of Life". In conclusion, I am convinced that the setting-up of the Mauritius Blood Service is coming at an opportune time when Mauritius is poised to become a Centre of Excellence in health care delivery in the region and the Mauritius Blood Service will subsequently serve as a model institution for other countries.

I would like, therefore, to end by thanking one and all who in one way or the other contributed towards bringing the Bill and, in particular, our Prime Minister, who, I must say,

always lends a special ear and provides much valuable support in matters relating to the health of our citizens.

With these remarks, Mr Speaker, Sir, I commend the Bill to the House.

**Dr. Bunwaree rose and seconded.**

(5.00 p.m.)

**Mr S. Naidu (Third Member for Beau Bassin & Petite Rivière):** Mr Speaker, Sir, this Bill comes to this House, as the Minister said, at an opportune time because we know how blood service is being handled in Mauritius and in other countries around the world. In fact, as the Minister mentioned, countries like France, UK and Malaysia have indeed put in place such a framework to look at the issue of blood service which is extremely important in all countries.

As we look at the objects of the service, the one which strikes me is about ensuring a safe and adequate supply of blood and blood products. As I went through all those legislations worldwide, I noticed that this was the issue is having an adequate supply of blood in the different blood banks. It is interesting to find out the reasons why there is such a problem of scarcity in all those countries. Studies have been made and I am going, just for information sake, to read a few of the reasons which I have found for the scarcity of blood supply. Of course, the reason is that people don't give their blood; they have several reasons and the most important is surprisingly the fear of needles. People fear of injection, and they won't go and give their blood. Some other people are just afraid of the sight of blood, some simply don't have time. These are the reasons that they give, that's why the blood donation services have to move around the country and go where the people are to collect the blood. Some people even think that when they give their blood, they will get some diseases. Some people say: 'If I give my blood, I am going to get AIDS'. The more funny is that some people think that they are too old, others think they don't have enough blood to donate, whereas we all know that whatever is donated is replaced in less than 24 hours. The best one I found is where one person said: 'My blood type is rare, so, I am going to keep it until it is required.' Probably, he is going to sell it at a very expensive price.

As we look around the subject of blood donation, there seems to be one fundamental problem, that is, to create awareness among people about the importance of giving their blood and to remove all those taboos around blood donation. I have heard recently the Minister of Education saying about the introduction of sexual education at school. Am I right? I also recall

one very famous person who came here as a chief guest on Independence Day, the President of India, Mr Abdul Kalam. He said that every Monday at school, we should take two hours to talk to children to bring out consciousness and awareness about different subjects. I think this is the time when we should talk about those subjects referred to by the hon. Minister of Education and also the importance of giving blood to save life.

*M. le président, il y a un gros travail à faire. Je suis d'avis que le service qui va être mis en place va tout faire pour répondre à toutes les questions. Nous avons des choses aussi fondamentales, aussi simples. Si vous demandez à une personne quel est son groupe sanguin, I think 50% of the people won't know. They will say: 'I will have to look.' You can just imagine what happens in the case of an accident when there is a sudden need for blood. Nous n'avons pas une carte d'identité à Maurice où le groupe sanguin est inscrit comme c'est le cas dans d'autres pays. These are fundamental things which we have to look at. Il y a du travail and we will probably reach the stage as in India where the registered donors are contacted by SMS or e-mail on the spot. C'est fait spontanément. When their blood type is required, they receive a message in real time and they go to the place where the donation is made.*

The Minister mentioned the processing fees, that is, Rs1,500 for one pint of blood. People who are under private clinic care have to pay this sum of money. I think this is a big sum for a process fee when we know that some operations require 10 pints of blood. Anyway, I am sure he mentioned it. *Le sang est donné volontairement, le sang est là pour sauver une vie, why do some people have to pay and others have it free? Vous me direz that you should have gone to the hospital instead of going to the clinic, mais nous ne sommes pas là pour faire le procès du système de santé à Maurice. Anyway, the Minister will look into this, I am sure.*

Mr Speaker, Sir, I won't go any further, I think I have said what I wanted to say, but before ending I would like to thank all those volunteers in the blood service. *C'est du volontariat. But, more importantly, I would like to thank all blood donors. Ce qu'ils font, c'est fabuleux.* The donation of one's blood is said to be the purest form of liquid love.

Thank you, Mr Speaker, Sir.

(5.08 p.m.)

**The Minister of Foreign Affairs, Regional Integration and International Trade (Dr. A. Boolell):** Mr Speaker, Sir, let me, first of all, congratulate the Minister of Health because he has been very thorough in his Second Reading and I must say that this Bill gives us an opportunity to say ‘thank you’ to all those unsung heroes because, to me, those who donate blood to save lives, are unsung heroes.

Mr Speaker, Sir, what is happening today is history in the making. Though the Bill is easy to read, it has its merits and its advantages are far-reaching as highlighted in the objects and the functions of the Board. It is true that for far too long the Mauritius Blood Service has operated under the aegis of the Central Laboratory. I think it is time that it is decoupled and precisely the reason as to why we are introducing this Bill and to become an autonomous body.

When we look at the genesis of the Bill, Mr Speaker, Sir, it takes us back to year 2003 when the decision was taken to have a national policy to re-organise the Blood Transfusion Service. Of course, there has been the policy that has been clearly spelt out. We have started in leaps rather than bounds in respect of implementation of the policy but now the time has come, as has been stated by hon. Naidu, to act and to act promptly. This is precisely what Government is doing by giving this body its autonomy. Now it has the opportunity to be more reactive and proactive. Besides, it is a sector that works 24 hours seven days of the week and if today we are able to provide the necessary needs it is precisely because Government has been diligent in managing the economy of this country. And we have to pay tribute to the hon. Prime Minister, as my colleague has stated, because when we started, the budget of the Ministry of Health and Quality of Life was Rs3.7 billion and when the vote in respect of the Ministry was taken and voted and approved by Parliament, the budget today stands at almost Rs8 billion. So, the resources are there, but then you need a dedicated Minister and a dedicated team. As has been rightly pointed out, today, the reform of the health sector is taking place in leaps and bounds and we are poised to become a centre of excellence.

But we have to be true to ourselves that there are problems that we are confronting, and unless and until the transfusion service has the freedom to act, and to act without any fear or prejudice, it may be difficult to achieve some of the objects of the service, but this is precisely what the hon. Minister is doing by giving autonomy to the Mauritius Blood Service.

Let me just take a few examples. There were times, Mr Speaker, Sir, when patients needed blood that has been properly filtered, very often basic disposable, as we call them, like

proper cell line is not available or when it comes to fractionate the blood, it is not possible to do so, Mr Speaker, Sir. Today what we are doing, we are giving this service not only its *lettre de noblesse*, but we are empowering those who are going to run the service to ensure that the service is going to be quality care. In spite of certain constraints, they have delivered, Mr Speaker, Sir, in a very diligent manner. Contrary to scandals that had taken place in France or elsewhere, in Mauritius we can say without fear or prejudice that the services have been excellent and there have been no case of tainted blood, Mr Speaker, Sir. All credit has to go to those who run the blood service. So, what is it that we need to do? What are the constraints? What are the problems that we currently are facing? As my colleague, the hon. Minister has stated, there is an increase in the volume of blood that is needed for reasons which are obvious. With the quality of care which we are delivering, of course, there will be need for more blood irrespective whether it is cardiac surgery or treatment of patients suffering from cancer or those who have other blood disorder like thrombocytopenia etc. We have to realise that the volume of blood required is increasing, but the donor base is shrinking because we have an aging population, as has been pointed out by my colleague, and then there is an increase in IV use. There are other unsafe behaviours amongst youths and there are more stringent donor selection criteria. This is where we are going to empower the Mauritius Blood Service. Now, they have the freedom to speak with vigour and reach out to as many people as they want through proper education, sensitisation and dissemination of information, reach out to them by highlighting the merits of donating blood and why is it that those whose blood has been discarded should not be treated lightly or with contempt. In fact, we need to see the reasons as to why those people cannot donate their blood. Confidentiality is of prime importance but, at the same time, at least, we can target specific groups and we need dedicated groups of people who can donate blood, especially to those blood dependent patients and there are more than 100 patients who suffer from genetic disorders like thalassaemia or haemophilia. I was talking to my good friend the anaesthetist as to the merits of frozen plasma and we know of patients suffering from holy Christmas disease or haemophilia and we know that they need that haemoglobin, Mr Speaker, Sir.

Let me now come to those patients who are blood dependent patients and who need blood every three weeks. I have in mind those patients who suffer from thalassaemia major. Do you know, Mr Speaker, Sir, the pain that parents go through? Till recently they had to day in day

out inject themselves under the skin, subcutaneously, with what we call an iron chelator otherwise iron will deposit in any part of the body with the consequence that disaster may loom very largely, Mr Speaker, Sir. I know, with all due respect to a journalist, who used to work for 'Weekend Scope', Miss Bonomally, who passed away, suffering from thalassemia major. Why? It is because there was no networking. Today with the constant breakthrough in technology access to information has become a right. They have international networking and unless parents are educated, unless they know the merits of treatment, unless the proper information is disseminated, it becomes difficult. This is why earlier I stated I want to pay tribute to those unsung heroes, the parents who spent endless hours with those kids. Unless you have the means - I know many of them who have to go to private clinics, who probably have an insurance policy, but what about the others? I am glad that my colleague rightly has stated that we are going to have day wards and we are going to bring everybody under one single roof; a day ward which is beautifully prepared to give the treatment to those kids, Mr Speaker, Sir. I know of people who, through proper treatment, today have been to universities, who are doing very well and who have the opportunities to gain thorough employment. It is very important and I am glad that with a constant breakthrough in technology proper screening is taking place. Prior to 1987, Mr Speaker, Sir, we could not screen patients who suffered from hepatitis C and you know of the number of young people who, today are adults, have hepatitis C and we know that this is a transmissible disease which means that the quality of life and care has been affected.

I am glad that in 1997 we have introduced proper test for screening HIV and, of course, Hepatitis B, today, is screened. In spite of those who are at risk, every precaution is taken to ensure that blood collected is safe to be given to patients for transfusion. We have to pay tremendous tribute to our hospital staff. My colleague, hon. Jeetah, rightly pointed out that there is a cost to everything. It is precisely because there is a cost and we want to err on the principle of caution and precaution that we need to have one single agency, an autonomous body, one and only body which will deal with collection, screening and distribution of blood. Because whether we like it or not, Mr Speaker, Sir, we cannot afford to take risk in spite of constant breakthrough in technology and, as the hon. Minister has stated, the days are yet to come when we will have synthetic blood. We need to canvas people, to impress upon them as to the merits of donating blood. I recall when I was in Dublin, as young students in those days, we used to donate blood; not because at the end of the day we were given a pint of Guinness, but we had to come back

every three months and then, at the end of the day, we had a plasticised ID card with a pelican on it, with our name, blood group and, of course, those who were keen to donate organs had all the relevant information on the card. But these are coming; it's precisely what we are doing. It is freedom at large, freedom to a unit which can deliver and which has an impeccable track record, Mr Speaker, Sir.

Mr Speaker, Sir, as I have stated, I have paid tribute to the unsung heroes, and I recall when one of the parents tried to reach out to the Prime Minister. He did not need any convincing arguments and, in fact, if today the hon. Minister has moved the Bill, it is largely due to the commitment of our Prime Minister, and he knows the premium that we need to put on health care and care of excellence.

Let me, Mr Speaker, Sir, thank my colleague. Since there is almost absolute consensus, it stands to reason that, to me, this is a Bill of rights.

Thank you very much.

(17.23 p.m)

**Mr P. Jhugroo (Third Member for Port Louis & Montagne Longue):** Mr Speaker, Sir, as a regular blood donor, three or four times a year, it is the first time that I am touched by the nice words of hon. Boolell. It is the first time that someone said 'thank you', *surtout que l'exemple doit venir d'en haut, surtout avec les très bons repas préparés par Mme Dalais, surtout que nous avons des gladiateurs dans cet auguste assemblée. Je crois que l'exemple doit venir d'ici.*

Mr Speaker, Sir, allow me first of all to congratulate the Minister of Health and Quality of Life for bringing this Bill to the House. I have gone through the objects of the Bill and if we take the first one, which is to establish and operate an effective and sustainable national blood service, we can immediately say that the hon. Minister is right and acknowledges the fact that the existing system *est dépassé*. The existing blood bank has served its purpose for a long time, but with new technologies in the field of medicine, the demand for blood has increased over the past years. There is, therefore, Mr Speaker, Sir, the need to set up a new system which responds to the needs of the day.

I would like here to pay tribute to the well-known Blood Donors Association, which has done a marvellous job since its existence. This association, Mr Speaker, Sir, aims at educating, informing, motivating and recruiting people into the act of donating blood voluntarily and regularly. Are you aware, Mr Speaker, Sir, that the number of blood donors in this country is only 2% of the population, and that the number of blood donors in any country should be above 5% of the population? I have been informed that the daily use of blood in this country is between 125 and 150 pints, and that the number of pints of blood collected monthly is about 3,500. *Heureusement que nous avons la collaboration des radios privées et du Blood Donors Association qui jouent un rôle très important lors des collectes de sang, en assurant une large couverture médiatique pour attirer les gens à venir donner leur sang pour sauver des vies.*

This brings me, Mr Speaker, Sir, to the second object of this Bill, which is to recruit and retain blood donors. Recruiting people for blood donation is one thing, but retaining them as blood donors is another thing, Mr Speaker, Sir. This means that persons who accept to donate blood will need to have a regular medical check-up and a continuous follow-up of their state of health. We should say that, up to now, there has been a complete absence of this sort of follow-up. What is being done now is *ad hoc* check-ups just before blood is donated.

*M. le président, chaque mauricien qui est en parfaite santé doit faire un geste national, même une fois par an, pour pouvoir venir en aide à cette institution.* People should be sensitised about the need and use of blood in major operations and in emergency cases. I think that it is the role of the national television also to give a kick to promote this project. The Blood Group Service should purchase many caravans so as to target all strategic parts of the country, even the most remote ones, and be posted at such places as the bus terminals, market places and so on. *M. le président, l'honorable Naidu ne sait même pas qu'il y a l'inscription du groupe sanguin sur notre carte d'identité nationale. Une mesure qui, dans certains cas, peut aider à sauver des vies. Laissez-moi vous montrer !*

(Interruptions)

*Allez voir sur votre carte d'identité ! C'est écrit: Date of issue and Blood Group. Retirez tous votre carte d'identité et vous verrez que c'est libellé ! Peut-être que beaucoup de mauriciens ne le savent pas. L'inscription du groupe sanguin existe sur la carte d'identité. C'est une mesure qui, dans certains cas, peut aider à sauver la vie d'une personne. Malheureusement,*

*même si ce libellé est présent sur cette carte d'identité, comme je viens de le mentionner, cela ne paraît pas. Alors, d'après moi, il s'agit d'un manquement très grave. Je pense qu'avec la nouvelle carte d'identité, il faudra que cela soit mentionné car c'est très important, surtout en ce qui concerne les chauffeurs, et aussi les jeunes qui s'impliquent dans des accidents très grave car cela peut sauver des vies.*

Since the Blood Donors Association is the only NGO which has done a fantastic job and has been in a way an official partner of the Ministry of Health and Quality of Life, I would suggest to the hon. Minister that due recognition be given to that association and that a representative thereof be appointed onto the Board at section 7 (1)(g) of the Bill. Under section 7 (1)(i) of the Bill, I would suggest that the blood donor coordinator who is the link between the community and the blood transfusion service – the responsibility of the blood transfusion service is to promote blood donation as well as to maintain a reasonable stock of blood at all times - should be an *ex-officio* member of that Board. I also think that the Executive Director to be appointed under section 11(2) should be a medical practitioner with at least 10 years' experience; since he will be expected to provide a wide range of service he should therefore be adequately experienced or knowledgeable enough to shoulder this responsibility.

I would end up by saying that the intention of Government is laudable and that its quick implementation would be in the interest of the population at large.

Thank you, Mr Speaker, Sir.

(7.33 p.m.)

**The Minister of Health and Quality of Life (Dr. R. Jeetah):** Mr Speaker, Sir, I must say that I am touched by such kind words from both sides of the House and both sides of the Opposition. I would like to thank the hon. Members who participated in the debate.

Allow me, Mr Speaker, Sir, to respond to some of the views. The hon. Prime Minister always says that 'life is a matter of choice'. The vision of the Prime Minister is to afford choice to the people and we are investing massively in the health sector. I am quite glad that the issue of Rs1,500 was raised. I think this would offer an opportunity to reflect on what is happening here in Mauritius.

We are currently spending Rs7.5 billion in the public health sector which caters for 80% of the population. As I mentioned earlier on, 22,000 people used it day in day out from the

simplest cure to open heart surgery. An open heart surgery can cost up to Rs400,000 and it is free. What I am trying to say, Mr Speaker, Sir, is that there is a choice. If one wishes to have a service in the public sector, it is available, free at user cost. If we can't offer the service, Government even offers Rs200,000 to qualified patients to go overseas. Over and above, my colleague, hon. Mrs Bappoo, offers Rs50,000. So, there is a provision of Rs250,000 for patients who cannot be treated here locally, but there is a choice. Now, we have made the conditions as such that we have been able to attract No. 1 and No. 2 from India. We also are talking to Gulf Medical University. Yesterday, I visited Agarwal Specialised Eye Unit. What Government is doing here in this country is to be able to give a choice to these people if one wishes to come to the public sector. We are working hard, but I must say it is not perfect. We have our weaknesses but, at least, we are working at them to make sure that the people of this country get a good health service.

With regard to choice, Mr Speaker, Sir, just for this year it is Rs3.7 billion to Rs7.5 billion for recurrent expenditure. I have got Rs800 m. for infrastructural projects of a project value of about Rs5 billion. I can name a number of projects. Government is spending Rs2 billion in New Jeetoo Hospital - here again a choice. If the patient wants to go to the private sector, he or she should be free to do so. But the people must understand that there is a cost to everything and this is just one item that my Ministry wishes to charge for. As I said earlier on, we are providing new cardiac facilities at Nehru, that is, an ICU. Flacq will soon have state-of-the-art facilities, then we would be able to call it a proper hospital. Today, Mr Speaker, Sir, Mrs Veerapen, my Senior Chief Executive, signed an agreement with the Government of China for the provision of about nearly Rs300 m. to build a new surgery block which would be financed by the Chinese Government. So, we are working at the business of choice so that people can actually decide for themselves. I must say to the hon. Member that there is a price to pay if you wish to be in the private sector.

Mr Speaker, Sir, my colleague, hon. Jhugroo, talks about *ad hoc* check-ups. That is a valid point, but I can reassure the hon. Member that our AHC and CHC are open to one and all to have regular check-ups. Not only that, we are touring the island now with our mobile clinic. Over the last year or so, we have touched 150,000 people throughout the island. You can name the village, I have been there myself so many times. So, these facilities are available. There was

mention of the purchase of mini-caravans to go to remote areas; this is being done. I can assure the hon. Member that this is being done already.

There was mention of section 7(g) to recruit an Executive Director with the knowledge. I can guarantee the hon. Member that I am confident with the personnel that we have. Hon. Dr. Boolell mentioned it. So far, we have never had any difficulty in providing blood, as was mentioned earlier on. I think that we have the skills required to run an efficient service. We have three caravans and we have recently acquired 24 light couches which can easily be transported to the site of blood collection. Hon. Jhugroo stressed on the fact that only 2% of donors donate blood with 48,439 blood units collected in 2009. This represents a rate of 3.7 units per 1,000 inhabitants in Mauritius - I understand a highest rank in Africa. We have taken notes of his recommendations with regard to the skills of the Executive Director. I think, Mr Speaker, Sir, I have responded to all the points made by hon. Members.

Mr Speaker, Sir, today, Mauritius is privileged to be among the few countries in the southern hemisphere such as South Africa, Australia and Malawi whose blood services is governed by a legislative framework. The setting-up of the Mauritius Blood Service through this Bill will definitely transform blood banking and transfusion medicine into a modern and sustainable service. It will improve the quality of blood and blood components offered to the patient. Flexibility in operations will make the service much more cost-effective. Science and technology is advancing each day. However, despite all technological advancements, as was mentioned by hon. Dr. Boolell, we are far from making blood artificially. Blood donors will continue to be pillars of our blood service for many years to come. Blood donors are users of blood, that is, patients are major stakeholders in the blood service. This legislation empowers these stakeholders to play their role fully in giving the blood service its future direction. Donor welfare and patient safety will be assured. This will open the doors for greater leadership role for Mauritius Blood Service in the region and help a bilateral cooperation, exchange of information and technology transfer with other countries of the world.

I need to conclude, Mr Speaker, Sir, and I wish to thank the State Law Office, its very able officers, the Attorney General and his office, my administrative and technical members of staff, the existing blood transfusion service providers, the personnel in charge, the Director of the Central Health Laboratory, our blood donors, all NGOs, including the Blood Donors Association as well as all my colleagues in Government. Last but not least, our Prime Minister, who, I must

say, Mr Speaker, Sir, since I have been here, relentlessly in any aspect of health, has got a personal touch. Be it in this Bill, be it in our Women's Institute or the geriatric ward or any investment that we are able to do is thanks to the personal wish of our Prime Minister to provide a good health care to the citizens of this country. Once again, I thank all Members who have participated in the debate and I commend the Bill.

Thank you.

*Question put and agreed to.*

*Bill read a second time and committed.*

### **PERSONAL EXPLANATION**

#### **IDENTITY CARD – BLOOD GROUP**

**Mr S. Naidu (Third Member for Beau Bassin & Petite Rivière):** Mr Speaker, Sir, with your kind permission, I would like to establish a fact about something which I mentioned during my speech concerning the identity card as a matter of personal explanation.

I had mentioned that the blood group is not indicated on the identity card. I reiterate what I said. There may be a space in there, but no blood group is mentioned in the identity card.

Thank you.

### **COMMITTEE STAGE**

*(Mr Speaker in the Chair)*

*The Mauritius Blood Service Bill (No. XXII of 2009) 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 Blood Service Bill (No. XXII of 2009) was read a third time and passed.*

*Second Reading*

### **THE OPEN UNIVERSITY OF MAURITIUS BILL**

**(NO. XIX OF 2009)**

*Order for Second Reading read.*

**The Minister of Education, Culture and Human Resources (Dr. V. Bunwaree):** Mr Speaker, Sir, I move that the Open University of Mauritius Bill (No. XIX of 2009) be read a *second* time.

Mr Speaker, Sir, it is indeed an honour and privilege for me to present the Open University of Mauritius Bill. This is yet another milestone in the tertiary education and training landscape in Mauritius. This Government has always believed that higher education is central to the national growth and development of our country. It will always remain the main driver of our economy through an appropriately developed knowledge industry.

As all Members of the House know, a gigantic stride was made by our nation in 1968 when, through the Labour Government under the visionary leadership of Sir Seewoosagar Ramgoolam, the University of Mauritius was launched at Réduit. In 2000 came the University of Technology, Mauritius, which was set up again by a Labour Government under the leadership of hon. Dr. Navin Ramgoolam to further consolidate enrolment at tertiary level.

How appropriate is it, Mr Speaker, Sir, that now, again, under the able leadership of hon. Dr. Navin Ramgoolam that our third university is going to be set up. This is yet another historic step showing the commitment of the labour Government and the Alliance Government to the cause of education.

Both the University of Mauritius and the University of Technology, Mauritius have played key roles in the local higher education framework through the production of a skilled and qualified human resource to serve the growing and specialised needs of the country to sustain its economic development.

Each of these universities, Mr Speaker, Sir, in its own right, has certainly contributed to enhance the human resource development of citizens of the country and has paved the way to what we have achieved today.

There is, however, more that needs to be done to ensure that we meet the requirements of a globalised and increasingly specialised world, and this is exactly what we are going to do as from today.

Mr Speaker, Sir, we are now proposing to the National Assembly as a hallmark to set up a third University in Mauritius, namely the Open University of Mauritius. After the setting up of the University of Technology in 2000 we are now coming up with a new University, the Open University to give more opportunities for the pursuit of higher education.

In 2005, Mr Speaker, Sir, a Bill on the Open University had been passed in Parliament, but had not been proclaimed and I wish here, at the very outset, to make the point that the present Bill is not the same as that of the 2005.

Initially, it was proposed to consider the proclamation of that Bill and to go ahead with the existing 2005 legislation. However, in view of the fast pace of development in the field of higher education and also with the advances in new technology, it has been felt necessary to come up with a new piece of legislation. The new legislation embodies latest, up to date approaches, innovative pedagogical techniques to give the opportunity to a greater number of students or even adults to get access to university and higher education.

There are, with this new Bill, several fundamental differences that make it a far more modern one, fully aligned with international trends in open and distance learning worldwide, including, *inter alia* -

- (i) a lean and matrix organisational structure for optimum utilisation of resources and cost-effectiveness;
- (ii) self-sustainability in financial resources;
- (iii) use of quality assurance for global competitive edge;
- (iv) wider scope of the activities of the university;
- (v) provision for the effective participation and collaboration of other tertiary education institutions in the governance and academic bodies of the university;
- (vi) provision for joint degrees, transfer of credits, recognition of prior learning and sharing of resources;
- (vii) provision for flexible, accountable and results oriented structures;
- (viii) activity based functional divisions for operationalisation of university activities;
- (ix) establishment of an Open Schooling division within the University to focus on primary and secondary levels where the Mauritius College of the Air has gathered a proven experience over the years, and
- (x) establishment of the Confucius and Language Institutes under the aegis of the University.

The launching of this Open University of Mauritius with such a modern and up to date managerial framework testifies the real expansion of access to all key aspects of training by fully

tapping the potential of our only resource - our human resource - and indicates the commitment of the present Government to the Knowledge Hub objective.

Now, more than ever before, Mr Speaker, Sir, is it time to invest in our human resource? The diversification and the quality of the workforce in order to sustain economic and social development cannot be emphasised enough. We live in a stringent world economic context and the country is now emerging with new pillars of economic development where knowledge plays a key role.

Extensive research has shown that a direct correlation exists between economic achievement and investment in knowledge and human resources. Knowledge has made a key difference in the services sector of the economy, and has been playing an increasing role in emerging countries. Besides, globalisation warrants that for a nation to be productive and competitive and thrive on the world market, its people should have world-standard knowledge, skills, competencies and attitudes.

The setting up of the Open University is thus strategically timely in its mandate of widening access to post secondary, tertiary and technical education, to include the crucial need to develop a key human resource in academic, technical and professional sectors.

The objective, Mr Speaker, Sir, is to produce contextualised and tailor-made programmes close to the world of work for the needs of the community and the region through flexible, modular and work-based learning to enhance employability.

Mr Speaker, Sir, as already indicated previously, there is a direct correlation between participation at tertiary level in a country and its socio-economic development and growth. Clearly, we have to make our human resource emerge into a fully trained one to meet the requirements of a services and knowledge-based economy.

Hence, our commitment that no one is left behind and our undertaking that each school leaver will have the opportunity to get into further education and training. This can happen in full time mode but also for those who, for various reasons, choose to move into employment, or other commitments, and then go back into higher education and training at a later stage.

There is also at present an increasing demand for tertiary education in Mauritius. Thus, in 2008/2009 out of a pool of some 8500 eligible students, some 6000 were potentially available to enrol in the local tertiary education institutions, public and private, while some 1000 proceeded overseas.

This figure excludes the backlog of qualified students from previous years who failed to obtain a seat, as well as those already at work who wish to engage in tertiary education on a part-time basis. It is becoming clear that, because of career development and promotion opportunities, learners from the latter category will increase. The demand is there, and it is the responsibility of the State to ensure that this demand is met.

Mr Speaker, Sir, it should be borne in mind that there are limited seats in the public universities, that the cost of private education is escalating and that the costs of studying abroad are increasingly unaffordable.

It becomes the responsibility, therefore, of the State to ensure, given these constraints, that the possibilities of studying beyond compulsory schooling are there at both an affordable cost and through flexible strategies.

Unequal economic conditions have resulted in an increasing dichotomy in skill acquisition between those who have been given the opportunity to study after secondary schooling and others who find it more difficult to secure some skills development once having left the formal system.

The Open University of Mauritius will hence ensure greater equity in the system by ensuring that a second life line is given to the latter category of students to pursue studies at their own pace and rhythm. This is in line with the moral imperative that is the leitmotiv behind all major initiatives of this Government.

Further, Mr Speaker, Sir, the gap between demand and supply is expected to increase as demographic projections indicate that the secondary school population would increase by about 6% annually until 2012.

Based on the assumption that 90% of those in Upper VI would take part in the HSC examinations and that the pass rate will be around 76% (current pass rate), it is projected that the number of HSC graduates will exceed 9000 by 2011.

It becomes primordial to expand the supply of tertiary education which currently has a Gross Tertiary Enrolment Rate (GTER) of about 45% to bring it in line with the stated policy of this Government to 72% by 2015. This is where distance learning through the Open University of Mauritius is likely to impact in a major way to help us to reach the new target.

Distance learning has an enormous contribution to make to the education agenda in Mauritius, although I think it is fair to say that it does not as yet carry widespread appeal to the common man because of the belief that it is a second class system of education.

This is not to say that distance education has not reached our shores with several private providers already proposing quality programmes in the sector, and other institutions with multilateral linkages already proposing some courses, such as the *Campus Numerique Francophone* and the *Incubateur Virtuel de la Francophonie pour l'Entreprenariat*, which are examples of distance education providers available locally through international partnerships in the public or private sector.

Let us face the facts on a worldwide scale, Mr Speaker, Sir. India's Indira Gandhi National Open University (IGNOU) has more than 2.5 million learners, India's National Institute for Open Schooling has 800,000 students. There are many other Open Universities in India where the enrolment figures are huge. The U.K. Open University established in 1969, has around 200,000 undergraduates and more than 30,000 post graduate students.

What is remarkable is that nearly all students are studying part-time, about 70% undergraduate students are in full-time employment and more than 50,000 students are sponsored by their employers for their studies.

The Malaysia Open University that opened in 2000 as the seventh private university in Malaysia started with 400 students. Today, it has over 50,000 students and only a hundred or so core staff to cater for the central needs, given the unique federated and flexible approach it has adopted.

Africa is not far behind either; we find great interest in open schooling with the UNISA. UNISA's roots go back almost 131 years, making it the oldest university in Southern Africa. In fact, UNISA which, in 2008, celebrated its 135th anniversary, was the mother of almost all that country's other universities. The Open University of Namibia (NAMCOL) and the Botswana College of Open Learning (BOCODOL) are also success stories in Africa.

Today, Mr Speaker, Sir, the lens on learning and education in Mauritius needs to open to wider angles. We have invested in higher education to unprecedented levels. We are very much engaged with democratising education for all through measures implemented under the Human Resource, Knowledge and Arts Development Fund.

Our overall focus is learning for further development and to reduce the wastage of our human resource such that everyone receives the level of training that they aspire to.

Mr Speaker, Sir, we want our beloved Mauritius to attain new heights and fulfill its destiny in this part of the world. The new economic trajectory that has been charted out by this Government necessitates special human resource requirements; to develop better IT techniques (IT hub); to make markets work better (Financial Hub); to improve health services (Medical Hub) and to find environmentally friendly ways of doing things.

All these are vital, but I stress that the efficacy of their impact will in all cases depend on human beings learning new things and new ways of doing things.

Mr Speaker, Sir, let me state in no uncertain terms that this massive challenge of teaching and learning, not only for Mauritius but also for this region imposes new challenges - challenges that we are, in fact, capable of facing and overcoming. Allow me to illustrate this.

Africa alone needs to train five million new teachers just to achieve universal primary education. Despite the best of the Continent's efforts this target is far from being met and international research and wisdom indicate that only Open Distance Learning can begin to address the sheer scale of such a challenge. This is a niche area and it incumbers upon Mauritius that has already tracked its mission of becoming a training and knowledge hub to make it its own and subsequently fulfill its obligation *vis-à-vis* the peoples of the region.

Mr Speaker, Sir, we all agree today that this massive worldwide challenge of learning cannot be addressed by conventional methods of inculcating knowledge. Achieving a better world for humankind in this 21st century requires new methods, new approaches, new pedagogies and especially new mindsets. Nowhere is this more palpable and more visible than in the domain of ICTs.

Indeed, in practically all other areas of life technology has transformed the way we do things, making products and services both better and cheaper and readily available to more people.

Now more than ever, in fact, we are already late comers to it. It is time for us to use technology to transform the modern day perspectives of education and training.

The challenge is to provide, through technology, more extensive opportunities for learning in the great diversity of fields that define the functioning of a modern day society such

as government, health care, disease prevention, development management, teaching, business and entrepreneurship.

The revolutionary feature of technology in general, and of Open Distance Learning in particular, is that the combination of independent and interactive study ensures the provision of education without putting quality at stake. This is the revolution of Open Distance Learning. We will, in fact, effectively break open what the President of the Commonwealth of Learning, Sir John Daniel, has called the “iron triangle”. We will thus combine wider access with higher quality at lower cost.

This is what technology has done in other areas of our lives, and it is now creating the same revolution in education and through this Bill we are ready to face the challenge.

Mr Speaker, Sir, the Open University of Mauritius will be a light and flexible institution. It will work in partnership with other public and private institutions, thereby avoiding a duplication of resources and will play an important role in both filling the gap in tertiary education provision and also in raising the Gross Tertiary Enrolment Reach (GTER).

The Open University of Mauritius will be developed within an enabling framework that should be especially constructed, while taking into consideration environmental changes in the educational scene as well as the target audiences’ readiness for specific technologies. This is where the notion of the Open University of Mauritius absorbing the Mauritius College of the Air (MCA) will meet its full justification. The MCA already has an expertise in developing media education and this will beautifully complement the online and print based system that the Open University will also have.

Such a rich panoply of multimedia and conventional learning materials will be further backed by state-of-the-art technology as comprehensive e-learning management systems (LMS) such as WebCT, Topclass or Blackboard that readily conform to e-learning requirements of a multitude of units of study within the tertiary education sector. The Open University will thus be fully equipped to meet the expressed needs of all potential learners as well as for the wider community.

All in all, the Open University of Mauritius, Mr Speaker, Sir, will be responsive to the market forces that dictate demand and supply aligned with employability and personal enhancement opportunities. It will engage in flexibly analysing trends and filling training gaps in

the market. All its interventions will be based on Open and Distance Learning (ODL) and/or ICT enhanced strategies.

The Open University will take up the assets of the MCA and will be building up on the existing expertise of that institution in multimedia learning and distance education to boost up open learning to new levels. Over the years, the Mauritius College of the Air has proven itself as a key player in the field of learning through TV and multimedia technology.

It has also slowly expanded its collaboration with local and international institutions, such as the IGNOU in India. The MCA has built up experience in delivering programmes of that institution and currently has students enrolled in both undergraduate and postgraduate courses, providing courses to some 400 students on a mixed mode basis, with students provided with self-learning materials and also coming over during evenings and weekends for face to face interactions with tutors.

The Open University will not only consolidate this existing base at the MCA, but also come in with further courses, taking into account the training and human resource needs of the country.

Mr Speaker, Sir, the Open University of Mauritius will be a new organisation that will have autonomy of thought and action. It will become a new stronghold on the educational landscape in Mauritius and will be able to operate independently in matters of course development as well as in awarding of degrees.

It will enter into further collaborative arrangements for new programmes of study while also using these to facilitate the development of its own courses with the necessary confidence that will encourage students to enrol. It will gradually become a self-financing institution in its own right.

One of the key elements of this Bill, Mr Speaker, Sir, is also to work on the introduction of a key department, which will be the Language Institute of Mauritius.

Mauritius can pride itself on being linguistically diverse by virtue of the different languages being formally taught and non-formally acquired. There is today a tendency to see these languages, especially English and French, as being the means that would help widen the area of influence that the country can wield at the regional and continental levels through the OUM.

Indeed, languages Mr Speaker, Sir, have come to be seen as a viable tool for enhanced economic activities. As such, our multilingual advantage has to be fully tapped so as to serve the interests of the local, regional/continental and global *clientèle*.

This is where this Open University will contain both the Language Institute and the Confucius Institute which will work flexibly and complementarily to promote languages in business and in IT, in diplomacy and translation, and promote language exchanges with China in areas where Mauritius has a huge potential yet to be fully tapped.

I wish in particular to highlight that this setting up of the Confucius Institute within the Open University would be a direct response to the request of His Excellency the President of the People's Republic of China, where emphasis was laid on the setting up of a Confucius Institute in Mauritius, a first in the region indeed.

Mr Speaker, Sir, it is to be highlighted that this expansion of Tertiary Education will be achieved without any immediate massive investment in additional infrastructure. It is the policy of the country to reduce reliance of our higher education system on public funding, but at the same time improve access to tertiary.

This is why Government will not be requiring additional funds this year for the setting up of the University; existing funding under the MCA and under the OUM provisional budget will be used. The University will also be operating on a cost-sharing basis to ensure revenue generation.

Although initially it is not envisaged to pass on the total cost to students in the form of tuition fees, the view in the medium/long term is to make the OUM self-financing.

Mr Speaker, Sir, the OUM will have its own Board for its administration and management. The Board would have a membership of 10, comprising *inter alia* -

- a Chairperson appointed by the Prime Minister, as is the practice for the other Higher Education institutions;
- executive heads of local public tertiary educational institutions having developed partnerships with the OUM;
- the private sector;
- the civil society, and
- two representatives of staff, both academic and general staff.

It will also include members having experience in tertiary education, open and distance learning, as well as in industry. The Board, Mr Speaker, Sir, would be able to set up any committee which it thinks could assist in the performance of its functions.

As regards the staff of the Mauritian College of the Air, transitional provisions have been made at section 29 of the legislation for their employment. As such, every person employed on the permanent and pensionable establishment of the MCA would be transferred to the permanent and pensionable establishment of the Open University of Mauritius on terms and conditions which would be not less favourable than those of their present employment.

Moreover, there would be continuity in the period of service of such employees. Further, any employee on the permanent and pensionable establishment of the MCA who does not wish to be transferred to the Open University of Mauritius could be redeployed to another statutory body where vacancies in similar positions are available, or may opt for retirement on ground of abolition of office.

As far as the assets of the MCA are concerned, these will be vested in the Open University of Mauritius.

Provision has also been made for all the rights, obligations and liabilities of the MCA to be taken over by the Open University of Mauritius.

To conclude, Mr Speaker, Sir, I would like to point out that the setting up of an Open University will increase access to post secondary and tertiary education in Mauritius and also contribute to the setting up of the Mauritian knowledge hub, through the emergence of a flexible, accessible and cost effective educational system that will tap on the existing resources at technical, vocational and university education levels. The resulting impact should significantly enhance the quality and provision of post secondary education both locally and for this region of Africa.

In addition, with this University, Mr Speaker, Sir, Mauritius will aim to become a key player for open and distance learning and would be responsible for paving the way for the provision of open and distance learning, targeting both local needs as well as the needs of the region.

Not only would it subserve the need of opening and widening access to quality tertiary education and training, but it will also grow into becoming a reference point for the region. Its collaborative networks, along with the use of state of the art technologies, would make of it a beacon on the educational landscape of the country as well as for the region.

We are today poised on the threshold of something momentous, stepping into a new era that will see the emergence of a growing number of qualified professionals in different fields to meet the challenges of the future, immediate as well as medium term. This flurry of new thought processes, new skills, new attitudes, as well as new competencies can only mean well for the country and its geographical neighbours, and why not the continent.

Through this landmark, Mr Speaker, Sir, we shall, through the Open University and similar to other countries, such as India, Great Britain, Canada and Malaysia, usher in new-found and well deserved growth and prosperity that will take our nation to new and unprecedented heights.

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

**Mr Gokhool rose and seconded.**

(6.14 p.m)

**Mr G. Gunness (Third Member for Montagne Blanche & GRSE):** Mr Speaker, Sir, I listened to the second reading of the Minister on the Open University Bill, which is actually before the House; I will show later on that there is no big difference, as the Minister was saying, between the Open University Bill of 2005 and the present Bill. The Minister insisted that there are big changes. Probably, he does not imagine that when you go through the speech of the former Minister of Education, Mr Obeegadoo, some paragraphs have been taken from this speech, cut and paste. It is not only the Bill which is 'cut and paste' today, with some minor changes, but the speech of the Minister as well is a cut and paste with minor changes. What I can't understand is that, at least, in the field of education, we must be honest. *La malhonnêteté intellectuelle ne marche pas*. It must not be; we have to be genuine. Everybody acknowledges that in 1968 the University of Mauritius was the baby of late Sir Seewoosagur. Everybody agrees. When the Bill for the University of Technology was introduced in this House, we were in the Opposition. We took a stand, and we were present in this House. We said what we had to say; we voiced our objection where we had to, and then we saluted a second university. But what did the actual Government do when this Bill was presented before the House in 2005? And this is a shame! Why is it that, today, another Bill is being introduced? It is because they were absent in the House in 2005 when two major Bills were introduced, that is, the Open University Bill and the Education and Training Bill. These were two major Bills that were introduced in this House in 2005 before Parliament was dissolved. They were absent during the debates and, today, the Minister is coming with the same Bill - cut and paste. Do

you know what is disturbing in all this? For four and a half years - nearly five years - some 5,000 students could have been trained, could have been graduated in this country. A sum of Rs7 m. was already earmarked in the budget to recruit the necessary staff, to buy equipment. The new Government came in, *fanatisme politique*, just like what they did with the reform in the education sector, with the CPE. We all know what was done with the national colleges and now, fortunately, the Minister is trying to correct with the reform that he is bringing. When he does something good, we always give him our encouragement. We say that we will go in that direction, because we agree with that. In fact, it is the plan, it was the road map that we set. But, in this particular case, I do not agree. If there are minor changes, I will show you what are the changes that have been brought, Mr Speaker, Sir. But you will see that, basically, it is 'cut and paste'. This Bill could have been proclaimed once they came in Government. We put PQs after PQs over five years about the Open University. In almost every speech on the occasion of the Budget, I, as well as members in charge of the education sector, have intervened. That's life! We understand that His Excellency the President of the Republic of China has probably intervened vis-à-vis the Government and something is being brought. This could not have been brought with amendments, but they have wasted five precious years by *fanatisme politique*. Today they want to take the onus, that is, they are bringing the third University. *Il n'y a pas de raison - péna pu mark point-* that they are bringing the third university, history will say that this Bill was already introduced in 2005. History will be there; children will know that it was already there, that you brought something 'copy and paste' today in front of this House, and that five years have been lost. 5,000 children have missed opportunities and this is going on in my constituency. I am just taking it as an analogy. They construct the community centres, they have already put the nameplates; now after five years they come to inaugurate them again and they change the nameplates. That is what they are doing today.

Let us see what is in the Bill, Mr Speaker, Sir. The hon. Minister talks of big changes. Let us compare and see. I have both Bills with me. Let us take the objects in the old Bill and the ones in the new Bill. What does the new Bill say? The first object is to advance and disseminate learning knowledge through a diversity of means and emphasis on Information and Communication Technologies. It is the same in the old Bill. Secondly, to provide wider opportunities for education training; it is the same in the old Bill. Thirdly, to encourage the use of Open and Distance Learning at all levels of education and training through collaboration, optimal use, etc; it is the same as in the old Bill. Fourthly, to encourage the use of open and promote scholarship ; the same in the old Bill.

What is new is the object concerning the focal point for the provision of Open and Distance Learning in Mauritius through the establishment.

Mr Speaker, Sir, when you look at the functions, they are all the same. So, I am not going to take the time of the House to enumerate one by one. What has been done? If you look at the powers of the University in the Bill, you will see that they are the same, be it the admission of learners. What has changed? The Board has been renamed and it will be known now as a Council. The Board of the Open University will be called a Council. That's the big change! Regarding the composition, everything remains the same, except that seven persons are to be appointed by the Minister instead of eight persons in the previous Bill. What has changed again? The University Board has now become the University Council and the Academic Board has now become the Academic Council. These are the only changes which have been brought. Then there is a new section, that is, the divisions. They should not come and tell us that, today, in the Open University Bill, big changes are being brought and that is why there was need for a new piece of legislation. Completely false! For honesty of purpose, the hon. Minister could have proclaimed this piece of legislation since five years and we know that the 4,000 to 5,000 students would have already been graduated in the country, Mr Speaker, Sir, but they wanted only to get the paternity of the third University. The hon. Minister said in his introduction: 'First University in 1968, second University in 2000 and now, the third University is being brought by us.' But, as I said, history will acknowledge. Today students will go to this Open University, they will know how to do research, Mr Speaker, Sir.

The hon. Minister made mention of a knowledge hub in the African region and he even quoted figures. We have lost five years and during these five years other neighbouring countries were not waiting for us to come with another piece of legislation to take paternity, they were developing their own Open Universities. The hon. Minister quoted Namibia and Botswana, countries which are in the SADC region, they have already launched their Open Universities. Therefore, we had this idea and it is good that the hon. Minister took ideas from the speech of the former Minister Obeegadoo. In fact, he could not do otherwise, because the objectives to come up with a third Open University was to be a knowledge hub in the region. I can understand the hon. Minister, he could not do otherwise than to copy and paste the speech of the former Minister of Education, Mr Obeegadoo. But, at least, he should be honest in the purpose, in the field of education.

Mr Speaker, Sir, obviously, we are very happy. Just like for the Mauritius Blood Service Bill, there was unanimity, we are not concerned with the question of paternity, we are very happy that now the hon. Minister is coming with supposedly another piece of legislation but, in fact, we all know that it is the same piece of legislation that is being brought before the House. But, at least, let this University function at full capacity very rapidly. Let us proclaim the Bill once it is passed in the House so that it does not go in the drawer somewhere. I heard that the MCA Staff Association said that since November 2009 they made their representation to the hon. Minister. The hon. Minister knew about that but, up to now, there has been no consultation. They said it publicly on the radios that there was no consultation at all with the MCA Staff and we all know that they are the ones who are concerned, because they will be transferred to the Open University. I feel there must be more consultations with the staff so that they are taken on board and they feel happy once the Open University is functional. Therefore, my only wish today is that for the sake of the children of this country they should proclaim the Bill once it is passed and make it functional so that we can prepare for the future of this country.

Thank you, Mr Speaker, Sir.

(6.28 p.m.)

**Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne & Phoenix):** Mr Speaker, Sir, we are once again here, standing in this Assembly to debate on the Open University Bill and, like hon. Gunness, I was wondering what was the motivation. Why is the hon. Minister presenting this Bill again, although the Bill has already received the assent of the President of the Republic in May 2005? In fact, I thought that, most probably, there would be some points on which the hon. Minister would not be agreeing and that is probably why he wanted to come up with a new Bill. But, I must say that, after thorough study of the two Bills, I came to the conclusion that there were no major differences between the two, apart from the two points raised by the hon. Minister himself.

M. le Président, je dois dire que toute tête pensante ayant l'intérêt des jeunes mauriciens à cœur, ayant l'intérêt du pays à cœur, ne peut qu'accueillir ce projet de loi, même si c'est pour une seconde fois, et j'en profite pour en faire autant. M. le Président, je dois quand même faire ressortir que l'idée de mettre sur pied un *Open University* était une idée de l'ancien vice-Premier ministre et ministre des finances, l'honorable Pravind Jugnauth, qui, au cours de son budget

2004/2005, était venu avec une proposition pour mettre sur pied l'*Open Institute of Distance Learning*. Mais puisque les choses sont allées très vite durant le budget 2005/2006, le ministre est venu avec l'idée de mettre sur pied l'*Open University of Mauritius* et avait même prévu une somme d'argent comme *seed capital* pour lancer ce projet.

*M. le président, après l'Université de Maurice, l'Université de Technologie, le Tertiary Education Commission et la MIE, c'était une suite logique de venir avec l'Open University of Mauritius et cela parce que l'État avait eu certaines ambitions* and these ambitions, Mr Speaker, Sir, these goals that the State has set for itself were to make of Mauritius the knowledge hub, to make of Mauritius an intelligent island and to become a leader in the region.

Mr Speaker, Sir, Mauritius has the potential and we all should make it a must to be able to realise such projects for our island. In fact, we must show more commitment to make sure that such projects come to life. It is true that the Open University of Mauritius is a long overdue project and that we should try as far as possible to realise it and try to make sure that it does not remain locked up in the drawers of any Ministry, Mr Speaker, Sir. Why do we have such ambitions? It is because Mauritius has always been a country which has placed a very high premium on education. Our population, in general, has made use of education to rise up the social ladder and perhaps if there is a place in the world where the effectiveness of education to make people rise up the social ladder is in Mauritius.

Mr Speaker, Sir, why do I say so? In Mauritius, children of immigrants, indentured labourers, slaves have managed, through education, to rise up the social ladder and take up important positions of responsibility and people who were brought in to the island for their muscle power ended up becoming the brain power of the island, fuelling its development; this is what we are experiencing today.

Mr Speaker, Sir, the question which arises is: why an Open University, why not a traditional university? Why did we come up with this idea of distance learning? It is precisely, Mr Speaker, Sir, because the number of students, the demand for tertiary education will keep on increasing. The hon. Minister has just mentioned the figures and, in fact, they show that there will be an increase demand for tertiary education and that there are limits that traditional universities have. In fact, the Open University will bring up dynamism in the sector because it will make it less and less limited. The traditional universities have until now certain limitations. The restriction of space, the restriction due to infrastructural costs and all this will be wiped

away by the idea of the Open University. What do we mean by this openness of the University? It is going to provide greater access to thousands of students who would have otherwise been excluded from the system.

Mr Speaker, Sir, every year - the hon. Minister mentioned the figure - there are students with HSC who fail to join the tertiary sector for various reasons; sometimes due to lack of financial support, sometimes due to the fact that they have other responsibilities, especially women, Mr Speaker, Sir, often have to sacrifice their personal and professional development because they have got other responsibilities like caring for children and other members of the family. Mr Speaker, Sir, very often they have to put away such possibilities and the Open University will open up new avenues and will create new opportunities for such people. We have to think about people who have, in the past, decided to join the labour force because of lack of means, they had to fend for their families, they did not have the financial support to go for tertiary education. All these people are employed still and their qualifications do not always allow them to rise up in their professional world.

Mr Speaker, Sir, the Open University will provide this access to varied people, mature learners, adult learners, people who would like to continue studying for self-fulfilment. This is what we are talking about. We are talking about an intelligent island, about people with resources and all this will be made possible through the Open University. Why do I say so, Mr Speaker, Sir? When we talk about the Open University, it is about greater flexibility. What type of flexibility are we talking about? We are talking about flexibility in terms of access, entry requirements, duration of the course and choice of the modules. This is the type of flexibility that we are looking for. The possibility for individualised study, flexibility in terms of the place, duration of study or time required for the completion of study because, Mr Speaker, Sir, we are not all equal, people have limitations and the Open University will give this possibility. This is what we refer to as equal opportunities in terms of possibility to carry on and to make sure that people do not get debarred from access to education. This is what it is all about.

When we talk about place of study, Mauritius is a small island and the idea of remoteness to the University is not really a big issue, but still we have to think about people who are unreachable, not because of the place, but because of their possibilities and, in fact, this is very important. When we say that people do not proceed with further education and join the labour force and work force, this means that our labour force and work force have people who are

employed with low qualifications. What about providing them the possibility to upgrade their qualifications, to allow them to get this self-fulfilment on their place of work and as part-time students and also as a provision of means for them to empower them to rise up? I have here in mind the disadvantaged people, those who have not had the same chances, the outreached.

Mr Speaker, Sir, what about the drop-outs, what about people who need to be given a second chance? All these possibilities will be made available and possible through the Open University. But, at the same time, I have in mind the fact that we were talking about making of Mauritius a knowledge hub. What about the knowledge hub? How can we come up with this? Mauritius has had, in the past, the ambition of being a service provider for the African region. We just heard hon. Guinness talking about Botswana and Namibia, but we have certain advantages that these countries do not have. We are a multilingual country. What about the possibility of offering distance education to the African region, in the region here or even elsewhere because now with globalisation and the advance of technology the whole world has become small? Why not use Mauritius as a provider for the study of languages such as Mandarin, oriental languages etc to people who would like to study?

We talked about the tourism sector, about Mauritius as a provider. I am sure that we all agree that the African region has taken advantage of our very good School of Agriculture at the University of Mauritius. Through the distance learning and Open University, we can also provide other possibilities to people of the region. We have had as ambition to become a leader in the region. The Open University will certainly provide us with such possibilities.

Mr Speaker, Sir, the Minister mentioned the use of multimedia. Through telecounselling, teleconferencing we can increase this possibility and reach other students. I would like here to make reference to the fact that the need for an Open University has been felt a long time back, not only to increase enrolment, but also to increase the chances and possibilities of research. This Bill has made provision for all that.

The use of electronic media in education will also help a lot in the implementation of this university. We have also mentioned that there are other examples throughout the world. We can benchmark. The Open University concept is now no longer a new concept. In U.K. it was during the time of Harold Wilson with the help of the Minister for Arts, Jennie Lee, and they had met with a lot of problems. But this is not the case today, because we are aware that such a university can provide high standard of education and the Academic Board will ensure that the

quality of education dispensed will be maintained at a high level. Mr Speaker, Sir, we need to reflect upon all these are points and we have to make sure that the quality assurance is such that the provision of education through the Open University would be maintained at a high standard.

Mr Speaker, Sir, in England the Sunday Times University Guide had mentioned that only four universities came ahead of the Open University as far as teaching is concerned. These four universities were Cambridge, York and London School of Economics amongst others. This means that such universities can strive and reach very high standards of imparting knowledge. So, why not Mauritius, why not our Open University? The Indira Gandhi National Open University has also reached out beyond the frontiers of India and has even reached Mauritius, Dubai and many other places in the world. All this will be made possible. The Open University cannot operate on its own as a separate unit.

The Open University will have to work in alliance with other universities. In fact, it will allow a sort of networking, not only within the country here, but between Mauritius and other countries of the region. Mr Speaker, Sir, a country has to keep on thinking further, looking further and if we think that we have already reached our destination we will be left with no more motivation to go ahead. This is why this first step towards distance learning has to be further supported so as to ensure that in the future it can lead us to higher aspirations and to ensure that we really reach out and become a leader as far as knowledge impartation is concerned.

Thank you.

(6.44 p.m.)

**Mrs F. Labelle (Third Member for Vacoas & Floreal):** Mr Speaker, Sir, I was just trying to find a comparison in everyday's life. I was just thinking of any individual. You pay a team to do a particular job. It starts the job, then has to leave. Another team comes in which says that this has to be done, but it thinks that there are some changes and ask you to wait. You wait and after one or two years this team says that now it is ready to do the job and these are the changes that it is going to bring. What will be your feelings towards this team? I am thinking that if the person out there knows exactly what is going on today in this House, are we, Parliamentarians, on both sides of the House, proud of ourselves? Mr Speaker, Sir, I am not proud. *C'est pour moi mener la population en bateau. Alors, nous, les parlementaires, faisons de longs discours pendant des heures, après cinq ans nous retournons et nous racontons la*

*même chose. C'est cela l'image que nous voulons projeter à nos jeunes et c'est cela qui me concerne.*

*(Interruptions)*

*M. le président, je comprends que, de l'autre côté de la Chambre, il n'y a que le ministre qui parle sur ce projet de loi. Si le ministre lui-même n'a pas pu faire un discours sans prendre des paragraphes du discours de l'ancien ministre, qu'est-ce que les autres membres du gouvernement auraient dit ? Par moments, I just felt sad for the Minister. Franchement, je ne voulais pas être à la place du ministre, avoir à redire ce que mon prédécesseur a dit cinq ans presque jour pour jour. C'était en avril 2005 et nous sommes en mars 2010, M. le président.*

*(Interruptions)*

*Avant la dissolution ! Nous nous retrouvons presque dans la même situation. D'autre part, je comprends les gens qui doivent écrire le discours du ministre. Je les comprends. Qu'est-ce qu'on peut ajouter d'autres ? Qu'est-ce qu'on peut inventer ? On a essayé de faire un travail parce qu'on comprend qu'on ne veut pas que nos ministres aillent dire la même chose. We have got a job to do, we have to do it and believe me, Mr Speaker, Sir, I know they have tried very hard not to produce the same speech. I know that it is the same thing regarding the Bills.*

Mr Speaker, Sir, I have read both Bills from the first to the last words.

**Mr Speaker:** The hon. Member's colleague next to her has made the same point. I will just ask ...

*(Interruptions)*

Order! I will ask the hon. Member to make her point, but not to repeat the same arguments. This is not permitted by our Standing Order.

**Mrs Labelle:** True it is that my colleague has said it. Mr Speaker, Sir, must we be surprised if, after five years, we are having the same speech? Allow me to say at least some of the same words after five years. But alright I will go by your ruling.

The hon. Minister mentioned fundamental differences. I don't think that my colleague has gone through these differences. Maybe we have a different sense of work, because when I have gone through both Bills, from the first word to the last word, of course, I have seen some differences which the hon. Minister has named fundamentals. We have 13 clauses in both Bills and they are all the same, except the difference of words or in presentation of the functions and so on. For example, in the present Act, at section 5, the title is 'Functions and Powers of the

University'. In this present Bill, we have two clauses for it; one for functions of Open University and the other for powers of Open University. I think this led my hon. colleague to miss something when he said that in this present Bill, there is the national focal point for Open University instead of functions as in the Act. In this Bill, it is under objects. And we are talking about fundamental differences! The term 'Council' has been replaced by 'Board'. Of course, I am not going to take the time of the House to give all these differences.

Apart from these differences, Mr Speaker, Sir, there is section 60. *Alors, là, quel méli-mélo ! C'est tout simplement pour pouvoir venir dire : 'ah non, ça c'est différent, on a essayé de le faire !' C'est vraiment mal parti, parce que c'est vraiment dessus dessous, on a essayé de tout mélanger. Personnellement, j'ai un mot plus approprié pour décrire cela, mais je ne peux pas m'en servir ici dans cette Chambre.* It is just for the sake of saying things. In the Act, we kept the academic units per school and everything separately, as is the case in so many Bills of Open Universities everywhere. We have mentioned IGNOU, for example. I went through the Bill and it is this way. But, in this Bill, I think, just for the sake of changing, we have put the academic units together with the administrative units, *et c'est tout un méli-mélo.*

True it is that, in the Bill, we have removed the different schools that are mentioned in the Act. For what reason, I don't know! True it is it is mentioned that *les statuts pourront venir avec ces écoles.* But, if we go through the Acts of different Open Universities, for example, IGNOU, the Indira Gandhi National Open University, which is known to most of us, we would see that the schools are mentioned. And then, of course, they add 'such other schools as may be set up by the statutes'. But, here, we have decided to remove all these schools. For which reason, if not, just to show that they are bringing fundamental differences! So, let us remove the schools! But, what will be the effect on the running of these institutions? This is my concern, Mr Speaker, Sir. If we are serious about these institutions, is it not our duty, as policy maker, to keep a sense of direction and to name, at least, some of the schools? But the Minister will say: 'all right, we have named two very important institutes'. True it is. I am happy that the hon. Minister has given an explanation about the Confucius Institute. We have to promote the Chinese language and culture, and he has admitted that it is following requests from the Republic of China. But this is the main change in this Bill. The new thing is the setting up of this institute. But did we have to wait five years to do that?

Mr Speaker, Sir, I think that when we decide to engage in politics and to serve the people, we have a duty to be honest towards them. They say that they are setting the third university. I think this question of third university was mentioned in the message of the Prime Minister to the students. If we want to be honest, we should have said: “we have deprived you of a third university during five years”, and not come with pride and say: “we are offering a third university.”

Moreover, Mr Speaker, Sir, I must say I am sad that, in this Bill, we have removed the centre for adults and continuing education. This Government recently came with the Second Chance Programme. *Je dirais bien soi-disant* Second Chance Programme because, in fact, this Second Chance Programme – because we are talking about continuing education - *est une mauvaise copie des cours pré-vocationnels que l’IVTB, maintenant le MITD, offre. J’espère avoir l’occasion de revenir sur cet aspect dans cette Chambre.*

Mr Speaker, Sir, these are the fundamental changes. But, allow me, before resuming my seat, to talk about some other changes that I have noticed. For example, in this Bill, it is being proposed that the Director-General will be appointed by the Prime Minister, upon recommendation of the Minister of Education. Mr Speaker, Sir, I am not at ease with that. Once again, I take example of what has been done elsewhere, and I go back to IGNOU, where the vice-Chancellor has the same status as what we are proposing for the Director-General. And there, according to the statutes of the university, I quote -

“The vice-Chancellor shall be appointed by the Visitor (...)”

It is the President of India.

“(...) from out of a panel of not less than three persons recommended by a committee constituted under clause (3);”

This committee, Mr Speaker, Sir, consists of three members, of whom two shall be nominated by the Board of Management of that university and one by the visitor. We have examples of how things are going to be done. Here, we decide that the Director-General will be appointed by the Prime Minister upon recommendation of the Minister. On which basis will the Minister recommend? What will be the perception, if not the reality? Why are we going to put

this burden, I would say, on the shoulders of the Prime Minister when we have other more transparent ways of doing things?

Mr Speaker, Sir, regarding the staff of the MCA, I hope that all necessary measures are being taken to safeguard their rights but, at the same time, keeping in mind that we are looking forward to an institution of high quality because it is called upon to be the focal point for distance learning.

Mr Speaker, Sir, once again, I hope that we, Parliamentarians, politicians, don't play with our people. After five years, some 4,000 learners could have benefited and, moreover, Mr Speaker, Sir, in 2005, contact was established with Professor Gajaraj Dhanarajan, who is the former Director of the Commonwealth of Learning. He is an eminent professor from Malaysia. He has been involved in distant learning for 30 years, and this eminent personality was ready to come to Mauritius to help us start our Open University. We have missed this opportunity to benefit from such experiences.

Mr Speaker, Sir, it is not important who is in power, but we need the best for our country. I hope that we will catch up because now we have also lost the opportunity to cater for the needs for the African region. It was only five years ago, other countries have taken up. We wanted to take the lead for this region but, unfortunately, *peut-être par supercherie politique, nous avons raté de belles occasions, et j'espère de tout cœur que nous allons pouvoir rattraper tout ce que nous avons perdu.*

*Merci, M. le président.*

(7.00 p.m.)

**The Minister of Education, Culture and Human Resources (Dr. V. Bunwaree):** Mr Speaker, Sir, first of all, I would like to thank the three hon. Members on the other side of the House who have taken part in the debate. It was clear in my mind, when I was listening to the speeches, that they were smacking slightly of demagoguery, but more of nostalgia. The main point that has been canvassed, especially by the MMM Opposition, is that it was their baby. But, Mr Speaker, Sir, *le bébé qu'on a reçu était chétif, frêle, malade. Il lui fallait du sérum.*

*(Interruptions)*

This is what we have done. But I am not going to bring the level of this debate to another point. I would just say that the Bill was prepared - I said it in my speech - and it had gone

through all phases in Parliament. Then, as they said, they were waiting for it to be proclaimed; I do not know why they did not do it themselves. This is the reason why they went through the Bill, which they knew, was not going to be proclaimed. *Cela est pire encore!*

Let us not argue about all these things, Mr Speaker, Sir. In fact, when I got the Bill that was passed by the Opposition when they were in power, as I said in my speech, we tried to use the same piece of legislation and to go ahead. But then, I was rather lenient to them because we found a large number of minor amendments and a few major changes that had to be brought. That would have been very difficult for us to come with amendments to that piece of legislation; it would have been very tedious and maybe also difficult for the Members of the Assembly to understand what the changes are. Hon. Guinness, while speaking of the functions, in fact, mentioned those that were in the previous Bill. These functions were there and they cannot be changed.

*(Interruptions)*

What did they want? They want me to change the functions (a), (b), (c), (d), (e), (f), (g) and (h)? These are the functions that were in the other Bill. *Mais n'y a-t-il pas* other functions (i), (j), (k), (l), (m), (n), (o), (p), (q), (r) and (s) ? All these are functions that have been added which means that there were insufficiencies in the previous Bill which we had to correct. We are going to have a piece of legislation and we are going to bind the country with that third university. We want to make it as it should be, Mr Speaker, Sir. I prefer not to go into it again because I mentioned part of it in my second reading speech. There are so many new functions that have been added, but I will mention a few.

First of all, the entering into affiliation with other institutions, local and overseas, that would assist in attaining any of the objects of the university. The second one, which is worth noting, is to cooperate with local and overseas institutions – these are new functions that I am mentioning – which have objects that are wholly or partly similar to its own. Another one which is worth noting again is to provide consultancy and professional services in open and distance learning. Another one again is to accept the examinations and periods of study passed by students at other universities or places of learning as equivalent to appropriate examinations and periods of study in the university and to withdraw such acceptance at any point of time. These are new functions and they have got their importance. I could continue to mention them, but the functions were added to this Bill in order to widen the scope of the Open University of Mauritius

activities with specific mention about collaborations, joint degrees recognition, consultancy and professional services, etc. Mr Speaker, Sir - whether they like it or not - this was meant to give a new thrust and orientation to the functions of the university.

Mr Speaker, Sir, I would not however react to all the points that have been mentioned. But, one of them was, *qu'on a perdu notre temps, on a raté la chance et que 5,000 étudiants* – I think that hon. Guinness mentioned it - have lost the opportunity. If we use this type of argumentation, then we will note that when they were in power, the Gross Tertiary Enrolment Ratio (GTER) was not more than 25% to 26%. It has now been brought to 45% and we are aiming at 72% in 2015. Do you know how many students we have helped to get enrolled in universities? I believe this is a meagre argument that is not worth noting.

Mr Speaker, Sir, hon. Mrs Dookun-Luchoomun talked about the principle of the Open University. I think that she mentioned something and I want to inform her that, in fact, we have published a brochure on the Open University which has been disseminated among students at tertiary level and we are trying to see to it that people get to know more and more about this Open University. The principle of the university, I must also say, appeared in our Government Programme 2005-2010. So, we could not stay idle and we had to work on that. The Bill was already there but, as I mentioned, we could not continue with the same Bill as there were so many changes to bring about. But, I am grateful to hon. Mrs Dookun-Luchoomun, however, to have highlighted that the Open University will overcome restriction of availability to give opportunity to students with disability also. I think she mentioned that, to give added chances to people who, while working, can pursue at the same time higher education, become better qualified to contribute to the national development. They will have the opportunity to be able to contribute to that development. It is a question of dignity for so many people who, otherwise, without an Open University, would not have been able probably to do that.

Hon. Mrs Dookun-Luchoomun also talked about the quality assurance. We have taken note of this as it is a very important point. I can assure her that particular attention will be given to quality assurance to maintain standards and to adopt the best practices for the credibility of this institution. We felt it while listening to the speeches of hon. Members that it has to be a leading university in this region of the world.

Mr Speaker, Sir, hon. Mrs Labelle, I think, mentioned divisions instead of schools. The Open University, I must inform her, is not meant to be a huge bureaucratic organisation as we

tend to have in traditional teaching universities. This has to be borne in mind and, in fact, this is the reason that I can give to the hon. Member as explanation. On the contrary, as I mentioned in my second reading speech, we want this university to be a light organisation with a federated approach, more flexible and with many more linkages. This is line, I must say, with the recommendation of the Commonwealth of Learning Expert Committee. She was also mentioning about the consultant that they had taken. Unfortunately, the people did not want them to be there, to carry on with it. So, what can I do? *C'est le sort qui l'a voulu ainsi. C'est dommage et je regrette pour eux.* I must say that when a new Government comes, it finds its own way. We have consultants who have been working on that. In fact, the Bill that has come to the House today has been worked upon by the experts on our side. They had theirs and we have ours. These experts have advised and we have come forward with a Bill in line with their advice. A point was also raised about the unions – I think hon. Guinness talked about the unions - that have not been consulted or have been consulted only once. In fact, I met the unions. We talked to them and what they have mentioned has been taken on board before we presented the Bill for the First Reading. Everybody knows that the Bill was presented for the First Reading in December and we had to wait till today to get the Bill passed in Parliament. Of course, in the Bill, they will see that *les droits* of all the officers working there and all the people working at the Mauritius College of the Air have been preserved as has always been the case with this Government.

Mr Speaker, Sir, I think, I have covered most of the points raised. Of course, insofar as the nostalgia is concerned, despite being a doctor, I will not be able to correct this. So, I'll ask them to bear with me. I think we have made a landmark, in fact, today in this House, Mr Speaker, Sir.

I wish to conclude by thanking the hon. Members for having participated in the debates. I thank the hon. Prime Minister because, again, this third university will bear the label of the Labour Party or the Alliance Government under the leadership of hon. Dr. Navin Ramgoolam. The first university, I remind you, Mr Speaker, Sir, was under Sir Seewoosagur Ramgoolam Government. The second one was in 2000, the University of Technology (Mauritius) under hon. Dr. Navin Ramgoolam as Prime Minister and this third university, again, it is under hon. Dr. Navin Ramgoolam as Prime Minister.

The new Open University of Mauritius Bill, Mr Speaker, Sir, will bring a new cornerstone to transform our country in a learning society hub. This Open University will

position our country to become a regional and even a predominant centre of excellence for higher learning. I wish it well and with these comments, Mr Speaker, Sir, I commend the Bill to the House.

*Question put and agreed to.*

*Bill read a second time and committed.*

## COMMITTEE STAGE

*(Mr Speaker in the Chair)*

*The Open University of Mauritius Bill (No. XIX of 2009) 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 Open University of Mauritius Bill (No. XIX of 2009) was read the third time and passed.*

**The vice-Prime Minister, Minister of Tourism, Leisure & External Communications (Mr X. L. Duval):** Mr Speaker, Sir, I do not propose to move the Second Reading of the Trade (Anti-Dumping and Countervailing Measures) Bill (No. XVIII of 2009) today.

**The Minister of Agro Industry, Food Production and Security (Mr S. Faugoo):** Mr Speaker, Sir, I do not propose to move the Second Reading of the Food and Agricultural Research Council (Amendment) Bill (No. XX of 2009) today.

## ADJOURNMENT

**The vice-Prime Minister, Minister of Tourism, Leisure & External Communications (Mr X. L. Duval):** Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 30 March 2010 at 11.30 a.m.

**Mr Valayden rose and seconded.**

**Mr Speaker:** The House stands adjourned.

(7.15 p.m.)

#### MATTERS RAISED

**Mr Speaker:** I have got 11 hon. Members on my list, so, I will ask them to go very quickly.

#### *RÉSIDENCE PERE LAVAL - GROTTÉ*

**Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes):** Mr Speaker, Sir, I will go quickly as you said. I have a couple of issues in my constituency that I would like to raise.

First of all, *il y a une grotte à la Résidence Père Laval* and this would concern the Ministry of Environment and NDU. The inhabitants there have asked that the *grotte* be covered with *tôles*. *Donc, si je peux demander au ministre d'essayer de faire cela le plus rapidement possible !*

#### MGR LEEN AVENUE - DRAINS

Mr Speaker, Sir, the second issue would concern the Ministry of Public Infrastructure, Land Transport and Shipping. It is about the drains that have been constructed on Mgr Leen Avenue near *stade Candos*. There are major problems with those drains because the slabs have not been placed well and this causes noise pollution.

When the NDU people came, they said that they could not repair it; it is a major job, it concerns the Ministry of Public Infrastructure.

**OLLIER AVENUE, BELLE ROSE - MARKET**

Mr Speaker, Sir, the third issue which also concerns the Ministry of Public Infrastructure, Land Transport and Shipping is the market of Ollier Avenue, Belle Rose.

The PPS, hon. Dr. Babajee, has visited and has seen the situation when there are heavy rainfalls. Today, as we see, the weather keeps playing havoc with us. When there are heavy rainfalls, people are really impeded and there is also a pool in front of the bakery which is called Shameen Hall. May ask the hon. Minister of Environment and NDU to look into these issues and to expedite matters?

Thank you, Mr Speaker, Sir.

**The Minister of Environment and National Development Unit (Mr L. Bundhoo):** Mr Speaker, Sir, with regard to *la grotte*, I can assure the hon. Member that whatever can be done with regard to embellishment, we will do it; it is within the parameters of the laws of Mauritius.

With regard, to the pavement, I will certainly liaise with the Ministry of Public Infrastructure, Land Transport and Shipping to see what can be done in order to remedy the situation.

Thank you.

**Mr Speaker:** I will allow only one issue to be raised by each hon. Member.

(7.17 p.m.)

**COTE D'OR & ALMA - POTATO PLANTERS - COMPENSATION**

**Mr S. Dayal (Second Member for Quartier Militaire & Moka):** Mr Speaker, Sir, the potato planters of Côte d'Or and Alma suffered total loss this year as far as potato cultivation is concerned. They are very much indebted and a survey regarding same has been conducted by AREU, the Agricultural Marketing Board and MSIRI and the outcome is yet unknown.

This loss has greatly indebted the planters and they have no means to continue with new cultivation. I understand that they have made a request to the Ministry of Agro Industry, Food

Production and Security to review the decision of the AMB for the boost up scheme of 2010 and, if possible, to consider the possibility of compensation for the loss incurred.

Furthermore, the planters have a land from Mon Desert Alma twice yearly. First in April, which is a very conducive time for plantation and secondly, in August which is a less productive period. Therefore, I would like to request the hon. Minister if he could arrange for a meeting with these planters and try to see if he could be of any possible help.

Thank You.

**The Minister of Agro Industry, Food Production and Security (Mr S. Faugoo):** Mr Speaker, Sir, I am not too sure about compensation, but I will certainly look into the matter and I will organise a meeting with the planters.

**Mr Speaker:** Hon. Varma!

(7.19 p.m.)

#### LE BOUCHON - SOCIAL CENTRE - CONSTRUCTION

**Mr Y. Varma (First Member for Mahebourg & Plaine Magnien):** Mr Speaker, Sir, time and again, we have raised the issue of the construction of a new Social Centre in Le Bouchon. I have raised a couple of Parliamentary Questions and the land is actually available, Mr Speaker, Sir. There was a problem of funds. Upon the request of hon. Duval and myself, we had a meeting with the vice-Prime Minister, Minister of Finance and Economic Empowerment and, accordingly, funds will be made available. I humbly request the hon. Minister to see to it that the Social Centre in Le Bouchon is constructed as soon as possible.

Thank you.

**The Minister of Environment and National Development Unit (Mr L. Bundhoo):** Mr Speaker, Sir, we have already had discussions with the Members of Parliament of this constituency. I would liaise with the hon. Minister of Finance to give express authorisation in order to make sure that funds are available. We will also liaise with the Minister of Public

Infrastructure, Land Transport and Shipping for the proper design for the third generation of community centres in Mauritius. Hopefully, we will set up the first one in Le Bouchon.

Thank you.

### **EX-SAVOY CINEMA, VACOAS – INCIDENT**

**Mrs F. Labelle (Third Member for Vacoas & Floreal):** Mr Speaker, Sir, I am going to refer to the incident which occurred at John Kennedy Street, Vacoas and it is in connection with the activities of a club.

Mr Speaker, Sir, I raised this matter in this very House on several occasions. I drew the attention of the House about the activities carried out at the ex-Savoy Cinema which are causing much disturbance and are source of violence. There were complaints from the inhabitants as they feared for their safety. Last week, on Saturday morning, at about 1.00 a.m., *il y a eu des coups de feu et on deplore des blessés graves*. This is just to prove that the inhabitants were right in saying that their lives were in danger - I repeated this in Parliament. The inhabitants complain about bouncers parking their cars in front of their residences and that when they go and say: "please, let me get into my place". *Ils leur lançaient des regards vraiment effrayants*. It is just fortunate for them that they had kept quiet, because otherwise they could have got shot as it has been the case on Saturday morning. Up to now, we don't know which type of licence these persons have. We have learnt from the Municipal Council that actually no licence has been issued to them. I am led to believe that if they have a licence from the Tourism Authority, it must have expired on 28 February. May we know whether this licence from the Tourism Authority has been renewed? What type of licence it is which allows these persons to carry out such business, which is not only a real nuisance, but also a danger to the surroundings?

Thank you, Mr Speaker, Sir.

**The vice-Prime Minister, Minister of Tourism, Leisure and External Communications (Mr X. L. Duval):** Mr Speaker, Sir, I will say that there are two items involved here and one is about the question of law and order. I have raised the matter with the hon. Prime Minister.

Secondly, about the question of the licencing, there is also a High-Powered Committee looking at the whole question of licences of casinos and such clubs. But, on hearing the news on

the radio, I also asked the Tourism Authority to look into the matter. I don't have a report yet, but I will let the hon. Member know.

### **BARKLY GOVT. SCHOOL – INFRASTRUCTURAL WORKS**

**Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière):** Mr Speaker, Sir, some time back I raised the issue of the situation at Barkly Government School which falls under the category of a ZEP school. For the past three or four years, the results at the CPE level have been very bad. This school is situated, I can say, in a most deprived region of Mauritius. There is a lack of teachers, of discipline not only on the part of schoolchildren, but also of parents. There is also a lack of equipment and I won't mention the problem of environment.

Mr Speaker, Sir, I am appealing to the hon. Minister, once again, to see to it that, at least, urgent action is taken and that site visits be effected, investment be made so that the situation could be redressed in the interests of one and all.

Thank you.

**The Minister of Education, Culture and Human Resources (Dr. V. Bunwaree):** Mr Speaker, Sir, in fact, the point was raised. We have not left the Barkly Govt. School behind. There are some problems, but to give *un aperçu* to the hon. Member, for example, the absenteeism rate at Barkly Govt. School is now being corrected. More children are present on most days of the week. I will just give the figures. For January 2010, it was 6.5% absenteeism compared to 9.4% last year. For January 2008, it was 19.2%. There are so many improvements that have to be brought to the school, be it on the infrastructural side.

Mr Speaker, Sir, I have just got the figures for Barkly Govt. School. In fact, many infrastructural works are being carried out there. I will ask the hon. Member to bear with me. We are giving a special attention to the school. I will see to it that we strengthen further all the measures that we have taken and see what can be done furthermore for this school.

Mr Speaker, Sir, I am convinced that the results will be much better this year, taking into consideration *l'aperçu que j'ai déjà sur le plan de l'absentéisme qui a baissé et l'effort qu'a fait le maître d'école - un très bon maître d'école qu'on a envoyé là-bas. Je suis sûr que cela va s'améliorer.*

### **LORETO CONVENT STREET, CUREPIPE – DRAIN NETWORKS**

**Mr M. Dowarkasing (Third Member for Curepipe & Midlands):** Mr Speaker, Sir, the issue which I want to raise relates to the actual civil works that are being carried out by the RDA along the Loreto Convent Street, Curepipe. During the preliminary consultations which we had, Mr Speaker, Sir, it was question of constructing drain networks and this is confirmed by the reply given to this House by the hon. Minister to one of my questions PQ No. B/375.

Unfortunately, now that the work is progressing, the construction of the drains has been completely ignored. I have learned that the scope of work has been modified and that no drains will be constructed along that road. Moreover, the RDA undertook the responsibility to displace the CWA distribution pipes before construction, because those pipes would be just below the drains. In fact, these also have not been taken care of. Both these two important aspects have been completely ignored, I must say voluntarily, because the scope of work of the contractor has been modified.

Mr Speaker, Sir, I would like to know whether it is proper to construct pavements or drains on CWA pipes? What will happen tomorrow if there is any leakage in the CWA pipes? Shall we be compelled to break the drains to repair the pipes? In the light of all these things, I would urge the hon. Minister to look at the whole project again and to do the needful.

Thank you.

**The Minister of Public Infrastructure, Land Transport and Shipping (Mr A. Bachoo):** Mr Speaker, Sir, as far as the removal of the CWA pipes are concerned, it is the responsibilities of the CWA. I will look into the issue. With regard to the second part, that is, the drain works, I can assure the hon. Member that I will have a look at this issue.

### **LA FERME RESERVOIR, BAMBOUS – OVERFLOWING**

**Mrs S. Hanoomanjee (Second Member for Savanne & Black River):** Mr Speaker, Sir, I wish to raise an issue which concerns the hon. Deputy Prime Minister, Minister of Renewable Energy and Public Utilities. Unfortunately, he is not here, but I am sure the message will be conveyed to him. It concerns La Ferme Reservoir situated at Bambous.

Some two weeks back, there has been an overflow of water from La Ferme Reservoir which has caused havoc amongst the residents living within the perimeter of the reservoir. La Ferme Reservoir is one of the oldest reservoirs and I find it strange that people can still get the required authorisation to build houses within the immediate vicinity of the reservoir. If some day

there is a more serious overflowing due to pressure, *les barrages cèdent*, several people will lose their lives. As to what happened some two weeks back the residents already feared for their lives.

Mr Speaker, Sir, I would also like to draw attention to the fact that there are big banyan trees which have grown in the surroundings of the reservoir and their roots may cause fissures or cracks in the reservoir. I have been given to understand that there is an officer of the Water Resources Unit who has given a report on the reservoir and has expressed serious concerns on the state of the reservoir itself. What I would suggest is that the Ministry of Public Utilities take the lead, set up a committee with the CWA, the Water Resources Unit, to examine and find out what is the exact state of the reservoir and whether there is an urgent need for repairs.

**The vice-Prime Minister, Minister of Tourism, Leisure and External Communications (Mr X. L. Duval):** Mr Speaker, Sir, I will pass on this matter to the hon. Deputy Prime Minister, Minister of Renewable Energy and Public Utilities.

#### **TOUT-COURT LANE, CUREPIPE – LAMP POLES**

**Mrs M. Martin (Second Member for Curepipe & Midlands):** Mr Speaker, Sir, same as my colleague, hon. Mrs Hanoomanjee, my request concerns the hon. Deputy Prime Minister, Minister of Renewable Energy and Public Utilities. The matter concerns a particular street in my constituency, namely Tout-Court lane, Convent Street where, since the end of last year, two lamp poles are out of order. On 02 January last, after heavy rainfalls, the electricity wire network was even spitting sparks and fire and the CEB personnel attended thereto. But since then the lamps are still not functioning and the inhabitants have to use this unlighted part of the road which is opposite a wasteland and next to a Shivala. You can imagine that the inhabitants use this road very often to go to their respective homes and it is quite insecure for them. I would appeal to the hon. Deputy Prime Minister to do the needful so that the security of the inhabitants is ensured.

Thank you.

**The vice-Prime Minister, Minister of Tourism, Leisure and External Communications (Mr X. L. Duval):** I'll convey the message to the hon. Deputy Prime Minister for the needful to be done, Sir.

- (1) AVENUE MYOSOTIS, ST. PIERRE – FLOODING
- (2) BOODHOOA ROAD, DAGOTIERE – BRIGDGE
- (3) WOOTON/QUARTIER MILITAIRE – BUS STOPS

**Dr. P. Ramloll (Third Member for Quartier Militaire & Moka):** Mr Speaker, Sir, I would like to address the issue to the Minister of Environment and NDU. It relates to Avenue Myosotis which is situated next to the CAB office and the post office at St. Pierre. There is frequent flooding with the slightest rain and the whole road gets flooded. It is quite dangerous for children who go to school on foot and it is hazardous to the health of the inhabitants as well. What happens is that schoolchildren go with their soaked shoes and socks and stay there for the whole day. In fact, drain works need to be urgently undertaken to canalise this water to a nearby river.

The same problem is at Boodooa Road in Lower Dagotière where a bridge is blocked and the road overflows and children pass by to go to school which is a danger. I would make a request if that bridge could be unblocked for the free flow of water.

My last point is addressed to the Minister of Public Infrastructure. Mr Speaker, Sir, *le réseau routier est en train de s'étendre pour offrir des kilomètres et des kilomètres de routes carrossables à l'île Maurice*, and this is thanks to the present works going on in the road network over the island. I am speaking of the newly built road from Wooton to Quartier Militaire, where there are four bus stops which need to be erected, two at the farmland area and four at the Belle Rive junction, where is situated the SSR Medical College. I would request if this could be addressed as soon as possible.

Thank you, Mr Speaker, Sir.

**The Minister of Environment and National Development Unit (Mr L. Bundhoo):** Mr Speaker, Sir, I have taken good note of the request of the hon. Member. I will surely attend to it and request the consultant of the NDU to look at the roads near the CAB office in order to take remedial action.

**The Minister of Public Infrastructure, Land Transport and Shipping (Mr A. Bachoo):** Mr Speaker, Sir, actions have already been initiated as far as the bus shelters are concerned.

*At 7.32 p.m., the Assembly was, on its rising, adjourned to Tuesday 30 March 2010 at 11.30 a.m.*

**WRITTEN ANSWERS TO QUESTIONS**

**SAINT MARTIN STREET & CITÉ ROCHE BOIS – ROAD HUMPS**

(No. B/34) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East) asked the Minister of Public Infrastructure, Land Transport and Shipping whether, in regard to the requests made for the installation of road humps along the Saint Martin Street and in Cité Roche Bois, since 2006 to date, he will state where matters stand, indicating in each case the number of humps installed.

**Reply:** I have been informed by the Traffic Management and Road Safety Unit (TMRSU) that since 2006 to date, 14 road humps have been installed in the region of Roche Bois as follows -

Street Name	Location	Number of ps
Balisage St	Near school	1
Cocoterie Road	Near school	3
Meenatchee Ammen	Near Forges Tardieu	2
Meenatchee Ammen Temple Road	Near M. Ammen Temple	3
Currimjee Jeewanjee St	Residential zone	1
Ste Famille St	Near school	2
Tamarin St	Residential zone/School children	1
Vigoureux St	Residential zone	1

As for St. Martin Street, TMRSU has informed that the prevailing road and traffic conditions such as speed restriction of 40 km/h, two-way road in a predominantly residential area, vehicles randomly parking on both sides of the road, low volume of commercial activities etc, do not warrant the setting up of road humps.

#### **NON-GOVERNMENTAL ORGANISATIONS – FUNDING**

**(No. B/60) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East)** asked the Minister of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions whether, in regard to disbursement of fund to Non-Governmental Organisations, she will, for the benefit of the House, obtain from the Non-Governmental Organisation Trust Fund and the Mauritius Council of Social Services -

- (a) a list thereof which benefited therefrom for the years 2008 and 2009 respectively, indicating in each case the quantum thereof, and
- (b) information as to the criteria laid down for funding.

**Reply:** My ministry is compiling the required information which will be placed in the Library of the National Assembly shortly.

#### **NON-GOVERNMENTAL ORGANISATIONS – NEF & CSR**

**(No. B/61) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East)** asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether, in regard to the Non-Governmental Organisations, he will, for the benefit of the House, obtain a list thereof which have benefitted from the National Empowerment Foundation, the Corporate Social Responsibility and or the Eradication of Absolute Poverty Programme, indicating -

- (a) the criteria laid down to benefit therefrom;
- (b) the total amount of money disbursed as at to date, in each case, and
- (c) if any monitoring and evaluation thereof is carried out.

**Reply:** The National Empowerment Foundation (NEF) has as its main objectives to eradicate absolute poverty and empower the vulnerable and needy groups. Similarly, there are several NGOs that are already actively engaged in furthering the above objectives of the Foundation and have shown the willingness to build synergy with the Government and the Private Sector. In order to reach the vulnerable and needy families in a most effective and efficient manner, the Foundation has in many cases built on the expertise and existing networking established by these NGOs with the vulnerable families. It is in this perspective that the Foundation is using these NGOs as a vehicle to finance several pro-poor programmes for the benefit of the needy families.

Whilst some NGOs are collaborating with the NEF without remuneration to implement projects under the NEF, there are other NGOs whose services are being retained in view of their expertise in a particular area against payment of an appropriate fee.

Accordingly, I am tabling a list of NGO's that have been paid fees by the NEF for providing their services to the different Programmes under the NEF, namely the Empowerment Programme and the Eradication of Absolute Poverty Programme.

As far as the CSR is concerned, the Corporate Social Responsibility Committee does not provide funds to NGOs for the implementation of Projects, but, only accredits them so that they are eligible for funding from companies that have CSR funds. The NGO's with projects compliant with the CSR guidelines apply directly to companies having CSR money.

As at to date some 305 NGO's have been accredited and other NGO's wishing to be accredited should apply to the CSR Committee. The Guidelines which include the criteria for accreditation and the list of accredited NGOs are already available for public consultation on the website ([www.nef.mu/csr](http://www.nef.mu/csr)) of the NEF.

The amounts disbursed to different individual NGO's by companies will only be known when the companies file their returns to the MRA. Upon analysis of the data relative to CSR funding to different sectors and NGO's, the CSR committee may make the necessary changes to the guidelines to ensure a more rational and effective distribution of CSR funds by companies.

I reiterate my appeal to the companies to be fair in allocating their CSR funding and to work in close collaboration with all credible NGO's with compliant projects.

I have recommended to the CSR committee to co-opt the Chairman of Macoss on the committee. I am sure this will contribute to the synergy that we want to develop between the government, the private sector and the NGO's to achieve the objectives of CSR.

With regard to part (a) of the question, I am informed that for the Placement for Training under the Empowerment Programme, the NGO's should first register as employers and then provide placement to the unemployed. As regards the provision of life skills training, literacy & numeracy training for unemployed and support to unemployed Women, NGO's are normally invited through call for proposals. These NGOs should have the required competency and experience in the field in which they propose to deliver their service.

Regarding the EAP Programme, I am also informed that NGOs were selected on the basis of their competence and experience in working with children and vulnerable families. However, this is not an exhaustive list and the EAP welcomes other NGO's with the relevant competency to join the Programme.

As far as part (b) of the question is concerned, the NEF has since July 2009, disbursed a total amount of Rs 9.36M for the benefit of some 1,628 needy persons through 18 NGO's as indicated hereunder:

- (i) Under the Empowerment Programme, some 4 NGO's have been paid a total sum of Rs 2.3M for providing Placement for Training opportunities to 107 unemployed and also life skills training to 491 unemployed.

Under the Special Programme for unemployed Women, a sum of Rs 3.7M has been disbursed to 5 NGO's to provide business support and mentoring to some 330 women.

1. With regard to Eradication of Absolute Poverty Programme, some 9 NGO's have been paid a total amount of Rs 3.36M for making arrangements in terms of meal, transport and *accompagnement Scolaire* for around 700 needy children going to pre-primary and primary schools.

As far as Rodrigues is concerned, only one NGO namely Carefour has started as from the beginning of the month to provide 'Accompagnement Scolaire' to some 441 pre-primary children in Rodrigues and a sum of Rs 70,560 has been earmarked for this purpose for month of

March 2010. Concerning part (c) of the question, I am informed that there is already a follow up mechanism in place under each Programme to:

- (i) oversee project implementation by the respective NGOs; and
- (ii) effect monthly disbursements of funds on the basis of specific project objectives and targets.

In this respect, it may be noted that the Training for Placement under the Empowerment Programme was evaluated in 2009 and it came out that this Programme is a good measure to assist unemployed to enhance their skills and also gain greater confidence. The Evaluation Report also underlines the need to scale up the Life Skills Training to the needy and unemployed. Other Programmes including EAP will undergo similar evaluation exercise and in the light of outcome, appropriate measures will be taken if required. Over and above this arrangement, the NEF is instituting under its Corporate Services, independent of each Programme, a team under the responsibility of a Planning, Monitoring and Evaluation Manager to ensure close and effective monitoring and evaluation of projects.

### **RODRIGUES - CAPITAL PROJECTS – IMPLEMENTATION**

**(No. B/65) Mr C. Leopold (Third Member for Rodrigues)** asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether he is aware of undue delay in the handling of matters relating to the implementation of capital projects in Rodrigues and, if so, will he, for the benefit of the House, obtain from the Policy Office, information as to if it is proposed to make new regulations in respect of time limits and other deadlines.

**Reply:** I am informed by the Procurement Policy Office that in July 2009 its officers carried out a compliance monitoring exercise in Rodrigues. The result of the exercise did not reveal any significant delay in the implementation of projects though in some cases, time overruns were noted which were attributed mainly to the lack of proper monitoring.

I am further informed by the Office that its officers were given to understand by the RRA that there is an acute shortage of professional and technical staff. On the other hand, the Office is not in presence of any complaint regarding the existing procedures and/or any undue delay attributable to the time limits to be observed for bid submission or for notification of award or

for challenge and appeal as provided for in the Public Procurement Act or its Regulations. Consequently, it is not envisaged to make new or amend the regulation in respect of time limits.

However, as a matter of fact, as the House may be aware, lack of specific skills results into poor contract administration and management or inadequate monitoring. This is one of the major weaknesses noted with almost all public bodies, which often results in cost and time overruns and also regrettably, in the delivery of substandard works.

With a view to addressing this problem of skills gap, the Procurement Policy Office will launch as from this year a training course on Contract Administration. In this respect, the assistance of an expert in the field has been sought from the UNDP.

### **RODRIGUES - OPTICAL FIBRE CABLES - CONNECTION**

**(No. B/66) Mr C. Leopold (Third Member for Rodrigues)** asked the Minister of Information and Communication Technology whether, in regard to the connection of Rodrigues to optical fibre cables, he will state where matters stand.

**Reply:** In my reply to PQ B/157 on 7 April 2009, I informed the House that the Government of Mauritius has, along with the Member States of the Indian Ocean Commission, namely Reunion, Madagascar, Seychelles and Comoros signed, in December 2008, a Memorandum of Understanding for the setting up of an inter-island submarine fibre optics cable project, the SEGANET, based on open and non-discriminatory access to be provided at affordable prices with a view to ensuring high broadband Internet connectivity for the socio-economic development of the region.

In line with the provisions of the Memorandum of Understanding, a Strategic Committee has been set up under the aegis of the Indian Ocean Commission and Mauritius has been elected to chair the Committee meetings for a period of one year.

At its first meeting held in June 2009, four options for the inter connection of the islands of the Indian Ocean by submarine fibre optics cable have been canvassed by representatives of member states and experts appointed by the Indian Ocean Commission. Rodrigues has been included in all the options. These options leverage on existing submarine fibre optics cable projects in the region namely the SAFE, SEACOM, EASSY and LION.

It is with great pride that we have learnt that the LION project, which interconnects Reunion, Mauritius and Madagascar, will be inaugurated tomorrow by the hon. Prime Minister.

The coming into operation of the LION project opens up a real opportunity for the islands of the Indian Ocean to be inter-connected to submarine fibre optics cable.

I am also informed that the next meeting of the *Comité des Officiers Permanents de Liaison* of the Indian Ocean Commission will be held as from today itself until the 25<sup>th</sup> March in Mauritius to review ongoing projects by the Commission. The SEGANET project ranks high on the agenda and I have urged for due consideration to be given to a rapid implementation of the project so as to, ensure, among others, the connection of Rodrigues to submarine fibre optics cable.

#### **MALHERBES - FOOTBALL GROUND**

**(No. B/67) Mr M. Dowarkasing (Third Member for Curepipe & Midlands)** asked the Minister of Youth and Sports whether, in regard to the upgrading of the Malherbes Football Ground and the turfing works thereat, he will state where matters stand.

*(Withdrawn)*

#### **STATE LAND & PAS GÉOMÉTRIQUES – LEASES - TRANSFER**

**(No. A/1) Mr E. Guimbeau (First Member for Curepipe and Midlands)** asked the Minister of Housing and Lands whether, in regard to the transfer of leases on State land and on *Pas Géométriques* from individuals to companies or promoters, he will give details of the different steps and procedures involved therefor.

**Reply:** Leases on State land are normally granted for the following purposes-

- (i) Residential (building site leases);
- (ii) Campement;
- (iii) Industrial/Commercial (tourism related projects).

It is not the practice to transfer building site leases from individuals to Companies or promoters as such leases are meant for residential purposes and are granted only to low income families.

With regard to applications for transfer of industrial/commercial leases on State land and on *Pas Géométriques* from individuals to Companies or promoters the established practice is as follows -

- (i) obtain a request from both parties;
- (ii) ascertain that there is an existing and valid lease;
- (iii) ascertain that all rent due has been settled, and
- (iv) verify that the proposed transferee is legally empowered to hold land on lease and in case of a Company is duly registered with the Registrar of Companies.

With regard to *campement* site leases, no request for transfer needs to be made by those lessees who have been granted a new 60 year *campement* site lease under the State Land Act as amended by Finance Act 2006. The lease is automatically transferable through a Public Notary. Thereafter the Ministry is to be notified and an agreement is drawn to give effect to the said transfer.

With regard to industrial/commercial site leases on *Pas Géométriques*, the general practice is to grant such leases for tourism related projects (hotel, bungalows, restaurants etc). Such leases are granted to both individuals and companies after examination of the project proposals. In case a request is received for the transfer of a lease from an individual to a promoter, the request is thoroughly examined with a view to ascertaining the justification and rationale for such request, with emphasis as to whether there is any speculative motive behind the request. With a view to avoiding speculation on State land and on *Pas Géométriques*, it was decided in 2006 to include a provision in all new Industrial Site Leases to the effect that in case of sale or transfer of shares which impacts on the control of the Company the lease will be automatically cancelled. This provision is now being included in all Letters of Reservation and Letters of Intent as well.

Prior to 2006, beneficiaries of State land and *Pas Géométriques* could dispose of their leasehold rights without much control. Furthermore, since 2006 no lease is granted to any person, even the smallest plot unless approved at Cabinet level, thus ensuring better control.

In cases of requests for transfer not implying any change in purpose, the proposed transfer is only approved, if the conditions spelt out above are complied with. A letter of intent is thereafter issued to the lessee giving him a delay of 6 months to produce a notarial deed witnessing the sale of the leasehold rights and the building/s standing on the land to the proposed transferee.

Upon submission of the required notarial deed an amendment is made to the existing lease of the former lessee to witness the transaction.

In case of request for transfer of lease for a different purpose, in addition to the conditions spelt out above, the proposed project is examined to determine its viability. Thereafter a letter of intent is issued to the proposed transferee specifying new terms and conditions including revised rental, as the case may be. An industrial/commercial lease is thereafter drawn up.

Any person or any promoter who after verification is found not to have complied with the above, runs the risk of the lease being cancelled and the land retrieved.

### **BEL OMBRE – STATE LAND - ALLOCATION**

**(No. A/2) Mr E. Guimbeau (First Member for Curepipe and Midlands)** asked the Minister of Housing and Lands whether, in regard to the allocation of State land in the region of Bel Ombre in the South, he will state if Midas is a beneficiary and, if so, indicate -

- (a) the date letter of reservation and letter of intent were sent respectively;
- (b) if clause 18 of lease agreement has been complied with;
- (d) the area of land, indicating the purpose and condition thereof;
- (e) the actual rental value of the land, and
- (f) the criteria for selection of beneficiary thereof.

**Reply:** I wish to refer the hon. Member to my reply to Parliamentary Question B/463 of 12 May 2009, a copy of which is at Annex.

A letter of allocation was issued to Midas Acropolis Co. Ltd on 10 October 2006 over a plot of about 30 Arpents of State land at St Felix for a hotel project, after which the land has been retrieved from Groupe Ouest Concassage in June 2006. The allocation of the land to Midas

Acropolis Co. Ltd has been made based on the merits of the project proposal submitted to this Ministry.

As at date, no lease agreement has been signed since Groupe Ouest Concassage has lodged a case against Government and Midas Acropolis Co. Ltd regarding the allocation of the land. The case is still subjudice.

The rental value will be in accordance with the provisions of the Finance Act 2008.

### **BANK OF MAURITIUS – GOVERNOR - OVERSEAS MISSIONS**

(No. A/3) **Mr E. Guimbeau (First Member for Curepipe and Midlands)** asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether, in regard to the Governor of the Bank of Mauritius, he will, for the benefit of the House, obtain from the Bank, information as to the number of overseas missions he has undertaken, since March 2008 to date, indicating in each case, the -

- (a) dates thereof;
- (b) countries visited;
- (c) composition of the delegations, and
- (d) amount of money paid in terms of air tickets, per diem and other fringe benefits.

**Reply:** The House may wish to note that Appendix IV of the Bank of Mauritius Annual Report ending June 2009 which has already been tabled lists the meetings attended by the Governor, the First Deputy Governor and the Second Deputy Governor and as such information regarding their overseas missions is of public knowledge.