

No. 3 of 2011



REPUBLIC OF MAURITIUS

FIFTH NATIONAL ASSEMBLY

**PARLIAMENTARY
DEBATES
(HANSARD)**

**FIRST SESSION
TUESDAY 05 APRIL 2011**

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Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	<i>Prime Minister, Minister of Defence, Home Affairs and External Communications</i>
Dr. the Hon. Ahmed Rashid Beebeejaun, GCSK, FRCP	<i>Deputy Prime Minister, Minister of Energy and Public Utilities</i>
Hon. Charles Gaëtan Xavier-Luc Duval, GCSK	<i>Vice-Prime Minister, Minister of Social Integration and Economic Empowerment</i>
Hon. Pravind Kumar Jugnauth	<i>Vice-Prime Minister, Minister of Finance and Economic Development</i>
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Minister of Business, Enterprise, Cooperatives and
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*Members**Members*

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<i>Deputy Speaker</i>	Roopun, Hon. Prithvirajsing
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MAURITIUS

Fifth National Assembly

FIRST SESSION

Debate No. 3 of 2011

Sitting of Tuesday 05 April 2011

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. Prime Minister's Office –

Certificate of Urgency in respect of The Court Ushers (Amendment) Bill (No. IV of 2011).

B. Ministry of Energy and Public Utilities –

The Waste Water (Cesspit and Septic Tank Emptying Service) (Fees) Regulations 2011 (Government Notice No. 47 of 2011).

C. Ministry of Finance and Economic Development –

The Double Taxation Avoidance Agreement (Republic of Congo) Regulations 2011 (Government Notice No. 48 of 2011).

D. Ministry of Health and Quality of Life –

The Report of the Director of Audit on the Financial Statements of the National Agency for the Treatment And Rehabilitation of Substance Abusers (NATReSA) for the year ended 30 June 2009 (In Original).

E. Ministry of Business, Enterprise, Cooperatives and Consumer Protection –

- (a) The Annual Report of the St. Antoine Planters Co-operative Trust for the year ended 30 June 2009.
- (b) The Financial Statements of the St. Antoine Planters Co-operative Trust for the period 30 June 1996 to 30 June 2009.
- (c) The Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 2) Regulations 2011 (Government Notice No. 42 of 2011).
- (d) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 3) Regulations 2011 (Government Notice No. 43 of 2011).
- (e) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 4) Regulations 2011 (Government Notice No. 44 of 2011).
- (f) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 5) Regulations 2011 (Government Notice No. 45 of 2011).
- (g) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 6) Regulations 2011 (Government Notice No. 46 of 2011).

ORAL ANSWERS TO QUESTIONS

INFINITY BPO LTD - ACQUISITION

The Leader of the Opposition (Mr P. Bérenger) (*By Private Notice*) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to Infinity BPO Ltd., he will state -

- (a) if the company has complied with all the conditions attached to the -
 - (i) granting of Rs135 m. under the Stimulus Package, and
 - (ii) acquisition of Infinity Tower;
- (b) if, prior to the evaluation by the Chief Government Valuer of the Infinity Tower, experts valued same at Rs300 m.;
- (c) the details of its outstanding debts;
- (d) if the Mechanism for Transitional Support to the Private Sector and the Economic Restructuring and Competitiveness Programme Committees exercised regular control thereon, and
- (e) if there has been siphoning off overseas of payments from foreign clients.

The vice-Prime Minister, Minister of Finance & Economic Development (Mr P. Jugnauth): Mr Speaker, Sir, beneficiaries under the MTSP, under which Infinity BPO Ltd. was given support, had to adhere to strict conditions until they have repaid the investment by Government. These include the following main elements -

- Dividends cannot be paid until Government has redeemed its investment;
- Management may be subject to cuts in pay and benefits;
- The firm has to hire at its cost an Independent Financial Analyst to monitor the implementation of the restructuring plan.
- In some cases, the main shareholder relinquishes decisions on financial matters.
- The implementation of the restructuring plan is subject to monthly reporting by the company to the MTSP via the financial analyst.

Infinity has been in compliance with the conditions that were agreed.

- No dividends were paid.
- The management took a 50 percent pay cut.

- BDO was appointed by Infinity as the independent financial analyst to monitor the implementation of the restructuring plan.
- BDO was given a mandate by the MTSP to advise on financial matters.
- BDO provided monthly reports until April 2010 when the obligations to Government ended via the sale and leaseback of Infinity Tower.
- Moreover, in the case of Infinity, the agreement clearly stated that no Government funds could be used to pay for charges associated with motor vehicles and other items for personal use.

Infinity initially received support under an agreement in November 2009. This envisaged an injection in the company of Rs102 m. as follows: Rs45 m. from Government, Rs45 m. from Barclays Bank and Rs12 m. from the shareholder.

However, the shareholder only injected Rs3 m. In view of his failure to respect the agreement, to protect the Rs45 m. of public funds and ensure that the restructuring plan could proceed, Government entered into a new agreement with Infinity in April 2010 for a purchase and leaseback scheme of the Infinity Tower.

The Infinity Tower was valued at Rs340 m. by the Government Valuer, taking into account that another Rs19.7 m. would be required to complete the building under Government ownership.

Government, therefore, entered into a sale and leaseback arrangement whereby it bought the Infinity Tower for Rs340 m.

Mr Speaker, Sir, at one point Government was considering purchasing only selected floors and the valuation from the Government Valuer was Rs110 m. for floors 4 to 6. In a subsequent exercise, the Government Valuer determined a price of Rs225 m. for floors 3 to 8 or Rs340 m. for the whole building and its outside amenities including car parks.

The MTSP Committee determined that public funds would be better protected by purchasing the whole building and completing its construction rather than purchase of individual floors.

Mr Speaker, Sir, in my answer to PQ 1B/41 at the sitting of 22 March, I explained how the funds from Government were disbursed. Public funds were only utilised for settling outstanding debts related to the business with no amounts used for personal items like cars.

Government not only protected public money but provided sufficient injection for the company to complete its restructuring on its own.

A new IFA, Lancaster CA, was appointed with effect from May 2010, immediately after the sale and leaseback arrangement, to monitor proper use of funds injected. Monthly reports were issued by him until September 2010. The IFA resigned in October 2010 as his fees were not being paid by Infinity and because the company was no longer cooperating.

Upon being alerted, the ERCP Committee impressed upon Infinity the importance of appointing another IFA under the terms of the agreement. Infinity submitted four names to the ERCP Committee which agreed to any of the four being appointed by Infinity.

Infinity instead appointed Pricewaterhouse to carry out a full audit. Pricewaterhouse discovered a fraud in the accounts and in January 2011 wrote to the Financial Reporting Council.

As the House is aware, there have also been other allegations of fraud and mismanagement which are being inquired into. In any case, failures at Infinity resulted in the eventual closure of the firm in February 2011.

Mr Speaker, Sir, regarding part (c) of the question, we have no information on its current debt situation. However, I am given to understand that the Provisional Liquidator is, in fact, in the process of compiling the accounts including the current debt situation.

Mr Speaker, Sir, concerning part (d) of the question, the examination and determination of the financial rescue packages is done by the Mechanism for Transitional Support to Private Sector (MTSP) Committee. The MTSP Committee is made up of the Chairperson of Enterprise Mauritius, the Chairperson of SIC, the Permanent Secretary of the Ministry of Industry, a representative of the Bank of Mauritius and the Director of the JEC. The Committee is supported by staff from the Ministry of Finance and Enterprise Mauritius and a team of independent financial analysts. It was initially co-chaired by the Chairperson of Enterprise Mauritius and the Director of the JEC. With the shift in emphasis under the ERCP from saving jobs to supporting deleveraging, the co-chairpersonship shifted to the Chairperson of SIC and the Director of the JEC.

Mr Speaker, Sir, clearly the Committee has exercised regular control.

Mr Speaker, Sir, as regards part (e) of the question, following referrals from several agencies, there is an ongoing inquiry by ICAC which started in the second week of February this year. This inquiry covers the use of the Stimulus Package funds, siphoning off of funds from the company and corruption. It would, therefore, not be proper for me to comment further on the matter as this may prejudice the inquiry.

Mr Bérenger: Mr Speaker, Sir, can I start with the Rs135 m. under the Stimulus Package? I heard the hon. Minister saying that the owner had agreed to inject Rs12 m., but had injected only Rs3 m. Is it not a fact that, in fact, what the owner agreed is to inject Rs45 m. - Rs12 m. fresh injection of his own funds and Rs33 m. in the form of inter-company receivables from related companies? This was given as information in the House itself. Therefore, instead of only Rs12 m., he should have subscribed Rs45 m.

Mr Jugnauth: No, Mr Speaker, Sir. That is not correct. The condition was that he should have to inject Rs12 m. and I understand that he has injected only Rs3 m. instead of the Rs12 m., therefore, a shortfall of Rs9 m.

With regard to Rs33.2 m., the company was supposed to collect from inter-company receivables up to that amount and this, in fact, did not occur as well.

Mr Bérenger: He should have provided the information. Amongst the points agreed, was that there would be a management cost saving of Rs1 m. per month? Did that take place? Is the hon. vice-Prime Minister aware that, in the meantime, what has come out is that the owner was paying for babysitters, employees in his household and so on? Has this been inquired into and did that form part of the conditions?

Mr Jugnauth: Well, again, Mr Speaker, Sir, if there were funds which have been misappropriated, of course, there is an inquiry which is underway and we will find out. But, as far as I am informed, the funds, with regard to the first term sheet, that is, the Rs102 m., have been applied. In fact, I can give the details to the House.

There have been fresh working capital and payment to various creditors, including Mauritius Telecom, BPML and Municipality of Quatre Bornes, for up to Rs34 m.

Completion of Infinity Tower: Rs48 m. which were put aside for that purpose and repayment of overdue of working capital with Barclays: Rs20 m., and that comes to Rs102 m.

With regard to this first term sheet, the Rs102 m. have been used, as I have informed the House.

Mr Bérenger: Who is going to pay for babysitters? The hon. vice-Prime Minister himself has said that amongst the conditions for the Rs135 m. from the Stimulus Package were completing – he has just said it - the Infinity Tower, but also repaying debts, starting with Business Parks of Mauritius Ltd. Will he agree that these two conditions, again, were not fulfilled?

Mr Jugnauth: Mr Speaker, Sir, let me, again, come back to the comment that was made. Paying for babysitting, I am not aware of it. I must stress to the House that if there is any evidence of that, the hon. Leader of the Opposition can communicate not only to us, but to...

Mr Bérenger: It is public knowledge!

(Interruptions)

Mr Jugnauth: To me, it's not public knowledge! I must be aware! I must have evidence! I must be in presence of information that is credible. I can't act on what people are talking generally. True it is that the amount of money was earmarked for completion. It was not completed at that time, but I can say to this House that, as at to date, the building is nearly completed.

(Interruptions)

I said nearly completed!

Mr Bérenger: The vice-Prime Minister seems not to be aware of statements made by those babysitters, by those employees of the Labour Office and other public statements which they have made to the effect that they were paid by Infinity whilst working at his house, Mr Speaker, Sir.

If I can move on to the second part, that is, the acquisition of Infinity Tower. Again, the vice-Prime Minister will agree with me that the two main conditions were completion of the Tower - in fact, Rs16 m. were set aside for completion of the Tower and payment of all outstanding debts. The vice-Prime Minister will agree with me, as he has just admitted, as at to date, the Tower is not completed. Therefore, these two principal conditions have not been abided by.

Mr Jugnauth: I have just replied, Mr Speaker, Sir. I am informed that the building is practically completed. There are just a few more adjustments to be made.

Mr Bérenger: Mr Speaker, Sir, if I can remind the vice-Prime Minister, a question was put to him: why was the buyer, SIC, paid for Land Transfer Tax, whereas it should have been the seller, Infinity, which would have paid Rs17 m. as Land Transfer Tax? He undertook to check and come back. Can we have the answer?

Mr Jugnauth: Yes, that was part of the conditions, Mr Speaker, Sir, because otherwise, the whole purpose was to inject money – this is what I am informed – to allow the company to be able to restructure. Now, that amount was needed at that time and, therefore, the condition that was put was that eventually when the company would have been in a position to buy back, it would have bought back the building on a 5% return annually up to the time of the transaction.

Mr Bérenger: Mr Speaker, Sir, on part (b) of the question: “if, prior to the evaluation by the Chief Government Valuer of the Infinity Tower, experts valued same at Rs300 m.”, the hon. vice-Prime Minister has not replied to that part of my question. He only again referred to the few Rs340 m. Is he aware that the former Minister of Finance, replying to a PNQ from me on 30 November 2009, said the following, I quote –

“(…) concerning the building, the experts have ascertained that they require approximately Rs40 m. to complete the building and then the building will be worth Rs200 m.”

(Interruptions)

Therefore, it was said in this House that the experts having evaluated the building, evaluated it at Rs300 m. Can I ask the vice-Prime Minister whether he was aware of it, whether he has checked and whether he will lay on the Table of the Assembly copy of the reports from the experts, which the previous Minister of Finance referred to?

Mr Jugnauth: I can only provide information to the House from what I have been provided myself, Mr Speaker, Sir. I can say that I am not aware about this statement that was made...

(Interruptions)

Mr Speaker: Let the hon. vice-Prime Minister answer!

Mr Jugnauth: I must be able to reply, Mr Speaker, Sir.

Mr Speaker: Yes, please!

Mr Jugnauth: If I am not aware, how can I say that I am? I am not aware about this.

(Interruptions)

Mr Speaker: Order, now!

Mr Jugnauth: What I have been provided with is two reports. In fact, the valuer was requested on 16 February 2010 to carry out an evaluation and he has submitted the report on 05 March 2010 with regard to two options, which I am going to table to this House.

(Interruptions)

But I must be able to answer! The hon. Leader of the Opposition has asked....

(Interruptions)

Mr Bérenger: Come to the point!

(Interruptions)

Mr Speaker: Order! Order!

Mr Jugnauth: The hon. Leader of the Opposition ...

(Interruptions)

Mr Speaker: No! Let the vice-Prime Minister answer the question. A question has been put, he has to clarify his position, otherwise he would be taken to task elsewhere. Please!

(Interruptions)

Mr Bérenger: I am referring to 2009.

Mr Speaker: Now, he is answering to what is in front...

(Interruptions)

Mr Jugnauth: He does not know! He said that I am not answering to that part of the question. I am answering. The other report, in fact, is dated 23 February. Probably, that is the confusion that the hon. Leader of the Opposition is making. That report is with regard to three floors. He was requested to assess three floors and he gave his report.

Mr Speaker: The hon. vice-Prime Minister is laying it on the Table.

Mr Jugnauth: I am tabling both reports to the House.

Mr Bérenger: My point is: in 2009, the then Minister of Finance said experts have evaluated the building and, when completed, the building will be worth Rs300 m. If the vice-Prime Minister is not aware, will he look into it and lay a copy of reports to which the hon. Minister referred to?

Mr Jugnauth: Of course, I will look into it. I consider it as important information for me to carry out an inquiry and find out whether there has been, at that time, any evaluation. Of course, I'll do so.

Mr Bérenger: On details of outstanding debts, I am really surprised to what I heard. He said that he is not in presence. But he, himself, replying to a Parliamentary Question on 29 March, gave us information. I am quoting him –

“I am informed that they owe an amount of Rs52 m. to BPML Mauritius, Rs6.5 m. to the Municipality of Quatre Bornes, and Rs9.5 m. to Mauritius Telecom.”

And I asked him about the University of Mauritius, because my information is that Infinity owes Rs5 m. to the University of Mauritius and also to SIC. There has been a statement last week from SIC saying that Infinity owes money to SIC also. Can I know whether Infinity owes money to the MRA and to the Registrar General also?

Mr Jugnauth: Mr Speaker, Sir, I have replied. In fact, I have given some information, but I am not able to provide all the outstanding debts that are owed by Infinity as at to date.

Mr Speaker: I must make a point. I remember the Minister saying that the provisional liquidator is now making a list of all outstanding debts and once he gets it, he will communicate it to the House.

Mr Bérenger: How can he? On 22 March, he stood up in the House, and I will quote him replying to a question. He said that Infinity does not owe any money to Government. Well, SIC is Government; Mauritius Revenue Authority is Government. So, he can't stand up and tell us that they don't owe any money and today he says: 'I am not aware; I don't know'!

Mr Jugnauth: Mr Speaker, Sir, I maintain the information that I have given to the House in a reply to the question that the hon. Leader of the Opposition has just mentioned. Let me point out again! The question that has been asked is: the details of its outstanding debts. I am not able to provide all the details of the outstanding debts today.

(Interruptions)

Mr Speaker: Order!

Mr Bérenger: Mr Speaker, if I can, I move to this very serious point: if there has been siphoning off overseas of payments from foreign clients. According to my information, *c'est le*

coeur du problème. A lot of payments, services given to foreigners outside, they paid into accounts in France and in Luxembourg. This is how Infinity has reached - public money has been spent - this stage. Can I ask the hon. Minister whether he is aware of two very serious allegations which were made in this House - *précédent* - on 30 November? The then Minister undertook to inquire and report back. He never did. Can I know whether the present Minister of Finance has taken the trouble of inquiring into that? I referred, Mr Speaker, Sir, to two illegal routing of international calls. The then Minister replied –

“I am not aware of this, Mr Speaker, Sir. I will find out and I will inform the House.”

Has the present Minister bothered to look into that? There was even more serious; on 09 December 2008, he informed the House that it had recently been brought to his attention that the gentleman concerned, the Chief Executive Officer of Infinity BPO, has two previous convictions in France. He added –

“I propose to look into the legal implication of the judgment of the Tribunal and take appropriate action accordingly.”

Before we grant financial assistance to the same gentleman, can I ask the hon. Minister what were the results of his investigation? Again, he never came back. Has the present Minister of Finance taken the trouble to look into the very serious allegations which were *précédent*, which pointed to the situation in which we are landed today?

Mr Jugnauth: Mr Speaker, Sir, I cannot answer for the former Minister of Finance, but I can say that there is today itself a question which, if I am not mistaken, is addressed to the hon. Prime Minister. It is Parliamentary Question No. B/107 and it concerns allegations or any cases in relation to Police enquiry with regard to one Mr Suzanne. In fact, the hon. Leader of the Opposition will see that when we received information from Pricewaterhouse that there were certain probably wrongdoings at the level of the company, as from February, an inquiry has been started by ICAC due to a number of complaints that have been made by different agencies and individuals. These are being part of this inquiry. Therefore, I cannot myself pronounce or pass any judgment with regard to the substance that ICAC is inquiring into.

Mr Bérenger: It has been going on for years, Mr Speaker, Sir, and it seems that the present Minister of Finance is satisfied with the MTSP and ERCP Committees. How come they

didn't ring the alarm bell on such issues? Finally, the independent Financial Analyst resigned. Can I know when he resigned and how long it took for the committees to react?

Mr Jugnauth: When the first independent Financial Analyst resigned, another Financial Analyst was appointed, namely the firm Lancaster CA, in May 2010. If my memory serves me right, he resigned in September 2010 after which the committee, in fact, impressed upon Infinity BPO that they should eliminate another independent Financial Analyst in replacement. In fact, they had submitted names of four firms and the committee was agreeable to nominating any one of the four. Pricewaterhouse was finally chosen by the company and, in fact, they carried out a full audit with respect to a number of financial transactions. This is what led to us knowing that there were certain wrongdoings at the level of the company. Therefore, you will see the sequence of events - ICAC came into it and started another inquiry.

Mr Bérenger: The whole point was supposedly to save jobs as the former Minister of Finance used to say. The end result: no job left! *Faillite! Liquidation!* I gave some of the outstanding debts that I am in presence of. The worst outstanding debt is salaries owed by Infinity BPO to the wage earners of that company. Will the hon. Minister and the Prime Minister urgently take the decision that Government - whatever revenue Government is owed by Infinity and the Municipality of Quatre Bornes - will give priority in terms of liquidation for payment to the employees? Will that guarantee be given to the employees?

Mr Jugnauth: Mr Speaker, Sir, with regard to priority and with regard to the ranking of workers, it is guided by the law. The law does...

(Interruptions)

Mr Speaker: Order!

Mr Jugnauth: The law does not date back from yesterday. The law dates back from the time when the hon. Leader of the Opposition was also Prime Minister. He, in fact, did not deem it fit to amend the law to give a better ranking for the workers. I must say that in 2009, the ranking for the workers was improved and it was under the leadership of the hon. Prime Minister.

Mr Bérenger: Can I ask the hon. Prime Minister whether he is aware that there has been *précédent*, for example, Manupan, nothing prevents an employer, an owner from waiving. There has been a *précédent*.

(Interruptions)

Mr Speaker: There has been a *précédent*.

(Interruptions)

The hon. Minister will look into it.

Ms Deerpalsing: Mr Speaker, Sir, the hon. vice-Prime Minister and Minister of Finance, in his answer to part (d) regarding the control that the committee was supposed to exercise, has said that the committee has exercised control. Now, we, in this Parliament, voted this Stimulus Package on the premise – I know the present Minister of Finance was not there, it was the previous Minister of Finance – that there was a committee that was supposed to control all these things. May I ask the hon. vice-Prime Minister and Minister of Finance whether that committee has submitted regular reports to his Ministry even when he was not there and whether those reports could be laid in the Assembly because we have the right to know in this Parliament?

Mr Speaker: There is no need to make comment. Let the hon. Minister answer!

Mr Jugnauth: I understand that the independent Financial Analyst, that is, the last one who was in post, had submitted monthly reports to the committee until, of course, he resigned and therefore there was the issue of Pricewaterhouse.

With regard to the reports, I will seek advice before I can commit myself to laying on the Table of the Assembly.

Mr Speaker: Hon. Bhagwan!

Mr Bhagwan: The hon. Minister has informed us that one of the committees is jointly presided by the Chairperson of the SIC and somebody from the JEC. Can the hon. Minister inform how, we, Members of this House and the public, in general, can trust the Chairman of the SIC who has been involved in the mismanagement of the hedging affair of Air Mauritius?

Mr Speaker: No! Hon. Bhagwan, please!

(Interruptions)

Don't put names across!

Mr Jugnauth: These are allegations, Mr Speaker, Sir. If the hon. Member has information, he should communicate it to me!

Mr Speaker: Send him the information! Hon. Leader of the Opposition!

Mr Bérenger: Mr Speaker, Sir, the whole point, as I said, was to save jobs. Total failure! And I take it that the point was also to save the reputation of Mauritius! That reputation through Infinity BPO is in tatters. As in the case of Med Point, we are being told to wait for the inquiry by ICAC. Will the hon. Prime Minister let the country know whether ICAC is carrying out both inquiries at the same time or supposedly it will finish with Med Point, then it will start with ICAC? I appeal, again, whether the priority in terms of payment of debts will be waived by Government and the Municipality of Quatre Bornes for the wage earners to get priority?

Mr Jugnauth: Mr Speaker, Sir, this is a Private Notice Question addressed to me; now the Leader of the Opposition is questioning the hon. Prime Minister!

(Interruptions)

Questions should be put to the hon. Prime Minister!

(Interruptions)

Mr Speaker: Time is over! Order! Order! Questions addressed to Dr. the hon. Prime Minister! Hon. Mrs Radegonde!

BLACK RIVER POLICE STATION - CONSTRUCTION

(No. B/105) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Black River Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if it is in a derelict state and that unhygienic conditions prevail thereat and, if so, the remedial measures that will be taken, including if consideration will be given.

The Prime Minister: Mr Speaker, Sir, I would like to refer the hon. Member to the reply I made to Parliamentary Question 1B/8 on 15 June 2010, wherein I stated that priority is being given to the construction of new Police stations in regions where currently there are none as well as to the renovation/reconstruction of existing Police stations, as and when required.

The Black River Police Station is housed in an old wooden building which dates back to colonial days but is not in a derelict state. In fact, the building is cleaned on a daily basis.

However, in view of the age of the existing building, it was decided in the year 2009 to construct a new Police station adjacent to the existing one on the same plot of land.

Construction works started on 26 November of last year and are scheduled to be completed in July 2011.

Mrs Radegonde: Given that we have 30 members of staff for a catchment area covering Yemen to Le Morne, Dilo Pourri, Chamarel and also Henrietta, may I ask the hon. Prime Minister whether he considers increasing the number of staff and what will be the new catchment area for the new Police station?

Mr Speaker: The question concerns information about the derelict state and unhygienic conditions prevailing thereat and the measures that will be taken. That's all. It is not a question of staffing. Next question!

Mr Quirin: M. le président, le Premier ministre peut-il nous dire s'il a été informé par le Commissaire de Police du mauvais état des véhicules ERS qui sont de surcroît infestés de punaises? Si c'est le cas...

Mr Speaker: This does not arise from the question.

POLICE STATIONS - STATION COMMANDERS - OFFICIAL MOBILE PHONE

(No. B/106) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Station Commanders, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, division-wise, indicating –

- (a) the number thereof who are provided with an official mobile phone, and
- (b) if consideration will be given for –
 - (ii) all of them to be provided with an official mobile phone, and
 - (iii) allowing them to continue using the same mobile phone, irrespective of their posting.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that there are twenty-seven Assistant Superintendents of Police...

(Interruptions)

Mr Speaker: Sorry, hon. Prime Minister to interrupt! I don't need any lesson from the hon. Member. The hon. Member should keep quiet.

The Prime Minister: ...performing the duties of Station Commanders in the eight Divisions of the Police Force, including Rodrigues. The number of Station Commanders posted to each Division is as follows -

Metropolitan South	-	3
Metropolitan North	-	5
Northern	-	4
Eastern	-	4
Southern	-	3
Central	-	2
Western	-	5
Rodrigues	-	1

With regard to parts (a) and (b)(i) of the question, all the twenty seven Station Commanders are provided with an official mobile phone as the nature of their duties requires them to be easily available.

The mobile phones were issued to them upon their posting as Station Commander for use for official duties.

In regard to part (b)(ii) of the question, I am informed that the existing policy of the Mauritius Police Force relating to the issue of mobile phones is as follows -

- (i) officers of the rank of Superintendent of Police and above are entitled to an official mobile phone;
- (ii) depending on the operational exigencies of Divisions and Branches, a certain number of mobile phones is issued in bulk to Divisions and Branches for official use by any officer posted thereat irrespective of rank. The Divisional Commander or Branch Officer may, at his discretion, issue a mobile phone to a particular Station Commander or any other officer from the bulk provided to him, and
- (iii) certain officers below the rank of Superintendent of Police are also issued with mobile phone, depending on the nature of their posting and duties and subject to the approval of the Commissioner of Police.

Mr Speaker, Sir, I understand that the Police Force does not envisage to review the existing policy on the issue of mobile phones for the time being and Station Commanders will continue to be provided with an official mobile phone from equipment allocated to their respective Divisions. When they are transferred to other Divisions, they are required to return the mobile phone to the Division where they were previously posted for the purpose of accountability. That is the practice in Government departments.

Mr Speaker, Sir, I would like to add that mobile phones have proved to be very useful, not only in ensuring an effective communication during normal duties and Police operations, but also allow easy availability of officers entrusted with critical responsibility at any time by day or by night.

INFINITY BPO LTD - MR J. S. - ALLEGED FRAUD

(No. B/107) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the allegation of fraud committed by Mr J. S. of Infinity BPO Ltd., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been carried out thereinto, indicating the outcome thereof.

The Prime Minister: Mr Speaker, Sir, the vice-Prime Minister and Minister of Finance did add some information to that question. The Commissioner of Police informed me that no case of fraud committed by Mr J. S. at Infinity BPO Ltd. has been reported so far to the Police.

However, we understand that the fraud has been reported to the FRC, who is looking into it. However, Police is enquiring into the following cases against him -

- (i) issuing cheque without provision which was reported against him on 03 December 2010 by one Mrs S. H., Manager at Thomas Cook. Mr J. S. was arrested in that connection on 13 December 2010, and released on bail on the same day after furnishing a surety of Rs5,000 and a recognition of Rs10,000, and
- (ii) insult which was reported by his former Production Manager.

The following cases have been reported to Police by Mr J. S. -

- (i) three cases of larceny of furniture and equipment from his office;
- (ii) alleged embezzlement of funds by his Chief Finance Officer and others, and
- (iii) two cases of forgery by the staff of his company.

Mr Speaker, Sir, as the hon. vice-Prime Minister and Minister of Finance has just indicated in reply to the Private Notice Question, ICAC is presently carrying out an investigation into cases of embezzlement and corruption committed by Mr J. S.

Mr Bérenger: Mr Speaker, ICAC is inquiring and the Police arrested the gentleman concerned, he was released on bail and so on. Did these events take place whilst Mr J. S. was still special Adviser to the Prime Minister? To clear that point, can we have the date when he ceased to be special Adviser to the hon. Prime Minister?

The Prime Minister: He was not an Adviser on 03 December 2010. He had ceased to be an Adviser from 14 May 2010.

Mr Ganoo: I understand that the gentleman was also a member of the Board of Enterprise Mauritius? Is he still a member of the Board or has he resigned?

The Prime Minister: I am quite sure that he must have gone by now.

Mr Guimbeau: M. le président, le Premier ministre est-il au courant que le propriétaire d'*Infinity BPO* a fait le même coup à Reims en France où la firme a fermé ses portes et les employés mis à la porte?

Mr Speaker: Excusez-moi, si l'honorable membre a des renseignements sur ce *gentleman* qui a fait le même coup allégué par lui en France, qu'il aille à la police pour rapporter cela.

(Interruptions)

Mr Uteem: Is the hon. Prime Minister aware that one of the Financial Directors of Infinity BPO held a press conference to make allegations of fraud and had reported same to the Police, and this gentleman was arrested and denied bail, but not Mr J. S.?

The Prime Minister: I cannot go into the arrangement of the Magistrate in question. I think the hon. Member is a lawyer and he must know. I cannot go and instruct the Magistrate what to do, when to give bail and when not to give bail. The Police are doing their work. I do not go into the day-to-day administration of the Police as the hon. gentleman knows, but, as I said, he has been arrested. He was given bail.

As regards the press conference, I cannot say what has been said in the press conference. That is for others to look at.

Mr Bhagwan: Mr Speaker, Sir, has the attention of the hon. Prime Minister been drawn to the fact that Mr J. S. benefited from duty-free facilities as Adviser when he was working and whether that person has sold his car prior to...

(Interruptions)

Mr Speaker: No, No. The question is about report to the Police. If the hon. Member has any other specific question, he can come with a written question. This does not arise from this one. Next question! Hon. Leopold!

MAURITIUS/RODRIGUES - MINORS - MOVEMENT

(No. B/108) Mr C. Leopold (First Member for Rodrigues) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the movement of minors between Mauritius and Rodrigues, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if recent measures have been taken in relation thereto and, if so, indicate the -

- (a) date of coming into force thereof, and
- (b) if prior consultations/surveys were carried out, involving stakeholders in Rodrigues and, if so, the outcome thereof.

The Prime Minister: Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that, as part of the implementation of the New Border

Control System, the Passport and Immigration Office has introduced a new set of procedures to capture travel documents of all passengers travelling by domestic flights and ships to and from Rodrigues. The new arrangement became effective as from 25 February of this year.

Accordingly, minors travelling to and from Rodrigues either by air or by sea have to produce an Identity Document issued by the Police. In case a minor is not in possession of a passport, he or she will have to produce the Identity Document.

In regard to part (b) of the question, I am informed that prior consultation with stakeholders in Rodrigues was not warranted as the procedure for a minor producing an Identity Document is in line with Regulation 19 of the Civil Aviation (Security) Regulations 2008, which primarily aims at reinforcing border control.

The public was informed of the new procedures through the media on 23 February 2011.

I thank the hon. Member for raising this issue and I am aware now that there were practical difficulties that these new measures have caused.

I have instructed that these new measures be effective as from the last week of May and that in the meantime, widest publicity be given to them by appropriate notices in conspicuous public places and in all Police stations, travel agencies and through the media.

Mr Leopold: Mr Speaker, Sir, I thank the hon. Prime Minister for his reply. I understand that the enforcement of these new measures will be postponed to May. Being given that the Identity Document that is required to be filled in by minors moving between Mauritius and Rodrigues is valid for only one trip and every time they will have to go to the Police station to sign or to appose the thumbprint and to produce a new passport photograph, may I ask the hon. Prime Minister whether this validity can be extended?

The Prime Minister: I will certainly look into that matter, Mr Speaker, Sir.

Mr Leopold: Mr Speaker, Sir, can I know from the hon. Prime Minister whether consideration will be given to the case of mono-parental families? There are genuine cases in Rodrigues where we may have one parent who is in Rodrigues and the other one living in Mauritius for years. Some of them have split, there is no contact. What will happen in cases where, for example, these kids or athletes will have to travel on emergency to Mauritius where there is no contact between these parents for these formalities?

The Prime Minister: My understanding is that that issue will not concern both parents. If there is only one parent, then only one parent can provide the information.

Mr Leopold: I don't know whether the Prime Minister is aware that we have cases where both parents are in Mauritius and the kids have been left behind with their grandparents and the grandparents have no legal guardian status. What will happen in this case? I am talking of emergency again and if there is no contact between the grandparents and the parents living in Mauritius, what will happen to these kids when they will have to travel to Mauritius?

The Prime Minister: Well, I suppose proper arrangements will have to be made, Mr Speaker, Sir; otherwise there would be no board of control at all.

**ABERCROMBIE/METROPOLITAN NORTH DISTRICT HEADQUARTERS -
OFFICES**

(No. B/109) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the offices of the Metropolitan North District Headquarters housed in the Police Headquarters at Abercrombie, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if it is in a derelict state and that unhygienic conditions prevail thereat and, if so, indicate if consideration will be given for the pulling down of the existing quarters and the construction of a new modern one.

The Prime Minister: I am informed by the Commissioner of Police that the building currently accommodating the Metropolitan North Divisional Headquarters and Abercrombie Police station is not in a derelict state. The building was last renovated in 2006, and works to the tune of Rs7.9 m. were carried out.

However, there is a space problem at Abercrombie in view of the fact that, in addition to the Divisional Headquarters and the Police station, the building also accommodates a number of other units. In order to address this space problem, six unoccupied Police Quarters, situated in the same compound, have temporarily been converted into offices.

In December 2010, the Metropolitan North Divisional Commander carried out a survey and submitted a report in which he pointed out several shortcomings in regard to the Quarters which have been converted into offices. He has recommended that the Quarters be pulled down

and a modern Divisional Headquarters be set up. The building currently housing both the Divisional Headquarters and the Police station would then accommodate only the Police station.

Police is currently working on a project proposal to be implemented in the course of next financial year.

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he is aware that only the building housing the Police station has been renovated, whereas five other blocks i.e. residential blocks, which are housing different Divisions of the Northern Police Headquarters, have not been renovated and also the building housing the Police prosecution office leaks during heavy rainfalls?

The Prime Minister: That is why I explained that these were temporarily converted into offices and for the Police they are currently working on a project proposal to be implemented. The work has already started.

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Prime Minister to request the Commissioner of Police to urgently look into because there are wrecked and abandoned vehicles being found within the premises of the headquarters at Abercrombie?

The Prime Minister: The Commissioner of Police has told me that he is aware of certain shortcomings and that is why he is looking into it as a priority.

DRUGS - SEIZURE

(No. B/110) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the dangerous drugs which have been seized over each of the last five years, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to a breakdown thereof, in terms of -

- (a) category,
- (b) quantity, and
- (c) value thereof.

The Prime Minister: Mr Speaker, Sir, in regard to parts (a), (b) and (c) of the question, I am informed by the Commissioner of Police that during the period January 2006 to 28 February 2011, a total amount of 138,315 tablets of Subutex, 264.79 kg of cannabis, 2.16 kg of cocaine,

24.78 kg of hashish, 38.46 kg of heroin and 27,413 tablets of sedatives were seized, having a total street value of around Rs933,048,314.

I am tabling the other information requested by the hon. Member.

Mr Ameer Meea: Mr Speaker, Sir, the hon. Prime Minister has given us figures of drugs that have been seized generally. Can I ask him if he can give us what percentage of the drug that has been seized relates to drug traffickers, compared to that of drug users?

The Prime Minister: I do not have the figures for the percentage of drugs. Normally, we don't look at these percentages.

Mr Obeegadoo: The question relates to seizure. We know that the issue of what happens to drug seized has always been very controversial. Will the hon. Prime Minister inform the House whether there has been a review of procedure concerning storage and/or disposal of the drug seized?

The Prime Minister: In fact, the hon. Member from Constituency No. 3 was asking why we don't burn whatever drug we get as we did before and this also is being looked at.

Mr Obeegadoo: My point relates to the figures just given by the hon. Prime Minister. Since now the bulk of drugs used in the country and drugs seized relate to Subutex rather than what held sway before, may I know how that has impacted on the State policy concerning storage and/or disposal?

The Prime Minister: I mentioned it was not just Subutex; I mentioned cannabis, cocaine, hashish, heroin, and sedatives as well. There are very strict procedures for storing of these tablets.

DOMESTIC VIOLENCE

(No. B/111) **Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to domestic violence, 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 2008 to date, indicating the number of spouses who have been assaulted whilst being under a Protection Order and passed away as a result thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that the number of cases of domestic violence involving spouses who were under a Protection Order, out of the total number of such reported cases for the period 01 January 2008 to 31 March 2011 are as follows –

- Year 2008 - 350 out of 1,933
- Year 2009 - 426 out of 2,967
- Year 2010 - 458 out of 3,514
- Year 2011 - 121 out of 603

(as at 31 March)

None of the persons who were under a Protection Order passed away as a result of being assaulted.

Mr Speaker, Sir, domestic violence, we know, is a problem across the world and occurs in all social, economic and cultural groups. Women are victims in the majority of cases, which often result in serious injury.

Mauritius is no exception to that and to tackle the problem, a range of measures have been implemented by the Ministry of Gender Equality, Child Development and Family Welfare since 2007 with the launching of a National Action Plan to combat domestic violence. As at date, 82% of the recommended actions of the Action Plan have already been implemented.

Additional activities implemented in this context, aimed at -

- (i) raising awareness on domestic violence issues - over 11,000 persons have been sensitised to date;
- (ii) victim empowerment and abuser rehabilitation;
- (iii) strengthening values for family life in line with the National Action Plan on the family;
- (iv) premarital counseling and marriage enrichment programmes - 728 couples have benefitted from this;
- (v) since 2008, a National Domestic Violence Committee has been set up with a view to adopting a coordinated approach and to ensure protection of victims. At the local levels, Area Domestic Violence Committees have been set up at the level of

- the six Family Support Bureaux to handle the case expeditiously and ensure proper follow-up on cases with relevant authorities, and
- (vi) Hot line services are also available for psychological and legal counseling.

Mr Speaker, Sir, amendments were brought about to the Protection from Domestic Violence Act in 2007 to provide for harsher penalties for the offence of willfully failing to comply with any Order under the Act, and to a term of imprisonment on a second or subsequent conviction. The amendments also conferred power on the Chief Justice to make rules for the purpose of applications for Protection Orders. So as to come up with a clear framework and guidelines to ensure consistency and uniformity of procedures in dealing with cases of domestic violence, this matter has been dealt with in-depth.

The draft Rules are now ready and have already been submitted to the Rules Committee of the Supreme Court. Once the Rules are finalised, the Protection and Domestic Violence (Amendment) Act will be proclaimed.

Mr Bérenger: Can I ask the hon. Prime Minister whether he will agree with me that too often the Police are part of the problem and not part of the solution? Is there a scheme for training the Police, making them aware? Because we know that *les mentalités ne changent pas facilement*. I am sure that the Prime Minister will agree that there must be a scheme for the Police to be trained, to be made aware. We should start there, I would say.

The Prime Minister: There is such a training programme for the Police that has already started or is going to be starting soon.

Mr Obeegadoo: Mr Speaker, Sir, we all know that the first recourse, especially for poor women, is the Family Protection Service, where they go to seek advice and assistance. Is the Prime Minister aware that the Family Protection Service is at present notoriously understaffed and underequipped to deliver in terms of its role?

The Prime Minister: That is something that will have to be looked into, because we have priorities also, we have to see how we can do. We cannot do everything that we want at the same time.

Mr Obeegadoo: Given the seriousness of this issue, will the hon. Prime Minister, through his office, order an independent survey of the operation of the Family Protection

Service, including the location of the offices of the Family Protection Service relative to the demand?

The Prime Minister: Mr Speaker, Sir, as I said, we have to look how we spend our money as well, whether we need to do this, that will be dependent on what issue is raised. But, if you remember, there was no such law before. We brought the law to Parliament and we also brought the amendments to the law. Now, we have to see how we can improve it.

FSL - DNA PROFILING TESTS

(No. B/112) **Dr. S. Boolell (Second Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the DNA profiling tests, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the Forensic Science Laboratory holds an international accreditation certificate to effect such tests, indicating if these tests will be made accessible to the public through their medical and legal advisers.

The Prime Minister: Mr Speaker, Sir, I am informed by the Director of the Forensic Science Laboratory that DNA analysis is being carried out by the laboratory for criminal and civil cases, in accordance with the provisions of the DNA Identification Act of 2009.

I am also informed that the DNA tests are carried out on the basis of internationally accepted standards and practices.

In September 2005, Government decided to have all laboratories under the aegis of Ministries and parastatal bodies to seek accreditation with the Mauritius Accreditation Service (MAURITAS).

Procedures are well under way for the accreditation of the laboratory. So far, the standard of operating procedures as well as the quality manuals, have been prepared and a pre-assessment has been carried out by the Mauritius Accreditation Service as well as the national accreditation body. Furthermore, the staff of the Forensic Science Laboratory has received extensive specialised training. The final part of this accreditation procedure will take place from 18 to 21 April 2011 with the assessment of the Laboratory's DNA section by a team of assessors, including an international DNA expert. The team will make final recommendations to the

Forensic Science Laboratory which have to be implemented within three months. It is expected that the Laboratory will be accredited by July/August 2011 as per MS ISO/IEC 17025.

The primary role of the Forensic Science Laboratory is to provide forensic testing in criminal and civil cases, in accordance with the DNA Identification Act. DNA analysis is carried out by the Forensic Science Laboratory primarily at the request of the Police or by an Order from a Judge.

At present, while we are working towards accreditation of the laboratory and taking into account its limited capacity, we are concentrating on the criminal DNA work submitted by the Police. Although these tests are not yet accessible to the public, once we have obtained accreditation and improved our capacity, we plan to consider such requests from the public, of course, on the payment of a fee.

Dr. S. Boolell: Mr Speaker, Sir, will the hon. Prime Minister agree that until such time the laboratory becomes accredited internationally, this jeopardises the admissibility of DNA evidence in any investigation locally and may not even be allowed in a court of law?

The Prime Minister: It is not felt that this is the case, Mr Speaker, Sir. The accreditation is a step forward; it does not mean that you cannot carry out a DNA test while there is no finalised accreditation procedure.

Dr. S. Boolell: May I ask the hon. Prime Minister whether the law has been amended to admit these DNA tests performed by the Réduit laboratory?

The Prime Minister: This is already the case, Mr Speaker, Sir, not recently.

PRISONS - DETAINEES - DEATH

(No. B/113) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the prisoners, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to the number thereof who have passed away whilst serving sentence, over the last five years, indicating in each case, the cause of death.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Prisons that the number of detainees who have passed away over the last five years whilst serving sentence is as follows -

• Year 2006	-	14
• Year 2007	-	10
• Year 2008	-	20
• Year 2009	-	18
• Year 2010	-	23
• Year 2011	-	9

(as at 31 March)

As regards the cause of death, I am tabling the information requested by the hon. Member.

As the hon. Member will surely be aware, a judicial enquiry into the cause of death of a detainee is held whenever a person dies whilst in custody.

Mr Baloomoody: Can I ask the hon. Prime Minister whether he can give us the number of detainees serving sentence, but who died in hospital?

The Prime Minister: I can circulate that information later.

Mr Obeegadoo: Can the hon. Prime Minister indicate how many of those persons he mentioned were drug users? Has there been an assessment?

The Prime Minister: It is difficult to give the number of drug users. For example, some have HIV infection. Whether it was of drug use or not is difficult to establish.

STANLEY & ROSE HILL - LARCENY CASES

(No. B/114) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to each of the Police stations in Constituency No.19, Stanley and Rose Hill, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of -

- (a) reported cases of larceny thereat over the past two years;
- (b) Police officers posted thereat, indicating their respective grades, and
- (c) vehicles attached thereto.

The Prime Minister: Mr Speaker, Sir, in regard to part (a) of the question, the number of cases of larceny reported to the Police over the past two years in Constituency No. 19, Stanley and Rose Hill is as follows -

Year	Stanley Police Station	Rose Hill Police Station	Camp Le Vieux Police Station
2009	313	919	194
2010	233	518	170
2011 (as at 31.3.2011)	34	102	18

As regards part (b) of the question, details of the Police officers posted in these three Police stations are as follows -

Police Station	CI	Insp.	SI	PS	CPL	PC	WPC
Rose Hill Police Station	1	2	1	5	13	44	5
Stanley Police Station	-	1	1	6	8	26	2
Camp Le Vieux Police Station	-	1	1	3	6	18	3

In regard to part (c) of the question, there are two vehicles attached to Rose Hill Police station, three to Stanley Police station, and two to Camp Le Vieux Police station.

I must add, Mr Speaker, Sir, that the number of cases of larceny in Constituency No. 19 has actually decreased from 1,426 cases in 2009 to 921 cases in 2010. The reforms being

undertaken in the Police with the implementation of the National Policing Strategic Framework have shown results obviously. One of the pillars of the framework is community policing, which provides for the Police to hold regular community meetings with various stakeholders, so as to take on board their grievances, concerns, expectations and needs. Also, community meetings are held at neighbourhood levels to enlist the collaboration of the public at large in the prevention and detection of offences.

Mr Speaker: May I inform the House that, according to the Standing Orders and Erskine May, the number of supplementary questions that can be asked on a question is at the absolute discretion of the Chair, and the guidance that the Chair has to use is that the matter has been sufficiently ventilated. I do not accept any murmuring or grumbling in the House on that account.

Questions addressed to hon. Ministers!

HOTELS - DESALINATION PLANTS

(No. B/115) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to water, he will state the number of hotels in Mauritius which have installed and are operating their own desalination plants, indicating if Government proposes to encourage high-capacity hotels to put up their own desalination plants with a view to addressing the problem of water supply.

The Deputy Prime Minister: Mr Speaker, Sir, I am informed that four hotels have installed desalination plants, which are operational during drought periods only, and drilling permits have been issued to three others who have yet to apply for the issue of groundwater licence.

I am further informed that, since 15 October 2010, it is mandatory for promoters of tourism-related projects to include the provision of desalination plant in their project proposals, and discussions are being held with the Ministry of Tourism and Leisure, the Joint Economic Council and AHRIM regarding package proposals to facilitate the setting up of desalination plants.

Ms Anquetil: Mr Speaker, Sir, I thank the hon. Deputy Prime Minister for his answer. Being given that the cost of a desalination project is very expensive, can the hon. Deputy Prime

Minister inform the House if he will invite more hotels to invest in desalination plants by offering tax rebates and soft financing?

The Deputy Prime Minister: Mr Speaker, Sir, I do not want to give details, but there are package proposals. There are proposals to look at a package of incentives, and we are looking at it positively.

Ms Deerpalsing: Mr Speaker, Sir, may I ask the hon. Deputy Prime Minister whether he is aware of a proposal by a German company for desalination through *éolienne*, and that the EU Commission has even suggested that they could help us through the EU energy facility?

The Deputy Prime Minister: Yes, Mr Speaker, Sir, I am aware of this proposal. We are looking at clustering of hotels to produce desalination, and it should be one example where we could use this offer.

VACOAS & FLOREAL - RIVER BANKS - UPGRADING

(No. B/116) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Minister of Environment and Sustainable Development whether, in regard to the banks along the Bernica and Cizor Rivers in Glen Park, the Randabel River and the Canal Carreaux Belin No. 2 in Henrietta, La Digue in La Vanille, the Rivière Sèche at Pont Lolo and the Pont Becherel in Lapeyrouse, in Constituency No. 16, Vacoas and Floreal, he will state if consideration will be given for upgrading, cleaning and embellishment works to be carried out thereat.

Mr Virahsawmy: Mr Speaker, Sir, consideration will be given for upgrading, cleaning and embellishment of the sites. Joint site visits will be organised soon with the Ministry of Local Government and Outer Islands and the hon. Member to finalise works to be undertaken.

SUBRAMANIA BHARATI EYE HOSPITAL, MOKA - BUS SHUTTLE SERVICE

(No. B/117) Mr S. Dayal (Third Member for Quartier Militaire & Moka) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the project for the introduction of a bus shuttle service from the Subramania Bharati Eye Hospital in Moka, via Camp Samy, Cité Ste Catherine, Circonstance, and to the St Pierre Traffic Centre, he will state where matters stand.

Mr Bachoo: Mr Speaker, Sir, creation of a bus route has already been approved; applications have been received and are being processed.

ST PIERRE TRAFFIC CENTRE - REDESIGNING PROJECT

(No. B/118) **Mr S. Dayal (Third Member for Quartier Militaire & Moka)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the project of the redesigning of the St Pierre Traffic Centre, he will state where matters stand.

Mr Bachoo: Mr Speaker, Sir, I am informed that, after a thorough discussion with the NTA and Moka/Flacq District Council, a preliminary design has already been prepared by TMRSU. The final design is expected to be completed within two months.

MGSSS, MOKA – PHASE IV PROJECT

(No. B/119) **Mr S. Dayal (Third Member for Quartier Militaire & Moka)** asked the Minister of Education and Human Resources whether, in regard to the Mahatma Gandhi State Secondary School at Moka, he will state where matters stand in relation to the -

- (a) putting up of the football playground, and
- (b) construction of the -
 - (i) design and art room;
 - (ii) music and dance room;
 - (iii) computer and library room, and
 - (iv) physical education department.

Dr. Bunwaree: Mr Speaker, Sir, I am informed by the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping that the bidding documents for the Phase IV of the Mahatma Gandhi Secondary School Project comprising the construction of a Music/Dance Block, a Design Technology Workshop/Home Economics Block, a Computer/Library Block, a tarmac courtyard, a sports area including a football ground, a basketball/volleyball pitch and a changing room, and other related works would be ready by May 2011, that is, next month.

It is expected that tenders would be launched by June this year and, should matters proceed smoothly, the contract for the Phase IV may be awarded by September 2011, and works may start by October 2011.

Mr Obeegadoo: Mr Speaker, Sir, in the list of amenities given by the hon. Minister, I did not hear football pitch. May I ask him, whereas all school constructions begun before 2006 were

supposed to include a football pitch, why is it that it has taken six years for the launching of tenders concerning football facilities here?

Dr. Bunwaree: In my answer, I replied: including a football ground - I believe this is what we are talking about. The same question concerning the delay has already been put by my colleague, hon. Dayal, on a few occasions, and I have already given the reply. May I probably remind the House and the hon. Member who could not have taken into consideration the coming into operation of the New Procurement Act, that there are four phases, and we are talking of the fourth one, for which I gave the answer. But there have been three phases before, and by the time the phases were going on, there had been the coming into operation of the New Procurement Act, and the need to go by new bidding procedures. This caused a delay, especially in phase III, and *on essaie de rattraper* the delay. There was also the fact that works had to be undertaken at the other MGSSSs apart from Moka, Flacq, Nouvelle France and Solferino, which were in similar nature, and works were thus being harmonised.

Mr Obeegadoo: When this particular school was first planned, it was planned to be a Form I to V Secondary School and, therefore, was going to benefit from a footbridge with students being able to use the facilities available at the MGI school proper. Is this still the case?

Dr. Bunwaree: They are going to have all the amenities there and, by next year, I think, everybody will be happy.

HOSPITALS - BREAST CANCER - HERCEPTIN

(No. B/120) **Mr S. Dayal (Third Member for Quartier Militaire & Moka)** asked the Minister of Health and Quality of Life whether, in regard to the public hospitals, she will state if consideration will be given for the provision thereof of "Herceptin" (Trastuzumals) to early breast cancer patients who have been tested HER 2 3+.

Mrs Hanoomanjee: Mr Speaker, Sir, I wish to inform the House that the test for HER is not carried out in public hospitals and, as such, the provision of Herceptin in hospitals does not arise. However, I am informed that the test is available in the private sector, and costs around Rs5,000 per test.

At present, conventional treatment with Cytotoxic drugs is being provided to all types of cancer patients, and costs about Rs60 m. yearly. In case Herceptin is to be provided to patients

with early breast cancer, the estimated additional sum to treat some 100 patients will be Rs90 m. yearly.

I wish to further inform the House that a Technical Committee, under the chairmanship of the Director General Health Services, was set up to consider the technical and financial aspects of all requests for expensive and non-listed drugs for both cancer and non-cancer cases, which amount to about 1,000 patients per year at present.

After several meetings, the committee has concluded that the provision of such drugs in public hospitals would have huge financial implications, as it would require an additional budgetary provision of about Rs500 m. yearly. This almost equals the present budgetary allocation to my Ministry for the procurement of drugs of about Rs600 m., and is likely to increase in future.

Mr Dayal: Mr Speaker, Sir, I would like to submit a document to the hon. Minister so that she can give her sympathetic attention and then we can discuss later.

Mrs Hanoomanjee: Mr Speaker, Sir, all depends on provision of funds.

CEB – WORKERS (RETIRED) - PENSION ALLOWANCES

(No. B/121) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the workers who have retired from the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to if, since 2005 to date, their pension allowances have been adjusted after each salary increase and, if not, why not.

The Deputy Prime Minister: Mr Speaker, Sir, I am informed by the CEB that the collective agreements signed with the staff and workers unions in 2006 for the period July 2005 to June 2009 provides for the review of the pension of employees covered by the agreements.

In-keeping with that provision, in June 2008, the CEB adjusted the pension allowances of retired employees with retroactive effect as from July 2005 by 6 to 9% which included the normal annual salary compensation of year 2005.

The next review of salary and conditions of service of CEB employees was due as from July 2009. In that context, Consultant Hewitt, appointed by the Board to undertake the review exercise, submitted his report in April 2009. The report was not acceptable to both the Board

and the Unions as it contained numerous inconsistencies. Mr B. Appanah, former Director of PRB, was therefore appointed in September 2009 as Salary Commissioner to undertake the exercise anew.

In his report of October 2009 Mr B. Appanah recommended a methodology for the re-computation of the pension of retired employees, to be adjusted by such percentage that the financial situation dictates.

As the pension review has substantial financial implications for the Board, the services of an Actuary have been retained to, *inter alia*, make an assessment of the level of the contribution of the Board to the two pension funds, one for the staff and the other for the workers.

The Actuary's reports of the two funds, submitted on 06 September 2010 have been the subject of scrutiny by the Board. The Actuary is currently assessing the implications regarding all pension benefits as reviewed by Mr Appanah in his report of October 2009 and the reservations of the Board on a number of assumptions made in the actuarial reports of the two pension funds. Therefore, any adjustment of the pension, allowances of retired employees will be determined in the light of the final reports of the Actuary.

I am advised by the CEB that the matter will be finalised in the weeks to come. I thank the hon. Member for the question as I have also received representations to that effect.

PORT LOUIS - MUNICIPAL THEATRE - RENOVATION

(No. B/122) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Local Government and Outer Islands whether, in regard to the Municipal Theatre of Port Louis, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to where matters stand as to the renovation thereof.

Mr Aimée: Mr Speaker, Sir, I wish to refer the hon. Member to the reply I made to Parliamentary Question 1B/263 on this issue.

I am now informed by the Municipal Council of Port Louis that the contract for provision of consultancy services has been awarded on 14 October 2010 to Morphos Architect Co. Ltd. The consultant is actively working on the specifications for invitation of bids for the renovation works to the Municipal Theatre of Port Louis.

As indicated in my previous reply, the renovation works are estimated to cost around Rs350 m. and a matching grant of Rs50 m. has already been made available for the project. As I stated earlier, the remaining sum required to undertake the project will have to be looked into with the Ministry of Finance and Economic Development.

Mr Ameer Meea: Mr Speaker, Sir, can I ask the hon. Minister what is the amount of consultancy service fee which has already been awarded?

Mr Aimée: I do not have this information, Mr Speaker, Sir. I only know that it has been awarded to the name I mentioned previously.

Mr Hossen: May I know from the hon. Minister now that the Municipal Council of Port Louis is again a member of the Executive Committee of the *Association Internationale des Maires Francophones*, whether the Council is envisaging to solicit funds to the effect of the renovation?

Mr Aimée: I do not have this information, but I will inform them about the request of the hon. Member and probably they will look into it.

Mr Lesjongard: May I ask the hon. Minister how many firms had submitted tenders for the consultancy?

Mr Aimée: There were four submissions on 29 April 2010 which are as follows: Pravin Desai Architect - Servansingh Jadav and Partners, Morphos Architect Co. Ltd - Servansingh Jadav and Partners, Architects Studio Ltd with Boogertman and Partners and Ong Seng Goburdhun & Partners.

SALT - IMPORTATION

(No. B/ 123) Mr A. Ganoo (First Member for Savanne & Black River) asked the Minister of Industry and Commerce whether, in regard to salt, he will state –

- (a) the quantity thereof, for each of the past five years -
 - (i) produced locally by each producer, and
 - (ii) imported;
- (b) the number of employees engaged in the –
 - (i) salt pans, and
 - (ii) refineries owned by the importers, and
- (c) if Government proposes to liberalise the importation thereof.

Mr Soodhun: Mr Speaker, Sir, there are four producers of raw salt, namely, Société Mont Calme, Société Koenig, Les Salines de Yemen and Société R.P.A. De Rave. The total quantity of raw salt produced annually is around 5,000 metric tons.

As regards part (a) of the question, the information is being tabled.

As regards part (b) of the question, I am informed that there are 135 persons working in the salt pans while the refineries employ 35 workers.

Mr Speaker, Sir, with regard to part (c) of the question, as the House is aware, there is an Inter-ministerial committee chaired by the vice-Prime Minister and Minister of Social Integration and Economic Empowerment, hon. Xavier-Luc Duval and an Advisory Committee set up by my Ministry to look at various strategies and measures to control inflation and keep basic products at competitive prices. My Ministry does not propose to take any action on the liberalisation of any foodstuff products until and unless the recommendations are received from the Ministerial and the Advisory Committees.

Mr Ganoo: Did the hon. Minister receive any representations from the workers of the salt pan industry so far as regards a possible lay-off due to the threat of importation?

Mr Soodhun: I need to see to it, Mr Speaker, Sir.

Mr Speaker: Have you received any representation from the workers?

Mr Soodhun: I have not received any representation whatsoever. I am going to see to it if any application has been submitted to the Ministry, but I have not received any complaint; maybe it is at the Ministry of Labour.

Mr Bérenger: I heard the hon. Minister referring to two committees that have been set up to look at prices but this is wider than prices as there are prices, quality, health considerations, but, most of all, employment considerations. Therefore, it is not either of these two committees that will be in a position to deal with this issue. Can I request the hon. Minister to liaise with his colleagues, the Minister of Labour and the Minister of Environment to come to a solution because there are not many alternatives for these workers in that part of the island?

Mr Soodhun: Yes, I agree to take this issue with my colleagues.

At 1.00 p.m. the sitting was suspended.

On resuming at 2.33 p.m. with the Deputy Speaker in the Chair.

NTC - FINANCIAL SITUATION

(No. B/124) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the National Transport Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to the -

- (a) present financial situation thereof;
- (b) amount due, if any, to Government, and
- (c) number of buses -
 - (ii) in running condition, and
 - (iii) lying idle.

Mr Bachoo: Mr Deputy Speaker, Sir, I am informed by the National Transport Corporation that its financial situation is precarious as it had an operating loss for about Rs51 m. for the period July 2009 to December 2010, excluding repayment of capital loans amounting to Rs85.29 m. during the same period.

The financial distress of NTC is due to the fact that it serves several uneconomic routes, unlike other companies. It also has an ageing fleet with high maintenance costs amounting to around Rs8 m. per month and is highly labour-intensive.

Conscious of its precarious situation, Government provided Rs112 m. as financial support to NTC for the financial year 2009/2010 and half this sum for period July to December 2010. This was to compensate for a shortfall in revenue as the 28% increase in bus fares with effect from 12 May 2008 was not based on a full cost recovery and therefore resulted in only 16% increase in real terms. In fact, it has been observed that following the increase in tariff, there has been a change in the pattern of passengers who started having recourse to other means of transport, that is, taxis, vans, private cars, etc.

The House will recall that an average of 20% increase in bus fares has been implemented since 13 December 2010. Any further support that may be payable to bus companies is being examined by a committee, comprising the NTA, the office of Public Sector Governance, the Ministry of Finance and Economic Development and my Ministry.

Mr Deputy Speaker, Sir, the financial situation of the NTC is viewed with much concern and the Presidential Address clearly mentions that special consideration will be given to the NTC to put it on a sound financial footing and to ensure its financial sustainability. In this respect, the NTC has been requested to submit a restructuring plan. The plan has been submitted and is being examined by a technical committee.

As regards part (b) of the question, the amount due to Government as at 31 December 2010, in terms of loans was Rs194 m., made up of Rs154 m., which was funded mostly through line of credit from India and obtained in the late 80s/early 90s and a loan of Rs40 m. borrowed from Government in 2009. Loans under the India line of credit were not serviced by the NTC and interest accrued thereon at 31 December 2010 amounted to Rs218 m. On the other hand, there is a moratorium of one year on the Rs40 m. loan. Moreover, the NTC has paid an annual interest of Rs2 m. on this loan in June 2010.

As regards part (c) to date, the NTC has a fleet of 524 buses, excluding 24 old buses dedicated to school service only. Out of the fleet of 524, 410 are in running condition. On average some 83 buses remain idle at the five depots of the NTC.

Despite its precarious financial situation, NTC has already procured 8-35 seated minibuses for intra-urban routes and 36 standard buses that are 64-seaters, of which 20 have already been received and the remaining 16 are expected by July 2011. We ordered ten 35-seater minibuses which are expected in lots of three per month as from May 2011 and received tenders for 27 fully built standard buses on 01 April 2011, which will all be delivered by early 2012 and NTC proposes to launch another tender for 30 standard buses by early next year.

Dr. Sorefan: Mr Deputy Speaker, Sir, the Minister himself just told about “the precarious situation of the NTC”, may I know what Government intends to do to alleviate the problem apart from just financing the NTC with public money? I would also like to know whether he considers having a full-fledged committee of inquiry to alleviate the problem.

Mr Bachoo: Mr Deputy Speaker, Sir, there is no need for any inquiry because all of us know that we have too many workers -

- (i) it is over staffed;
- (ii) the routes are uneconomical, and

- (iii) our buses are very old and now we have to make effort in order to renew the fleet.

Secondly, we cannot give up the uneconomical routes because we have got a social obligation as well.

Thirdly, Government has to come in and see to it that every cent which is being spent must be properly spent.

Mr Bérenger: Mr Deputy Speaker, Sir, I have two questions, if you will allow me. I think that I heard the hon. Minister saying that on two occasions, Government came in with financial assistance, he quoted a figure and half of that sum the following year. I take it that it is grants. Is the NTC at present servicing its loans?

Mr Bachoo: I could not get the hon. Leader of the Opposition.

Mr Bérenger: I heard the hon. Minister saying that on two occasions, financial assistance was given to NTC. I wanted to have confirmation that they were grants to the NTC and as a result of those grants, is NTC now servicing its loans?

Mr Bachoo: No, Mr Deputy Speaker, Sir, the amount of money which has been spent, was from the (BRA) Bus Recovery Account, which was set up earlier about five or six years ago. It's only meant for the losses for the NTC and even other bus companies are undergoing as a result of an increase in the price of petrol. It is not a grant. Only once a loan of Rs40 m. has been advanced and the loan has to be reimbursed.

Mr Bérenger: The hon. Minister has made reference to the fact that there are very old buses that are servicing students. I am sure that the hon. Minister must be aware that they are in a terrible state; I hope that these very old buses that are not fit to run on normal routes, at least, meet minimum safety regulations because there are school children who are concerned.

Mr Bachoo: Mr Deputy Speaker, Sir, I fully understand the apprehension of everybody on that issue and that is the reason why many of the buses which are really unfit have already been removed. Once we start receiving the new buses, we are going to supplement them, by providing them to the school children.

Mr Bhagwan: While making a statement on the financial situation, I haven't heard the hon. Minister informing us on the building, which is one of the main components of the

mismanagement, if I can say so, in investing in a building at Ebène, which is still unoccupied. Can the hon. Minister inform the House about the latest situation concerning that building, whether there was a process of that building being set for sale?

Mr Bachoo: The building, in fact, is not a liability, but rather it can become an asset to us. That's why we are trying to negotiate if we can sell the building and the money can be utilised in procuring new buses. This is, in fact, what we intend to do, but we have not yet come to a decision. There is a technical meeting which has been set up, where we have got officers of the Ministry of Finance also and we are trying to see what we can do with the building, either we sell it or the Ministry of Finance can make use of the building and in return can get money to buy buses.

Mr Bhagwan: Public money again, travellers' money. The Minister has just made a statement concerning the financial situation; *c'est au rouge*. The Chairperson is just driving a big Jaguar, and there is a tender for a new car. We have to give the example. If we are asking the CNT workers to *serre les reins*, how can it be that the Chairperson is going around, roaming in a big Jaguar with a driver?

The Deputy Speaker: The hon. Member has made his point.

Mr Bachoo: Mr Deputy Speaker, Sir, if there is any case of mismanagement, definitely we are here to take action. I can't say more than that.

Mr Lesjongard: Can the hon. Minister confirm whether any amount of money has been allocated under the bus modernisation programme for the purchase of new buses by the NTC?

Mr Bachoo: In fact, there was a programme as such in order to procure the new modern buses, but, up till now, we haven't come to any conclusion because those buses are extremely costly and they won't be even within the reach of the private companies. It's the reason why we haven't gone ahead with that.

Mr Ganoo: The hon. Minister, Mr Deputy Speaker, Sir, talked about over staffing at the NTC. Can I ask him to confirm whether it is because of this that, in the recent past two or three years, the trend at the NTC has been - whenever a worker appeared before a disciplinary committee - to dismiss him on flimsy reasons? May I appeal to him to ask the disciplinary

committee there or the Human Resource Officers to exercise some more restraint when they have to analyse cases before the disciplinary committee?

Mr Bachoo: Mr Deputy Speaker, Sir, as far as pilferage issues are concerned, there is no pity, no mercy, but, as far as the other cases are concerned, that is, acts of indiscipline, definitely we are flexible enough. But as far as theft, robbery is concerned, I am sorry to say that I cannot intervene in any way.

Mrs Labelle: May I ask the hon. Minister whether it is because of the financial situation of the NTC that, during the past months, on a specific route, where the bus arrives at a specific time, it has been a practice to put the Blue Line buses, which costs higher? For example, Route 102, where people have the bus every 30 minutes, very often, it is the Blue Line which arrives. So, either the person pays more or he has to wait for another 30 minutes. Is it because of the financial situation that this is actually the practice?

Mr Bachoo: I don't deny the fact that we are in a financial crisis, but, at the same time, the Blue Line buses were earlier on charging higher fees. Now, we are amending regulations so that the schoolchildren can even travel freely in the Blue Line buses. We are trying to make maximum use of the Blue Line buses, but that does not mean that we are depriving our students from the ordinary buses.

MED POINT CLINIC - ACQUISITION

(No. B/125) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the acquisition of the Med Point Clinic by the State, he will -

- (a) give details of the amount paid;
- (b) state if provision was made for the acquisition of a geriatric hospital and, if so, under which programme code and item of the 2010 Budget, indicating the sum voted and disbursed, and, if not –
 - (i) when was the fund approved;
 - (ii) from which programme code and item was it funded, and
 - (iii) who authorised the allocation and disbursement thereof, indicating the reasons therefor.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy Speaker, Sir, as the House is aware and as stated by the hon. Prime

Minister in reply to the PNQ at the sitting of 22 March 2011, in view of the fact that ICAC is carrying out an enquiry in the matter...

(Interruptions)

The Deputy Speaker: Order, please!

Mr Jugnauth: I am of the view that, in the circumstances, it will not be in order for me to reply to this question. I also have no reason to doubt that, in the course of ICAC's investigations, the issues raised in this question will be addressed.

Mr Li Kwong Wing: The matter has nothing to do with ICAC or whatever; it is a simple question on budgetary management.

The Deputy Speaker: The hon. Member must put his question, please!

Mr Li Kwong Wing: Can we know whose idea it was to use the proceeds of the lotto for this purpose, since no amount has been voted in the budget of 2010 to buy a geriatric hospital?

The Deputy Speaker: The hon. Member must put his question, please!

Mr Li Kwong Wing: Who has control over the use of the lotto? Was Cabinet informed of any reallocation in use of lotto? Is it a principle that Cabinet should be informed of reallocation of use of funds under the lotto?

The Deputy Speaker: I have not heard the Minister mentioning lotto, but I will ask him to respond, if he wants to.

Mr Jugnauth: It is the opinion of the hon. Member that this question has nothing to do with ICAC. As I have stated, this issue is being inquired into by ICAC and, therefore, it falls under the inquiry, and I have already replied.

Mr Li Kwong Wing: Mr Deputy Speaker, Sir, this has to do with the established principle and practice of Government, which is not to buy used equipment, second hand equipment...

The Deputy Speaker: Please, this has nothing to do with used equipment. It is regarding the line of budget, and the Minister answered that he is not prepared, at this stage, to give further details.

Mr Li Kwong Wing: Mr Deputy Speaker, Sir, this question has nothing to do with the investigation of ICAC. It is a pure question of budgetary allocation and budgetary management, because the Ministry of Finance has been imposing on all Ministries to seek for value for money and to do performance budgeting. All Ministries have been asked to curtail their budget. We are asking whether the use of proceeds of the lotto to buy an old hospital for old people is in line with this budgetary policy.

Mr Jugnauth: This is the view of the hon. Member. I have replied.

The Deputy Speaker: Unfortunately, if the Minister is not answering, I won't allow the hon. Member to insist.

(Interruptions)

Mr Li Kwong Wing: Mr Deputy Speaker, Sir, this is a question of principle.

The Deputy Speaker: Does the hon. Member have any supplementary arising out of the reply?

Mr Li Kwong Wing: It is just a question of principle. Is not the purchase of this old hospital bringing us back to the *coolie* era, where old people were being sent to old hospitals for treatment...

The Deputy Speaker: This question is not allowed, please!

Mr Li Kwong Wing: Is this question of budgetary allocation which has not been provided for a geriatric hospital, is this lack of allocation of budgetary funds for a geriatric hospital not being used as a pretext to buy a hospital from Lotto fund for the Minister himself, who is an owner of that old hospital?

The Deputy Speaker: It is the same question being rephrased differently.

Mr Bérenger: We want to know whether he is going to hide behind ICAC. Was that Med Point Hospital funded out of the Lotto fund?

(Interruptions)

Mr Jugnauth: I have already replied...

(Interruptions)

Shame on you! Shame on **you Johnny!**

(Interruptions)

Mr Li Kwong Wing: Mr Deputy Speaker, Sir, in view of the fact that so much anomaly and conflict of interest...

(Interruptions)

The Deputy Speaker: Order, order!

Mr Li Kwong Wing: In view of the fact that there is so much anomaly and conflict of interest in this transaction, is it not appropriate for Government to call off this shameful acquisition as null and void? Is it not fair for the sellers to return the money back to the taxpayers...

(Interruptions)

...and bring back transparency?

The Deputy Speaker: We move to the next question.

**BOI - FOREIGNERS/FOREIGN COMPANIES – PROPERTY ACQUISITION & STATE
LAND LEASE**

(No. B/126) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to foreigners and foreign companies, he will, for the benefit of the House, obtain from the Board of Investment, information as to the names thereof who/which have been granted approval, since 2005 to date, for -

- (a) property acquisition, and
- (b) lease of State land, indicating the -
 - (i) nature of the project;
 - (ii) date approval was granted, and
 - (iii) projects implemented.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy Speaker, Sir, the information sought is being compiled and will be circulated.

MBC - DIRECTOR GENERAL - CONCILIATION & MEDIATION COMMISSION

(No. B/127) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the Director General of the Mauritius Broadcasting Corporation, he will state if any procedure has been initiated against him for not turning up before the Commission for Conciliation and Mediation in the case of Mrs Rehana Ameer, in the light of the recent report of the President of the Commission and, if so, give details thereof and, if not, why not.

Mr Mohamed: Mr Deputy Speaker, Sir, I thank the hon. Member for the question. I have to inform the House that, following suspension from work by the MBC of Mrs Rehana Ameer, Traffic Officer, she reported a labour dispute on 17 September 2010 at the Commission for Conciliation and Mediation, and there she claimed for reinstatement.

Several meetings were scheduled by the CCM, but the Mauritius Broadcasting Corporation failed to turn up in any of the meetings. The Commission for Conciliation and Mediation issued a report on 07 December 2010, stating that the matter remained unsettled.

After the disciplinary committee, Mrs Ameer was dismissed from her employment on 03 December 2010 on grounds of gross misconduct. On 07 December 2010, Mrs Ameer who was dismissed from her employment, registered, at the level of my Ministry, a complaint for unjustified termination against the MBC to claim her reinstatement. On 17 December 2010, a conciliation meeting was convened by my Ministry. During the meeting, management of the MBC submitted all relevant documents and information regarding the alleged case of unjustified termination of employment of Mrs Ameer and the MBC was not agreeable to her being reinstated.

As the claim of Mrs Ameer was for reinstatement, my Ministry sought the advice of the SLO as to whether the case of Mrs Ameer could be entered before the Industrial Court.

The SLO advised in the negative in view of the fact that the Industrial Court does not have the jurisdiction to entertain issues of reinstatement. The SLO has also advised that Mrs Ameer may consider reporting a dispute to the President of the CCM pursuant to section 64 of the Employment Relations Act. Mrs Ameer was informed accordingly by me, and by way of letter.

On 13 January 2011, Mrs Ameer reported a dispute to the CCM claiming her reinstatement following her dismissal.

The MBC failed to turn up at the Conciliation and Mediation Meeting convened. Instead, the legal advisers of the MBC wrote a letter stating that according to section 67 of the Employment Relations Act 2008, the dispute reported by Mrs Ameer should not be considered as Mrs Ameer could not report another dispute against the MBC within a period of six months.

The Commission scheduled another meeting to give the opportunity to both parties to enlighten the Commission on the point of law that had been raised by the legal advisers of the MBC, and as such, the Commission invited the legal adviser of Mrs Ameer and that of the MBC to show up and to enlighten them about the point of law that had been raised. Once again, the MBC failed to attend.

The Commission, therefore, issued a Report on 22 March 2011 stating that the case had remained unsettled.

I am informed, Mr Deputy Speaker, Sir, by the President of the Commission that no proceedings against the MBC could be instituted as, according to paragraph 20 (3) of the Second Schedule of the Employment Relations Act 2008, parties in a matter should have been ordered, amongst others, to appear in person or to be represented before the Commission. However, in a spirit to have the collaboration of the parties in the exercise of conciliation and mediation, it has been the practice for parties to be convened by a letter - by the CCM - requesting parties to attend. Up to now, in all cases, this practice of calling them to attend - a simple request by letter - has been fruitful since all other parties have adhered to it.

The matter of the MBC not appearing before the CCM therefore could not be reported to the Police since that particular section of the law, section 20 (3), was not adhered to. No order as such was issued; it was only a request. Hence, failure to attend by virtue of a request is not an offence since it is not provided for under the law.

Mr Deputy Speaker, Sir, being given that the CCM is an independent body, I cannot intervene in the functioning of the Commission. However, I have advised the President to henceforth convene all parties in any case by way of an Order to appear before the Commission.

I am further informed that Mrs Ameer, who was also given the option to refer the matter to the Employment Relations Tribunal (ERT) for arbitration, under section 69 (7) of the Employment Relations Act, has decided not to opt for that route. Consequently, the only option available to Mrs Ameer is to have recourse to the Industrial Court to claim severance allowance or to wait for a few more months and go back to the Commission for Reconciliation and Mediation (CCM). However, Mrs Ameer, as I have said, can still avail herself of the services of the CCM if she is to wait for the required period.

I will take this opportunity, also, to inform the House, Mr Deputy Speaker, Sir, and the hon. Member, in particular, that I have also advised Mrs Ameer that if she feels that she has been in any way prejudiced because of her role as *Présidente de Syndicat des Employés de la MBC*, she can very well, refer the matter to the Police and she has refused to do so and, up to now, she has not done so.

Mr Bhagwan: From the reply of the hon. Minister over a sequence of event, it is clear that the MBC has acted *comme un État dans un État*, especially the Director General. Can the hon. Minister inform the House, in view of the repeated refusal of the Director General of the MBC to be present before the Commission - which is an institution by itself, set up by the Law, by us in Parliament - whether he has raised the issue with the hon. Prime Minister who is responsible for the MBC/TV and what were his views?

Mr Mohamed: Well, ever since the MBC did not turn up at the second time, I can say it very boldly: no, I did not raise this with the hon. Prime Minister again, because it would be futile, in my humble opinion. Why? Because, had the Commission for Conciliation and Mediation issued an Order pursuant to section 20 subsection 3, as I have stated in my reply, and then the MBC had not turned up, then it would have been logical for me to refer this to the hon. Prime Minister. But, now, since the Commission did not do it according to what the law specifically provides for, it was no point. That is why, precisely, I have spoken my mind to the President of the Commission, and I believe that he should do what exactly is provided for in the law in order to be able to take action, since it is an offence if you don't turn up.

Mr Bhagwan: Is the hon. Minister agreeable to table the Report of Professor Torul - what he has submitted to Government on that issue?

Mr Mohamed: There are two Reports that have been submitted to Government on that issue - to use the hon. Member's words - namely, Mrs Ameer's complaint before the Commission for Conciliation and Mediation. With regard to those two Reports, where the MBC did not turn up, I have no objection in submitting them to the House. You would see, therefore, it only says matter has not been settled.

Mr Obeegadoo: Mr Deputy Speaker, Sir, quite apart from this legalistic approach of distinguishing between an Order and a letter, given that the conduct of the MBC and its Director General in this matter on the one hand, undermines the conciliation procedure under the law and, on the other hand, Mr Deputy Speaker, Sir, sets a very dangerous example, creates a precedent for employers not to abide by the conciliation procedures, will the hon. Minister - who portrays himself as a proactive Minister - indicate to the House, how he proposes to tackle this matter so that other employers do not take the lead from the Director General of the MBC?

Mr Mohamed: It's an excellent point raised by the hon. Member. True it is that - I understand what the hon. Member says - it could create a very dangerous precedent, but, however, let me qualify it; I believe it would also be a bad precedent because the law is very simple. The law states that there is an obligation for any party who is called upon to attend by virtue of an Order. It is unfortunate, as I explained earlier on, that there was no Order as such but it was only a request.

So, in order to see to it that no other party follows a bad precedent since it's not in the interest of anyone to follow a bad precedent, I have been reassured, and it has been confirmed to me by the President of the Commission that, from now on - ever since last week - all parties required to come and explain or give evidence or produce documents, will now have in lieu and instead of a summons - like you would have in any other Tribunal or Court of Law - we would use that particular section and at the heading of any document calling them to come, there will be written 'Order pursuant to that section'; failing which it will be an offence and if it is an offence, there will be no flexibility on the part of the Commission. This will be reported to the Police and they will have to pay the consequences before our Courts of Law.

Mr Obeegadoo: May I know from the hon. Minister whether he has himself tried personally to reason the Director General of the MBC on this matter and with what results?

Mr Mohamed: Mr Deputy Speaker, Sir, I thank the hon. Member for his attempt to bring some humour to this House by this interesting question. However as humorous one may try to be, it was not within my humour to contact him because I have tried and I have nothing personal against him. I only wanted the institution to work, that's all. I have tried initially, yes. On the second time, have I contacted him personally? No!

Mr Ganoo: Over and above the case of Rehana Ameer against MBC, let us transcend the issue we are now dealing with, Order or letter. Doesn't the hon. Minister think that he has to revisit the proposal of the union for a long time to introduce into our law the possibility of reinstatement in case of dismissal and in exceptional circumstances, for example, in case of manifest victimisation?

Mr Mohamed: There have been proposals by the unions. The hon. Member is totally right. For more than 15 years now, this has been a debate that reinstatements should be introduced, but the only time that the concept of reinstatement was ever introduced in our legislation pertaining to labour issues, was indeed in the Employment Relations Act. Under the definition of labour dispute, one would find reinstatement there. Never before has such a concept been introduced or existed in our laws. This Government, under the **Prime Ministership** of Dr. Navin Ramgoolam and my colleague, here, who was then the Minister of Labour - this was introduced. There is another proposal to bring it within the jurisdiction also of the Industrial Court. That is a proposal that we are studying in the *mouvance* of amending our laws.

The Deputy Speaker: Last question, hon. Bhagwan!

Mr Bhagwan: Can I ask the hon. Minister whether he will consider coming back to Government as was the case with the Mauritius Telecom trade unionists who were reinstated by Government? Can I ask the hon. Minister whether he is prepared to canvass Government to go along that line knowing what happened at the Mauritius Telecom where the two trade unionists were reinstated?

Mr Mohamed: The historical fact, as stated by the hon. Member, is correct. There have been occasions when Government has intervened. There has been Mauritius Telecom in one case and there has been the case of Bank of Mauritius as well. But, as Minister of Labour and Industrial Relations, I do not believe that it would be right for Government to intervene in any

case where there is a matter of labour dispute. I believe that we live in a modern State whereby we have institutions that have been recommended upon us by many international institutions, those institutions should be allowed to work and if we are to allow them to work what we should do is refrain from intervening and asking them politically to reinstate any person. If we do that, then we would be in some way insulting the institutions, undermining these institutions that have been created.

The Deputy Speaker: Yes, a very last one.

Mr Bhagwan: I have heard the hon. Minister saying “modern State”. *Dans ce cas précis, cela était un licenciement sauvage de la part du Directeur Général de la MBC/TV.*

Mr Mohamed: In answer, I will not give an opinion with regard to what was done, but there is one thing we should always do, Mr Deputy Speaker, Sir, as I have said earlier on, we should allow institutions to work. Mrs Ameer is not the first person who has been in the history of this country *sauvagement* dismissed.

MED POINT CLINIC – EQUIPMENT (IMPORTED) - TAX EXEMPTION

(No. B/ 128) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the then Med Point Clinic, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, a list of the imported equipment and other materials on which exemption, concession and remission of customs duties were granted, indicating in each case the value of –

- (a) the equipment and materials, and
- (b) exemptions, concessions and remissions granted.

The vice-Prime Minister, Minister of Finance and economic Development (Mr Jugnauth): Mr Deputy Speaker, Sir, the required information is being compiled.

MTPA, LONDON - STAFF

(No. B/129) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Tourism and Leisure whether, in regard to the office of the Mauritius Tourism Promotion Authority in London, he will, for the benefit of the House, obtain from the Authority,

information as to the name of the Head thereof, indicating his date of appointment and the terms and conditions thereof.

Mr Bodha: Mr Deputy Speaker, Sir, I am advised that there is presently no Head at the London MTPA Office. However, the Office is being manned by one Information Executive and one Receptionist who also acts as Secretary. Each of these officers has been entrusted with specific responsibilities and assignments.

Mr Deputy Speaker, Sir, the Information Executive is responsible, *inter alia*, for -

- (a) collecting relevant data on consumers and building a database of potential clients to be shared with the Head Office;
- (b) disseminating of information;
- (c) interfacing with stakeholders;
- (d) monitoring of seats capacity and analysis of market trends, and
- (e) developing MICE segment and promoting Mauritius as a hub in the Indian Ocean to attract business tourism.

He was recruited as a local recruit on 01 October 2010 with a salary of 2000 pounds sterling per month. He is a local recruit with wide experience in the tourism and travel industry.

Mr Ramano: M. le président, est-ce que je peux savoir du ministre les qualifications et les expériences requises de la personne concernée pour un tel poste de responsabilité ?

Mr Bodha: Mr Ballah - that's the name of the person - has been a consultant with Air Mauritius for five years, and he was also working with MEDIA. He has been recruited as a local recruit.

Mr Ramano: M. le président, est-ce que je peux savoir du ministre de l'existence du duplication de rôle, du fait de l'existence d'un *PR agency* anglais où un contrat a été signé en bonne et due forme avec la compagnie française avec le ministère du tourisme ?

Mr Bodha: I am very happy to enlighten the hon. Member that the PR agency is responsible for the PR exercise and for all the campaigns. The London office is there to interface with the stakeholders and to act as an information agency for all those who want to visit Mauritius.

Mr Bhagwan: Can the hon. Minister inform the House whether that very lucky person is a close relative of Members of Government and that was the criteria used, not only with Members of Government, but with big personalities of Mauritius?

Mr Bodha: Many recruits are very close relatives of Members of Government and the Opposition.

The Deputy Speaker: The Table has been advised that Parliamentary Question Nos. B/149, B/150, B/151 and A/60 have been withdrawn. Yes, hon. Seeruttun!

MOTOR VEHICLES - REGISTRATION PLATES - REGULATIONS

(No. B/130) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the regulations governing the registration plates of motor vehicles, he will state if there has been any delay in the enforcement thereof and, if so, the reasons therefor.

Mr Bachoo: Mr Deputy Speaker, Sir, Regulation 53 of the Road Traffic (Construction and Use of Vehicles) Regulations 2010 sets out the specifications for the new registration plates which should be made of retro-reflective material and which should comply with British standard or equivalent. These new plates were scheduled to come in operation with effect from 01 February 2011 but had to be postponed to 01 July 2011 for the following reasons -

- (i) The National Transport Authority has initially proposed that, with a view to ensuring uniformity in the standard and type of registration plates on all vehicles in compliance with security features, it would itself procure black number plates and provide them to dealers for the pressing of letters and numbers. However, it could not proceed accordingly as funds were not made available.
- (ii) The National Transport Authority subsequently proposed with a view to exercising control over the manufacturers and suppliers of registration plates, that they be licensed. This would have required an amendment to the Road Traffic Act and action was initiated to that end.

However, in the interest of the expediency, it has now been decided that provision will be made by way of regulations for all suppliers to be registered with NTA for control purposes and, as from March 2011, all motor vehicles registered for the first time have to be fitted with new

registration plates and the date limit for the replacement of existing ones be postponed to 01 July 2011.

Mr Seeruttun: Mr Deputy Speaker, Sir, can I know if all the suppliers of registration plates are complying with regulations? Because the costs that are being charged for the plates vary from Rs200 to Rs1,000.

Mr Bachoo: We have published a communiqué in the press and I have given instructions to NTA to publish a communiqué weekly and remind those suppliers that they have to conform to the norms or else actions will be taken against them. We have also given instructions that all those companies or individuals who are preparing plates must have receipts to give the clients.

Dr. S. Boolell: May I ask the hon. Minister whether there have been or will there be consultations with consumer protection organisations, including taxi owners prior to the implementation of this scheme?

Mr Bachoo: In fact, if I am not mistaken, when the Bill itself was being prepared, when we had started the Road Traffic Regulation, there were meetings with the NTA and a few stakeholders.

Dr. S. Boolell: May I ask the hon. Minister what is the scientific rationale behind the change in colour on the number plates, Mauritius being quite unique in this kind of choice of white and yellow? Is the hon. Minister in a position to have his technicians submit scientific evidence thereof?

Mr Bachoo: Mr Deputy Speaker, Sir, first of all, I am myself not a technician. But as far as I am aware, this is a practice in other countries also and we are following the British standards. I am told that we have difficulties with the present plates.

(Interruptions)

The Deputy Speaker: Order! Order, please! Hon. Seeruttun, put your question.

Mr Seeruttun: Mr Deputy Speaker, Sir, before the change, we used to differentiate vehicles from taxis to private owned vehicles and what we call contract vehicles. How are we going to differentiate these as the new plates are being applied to all vehicles?

Mr Bachoo: In fact, for the taxis, there are the stickers which they are bound to put on the doors and also above there is the taxi sign. We are going to maintain this.

Mr Lesjongard: Mr Deputy Speaker, Sir, since the Minister has stated in his reply that we have had problems with the existing registration plates, can he inform the House what are the problems that we have had to face with the existing plates?

Mr Bachoo: No, in fact, we had problems. Now, we are introducing all types of cameras. We had difficulties at the beginning. As I have just mentioned, I am not a technician, but definitely we are going to set up standards for that.

Mr Ganoo: Has the hon. Minister received representations from taxi drivers and has he met their representatives on this issue?

Mr Bachoo: I have read in the paper, that's all. They have not written to me. There was one taxi union.

Mr Obeegadoo: I have listened carefully to the hon. Minister. Given the immense inconvenience that this is going to cause to all motorists and the financial hardship that this is going to cause - it is not going to cost peanuts - are we to understand that the only reason why this is being implemented is because of the cameras?

Mr Bachoo: No, it is not necessarily because of that, because there have also been many cases of robbery. We want to standardise the system.

Dr. S. Boolell: Is the hon. Minister aware that the introduction of new number plates carries some form of electronic gadget attached to these plates to assist the Police? Here, it is almost nothing.

Mr Bachoo: Mr Deputy Speaker, Sir, in fact, we were intending to introduce that electronic gadget, but that is extremely costly. It will not be within the means of our people.

The Deputy Speaker: Last question from hon. Ameer Meea, and then we will end with hon. Seeruttun.

Mr Ameer Meea: Mr Deputy Speaker, Sir, can I ask the hon. Minister how the new plates will help because he said that with the previous plates we had problems of robbery? How will the new plates help to prevent robbery?

Mr Bachoo: In fact, all those companies or organisations which are providing those plates will have to be registered and then NTA will keep a record of the number that they are printing.

The Deputy Speaker: Last question, hon. Seeruttun!

Mr Seeruttun: Will the hon. Minister agree with me that with the cost of living as well as the price of petrol going up, having to ask the road users, the motor vehicle owners to bear additional cost to change the number plates, would it be possible to ask the hon. Minister to consider giving motor vehicle owners a rebate on the road tax to finance these number plates?

Mr Bachoo: Well, this is not on, Mr Deputy Speaker Sir.

The Deputy Speaker: Next question, hon. Seeruttun!

MARE CHICOSE - INHABITANTS - RELOCATION

(No. B/131) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Local Government and Outer Islands whether, in regard to the relocation of the inhabitants of Mare Chicose, he will state where matters stand.

Mr Aimée: Mr Deputy Speaker, Sir, I wish to refer the hon. Member to the reply I made to PQ No. 1B/161 on this issue.

As the House is aware, the exercise for the relocation and payment of compensation to the inhabitants of Mare Chicose village is ongoing and has reached an advanced stage of implementation. The land swapping and payment of compensation are being effected by the Notaries upon signature of the relevant deeds by the beneficiaries. As at date, the notarial deeds for eight families out of 31 families who have accepted the offer of Government, have been finalised and funds totalling the sum of Rs10.7 m. have been released by my Ministry for payment of compensation, including registration duties.

I wish to inform the House that following a request made by the President of Mare Chicose village council, the inhabitants have been exempted from payment of registration duty on their deeds of land exchange as the Ministry of Finance and Economic Development has agreed to provide additional funds to the tune of Rs3.1 m. to enable my Ministry to pay the registration duties on behalf of the inhabitants of Mare Chicose.

Further, I wish to inform the House that, due to escalation in construction costs, the Ministry of Finance and Economic Development has again agreed to provide additional funds to the tune of Rs8.8 m. to pay for the increased compensation costs as submitted by the Valuation Department. Accordingly, the total amount to be disbursed for compensation has increased from Rs71.4 m. to Rs80.2 m. Subsequently, the Ministry of Housing and Lands has been requested to arrange for the payment of the additional compensation amounts payable to the inhabitants of Mare Chicose.

Mr Deputy Speaker, Sir, as the House is also aware, 22 members of extended families and tenants will be offered the opportunity to purchase a plot of land of about 224 m² each at the relocation site. Upon the advice of the Attorney General's Office, each potential buyer has officially been requested to swear an affidavit to ascertain that he is eligible for purchase of land. Following their request, the deadline for submission of affidavits has been extended from 25 March to 15 April 2011. As at now, five affidavits have been received by my Ministry.

The nine new families to be added to the list of tenants and extended families have also been requested to submit an affidavit. Affidavits have been received from two of these families.

Mr Deputy Speaker, Sir, in order to speed up matters and to urge the beneficiaries to swear the affidavits and to produce the necessary documents, I have called a meeting, together with my colleague, hon. Dr. Arvin Boolell, hon. Seeruttun and hon. Moutia with the representatives and beneficiaries on Thursday 07 April 2011.

Mr Seeruttun: Mr Deputy Speaker, Sir, may I know from the hon. Minister when was the readjustment price for the construction of the buildings and houses carried out?

Mr Aimée: It was on 15 July 2010.

Mr Seeruttun: It is nearly a year since the prices were worked out. So, now we are still in the process of allocating the plots of lands and the compensations. Would it be possible because we know the prices are going up every month? Will the hon. Minister reconsider readjusting those prices at the time when all the beneficiaries are in a position to construct houses?

Mr Aimée: If there is any opportunity of doing it, surely I will try.

MINORS - SHELTERS & RESIDENTIAL CARE INSTITUTIONS

(No. B/132) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the minors, she will state the number thereof who reside in shelters as at to date, indicating the -

- (a) role of the Community Child Watch in shaping the policies and activities towards those in distress, and
- (b) additional measures Government proposes to take to improve child safety.

Mrs Bappoo: Mr Deputy Speaker, Sir, following the issue of Court Orders from the District Courts, there are, according to our records, a total of 487 children placed both in shelters and other residential care institutions declared as places of safety as per the Child Protection Act.

As regards part (a) of the question, I wish to inform the House that the Community Child Watch Committee is one of the main components of the Community Child Protection Programme and, since my coming into office last year, I have revisited the Community Child Protection Programme, and Community Child Watch Committees have been set up in 20 high risk areas to ensure early detection and reporting of cases of children at risk. Another ten new areas have also been identified for this year. The main objective behind the setting up of such committees is to ensure the implementation of Government's policies with regard to the prevention, reduction and elimination of violence against children across the island, through the adoption of a community-led approach. The terms of reference of the Child Watch Committees is to act as a surveillance mechanism for children at risk and those who are vulnerable to all forms of violence, to ensure early detection of children at risk and child abuse cases, to report suspected cases of child abuse to my Ministry to ensure prompt and remedial actions and to create awareness and encourage reporting of cases, and to involve community action in the prevention of child abuse. These committees consist of a pool of about 15 to 20 members comprising volunteers, members of the *Forces Vives*, social workers, NGOs, community leaders and other key stakeholders such as the National Children Council, amongst others, and they focus on children who are vulnerable and exposed to risk and abuse.

A four-month training programme has been conducted for all members in batches region wise. The themes of the programme include the Convention on the Rights of the Children, Child Welfare, Development and Protection. The programme has been successfully completed on 31 March 2011 for the 20 committees, which have already been set up, and will be replicated for the ten new communities.

Given that the reply to part (b) of the question is so much lengthy, I am, therefore, Mr Deputy Speaker, Sir, tabling the relevant information regarding the additional measures that my Ministry has taken to improve child safety.

Ms Anquetil: Mr Deputy Speaker, Sir, I thank the hon. Minister for her answer. Being given that the number of children victims of violence is on the increase, can the hon. Minister inform the House if Government intends to put up new shelters to accommodate such children?

Mrs Bappoo: Mr Deputy Speaker, Sir, I need to be very thankful to my colleague, the Minister for Public Infrastructure, because to decentralise in a way the services of the shelter for children victims of violence, at Cap Malheureux, we are coming up with a new building. It is not a new building, but an ex-DWC building, Government-owned, which is being renovated, and this is going to accommodate maybe some 32 boys of 12-age plus. MPI has also put at the disposal of my Ministry another building. This is at Floreal. It was a former Government Quarters. This building also is going to be renovated, and it will cater maybe for infants, for small children of the age of zero to three. The cost estimate is about Rs4.9 m., which is being disbursed by the Ministry of Finance.

Mr Obeegadoo: Is the hon. Minister aware that, for instance, the Child Protection Unit office at Phoenix, which covers the whole of Upper Plaines Wilhems, is not operational, cannot tender advice when its skeleton staff goes out on inspection? Will she, therefore, agree that, despite her very best intentions, all these committees will serve no use or purpose as long as the CPU is not properly staffed, not properly resourced?

Mrs Bappoo: Mr Deputy Speaker, Sir, this is a question that we elaborated lengthily last week. We have six of these family support bureaux across the island and, with the number of cases of child abuse, child violence coming, indeed there is a lack of staff and personnel, but we are trying to do our best. The setting up of the Community Child Watch Programme is a concern of the community approach to the problem because, at times, there are problems of child abuse which can be detected beforehand by the community and the social workers working in the area before it comes up as a very grave one and goes to the family support bureau.

I did elaborate some time, last year, Mr Deputy Speaker, Sir, that the family support bureaux operate both cases of violence against - if I can say domestic violence - adults and

children protection at the same place. I am trying, in the restructuring process, to separate these two managements, but it all depends on the number of staff that I will have.

Mr Obeegadoo: The Minister is quite right to point to the confusion at times between the Child Protection Unit and the family protection services, but does she not agree that, quite apart from providing more shelters, the most urgent need is to decentralise the six Child Protection Unit offices so that they become more accessible to parents, especially in the poorer regions, who cannot access the services they provide?

Mrs Bappoo: It is in that spirit, Mr Deputy Speaker, Sir - in a spirit of decentralisation - that we have now a few of the social welfare centres and community centres, like the one in Coromandel. It's a very big building, and they can easily accommodate the services of these units. So, we are trying also to accommodate these in the decentralisation of our services.

Mrs Labelle: I am sure the hon. Minister is aware that right now the shelter at Pointe aux Sables, for example, is overcrowded. Can she give an indication how many more kids and children there are? Because it's a very wide range of age! By how many more...

The Deputy Speaker: I think the hon. Member should come with a question on that issue.

Mrs Labelle: Is it the case in other shelters also? Because she has mentioned two shelters of 32 or something like that! Even with these 32, is she satisfied that we are going to alleviate the problem of overcrowding in these shelters?

Mrs Bappoo: That's why, Mr Deputy Speaker, Sir, I am speaking about decentralising the services at Pointe aux Sables. Indeed, I am not satisfied with the centre in Pointe aux Sables, where actually they are 152 children, from babies to adolescents; boys and girls of 14 to 15. That's why we are going to send maybe 30 boys, as from 12, to Cap Malheureux, and maybe some 20 babies to the new one coming in Floreal.

Mrs Labelle: Mr Deputy Speaker, Sir, the hon. Minister has mentioned the community centre at Coromandel which, in fact, is a very big building. She may be aware that we have about one dozen of the same type of centres across the island which was built between 2000 and 2005. May I ask the hon. Minister whether she will take advantage of all these centres to offer this type of service which she is proposing in the region of Coromandel?

Mrs Bappoo: I am very sorry, Mr Deputy Speaker, Sir. It is not only a question of staffing; yes, some of these centres cover a very large space. I do agree with that proposal, but they are found in such a remote village that access for people to come along to that centre would be very difficult. That's why we have to see for those in the central part of the island, with easy access for the public.

RODRIGUES - UNIVERSITY CAMPUS

(No. B/133) Mr C. Leopold (First Member for Rodrigues) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the setting up of a university campus in Rodrigues, he will state where matters stand.

Dr. Jeetah: Mr Deputy Speaker, Sir, in line with the policy of my Ministry to decentralise access to tertiary education, consultations were held between the Tertiary Education Commission and the Commission for Education in Rodrigues during a mission in February 2011 on the need to set up a university campus in Rodrigues. I must also add that I had a conversation with regard to this issue with hon. Von-Mally and other dignitaries of Rodrigues over my last visit to Rodrigues.

Further to the favourable response of the Commission for Education in Rodrigues, site visits were effected at Mont Malgache, Eau Claire, Plaine Mapou and Montagne Cabri East. The first three sites have been found suitable for the construction of a campus. The mission report of the TEC is under consideration at my Ministry.

The selected site would be made available to public and private institutions wishing to set up branches in Rodrigues.

Mr Leopold: Mr Deputy Speaker, Sir, I thank the hon. Minister for his reply and for the interest that he is giving to tertiary education in Rodrigues. It is a fact that the number of students attending tertiary education in Rodrigues is going on an increase year after year and with the majority coming to Mauritius with all the problems that we know, can I know from the hon. Minister whether there has been a time frame set up for the implementation of this project?

Dr. Jeetah: I think the first good thing, Mr Deputy Speaker, Sir, is that now we are in agreement that there is a potential need of a branch, campus in Rodrigues and we are looking into the matter.

Mr Obeegadoo: Would the hon. Minister enlighten the House as to the meaning of this concept of university campus? He does not say University of Mauritius campus. Are we talking of an antenna of the University of Mauritius, of the University of Technology of Mauritius or State provision of infrastructure for private operators? What does it mean?

Dr. Jeetah: I did, in my reply, Mr Deputy Speaker, Sir, mention that the selected site would be made available to private and public institutions wishing to set up branches in Rodrigues. We have to understand that there is a population of about 40,000 and I do not expect that it is going to be a full-fledged university like the one in Mauritius at this stage, but then we need to have the notion in Rodrigues that university is a term that should be present there as well.

The Deputy Speaker: Yes, branches.

Mr Obeegadoo: Mr Deputy Speaker, Sir, in terms of economies of scale, do we understand Government's policy to allow any number of private operators to come to Rodrigues to offer whatever courses or is there a specific plan based on labour market realities of Rodrigues to provide relevant tertiary education services?

Dr. Jeetah: Mr Deputy Speaker, Sir, I did mention that there is a mission report from TEC that is under consideration at the level of my Ministry. After having studied this report, stakeholders would be informed and then they will take the decision, but then it is the wish of the Government to have an antenna in Rodrigues.

Mrs Labelle: Mr Deputy Speaker, Sir, the hon. Minister has mentioned that this new concept of several campuses across the Republic, be it in Rodrigues or in mainland Mauritius, it is a question of infrastructure for both private and public – I heard the word public. Must we take it that there is a policy of Government to have more fee paying public universities in the island, as it is in the case of UTM and so on?

Dr. Jeetah: I need to get into the details of the ratio of fee paying and private institutions. At the moment, we have 11,000 students at the University of Mauritius, about 5,000 to 6,000 at the UTM and nearly a thousand in other institutions under my Ministry; there are 35,000 students in other tertiary education. So, you can see actually that a large majority are funded by the State.

CEB - ENERGY SAVING LAMPS - TENDER EXERCISE

(No. B/134) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the tender exercise for the purchase of energy saving lamps, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the outcome of the enquiry carried out by the Prime Minister's Office, indicating –

- (a) the number of officers of the Board who have since been interdicted;
- (b) if the inquiry also covered the order placed in 2008 and, if not, why not, and
- (c) the name of the successful bidder for each of the two tenders.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, following controversies reported in the press, my Ministry requested the Office of Public Sector Governance (OPSG) to conduct an enquiry into the tender exercise for the procurement of 660,000 Compact Fluorescent Lamps by the CEB. The enquiry started on 11 November 2010 and a report was submitted to my Ministry on 30 November 2010. The findings are as follows -

- (i) non-compliance with current legislations;
- (ii) non-compliance with the provisions of the bidding documents;
- (iii) defective communication and recording systems within the organisation, and
- (iv) negligence on the part of some officers.

On 10 December 2010, the CEB took note of the report of the OPSG and instituted a Board of Enquiry with the following terms of reference -

- (a) to examine the findings of the report of the Office of Public Sector Governance;
- (b) to investigate in-depth into each shortcoming/ flaw reported and establish the responsibility of each and every officer involved in the procurement process, and
- (c) to advise on the charges to be established against each officer concerned with a view to institute disciplinary actions.

The Board of Enquiry submitted two reports on 04 February and 11 March 2011 respectively. Pursuant to the first report, nine officers were interdicted and on the basis of the second report, three additional officers were interdicted. Charges have been levelled against all the 12 officers and disciplinary proceedings have been initiated.

As regards part (b) of the question, the Terms of Reference of the OPSG did not include the order for CFL's placed in 2008 by the CEB as there were no representations and the contract had already been awarded and executed.

Regarding part (c), I am informed that the successful bidder for the first exercise in 2008 was Philips Lighting Ltd. (France) and in 2010, Alternative Power Solutions Ltd.

Mr Lesjongard: Mr Deputy Speaker, Sir, in his reply, I did not hear the hon. Deputy Prime Minister mention that. Can he confirm whether the Public Services Governance Report also put the blame on members of the Board, including the Chairperson with regard to *la légèreté* with which the *dossier* was treated and also for having failed to ensure compliance with procurement regulations in force at the CEB?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, the proceedings as they are now will establish it as we go along.

Mr Lesjongard: My question is: whether in that specific report submitted by the OPSG, it is mentioned that the Board of Directors failed to ensure compliance with regard to the specific tendering regulations at the CEB.

The Deputy Prime Minister: As I was saying, Mr Deputy Speaker, Sir, it depends on what information was sent to the Board. This is what I am saying, it will come out eventually.

Mr Lesjongard: Is the Deputy Prime Minister prepared to lay a copy of that report on the Table of the National Assembly?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I replied to this last time. Let the enquiry get on and then, at the end, we will release all the reports that can be made available. There is nothing to hide. We feel very concerned about what is going on. We want to have a level playing field; everyone must be able to defend himself without prejudice.

Mr Obeegadoo: Mr Deputy Speaker, Sir, the enquiry may take some time. In the meantime, the CEB is facing a critical period. Experts are worried about the adequacy of our electricity supply in the future. In terms of management, may we be told how the CEB is coping when it does not have a substantive...

The Deputy Speaker: Hon. Obeegadoo, this is a specific question that concerns a specific issue. I won't allow general question on that. Hon. Lesjongard!

Mr Lesjongard: Since the Deputy Prime Minister has said we are going to wait for the end of the enquiry, he is aware that it is based on the Public Sector Governance Report that a Board of Enquiry has been set up and officers of the CEB have been suspended. I think a copy of that report should be made available to all of us to know why, based on that report, a Board of Enquiry has been set up.

The Deputy Speaker: The hon. Deputy Prime Minister has answered on that issue.

Mr Bérenger: We have been informed that 12 top officers have been interdicted. The CEB is a crucial strategic partner in Mauritius. I think we are entitled to put the question: how is CEB coping with all its duties with 12 top officers suspended?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I have also asked this question of the CEB. We had the collaboration of each and every member working at the CEB, and we are assured that the work will go on for a certain time, and we have asked that proceedings should be speeded up.

Mr Lesjongard: Mr Deputy Speaker, Sir, before a recommendation for procurement reaches the Board, it has to go through three committees, the Evaluation Committee, the Tender Committee and the Finance Committee. May I ask the Deputy Prime Minister why is it that members of the Evaluation and the Tender Committees only have been suspended and why not members of the Finance Committee? *Pourquoi y a-t-il deux poids, deux mesures, M. le président?*

The Deputy Prime Minister: Mr Deputy Speaker, Sir, as I have said, let the enquiry go on, let them do their work and then we will see. Why should we prejudge?

Mr Bhagwan: Mr Deputy Speaker, Sir, can the hon. Deputy Prime Minister inform the House who is the Chairperson of the Board actually?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, presently it is the Permanent Secretary of my Ministry.

Mr Lesjongard: Mr Deputy Speaker, Sir, is the hon. Deputy Prime Minister aware that those who have deponed in front of the Board of Enquiry have stated that they have been subjected to pressure from the General Manager and the Chairperson of the organisation?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I have in no way interfered or wanted to know what had been said between the different parties.

The Deputy Speaker: I wish to inform hon. Members that PQ No. B/135 relates only to Constituency No. 16 and it is through omission that the PQ, as circulated, has failed to mention that it is related to Constituency No. 16.

NATIONAL EMPOWERMENT FOUNDATION – POVERTY - SURVEY

(No. B/135) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the vice-Prime Minister, Minister of Social Integration and Economic Empowerment whether, in regard to the survey carried out by the National Empowerment Foundation on poverty, he will, for the benefit of the House, obtain from the Foundation, information, for Constituency No. 16, Vacoas and Floreal, as to the number of -

- (a) pockets of poverty identified;
- (b) families concerned, and
- (c) children who are eligible to benefit from school materials.

The vice-Prime Minister, Minister of Social Integration and Economic Empowerment (Mr X. L. Duval): Mr Deputy Speaker, Sir, the House may wish to note that the National Empowerment Foundation, (NEF) collects and compiles data on a district-wise/nationwide basis and not on a constituency-wise basis. Moreover, in view of the scope and nature of the activities of the NEF, it is neither practical nor desirable to undertake projects, programmes or initiatives on a constituency basis.

(Interruptions)

Mr Bérenger: Mr Deputy Speaker, Sir, you have just informed the House that the question relates to Constituency No. 16 only but, unfortunately, the hon. Minister has been in a way misguided. Is he replying in general or on Constituency No. 16 only?

The Deputy Speaker: No, the hon. Minister has been made aware.

Mr Duval: We have, in fact, received a communication from the Speaker's Office.

As I have pointed out in my reply to PQ B/66 last week, NEF is presently conducting a survey to update its data on all households living below the absolute poverty line in Mauritius and Rodrigues.

Information generated from that survey will allow NEF to implement -

- (a) a case management approach focusing on each family member, and
- (b) community development projects in terms of provision of infrastructural facilities such as day-care centres, reading and recreational centres and other community empowerment programmes.

Mr Deputy Speaker, Sir, with regard to parts (a) and (b) of the question, I wish to point out that the concept of pocket of poverty has evolved in the light of the new criteria established by NEF.

Henceforth, a pocket of poverty is defined as a concentration of at least 15 households below the absolute poverty line and a combination of, *inter alia*, the following factors -

- poor housing conditions and sanitation;
- no access to public utilities (i.e. electricity and water), and
- a high rate of unemployment.

I am informed that in the light of the above criteria and on the basis of preliminary information available from the ongoing survey, there are indications of a dozen pockets of poverty in the district of Plaine Wilhems which comprise some 542 households.

As regards part (c) of the question, I am informed that a list of some 1,682 children eligible for school materials has been established in the district of Plaine Wilhems on the basis of information obtained from NGOs, community leaders, staff of the Trust Fund and Parent/Teacher Associations, as in previous years.

Mr Deputy Speaker, Sir, I will be pleased to provide the House with updated information on the pockets of poverty upon completion of the survey.

Mrs Labelle: Mr Deputy Speaker, Sir, the hon. Minister has just mentioned that he will give an updated list at a later stage, but may I ask him whether he will table the present list of the pockets of poverty for the District of Plaine Wilhems?

Mr Duval: Mr Deputy Speaker, Sir, it is a tentative list, which is still being compiled. It may increase; some may come out. I would prefer if the hon. Member can give a month or two, and we will provide the list.

Mrs Labelle: Mr Deputy Speaker, Sir, regarding the school materials, is the hon. Minister aware that in the region of Vacoas, which forms part of Plaine Wilhems, pupils were called to collect school materials on 19 March, but then they were returned being told that they would be called at a later stage? May I ask the hon. Minister whether he has a date when these kids will be called back to collect the school materials?

Mr Duval: Mr Deputy Speaker, Sir, I am a bit surprised. I am told that most of the schoolchildren have received apart from very few. I will check that information. There was a problem; we have dealt with it in the House, I think, last week.

Mr Uteem: Mr Deputy Speaker, Sir, the hon. vice-Prime Minister has mentioned that there is now new criteria for identifying pockets of poverty. He referred to the criteria of living below poverty line. May I know what he would qualify as living below poverty line?

Mr Duval: Mr Deputy Speaker, Sir, for Mauritius it is Rs5,000 per month, per family. For Rodrigues, it is Rs4,000.

MAURITIUS HANDBALL ASSOCIATION - MANAGING COMMITTEE

(No. B/136) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the *Association Mauricienne de Handball*, he will state if the Managing Committee thereof is properly constituted and, if not, the actions that will be taken in relation thereto.

Mr Ritoo: Mr Deputy Speaker, Sir, I have been informed by the President of the Mauritius Handball Association that several members of the Managing Committee of the Association have resigned and, therefore, the latter is no longer properly constituted.

I am further informed that, as at date, there are only 5 executive members in the Committee and that it is not in conformity with the Sports Act and the bylaws of the association.

I have, therefore, in consultation with the Mauritius National Olympic Committee, decided to set up a Caretaker Committee to run the affairs of the association pending the appointment of a new Managing Committee. As required by law, I have also informed the International Handball Federation of the situation.

The Caretaker Committee will comprise -

- (a) a representative of my Ministry;
- (b) a representative of the Mauritius National Olympic Committee, and
- (c) a representative of the Registrar of Associations.

The terms of reference of the Caretaker Committee are being finalised. In the meantime, my Ministry will ensure that all necessary assistance is provided to athletes on a case to case basis so as not to penalise them.

Mr Quirin: Est-ce que le ministre peut nous dire si un *deadline* a été fixé par rapport à la tenue de nouvelles élections ?

Mr Ritoo: Well, it is the Caretaker Committee that is going to finalise the elections.

Mr Quirin: M. le président, récemment, le ministre a rencontré certains des démissionnaires, et il paraît qu'ils vous ont informé de certaines malversations financières au sein du comité directeur. Est-ce que vous pouvez nous donner de plus amples détails?

Mr Ritoo: The Manager of the financial department of my Ministry will carry out an enquiry on how the funds allocated have been used by the association. But, in the meantime, the Registrar of Associations has scheduled an inspection of the books and documents on 11 April 2011 to look into the representations made.

NATIONAL FOOTBALL TEAM - PERFORMANCES

(No. B/137) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the National Football Team, the Club M., he will -

- (a) give details of the performances thereof in the official competitions, since 2007 to date, and
- (b) state if the technical supervision thereof will remain the same till the Indian Ocean International Games 2011.

Mr Ritoo: Mr Deputy Speaker, Sir, since 2007 to date, the Club M. has participated in the preliminaries of the African Club of Nations, the World Cup qualifiers, the COSAFA Cup and the Indian Ocean Island Games. I am tabling the details of performances of the national team in each of these games from 2007 onwards.

As regards part (b) of the question, I am informed by the Mauritius Football Association that it has no intention to change the technical supervision of the Club M. until the IOIG games.

Mr Quirin: Il est clair, M. le président, que le Club M. collectionne les défaites depuis 2007. N'est-ce pas là une indication de l'échec de la politique de votre ministère par rapport à la relance du football à Maurice?

Mr Ritoo: M. le président, cela m'attriste énormément de voir le niveau de notre football local, mais ce n'est pas pour autant qu'il faut désigner un seul responsable. Le temps est à la prise de conscience collective et de rester soudé derrière le Club M.

(Interruptions)

C'est pour cela que depuis ma prise de fonction, j'ai tout fait pour remédier à cette situation avec la réouverture du centre de formation et l'embauche d'un DTN pour redonner la qualité et une culture de la gagne à notre football.

Je suis fier qu'au niveau de la formation, cela commence à porter ses fruits, et ensuite on a doublé le *cash grant* à la première et à la deuxième divisions. Comme tout le monde, j'attends des résultats plus positifs, mais, malheureusement, ce n'est pas le cas. Toutefois, je m'attends à ce qu'il y ait enfin du progrès visible aussi bien dans les résultats que dans la qualité du jeu proposé. Cela est plus que nécessaire vu les énormes investissements consentis dans le football.

Par rapport à notre rôle au niveau du ministère, je ne peux que faire confiance aux personnes à la tête de la fédération. J'espère qu'elles se montreront dignes de foi et travailleront en vrais patriotes. J'espère que cette prise de conscience n'est pas juste en paroles. La fédération, avec l'aide du secteur privé, a mis en place une nouvelle structure pour offrir un meilleur encadrement. Les joueurs seront, jusqu'aux jeux des îles, rémunérés, et s'entraîneront comme des professionnels quotidiennement. J'espère que ces mesures porteront leurs fruits en août prochain.

Mr Quirin: M. le président, par rapport aux jeux des îles justement, est-ce que le ministre songe à faire venir un entraîneur étranger pour reprendre en main le Club M.?

Mr Ritoo: M. le président, auparavant on avait déjà expliqué et malheureusement les membres de cette assemblée le savent aussi bien que moi...

(Interruptions)

The Deputy Speaker: Order!

Mr Ritoo: Nous avons des paramètres à respecter et, en aucun cas, nous n'avons le droit de nous ingérer dans les affaires internes d'une fédération au risque que notre pays ne soit sanctionné sévèrement par la FIFA ou même par la CIO. C'est La Fédération Mauricienne du Football qui décide de l'entraîneur et, bien sûr, il y a une consultation, et nous avons une ligne de communication avec la fédération pour décider.

Mr Bhagwan: The Minister is a Minister for quite some time now; I think it is three years since he is Minister. We have given ample time to our good friend who was a very good national player and we have congratulated him in the past here, unlike his predecessor - I will not mention his name; he is another good friend...

The Deputy Speaker: The hon. Member should put his question, please!

Mr Bhagwan: The population wants to know what would be our fate in the forthcoming Indian Ocean Games. Are we aiming at gold medals, at *médailles ferailles*? What are we aiming at? The population wants to know.

(Interruptions)

Mr Ritoo: Je ne vais pas être trop méchant vis-à-vis de l'honorable membre...

(Interruptions)

The Deputy Speaker: Order! Order!

Mr Ritoo: Mais quand même je voudrais lui dire qu'en 2003 l'équipe mauricienne avait gagné la médaille d'or en football, et parmi les onze joueurs, il y avait au moins dix joueurs qui venaient du centre de formation...

(Interruptions)

The Deputy Speaker: Order!

Mr Ritoo: Mais, malheureusement, l'honorable membre est bien au courant qu'en 2004....

(Interruptions)

The Deputy Speaker: Hon. Bhagwan, please listen to the answer!

Mr Ritoo: En 2004, ce sont eux-mêmes qui ont fermé le centre de formation. Donc, toute une génération de footballeurs a disparu!

(Interruptions)

The Deputy Speaker: Hon. Khamajeet!

Mr Ritoo: De ce fait, toute une génération de footballeurs a disparu, et voilà le résultat aujourd'hui. Comme je l'ai déjà dit, *Rome was not built in one day!* Donnez-nous le temps. Le ministère est responsable au niveau de la formation. J'ai embauché un DTN et, au niveau des jeunes, nous avons déjà les résultats...

(Interruptions)

The Deputy Speaker: Hon. Bhagwan, please!

Mr Ritoo: ...pour les moins de 13 ans et, en 30 ans de compétition, c'est la première fois que l'île Maurice a gagné cette compétition. Pour les moins de 17 ans aux CJSOI, l'île Maurice a gagné la médaille d'or. Pour les moins de 20 ans, l'île Maurice est presque qualifiée pour la finale. Donc, au niveau des jeunes, ce qui est la responsabilité du ministère, nous faisons notre travail, mais, bien sûr, au niveau de l'équipe nationale, c'est la fédération qui s'en occupe.

Mr Khamajeet: Can I ask the hon. Minister if Mr Christophe Desbouillons is still acting as NTD of football and, if yes, is he satisfied with the performance and contribution of the NTD.

Mr Ritoo: Mr Christophe Desbouillons is the National Technical Director, and I am very satisfied with his job because he is actually getting positive results insofar as the structure and the youth football are concerned.

Mr Quirin: M. le président, au fait, ma question concerne le Club M. et j'ai entendu le ministre parler de la formation longuement. J'aimerais savoir s'il a rencontré récemment le *Board* du Club M. juste après la défaite face au Congo et, si oui, quelles ont été les retombées de cette rencontre ?

Mr Ritoo: M. le président, le Congo est une équipe qui a un niveau mondial, et il est qualifié - que ce soit le Sénégal, le Congo ou le Cameroun. Je peux dire que c'était très difficile pour l'équipe mauricienne de gagner ces matches. Mais, quand même j'ai parlé aux joueurs - nous faisons avec ce que nous avons. On a fait un appel aux expatriés, et la direction du Club M.

est en train de négocier pour pouvoir bénéficier de leur apport, et on va présenter la meilleure équipe possible.

The Deputy Speaker: Last question, hon. Khamajeet!

Mr Khamajeet: As the Minister has said that he is fully satisfied with the NTD, can he inform the House about the new measures and initiatives that the NTD has brought to our football?

Mr Ritoo: The National Technical Director, as the hon. Member knows, is in charge of the youth football. So far as the *sélection moins 13, 15, 17 et 19 ans* is concerned, it is his doing, and he is actually organising all the structures regarding the promotion of youth football. He is not entitled to coach the national team, because we have a national coach. He is only promoting the structures and that is all.

The Deputy Speaker: I will allow a last question from hon. Quirin!

Mr Quirin: M. le président, le ministre peut-il nous dire s'il existe des conflits au sein de la direction technique du Club M.?

Mr Ritoo: Nothing has been reported to me so far. I just wanted to inform the hon. Member that we have made some progress. We were actually 193 in the world ranking and we are now 191.

CONSTITUENCY NO. 18 - ROAD TARRING & DRAINS

(No. B/138) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to Constituency No.18, Belle Rose and Quatre Bornes, he will state the amount of money spent for each of the years 2008, 2009 and 2010, for the -

- (a) upgrading and construction of new drains, and
- (b) tarring of roads.

Mr Bachoo: Mr Deputy Speaker, Sir, major road infrastructure works or construction of new drains could not be undertaken in Constituency No. 18, Belle Rose and Quatre Bornes, due to ongoing sewerage works which started in 2008 and are due to be completed by 2012-2013.

However, there has been construction of minor drains, footpaths and some upgrading works undertaken in the years 2008-2010. A list of works undertaken by the Road Development Authority and National Development Unit is being compiled and will be placed in the Library of the National Assembly.

CONSTITUENCY NO. 18 – ROAD TARRING & DRAINS - FUNDS

(No. B/ 139) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to Constituency No.18, Belle Rose and Quatre Bornes, he will state if Government proposes to allocate a special and increased amount of funds towards the upgrading and construction of new drains and tarring of roads thereat over the next 3 years, taking into account the fact that the wastewater project has prevented investment in same over the last three years.

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, with your permission, I will reply to this question.

Funds would be made available for the upgrading and construction of new drains and tarring of roads in Constituency No. 18 from amounts earmarked in the Programme-Based Budget over the next three years.

Ms Deerpalsing: Mr Deputy Speaker, Sir, I am surprised that it is the hon. Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping who is answering. I am comforted that funds will be made available, but my question was whether in light of the fact that for three years, we have not been able to obtain fund - I understand why, as it is because of sewerage works - whether now we will catch up. My supplementary question to the hon. Minister of Finance would have been...

The Deputy Speaker: The question was redirected.

Ms Deerpalsing: Yes, but I would like to know how much money are we going to earmark to Constituency No.18 in the light of the fact that practically no work has been able to be carried out in the last three years?

(Interruptions)

Mr Bachoo: I can assure the hon. Member that all the projects which have been earmarked will be undertaken. We are helpless because the sewerage work is on. I will ask the hon. Member to be patient, and I can assure her that all the works which need to be undertaken will be done.

Ms Deerpalsing: Mr Deputy Speaker, Sir, if I understood correctly,...

(Interruptions)

The Deputy Speaker: Order!

Ms Deerpalsing: ...the hon. Minister is committing that all the major works that need to have been done in the last three years and which have not been done, plus the new works that are supposed to be done, will be done.

Mr Bachoo: The sky can't be the limit. So, within a reasonable amount of money which will be available, we are going to do the works.

COTONOU AGREEMENT – REVISED ARTICLE 8

(No. B/140) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether he will state how Government, through his Ministry, proposes to involve Parliament in order to fulfil the conditions of the recently revised Article 8 of the Cotonou Agreement.

Dr. A. Boolell: Mr Deputy Speaker, Sir, political dialogue is one of the three interlinked pillars of the ACP-EU Cotonou Partnership Agreement (CPA).

In the second revised CPA, signed on 22 June 2010, and which is already being applied on a provisional basis pending its entry into force, the role of the ACP National Parliaments has been emphasised.

In particular, Article 8 provides for comprehensive dialogue at various levels, involving many stakeholders, including Parliament, '*where appropriate and where relevant*'. It covers a wide range of issues of common interest, including human rights, democracy, governance, climate change and development finance cooperation.

The involvement of Parliaments has been made specific with respect to the preparation and reviews of the Country Strategy Papers (CSPs) and Regional Strategy Papers (RSPs), which

are the basis for the preparation of National and Regional Indicative Programmes financed under the European Development Fund/Multi-Annual Financial Framework.

ACP Governments have now to consult their respective National Parliaments while undertaking these exercises. This is because of the need for the donor and recipient countries to comply with the Principles of the 2005 Paris Declaration on Aid Effectiveness, in particular, its principles of ownership, transparency and accountability, which constitute the basis for good governance.

Mr Deputy Speaker, Sir, in the context where development aid is increasingly being channelled through direct budget support, Parliaments, comprising the elected representatives of the people, have to be involved in the definition and implementation of the development policies and priorities of the country and reflected in the Country Strategy Papers and Regional Strategy Papers. Through parliamentary scrutiny and oversight, attempts are made for the aid effectiveness principles to be adhered to.

As the House may be aware, with the entry into force of the Treaty on the Functioning of the European Union (Lisbon Treaty), the European Parliament (EP) has now co-decision making powers, together with the EU Council, on all budgetary issues. It also reviews all CSPs and RSPs and has to give its consent to international agreements, like the CPA and the Economic Partnership Agreements (EPAs).

Through the ACP-EU Joint Parliamentary Assembly (JPA), which comprises 79 Members of the European Parliament and one representative of each of the 79 ACP States (of which hon. Ms Deerpalsing is the representative of Mauritius), ACP parliamentarians have an opportunity to deal with issues covered by the CPA. Under the revised Article 17 of the CPA, the Joint Parliamentary Assembly (JPA) has the opportunity to scrutinise the Country Strategy Papers and the Regional Strategy Papers to which I have already referred earlier.

Moreover, the European Commission, as the executive arm of the European Union, has to state in its report to the European Parliament that, on all budgetary matters, Parliaments in the ACP States concerned have been consulted, as appropriate.

In this respect, the House may wish to note that, last year, consultations took place in the context of the mid-term review of the Multi-Annual Adaptation Strategy of the Sugar Sector

(MAAS) and the Multi-Annual Indicative Programme, under which Mauritius benefits from substantial financial support from the EU. In fact, this consultation, our good performance, our capacity in using EU assistance efficiently and concerted lobbying at all levels led to Mauritius being granted €139.6 m. for the period 2011-2013 under MAAS.

Mr Deputy Speaker, Sir, I wish to remind the House that under the 10th EDF, that is, from 2008-2013, our National Envelope amounts to €1.59 m. The Focal Sectors are as follows -

- General Budget Support €44.09 m.
- Support to Non-State Actors €5.5 m.
- Technical Assistance €2 m.

Following the mid-term review of the 10th EDF, Mauritius along with other 18 ACP countries, has been allocated a sum total of €300 m., given their good performances. Consequently, Mauritius is among the 19 ACP beneficiary States that can expect a 20% topping up of its National Indicative Programme.

Furthermore, with respect to the MAAS, from the indicative overall amount of €1,244 m. earmarked for ACP Sugar Protocol countries, Mauritius was allocated EUR128.6 m. for the period 2007-2010 as direct budget support. For the period 2010-2013, an additional sum of 139.6 m. has been allocated to Mauritius.

I have, either through statements or in my replies to PQs, kept the House informed of developments regarding the implementation of the Cotonou Agreement.

I am open to suggestions. I don't know what is in the existing Standing Orders, but I shall oblige for parliamentary oversight and democratic scrutiny on the basis of the requirement of Article 8 of the Revised Cotonou Agreement. This may be conducive for good governance, transparency and accountability, to which our Government is committed.

Ms Deerpalsing: Mr Deputy Speaker, Sir, as the hon. Minister knows - and he has partially referred to it in his reply - the second revised Cotonou Agreement, which was signed in June 2010, provides for parliamentary oversight, both on the Country Strategy Papers and the National Indicative Programme; parliamentary oversight meaning National Parliament, not the JPA. The JPA will do its job. Given that we have now a contractual obligation with the EU, I would like to ask the hon. Minister what mechanism he is proposing to put into place, so that this

Parliament has an opportunity to engage into its job of parliamentary oversight in these documents.

Dr. A. Boolell: Before I come to the main thrust of the question put to me by hon. Ms Deerpalsing, I would like to say that our Budget today is a Performance-Based Budgeting. It is no longer a line by line Budget. Having said so, the funding which is released upfront or otherwise is credited into our general budget support, which is subject for discussion in this very House, over and above parliamentary questions, which are being put to us.

Nevertheless, in respect of what has been stated by hon. Ms Deerpalsing concerning the Joint Parliamentary Assembly, there is provision under the revised Article 17 of CPA, that the Joint Parliamentary Assembly can now scrutinise the Country Strategy Papers and the Regional Strategy Papers. I have stated that, notwithstanding what our Standing Orders provide and subject to our strong adherence to the revised Cotonou Agreement, one has to bear in mind that it's yet to enter into force. There is a provisional application and, of course, we are open to suggestions. This is why I have said that we invite suggestions from all quarters and, of course, we can take up the matter with the Office of the Speaker, to ensure that, in the name of ownership, transparency, accountability, this becomes a subject that can be debated at length in Parliament.

Mr Bérenger: I want to know since we are discussing Parliament's role, in approving, discussing financial diplomatic issues, including in this case the European Union, doesn't the hon. Minister think that one general way - including the European Union - to get Parliament involved, would be for Parliament to ratify all international treaties, agreements and so on, including the European Union? In most countries, ratification is not by Cabinet, it is by Parliament. Therefore, will he advise Government in that direction for better participation of Parliament?

Dr. A. Boolell: This is a pertinent point raised by the Leader of the Opposition although some international agreements are ratified, but I think we need to make it mandatory and if the need is felt, of course, it can be mandatory, we are open to suggestion, the purpose of the whole exercise is to ensure ownership. We want to make sure that everybody is on board and hence the relevance of subscribing fully to the revised Cotonou Agreement, as has been stated by hon. Ms Deerpalsing.

Ms Deerpalsing: Mr Deputy Speaker, Sir, the hon. Minister started his answer by a deep-throated policy dialogue. He has talked about the budget being on a performance-based budgeting and the funds being credited to the budget. This is not what we are talking about. May I ask him whether, with the second revised Cotonou Agreement the Parliamentary oversight is about the preparation of the Country Strategy Report and the National Indicative Programme. So, it is before the funds and before the performance-based budgeting. The ownership is at that level. It is at the level of policy dialogue as the hon. Minister started his answer.

May I ask the hon. Minister whether at that level there can be a certain mechanism? Can we all think together for setting up a mechanism? This is new. The Cotonou Agreement has been revised, there are new imperatives that the EU is expecting of us. Can there be new a mechanism or new structure in which this Parliament can participate?

The Deputy Speaker: I understand that the Minister answered that he is open to dialogue and that, subject to the Standing Order, consultation with the Speaker, he is going to try to see the mechanism. This is what I understand and if the hon. Minister wants to add anything he can do so.

Dr. A. Boolell: Mr Deputy Speaker, Sir, I have heard earlier in this very House that Rome was not built in a day, although it takes Nero to set Rome on fire within a split second. But having said so, we are open for dialogue. The object of the whole exercise is to ensure Parliamentary scrutiny, notwithstanding the fact that when it comes to Country Strategy Paper or National Indicative Programme or Written Indicative Programme, the point that has been mooted and canvassed is that it has to become the ownership of the whole country. We'll look into it, we will consider the views canvassed in a very positive manner and that is why we are here.

BORROWERS - PROTECTION

(No. B/141) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the protection of the borrowers, he will, for the benefit of the House, obtain from the Commissioner for the Protection of Borrowers, information, as at to date, of the number of -

- (a) complaints received from borrowers;
- (b) investigations conducted ;

- (c) debt rescheduled, indicating the aggregate value thereof in each case, and
- (d) seizure of immoveable properties having been avoided, following a report made to the Commissioner.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): The information is being compiled and will be circulated.

BEL AIR RIVIÈRE SÈCHE - FOOTBALL GROUND

(No. B/142) Mr J. Seetaram (Second Member for Montagne Blanche & GRSE) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the football ground at Bel Air Rivière Sèche, situated behind the church, he will state if the lighting thereof is inadequate and if so, if same will be remedied by the installation of new ones before the start of the Moka/Flacq Sports Festival, scheduled for the end of May 2011.

Mr Bachoo: Mr Deputy Speaker, Sir, I am informed that the football ground at Bel Air is under the responsibility of Moka/Flacq District Council. The question of providing lighting thereat for Moka/Flacq sports festival will be considered by NDU upon request from the district council.

Mr Seetaram: Mr Deputy Speaker, Sir, is the hon. Minister aware that there is a Moka/Flacq sports festival which is very near, and whether the NDU together with the District Council will do the needful in relation to lighting of the said stadium?

Mr Bachoo: The Moka/Flacq District Council is not under my responsibility, Mr Deputy Speaker, Sir. First of all, there must be a request from the District Council and then depending on the availability of funds, the NDU will look into the issue.

The Deputy Speaker: Time is over!

MOTION

SUSPENSION OF S.O. 10 (2)

The Deputy Prime Minister: 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.

The vice-Prime Minister, Minister of Social Integration and Economic Empowerment (Mr X. L. Duval) rose and seconded.

Question put and agreed to.

PUBLIC BILLS

First Reading

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

- (a) *The Courts (Amendment) Bill (No. I of 2011)*
- (b) *The Court Ushers (Amendment) Bill (No. IV of 2011)*

The Deputy Speaker: I suspend the sitting for half an hour for tea.

At 4.17 p.m. the sitting was suspended.

On resuming at 4.55 p.m. with Mr Speaker in the Chair.

ANNOUNCEMENT

PNQ – SITTING 22.04.11 - RULING

Mr Speaker: Hon. Members, I have a short announcement to make. In the course of the Private Notice Question at the Sitting of 22 March last, both the hon. Bhagwan and the hon. Leader of the Opposition raised a point of order as to whether the words “shut up” are in order and asked for my ruling.

I asked time to consider.

I have looked into the matter and I find that the words “shut up” are not in order.

I therefore invite the hon. Prime Minister to withdraw the words.

The Prime Minister: Mr Speaker, Sir, I withdraw the words.

(4.56 p.m.)

MOTION

NATIONAL ASSEMBLY – PROCEEDINGS - LIVE BROADCAST

The Prime Minister: Mr Speaker, Sir, I take leave to present the motion standing in my name, namely –

“That, this Assembly resolves that a Select Committee of the Assembly be appointed and be comprised of such Members as may be appointed by Mr Speaker to consider the live broadcasting of the proceedings of the House and matters ancillary thereto and, for that purpose, to have the power to send for persons, papers and records and to appoint such number of specialist advisers thereto and to make such recommendations, as it deems fit.”

Mr Speaker, Sir, in the Government Programme 2010-2015, at paragraph 4, we have reaffirmed our pledge to work resolutely towards entrenching democracy. The motion I am presenting today is in line with this philosophy of the Government and bears testimony to our commitment to further modernise and consolidate our parliamentary democracy. This motion surely will go down as a milestone in the history of our Parliament. I must point out, Mr Speaker, Sir, that the idea of live broadcast of the proceedings of the National Assembly originates from the Labour party itself. In fact, the idea was first mooted by hon. Shakeel Mohamed and hon. Lormus Bundhoo a few years ago and PQs were asked about this matter by Members of the Opposition, namely, as far as I remember, the hon. Leader of the Opposition, hon. Bhagwan, I think hon. Obeegadoo and others.

Since then, I have constantly been restating my position in favour of the idea. However, we could not move ahead with it as fast as we would have wished for reasons which I have explained in this House while replying to PQs on this matter. As a prerequisite to introducing live telecast, the public address and lighting systems in the House had to be completely overhauled and a new ICT infrastructure be completed and be put in place. After these major refurbishment works were completed, I gave notice of the motion for the setting up of a Select Committee on live broadcasting. The motion was, in fact, circulated in the House on 21 November 2009 and was set on the Order Paper of Tuesday 15 December 2009. However, as I explained, the motion could not be taken on that day due to the sudden demise of Dr. the hon. James Burty David and Parliament, as we know, was dissolved a few months later.

Mr Speaker, Sir, Parliament is the prime focus of debate. When we speak here, we speak with the authority of our electorate. We pride ourselves on being a parliamentary democracy. Therefore, I believe that it is right that the people should be able to see our Parliament at work instead of just reading, sometimes selected juicy extracts, from the newspapers and see only part

of the Question Time on our national television. It would promote, I believe, greater understanding of our parliamentary proceedings and the issues involved. This is important because what we decide here affects the public at large. Why should they rely on selected reports of the proceedings? It is logical, therefore, Mr Speaker, Sir, that we make use of the most modern means of communication so that the public can see for themselves. Their understanding and awareness of what goes on in the House cannot be complete without their being able to see as well as to read what goes on here. We must not underestimate the political interest of our electorate in what happens in this august Assembly.

However, Mr Speaker, Sir, the live broadcasting of the proceedings of the House raises complex issues, as I said before. Let me quote what Mr Forsberg, the President of the Association of Secretaries General of Parliaments (ASGP), where the conference of broadcasting of parliamentary business hosted in Geneva in October 2006 by the Inter-Parliamentary Union, the European Broadcasting Union and the ASGP stated, and I quote -

“When reaching out to a broader audience, we must be ready to concede that this will not necessarily lead to a better understanding of or greater public interest in politics. Confidence in politicians is not built solely on the debate in the Chamber; it depends first and foremost on politics from a wider perspective, and also on the individual Parliamentarian. Online broadcasting will nevertheless certainly enable more people to watch and listen, allowing them to form their own opinions without media interference. In this context, this is an advantage.”

As I said, Mr Speaker, Sir, the live broadcast of the proceedings of the House, raises a number of questions and issues. Obviously, we will have to draw up rules of coverage. The objective of these rules must be to have a balanced, fair and accurate account of the proceedings of the House. We must ensure that the dignity and the solemnity of the House as a working body is maintained and it does not give the impression that this is a place for entertainment with some Members playing with the gallery and trying to address directly the population instead of addressing you, Mr Speaker, Sir.

We know that some are prone to occasional sensationalism. We need to know how to deal with it. This will also concern parliamentary privilege and immunity. What if allegations are made gratuitously or slurs casted on people? Broadcasting of such allegations, if it is live or

slurs, may cause a third party aggrieved by such broadcast to sue for defamation or for any of the wrong that he or she feels he has been subjected to. There may be a case to have a short delay in the broadcast so as to avoid this. This issue will have to be carefully looked at. We should also look at whether webs casting should also be envisaged.

The Committee also needs to examine whether excerpts from the images be allowed to be used outside or even during an electoral campaign. In fact, the questions boils down to parliamentary control on live broadcasting of its proceedings and if we decide to go ahead, should we start on an experimental basis as it was done in the case of the United Kingdom. There are many such issues that need to be examined thoroughly.

Mr Speaker, Sir, the proposed terms of reference of the Select Committee are purposefully wide enough to allow the Committee to examine all the questions and issues which might be raised and I am confident that the Committee will also give due regard to all the points that will be raised on both sides of the House in order to put forward cogent, well-argued and sound proposals to the Assembly. I would encourage the Committee to draw from international experience in this area as has been the case, I believe, in UK, Canada and other countries.

At the end of the day, Mr Speaker, Sir, the case for live broadcasting of the proceedings of the House is essentially the case for strengthening democracy and the role of Parliament in a modern society.

With these words, I commend the motion to the House.

The Deputy Prime Minister rose and seconded.

(5.02 p.m.)

The Leader of the Opposition (Mr P. Bérenger): Mr Speaker, Sir, on this side of the House, if we say that we are not satisfied at all with the MBC, it would be the understatement *du siècle*. We are not satisfied with the performance of the MBC here in the House, but even more out there, daily. We have, on many occasions, *dénoncé la manipulation infecte et quotidienne de la MBC*. We start with the House.

I won't go at length on the performance of the MBC every day, every night. I will restrict myself to the motion being presented to set up a Select Committee, Mr Speaker, Sir. We proposed that, years ago. I don't know if the hon. Prime Minister was very keen on DNA affairs.

He wishes to start a DNA investigation, *recherche en paternité*. Well, it would conclude that many years ago, the MMM has been proposing this outside and inside Parliament. We proposed it first, years ago. When I heard the hon. Prime Minister saying that one of the first Parliamentarians who proposed that was hon. Shakeel Mohamed; most probably the first time we proposed, he was not even born.

(Interruptions)

Let's not start a *procès en paternité*...

(Interruptions)

Mr Speaker: Order, now! The hon. Prime Minister will reply.

Mr Bérenger: ... because it would prove what I am saying, Mr Speaker, Sir. What disturbs me a bit was when he was concluding, I heard the hon. Prime Minister say: "if we decide to go along." This is a strong interpretation of the wording of the motion which proposes a Select Committee to consider the live broadcasting of the proceedings of the House, not to regulate, to consider, and the spin put on that word 'consider' by the hon. Prime Minister, when he was concluding, disturbs me - "if we decide to go along."

Elsewhere, Mr Speaker, Sir, the motion that came before different Parliaments, came with the intent of regulating. The decision had already been taken and the Select Committee or whatever other committees were set up to regulate. If I can take the example of a country that has been à *l'avant-garde*, Canada, if I may be allowed to remind the House that prior to the introduction of television in the House of Commons there, in 1977, only special parliamentary events such as opening of Parliaments and addresses by distinguished visitors were broadcasted as is the case here except for debate time and so on where it is the MBC that sandwiches, *saucissonner* the workings with the cynicism that we know. By the time, the motion came before the House in Canada, it read thus –

"That this House approves the radio and television broadcasting of its proceedings. It has a positive bent that this House approves the radio and television broadcasting of its proceedings and of the proceedings of its Committees on the basis of the principles similar to those that govern the publication of the printed official report of debates and

that a special committee consisting of Mr Speaker and seven other Members be named at a later date be appointed to supervise the implementation of this resolution.”

It makes a big difference. We have proposed, as a party, that there be live radio and television coverage of our debates. It is something of a letdown when we hear the Prime Minister say that this Committee is going to decide whether there will be or not. That was not what we expected at all, Mr Speaker, Sir.

On that point I agree totally with the hon. Prime Minister. In the UK, the BBC Parliament channel was launched in September 1998 and, according to its licence, to its *cahier des charges*, the channel is required to, and I quote –

“Broadcast an impartial account day by day prepared by professional reporters of the proceedings of both Houses of Parliament.”

Therefore there also, as in Canada, a political decision was taken. *Après mûre réflexion*, it was decided that there would be live broadcast on radio and television of the debates and a Committee was set up to implement correctly. Therefore, I understand better why the motion of the hon. Prime Minister does not make reference to Mr Speaker whereas, as I said earlier on, in Canada, the motion itself spelt out that the Committee will be consisting of Mr Speaker and seven other Members and, of course, chaired by Mr Speaker. It does not need to be spelt out. And that, I think, is the kind of motion that should have been presented to the House, not a motion to set up a committee which doesn't say how many Members there will be. Therefore, who will decide? We vote that motion, there is no reference to the Speaker, and there is no reference to the number. So, who is going to decide and what is going to be the composition of the Committee? I repeat, the Committee is to consider the introduction or not. What if Government appoints a Committee of 10 Members, 9 from Government and 1 from the Opposition? It is not spelt out. Normally, such motions spell out how many Members are appointed. In that case, as such Members as may be appointed by Mr Speaker. So, it is left to Mr Speaker to decide how many, who will be appointed, without it being spelt out that it is Mr Speaker who would chair that Committee. Therefore, we are in favour. As I said, we proposed years and years ago and *après mûre réflexion*, we took a political decision. And, therefore, I believe that motion should have been a motion to set up a Select Committee to supervise the

implementation of that decision to have radio and television live broadcasting of the proceedings of the House.

I believe that it should have been proposed that it is chaired by Mr Speaker.

Thank you, Mr Speaker, Sir.

The Prime Minister: Mr Speaker, Sir, I thank the hon. Leader of the Opposition for his remarks. Let me say I am delighted that - God knows what reference scale we are talking about - I know, since I was in Parliament in 1991, it came from the Labour Party, but so be it if it was also from the MMM, so be it, it is even better.

Now, the hon. Leader of the Opposition might have inadvertently put a twist to what I was saying. What I meant was that, in fact, this motion has to be voted. I believe that there is a majority of Members in this House who will vote the motion. I am not sure whether all Members will vote the motion, because I know there are some people who think differently, but we need to have the motion voted first. In the United Kingdom, when the motion was first presented - apparently there was a motion before, but the one I am referring to was in November 1985 and that same motion was defeated. And we have worded it on the motion from what entails in the UK and that is more or less the motion that we have put. It is modelled on the UK.

We didn't feel that it needs to say that Mr Speaker has to chair the motion as in the UK it was not mentioned. And also we think it is right that Mr Speaker will decide on the numbers. We all know about the independence of Mr Speaker and therefore we think it is right. I think it is very, very unlikely - I am not trying to pre-judge what you're going to say, Mr Speaker, Sir, that you will say nine Members from the Government and one Member from the Opposition. And I think generally it has to be an odd number, if I remember, in cases of motions like this.

So, I will leave it to you, Mr Speaker, Sir. Maybe if you can tell us now or later on, what the composition is, what the number, at least, should be and whether you are going to chair. But my feeling is that you will probably chair and the number will be odd. I am sure you will consider a proportionate representation from the Opposition as well.

Thank you, Mr Speaker, Sir.

Mr Speaker: Being given that the hon. Prime Minister has invited the Chair to say what will be the number of Members who will form part of the Select Committee, once the motion is

voted, I have decided that 11 Members - as it was in the case of UK - should form part because there is a wide range of interest to be taken into account in the Committee and that will be six from the Government side and five from the Opposition side.

Question put and agreed to.

PUBLIC BILLS

THE REVISION OF LAWS (AMENDMENT) BILL

(NO. III OF 2011)

Order for second reading read.

The Attorney General (Mr Y. Varma): Mr Speaker, Sir, I move that the Revision of Laws (Amendment) Bill (No. III of 2011) be read a second time.

This Government has always attached a lot of importance to the reform of the judicial and legal system. We are committed to modernising the present system and have taken bold steps in that respect. A few weeks ago, the Divorce and Judicial Separation (Miscellaneous Provisions) Act was passed in this House. It is within this same spirit of reform and modernisation of the legal system that I come to this House, Mr Speaker, Sir, with the Revision of Laws (Amendment) Bill.

Law revision has been a periodic exercise since 1897, when it was first carried out jointly by Francis Taylor Piggott then Acting Chief Justice, Louis Arthur Thibaud then *Procureur Général* and Furcy Alfred Herchenroder then Acting Crown Prosecutor. Subsequently, in 1945, the Laws of Mauritius were again revised by Sir Charlton Lane, the then Chief Justice. In 1972, the unofficial consolidated version of the legislation of Mauritius as at 31 December 1971 was published.

A number of laws in relation to law revision were then passed. Firstly, the Laws of Mauritius (Correction of Errors and Minor Amendments) Act 1972 was passed with the aim of removing minor mistakes from the statute book. This was followed by the Revision of Laws Act which was passed in 1972, bringing the preparation of revised editions of laws under the responsibility of the Attorney-General. It also provided for the removal of obsolete and unused enactments from the statute book.

The Revision of Laws Act was subsequently amended in 1981 to provide for the preparation and publication of a Revised Edition of the Laws of Mauritius in the course of the year 1981. The Revised Edition has full force of law in Mauritius and may be cited in our courts, being the sole official text of enactments included in it. The latest edition of the Revised Laws of Mauritius came into operation on 03 November 2008 in the form of seven volumes published by LexisNexis Butterworths Ltd.

Mr Speaker, Sir, the main object of the present Bill is to amend the Revision of Laws Act to enable the Attorney General to cause to be prepared and published, from time to time, a supplement to a revised edition of enactments prepared under the Act. We all know how crucial it is for us to have easy access to up-to-date ourselves with new laws. The purpose of preparing and publishing a periodic supplement is precisely to keep the Revised Laws of Mauritius up-to-date.

There is no doubt that this will be of great assistance not only to law practitioners, but also public officers, administrators, the corporate and financial sectors, law students and the public at large, in the daily exercise of their professions and activities.

Mr Speaker, Sir, I wish to inform the House that, on 22 September 2010, the Government of Mauritius and LexisNexis Ltd. entered into an agreement for updating the Revised Laws for the next five years. Under the agreement, LexisNexis will publish updates, in the form of supplements, when amendments or corrections are made to the Revised Laws or when new enactments are passed by the National Assembly after the publication of a revised edition or supplement. The updates will be vetted by my office prior to publication. It is envisaged that a supplement will be published at least once every year.

Clauses 4, 5 and 6 of the Bill provide for supplements to have the same force and authority as revised editions, and for the mode of publication of supplements. Every supplement, which will be the official text of the enactments included in it, will be printed in loose-leaf form so that its pages can be inserted in the appropriate volume of the latest Revised Laws. I wish to add here that, under clause 9 of the Bill, the loose-leaf update, which has been published a few weeks ago, is deemed to be a supplement and, therefore, has the force of law.

The use of the loose-leaf format is not only designed to make the Revised Laws more user-friendly, but facilitates the updating process and makes it conform to international standards.

Mr Speaker, Sir, under clause 7, any Act, which has been accidentally omitted from a revised edition or supplement, will not be deemed to be without force or validity by reason only of this omission. This is in line with the judgment of the Judicial Committee of the Privy Council, *Simon Ah Tong & Ors v. The Mauritius Sugar Terminal Corporation (Privy Council Appeal No. 41 of 1986)*, where it was stated that an enactment could still be read in its original form where the Law Revision Unit has omitted it from the revised edition but had no authority to do so.

Finally, Mr Speaker, Sir, under clause 4(b), opportunity has been taken to also amend the powers of the Law Revision Unit, since it is now the Law Reform Commission, established under the Law Reform Commission Act 2005, which is responsible for law reform.

I am confident that the proposed amendments will facilitate and modernise the process of law revision, bringing it in line with international standards. At the same time, they make access to updated laws a reality for one and all.

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

Dr. A. Boolell rose and seconded.

(5.22 p.m.)

Mr A. Ganoo (First Member for Savanne & Black River): Mr Speaker, Sir, on this side of the House, we agree with the Revision of Laws (Amendment) Bill proposed today, and we support this piece of legislation wholeheartedly.

The hon. Attorney General has gone down memory lane, and rightly so referred us back to colonial days; he has done a bit of history. Indeed, Mr Speaker, Sir, the question of revision of laws is an important issue in our legal system, and essential to our democratic framework. That is why, I think, the Attorney General rightly referred to the important landmarks during the colonial days to 1944, when the laws of Mauritius were revised in 1945, in fact, by Sir Charlton Lane. During the years after that important landmark up to 1959, the revised edition of the Laws Ordinance was also enacted. Then, came the pre-independence days and independence also,

where so much has happened in our judicial system, and there was a need, once again, for the revision of our laws, so much so that in 1970, the Bar Council had to pass a resolution to the effect that it was of the greatest urgency that a revision should be put into effect, and recommended that action be taken accordingly. In 1971, the Law Revision Unit was informally set up in the office of the Attorney General up to 1974, when came the Bill which was enacted and which we are amending today, that is, the Revision of Laws Act 1974.

Mr Speaker, Sir, as far as today's Bill is concerned, the policy, as the Attorney General has explained - the aim, the purpose, the objective - is to prepare a supplement to a revised edition, in order to bring the revised edition up-to-date.

Mr Speaker, Sir, the objective of this Bill, as the Attorney General said, and to which we completely subscribe, will be of immense help to everybody, to the law practitioners, to the students, to the judiciary itself, to the public in general, to corporates and so on.

Mr Speaker, Sir, access to justice requires first and foremost the publication of legislation, the accessibility to these publications and to other legal documents like Law Reports and so on and is, in fact, a key to the principle of the rule of law. Therefore, this is why we welcome today this idea of catering for the problem of subsequent legislation. In fact, this is what the Bill proposes to do; the printing of a supplement, which shall contain the new enactment that has been promulgated and the existing enactment which has been amended since the enactment, containing the revised edition.

Therefore, Mr Speaker, Sir, we are in complete agreement, as I said, with this Bill. We thank the Attorney General for the Bill. To us, it will no doubt be beneficial to the different sectors of the population to which I just referred to.

Thank you.

The Attorney General (Mr Y. Varma): Mr Speaker, Sir, I have nothing more to add than to thank all Members of the House for supporting the Bill.

Question put and agreed to.

Bill read a second time and committed.

Mr Speaker: If hon. Members have no objection, I will take the Committee Stage together with the other Bill.

THE ASSETS RECOVERY BILL**(NO. II of 2011)***Order for Second Reading read.*

The Attorney General (Mr Y. Varma): Mr Speaker, Sir, I move that the Assets Recovery Bill (No. II of 2011) be read a second time.

Mr Speaker, Sir, as Members of the House will be aware, the Government Programme 2010-2015 provides for the establishment of “an independent law enforcement agency under the aegis of the Office of the Director of Public Prosecutions to reinforce the fight against transnational crime and to recover ill-gotten gains”.

Further, the hon. Prime Minister, Dr. Navinchandra Ramgoolam, has, during his address in the course of debates with respect to the Budget Speech 2010, indicated that Government would be coming forward with a new Assets Recovery Bill, which would provide for the recovery of assets even in the absence of a criminal conviction. The hon. Prime Minister had also stated that the Bill would address the difficulty that is presently being encountered by the authorities when dealing with cases where tainted assets have been transferred in the name of third parties.

Mr Speaker, Sir, there are two types of forfeiture used internationally to recover the proceeds and instrumentalities of crime (i.e. assets used to facilitate crime, such as a car or a yacht used to transport drugs). There are, firstly, non conviction-based asset forfeiture and, secondly, conviction-based or criminal forfeiture. Both share the same objective, namely the forfeiture by the State of proceeds and instrumentalities of crime. The rationale is that those who commit unlawful activities should not be allowed to profit from their crimes. Proceeds of crime should, therefore, be forfeited and used to compensate victims, whether it is the State or an individual. The other objective sought to be achieved is the deterrence of unlawful activity.

It is believed that removing the economic gain element from crime will discourage the criminal conduct in the first instance while the forfeiture of crime-based assets will ensure that such assets are not used for further criminal purposes and thus serve as a deterrent.

Conviction and non-conviction based forfeiture differ essentially in the procedure used to forfeit assets. The main distinction between the two forms is that conviction based forfeiture is

an *in personam* order, i.e. an action against the person, and requires a criminal trial and conviction, whereas non-conviction based asset forfeiture, also commonly referred to as “civil forfeiture”, is on the other hand an action *in rem*, i.e. an action against the asset itself and not the individual. It is a separate action from any criminal proceedings and only requires proof that the property is tainted (that is, that the property is the proceeds or an instrumentality of crime).

Mr Speaker, Sir, the aim of this Bill is therefore to provide for the legal framework and procedure to enable the State to recover assets which are proceeds or instrumentalities of crime, or terrorist property –

- (a) where a person has been convicted of an offence (conviction-based confiscation);
or
- (b) where there has been no prosecution but it can be proved on a balance of probabilities that the property represents proceeds or instrumentalities of unlawful activity, or terrorist property (non-conviction based, or civil, asset forfeiture).

The Bill creates a comprehensive assets recovery framework which will apply not only to drug offences but also to all offences against the laws of Mauritius which are punishable by a maximum term of imprisonment of not less than 12 months. It will also apply to any offence committed in a foreign State which, if committed in Mauritius, would constitute an offence here. The Bill will apply to any offence committed, and any property obtained, after the commencement of the Act and will therefore not have any retrospective effect.

Mr Speaker, Sir, allow me now to take the House through the salient features of the Bill.

Part II makes provision for the establishment of an Enforcement Authority who will be the Director of Public Prosecutions (DPP). An Investigative Agency shall be set up in the Enforcement Authority and shall comprise of law officers and law enforcement agents who shall be performing such duties as may be determined by the Enforcement Authority. The Enforcement Authority will be responsible for, *inter alia*, applying to a Judge of the Supreme Court for a Confiscation or Recovery Order, or for a Restraining or Restriction Order from the Judge in Chambers in relation to property. The Judge may, in appropriate cases, appoint a Trustee (or, in the case of a Restriction Order, an Asset Manager) to take custody of and manage the property in accordance with such directions as he may give.

Clause 6 of the Bill provides for a Recovered Assets Fund under the Finance and Audit Act, into which shall be credited all moneys derived from the enforcement of Recovery and Confiscation Orders or from proceeds of sale of property subject of Recovery and Confiscation Orders. Payments may be authorised out of the fund to compensate victims who have suffered losses as a result of an unlawful activity.

Under Clause 8, the Attorney General shall, upon information supplied to him by the Enforcement Authority not later than 30 days after the end of the financial year, table a report in the National Assembly, not later than the first sitting day after the expiry of 90 days from the end of every financial year, detailing any amounts credited to the fund, any investments made as well as any specific payments made from the fund.

Sub-Part B of Part III deals with Confiscation Orders where a person is convicted or is taken to be convicted of an offence in respect of the benefit derived by the person from that offence. A Confiscation Order may be discharged on the satisfaction of the Order by payment of the amount due under that Order. Provision is made at clause 24 for any aggrieved person by the grant of, or the refusal to grant, a Confiscation Order to lodge an appeal before the Court of Civil Appeal.

Part IV of the Bill deals with Civil Assets Recovery and the granting of Restriction and Recovery Orders. The provisions of Part III relating to conviction based asset recovery have been mirrored in respect of civil asset recovery and provision has been made for the appointment of an Asset Manager (as compared to the trustee) who shall be authorised to take custody and control of any property and to manage or otherwise deal with it as the Judge may direct.

Sub-Part C of Part IV deals with tracing of assets. Where any property which constitutes proceeds or an instrumentality or terrorist property has been disposed of since it was used or obtained with the connection of an offence, it would be recoverable under the provisions of the Bill, if it is held by a person into whose hands it may be followed or traced.

Clause 43 makes it an offence where a person makes a disclosure which is likely to prejudice the investigation or where documents relevant to the investigation are falsified, concealed or destroyed.

Part V provides for ancillary orders such as production orders, search and seizure orders, disclosure orders, customer information orders and account monitoring orders, which may be obtained from the Judge in Chambers.

Clause 51 provides for the offence of “tipping off” by any financial institution in relation to any customer information or account information required.

Clause 60 provides for Compensation Orders which may be granted by the Court in the interests of justice. The amount of compensation to be paid shall be any amount which the Court thinks reasonable, having regard to the loss suffered and any other relevant circumstances.

Clause 62 provides for the immunity of the Enforcement Authority or any person acting on behalf of the Enforcement Authority, for any act done in good faith in the performance of any duty or exercise of any power.

Clause 63 provides for penalties ranging from fines not exceeding 100,000 rupees and two million rupees, imprisonment not exceeding five years and penal servitude not exceeding ten years depending on the seriousness of offences committed.

The Bill at clauses 65 and 66 provides for the repeal of sections 45 and 45A of the Dangerous Drugs Act. However, it is contemplated that any matter which is pending before the Commissioner, Drug Asset Forfeiture Office on the commencement of the Act may be completed in accordance with the repealed provisions of the Act.

Mr Speaker, Sir, I wish to inform the House that my office has, in fact, been working in close collaboration with the International Monetary Fund (IMF) which conducted three technical assistance (TA) missions to Mauritius to assist in the elaboration of this Bill. Consultations were also held with various stakeholders (the Prime Minister’s Office, the Ministry of Finance, ICAC, the Police, the Financial Intelligence Unit, the Mauritius Revenue Authority, the Bank of Mauritius, the Mauritius Bankers’ Association, the Bar Association, the Law Society, the Chamber of Notaries) and a few Members of the National Assembly from both sides of the House, with a view to sensitising them about the concept of Assets Recovery and obtaining their constructive suggestions on the concept.

I wish to thank all those who took part in the consultations for their helpful verbal and written comments which were all duly considered.

I should also add that the Bill was finalised by my office with the invaluable assistance of Sir Victor Glover, Legal Consultant and former Chief Justice. The views and comments of the Director of Public Prosecutions, as Enforcement Authority under the Bill, were also obtained and taken on board.

Mr Speaker, Sir, I would like to quote Tony Blair in his autobiography "A Journey" where speaking on the UK "Proceeds of Crime Act", he stated the following, I quote -

"It had given us, for the first time, the power to seize assets of suspected or convicted criminals on a basis that really did operate as a deterrent."

I have no doubt that this Bill will provide the Enforcement Authority and other law enforcement agencies in the country with a powerful and effective tool to combat serious crime and, more particularly, drug trafficking and money-laundering. Indeed, experience has shown in other jurisdictions such as the United States, the United Kingdom, the Republic of Ireland and the Republic of South Africa that it pays to hit criminals where it really hurts, that is, in their pockets.

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

Dr. A. Boolell rose and seconded.

(5.42 p.m.)

Mr V. Baloomoody (Third Member for GRNW & Port Louis West): Mr Speaker, Sir, let me at the outset make it clear that we, on this side of the House, are in full agreement with the main objective of this Bill, namely, to deprive the criminals of their proceeds of crime or of property of corresponding value.

This Bill, Mr Speaker, Sir, is based upon the principle that proceeds of crime should be forfeited as a convicted person should not benefit from the crime he has committed. However, this Bill goes even further. To this specific issue, we will have some questions to put to the hon. Attorney General, namely, where there has been no prosecution, but it can be proved on a balance of probabilities that the property represents proceeds of crime or instrumental of unlawful activity, the State can recover these assets. Here, we are talking about civil forfeiture.

Mr Speaker, Sir, we, in the MMM, have been very concerned about the problem of drugs in Mauritius, especially the issue of non recovery of the assets. I don't know whether you will recall that we did publish a document recently and one of our recommendations was that we should review the whole aspect of recovery of assets for drug offences. Actions have to be taken to keep offenders from profiting from their crime and one of the most important things is to ensure that the State has a very strong confiscating regime. Here, we must say that we are at

ease with the fact that it will be the Office of the DPP, an independent constitutional body, which will handle the matter. The removal of funds generated by criminal activities is intended to deprive criminals of their benefits or of their financial gains in crime, thus reducing their motivation to offence again. It has been recognised recently that confiscation of proceeds of crime is the more efficient tool in the fight against organised crime. An imprisoned member can be replaced. If there is an organisation, we imprison the leader; he can be replaced by another leader, but if you seize the proceeds of that organisation, it will cease its illegal activities.

Many countries have recently introduced the concept of forfeiture of assets and there have been many international covenants to that issue as well, for which we, as a country, are a party. We have the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic substances of 1988. Most recently, we have Article 12 of the UN Convention against Transnational Organised Crime. Then, we had Article 31, chapter 5 of the UN Convention against Corruption and we have Article 8 of the International Convention for the Suppression of Financing of Terrorism, after September 11, 2001.

We have to take domestic measures which are very important when it comes to seizure of assets and especially money coming from drug trafficking, drug dealing and corruption. At the outset, we have to have two institutions which are strong enough to combat corruption and drug trafficking. I am not talking about the civil forfeiture, but about the criminal forfeiture. We will have to prove these offences first. This is very important. We have to have strong institutions to fight corruption and drug trafficking and this is where probably we will have to work harder regarding the institutions in combating fraud, corruption and drug trafficking.

We know that section 45 which is repealed has not been efficient; although there have been good intentions on the part of the previous Government to have a Drug Commissioner, it has not been efficient. In fact, following a PQ put by hon. Ameer Meea, we found that since its existence, we have only forfeited Rs112,597, not even a monthly salary of the Commissioner. It is clear that we had to take action and we are repealing this section concerning the Commissioner. I don't know what will happen to the pending cases because they will have to go back to the DPP anyway. As the DPP will take over, probably, we will scrap that officer of the Commission and save some money of the taxpayers once and for all. This is one of the

objectives that we recommended in the document that the MMM presented in December last time.

The DPP will be the enforcement authority and there will be an investigating agency which will be in the office of the DPP. The authority and the agency will have an important role to play. It will be the corner stone or even the heart of all the operations for recovery of assets. We believe, on this side of the House, that the Bill should have been more detailed with regard to the powers of that agency and its terms of reference. Why? It is because we don't want legal obstacles to come when it is just here in the law. In the British Act, the Proceeds of Crime Act of 2002 is well defined and it is detailed because a legal loophole will give time for these criminals to do away with their assets. This is where I would rather like the hon. Attorney General, when summing up, to give us in detail what will be the terms of reference of the agency, how far it can go and who will be the staff of this agency. It is important to point out, Mr Speaker, Sir, that confiscation of assets is extraordinarily complicated and requires a lot of time, money and specialised personnel to investigate and determine the value of proceeds of crime and what property or equipment value may be seized.

Allow me, Mr Speaker, Sir, to quote from a document entitled 'Combating organized surveys of the crime - Best practice Council of Europe' -

"Proceeds of crime only rarely fall into the lapse of the courts or Government like ripe fruit from tree or vine. What is not investigated by financial intelligence or other personnel may never be learned about at all for it is very difficult to reconstruct financial flows from crimes long after they have been occurred and the hardest is to get money back. Merely to pass laws will not *ipso facto* lead to a substantial increase in recoveries from offenders to third party. This extra money can happen only if an asset can be found and can be attributed to the possession or control of someone against whom an order has been made."

It is clear. It is a very tricky and specialised domain we are talking about. I am sure that the DPP will have the opportunity to have the appropriate, specialised staff to carry on this objective so that we do not come here and have the same reply all the time about no funds available.

Of course, there is intensive training involved. This is as well whether it will be part of that agency to train the staff or whether there will be another independent body. This is probably a clarification which the hon. Attorney General can bring to us because the team may be composed of actors from different sectors of the justice system and even beyond, including prosecutors, Police, experts in forensic accounting. The assistance of the Financial Intelligence Unit is very important when it comes to all these investigations. I will invite the hon. Attorney General to clarify on the role of how the staffing will work in practice because, very often, it is when we have to put into practice that we fail. Let it be clear from the beginning what will be the role of that agency.

I will now come to the issue of Civil Assets Recovery. This is commonly known, as rightly pointed out by the Attorney General, Civil Forfeiture. It is an action not against the person; it is an action against that property. We are telling that gentleman your car, your property is a property coming out of a crime and we are seizing it. We are depriving you of that property. It is a legal fiction that enables law enforcement to take legal action against inanimate objects for participation in alleged criminal activity, regardless whether the property owner is guilty or innocent, even if he has not been charged with a crime.

Mr Speaker, Sir, although the idea of Civil Assets Recovery was first perceived in the USA, there is a global trend today. But there have been many cases of abuse as well and many people have been victims especially in the UK recently. I am just reading a document from an organisation where the civil rights people feel that they have been penalised, a certain section of the population has been penalised because once your asset is seized, the burden is on you to go and prove that you get it from clean money and there is the element of legal cost which is involved. We hope that this action of recovery will be done, the one who has the authority to sign will do it judiciously and that there will be no victimisation.

The other issue which probably the hon. Attorney General will have to clear is - because in South Africa they have the same section of Civil Forfeiture, but there it has been found to be against their Bills of Right because in the Bills of Right, they have a right to get property and they have no right for deprivation of the property - there is a section in our Constitution in Mauritius. My query is whether this clause is not in contradiction with our Constitution, especially section 8 'protection for deprivation of property'. Here, we are not talking about

compensation, we are not talking about any criminal action against that party; we are just on a balance of probability depriving him of his property. So, probably, the hon. Attorney General, who has got wider assistance than we, here, in the preparation of the Bill, could clarify the House with regard to the issue of constitutionality of that specific clause which deprives property on a balance of probabilities.

With that, I have done, Mr Speaker, Sir.

(5.55 p.m.)

Mr J. Seetaram (Second Member for Montagne Blanche & GRSE): Mr Speaker, Sir, firstly, at the outset, I would state that this Bill is the revolutionary Bill. In fact, this Bill sends a very strong signal as a deterrent to organised crime. It shows that this Government means business and this Government is here to crack down upon crime. The reasoning of this Bill is to put an end, to cease the propagation of major organised crimes, of financially related crimes and, more importantly, to cease the propagation of black money in our economy.

We have also major systems around the world, not in this decade, but so many years before, where many jurisdictions have struggled to put down a piece of legislation to fight organised crime. The object of this legislation is to enable the State to recover assets which derive from proceeds of crime or instrumentalities of crime or terrorist property. In this DNA age, money deriving from terrorist property is the most dangerous source that any jurisdiction, nation and State can face as the root of such is only going to bring harm to the society, to families or to any one in any jurisdiction, not save to say, Mauritius.

The Assets Recovery Bill today puts down measures to combat such evils. I totally agree with the vision of this Government and if we go through the sections of the Bill, we shall find that true it is there are measures which, on one side, you might think that we might have a constitutional issue, yes, whereas on the other end, you will also find that you have the degree of fairness that follows. Section 9 is an application for Restraining Order. There is a procedure which concerns the persons charged of an offence, persons who have been convicted of an offence, or a criminal enquiry which is ongoing against that very person. You have the Enforcement Agency and the main procedure is to apply for a Restraining Order in order to protect a specified property. True it is that concerning property or a specified property, one might say you have to give the exact definition of a specified property.

Also, one might argue that such can be derived from the information or the charge of that particular offence. Or, if there is an ongoing inquiry, one might go to the provisional information. We have such order, which will go before the Judge in the Chambers and such procedure is evidenced by way of affidavit. On the other side, any party who has interest in the matter has a right to reply, as this party has a right to defend by a way of affidavit before the Judge in Chambers. Further, we also see section 10, where it gives power to a trustee to preserve and protect the property. Section 12, further powers this time, an order to revoke the Standing Orders or to vary the order. You have other procedures, that is, statements of particulars of the property.

So, there is an amount of fairness here. One might also say that there is this fear that our constitutional rights might decrease. We have the degree of fairness and we have the exclusion of the property from the order. If one is excluded from the order, it is the end of the matter. There are also various measures, like the duration of the order, where the existing order may be discharged, if the offender is not charged. Concerning the duration, here, it states that after 12 months during which the offence arising from same state of facts, one might say, a proposal that in the event after such time, maybe 12 or 24 months, nothing comes out of the case, it might have an automatic discharge itself.

Further on a practical note, the duration time after which the order is automatically discharged, let's say after 12 months or so, one can state that they have the procedure, which obviously will put to task criminals or offenders. But, on the other side, you have the procedure where there is a time period or some kind of reference, where obviously one who is an alleged offender also can see to it that after such and such time, this order might not take place or is excluded from such an order. So, there is the degree of fairness again.

Concerning the confiscation order, again the application of the order is based upon evidence, that is, applying for such an order would be based upon court records and based on evidence. It is also to the discretion of the Judge, that is, if in the interest of Justice, one finds that such shall be granted or not be granted. Fair enough! We have the interest of any offender or defendant, where the interest of Justice still prevails. Concerning the service of the application - section 18 - "all persons who are served may appear and adduce evidence at hearing of application" - may be at such mention of the hearing, should be in connotation to the hearing

of affidavit, not hearing by testimony. Maybe the hon. Attorney General could take into consideration that it is a case concerning the application order and not hearing by testimony.

The confiscation order, itself, has been laid down. It is on a fair basis and also the enforcement agency can make an application ordering him to pay or state an amount equal to the value of his benefit for that offence; stating that if an offender comes and puts forward the value of his benefit of that offence, this will be taken into consideration. This also is a revolutionary measure. We are not going at throats of offenders. So, there are considerations in such measures.

We also have section 20 where it is the determination of the value of benefit. The money received, the value of the property derived from it, the value of service or any other related aspects, the amount recoverable and all these are measures which come and sustain this fairness of the Bill. So, basically, on such a note, true it is that the measures at the outset may send the message, that there might be some kind of infringement on the constitutional right of a party or any person. Whereas in the Bill itself, there are so many measures that send the clear message. We have this fairness towards any party, who is charged or can be charged and also the interest of justice shall prevail.

Concerning the Civil Asset Recovery, most importantly, in cases of drug trafficking and money laundering, measures have been taken where you would see that these cases really need special characteristics, when it comes to the proceeds of drug trafficking and money laundering. Proceeds of money laundering and drug trafficking are not easy to trace. A specified and a very clear tracing of assets, the procedure, itself, should bring to task all offenders, who are found with proceeds of crimes, deriving from drug trafficking or money laundering.

Again, search and seizure order for those types of crimes, disclosure of orders for such crimes - this Bill is not here to target minor offences or simple larceny or cheque without provision cases, no. This Bill is here to target major criminals, organised crimes, money launderers, drug traffickers, offenders with robbery cases, embezzlers, offenders with siphon of funds who have an international track record. These are the major targets of this Bill. These are the criminals that are targeted and it should be brought down to task with this Bill. This Bill does not, at all, have the intention to bring down to task or come to persecute minor offenders or

minor local offenders. Its target is clear. The way that it has been drafted, is clear that it here targets, most importantly, upon organised crimes, proceeds from terrorist properties.

I really commend this Bill when I find that terrorist property has been targeted. This is the mother of all evils, and this Government is bringing down to task such proceeds of crime out of terrorist properties, money launderers and drug traffickers. These, being mother of all evils, are being brought down to task by this Government. Whether there are some lacunas in the procedure or not, the intention is here, the reasoning is here. Let's build on it, and this Bill will, like I said, revolutionalise the idea of bringing down to task money launderers, drug traffickers and offenders from organised crime. I agree with the Attorney General.

Thank you.

(6.11 p.m.)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Speaker, Sir, there is consensus on both sides of the House that this law will give law enforcement agency new and expansive powers to go after criminals, and, in particular, those criminals who attempt to conceal their source of wealth.

This legislation strikes at the heart of criminals by removing the funding necessary for such groups to operate. The message that this House is sending is clear: crime should not pay. We will follow the money, we will go after the criminals, and we will go where it really hurts. It is very comforting that the agency that would be responsible to issue confiscation orders and civil forfeitures is no less than the Director of Public Prosecutions. This is commendable because, in the past, enforcement agencies have failed, not through lack of wanting but for other reasons. For example, under the Dangerous Drugs Act, the Drug Assets Forfeiture Commissioner, who was not the DPP, had to refer back any report to the DPP, and then the DPP had to act. This caused delay and inefficiency. It is no surprise that not only the Drug Assets Forfeiture Commissioner recovered less than Rs125,000, but also there has been no Court seizing of the drug trafficker's property. The one case that went on appeal was won by an alleged drug trafficker, because it is so difficult to prove beyond reasonable doubt that the asset being confiscated is really proceeds of crime.

So, we welcome this Bill, as well as the setting up of the Recovered Assets Fund. The Recovered Assets Fund will enable victims of crime to be paid. Very often, we hear of larceny; we hear of victims, of accused party being convicted of larceny, but the victims are not compensated. Their money has been stolen, but they don't get anything in return. This idea of having a Recovered Assets Fund is welcome.

However, Mr Speaker, Sir, I would like to point out that, according to the Bill, it is the enforcement authority that is going to authorise payment, and the enforcement authority is the Director of Public Prosecutions. I think that it may not be appropriate for a law enforcement agency such as the DPP to decide what use to be made of this fund. This compensation fund should be distributed either through a court order or administered by the Accountant General or by the Minister of Finance, and not by the Director of Public Prosecutions, in my humble opinion.

Mr Speaker, Sir, it is not the first time that a legislation is being introduced to track proceeds of crime, but it is the first time that we are introducing a legislation which will allow us to go after proceeds of crime without securing a conviction for any criminal offence. It is clear that the target here is people who are called the brain, *les gros requins* who never get their hands dirty. They will get other people to do the work; they will get poor children, under duress, to go and steal; they will get courier people who, out of misery, poverty, will accept some money to transport drug. Some of them are victims, because the people who are arrested very often don't benefit from the crime. A small fee is just paid to them. Those who really benefit from the assets may not be targeted, because they have not committed crime. With this new piece of legislation, even people who have benefited from proceeds, without directly having committed the crime, will have to pay.

Mr Speaker, Sir, while it is commendable that people should not benefit from proceeds of crime without criminal conviction, we should be careful that confiscating people's assets without securing a proper criminal conviction should not become the norm.

When the Proceeds of Crime Act was introduced in England, the original Cabinet Office Paper recovering the proceeds of crime that formed the blueprint for the current draft stated, and I quote -

“The introduction of civil forfeiture must not perversely affect the priority of law enforcement activity, i.e. the prosecution and conviction of criminals. It is imperative that it is not used as a substitute for criminal proceedings where there is a reasonable chance of securing conviction. And performance measures for civil forfeiture must not drive the system to pursue a civil route for high-value cases regardless of the additional benefits of following the criminal route. There should be a rigorous process to determine the reasons why a criminal prosecution is not appropriate before civil forfeiture proceedings alone are instigated”.

Mr Speaker, Sir, I will take one example. Under the Criminal Code, we have a provision for possession of stolen property. Today, before going after the person who has received the stolen property, we need to prove that this property was stolen. We have to secure conviction; if we don't secure conviction, at least, beyond reasonable doubt, we prove that there was a crime and that this is the proceeds of a stolen property.

With this new legislation, the prosecution will no longer have to prove that there is a crime. Suffices for someone to go to the Police station and say that his mobile phone has been stolen, the DPP can act on this and go after the person who has in his possession the mobile phone, and secure a civil forfeiture.

This is a very serious thing, Mr Speaker, Sir, and it would certainly be wrong for the State to abuse of its new power of extensive confiscation of assets in circumstances where it does not even have sufficient evidence to prosecute criminals. In this respect, again, I am very comforted that the enforcement authority would be the DPP, and I have full confidence in the Director of Public Prosecutions to exercise his powers judiciously.

Mr Speaker, Sir, one aspect of this legislation which is likely to attract much criticism is civil forfeiture, the standard of proof that is now required to confiscate assets. It is no longer beyond reasonable doubt; the new standard is balance of probability. An allegation of criminal conduct can be sufficient basis for confiscating a personal asset. In doing so, the defendant will no longer enjoy the protection which an accused is able to enjoy under normal criminal proceedings. Automatically, there are concerned ways about the constitutionality of such a provision. Are we attacking the principle of presumption of innocence, and will it be now on the holder of the asset to go and prove that this does not form part of a criminal activity? Are we in

breach of compulsory acquisition without compensation because it permits the accused to be deprived of his assets in spite of the existence of probable, as opposed to reasonable, doubt in the mind of the trier of fact?

Mr Speaker, Sir, in my humble opinion, the issue whether it is constitutional or not will depend on proportionality. The punishment should be commensurate to the crime. The question is: is this Bill a reasonable and proportionate device for achieving the legitimate aim of combating crime? Are we striking the right balance between targeting proceeds of crime and protecting personal rights and property rights? In this respect, I am very troubled, Mr Speaker, Sir, that the definition of offences under the Act is not limited to serious offences, as hon. Seetaram mentioned before me. The definition of offences as currently worded would include any offence punishable by a maximum term of imprisonment of not less than twelve months. In other words, even petty crimes would be covered by this very important piece of legislation. More importantly, you will have revenue offences being covered by this legislation. Most of the offences under the Income Tax Act carry a punishment of two years imprisonment. So, they would clearly fall under the definition of offences.

Now, instead of going under the Income Tax Act and having to prove beyond reasonable doubt whether the taxpayer has avoided taxes or evaded taxes, it will be very simple for the Commissioner of Income Tax - the Mauritius Revenue Authority now - to write to the DPP and ask the DPP, on the balance of probability, to go and confiscate the money of taxpayers. We all know, Mr Speaker, Sir, that there is a very fine line between tax evasion and tax avoidance.

Worse, Mauritius is an international financial centre. Our success as an international financial centre is based on our network of double taxation avoidance duties. It is a well-known fact; Mauritius is used for tax planning purposes. Now, imagine, Mr Speaker, Sir, if the foreign revenue authorities now, instead of going through the long-winded procedures of proving that a criminal offence has been committed in their country, were only to come and request assistance from the Mauritius Government on the basis that a tax case has been produced, and, here, we would not even be able to plead that we are not enforcing a Foreign Revenue Law because this very same law that we are passing today, allow us to honour an international obligation if the act having been committed outside Mauritius could be an offence if it is prosecuted in Mauritius. In these circumstances, Mr Speaker, Sir, although I full-heartedly support this Bill, I would

recommend that the definition of offences be amended, to be limited to serious crime such as drug trafficking, financing of terrorism, arm trafficking, human organ trafficking, slavery and organised crime.

Thank you, Mr Speaker, Sir.

(6.24 p.m.)

The Attorney General (Mr Y. Varma): Mr Speaker, Sir, I would like to, in fact, thank and congratulate hon. Members who have intervened on the Bill and it is worth noting that the House has spoken with one voice against proceeds of crime.

Mr Speaker, Sir, the hon. Third Member for Constituency No. 1 who intervened earlier on, raised a few points about sections 45 and 45(a) of the DDA. And, as I stated during my speech, Mr Speaker, Sir –

“It is contemplated that any matter which is pending before the Commissioner, Drug Asset Forfeiture Office on the commencement of the Act may be completed in accordance with the repealed provisions of the Act.”

That is, this clearly explains what will happen to the Drug Asset Forfeiture Office.

Mr Speaker, Sir, as far as the staff of the Enforcement Authority is concerned, again, I stated clearly in my speech, that the staff will comprise of Law Officers and Law Enforcement Agents who shall be performing such duties as may be determined by the Enforcement Authority. With regard to clauses 42 and 51, we will leave it to the DPP, in fact, to designate Law officers and the Secretary to Cabinet to designate Law Enforcement Agents and the extra training will be provided to the staff of the new body.

Mr Speaker, Sir, again, the hon. Third Member for Constituency No. 1, raised a few points about the role of the DPP. In fact, Mr Speaker, Sir, Clause 44 gives very wide powers to the Enforcement Authority. Since the DPP will be the Enforcement Authority and his post is a Constitutional one, it would not be appropriate to tell him in detail how to do his job, Mr Speaker, Sir.

It's worth reiterating our faith in the ongoing efforts and hard work undertaken by the ADSU, the Police Force and ICAC. The Assets Recovery will be an additional tool for Law Enforcement Authorities.

Mr Speaker, Sir, there was a point raised by both the hon. Third Member for Constituency No. 1 and the hon. Second Member for Constituency No. 2, on the depriving of property on civil standards, that is, the balance of probabilities, whether it is constitutional.

Section 8(4) of the Constitution, itself, provides for derogation from Protection from deprivation of property –

“By way of penalty for breach of the law or forfeiture in consequence of inability of a drug-trafficker or a person who has enriched himself by fraudulent and/or corrupt means to show that he has acquired the property by lawful means.”

This is precisely, Mr Speaker, Sir, because civil asset forfeiture is targeted at the property and not at the person and the civil standard of balance of probabilities as opposed to this criminal standard beyond reasonable doubt suffices.

Mr Speaker, Sir, I also wish to inform this House that the European Court on human rights has found that the civil asset forfeiture is compliant with the European Convention on Human Rights from which Chapter 2 of our Constitution is inspired.

Mr Speaker, Sir, a few points raised by the hon. Second Member for Constituency No. 2, that is, the civil forfeiture, the standard of proof, balance of probabilities, that is, the defendant will not enjoy protection under normal - that is, the question of proportionality - this does not arise.

Mr Speaker, Sir, the proceedings against property *in rem* and not against the accused, as I stated earlier on, and there are clear safeguards which are provided for in the Bill, that is, the DPP as the Enforcement Authority; the Orders to be obtained from the Court, the provisions of clause 13 and section 10 of our Constitution, Mr Speaker, Sir, the presumption of innocence only applies when a person is charged with an offence *in personam*. Again, on the point raised by hon. Uteem, it would not be appropriate for the Law Enforcement Agents, such as the DPP, to authorise payment out of fund. That should be for the Ministry of Finance or the Accountant General, I suppose. It was clearly stated by the hon. Member. Clause 7(2) clearly states that the Enforcement Authority will authorise payment out of a fund to satisfy compensation orders made by the court under clause 64; the court decides on the amount of compensation to be paid.

These were a few points raised by the hon. Members, Mr Speaker, Sir, and I guess I have replied to all of them.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

The following Bills were considered and agreed to -

(a) The Revision of Laws (Amendment) Bill (No. III of 2011)

(b) The Assets Recovery Bill (No. II of 2011)

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

Third Reading

On motion made and seconded, the following Bills were read the third time and passed -

(a) The Revision of Laws (Amendment) Bill (No. III of 2011)

(b) The Assets Recovery Bill (No. II of 2011)

ADJOURNMENT

Mr Bachoo: Sir, I beg to move that this Assembly do now adjourn to Tuesday 12 April 2011 at 11.30 a.m.

Dr. Boolell rose and seconded.

Mr Speaker: The House stands adjourned.

MATTERS RAISED

Mr Speaker: I have got 12 hon. Members who have intimated their intention to intervene at adjournment time. I will ask the Deputy Speaker to take the Chair.

At this stage the Deputy Speaker took the Chair.

(6.36 p.m.)

DEUX FRERES, QUATRE SCEURS & GRAND SABLE – LANDSLIDE

Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle): Je voudrais aborder un sujet qui concerne le ministre des infrastructures publiques, le ministre du logement et des terres ainsi que le ministre de l'environnement. Le sujet concerne le glissement de terrain dans la région de Deux Frères, Quatre Sœurs et Grand Sable.

Comme vous le savez peut-être, c'est une région qui se trouve entre la montagne et la mer. Il y a des maisons qui se trouvent sur le flanc de la montagne. J'avais informé la Chambre il y a quelque temps de cela, à travers une question parlementaire, de ce problème et le ministre m'avait informé qu'on avait un manque d'experts pour aborder ce problème. Mais il y a eu un étranger qui est venu faire une étude et à ce stade on est encore au niveau des études de la topographie du terrain.

Mais le problème reste toujours entier et pendant la saison pluvieuse, mon collègue et moi-même sommes allés voir l'état de ces maisons. Je dois dire que cela devient alarmant. Les maisons sont en train de craquer. Il y a des fissures partout. Chaque fois qu'il y a de grosses pluies et des orages, les murs s'écartent. On peut imaginer la peur et l'angoisse de ces personnes qui vivent dans ces maisons surtout avec des enfants.

Donc, je fais un appel à tous ceux concernés d'accorder une attention spéciale et rapide à ce problème parce qu'on a connu ce genre de problème dans la région de La Butte, Chittrakoot et même Bois des Amourettes. Je sais qu'il a des personnes qui ont déjà travaillé sur ce genre de problème. Je fais un appel pour qu'on trouve une solution à ce problème parce que cela risque de devenir très grave.

Je voudrais aussi attirer l'attention de la Chambre que ces personnes vivent sur les terres de l'État. C'est pour cela que je demande aussi au ministre du logement et des terres que si on ne peut pas les reloger là où ils habitent d'essayer de le faire ailleurs afin qu'on finisse avec ce problème et qu'on puisse les faire vivre dans un lieu convenable.

Merci, M. le président.

(6.39 p.m.)

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, the geological experts are very scarce

and with great difficulty we were able to procure the services of a geological technician and, in fact, he is working on the site. We have to accept that it is a very dangerous site.

I had conversation with my colleague, hon. Dr. Boolell. In fact, last week there was a meeting in my Ministry regarding that particular region and I do hope that in the coming weeks, we can come with some solid conclusions. The hon. Member has to bear with us. We don't have that expertise and knowledge; that is why we have to depend on a foreign expert who is working on it.

***DEPARTEMENT DU BIEN-ETRE DE LA MUNICIPALITÉ – MEDICINE -
DISTRIBUTION***

(6.39 p.m.)

Mrs F. Labelle (Third Member for Vacoas & Floreal): M. le président, dimanche dernier, au cours d'une visite dans ma circonscription, je suis arrivée chez une famille. A la question comment je me portais, j'ai répondu que j'avais un mal de tête qui ne me lâchait pas. La gentille dame me demanda si j'avais besoin d'un calmant. J'ai répondu que j'aurais aimé avoir deux panadols. « *Deux, Françoise ? Mo capav donn ou deux douzaines* ». Je lui ai demandé si elle avait une pharmacie et elle m'a répondu : 'Non'. Pour être brève, la dame m'expliqua que la semaine précédente, elle en a reçu « *enn tas* ». Je ne comprenais pas trop bien. Elle revint avec un pot contenant 150 paracétamols. J'en ai compté, M. le président, le couvercle pouvait contenir 25 et elle m'a expliqué qu'elle avait donné « *impé à belle mère*. » Il y avait aussi 100 dicyclomine hydrochloride en 10 plaquettes. Une plaquette contient 10. Elle avait aussi du savlon, des sachets de sérum, une crème Methyl Salicylate et des sirops pour la toux. Elle était tout simplement à la poste de Vacoas dans l'enceinte de la municipalité et le département du bien-être de la municipalité faisait une distribution de médicaments. M. le président, ça me choque un peu. Je dépose une plaquette de ce médicament à la Table pour ceux qui veulent voir de près. Elle m'a expliqué qu'en ouvrant les boîtes, les panadols tombaient et qu'elle ne les ramassait pas parce qu'elle en avait assez, etc.

Donc, M. le président, peut-être que l'honorable ministre de la santé pourra nous éclairer sur cette situation. Est-ce qu'une nouvelle politique de faire une telle distribution et donner des médicaments comme la dicyclomine sans avis et sans conseil médical, et, d'après certains

collègues médecins, cela peut être dangereux car cela ne doit pas être donné comme ça. Donc, peut-être que l'honorable ministre de la santé pourra éclairer la Chambre si c'est une nouvelle politique de donner autant de médicaments, je ne comprends pas, des centaines de dicyclomine, 150 paracétamols et il y avait plus. Nous souhaitons recevoir des éclaircissements à ce sujet.

Merci, M. le président.

The Minister of Health and Quality of Life (Mrs S. Hanoomanjee): Mr Deputy Speaker, Sir, what the hon. Member had just said is very serious and I will try to see what has happened because it is the first time that I hear that there has been distribution, and she mentioned it, *par le département du bien-être de la municipalité*. So, whether there has been a transfer of medicine from Ministry of Health to that department of the Municipality of Vacoas/Phoenix, I will have to find out, but I will surely enquire into the matter and come back to this House with a statement.

Thank you.

(6.43 p.m.)

BEAU BASSIN/ROSE HILL - SCAVENGING SERVICES

Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière): I will be very brief. My point concerns the Ministry of Local Government. Notre ville, la ville de Beau Bassin/Rose Hill. est devenue une poubelle. Il y a plus de *scavenging services* et le maire se plaint qu'il n'y a pas d'argent, à qui veut l'entendre. Nous sommes en pleine période de carême. Des messes sont célébrées dans différents quartiers de la ville et c'est la première fois, depuis trente cinq ans, que la ville de Rose Hill est dans un état déplorable, surtout les quartiers populaires où il y a ces services religieux. Cela fait deux ou trois semaines qu'il n'y a pas eu de *scavenging services*, pas de nettoyage, pas de service continu.

According to legislation, the Minister has a legal responsibility to see that solid waste is collected in each and every corner of Mauritius. I am appealing to the Minister to have a site visit in these regions of Chebel, Barkly and Rose Hill. The whole town is in a deplorable state et c'est devenu une poubelle et je ne vais pas mentionner les poubelles de la Promenade Roland Armand qui sont aussi dans une situation déplorable. Je demanderai au ministre de faire

diligence. Nous sommes dans une période de carême et nous célébrons la fête de Pâques dans deux semaines.

The Minister of Local Government and Outer Islands (Mr H. Aimée): Je vais certainement intervenir, M. le président.

PROVIDENCE, QUARTIER MILITAIRE – DANGEROUS UPHILL

Mr S. Dayal (Third Member for Quartier Militaire & Moka): Mr Deputy Speaker, Sir, at Providence, Quartier Militaire, just near the junction of Bombay Road, there is a very dangerous uphill which causes visibility problem and it has witnessed many accidents. I understand that work order was issued in 2009, but till to date no work has been effected because of way leave problem. Therefore, I would like to appeal to the hon. Minister to act urgently because almost every day, I get representation from people of this area.

CAMP THOREL – DRAINS & SPEED BREAKERS

Mr Deputy Speaker, Sir, with the opening of the link road from Camp Thorel to L'Espérance, Quartier Militaire and Nouvelle Découverte, there is a dramatic increase in the flow of vehicles and school children, road users are feeling very insecure. I intervened on many occasions regarding this and site visits were conducted. So, I would like to intervene and ask the hon. Minister to see to it that proper drains be constructed along the road at Camp Thorel with proper footpath and handrails and speed breakers be placed at strategic places.

Thank you, Sir.

The Minister of Public infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, works order was issued as far back as 2009 and, unfortunately, we had the problem of way leave for the sugar estates were unwilling to allow us access in their land, but, luckily, I am happy to announce that work is going to start probably in the days to come.

As far as the second issue is concerned, we had recently constructed a new road and I don't think it worthwhile to start putting up humps in roads which we have already constructed.

As far as the other regions are concerned, we have the Traffic Management and the Transport Unit, they will look into it if there is any possibility of putting up any hump.

The Deputy Speaker: I will urge hon. Members to be as brief as possible. We have got a long list. Hon. Ganoo!

BEL OMBRE - VRS 2

Mr A. Ganoo (First Member for Savanne & Black River): Mr Deputy Speaker, Sir, allow me to raise an issue concerning some 237 employees of Bel Ombre who were retired under VRS 2 some 39 months ago. I am sure the hon. Minister of Agro-Industry and Food Security must know about this case. 39 months ago, that is, on 28 December 2007, 237 employees retired under the VRS 2 and they were entitled to a cash and land compensation and, up to now, they have been waiting patiently to obtain the plot of land which they are entitled to. It would seem, from information gathered at a meeting I have had with some of them that the employer of Bel Ombre has submitted all the documents to the Mauritius Sugar Authority and it would seem that *le blocage* is at the *Morcellement* Board. I understand that the *Morcellement* Board has not yet issued the letter of intent to the employer in spite of several requests of the Bel Ombre sugar estate. Once the letter is issued, Bel Ombre then will start the infrastructural works and will be in a position, therefore, to allot to the employees their plot of land. Most of these people are over 50. They include male and female, former labourers of Bel Ombre. Can I appeal to the hon. Minister to use his good offices vis-à-vis the Sugar Authority and *Morcellement* Board to expedite matters so that, once for all, these poor workers, who have been waiting for 39 months, be granted their land compensation.

Thank you, Mr Deputy Speaker, Sir.

The Minister of Agro-Industry and Food Security (Mr S. Faugoo): Mr Deputy Speaker Sir, this matter has been raised before by my colleagues, hon. Mrs Hanoomanjee and hon. Aimée. I have taken good note of the points raised by my colleague, hon. Ganoo. In fact, I may confirm to the House that the matter is at the level of the *Morcellement* Board. There is an application from Bel Ombre for *Morcellement* permit and the *Morcellement* Board is waiting for clearances from all the authorities concerned. I am sure they will issue the letter of intent

shortly. I will impress upon the Mauritius Sugar Authority (MSA), and I will also liaise with my colleague, the Minister of Housing and Lands to do the needful in due course.

Thank you, Sir.

ATLEE NHDC COMPLEX – WATER PIPES

Mr S. Obeegadoo (Third Member for Curepipe & Midlands): M. le président, mon propos, ce soir, concerne le complexe NHDC de la région Atlee. Cela s'adresse à plusieurs ministres, mais, en particulier, le ministre du logement. Les problèmes à la NHDC Atlee sont légions. Les tuyaux d'approvisionnement d'eau de la CWA se trouvent en état de décrépitude avancée et ne sont pas remplacés avec des fuites d'eau conséquentes. Les tuyaux encastrés dans les murs, tuyaux d'approvisionnement d'eau qui sont abîmés avec pour résultat pénétration d'eau dans les appartements à travers le mur ou le plafond et personne n'a les plans pour ces tuyaux encastrés. Donc, on ne sait pas à quel saint se vouer. Certains blocs n'ont pas de compteur individuel pour la fourniture d'eau; donc vous vous imaginez les problèmes qui se posent avec un compteur commun. Les mains courantes des escaliers qui sont maintenant très vieilles, vétustes, abîmées - danger pour les enfants - ne sont pas remplacées. Le ramassage d'ordures qui pose problème - le ministre des administrations régionales ne semble pas m'écouter. C'est dommage cela s'adresse à lui mais il a d'autres préoccupations semble-t-il. Et aussi le problème de ramassage d'ordures - je me tourne vers le ministre puisque je n'ai pas son attention - pose un problème conséquent avec le jardin d'enfants où se dégage une odeur nauséabonde. La peinture des murs externes qui n'a pas été refaite depuis la construction de ce complexe; l'absence d'un centre de loisirs pour les jeunes - les problèmes sont légions. Bien sûr le ministre me répondra que ces problèmes sont communs à tous les complexes de la NHDC et que le fond du problème est qu'il n'y a pas de syndic qui fonctionne et que les gens sont souvent irresponsables. Il y a sans doute une part de vérité dans ces arguments mais c'est aussi symptomatique du fait que notre population n'a peut-être pas été préparée à vivre dans les appartements, à vivre dans des blocs en hauteur et la responsabilité du gouvernement est engagée puisque c'est nous, les différents gouvernements qui se sont succédés, qui ont demandé aux gens; qui ont offert aux gens la possibilité d'aller vivre dans les complexes de la NHDC. Donc, je veux juste faire un appel au ministre du logement, d'un point de vue ne serait-ce qu'humanitaire, d'ordonner une enquête par rapport aux problèmes qui existent dans le complexe NHDC d'Atlee; de le faire de

concert sans doute avec les habitants mais aussi la mairie de Curepipe, et, en attendant qu'on trouve une solution globale, d'offrir certaines mesures ne serait-ce que ponctuelles pour soulager la souffrance des gens et améliorer tant soit peu leur vécu quotidien en attendant de trouver une solution globale.

J'en ai terminé. Merci, M. le président.

The Minister of Housing and Lands (Dr. A. Kasenally): Mr Deputy Speaker, Sir, the hon. Member has almost answered his question. He is perfectly aware of the situation. Having said that, we are gradually improving all the NHDC as the hon. Member, Mr Nagalingum, would know for Camp Levieux NHDC. We don't need to have an inquiry. We have to go there and sort out the problem. Gradually, we will do that if unsolvable. Already, we have spent Rs200 m. Once we get more money, we will try to do it, but there is a humanitarian problem and I am sure we will try to do something about it. We cannot allow our people to live in such deplorable conditions.

The Deputy Speaker: Thank you. Hon. Uteem!

(6.53 p.m.)

TRANQUEBAR - YOUTH CENTRE - COMPLAINTS

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Deputy Speaker, Sir, I would like to raise a matter which concerns the Minister of Youth and Sports. As he may be aware, there is a youth centre in Tranquebar in Port Louis and I have received complaints from various inhabitants of the locality that this centre is not being made available to everyone. It appears that there is a sheriff there who is controlling the place as to who has access to the centre and who doesn't have. I would urge the Minister if he can look into the matter so that all the inhabitants of Tranquebar can have access to this centre.

Thank you, Sir.

The Minister of Youth and Sports (Mr S. Ritoo): I'll see who is the sheriff there.

(6.53 p.m.)

PAILLES – POULTRY - COMPLAINTS

Mr V. Baloomoody (Third Member for GRNW & Port Louis West): Mr Deputy Speaker, Sir, it seems that in our Constituency as well, we are having a problem with a sheriff.

There is somebody who is running - since 2005 – a poultry in a residential area without any permit whatsoever. Petitions have been sent, since 2005, to the hon. Prime Minister, to the Ministry of Public Infrastructure, to the Commissioner of Police, to the Ministry of Health and to the Ministry of Environment. I am going to table this document. Since 2005, they have been fighting to get this poultry out as it is a residential area at Pailles, but this gentleman has got only one statement to say: *‘Pa pou capav fer mwa narien, gouvernman dan mo la main’*.

(Interruptions)

That is what he said. He has been saying that ever since and there have been some complaints and some progress. The Local Authority prosecuted that gentleman at Moka District Court. There has been an order for him to demolish, but no action has been taken up to date. The order is dated 2008. I am tabling this document and making an appeal to the Ministry of Environment to ensure, at least, that a court order is being respected in this country and that the enforcement of this judgment of the Learned Magistrate of Moka District Court be enforced. May I lay this document on the Table?

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy):

Mr Deputy Speaker, Sir, I'll have to look at the paper which is tabled first because I am not aware of this problem.

(6.55 p.m.)

BEETHOVEN STREET, CITÉ TREFLES, ROSE HILL - SPEED BREAKERS

Mrs L. Ribot (Third Member for Stanley & Rose Hill): M. le président, je voudrais faire un appel au ministre des infrastructures publiques. Dans ma circonscription, nous vivons une situation dangereuse à la rue Beethoven qui se trouve à Cité Trèfles, Rose Hill. C'est une petite rue où les voitures et les motocyclettes roulent à vive allure et, tous les soirs, les motocyclettes organisent une course dans cette rue. I would like the hon. Minister to consider putting speed breakers on this road before a serious accident happens.

Thank you, Sir.

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, as it has been mentioned earlier on, it is not the policy of Government to keep on putting speed breakers around. We have already four thousand speed breakers and we have got requests for another ten thousand. There won't be any

necessity of using cars then; so, that is the reason, we have to find other ways. I'll request the Traffic Management & Road Safety Unit (TMRSU) to have a look at it.

(6.56 p.m.)

TREFLES YOUTH CENTRE – SPORTS ACTIVITIES

Mr D. Nagalingum (Second Member for Stanley & Rose Hill): Mr Deputy Speaker, Sir, allow me to raise a matter regarding the Minister of Youth and Sports. Sir, we have received representations from members of Midas; Trèfles Black Star; *Union Sportive de Trèfles*; *Mouvement Jeunesse Féminine de Trèfles*; several youngsters of Cité Trèfles and the surrounding regions to the effect that the youth centre does not have any activities. According to them, due to lack of activities, many children teenagers and youngsters are being affected by many bad habits like drug abuses and some have even been infected even by HIV/AIDS. They are appealing to the Ministry to organise more activities in the centre so that the situation can be well occupied.

The Minister of Youth and Sports (Mr S. Ritoo): I have already tabled a list this morning, Mr Deputy Speaker, Sir, following a question that was raised.

UNION ST AUBIN SUGAR FACTORY – EMPLOYEES - REMUNERATION

(6.58 p.m.)

Mrs M. J. Radegonde (Fourth Member for Savanne & Black River): Mr Deputy Speaker, Sir, allow me to raise two short issues concerning my Constituency No. 14. First, I would like to make an appeal to the Minister of Agro-Industry – I think he is not there - as he may be aware of the closure of the Union St. Aubin sugar factory.

Mr Deputy Speaker, Sir, there are six non agricultural workers and three millers who are entitled under the agreement of the Blue Print on Centralisation of Sugar Milling Operations in Mauritius to receive full compensation in cash payment and a plot of land according to their years of service if they decide to terminate their contract with Omnicane Milling Operations Limited. Can the hon. Minister see to it that these workers are being fairly remunerated according to their accrued employment rights and as per the Blue Print agreement?

CHAMAREL, CHOISY, BAIE DU CAP, BEL OMBRE, ST MARTIN – TRANSPORT

The second issue I would like to make is a request to the hon. Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping in regard to the huge problem of transport faced by the inhabitants of the following regions: Chamarel, Choisy, Baie du Cap, Bel Ombre and St. Martin, especially the school children and workers. Can the hon. Minister look into the matter? Thank you.

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, regarding the problem of transport, we have already initiated a few measures by providing additional buses and I do hope that they have already started plying in that region, if not, probably within a few days, they will start.

The Minister of Industry and Commerce (Mr S. Soodhun): Mr Deputy Speaker, Sir, this matter concerns the Minister of Agro-Industry. I am sure my hon. colleague is going to take the issue into consideration, because it is a genuine one. I am going to confer it to him.

(7.00 p.m.)

CAMP CHAPELON – TRUNK ROAD - REPRESENTATIONS

Mr J. C. Barbier (Second Member for GRNW & Port Louis West): Mr Deputy Speaker, Sir, I would like to raise two issues concerning the hon. Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping. Both issues are linked to the enlargement of the trunk road that is actually ongoing.

Mr Deputy Speaker, Sir, I would like, first of all, to draw the attention of the Minister concerning representations which I received from the inhabitants of Camp Chapelon, where actually there is the enlargement of the road from Camp Chapelon to the junction with the access road to the industrial zone of Plaine Lauzun and Camp Chapelon. The road has been realigned and the footpath too. This causes much inconvenience to drivers of vehicles coming from Camp Chapelon and Plaine Lauzun, because now they have to stop farther from the trunk road, which creates a problem of visibility with regard to vehicles coming from Plaines Wilhems on their right side.

Mr Deputy Speaker, Sir, to move from the stop line to the trunk road takes them a long time, which gives them also a problem of judgment of the speed and the distance of vehicles coming from the right. This is causing much inconvenience to the drivers.

The Deputy Speaker: I will urge the hon. Member to be brief. There is one more Member who wants to intervene.

Mr Barbier: Mr Deputy Speaker, Sir, I would like the Minister to have a technical assessment of the situation and to come with a solution to this problem.

MÉNAGERIE ROAD, CASSIS - FLYOVER

The second issue still concerns the trunk road, that is, the junction with Ménagerie Road at Cassis, just before the Hindu House. We already have traffic lights there, but still we have road accidents very frequently and even fatal ones. Since 2002, the inhabitants of this region have made a petition to the Ministry, and they were informed that Government was going to have a pedestrian flyover at this junction. But now that there are ongoing road works over there, there is no evidence at all. From information that we have, maybe this project is no more on the agenda of the Ministry. So, we would like the hon. Minister to inform the inhabitants whether this project is still ongoing or not and, if not, why not.

Thank you, Mr Deputy Speaker, Sir.

The Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, regarding the first issue, I will request the Traffic Management Unit to review the situation. I am not in a position to say what action can be taken. Let the Traffic Management Unit have a look at it over again.

As regards the second issue of flyovers, I understand that pedestrians normally do not use flyovers. But we have to find other means. As far as I am aware, I do not think that we have got any project of flyover in that region. I will still have a look at it, and see what action can be taken in order to ease the problem of pedestrians.

(7.04 p.m.)

CLEMENCIA PRIMARY SCHOOL - RIVER - POLLUTION

Mr J. Seetaram (Second Member for Montagne Blanche & GRSE): Mr Deputy Speaker, Sir, my point would be addressed to the hon. Minister of Environment. It concerns the Clemencia primary school. Behind that school, there are bushes and high grass growing near a river, which is hidden with trees. It is causing much problem in terms of mosquitoes coming in classes while students are studying. This is causing prejudice to all the students. I would ask the

Minister to do the needful, either by cleaning up or by spraying the river. This would solve the problem.

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): I shall look into it, but I think it is a problem concerning the Ministry of Local Government.

The Deputy Speaker: The hon. Member has got only one minute left.

PONT ROUGE STREET, PORT LOUIS - EUGENE DU PONCEL BRIDGE

Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East): M. le président, je serais bref. J'ai un problème concernant le pont Eugène du Poncel qui se trouve à la rue Pont Rouge. Il se trouve que cette rue a été asphaltée plusieurs fois. Donc, le mur du pont est devenu bas et cela représente un danger, surtout pour les enfants qui jouent dans cette rue. Je fais un appel au ministre concerné pour rehausser le mur sur une distance de peut-être 25 à 30 mètres.

The Minister of Local Government and Outer Islands (Mr H. Aimée): I will ask the Municipality of Port Louis to look into the matter.

At 7.07 p.m. the Assembly was, on its rising, adjourned to Tuesday 12 April 2011, at 11.30 a.m.

WRITTEN ANSWERS

SCHOOLS (PRIVATE SECONDARY) - NEW COMPREHENSIVE GRANT

FORMULA

(No. B/143) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Education and Human Resources whether, in regard to the New Comprehensive Grant Formula to be allocated to the Managers of the Private Secondary Schools, he will state where matters stand.

Reply: Private-aided secondary schools are financed on the basis of a Comprehensive Grant Formula which has been introduced in November 1989 on the recommendations of the Management Audit Bureau (MAB) in order to enable Managers of Private Secondary Schools to run and manage their schools. This exercise concerns some 91 private grant-aided secondary schools.

The grant formula is revised every three years on the basis of cost increase, achievement, experience and new policy orientations. The MAB carried out the review exercise for the period 01 July 2006 to 30 June 2009. A review of the grant formula was due as from 01 July 2009.

Taking into consideration that there had been significant changes brought to the budgetary process in the financial year 2008/2009, especially the introduction of Programme-Based Budgeting (PBB), the new timing of the financial year and a transitional budgetary period of 6 months for the period July to December 2009, the Ministry of Finance and Economic Development had proposed that an interim increase varying from 2.5% to 10% on certain components and representing approximately 1.2% on the current grant be paid to the Private Secondary Schools pending the overall review of the grant formula. This interim increase was granted in October 2009.

It was also decided by Government in August 2009 that two institutional mechanisms, namely, an Education Policy Committee (EPC) and a Technical Working Group (TWG), be set up under the aegis of my Ministry for the review of the grant formula. The EPC would oversee the review of the grant formula and consider other educational issues related thereto while the TWG would work out the technical aspects of the revised grant formula under the guidance of the EPC.

The TWG which was set up in January 2010 submitted its report in April last year together with its financial implications.

Given that the financial implications were substantial, consultations were held with the Ministry of Finance and Economic Development which proposed, in September 2010, that the formula should be a more performance-based focused on expected outcomes, service delivered (outputs) and service standards (performance indicators) in line with the PBB framework.

Following further discussions with the Ministry of Finance and Economic Development and the Federation of Union of Managers of Private Secondary Schools, it has been agreed that a package of Rs475 m. may be disbursed in addition to arrears, estimated at about Rs109 m. for the period 01 July 2009 to 31 December 2010 which would have to be paid. However, out of this package some Rs30 m. would only be disbursed by the Ministry of Finance and Economic Development subject to the development of new indicators of performance.

Discussions are being pursued with the Ministry of Finance regarding such new indicators.

Pending the release of the amount of Rs30 m., it has been agreed with the Ministry of Finance and Economic Development that arrangements will be made for the release of Rs445 m. out of the package of Rs475 m. in addition to the arrears due for the period 01 July 2009 to 31 December 2010.

SCHOOLS – ‘KREOL MORISIEN’ - INTRODUCTION

(No. B/144) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Education and Human Resources whether, in regard to the concerns raised over Government’s state of preparedness to introduce the Mauritian Kreol as a subject of study in schools in 2012, he will state if additional urgent preparatory steps will be taken in relation to -

- (a) curriculum development, syllabus for each level of study and pedagogical approach;
- (b) textbooks and teacher’s guides, and
- (c) conditions of employment and scheme of service.

Reply: In my reply to PQ B/23 on 22 March 2011, I have already elaborated on the steps undertaken for an early introduction of “*Kreol Morisien*” in schools. I am satisfied with the state of preparedness and work is in progress on all the essential prerequisites leading to the introduction of the “*Kreol Morisien*” in schools. These include the preparation of the grammar, development of curriculum, syllabus, preparation of textbooks and Teacher’s Guide, teachers’ selection and training.

As I have already announced previously, the standardised writing system i.e. the “*lortograph Kreol Morisien*” has already been completed in February 2011 as per target set by “*Akademi Kreol Morisien*” (AKM). The implementation is well on schedule and there are no additional urgent preparatory steps to be taken at this stage.

With regard to part (a) of the question, the MIE has been entrusted with the responsibility for the development of the curriculum and pedagogical practices in line with recommendations of AKM. MIE is a member of the various working groups of the “*Akademi*”.

The structure of the curriculum will be on the same lines as for all other optional languages, that is, equivalent to 15 credits, over and above the 60 credits for the core and common modules given to all primary teachers irrespective of subject areas. The 15 credits are in respect to modules in the language and can be covered over one semester as the training will be devoted solely to one particular language. General discussion concerning syllabus for lower

primary has already taken place at the MIE among language and educational academics. A seminar will also be organised with all stakeholders prior to the implementation of the syllabus. A “*Kreol Unit*” is being set up at the MIE.

In relation to pedagogical approach, the focus would be on development of the child’s communicative competence in the mother tongue as well as social, linguistic and cognitive competence.

As for part (b) regarding the preparation of textbooks and teacher’s guide, this is already planned and is closely linked to curriculum development of “*Kreol Morisien*”. The organisation and structure of the textbook for Standard I is being finalised at the MIE.

A number of units of the textbooks have already been written. The teacher’s guide is being written concurrently. Workbooks will be available as required as from the second term of 2012. This provides ample time for MIE to be ready with textbooks. The “*Kreol Morisien*” will be introduced in Standard I in an incremental manner as from 2012 onwards.

As regards part (c), I had the opportunity to explain the recruitment of teachers for the first batch of 2012. As regards conditions of employment and scheme of service, arrangements are being finalised in consultation with the Public Service Commission (PSC) in line with established procedures.

The initial procedures are in respect of the prescription of the Scheme of Service for the grade of Educator (*Kreol Morisien*) and will be carried out on the same basis as other optional languages.

All the recruitment exercise will therefore be carried out by the PSC. Once the exercise of registration of Standard I pupils is completed, we shall be able to determine the exact human resource requirements for teaching of “*Kreol Morisien*”.

In addition, I also wish to inform that a public awareness campaign is being launched on the importance of “*Kreol Morisien*” which will ultimately become examinable as an optional subject at CPE Level on the same lines as Asian/Arabic languages.

This Government is making every effort for this language to occupy the place it deserves in our educational landscape. This development will be a landmark in the history of Mauritius and I wish, here, to make an appeal to everyone and all to support this national initiative so that we can move ahead on this agenda.

Of course, we would welcome constructive criticism, if any, but please rest assured that this Government will not move backward on this project which will be creating history.

UNIVERSITY OF MAURITIUS – STUDENTS - TUBERCULOSIS

(No. B/145) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Health and Quality of Life whether, in regard to the detected cases of tuberculosis amongst students of the University of Mauritius, she will state –

- (a) when her Ministry was first made aware thereof, and
- (b) the measures taken to guard against the spread of the disease.

Reply: I am informed that the first case of tuberculosis at the University of Mauritius was confirmed by my Ministry on 03 March 2011.

As per established procedures, for any confirmed case of tuberculosis, the patient was isolated and put on treatment. Subsequently, the primary contacts, namely the close relatives of the patient, were screened to detect any additional infected cases. All of them had normal chest X-Rays.

As far as University students are concerned, as they are considered to be secondary contacts, they were to be screened at a later stage because a lag time is required before the screening test becomes sensitive to pick up infected cases. I wish to point out that earlier screening had the risk of showing false negative results. That was the reason why the students of the University of Mauritius were not screened immediately.

However, when subsequent cases were reported on 14, 16 and 22 March 2011 from the University of Mauritius, the screening exercise was extended to the secondary contacts within the least possible delay being given that a successive number of cases had been reported within a short period.

I have to inform the House that to date some 810 students have already been screened and none of them has been found to have active Tuberculosis.

Furthermore, as an additional precautionary measure, my Ministry is actively following on all close contacts of the confirmed cases, who have shown negative test results so far. Sensitisation campaigns have also been carried out in the required places.

TUBERCULOSIS - PREVENTION

(No. B/146) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Health and Quality of Life whether, in regard to tuberculosis, she will state -

- (a) the number of reported cases thereof, since 2005 to date, indicating if the cases involve -
 - (i) local or overseas contracted infections, and
 - (ii) Mauritian or foreign nationals, and
- (b) the protocol elaborated by her Ministry for the detection, monitoring and prevention thereof.

Reply: Since 2005 to date, the total number of diagnosed cases of tuberculosis is 728 out of which 51 concern non-Mauritian citizens.

As regards part (a) (i) of the question, I am informed that the exact time of contraction of tuberculosis is difficult to determine, as the interval between the point in time of infection and the development of symptoms varies from person to person based on the immune system of the individual. Therefore, it is difficult to determine whether the infection was contracted locally or overseas.

Concerning part (b) of the question, in all reported cases of Tuberculosis, my Ministry follows a set of procedures which have been adapted from the guidelines of the World Health Organisation for the prevention and control of tuberculosis. These procedures are early detection, isolation, treatment of cases and contact tracing. In addition, our expanded programme on immunisation for children includes vaccination against Tuberculosis.

Routine case detection includes investigation of cases attending all health institutions with symptoms suggestive of Tuberculosis. In addition, active case detection is undertaken through systematic screening of all expatriate workers and screening of close contacts of confirmed cases. All cases are monitored through regular sputum examination for treatment efficacy and surveillance of drug resistance.

**MINISTRY OF HEALTH & QUALITY OF LIFE/MINISTRY OF FINANCE –
PROJECTS – DISCUSSIONS**

(No. B/147) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Health and Quality of Life whether, in regard to the projects of her

Ministry, she will state if meetings or discussions have been held with the Senior Adviser of the Minister of Finance and, if so, will she -

- (a) give details of the projects, indicating the date of the meetings, and
- (b) table copy of the relevant correspondence and notes of meetings thereof.

Reply: Given that this issue has been raised in the press and the relevant files have been forwarded to the Independent Commission Against Corruption for investigation relating to the acquisition of the Med Point Clinic, it would not be appropriate for me at this stage to give any details.

TRÈFLES YOUTH CENTRE - ACTIVITIES

(No. B/148) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Youth and Sports whether, in regard to the Trèfles Youth Centre, he will state -

- (a) the activities that are being held thereat, and
- (b) if the football ground adjacent thereto has not been mowed for months and, if so, indicate the remedial measures that will be taken.

Reply: I am tabling the list of daily activities held at Trèfles Youth Centre.

With regard to part (b), the football ground is vested with the Municipal Council of Beau Bassin/Rose Hill and I am informed that the football ground has already been mowed.

TOWN AND VILLAGE CENTRES - GARBAGE SORTED CONTAINERS

(No. B/149) Mr J. Seetaram (Second Member for Montagne Blanche & GRSE) asked the Minister of Environment and Sustainable Development whether, in regard to garbage sorted containers, he will state if all the town and village centres have been provided therewith.

(Withdrawn)

POINTE AUX PIMENTS GOVT. SCHOOL - CHILD BEING TIED UP – ALLEGED CASE

(No. B/150) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Education and Human Resources whether, in regard to the alleged case of a child being tied up by her mates at the Pointe aux Piments Government School, he will state if an

inquiry has been carried out thereinto to find out the reasons why the children were left unattended during school hours.

(Withdrawn)

NATReSA - EQUIPMENT

(No. B/151) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Health and Quality of Life whether, in regard to the NATReSA, she will, for the benefit of the House, obtain from the NATReSA, information as to if any equipment has recently been reported to have disappeared therefrom and if so, if an inquiry has been carried thereinto and the outcome thereof.

(Withdrawn)

FLIC EN FLAC - ST PATRICK CLINIC - OPERATION

(No. B/152) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the Minister of Health and Quality of Life whether, in regard to the St Patrick Clinic at Flic en Flac, she will state if –

- (a) it has been delivered with all the necessary licences prior to its coming into operation, and
- (b) they had applied for an EIA certificate, and if so -
 - (i) when, and
 - (ii) the outcome thereof.

Reply: I wish to inform the House that an application for a licence was made by the St Patrick Clinic on 06 July 2009 for the operation of a Health Care Unit at Flic en Flac.

A site visit was effected by a team of consultants in August 2009 and it was reported that the clinic was not ready to operate.

On 19 July 2010, the applicant informed that the works had been completed and requested for a licence to provide both inpatient and outpatient treatment.

Further site visits were effected in July and September 2010 and the inspection team recommended that a licence be issued to the applicant to run an outpatient with general consultation and observation wards only because all the requirements had still not been met.

During further visits in October 2010, the Inspection Team found that arrangements had been made for the following services to be provided as per requirements namely -

- (a) Fully equipped operation theatre with anaesthetic machine;
- (b) Obstetrics and Gynaecology Unit;
- (c) Paediatric Unit with Incubator, and
- (d) ICU setup .

Consequently, on 23 November 2010, another licence to operate as a private hospital was issued to the applicant subject to all necessary clearances being obtained from all relevant authorities.

As regards part (b) (i) and (ii) of the question, I am informed by the Black River District Council that the clinic has been requested to apply for an EIA licence prior to the submission of its application for a Building and Land Use permit.

I am also informed by the Ministry of Environment and Sustainable Development that as at 01 April 2010, no application for EIA licence has been received from St Patrick Clinic.

TRUST FUND FOR THE VULNERABLE GROUP - CORRUGATED IRON SHEETS – BENEFICIARIES

(No. B/153) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the vice-Prime Minister, Minister of Social Integration and Economic Empowerment whether, in regard to the grant of corrugated iron sheets, she will, for the benefit of the House, obtain from the Trust Fund for the Vulnerable Group, information as to the number of families who have benefitted therefrom, indicating the corresponding amounts, since July 2006 to December 2010, through the

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- (a) Association pour le bien être et progrès;
- (b) Savanne Arya Samaj Federation;
- (c) Beau Vallon Arya Samaj;
- (d) Beau Vallon Football Club;
- (e) Caritas Comité Paroissial Ste Anne/Chamarel;
- (f) Centre d'Amitié-Camp La Paille, Bambous;
- (g) Childhope;
- (h) La Lucy Roy Women Association;
- (i) Mission Cross Road Saraswati Women Association;

- (j) Saraswati Mahila Sabha;
- (k) Mouvement Social Féminin, Cité Briquetterie;
- (l) Mouvement bien être de la Cité La Chaux;
- (m) Organisation Catholique de Petite Rivière;
- (n) Organisation Sociale de Camp Diable, and
- (o) Association des Pêcheurs de Bambous Virieux.

Reply: The information is being compiled and will be tabled shortly.

RUISSEAU TERRE ROUGE PROJECT - IMPLEMENTATION

(No. A/49) **Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Ruisseau Terre Rouge project, he will state the completion date thereof, indicating -

- (a) the total cost thereof;
- (b) the implementation period;
- (c) if the initial project has been modified and if so, the total cost thereof, and
- (d) if penalties have been applied with regard to the delays and if so, indicate the amount paid.

Reply: The information is being compiled and will be laid in the Library of the National Assembly as soon as possible.

PORT LOUIS NORTH/MONTAGNE LONGUE – FLOOD PRONE REGIONS

(No. A/50) **Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to Constituency No. 4, Port Louis North and Montagne Longue, he will state the regions identified as being flood prone, indicating –

- (a) if meetings have been held with the inhabitants thereof and if so, the dates thereof;
- (b) if works have been completed thereat and the cost thereof, and
- (c) if during the recent torrential rains his office has received complaints from the inhabitants thereof and if so, the measures taken in relation thereto.

Reply: The information is being compiled and will be laid in the Library of the National Assembly as soon as possible.

EUGENE DUPONSEL STREET, PORT LOUIS – BRIDGES - WALLS

(No. A/51) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Local Government and Outer Islands whether, in regard to the Eugene Duponsel Street, Port Louis, ex-Pont Rouge Street, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if the walls aligning the bridges thereat are low in height and represent potential dangers and, if so, the urgent remedial measures that will be taken.

Reply: I am informed by the Municipal Council of Port Louis that the Eugene Duponsel Street, ex-Pont Rouge Street has two bridges which need to be demolished and reconstructed.

I am further informed that presently there exists a wall which is 30 inches above the road level and thus represents a potential danger. The Council has decided to reconstruct the wall to a new minimum height of 40 inches. The cost estimate of Rs250,000 will have to be earmarked and approved by its Finance Committee and will be implemented by early May 2011. The expected duration of works will be forty-five days.

MILITARY ROAD, PORT LOUIS - HOUSING UNITS - CONSTRUCTION

(No. A/52) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Local Government and Outer Islands whether, in regard to the proposed construction of housing units at Military Road, Port Louis, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if -

- (a) it has received any objection from the inhabitants living near the site, and
- (b) if the necessary permit has already been issued.

Reply: I am informed by the Municipal Council of Port Louis that an outline Planning Permission has been issued on 01 March 2011 to the National Housing Development Company Ltd for the construction of 18 duplex at ground and first floors on State land situated at Military Road, Port Louis after obtaining all relevant clearances from concerned authorities.

With regard to part (a) of the question, I am informed that no objection has been received from inhabitants living near the site but rather a petition which is not an objection *per se* within the meaning of the legal requirements. The petitioners have requested for new amenities such as children playground, a Police station, a State Secondary College for girls and a health track.

As far as part (b) of the question is concerned, I am informed that the National Housing Development Company Ltd will have to apply for a Building and Land Use permit prior to the start of any construction works on site and no application has yet been received.

PÈRE LAVAL COLLEGE, STE CROIX - FLOODING

(No. A/53) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Education and Human Resources whether, in regard to the flooding of the yard of the Père Laval College, at Ste Croix, during the recent heavy rainfalls, he will state the remedial measures his Ministry proposes to take in relation thereto, if any.

Reply: Following numerous cases of flooding in several schools over the past few years, my Ministry carried out a survey and identified some 20 schools including College Père Laval, which were prone to frequent flooding. This list of schools has been referred to the Ministry of Public Infrastructure, National Development Unit, Land Transport & Shipping, which has the responsibility for dealing with such problems, for necessary remedial action.

In regard to the College Père Laval, I am informed that the District Contractor of the Ministry of Public Infrastructure, National Development Unit, Land Transport & Shipping will be shortly undertaking digging of trial pits for percolation tests with a view to assessing the absorption capacity of the soil. This will enable the latter Ministry to work out the appropriate remedial action for a proper drainage system to be put in place to prevent flooding.

I wish also to point out that the problem is also due to the fact that the school is situated on a lower level than the surrounding grounds. This would involve works at the level of the school as well as in the surrounding areas with the participation of various stakeholders.

CITÉ ST LUC - COMMUNITY CENTRE

(No. A/54) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Local Government and Outer Islands whether, in regard to the community centre at Cité St Luc he will, for the benefit of the House, obtain from the Municipal Council of Curepipe, information as to if it is presently in a dilapidated condition and, if so, if urgent measures will be taken for the restoration thereof to its original state and for normal activities to be resumed thereat.

Reply: I am informed by the Municipal Council of Curepipe that the community centre at Cité St Luc is not its property, but the building in question is a *centre de loisirs* which falls under the jurisdiction of the Ministry of Tourism and Leisure.

I am therefore making a request to my colleague, the Minister of Tourism and Leisure to take remedial action in the matter.

POPE HENNESSY STREET, CUREPIPE - ROAD TRAFFIC

(No. A/55) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Local Government and Outer Islands whether, in regard to the Pope Hennessy Street, Curepipe, he will, for the benefit of the House, obtain from the Municipal Council of Curepipe, information as to if the road traffic thereat has increased and, if so, indicate the measures that will be taken to facilitate the flow thereof while ensuring pedestrian safety.

Reply: I am informed by the Municipal Council of Curepipe that it is conscious of the increase of traffic along Pope Hennessy Street resulting from the increase in number of vehicles in circulation. However, measures for further widening of the road appear restrictive as the plots bounding it are built up.

I am informed that the Council has alternatively taken the following measures –

- (i) opening of a road from Robinson area through Camp Caval to Floreal so as to allow re-routing and possibilities of re-routing from existing side roads like Edgard Hugues Street and V. Paratian Street to proceed to Vacoas, and
- (ii) pavements have been provided on one side to allow safe movement of pedestrians.

FORUM, CUREPIPE - RENOVATION WORKS

(No. A/56) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Local Government and Outer Islands whether, in regard to the Forum, in Curepipe, he will, for the benefit of the House, obtain from the Municipal Council of Curepipe, information as to when renovation works will be carried out thereat and same re-opened to enable the athletes to train thereat.

Reply: I am informed by the Municipal Council of Curepipe that a turnkey project for repairs of Le Forum Building has been prepared and as such the Public Procurement Office had

to prepare a new set of documents for tender procedures. The bid documents are presently being examined at the level of the Central Procurement Board for launching.

I am informed that the premises cannot be put at the disposal of athletes for practice of sports activities until the completion of the renovation works. However, with the coming into operation of the new gymnasium at Dr. Jeetoo Street in June 2011, the athletes and other users will be directed thereat, accordingly.

**CITÉ MALHERBES, CITÉ ATLÉE & CITÉ LES CASERNES - FOOTBALL
GROUND**

(No. A/57) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Youth and Sports whether, in regard to Cité Malherbes, Cité Atlée and Cité Les Casernes, he will, for the benefit of the House, obtain from the Municipal Council of Curepipe, information as to if consideration will be given for the provision of lighting facilities and changing rooms to the football grounds found thereat.

Reply (The Minister of Local Government and Outer Islands): I am informed by the Municipal Council of Curepipe that lighting facilities and changing rooms have not been provided so far to the football grounds at Cité Malherbes, Cité Atlee and Cité Les Casernes due to budgetary constraints.

I am informed that the assistance of the Ministry of Youth and Sports has been sought by the Council in this respect.

QUATRE BORNES – MARKET - CONSTRUCTION

(No. A/58) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Local Government and Outer Islands whether, in regard to the project for the construction of the new market in Quatre Bornes, he will, for the benefit of the House, obtain from the Municipal Council of Quatre Bornes, information as to –

- (a) if a traffic impact assessment has been commissioned in relation to the site earmarked;
- (b) the implementation schedule, and
- (c) the budget earmarked therefor.

Reply: I am informed by the Municipal Council of Quatre Bornes that a decision has been taken to construct a Civic Centre inclusive of a market at the existing Guy Rozemont Stadium, Candos, Quatre Bornes.

I am informed that the Council will soon launch an expression of interest for a feasibility study of the project and any future course of action will depend on the outcome of the study.

I am further informed that an amount of Rs21 m. has been earmarked by the Council for construction of a market.

MITD - BOARD MEMBERS

(No. A/59) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Education and Human Resources whether, in regard to the Mauritius Institute of Training and Development, he will –

- (a) for the benefit of the House, obtain from the MITD, information as to the names of the Board members, indicating their respective -
 - (i) date of appointment, and
 - (ii) terms and conditions thereof, and
- (b) state if the employees of the former Industrial and Vocational Training Board and Technical School Management Trust Fund have been informed in writing as to their employment status indicating –
 - (i) if an option form has been sent to each of them, and
 - (ii) the status of the existing unions of employees of the former IVTB and TSMTF.

Reply: As regards part (a) of the question, the Mauritius Institute of Training and Development (MITD) Act was proclaimed on 16 November 2009. In line with section 7 of the MITD Act 2009, the MITD Board has been constituted as follows –

- | | |
|-------------------------------|--|
| 1. Mr Ashvin Ramdin | Chairperson |
| 2. Mr François de Grivel, CBE | Vice-Chairperson, President, Mauritius Employers' Federation (MEF) |
| 3. Mr Girish Gunesh | Permanent Secretary, Ministry of Education and Human Resources |

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|-------------------------|--|
| 4. Mr Swaminathan Ragen | Permanent Secretary, Ministry of Labour, Industrial Relations & Employment |
| 5. Mr Anil Kumar Kokil | Representative of Ministry of Finance and Economic Development |
| 6. Mr Anwar Joonas | Immediate Past President of Mauritius Employers' Federation (MEF) |
| 7. Mr Shashi Puddoo | Head, Human Resources, Mauritius Telecom Group (MT) |
| 8. Mr Raj Auckloo | Director, Human Resource Development Council (HRDC) |

The MITD Board members have been appointed in early February 2010 with the following terms and conditions –

- | | |
|----------------------|--------------------|
| 1. Fees for Chairman | Rs21,000 per month |
| 2. Fees for members | Rs2000 per sitting |

As regards part (b) (i), section 28 (2) of the MITD Act 2009 makes provision for the MITD to employ staff of the former Industrial and Vocational Training Board (IVTB) and the former Technical School Management Trust Fund (TSMTF). Those who were posted at the *Institut Supérieur de Technologie* (IST) and the Swami Dayanand Institute of Management (SDIM) are not covered under the MITD Act 2009 and they have been redeployed to the University of Technology, Mauritius (UTM).

A new organisation structure for the MITD together with the schemes of service, have been worked out. The organisation structure was approved by the MITD Board on the 12 June 2010. The schemes of service and salary grading have been worked out in consultation with the Ministry of Civil Service and Administrative Reforms (MCSAR) and the Pay Research Bureau (PRB). Consultations were held with representatives of staff on the schemes of service. They were given two weeks (from 17 January 2011 to 31 January 2011) within which they could submit views and comments. These views and the draft scheme of service were submitted to the MCSAR for approval.

On 18 March 2011, the MCSAR gave its agreement for the schemes of service to be approved by the MITD Board. The MITD Board approved same on 28 March 2011.

An agreement on procedures to be followed regarding appointment of staff will be signed by mid April 2011 between the MITD and a Joint Negotiating Panel comprising the MITD Training Officers and Instructors as well as the staff representatives of MITD. Following the signature of the agreement, option forms will be issued to all staff to enable them to exercise their option to join the MITD or to opt for retirement on the ground of abolition of office or to request for redeployment in another statutory body where vacancies in similar positions are available. This will be effected before end of April 2011.

As regards part (ii), as at date, there exist three registered staff associations catering for employees of the ex-IVTB and the ex-TSMTF. In line with the provisions of the Employment Relations Act 2008, once the staff concerned become employees of the new organisation, the MITD will be in a position to recognise them as unions.

STUDENTS (ORPHANED) - SCHOOLING

(No. A/60) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to orphaned students above the age of 18, she will state the measures taken by her Ministry to help them pursue their schooling.

(Withdrawn)

FISHERMEN INVESTMENT TRUST - OPERATION

(No. A/61) Mrs J. Radeonde (Fourth Member for Savanne & Black River) asked the Minister of Fisheries and Rodrigues whether, in regard to the Fishermen Investment Trust, he will, for the benefit of the House, obtain from the Trust, information as to if -

- (a) it is fully operational;
- (b) if all the fishers representatives sit on the Board, and
- (c) how often they meet.

Reply: The Fishermen Investment Trust (FIT) is a body corporate, set up following enactment of the FIT Act 2006. The Act was proclaimed on 31 January 2007. The Board of the FIT was constituted in April 2007 to implement the strategies of the Trust. A Chief Executive

Officer was appointed in September 2007 and since his appointment, the Trust has been fully operational.

Section 5 of the FIT Act provides that the Board of Directors shall, *inter alia*, consist of two representatives of fishermen from Mauritius and one representative of fishermen from Rodrigues elected by registered artisanal bank and semi-industrial fishermen. The three representatives of the fishermen duly elected in Mauritius and Rodrigues have been sitting on the FIT Board since June 2007. Elections of fishermen representatives were last held in August 2010.

Since its setting up in 2007, the Board has met 41 times.

BEL OMBRE, ST MARTIN & BAIE DU CAP - FLOODING - COMPENSATION

(No. A/62) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the inhabitants of the regions of Bel Ombre, St Martin and Baie du Cap who have suffered damages and property loss, following the recent flooding, she will consider increasing the quantum of the compensation of Rs133.00.

Reply: In accordance with the Social Aid Regulations, an allowance of Rs133 per day is payable to each member of a household for a maximum number of 3 days, in case the torrential rain persists.

It is to be emphasised that this allowance is not meant as a compensation for loss of property but as a subsistence allowance in cases where damage or loss of foodstuffs was sustained.

The question of increasing the quantum of the allowance does not arise for the time being, as it is reviewed every year in line with the CPI.