



REPUBLIC OF MAURITIUS

FIFTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

TUESDAY 12 JULY 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>
Hon. Anil Kumar Bachoo, GOSK	<i>Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping</i>
Dr. the Hon. Arvin Boolell, GOSK	<i>Minister of Foreign Affairs, Regional Integration and International Trade</i>
Dr. the Hon. Abu Twalib Kasenally, FRCS	<i>Minister of Housing and Lands</i>
Hon. Mrs Sheilabai Bappoo, GOSK	<i>Minister of Gender Equality, Child Development and Family Welfare</i>
Hon. Nandcoomar Bodha	<i>Minister of Tourism and Leisure</i>
Dr. the Hon. Vasant Kumar Bunwaree	<i>Minister of Education and Human Resources</i>
Hon. Satya Veryash Faugoo	<i>Minister of Agro-Industry and Food Security</i>
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Hon. Devanand Virahsawmy, GOSK	<i>Minister of Environment and Sustainable Development</i>
Dr. the Hon. Rajeshwar Jeetah	<i>Minister of Tertiary Education, Science, Research and Technology</i>
Hon. Satyaprakash Ritoo	<i>Minister of Youth and Sports</i>
Hon. Mrs Leela Devi Dookun-Luchoomun	<i>Minister of Social Security, National Solidarity and Reform Institutions</i>

Hon. Louis Hervé Aimée	<i>Minister of Local Government and Outer Islands</i>
Hon. Mrs Santi Bai Hanoomanjee	<i>Minister of Health and Quality of Life</i>
Hon. Mookhesswur Choonee	<i>Minister of Arts and Culture</i>
Hon. Tassarajen Pillay Chedumbrum	<i>Minister of Information and Communication Technology</i>
Hon. Louis Joseph Von-Mally, GOSK	<i>Minister of Fisheries and Rodrigues</i>
Hon. Ashit Kumar Gungah	<i>Minister of Civil Service Affairs and Administrative Reforms</i>
Hon Shakeel Ahmed Yousuf Abdul Razack Mohamed	<i>Minister of Labour, Industrial Relations and Employment</i>
Hon Yatindra Nath Varma	<i>Attorney General</i>
Hon John Michaël Tzoun Sao Yeung Sik Yuen	<i>Minister of Business, Enterprise, Commerce and Consumer Protection</i>

Members

Members

PRINCIPAL OFFICERS AND OFFICIALS

<i>Mr Speaker</i>	Purryag, Hon. Rajkeswur, GCSK, GOSK
<i>Deputy Speaker</i>	Roopun, Hon. Prithvirajsing
<i>Deputy Chairman of Committees</i>	Hossen, Hon. Abdullah Hafeez
<i>Clerk of the National Assembly</i>	Dowlutta, Mr R. Ranjit
<i>Deputy Clerk</i>	Lotun, Mrs B. Safeena
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MAURITIUS

Fifth National Assembly

FIRST SESSION

Debate No. 16 of 2011

Sitting of Tuesday 12 July 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 following Bills –

- (i) The Excise (Amendment (No. XVIII of 2011) Bill; and
- (ii) The Protection from Domestic Violence (Amendment) (Amendment) Bill (No. XIX of 2011).

B. Ministry of Social Security, National Solidarity and Senior Citizens Welfare and Reforms Institutions –

The Social Aid (Amendment No. 2) Regulations 2011 (Government Notice No. 132 of 2011).

C. Ministry of Finance and Economic Development –

The Digest of Education Statistics for the year 2010.

D. Ministry of Local Government and Outer Islands –

The Municipal Council of Port Louis (Pont de Paris Open Market) Regulations 2011 (Government Notice No. 133 of 2011).

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

- (a) The Consumer Protection (Consumer Goods) (Maximum Price) (Amendment) Regulations 2011 (Government Notice No. 129 of 2011).

- (b) The Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 4) Regulations 2011 (Government Notice No. 130 of 2011).
- (c) The Consumer Protection (Control of Imports) (Amendment No. 4) Regulations 2011 (Government Notice No. 131 of 2011).

ORAL ANSWERS TO QUESTIONS

SUGAR INDUSTRY - GLOBAL CESS

The Leader of the Opposition (Mr P. Bérenger) (*by Private Notice*) asked the Minister of Agro-Industry and Food Security whether, in regard to the reduction of the Global Cess, he will state the -

- (a) amount of cess money received yearly since 2005 by the -
 - (i) Mauritius Sugar Authority;
 - (ii) Mauritius Sugar Terminal Corporation;
 - (iii) Mauritius Sugar Industry Research Institute;
 - (iv) Farmers Service Corporation;
 - (v) Cane Planters and Millers Arbitration and Control Board;
 - (vi) Sugar Planters Mechanical Pool Corporation;
- (b) if the Joint Government/Mauritius Chamber of Agriculture Committee has submitted its report, and
- (c) if the time-frame agreed upon with the European Union is being adhered to.

Mr Faugoo: Mr Speaker, Sir, with your permission, I will reply to the PNQ and also to PQ No. B/693 together as they refer to the same issue.

Let me at the very outset stress that reduction of global cess is but one element of the reform programme as indicated in the Multi Annual Adaptation Strategy (MAAS) Action Plan 2006-2015 and hence should not be looked at in isolation. The Plan comprises several other major components. The MAAS also has a social pro poor agenda as reflected by the consideration given to the social dimension in the MAAS and also the commitment of government towards workers, small planters and *metayers* and other stakeholders of the sugar industry. This also displayed by the personal intervention of the Prime Minister in the historic deal of December 2007 between government and the Mauritius Sugar Producers Association whereby he insisted that all the stakeholders should benefit from the reform, in particular the workers, small planters and *metayers*.

Mr Speaker, Sir, with regard to part (a) of the question, I am tabling the information requested as it comprises a lot of statistical data. Cess money has been decreasing from Rs601 m. in 2005 to Rs519 m. in 2010 with an exception for 2008 when cess went up to Rs650 m. because of PRB commitment.

Mr Speaker, Sir, cess reduction and restructuring of the cess funded service providing institutions (SPIs) is a long-standing issue which dates back to the year 2000 or even before 2000. Several committees have been working on this issue and several reports have since then been submitted, but with no real breakthrough.

In 2005, new problems and challenges emerged following the dismantling of the sugar Protocol and the reform of the EU sugar regime, more specifically the huge 36% cut in the price of sugar. The subject has once again assumed importance and has been addressed in the Multi Annual Adaptation Strategy (MAAS) Action Plan 2006-2015 which I just mentioned. The reform of the cess funded institutions is considered as an important component of the MAAS given that the amount of cess funding the operations of the SPIs weighs heavily on the revenue of planters, especially the small planters and the *metayers* consequent to the drastic cut in the price of sugar exported to the European Union.

Furthermore, with the Euro zone crisis, the challenges of the sugar industry worsened and further triggered the necessity for cess reduction and restructuring of the cess funded institutions. It is pertinent and relevant, maybe, to quote an excerpt from the ERCP. I quote, Mr Speaker, Sir -

“Government shares the confidence of other stakeholders that the industry has a viable future, but we must shore up that viability by creating the environment that fosters innovations, and new trade initiatives. Government will do this by putting at the disposal of small and medium planters new means of procuring and applying inputs, by supporting the industry through the crisis that is curtailing its revenue. At the same time, we need to enable employees who have accepted offers under the VRS 2, the ERS and the Blue Print to receive their land entitlements with the least delay. To these ends, government is taking the following actions.”

Accordingly, government, in its Economic Restructuring and Competitiveness Programme 2010 (ERCP), agreed that the global cess be substantially reduced.

Mr Speaker, Sir, with regard to part (b), following the ERCP, government set up a joint Public/Private Sector Committee under the aegis of my Ministry to work out the details of the restructuring of the cess financed institutions.

For the year 2011, the EU has agreed to disburse funds under the “Sustainable and Equitable Development Programme” (SEDP) - General Budget Support, subject to government satisfying two specific conditions, one of which pertains to global cess reduction, including the restructuring of the cess financed institutions.

The specific Key Performance Indicators associated with the condition pertaining to cess reduction are as follows -

- (i) The global cess for the 2011 crop (for the period July 2011-June 2012) should not exceed Rs287 m.;
- (ii) cess-financed SPIs will be restructured until 31 March 2012 to adapt to the new situation, and
- (iii) restructuring programme, with the implementation plan for the six cess-financed SPIs endorsed by government by end June 2011.

Mr Speaker, Sir, the Public/Private Sector Joint Committee to which I referred to earlier submitted its report in early June this year. The main recommendations relate to, namely -

- (a) the merging of the six SPIs;
- (b) the reduction of the number of employees, and
- (c) the offer of a social package to employees.

At its meeting of 17 June 2011, Cabinet approved the proposals and the implementation plan, which would ensure that the restructuring is completed by March 2012 and that cess for crop 2011 does not exceed Rs287m.

As far as part (c) is concerned, the time frame agreed upon with the European Union is being adhered to. In fact, I have already set up three committees to ensure that our commitment taken will be respected.

For this purpose, I have set up three committees, namely -

- (a) a committee to review all existing legislations of the six SPIs and to come up with a new institution to service as an Apex body;
- (b) a Steering Committee to monitor progress, and
- (c) an implementation team.

Mr Speaker, Sir, in our attempt to implement the Reform Programme on Cess Reduction, the Mauritius Sugar Syndicate, which is not a cess funded SPI, has been also invited to adopt the same line of expenditure reduction. In fact, they have already started their reform, and I am informed that they have closed their London Office so as to reduce their costs of operation.

Mr Speaker, Sir, it is relevant to state that we have satisfied all the Key Performance Indicators, and Mauritius is often cited as an example for ACP and even non-ACP countries. We are conscious of the importance of maintaining the sugar cane industry, in view of its multi-functional role. It is a crop *par excellence* for carbon sequestration and for maintaining the quality of the environment.

The sugar industry has over the years played a pivotal role in supporting the development of the national economy and social fabric of the country. With the ongoing reform measures to transform the sugar industry into a sugar cane industry, we need the support and collaboration of all stakeholders to succeed and we have to succeed, Mr Speaker, Sir.

Mr Bérenger: If I heard the hon. Minister correctly, he said that, for 2010, total cess money received by the institutions concerned amounted to Rs590 m. and he said that this needs to be brought down to Rs287 m. by sugar crop 2011. Will he agree that this means, in fact, cutting the budget of these institutions by half over a one-year period? Does he think that this is reasonable?

Mr Faugoo: I have gone through the plan, which has been the output of the Joint Committee, and this is what has been proposed. We have put a cap, a ceiling; we will be taking only Rs287 m. from the cess, but that won't be sufficient to run the six SPIs. What will happen? They will have to reduce their cost of operation, and this is what has been recommended in the report, Mr Speaker, Sir. They will also have to review their role; they will have to see how to reengineer the functioning; they have to focus on the demands of the industry and also see how they are going to increase their revenue. They have revenue as at now, but they have to see how

to reinforce whatever revenue they are getting. This is doable but, as I said, we need the collaboration of one and all; we need the understanding of one and all. It is a report which says that these things can be done. I have put in place all the different committees to see to it that this is done in a timely manner.

Mr Bérenger: Can I ask the hon. Minister whether this idea of cutting the cess money received by those institutions by half, from Rs590 m. to Rs287 m., was a condition set by the European Union?

Mr Faugoo: This has become a condition now, Mr Speaker, Sir. As I said, we should not look at cess in isolation. Reduction of cess is one among all the other measures that government has been taking since 2005. It is not something which started yesterday with the Joint Committee or with the ERCP. Of course, ERCP came at an opportune time when the small planters were facing difficulty in real terms due to the euro crisis. Can one imagine the price of sugar going down from Rs18,500 in 2007 to Rs13,000 last year? To break even, one needs to put in Rs15,000. So, Mr Speaker, Sir, there was reason to see how to come to help the small planters. As I said, this can be done, and this is what has been recommended in the report.

Mr Bérenger: The Minister has tabled figures for the cess money received yearly since 2005 by the different institutions. It amounts, therefore, in total to Rs590 m. Can we have the breakdown for each of these institutions for 2011?

Mr Faugoo: I can table it without any problem, Mr Speaker, Sir. I don't have it at hand.

Mr Bérenger: If the hon. Minister does not have it, can he, at least, inform us from which of these institutions will the greatest effort be required?

Mr Faugoo: I cannot single out one institution, Mr Speaker, Sir. It is a report which has studied the concept itself of service providing institutions. There are certain institutions which function has to be retained and, in some cases, it has to be reviewed all the same, but I cannot say as at now the manner in which this is proposed to be done. As I said, I will table a copy of the budget required by the SPIs for the year 2011, and the figures will speak for themselves.

Mr Bérenger: The hon. Minister has informed us that the joint government/private sector committee submitted its report, if I heard correctly, in June, last month. Can I, therefore, know whether government is prepared to table a copy of that report?

Mr Faugoo: It is premature, Mr Speaker, Sir. This is a working tool; this is going to help the Ministry to bring the restructuring of the SPIs. We have started the process. I have just set up the committees. They are going to work with the institutions, the unions and the employees, but it will be premature and inappropriate for me to come in the House today and table the copy, when we have not yet proposed or offered what has been recommended in the report to the employees, Mr Speaker, Sir.

Mr Bérenger: The hon. Minister has confirmed, nevertheless, that the report recommends and government has approved a merger of the six institutions concerned. Can I know what is the logic thereof? Why merge a research institute of international repute or a control Board with *quasi* judicial responsibilities with four other institutions that provide services, caterpillars and such technical things? What is the logic of merging these six together, instead of having a standalone institute of international repute and a *quasi* judicial control Board, and then merge the four others?

Mr Faugoo: In fact, the logic is in the merging for so many reasons, Mr Speaker, Sir. This is the logic. We cannot say we have to reduce cess from Rs600 m. or so to Rs287 m. without bringing some form of in-depth reform, Mr Speaker, Sir. How do you do that? Maybe there is confusion. I must clear if there is any confusion. We are not doing away with any of those SPIs - if we take, for example, the research institution which is the MSIRI, we are neither doing away with the historic institution nor with the functioning. They are going to keep their autonomy. They are going to keep their operational autonomy, their work. But what we are trying to do is reducing cost. How do we reduce cost? One way is reducing the number of employees, but we must also see to it that the operational cost is reduced and the new structure is framed in such a manner that we can give, for example, administrative services, joint financial services, HR services. This can come under one roof. For example, we have six governing bodies today, and six chairmen. We can reduce that also. We are reducing costs in the interest of the industry, in the interest of the stakeholders; we reduce to make it more workable, to make it more efficient, Mr Speaker, Sir. This is what we are doing.

Mr Bérenger: Mr Speaker, Sir, after the capping, is the hon. Minister aware that only this week, the spokesperson for the small planters proposed exactly what I am suggesting? On

radio, the spokesman for the small planters, this very week, proposed exactly what I am proposing. Is he aware of that?

Mr Faugoo: Mr Speaker, Sir, I don't know which radio, as there are so many. I don't listen to any of them. I don't know which spokesperson; there are so many associations. The hon. Leader of the Opposition must come and tell me which radio, put a copy if he has, I will study and see. We have a report ...

(Interruptions)

Mr Speaker: Order!

Mr Faugoo: ...we have consulted all the SPIs, we have consulted the unions working with the SPIs and what we are doing is in the interest of the planters and the smallholders, Mr Speaker, Sir. The hon. Leader of the Opposition is not saying what was paid and by whom. I would not be able to comment.

Mr Bérenger: Therefore, it is a fact that the small planters came up in favour of that restructuring which I have just mentioned. Can I know whether the European Union proposed that merger of the six institutions? Was it a condition set by them or is it a Mauritian proposal?

Mr Faugoo: We don't run according to the whims and caprices of the European Union, Mr Speaker, Sir. We are a government, we mean business, we have a programme, and we were elected on the basis of a programme. This is an industry which was phasing out. There are so many ACP countries in the world which have done away with the industry. Mr Speaker, Sir, with all the difficulties and challenges, we have managed somehow - of course, with the collaboration of one and all concerned in the industry - to come where we have come. Today, Mauritius is a window for the ACP, for the EU. I don't follow the point of the hon. Leader of the Opposition.

Mr Bérenger: I asked whether the European Union had set it as a condition.

Mr Faugoo: I said in my main answer that they have set a condition that these institutions have to be reorganised, and that cess has to be reduced. These are the two parameters. Now, how do we reduce? How do we reorganise? They can't come and dictate to us, Mr Speaker, Sir. The process of achieving our target and the condition is open to us. I know what business we have to do and how to go about it. We are not going to learn from the EU. We

have managed in the past, we have set examples. We will do it again, and I am sure we will succeed.

Mr Bérenger: Mr Speaker, Sir, I heard the hon. Minister say that there is going to be a reduction in the labour force in the different institutions concerned. Is it a fact that we are going to come down from some 900 employees to less than 500? Can we have from the hon. Minister - if he does not have the information, he can table it - the number of employees that will stay in each of those six institutions?

Mr Faugoo: In fact, it is a bit more than 900. It is 908 to be precise. It is a bit more than 500, not less; it is 400 that has been proposed to be reduced, Mr Speaker, Sir. But this is only a proposal in the report. 908 is the actual number of employees and it has to be reduced by some 400, Mr Speaker, Sir. It will come to a bit over 500, I will say, and not less than 500, 508, in fact, when we reduce 400. This is what I am saying and at this stage, I cannot say, it is premature because there are different options. We have also to look at redeployment; there are social packages which are going to be offered to them. As I said, we will also have to work out possible redeployment. This is a bit premature; we will have to cross the bridge when we reach it.

Mr Bérenger: Can the hon. Minister give the guarantee to the planters' community that such a drastic reduction in employment amongst places like the Sugar Planters Mechanical Pool, the Farmers Service Corporation will not affect the services provided to the small planters?

Mr Faugoo: This is the very essence of commissioning the report, and this is exactly what government aims at doing, that is, securing the small planters. Because there is a fact which we should not forget; people are driving away from cane cultivation. There are so many of them who had to pull out, Mr Speaker, Sir. We want to maintain the industry and the activities of the small planters. This is going to give an extra mile to the planters. I don't see in which way this is going to be an impediment. The services are going to be the same, revised maybe, more efficient, more cost effective and better services, in fact.

Mr Bérenger: Mr Speaker, Sir, when we moved to bulk loading of sugar years past, the Sugar Terminal Corporation was set up by legislation and the harbour workers made redundant were guaranteed a pension for life and other conditions. Can I ask the hon. Minister to confirm that, with the merging of these institutions, those responsibilities which Mauritius has taken as

far as the redundant harbour workers are concerned, will be taken over and guaranteed by the merged entity?

Mr Faugoo: Mr Speaker, Sir, the pension of these workers is already being paid and, in fact, we have managed somehow some years back to pay the pensions without having recourse to cess. The money which is being paid to these ex-workers doesn't come from cess money any more. This was already a first action which was taken by government, which came to help the small planters to keep in business, and the guarantee is there. This is their acquired right. From where they are going to be continued to be paid is a different issue. As I said, they are not being paid by the cess money, but I can give the guarantee that they are going to continue to get their pension, Mr Speaker, Sir.

Mr Bérenger: On 19 May, the hon. Minister said that the reduction of cess has recently been incorporated as one of the key performance indicators under the accompanying measures for the sugar protocol, which involves the disbursement of around Rs2.5 billion under the General Budget Support Programme from the European Union. Did this idea of incorporating fully as one of the key performance indicators come from our side or was it a key condition put by the European Union?

Mr Faugoo: Mr Speaker, Sir, this was something which was jointly worked out by the Ministry of Finance and the EU. I don't deal with this aspect precisely, but if there is a specific question, it should be addressed to the hon. Minister of Finance and Economic Development.

Mr Ganoo: Since the hon. Minister has now confirmed that in the process of the reform of the cess funded institutions, there will be a downsizing of some 408 employees, will he indicate to the House whether the Joint Committee has made any proposal as to who will finance the cost of the reduction of this workforce? Will it be the sugar industry ...

Mr Speaker: The hon. Member must let the hon. Minister answer. He has put the question as to who will finance.

Mr Ganoo: I just wanted to refer the hon. Minister...

Mr Speaker: Who will finance?

Mr Faugoo: In fact, it was clearly stipulated in the ERCP that the cost of whatever reform that we are going to bring in the SPIs is going to be borne by the sugar industry. It has

also been said that there will be some kind of line of credit which will be open to them with the terms and conditions that have to be worked out with the Ministry of Finance and Economic Development, Mr Speaker, Sir.

Mr Fakeemeeah: Mr Speaker, Sir, although all these measures announced to the House have been taken before and are ongoing, there is still an ongoing crying to the effect that the hon. Minister never pays any attention to them and their suffering. Perhaps...

Mr Speaker: I am sorry. This is Question time; this is not Statement time or debate time. The hon. Member has to put his question.

Mr Fakeemeeah: The question is: why are they still feeling that the hon. Minister never pays attention to them and to their suffering? Perhaps, through my answer, they would have a word of relief.

(Interruptions)

Mr Faugoo: I don't know in which world the hon. Member lives, Mr Speaker, Sir. EU and all the international organisations are recognising what we are doing for the small planters. I refuse to answer to the hon. Member's question, Mr Speaker, Sir.

(Interruptions)

Mr Speaker: Order! Order! I have said order!

Mr Guimbeau: Mr Speaker, Sir, can the hon. Minister...

(Interruptions)

Mr Speaker: I have said order!

Mr Guimbeau: ... table the fees, allowances and benefits paid to each Board member of those institutions?

Mr Faugoo: The hon. Member should come with a Parliamentary Question, Mr Speaker, Sir, because it has nothing to do with the PNQ.

Mr Bérenger: Mr Speaker, Sir, the hon. Minister has found that it would be premature to table a copy of the report of the Joint Committee. But he confirmed that, before the end of June, Cabinet agreed to the restructuring plan and to the principle of reducing cess money to Rs287 m.

for the 2011 sugar crop. I am sure that government must have written to the European Union confirming this, setting in stone the conditions which government is agreeing to. Can we have a copy of that last communication from government to the European Union on the matter discussed here? Can a copy of that latest correspondence be laid on the Table of the Assembly?

Mr Faugoo: All I can say, Mr Speaker, Sir, is that this was done; but, again, this was done by the Ministry of Finance. I understand that this was communicated in a correspondence, which dates back to 26 June 2011 by the Ministry of Finance and Economic Development, because it is that Ministry which is responsible and liaise with the EU. The question should ideally be addressed to the Ministry of Finance, Mr Speaker, Sir.

Mr Speaker: Questions addressed to Dr. the hon. Prime Minister. The Table has been informed that PQ B/671 has been withdrawn. Hon. Ms Deerpalsing!

BELLE ROSE & LA SOURCE - POLICE STATION

(No. B/664) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the region between Belle Rose and La Source, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if consideration will be given for the putting up of a police station thereat.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that the region from Belle Rose to La Source is covered by both the Rose Hill and Quatre Bornes Police Stations. The region is assessed as being adequately policed, and the crime rate in that specific region has decreased by 20% over the last three years. The police do not feel that, at this stage, and given its level of resources, there is a need for a new police station thereat.

In line with the National Policing Strategic Framework, greater emphasis is also being laid on Community Policing in the region. This concept is a core aspect of modern policing, whereby public concerns and expectations are taken into account, with a view to improving the quality of policing service in any area.

Ms Deerpalsing: Mr Speaker, Sir, may I ask the hon. Prime Minister if he could ask the Commissioner of Police to kindly reconsider this? In the Sodnac region, the voting centre that is just adjacent to the Sodnac Police Station covers an area of 4,000 *électeurs*. The region I am

talking of has about 12,000 people; the density of the region is much, much higher than the Sodnac area. As the hon. Prime Minister has said, the police have to work with the community. Can I ask the hon. Prime Minister whether the Commissioner of Police can reassess this?

Mr Speaker: The hon. Member is making a statement!

The Prime Minister: My understanding is that because Belle Rose is found about 1.2 kilometres from the Rose Hill Police Station and about 2.4 kilometres from the Quatre Bornes Police Station, whereas La Source is found at around 2.2 kilometres from the Quatre Bornes Police Station, that is why the whole region falls under both stations, that is, Quatre Bornes Police Station and Rose Hill Police Station. I don't know whether that satisfies the hon. Member, because she mentioned about the population.

Ms Deerpalsing: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he is aware that, from Quatre Bornes, the next police station going towards Palma and La Source region is Flic en Flac and, on the other side, from Rose Hill, the next Police Station is Bambous? I am talking about not only the region of La Source and Belle Rose, but also straddling Constituency No.14 for Palma and down Palma region. There is more density; it is not just Constituency No. 18, but the area straddling Constituency No. 14 as well, which is not serviced by that police station at all. What I mean is that it services, but the resources are stretched.

The Prime Minister: I take note of what the hon. Member is saying, Mr Speaker, Sir. I know that the Commissioner of Police is in the process of reassessing certain areas, as to whether they might need a permanent police presence or not. The crime rate, the population and the distance are taken into account. I will certainly ask the Commissioner of Police to have a look at those areas that the hon. Member has mentioned.

ALBION POLICE STATION - LARCENY CASES, STAFF & EQUIPMENT

(No. B/665) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Albion Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of -

- (a) cases of larceny and/or larceny with violence reported thereat over the past two years, indicating the additional measures that will be taken for the prevention thereof, if any;
- (b) police officers presently posted thereat, indicating the number thereof working at any one shift, and
- (c) vehicles attached thereto.

The Prime Minister: Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that, over the past two years, the number of cases of larceny reported at the Albion Police Station was as follows -

<u>Year</u>	<u>Number of cases reported</u>
July 2009 to June 2010	91
July 2010 to June 2011	52

The police have taken the following measures to crack down on larcenies in the region of Albion -

- regular road blocks and stop and search operations are undertaken with the support of the Divisional Support Unit, the Emergency Response Service, the Divisional Traffic Police, the local CID, the National Coast Guard and the ADSU;
- there is a visible police presence through foot, mobile and bike patrol, paying particular attention to residential areas and public beaches. Special patrol schemes are in place with the participation of the Divisional CID, the National Coast Guard, the Divisional Support Unit and the Police Dog Unit;
- Community Policing forums are organised to enlist the collaboration of the members of the public in the prevention and detection of offences in the region. In 2010, 21 Community Policing forums were organised and, so far, this year, 19 have been held, and
- the Emergency Response Service provides round-the-clock patrol throughout the Albion Police Station area.

In regards to parts (b) and (c) of the question, it would not be proper, for security reasons, Mr Speaker, Sir, to provide such information, as requested by the hon. Member. However, I would like to assure the House that, having regard to the distribution of police officers and vehicles in the Police Force, the Albion Police Station is adequately staffed and equipped.

Mr Quirin: Mr Speaker, Sir, can the hon. Prime Minister inform the House if the Commissioner of Police has received complaints from the inhabitants of Albion Village concerning the doubtful conduct of some police officers, who regularly use to drink beer in police vehicles near the Albion public beach instead of doing their job properly? Is the hon. Prime Minister aware of this situation?

The Prime Minister: No, I am not aware of this, but I will certainly ask the Commissioner of Police to look into the matter.

AUTOCYCLES/MOTORCYCLES - MODIFIED SILENCERS

(No. B/666) 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 the auto cycles and/or motorcycles equipped with modified silencers and emitting loud noises when being run, he will -

- (a) for the benefit of the House, obtain from the Commissioner of Police, information as to the number of -
 - (i) riders thereof booked, since October 2009 to date, division-wise, and
 - (ii) detectors presently available to measure the amount of decibels generated, and
- (b) state if consideration will be given for the introduction of a fixed penalty in relation thereto.

The Prime Minister: Mr Speaker, Sir, emissions of loud noises by vehicles are regulated under Regulation 83(3) of the Road Traffic (Construction and Use of Vehicles) 2010.

Furthermore, the Road Traffic (Control of Vehicle Emissions) Regulations 2002 provide that the maximum permissible noise level in respect of new motorcycles and auto cycles is 79

decibels and for motorcycles and auto cycles in use is 83 decibels. Exceeding this level of noise is an offence, and a person contravening this provision is liable to a fine not exceeding Rs10,000.

In regard to part a (i) of the question, I am tabling the information requested by the hon. Member.

In regard to part a (ii) of the question, I am informed that the two examination centres of the National Transport Authority are equipped with noise meters to carry out noise emission tests on vehicles suspected of emitting noise exceeding the prescribed levels.

In order to ensure a more effective enforcement of the relevant legislation on vehicular emissions, a committee, chaired by the hon. Minister of Environment and Sustainable Development and comprising representatives from various other Ministries concerned and organisations, was set up in June 2010. The committee decided to look into the procurement of equipment required for a better control of black smoke emissions from diesel-driven vehicles and noise pollution in general, including motorcycles and auto cycles. To that effect, it was decided to procure ten sound level meters and ten smoke meters for enforcement purposes.

The tendering exercise for the supply of these equipments is under way, and it is expected that these equipments would be available in three month's time.

In regard to part (b) of the question, the Fourth Schedule of the Road Traffic Act 1962 already provides for a fixed penalty of Rs1,000 in relation to excessive noise emanating from motorcycles and auto cycles. I have asked my colleague, the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping, to review the legislation with a view to see whether, in fact, we need to provide for tougher penalties for these offences.

Mr Nagalingum: M. le président, il existe des groupes de jeunes qui font des courses presque tous les soirs, principalement à l'approche du week-end ; ils viennent un peu de partout dans la capitale. La police est-elle au courant de cela?

The Prime Minister: I think this was mentioned in one PQ earlier on. The police are aware of this and are putting up crack down operations for this, Mr Speaker, Sir.

Mr Nagalingum: It seems that, up to now, fines have not acted as deterrents. Will the hon. Prime Minister consider introducing more severe measures?

Mr Speaker: The Prime Minister has just answered that the matter is been looked into by the Minister of Public Infrastructure to toughen the penalty, if need be.

HADJ 2010 - OPERATOR LICENCE

(No. B/667) 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 Islamic Cultural Centre, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if any allegation of illegal issue of operator licence for the Hadj 2010 by the Centre has been reported and, if so, if an inquiry has been carried out thereinto, indicating the outcome thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that, on 01 June 2011, a declaration was made at the Plaine Verte Police Station, alleging that since the year 2009, the Chairperson of the Islamic Cultural Centre, is issuing illegal permits to Hadj operators for the organisation of Hadj, contrary to the provisions of the Regulations made under the Islamic Cultural Centre Trust Fund Act. Police enquiry into the matter is ongoing.

Mr Uteem: As the hon. Prime Minister is aware, under the Regulation that he has just cited, any applicant who wants to become a Hadj operator needs to submit evidence that they've secured accommodation in Saudi Arabia before they get the permit. Is the hon. Prime Minister aware that, last year, three organisations that were licensed by the ICC did not have the required permit from the Saudi Arabia authorities?

The Prime Minister: I am not involved in the issuing of license of permits from Saudi Arabia. I know that there have been problems from Saudi Arabia itself. They have, at one point, refused to allow certain organisations to have the permits. I don't want to prejudice any investigation that is going on by the police but, from what I know, in fact, it was a blanket prevention, and that is why the Chairperson had to go and explain that not everybody is not adhering to that; that is the explanation that have been given.

Mr Uteem: In an answer to a PQ, the hon. Minister of Arts and Culture has deposited in the Library of the National Assembly a document which shows that the Saudi Arabian authorities have taken sanctions against three operators for failing to provide accommodation. But, what is more disturbing, is the hon. Prime Minister aware that, after the Saudi authorities have taken

sanctions against these operators, the current Chairman of the ICC wrote to the Saudi authorities and told them to reconsider and revisit their decision to suspend an operator? I am tabling a copy of a letter by the Chairman of the ICC to that effect.

The Prime Minister: Frankly, I see no harm if they have made an appeal to him and asked them to reconsider. I can't see where the harm is.

Mr Uteem: The harm, Mr Speaker, Sir, is that the ICC has issued licenses to Hadj operators in breach of a Regulation, and the pilgrims were left in Saudi Arabia without accommodation. Instead of the ICC taking sanction against those who have breached the law, they are encouraging and pleading in favour of these operators. In these circumstances, will the hon. Prime Minister agree with me that it is urgent that the Chairman of the ICC steps down and the Board that is responsible for the issue of new license for Hadj operators ...

(Interruptions)

For the credibility of the institution he should be asked to step down.

The Prime Minister: Mr Speaker, Sir, I don't know whether this would be the solution. In fact, I must tell the hon. Member that the Chairperson of the Islamic Cultural Centre played a vital role to bring down the prices for the Hadj pilgrims, and I am thankful to him that he did this, because it was through his intervention and some other people also that this was done. In any case, the Saudi Officials will not allow anybody to operate illegally in their country. So, whether he has made an appeal, whether that is illegal, we will see what happens and, in any case, the police are enquiring into the matter.

Mr Ameer Meea: Mr Speaker, Sir, with regard to the Islamic Cultural Centre, is the hon. Prime Minister aware that from 2006 till 2011 there are no audited accounts from this institution?

Mr Speaker: No, I am sorry. This question concerns allegation of illegal issue operator licence and, therefore, the supplementary question does not arise.

Mr Hossen: Mr Speaker, Sir, I have viewed with much concern - but it is not surprising - that the way the question has been put casts doubt on...

Mr Speaker: I am sorry. The hon. Member cannot question the way the question has been put.

Mr Hossen: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he will reiterate his commitment and that of his government that this government, the ICC and all other authorities will leave no stone unturned towards the betterment of the ...

Mr Speaker: No, no. I am sorry. This question speaks about allegation of illegal issue.

Mr Fakeemeeah: Will the hon. Prime Minister agree with me that such an issue of pilgrimage is above party politics? He should ...

Mr Speaker: I am sorry! We are talking of allegation of illegal issue of operator licence; your question should relate to this.

Mr Fakeemeeah: Will the hon. Prime Minister look into the possibility of setting up of a Select Committee to study the whole issue? Year after year, we ...

Mr Speaker: Question not allowed! Next question, hon. Leopold!

RODRIGUES - COMMISSION FOR STATE LAND - INCIDENT

(No. B/668) Mr C. Leopold (First Member for Rodrigues) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Commission for State Land, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if any incident has been reported to have occurred at Citronelle, in Rodrigues, on or about 29 June 2011, in relation thereto, and if so, indicate the -

- (a) nature thereof;
- (b) actions taken, and
- (c) measures that are being taken to ensure the security of the Commissioners, during and after working hours.

The Prime Minister: Mr Speaker, Sir, in regard to parts (a) and (b) of the question, I am informed by the Commissioner of Police that, on 29 June 2011, at 1033 hours, the Port Mathurin Division Operations Room received a telephone call from the Departmental Head of the Commission for Agriculture, Food Production, Forestry, Plant and Animal Quarantine, State Land and Town and Country Planning, requesting police assistance as some persons had assembled at his office and were acting in a hostile manner.

When the Port Mathurin police personnel arrived on the site, the persons had left. At 1140 hours on the same day, police arrested two persons, namely Mr A. R. and Mr J. R. They were brought to the Port Mathurin Police Station for enquiry.

On 30 June 2011, a provisional charge of “*threatening verbally*” was lodged against them before the Rodrigues Court. They were remanded to police cell up to 06 July 2011.

On 08 July 2011, Mr J. R. was released on bail before the Rodrigues Court after furnishing a surety of Rs6,000 and entering a recognizance of Rs30,000. He is also required to call weekly at the Port Mathurin Police Station.

Mr A. J. is still remanded to police cell. Police are pursuing its enquiry into the matter.

In regard to part (c) of the question, the Commissioner of Police has already taken action to post one police constable at all Commissions during working hours, and police officers are provided at places where Commissioners usually receive members of the public.

After working hours, police carry regular patrols in the vicinity of the different Commissions and the Commissioners’ residences.

Mr Leopold: Mr Speaker, Sir, is the hon. Prime Minister aware that the two persons were arrested only after they visited the third Commission on the very same day and they were on their way to the fourth one? What is gathered is that the group action was well planned and organised. They were transported and left in the vicinity of the Commission by, at least, one member of the minority. That is why this action is qualified as being of terrorism in the island. Is the hon. Prime Minister aware of this?

The Prime Minister: As I said, they have been arrested and one is still remanded to police cell. The enquiry is going on. All this will come out.

Mr Leopold: Can I ask the hon. Prime Minister whether the visibility of police at the office of Commissioners will be increased further in terms of patrol and posting of more than one officer, particularly on Wednesdays when they have to receive public at the seat of the Commissioner’s Office, since we do not have Citizens Advice Bureaux in Rodrigues? This will be a means of deterring those who want to threaten the Commissioners.

Mr Speaker: That is a comment!

The Prime Minister: I have mentioned, Mr Speaker, Sir, that the police have already started taking action. They have put one police constable at all the Commissions, and police officers are provided at places where Commissioners usually receive members of the public. He has also put at the different Commissions...

(Interruptions)

But I will ask whether he can put additional police officers.

Mr Speaker: Next question!

RRA - MINORITY MEMBER - POLICE HEADQUARTERS - INCIDENT

(No. B/669) Mr C. Leopold (First Member for Rodrigues) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if any Member of the minority of the Rodrigues Regional Assembly has been reported to having been involved in any incident at the Police Headquarters of Port Mathurin, on or about 29 June 2011, and if so, indicate the -

- (a) nature thereof, and
- (b) actions taken.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that no incident was reported at the Police Head Quarters of Port Mathurin on or about 29 June 2011 involving any Member of the minority of the Rodrigues Regional Assembly.

However, I am informed that, on 29 June 2011, at around 1350 hours, a Member of the minority of the Rodrigues Regional Assembly called at the office of the Divisional Commander, Rodrigues, regarding the release of two persons who had been arrested earlier on the same day by the police for creating disorder in the office of the Commissioner which we just mentioned - Commissioner of Agriculture, Food Production, Forestry, Plant and Animal Quarantine, State Land and Town and Country Planning.

When the Member of the minority called thereat, the Commissioner was inside the office of the Divisional Commander and was giving his statement. The Member allegedly barged in and reportedly made certain remarks.

The Commissioner of Police has informed that the remarks made by the Member did not disclose any offence and hence, no police action has been taken against him.

Mr Leopold: Mr Speaker, Sir, I am afraid by the answer given by the hon. Prime Minister.

Mr Speaker: No, if the hon. Member is not satisfied with the facts that have been given to the hon. Prime Minister, he can raise the matter at adjournment time and give his version.

Mr Leopold: Mr Speaker, Sir, is the hon. Prime Minister aware that, on that very day, I was on the spot and it was very disturbing and shocking what happened at the police station, particularly at the office of the Divisional Commander, when this Member of the minority even invited people *pour commettre une émeute* at the police station of Port Mathurin? Now, the police come to say that...

Mr Speaker: No. The question should be whether the minority Member invited people to commit an *émeute* at that time.

(Interruptions)

The Prime Minister: That is not the information that I have received, but if that is the case, I would suggest that the hon. Member also makes a statement and the police can look into it, especially since he was there.

(Interruptions)

Mr Speaker: Order! Order!

Mr Leopold: Mr Speaker, Sir, this is a very serious and shocking issue. Being given that it...

Mr Speaker: The hon. Member cannot make comments on the answer. He must put further questions to the hon. Prime Minister to ask for clarification on what he has just said. If you think that you are not satisfied - that your version is totally different from what the hon. Prime Minister has said - then, you can raise it at adjournment and put your case forward.

Mr Leopold: Mr Speaker, Sir, can I know from the hon. Prime Minister whether any *mot d'ordre* or whatsoever has been given to the police of Rodrigues to the effect that anything that is committed by this Member of the minority is not recorded? How is it that, up to now, he has not

been arrested for what he has done at the police station of Port Mathurin and in the office of the Divisional Commander?

The Prime Minister: Actually, no such order has been given, but if the hon. Member - as I said, he was there - made a statement, this would certainly be taken into account, because the Commissioner of Police also was not there. So, we have to rely on the version that we get. But if the hon. Member has made a statement saying what he is saying now, we'll certainly re-look into the matter.

Mr Leopold: Mr Speaker, Sir, can I ask the hon. Prime Minister whether he is satisfied with the report of the NSS given by the police of Rodrigues?

Mr Speaker: The hon. Prime Minister cannot be satisfied; the hon. Prime Minister gets information from the Commissioner of Police and answers to the House. Now, if the hon. Member has got a different version, he has to put his version here in the House. The hon. Prime Minister will verify and reply to the hon. Member. But the hon. Member cannot ask whether the hon. Prime Minister is satisfied; the hon. Prime Minister gets the information. That's all. Next question!

VALLÉE DES PRÊTRES - FATAL ROAD ACCIDENT

(No. B/670) **Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, following the fatal road accident which occurred on the Royal Road, at Vallée des Prêtres, on 30 June 2011, he will state if he has received representations from the inhabitants of the locality for the taking of measures to prevent the recurrence of similar accidents and, if so, the actions taken, if any.

The Prime Minister: Mr Speaker, Sir, my Office has no record of any representations from the inhabitants of Vallée des Prêtres regarding measures to be taken to prevent the recurrence of fatal accidents in that region.

However, I am informed that the road in the vicinity of the accident is relatively flat but has a curve. The road is provided with footpaths on both sides, except for a small portion where there is a wide-open drain, which is fenced with handrails. Pedestrian crossings as well as guard rails have been installed to enhance road safety. The Traffic Management and Road Safety Unit

(TMRSU) has recently repainted the road markings there. The centre line road marking has been changed from permissive to no-overtaking type and a 'SLOW' road marking has been painted near the bend.

Being given that Vallée des Prêtres is located in a mountainous region with a rough topography and the fact that the main road has a steep gradient and several sharp bends, the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping has been requested to carry out a road safety audit and to come up with recommendations to improve road safety in the region.

The police, on its part, are carrying out regular patrols to ensure compliance with road traffic regulations. Community Policing fora are held by the Officer-in-Charge of Abercrombie Police Station with a view to sensitising the public on road safety aspects.

Mr Lesjongard: I thank the hon. Prime Minister for his reply. He confirms that road markings have been carried out only after the accident has occurred. Is he aware that for the other part of the road, which is about 5 kms long, no road markings have been carried out until now?

The Prime Minister: As I explained, the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping is carrying out an audit, and they will see whether the road markings have to be repainted over again.

Mr Lesjongard: May I ask the hon. Prime Minister whether he has also been informed that, at places, after reinstatement works have been carried out following sewerage works, the manhole covers are above the road level?

The Prime Minister: I suppose when they will do the audit, they will have a look at that. That is something that happens not just there; it happens in many areas. I, myself, have drawn the attention of those who do this, that, very often, they just increase it. All this has been...

(Interruptions)

Mr Speaker: Order! Order! The hon. Member has the right to put a question! I don't know why the hon. Minister is getting excited! Please! Order! Next question!

GOLD JEWELS & ORNAMENTS - THEFT

(No. B/671) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to gold, gold jewels and ornaments, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of -

- (a) theft thereof, since 2005 to date, indicating -
 - (i) the number of convictions secured, and
 - (ii) in each case, the value thereof and the quantity involved in grams, and
- (b) dealers thereof involved in illegal dealings thereof.

(Withdrawn)

ROSE BELLE - VEHICLES - CONTRAVENTIONS

(No. B/672) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the village centre of Rose Belle, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of contraventions booked over the past six months in relation to vehicles parked on the double-yellow lines on the Royal Road thereat, indicating -

- (a) if it is a cause of traffic congestions thereat, and
- (b) the remedial measures that will be taken.

The Prime Minister: Mr Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that the main road running across the village of Rose Belle is of a distance of about one and a half kilometre long, and is a densely built-up area with predominantly commercial buildings. There are also ten bus stops along that road and a market in the vicinity. The intense commercial and other activities along the road increase the number of vehicles, generating an important volume of local traffic. The village centre is a no-parking zone where double-yellow lines and single-yellow lines exist along both sides of the road.

Over the past six months, 791 contraventions have been established at Royal Road, Rose Belle for various traffic offences such as failing to comply with traffic signs, parking in prohibited area and on pavement, including 38 in respect of parking on double-yellow lines.

In regard to part (b) of the question, nine police officers from the Rose Belle Police station are deployed daily along the Royal Road of Rose Belle to regulate the traffic flow. Four additional police officers are deployed on the days when the market fair is held. These police officers are reinforced by staff from the Support Units, namely five police officers daily from the Emergency Response Service, the Divisional Traffic Police and the Divisional Support Unit with two additional police constables on market fair days.

Mr Speaker, Sir, I am informed by the Police that the issue of management of traffic in the whole area of Rose Belle is being re-looked at in a more holistic manner in the light of the ongoing and future commercial developments in the region.

Mr Seeruttun: Mr Speaker, Sir, some time back, there has been a campaign launched by the Road Safety Unit to sensitise people of the region about safety measures to be taken on the road. Has there been any assessment of that campaign carried out lately to see if it has impacted positively upon the road users of the region?

The Prime Minister: There has been no such impact assessment. It is difficult because of the man-hours and the personnel that we have. I suppose something must have been transmitted hopefully.

PRISONERS - CONVICTIONS

(No. B/673) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the commission of a subsequent offence following release from imprisonment, he will, for the benefit of the House, obtain from the -

- (a) Commissioner of Police, information as to the rate thereof, and
- (b) Commissioner of Prisons, if any evaluation of the effectiveness of the rehabilitation function of imprisonment in Mauritius has been carried out and, if so, the outcome thereof.

The Prime Minister: Mr Speaker, Sir, I am circulating information provided by the Commissioner of Prisons relating to prisoners having more than one conviction during the period 2000 to 30 June 2011. I am informed that the majority of the offenders going back to prisons are persons having committed drug-related offences.

I am further informed by the Commissioner of Prisons that the rehabilitation programmes are constantly being reviewed. These programmes are being conducted in collaboration with other government departments and NGOs and provide an opportunity for detainees to learn skills in many fields such as agriculture, animal husbandry, masonry, automotive body repairs, garment making, wood trade and also literacy and numeracy. These programmes are mainly to enable detainees to earn a livelihood after their release.

The rehabilitative package offered by the Prisons Department also includes spiritual courses by appropriate organisations in order to promote the ethical and moral values, which normally prevent offending behaviour.

In 2008, 1,389 detainees have participated in the various rehabilitation programmes at the Prisons Department, whereas in 2009 the number was 1,462.

Mr Speaker, Sir, in the Government Programme 2010-2015, it is stated that government will step up rehabilitation programmes, literacy and numeracy courses to be provided to detainees with the assistance of non-governmental and other voluntary organisations. Also wide consultations will be undertaken with NGOs, the “*forces vives*” and researchers, with a view to elaborating a long term reform of the prisons service, including the rehabilitation of detainees to meet the requirements of a modern country.

The Prisons Department has solicited the assistance of the University of Technology to conduct a study on incarceration and recidivism as well as an analysis of the effectiveness of the rehabilitation programmes. In this context, a national workshop was held on 30 June and 01 July 2011. The report of the national workshop, including recommendations is being finalised.

The Ministry of Social Integration and Economic Empowerment is also working on projects in collaboration with NGOs to provide work opportunities to former detainees. Additionally, the Ministry has commissioned the National Economic and Social Council (NESC) to conduct a study on social inclusion of stigmatised and vulnerable groups, including former detainees.

Mr Speaker, Sir, the Lotus Centre which was set up at the Central Prison, Beau Bassin, to rehabilitate detainees convicted of drugs and drug-related offences is being reactivated. The Centre is providing training to peer educators among detainees. 14 Prison Officers have been

trained to provide appropriate therapy to detainees with the assistance of the hospital officers, the psychologists and the NGOs. Emphasis is laid on values, attitudes and life skills. The Lotus Centre Project will eventually be extended to all penal institutions.

Further, my Office has also approached the United Nations Office on Drugs and Crime with request for assistance for the development of a strategic framework for the Prisons Department, including rehabilitation and treatment intervention programmes and re-integrative planning for prisoners returning to the community.

Mr Obeegadoo: Since, from the Prime Minister's own admission, the majority of prisoners, including those who re-offend, are drug users, will he agree to the MMM's proposal that we should review the approach to drug users in prison so that they be treated not as common criminals, but as sick persons, prioritising de-addiction programmes, the medical and psychological side to de-addiction programmes, and the cost effectiveness of imprisonment be judged by the number we managed to wean off drugs?

The Prime Minister: This is something that is ongoing. I know the Prison Officers, especially the new Commissioner of Prisons who is already trying to do that. In fact, he is going later on to have a look at what is being done in other countries.

Mr Obeegadoo: Will the hon. Prime Minister agree that we need to take a new initiative, working with NGOs, to ensure follow-up of each and every prisoner who is released in the interest of their successful reinsertion in society?

The Prime Minister: This depends on whether we have the resources to do it; even the NGOs. We cannot go and follow each and every person who is released. We can try to work collaboratively, but following each person is going to be difficult.

Dr. S. Boolell: May I ask the hon. Prime Minister whether he would consider having a half-way house between incarceration and freedom, to allow a better rehabilitative process, that is, a kind of release of the prisoner before, under some form of sheltered accommodation, get him into freedom and at the same time he can be reprogrammed? It is a concept which applies in many countries.

The Prime Minister: I understand the hon. Member is saying that, but I am not in favour of it.

Mr Speaker: Time is over!

(Interruptions)

Questions addressed to hon. Ministers! The Table has been advised that Parliamentary Questions No. B/682, B/685 and B/691 have been withdrawn.

ROAD USERS - COURTESY ON THE ROAD CAMPAIGN

(No. B/675) 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 the road users, he will state if consideration will be given for the carrying out of a nation-wide campaign on *Courtesy on the Road* by his Office.

Mr Bachoo: Mr Speaker, Sir, I am informed by the Traffic Management and Road Safety Unit of my Ministry that Road Safety Campaign of this year focuses on the “Use of Seat Belt”, “Pedestrian Safety” and ‘Drink Driving’. Given the types of accidents we have been witnessing, these issues require priority of consideration in order to sensitise people and to save lives.

However, the factor regarding courtesy on the road is being taken into account in this campaign and others scheduled for next year.

Ms Deerpalsing: Mr Speaker, Sir, in his answer, the Minister said that there are campaigns for road safety. But we have not seen billboards to encourage people to be more courteous on the road, be it pedestrians, drivers or anybody else.

Mr Bachoo: Mr Speaker, Sir, in fact, talks are being conducted in schools, colleges and primary schools as well. The children are being taught how to use the roads properly. At the same time, we have already organised programmes on TV and radio also regarding courtesy on the roads. I can assure the hon. Member that we looking into this issue properly.

Mr Bérenger: Can I take one example where a nation-wide campaign on courtesy on the road could produce results? It is something which the hon. Prime Minister mentioned outside this House. On the motorway, regularly drivers who are driving slowly stay on the extreme right. Can action be taken or does it need regulations to be produced?

Mr Bachoo: Mr Speaker, Sir, in fact, the hon. Prime Minister has taken the decision to tighten the laws. Actually, the fine that is being paid by drivers is so minimal that nobody cares

for that. The hon. Prime Minister has already given his word to the house that he is going to tighten the laws.

Mr Obeegadoo: Mr Speaker, Sir, to follow up from the question of the Leader of the Opposition and hon. Ms Deerpalsing, rather than focusing on repression only, given that now the motorways are being expanded to three lanes, is there not a need for an imaginative campaign using billboards, giant posters, media, television, radios and newspapers to educate drivers?

Mr Bachoo: Mr Speaker, Sir, in my answer, I have already stated that TV and radio programmes are being conducted and then, of course, the billboards issue will also be taken care of.

Dr. S. Boolell: Mr Speaker, Sir, would the hon. Minister not rather consider empowering the NGOs to do the job rather than the Ministry, which has been embarking on several campaigns quite ineffectively?

Mr Bachoo: Mr Speaker, Sir, I find it very strange that such a thought comes from the mouth of a Member of Parliament.

(Interruptions)

I don't consider any of these measures to be ineffective, because I know what we are doing. In fact, we are going to continue and we going to strengthen our campaigns, consolidating them properly, and the hon. Member will see the results in the forthcoming months.

Mr Ganoo: In other countries, a sort of '*observatoire*' is set up and competitions are organised informally without the knowledge of drivers to reward courteous drivers. Can the hon. Minister give some thought to that possibility?

Mr Bachoo: We will look into this, Mr Speaker, Sir.

SPORTS ACT - AMENDMENT

(No. B/676) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the proposed amendments to be brought to the Sports Act, he will give details of the recommendations made by the committee set up to look thereinto, indicating when same will be introduced in the House.

Mr Ritoo: Mr Speaker, Sir, the Committee set up to look into the rules of sports federations and review the proposed amendments to the Sports Act, submitted its recommendations to me in December 2010.

The submissions of the Committee have been examined by officers of my Ministry and the State Law Office, and have been inserted in the final draft of the Sports (Amendment) Bill.

However, being given that the Bill is still in the process of being approved by the government, it would not be appropriate to give details of its contents at this stage.

I am proposing to introduce the Bill in the National Assembly after the Indian Ocean Islands Games.

Mr Quirin: M. le président, est-ce que le ministre peut nous dire si toutes les fédérations olympiques et non-olympiques ont été consultées dans le cadre de ces amendements à venir ?

Mr Ritoo: Effectivement, M. le président.

Mr Quirin: Est-ce que le ministre peut nous confirmer si effectivement toutes ces fédérations ont soumis des propositions ?

Mr Ritoo: La plupart des fédérations ont soumis leurs propositions au comité.

SCAFFOLDINGS - ACCIDENTS

(No. B/677) **Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the scaffoldings, he will state the number of accidents that have occurred in relation thereto, since 2005 to date, indicating

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- (a) the number of victims thereof, and
- (b) where matters stand in relation to the proposed amendments to be brought to the Occupational Safety and Health Act 2009 in connection therewith.

The Minister of Industry and Cooperatives (Mr S. Soodhun): Mr Speaker, with your permission, I shall reply to this question.

Sir, during the period 2005 to date, 35 occupational accidents in relation to scaffoldings have been notified to the Occupational Safety and Health Inspectorate of the Ministry of Labour,

Industrial Relations and Employment. These accidents involved 41 persons, out of whom four sustained fatal injuries and 37 were seriously injured.

As regards part (b) of the question, in view of the fact that the Ministry has, in April this year, promulgated the Occupational Safety and Health (Scaffold) Regulations 2011 made under the Occupational Safety and Health Act 2005, the need to amend the Act does not arise. I am tabling a copy of the Regulations.

Mrs Ribot: Mr Speaker, Sir, I would like to know from the hon. Minister what was the outcome of the enquiries carried out by the Ministry on the preceding scaffolding accidents, especially those involving death of the workers.

Mr Soodhun: Mr Speaker, Sir, I need notice of this question.

Mr Uteem: May I know from the hon. Minister whether he is aware if there has been any prosecution carried out against the employers?

Mr Soodhun: I am sure that the enquiry is on and they are going to pursue the case.

Mr Barbier: May I know from the hon. Minister what is the mechanism set to see whether this is being applied to and whether there are regular checks from officers of the Ministry to see to it that they are taking care of these workers, especially those who are building scaffoldings?

Mr Soodhun: Mr Speaker, Sir, there is regular inspection carried out by the health and safety officers. In fact, they are now following courses for training together with the contractor, and my Ministry holds regular seminars.

Mrs Ribot: I would like to know from the hon. Minister whether he is aware if the families of the deceased workers have been paid any damage by the contractors.

Mr Speaker: He needs notice of that.

Mr Soodhun: In fact, I know that the hon. Minister is doing the necessary.

STREET CHILDREN PROJECT

(No. B/678) **Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Minister of Education and Human Resources whether, in regard to the children, he will state if a survey thereof under sixteen who are not attending school, since 2005 to date, has been carried out,

indicating if consideration will be given for the re-introduction of the *éducateurs de rue* to take care of them.

Dr. Bunwaree: Mr Speaker, Sir, with regard to the first part of the question, which involves many institutions and Ministries apart from mine, I wish to inform that there has been no formal survey carried out as such by my Ministry to identify specifically children under the age of sixteen not attending school. However, the Statistical Unit of my Ministry carries out an annual survey which covers, *inter-alia*, enrolment at pre-primary, primary and secondary school levels. Since last year, at my request, the survey also includes children in the Special Education Needs Sector.

The Net Enrolment Ratio (NER) for the year 2010, with respect to the different education sub-sectors are as follows -

Pre-primary	-	93%
Primary	-	96%
Secondary 11- 16 years	-	88%
Up to 19 years	-	67%

Mr Speaker Sir, I wish to highlight that for the secondary school sub-sector, those who are out of the formal school system include -

- A number of unsuccessful CPE students who do not enrol for the pre-vocational stream.
- Students enrolled in the prevocational stream and who do not complete their cycle.
- Students in the main stream who leave the system because they have failed a particular grade twice.

I must point out, Mr Speaker, Sir, that all those who fail the CPE twice are given the opportunity to join the pre-vocational stream with 3-year schooling, which will soon be 4 years, and the pre-vocational stream has a greater number of drop-outs than the mainstream.

A survey was conducted in 2010 to trace those students who has been allocated a seat for the year 2010 in the pre-vocational stream but who had not responded to that offer. Out of a sample of 299 students surveyed, 213 only were attending schools.

In line with the commitment taken by government under its Programme to the effect that no child should be left behind, this year, an exercise has been initiated to cover all who have not taken the offer at the beginning of 2011. This will form part of a larger survey which my Ministry will carry out, before the end of the year, to determine all out of school children including those at pre-primary, primary and secondary sub-sectors. This will be done in collaboration with the Ministry of Social Security, the Ministry of Social Integration, the Ministry of Gender Equality, and the Ministry of Health. In this context, my Ministry has just availed itself of the services of a social statistician, with the support of UNDP, to reinforce capacity and obtain better and more precise statistics.

Mr Speaker, Sir, we are also adopting a holistic approach to address the problem of drop-outs of the Pre-voc sub-sector where drop-out is relatively higher than in the mainstream. In the context of the review strategy for the Pre-voc Sector, a Concept Paper has been worked out and will be the subject of discussion with relevant stakeholders during the course of a consultative workshop to be organised very shortly.

A key component of the review strategy will be the establishment of a permanent tracking mechanism to identify students who drop out, and this is on a regular basis. The tracking mechanism, once fully embedded in our system, will reinforce our statistical database on drop-outs and contribute towards further decreasing the drop-out rate in the sub-sector.

Mr Speaker, Sir, as regards the second part of the question on the proposal for re-introduction of the *éducateurs de rue*, I believe that the hon. Member is presumably referring to the Street Children Project set up in 2002 under the aegis of the Ministry of Social Security, National Solidarity and Reform Institutions, with the objective of improving the living conditions of neglected and abandoned children on the streets and to facilitate their social integration.

I am informed that the project was funded by the Trust Fund for the Social Integration of the Vulnerable Groups, UNICEF and UNESCO for enlistment of the services of street workers, training and consultancy. The project came to an end in 2006, after which the street workers set

up, with the help of the Ministry of Social Security, an NGO known as SAFIRE, which was paid a grant by the NGO Trust Fund. However, I am informed that, subsequently, the NGO has not been able to secure sufficient funding from the above sources and is still in operation.

My Ministry, Mr Speaker, Sir, will collaborate fully with all the other relevant Ministries in order to track this category of children and offer them the best possible education.

Mrs Ribot: Mr Speaker, Sir, is it clear that for the past few years the regulations concerning compulsory education up to age of 16 have not been implemented?

Dr. Bunwaree: It is being implemented, because if we compare Mauritius with other countries we are doing very well indeed but, of course, there is still work to be done.

Mrs Ribot: I would like to ask the hon. Minister whether he is aware that there is a close correlation between the number of *enfants de rue* going up and the *rajeunissement de la population carcérale*.

Dr. Bunwaree: This has to be looked into. I am not aware exactly of that. I have not gone into the figures, but I am not sure that the number of *enfants de rue* is going up. According to the figures I have, I see that we are progressing with the number of children at school.

Mr Obeegadoo: Mr Speaker, Sir, the figures given by the hon. Minister are truly scandalous. How does the hon. Minister reconcile...

Mr Speaker: The hon. Member cannot use the word 'scandalous'.

Mr Obeegadoo: How does the hon. Minister reconcile the figures just quoted, 96% only of enrolment in primary years and he says 88% for secondary, whereas in an answer given here in the House at the end of last year, for secondary, 11 to 15 age group mentioned, a net enrolment ratio was quoted as 72%? So, how can the hon. Minister reconcile the fact that 4% of our children are not in primary school and, at least, 12% - and may be much more not in secondary school - with the legal obligation placed upon the State to provide...

Mr Speaker: No, no, I am sorry. There is no need to quote the legal obligation. The Minister takes judicial notice of that.

Mr Obeegadoo: Then, Mr Speaker, Sir, how is it to be reconciled with the obligation of the State to ensure that each and every child aged between five and 15 is schooled?

Dr. Bunwaree: The age of children at secondary school, under the statistics, is from 11 to 16, and I have said in my reply - this is why I mentioned it; I could have not mentioned it - that dropouts in the pre-voc sector is much more important than the other sectors. So when we put all this together, the hon. Member finds the answer to his question.

Mr Obeegadoo: Is the Minister aware that, right now, Mauritius is classified by UNESCO as one of the countries at risk of not reaching the objective of education for all at primary level in 2015, because of this 96% enrolment ratio at primary?

Dr. Bunwaree: I do not agree with the hon. Member. He has been working at UNESCO. I don't know from where he gets those figures he is mentioning. I have myself a copy of a report from UNESCO, in fact, and I am going to quote, for example, for the hon. Member's attention: 'the situation is also nearly stable in Mauritius which has a slow growth rate insofar as this is concerned, but will probably reach the target by 2015'. That is the date limit that has been fixed, as we know, for that. Now, I may table this chart - Universal primary education countries probability of achieving the goal by 2015. There are 22 countries where there is high probability, and Mauritius is in there.

Mr Obeegadoo: Mr Speaker...

Mr Speaker: No, no. I am sorry. You cannot comment. The Minister has replied to what you have said, and the hon. Member must assume the responsibility of what he says; he must verify the facts first.

Mr Obeegadoo: I stand by the facts I put forward, Sir. My question is: why is it that the follow-up mechanism - each time a child stops attending school - has still not been set up and been fully functional although we are in 2011? The hon. Minister has been Minister for three years now.

Mr Speaker: There is no need to say that.

Dr. Bunwaree: I have been Minister of Education for less than three years. Mr Speaker, Sir, I am giving more attention for the time being to the statistics. If the hon. Member has been able to grasp from my main reply, I am not satisfied with the statistics. In fact, since last year - the question is put today - I have asked my specialist at the Ministry to take care of the special education needs children *qui ne sont pas comptés dans la liste. Ces enfants ne sont pas dans les*

rues ; ils sont dans des maisons, des résidences. All this has to be taken into consideration. As I mentioned in my reply, by the end of this year, I will be able to give probably better statistics. I also mentioned that we have enrolled the services of a statistician, which means that I saw the weakness in this, and from there we will be able to work out better in the sense that has been mentioned.

Mr Dayal: Can I ask the hon. Minister - with regard to attendance to school and the assessment carried out - whether there has been a positive impact with regard to free transport; whether there has been any improvement in as far as attendance to school is concerned?

Dr. Bunwaree: Attendance in school probably. There has been no survey carried out, but I must say I am looking into that also.

Mr Speaker: Next question, hon. Anquetil! The Minister has said that he will come with proper statistics at the end of the year. Then, the hon. Member can come back.

ATHLETES (RETIRED) - ECONOMIC INTEGRATION

(No. B/679) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Minister of Youth and Sports whether, in regard to the retired high level athletes, he will state if government proposes to introduce a new scheme for the economic integration thereof.

Mr Rittoo: Mr Speaker Sir, I wish to thank the hon. Member for having put this question, which allows me to explain what we are doing for retired high level athletes.

Mauritius has produced many high level athletes who have excelled in their respective sports disciplines in regional, continental, intercontinental and world sports competitions over the years. Unfortunately, most of these athletes have not had the opportunity to share their experience of high level sports with young sportsman at the end of their sports career.

That is why the issue of economic integration of retired high level athletes is a priority of this government and is enunciated in the Government Programme 2010-2015.

Besides, the Trust Fund for Excellence in Sports puts emphasis on the development of the *Sport-Etude* concept to facilitate the social integration of retired high level athletes after their sports career. Those who are academically weak are channelled towards vocational training which enable them to earn a living eventually.

With the coming into operation of the National Institute of Sports in the coming years, appropriate structures will be put in place and job opportunities will be created for those retired high level athletes who have excelled in their sports disciplines and who are willing to put their experience and technical know-how at the disposal of our young athletes.

In the meantime, though no specific structure exists for their integration many of these athletes have been employed as coaches and handymen in my Ministry and the Mauritius Sports Council. The hon. Member will be pleased to learn that the Ministry of Youth and Sports alone employs over 20 retired high level athletes either on a full time or contract basis.

Mr Speaker: The Table has been advised that PQ No. B/680 has been withdrawn. Hon. Anquetil!

SAHRAWI ARAB DEMOCRATIC REPUBLIC (SADR) - DIPLOMATIC INITIATIVES

(No. B/680) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the struggle of the POLISARIO for the establishment of a free and independent Sahrawi Arab Democratic Republic (SADR) in that part of Western Sahara presently controlled by Morocco, he will state if Mauritius supports same and, if so, indicate -

- (a) the diplomatic initiatives that have been taken or supported by Mauritius in the recent past, and
- (b) if the SADR has recently requested accreditation for a new ambassador to Mauritius.

(Withdrawn)

TRAFFIC LIGHTS, ROAD SIGNAGE & ROAD MARKINGS - MAINTENANCE

(No. B/681) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the traffic lights, road signage and road markings, he will state if regular inspections thereof is carried out for the maintenance thereof.

Mr Bachoo: Mr Speaker, Sir, I am informed that the Traffic Management and Road Safety Unit is responsible for the maintenance of some 225 sets of Traffic Signal Equipment found over the whole island.

As far as inspections of good road signage and road markings are concerned, those on classified roads form part of the routine maintenance falling under the ambit of the Road Development Authority. Inspections are carried out regularly, and remedial measures are taken for both road signs and faded road markings.

It is to be pointed out that this is an ongoing operation. Works Order has already been issued to district contractors for renewal of road marking along classified roads all over the island, and the works are in progress.

Road signage normally last for many years after their installation but, unfortunately, are damaged in case of road accidents. They are subsequently replaced.

However, these days the road signage is also a prey to scrap metal thieves and the Road Development Authority is doing its level best to cope with this situation. For new road construction, road signage made of composite non metallic materials are being used instead of the traditional aluminium alloy plates.

An annual budget of about Rs15m. is allocated to renewal of road signage and road markings.

Road signage and road markings in rural and principal roads fall under the purview of the district and municipal councils.

Ms Anquetil: Can the hon. Minister inform the House what type of paint is being used on our roads?

Mr Bachoo: I have already mentioned that, nowadays, we have changed the system. Road signage made of composite non metallic materials are being utilised. Before, we were using the traditional aluminium alloy plates, and we are trying to upgrade our system as well.

Ms Anquetil: Can the Minister inform the House if he intends to set up a top-quality road marking service on dangerous, narrow and busy roads?

Mr Bachoo: Mr Speaker, Sir, in fact, this is what is being done these days. If we move around in the classified roads, we will see that all the signs are being changed. We are trying to upgrade them as far as possible, but that is taking us too much of time and, in fact, only one main contractor was given the contract to do the work. We are trying now to see to it that other contractors also can come into the field.

Mr Obeegadoo: Mr Speaker, Sir, since we have been told that there is a proper system in place for maintenance of traffic lights, could the hon. Minister enlighten the House why, repeatedly, traffic lights at the Floréal intersection and at the Curepipe intersection with Sivananda Avenue are repeatedly not functioning?

Mr Bachoo: Mr Speaker, Sir, I have taken up this matter with the contractor concerned, but, in fact, that network has to be changed completely. We are trying to see how fast we can go along. If I am not mistaken, we have to go for a tender exercise for that, because that demands a lot of work.

Mr Lesjongard: Mr Speaker, Sir, with regard to road markings and the type of paint being used, can I ask the hon. Minister to confirm for how long does that paint last before it fades out and loses its visibility?

Mr Bachoo: Well, I am not aware. It is the new system that we are using, and I do hope that it will last a bit longer.

Mr Obeegadoo: Is the Minister aware that, with the development in terms of the motorway being broadened, in several places the old signs are still there - they are fading, but are still there - and new signs have not yet been put in place, and that causes a lot of confusion?

Mr Bachoo: In fact, as I have just mentioned, we are trying to upgrade the system. Wherever there are existing signs, we are trying to put up black colour upon that. This is what I have seen in many places, but wherever there is anything missing, we are going to complete it.

Mr Speaker: May I, before I suspend the sitting for lunch, inform the House that, according to our Standing Orders and a ruling of the House, Ministers cannot be asked to confirm anything. Therefore, questions must be rephrased. I suspend for one and a half hour for lunch.

At 1.00 p.m. the sitting was suspended.

On resuming at 2.32 p.m. with the Deputy Speaker in the Chair.

MINISTER OF HEALTH & QUALITY OF LIFE - SECOND HAND MEDICAL EQUIPMENT

(No. B/682) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Health and Quality of Life whether, in regard to the second hand medical equipment acquired from Med Point Ltd, she will give a list thereof, indicating if they are currently being used and, if so, where and, if not, why not.

(Withdrawn)

NATIONAL ASSEMBLY - LORD MAYORS, MAYORS & MUNICIPAL COUNCILLORS - SALARIES & ALLOWANCES

(No. B/683) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to the Lord Mayors, Mayors and Municipal Councillors who have at the same time served the National Assembly, since 1968 to date, he will, for the benefit of the House, obtain and give a list thereof, indicating in each case, the -

- (a) year of election;
- (b) period therefor, and
- (c) salaries and allowances drawn.

Mr Aimée: Mr Deputy Speaker, Sir, the information requested by the hon. Member relates to the period 1968 to date, and same are being compiled by the municipal councils. The information will be placed in the Library as soon as they will be available.

Mr Ameer Meea: Given that this has been the practice since independence, that is, 1968, can I ask the hon. Minister why is it that now we are hearing that MPs will not be allowed to run for election?

The Deputy Speaker: The hon. Member is anticipating. Next question!

MAURITIUS INSTITUTE - PAINTINGS - CONSERVATION & RESTORATION

(No. B/684) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Arts and Culture whether, in regard to the collection of paintings of the Mauritius Institute which was stacked in what is now the Dodo Gallery, he will state -

- (a) if it has recently been indexed and if so, indicate when;
- (b) if it has been transferred to a safe place and, if so, indicate the arrangements made for their conservation and restoration, and
- (c) where and when will same be exposed anew.

Mr Choonee: Mr Deputy Speaker, Sir, I am informed by the Mauritius Museums Council as follows -

- (a) the inventory and index of the 61 paintings have been completed in December 2010;
- (b) the paintings have been secured on the first floor of the Mauritius Institute. Arrangements have been made for their conservation and restoration by a well-known restorator, namely Mr Emmanuel Richon, who is attached to the Blue Penny Museum, and
- (c) the paintings are expected to be exposed at the National Art Gallery, which will open next year in the former French Military Hospital situated, near the ex Development Works Corporation Head Office in Port Louis.

Dr. S. Boolell: Can I ask the hon. Minister whether he is aware that there is a decrease in the number of paintings, according to the last index and the one before that?

Mr Choonee: I am not aware of the decrease, but one thing I know is that we have 70 paintings actually. Some have been restored, and some have not been.

Dr. S. Boolell: Is the hon. Minister aware that one of the paintings is allegedly from one of the great masters, and would need to be evaluated? Could an evaluation of all the paintings be performed at the same time?

Mr Choonee: Mr Deputy Speaker, Sir, it is true that we have a painting which, according to information from the Museums Council, is supposedly a painting by Renoir. We took expert advice. Actually, we submitted the painting. There was an expert who came from France, who saw the painting, and I can even table the comments made by him concerning that particular painting. They say that it is not an original one. As far as the second part of the question is

concerned, mention is being made of assessing the value of all paintings. I think we have to go for a mock auction. How can we assess as at now? We have to confirm from authorities what the value is, but we have paintings worth millions of rupees there.

MISSIONS OVERSEAS - HONORARY CONSULS

(No. B/685) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the honorary consuls representing Mauritius abroad, he will give a list thereof, indicating -

- (a) the criteria used for the selection thereof;
- (b) if any training is provided to them for the discharge of their duties, and
- (c) the advantages and facilities conferred on them by way of their status.

(Withdrawn)

PETIT VERGER, ST PIERRE - DRAINS

(No. B/686) Mr S. Dayal (Member for Quartier Militaire & Moka) asked the Minister of Local Government and Outer Islands whether, in regard to Petit Verger, St Pierre, he will state if consideration will be given for the construction of drains from the junction of the Desvaux Road and the Bois Chéri Road, in view of the inconveniences caused to the inhabitants thereof by the absence of drains thereat.

Mr Aimée: Mr Deputy Speaker, Sir, I am informed by the Moka-Flacq District Council that there is a problem of water accumulation along Desvaux Road and junction Bois Chéri Road in Petit Verger, due to the absence of a proper drain thereat.

I am informed that a covered drain of a length of 176 metres needs to be constructed along Desvaux Road, and the water channelled therein to be diverted in the existing drain of Bois Chéri Branch Road to address the problem. The project is estimated to the cost of Rs2.2 m.

I have requested Moka-Flacq District Council to consider the possibility of implementation of the project.

Mr Dayal: Mr Deputy Speaker, Sir, can I ask the hon. Minister to try to see that this matter be sped up? Because this is with us for several years, and I have got petitions signed by some 44 families, as this is causing a lot of hardship to them. I can table it.

Mr Aimée: I will surely investigate into the matter and push things further.

MAURITIUS TELECOM - EMPLOYMENT - CONTRACTUAL BASIS

(No. B/687) Mr S. Dayal (Member for Quartier Militaire & Moka) asked the Minister of Information and Communication Technology whether, in regard to the persons employed on a yearly contractual basis, in the manual, technical and assistant salesman grades, he will -

- (a) for the benefit of the House, obtain from the Mauritius Telecom, information as to the number thereof, indicating
 - (i) since when they have been employed on such terms;
 - (ii) the number of times their contracts have been renewed, and
 - (iii) the reasons why they have not been employed on a permanent basis, and
- (b) state if he will consider using his good offices to request the Mauritius Telecom to integrate them on the permanent and pensionable establishment.

Mr Pillay-Chedumbrum: Mr Deputy Speaker, Sir, I am informed that government, as a shareholder, has only the powers conferred on all shareholders on either voting to amend the Article of Association of the company or changing the composition of the Board.

It cannot, as a shareholder, intervene in the affairs of the company. This is the prerogative of the Directors. Directors are in a fiduciary responsibility towards the company, as provided for in the Companies Act and as provided for in the Article of the Association of the company.

The Directors are, therefore, bound to act in that fiduciary capacity and observe the duty of confidentiality. It would, therefore, be improper to provide information about matters for which the Board of the company is primarily responsible and accountable to all the shareholders of the company.

Mr Dayal: Mr Deputy Speaker, Sir, do I take it that the issue which has been raised in this question will remain unsolved and that the hardship of the workers will be allowed to perpetuate? The company is making profits to the tune of Rs1.7 billion year in year out. The workers have no consideration for that? The Minister has no responsibility for that?

Mr Pillay-Chedumbrum: Mr Deputy Speaker, Sir, I am advised by Mauritius Telecom Ltd that the information being solicited relates, in fact, to an industrial dispute, which is presently

before the Commission for Conciliation and Mediation. In this connection, MT has already made its submission to the Commission. In due course, once we finish with it, we will look into it

Mr Dayal: May I also ask the hon. Minister whether he has liaised with his colleague, the Minister of Labour? Because complaints have been made to redress this sad situation.

Mr Pillay-Chedumbrum: I have already stated in my answer, Mr Deputy Speaker, Sir, that the matter is presently before the Commission for Conciliation and Mediation. As a consequence, it goes without saying that the Minister of Labour is aware about it, and we have raised that issue before lodging the matter before the Commission.

Mr Uteem: Mr Deputy Speaker, Sir, the hon. Minister just mentioned about Directors and shareholders. Is he aware that there is a shareholders' agreement between the government and its counterpart in Mauritius Telecom and is he aware that, under the terms of the Companies Act, a Director can act in the best interest of the shareholder who appoints him in case of a joint venture company?

Mr Pillay Chedumbrum: But in any manner whatsoever, any issue pertaining to the administration of the company, government cannot involve itself in it. It is the Directors, through the Board of Directors, that can intervene to do so.

Mr Khamajeet: Mr Deputy Speaker, Sir, can I ask the hon. Minister since when this situation is perpetuating at the Mauritius Telecom?

Mr Pillay Chedumbrum: From the information I have received, it appears that it is since 2003 that they have started to put workers under contract.

Mr Uteem: Mr Deputy Speaker, Sir, as a follow-up to the answer of the hon. Minister, may I ask him to see to it that the representative of the government on the Board of Mauritius Telecom will bring to the attention of Mauritius Telecom all the concern of the Mauritian population?

Mr Pillay Chedumbrum: Mr Speaker, Sir, I can assure the hon. Member that once the issue before the Commission for Conciliation and Mediation is over, the whole matter will be dealt with at the level of the Board.

Mr Khamajeet: Being given that these people have already worked for so many years at Mauritius Telecom, can I ask the hon. Minister whether there has been any problem for them to be on a permanent basis?

Mr Pillay Chedumbrum: At this stage, Mr Deputy Speaker, Sir, you will understand that the matter would be *sub judice* should we go into the merits of the case.

L'AGREMENT, ST PIERRE - MULTIPURPOSE BUILDING

(No. B/688) Mr S. Dayal (Third Member for Quartier Militaire & Moka) asked the Minister of Local Government and Outer Islands whether, in regard to the newly constructed multipurpose building at l'Agrément, St Pierre, he will, for the benefit of the House, obtain from the Moka/Flacq District Council, information as to if consideration will be given for the transforming thereof into a Utility Centre, whereby the offices of the Central Water Authority, the Central Electricity Board, the Mauritius Telecom, the Social Security and the Civil Status will be accommodated under the same roof.

Mr Aimée: Mr Deputy Speaker, Sir, I am informed by the Moka-Flacq District Council that it has invited expression of interest for the renting of office spaces to government and parastatal bodies on 08 July 2011. The closing date for the submission of offers has been scheduled for 09 August 2011. There are four outlets, out of which three would be rented out and the remaining one would be used by the Moka/Flacq District Council itself in view of the decentralisation of its services to the inhabitants of Saint Pierre and Moka.

Also, it is to be noted that at project design stage in March 2009, my Ministry had consulted the Central Water Authority, Central Electricity Board, Mauritius Post Ltd, Barclays Bank PLC, Mauritius Commercial Bank Ltd and the State Bank of Mauritius Ltd to know whether these organisations were interested in renting office spaces at the Multipurpose Complex of Saint Pierre. However, no positive response was received.

PLAINE VERTE MARKET - RECONSTRUCTION

(No. B/689) 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 reconstruction of the Plaine Verte market, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to -

- (a) when the laying of the foundation stone was held, and
- (b) where matters stand, including when works will start.

Mr Aimée: Mr Deputy Speaker, Sir, I am informed that the Municipal Council of Port Louis is in presence of a proposal from Akbar Associates Group (Private) Ltd of Pakistan for the financing of a proposed Quaid-E-Azam Mohammad Ali Jinnah Complex at Plaine Verte. The complex will be constructed on the land belonging to the Municipal Council of Port Louis and on which stands the Ali Jinnah Market. It will accommodate a shopping mall, market, offices, restaurant, business conference centre, parking spaces, etc.

I wish to inform the House that no final decision has been taken on this proposal.

Mr Ameer Meea: Mr Deputy Speaker, Sir, my question clearly stated when was the laying of the foundation stone held. Can the hon. Minister inform the House when this foundation stone ceremony was held and, secondly, can we know the date of the proposition from Pakistan?

Mr Aimée: First of all, Mr Speaker, Sir, in my reply, I have mentioned that the Municipality of Port Louis is still looking into the matter.

(Interruptions)

No, there is no stone ...

The Deputy Speaker: Can the hon. Minister address the Chair, please?

Mr Ameer Meea: Mr Deputy Speaker, Sir, the laying of the foundation stone was held in 2007, when hon. Reza Issack was the Lord Mayor of the Municipality of Port Louis - this is of public knowledge; it was in the press - and a ceremony was held. May I know from the hon. Minister what happened to this stone? Has this been removed by the authority *ou cela a été retiré par des vandales?*

Mr Aimée: Mr Deputy Speaker, Sir, the fact that up to now there is not even a MoU signed by this particular company from Pakistan for this particular project, I can't understand how the hon. Member can say that there is a foundation stone. And if there is, I am not aware.

(Interruptions)

The Deputy Speaker: Can the hon. Minister address the Chair, please?

Mr Ameer Meea: Mr Deputy Speaker, Sir, the hon. Minister did not inform us about the date the proposition has been received from a company of Pakistan. Can I know the date?

Mr Aimée: Mr Deputy Speaker, Sir, there is no proposition up to now. I have mentioned it in my reply.

TOURISM SECTOR - STRATEGIC PLAN 2009-2015

(No. B/691) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Tourism and Leisure whether, in regard to the Strategic Plan 2009-2015 for the tourism sector commissioned by his Ministry, in collaboration with the European Union, he will state -

- (a) the cost thereof, and
- (b) if an implementation committee has been set up at the level of his Ministry to look into the recommendations thereof and, if so, indicate the outcome thereof.

(Withdrawn)

LATE MINOR P.Y.A - DEATH - INQUIRY

(No. B/692) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to late minor P.Y.A., she will state -

- (a) if her Ministry has carried out an inquiry into the circumstances of her death and, if so, the outcome thereof;
- (b) if the Child Development Unit carried out any inquiry in relation to her, prior to her death and, if so, the outcome thereof, and
- (c) if consideration will be given for a review of the staffing structure and the operation of the Child Development Unit with a view to making it more proactive.

Mrs Bappoo: Mr Deputy Speaker, Sir, as regards part (a) of the question, I am informed that a complaint, on hotline 113, was received on 28 June 2011, at 14.30 hrs, from Vallée Pitot Police Station to the fact that minor P.Y.A. was brought to Dr. Jeetoo Hospital, where she was found dead.

As the case involved the death of a person, it becomes the mandate of the Police Department to carry out an enquiry into the circumstances of the death of the minor rather than that of my Ministry. But the police medical report which could be the only report to give evidence with respect to the cause of death cannot be submitted to my Ministry as we were informed by the police that it could only be produced in court.

Pending the policy enquiry, it is to be noted in virtue of the Ombudsperson for Children's Act 2003, that the Ombudsperson for Children's Office has conducted an enquiry in the case and she has submitted her report to me this very morning. Yesterday, she even talked to me and informed me that she will pursue matters as to the Police medical report at her level as I, myself, I am not in a position to do it.

As to part (b) of the question, prior to her death, I am informed that the case was referred to the Family Support Bureau of Bell Village, on 11 May 2010, by Mrs K.A., the paternal grandmother, as a case of "*droit de visite*" only, since she was not able to see her grandchildren. On the same day, she was advised to apply for a "*droit de visite*" at the Supreme Court as my Ministry is not mandated to grant such request. Nevertheless, a legal resource person of my Ministry was asked to assist the grandmother in initiating legal procedures for the "*droit de visite*".

Mr Deputy Speaker, Sir, the answer being so much lengthy, I am tabling detailed information regarding -

- (a) the follow-up actions taken by my Ministry working at the Bell Village outstation in assisting the grandmother;
- (b) assistance given to the mother of the minor, Mrs A. A., and
- (c) the results of the visits effected by the officers at the residence of the mother in Vallée Pitot.

As regards part (c), allow me, Mr Deputy Speaker, Sir, at the very outset, to state, for the benefit of the House, that the mandate of the Child Development Unit is to provide for holistic child development opportunities to the Mauritian child through well spelt policies, programmes and actions. Its mission is to ensure that the protection and development rights of the Mauritian child are upheld as per the Convention on the Rights of the Child and the African Charter of the

Rights and Welfare of the Child, whereby the best interests of the child shall be of primary consideration in and primary motivation for all policies, programmes and actions pertaining to children's welfare and thus keeping the child always at the centre of our national agenda for development.

Having said so, Mr Deputy Speaker, Sir, a review for the staffing structure and operation of the Child Development Unit has already been initiated by my Ministry. In September last, I informed Government of a series of measures, which my Ministry worked out to strengthen the support services provided by the Child Development Unit to children, victims of violence. In December last, I again informed Government about the measures taken, to come forward with an overall restructuring of the CDU which is, in fact, operating with a skeleton staff, with very poor resources and with only six Family Support Bureaus as outstations to cover the island.

At the same time, guidelines for Child Protection Intervention have also been developed and made available to all field workers.

I am also tabling a list of measures taken by my Ministry from September to December.

In addition to these measures and in order to secure the best interests of our children, victims of violence; a High Powered Committee, under the "working together" concept regrouping all Government stakeholders under the Chairpersonship of my Permanent Secretary has been set up. This Committee has, as main objective, to look into avenues of collaboration between all parties concerned to ensure rapid intervention in cases involving children. It is also the forum whereby the roles and responsibilities of each party would be established with a view to giving effect to collective action in dealing with child violence cases.

Officers of my Ministry have tried their level best to re-engineer the system with existing resources. Immediate actions were taken to make it more proactive -

- a reshufflement exercise has been undertaken to ensure that officers be given a new area to start afresh;
- four psychologists have been posted specifically for the CDU activities and follow-up on child violence cases;

- three Senior Family Welfare and Protection Officers (SFWPO) have been posted to monitor the intervention of field officers on a case to case basis to ensure proper follow-up;
- we have decentralised our transport system; one vehicle has been put at the disposal of officers at the level of each of the six Family Support Bureau to ensure rapid intervention, and
- an Emergency Response Team, with the assistance of the NGO Victim Support, to ensure rapid intervention in cases of child violence has been set up.

My officers, Mr Deputy Speaker, Sir, attend to cases for prompt intervention whether be it at late night, weekends and public holidays. The hotline 113 and six other hotlines at regional levels are operational on a 24-hour basis.

It is most unfortunate, Mr Deputy Speaker, Sir, that the number of cases being reported is continuously on the increase, and there is need to ensure that our children do not suffer in silence and in traumatic conditions. Structures to encourage disclosure and reporting of cases have been set up at the level of family through the National Parental Empowerment Programme, the community through the Community Child Protection Programme and the Community Child Watch Committees and the school through School Child Protection Clubs. These projects are also developed to ensure that we do not only react to cases, but these projects are in themselves proactive in nature and provide for prevention in early detection of cases.

Following these decisions, a High Level Inter-Ministerial Committee, chaired by the hon. Deputy Prime Minister, Minister of Renewable Energy and Public Utilities, was set up in January 2011 to look again into the promotion of the welfare of children, furthering the child protection and development and preventing children from suffering harm.

Subsequently, there has been a Technical Committee set up and several recommendations have been made. There were -

- (i) creation of additional posts at both strategic and operational levels;
- (ii) recruitment of legal resource persons to be employed on a sessional basis to attend court for child violence cases;

- (iii) setting up of an inspectorate unit for the monitoring of day care centres for children (3 months to 3 years), and
- (iv) ongoing training of officers to keep them updated to new techniques regarding prevention and intervention.

Government has been apprised of these recommendations. The Ministry of Finance and Economic Development has been requested for appropriate action, in spite of financial constraints faced on national level. The Ministry of Civil Service and Administrative Reforms is being consulted regarding creation of posts.

My Ministry is in consultation with the Ministry of Finance and Economic Development to prioritise our needs with respect to this restructuring process, in order to ensure that resources are made available for a more efficient and effective child protection service.

I am confident, Mr Deputy Speaker, Sir, conditions will be better for the Child Development Unit to operate in a more holistic child development approach and hopefully, better conditions will prevail for my staff to cope with the increase in child violence cases and to maintain follow-up over a reasonable time frame.

Furthermore and lastly, I wish to remind the House as per the findings of the UN Special Rapporteur, who visited us in May this year, a National Strategic Framework to better define the roles and responsibilities of each and every stakeholders in child matters is also envisaged.

Mr Obeegadoo: I have a few supplementaries, Mr Deputy Speaker, Sir. The hon. Minister referred at the beginning of her answer to a report from the Ombudsperson that would have reached her this morning. Would she agree to table a copy of that report for Members of the House to be enlightened? Having regard to the specific inquiry, are we to understand from the hon. Minister that there was at no point information forthcoming from the uncle of the deceased minor to the effect that she was being physically beaten?

Mrs Bappoo: Mr Deputy Speaker, Sir, the post of the Ombudsperson for Children, as per the Constitution, is a constitutional post. I am not in a position to table the report. The Ombudsperson, at her level, I know will be giving the findings of her report. This is one.

Secondly, in the details that I have just tabled, I have given all the detailed information about the actions taken at the level of Bell Village outstation in the meeting with the

grandmother, with the mother and in visits to the residence of the mother. As for the case of the child, the request of the grandmother and the uncle was for *a droit de visite*, to which my Ministry is not mandated. It's only last December that the grandmother said that she believes there is sign of neglect concerning her grandchildren, and being not in good terms with *la belle-fille*, she wanted us to have mediation.

The Deputy Speaker: The hon. Member was asking whether there has been a complaint from the uncle.

Mrs Bappoo: There has never been any complaint of alleged violence as such. If there were a complaint of alleged violence or even of scars and bruises appearing on the face of the children as it is being reported in the press, one of the first things that should have been done is to report the case to the CDU, the police, the hospital, but the parents do agree that they never thought of doing this when they saw the bruises. But, at the time the officers visited the children, there was no single sign of bruises or scars at the level of the body of the child; I mean where it was visible.

Dr. S. Boolell: Mr Deputy Speaker, Sir, may I invite the hon. Minister ...

The Deputy Speaker: No, the hon. Member should ask questions.

Dr. S. Boolell: Would the hon. Minister invite her officers to attend the nearest Civil Status Office where the cause of death of that child is surely available? Because without that, there would have been no burial allowed - independent of the police report.

Mrs Bappoo: It has been reported and even by the police that the cause of death has been, *si je peux dire, battue à mort*. But there is no detail. We have requested the police for medical police report and they said that if this is to be submitted to the Court, as it is now a criminal case, we don't have any access to that report. But as the Ombudsperson has been telling me, she will be, at her level, maybe, in a better position to know the exact content of the police medical report. Otherwise, I would have done it.

Mr Uteem: Mr Deputy Speaker, Sir, one death is too many and, in this case, we have heard the hon. Minister say that officers from the CDU went and visited the child. I have seen the child; she has old bruises, not the ones which caused death. I would like the hon. Minister to

launch a full enquiry into the person who visited that child and who reported that there was no trace of bruises on her at the time he visited the child.

Mrs Bappoo: This has already been done, Mr Deputy Speaker, Sir. In the papers that I have just tabled, details of the visits of the officers to the mother and her children have been given. At that very time, the children had no bruises or scars appearing on the face or the hands, and my officers were not in a position to know what happened on the inside part of the body of the child, covered by the clothes. I can just mention what I have said in the papers that have been tabled. On the first visit, the three children, two of whom aged 8 and 4, just came back from school. They were found having tea together with their mother. Following conversation which the officers of the CDU had with the children privately, they themselves stated that they were not being beaten by the mother. In case there was a sign of bruises, the children would have been taken directly to the hospital and I even believe that the parents do regret now, because when they saw bruises on the face of the child - I mean their grandchild - they did not feel it a must to attend hospital immediately with the bruises on or to attend CDU with the child immediately or to go to the police. It is most unfortunate that, at that very time, and on the days the officers were visiting them, on three different occasions, there was no sign of bruises.

Dr. S. Boolell: Mr Deputy Speaker, Sir, are there any doctors or nurses attached to the CDU on a full time basis?

Mrs Bappoo: There are no doctors attached to the CDU on a full time basis. There are only the coordinators, the Head of the CDU, the Family Welfare Protection Officers and the Family Support Officers. Last week, I have been discussing with the Permanent Secretary of the Ministry as to whether it won't be wise to have maybe one or two doctors attached in case of problems. I don't think forensic visit will be able to be carried out by doctors at the level of my Ministry but, even that, it would have been good if there were medical officers attached. We don't have any of these for the time being.

Mrs Ribot: Mr Deputy Speaker, Sir, I would like to know from the hon. Minister whether there is any follow-up of the other children of that family?

Mrs Bappoo: Yes, it is again in the paper that I have tabled. The mother has two children with her first husband, one Mr Ancharaz, and these children are with their grandmother. The other child is with her. Unfortunately, one has lost her life, and the other two are actually

with their grandmother in Pailles. Immediately after this sad incident, my officers attended Pailles and they are having follow-up visits with the grandmother. The children want to stay with their grandmother, but we have also informed the grandmother that, once the mother will be out on bail, she will be the first one to claim for the custody of her children. So, she must be prepared to that, and there is only one way of tackling the issue, that is, the grandmother seeks the custody of the children from the Supreme Court. I don't know what will be the result. But, for the time being, they are being followed, they are well cared by the grandmother and the uncle. The uncle even said that he is willing, once they get the custody of these children, to send the younger one to pre-primary school, to look after their education. We know what has happened; they are not willing to see these children living with their mother again. I do understand their problem.

Mr Uteem: Mr Deputy Speaker, Sir, the hon. Minister has read from her papers that two children were interviewed; one aged four and the other one aged eight. Since then, the eight-year old child has been taken away by her grandmother thank God. But what about the three-year old daughter who was killed? Was this daughter interviewed? In her answer, the hon. Minister has only mentioned the two other children, but not the daughter who was brutally murdered.

Mrs Bappoo: I don't think it has been mentioned specifically about the three-year child. It is about the four years old and the eight years old. During the first site visit effected on 10 January at the residence of the mother, the three remaining children were found well cared; this is what has been recorded: well cared, faring well, no bruises, no signs of neglect and no signs of being at risk. Otherwise, we would have taken immediate action to shelter them in a place of safety.

Dr. S. Boolell: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether there is a Child at Risk Register at the CDU, maintaining surveillance on children across the country who are at risk?

Mrs Bappoo: We have a register, and I am also working on a future programme of having everything online. But allow me to tell you, Mr Deputy Speaker, Sir, that the only answer to this is that, for the hundreds of cases where follow-up needs to be done, there is no staff. We have to do follow-up on hundreds of cases with a shortage of staff and, at the same time, we have so many new cases coming daily. We are at a bottleneck.

Mr Bérenger: I have listened carefully to the hon. Minister. I understand, therefore, that there has been only one occasion where an officer from the CDU went there and examined all the three children, including the one that died in the meantime. I am not asking for the name of that officer from the CDU. But can we be informed how experienced was that officer, what is his grade, and for how long he has been with the CDU?

Mrs Bappoo: I don't have exactly all the information. I have to check to know exactly what has been his experience, and how long has he been working. But I know that officers who are being fixed at outstation are those with experience. I have met personally the team, and the one who was responsible for the case really has done a very good work. I have discussed even with the Ombudsperson yesterday, and she herself told me that there is nothing à *reprocher* to the one who handled the case. The only thing, unfortunately, is that, at the time of the visits, no sign of alleged violence was registered; otherwise, like we are doing everyday, we would have taken the children away.

Mrs Ribot: Mr Deputy Speaker, Sir, I would like to ask the hon. Minister whether, apart from being cared for by the grandmother, the other children are getting any psychological support.

Mrs Bappoo: Yes, Mr Deputy Speaker, Sir, very regularly, all through the week.

Mr Obeegadoo: Mr Deputy Speaker, Sir, on part (c) of the question, I heard the hon. Minister mention the number of Family Support Bureaux, vehicles, psychologists, supervisory staff. But, I would like to know from the hon. Minister, as at present, how many field officers we have. I suppose they are called Family Protection Officers. How many trained Family Protection Officers do we have for the purposes of carrying out visits and inspections and follow-up to complaints within the Republic, for Mauritius Island and Rodrigues?

Mrs Bappoo: Within the Republic of Mauritius, Mr Deputy Speaker, Sir, all the staff have continuous training programmes going on. Those, whom I have known since my coming to the Ministry, are all trained; only, maybe, the last batch that was recruited is still on training whilst doing their job at the same time. Actually, the Unit have five officers on the technical cadre, 21 field officers, 25 assistants, and they are all working across the Republic of Mauritius within the six Family Support Bureaux. This is not enough. I want to have a programme district-wise because there are so many cases of abuse being reported every day, and most of

them actually, Mr Deputy Speaker, Sir, are coming from the family. This is another problem. There is no stranger; it is within the family unit, and this is a very bad signal to our country, the Republic of Mauritius.

Mr Obeegadoo: Mr Deputy Speaker, Sir, the hon. Minister has been publicly reported as having stated that, from January to May, there have been 700 reported cases of violence against children, 500 children of which are now in care, in shelters. Now, if that is the case, has there been an assessment by the hon. Minister as to how many field workers are actually required, given the number of complaints arising, so that the Family Protection Service can effectively deliver the services called for and pre-empt any recurrence of these unfortunate tragedies we have just witnessed?

Mrs Bappoo: We work on a few proposals, Mr Deputy Speaker, Sir. Let me tell you that in 2003, there was a consultant here in Mauritius. At that time, it was said that, for a proper functioning of the CDU, there must be some 40 field officers, well trained for intervention and follow-up. But, today, with the increase on the number of child abuse, really we need many more. We are working; we are consulting the Ministry of Finance. It is a big budgetary implication, but we are going to see where we can meet and, hopefully, conditions will be better, and we will be having more and more opportunities to be able to cater for intervention on new cases. I am very much concerned also about follow-ups.

The Deputy Speaker: Last question from hon. Obeegadoo!

Mr Obeegadoo: Mr Deputy Speaker, Sir, will the hon. Minister confirm whether these Community Child Watch Committees that were supposed to have been set up exist and are functional in Vallée Pitot, where the incident occurred? Furthermore, whether, concerning the coordination with NGOs that was called for by the Ombudsperson following the last death in Cité Richelieu - which we discussed here -, there have been structures put up for such effective coordination, including in the area this time involved?

Mrs Bappoo: There is a very competent NGO in Vallée Pitot, and that struck me; this is the SOS Poverty. There has not been any signal given by the SOS in Vallée Pitot that these children are cases of child abuse and violence; none - even the elder one going to primary school. Because that's the way we are working; in coordination with different authorities. At times, it is the Head Teacher, the School Headmaster who will call to the CDU to explain that there is a

difficult case of a child and ask for our intervention. Nothing from the school and nothing from the NGO on account of this specific case. Yes, we have set up our Child Watch Committees. Yesterday I was in Cité Richelieu, and I met a few of the members. They have had their training; they are doing their work; they are working hand in hand in partnership with the Ministry, because we need to have the community involved in these sorts of programmes, in order to be able to tackle when there is shortage of staff and so on.

The Deputy Speaker: We go back to PQ B/690.

CEB - CHAIRPERSON & GENERAL MANAGER - APPOINTMENT

(No. B/690) 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 Central Electricity Board, he will -

- (a) state where matters stand in relation to the appointment of a Chairperson, and
- (b) for the benefit of the House, obtain from the Board, information as to where matters stand in relation to the recruitment of a General Manager.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I apologise to the House and to you for not being here.

The appointment of the Chairperson is under consideration and will be made imminently.

For the post of the General Manager, an international advertisement will be carried out to recruit a candidate.

Mr Lesjongard: May I ask the hon. Deputy Prime Minister whether he finds it normal for such an important organisation like the Central Electricity Board not to have a Chairperson for the past one year and a General Manager since last year?

The Deputy Prime Minister: This is being looked into. All the problems are being attended to, Mr Deputy Speaker, Sir.

CESS-FUNDED INSTITUTIONS - RESTRUCTURING

(No. B/693) Mr A. Ganoo (First Member for Savanne & Black River) asked the Minister of Agro-Industry and Food Security whether, in regard to the restructuring of the Cess-Funded institutions, he will state where matters stand.

(Vide Reply to PNQ)

UNIVERSITY OF MAURITIUS - BUS TERMINAL - SHELTER

(No. B/694) 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 new bus terminal, situated near the football pitch of the University of Mauritius, he will state if there are projects to erect shelters thereat, in view of the frequent bad weather conditions.

Mr Bachoo: Mr Deputy Speaker, Sir, I am informed by the National Transport Authority that, with a view to relieving the traffic congestion problem in the vicinity of the University of Mauritius, the Traffic Management and Road Safety Unit recommended the construction of a bus park at Réduit. In fact, buses intended for short services were parked on both sides of the footpath in front of Octave Wiehé Auditorium, impeding the traffic flow within the compound of the various institutions.

The bus park was completed in August 2009 and handed over to the Moka Flacq District Council on 10 September 2009. It can accommodate 16 buses at a time, and caters for the parking of short service buses in the afternoon peak periods. These buses are readily available to board commuters, especially students, and, as such, these passengers wait inside the bus. However, if the need arises, construction of a bus shelter at this locus may be considered.

Mr Dayal: Mr Deputy Speaker, Sir, the hon. Minister just mentioned “if the need arises”. The need really arises, because it is a rain prone area, and the student population has increased to 12,000. Therefore, can I impress upon the hon. Minister if he could consider the possibility of increasing the size of the bus shelter, increasing the number of the bus stand, and also providing the shelter?

Mr Bachoo: I will look into the possibility of including it in the forthcoming year’s programme.

NHDC HOUSING ESTATES - SYNDICS

(No. B/695) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Housing and Lands whether, in regard to the NHDC Housing Estates, he will, for the benefit of the House, obtain from the National Housing Development

Company Ltd., information as to if it has commissioned a national plan for the re-establishment of syndics thereat and, if so, indicate -

- (a) the terms of reference thereof;
- (b) the identity of the external consultant, if any;
- (c) if consultations have been held with the inhabitants thereof, and
- (d) the proposed time frame therefor.

Dr. Kasenally: Mr Deputy Speaker, Sir, I wish to refer to the reply I made to PQ B/278 on 10 May 2011, where I informed the House that a tender exercise for the enlistment of the services of an expert in syndic by the NHDC had been launched and that only one proposal had been received. From information obtained from the NHDC, the evaluation exercise is expected to be completed in the days to come.

In regard to part (a) of the question, Mr Deputy Speaker, Sir, I am informed that the Terms of Reference include *inter-alia* -

- i. the conduct of an information campaign aimed at sensitising co-owners on the importance of syndic, and advising them on procedures to elect their syndic;
- ii. provision of training of co-owners on how to organise meetings, and
- iii. providing assistance in follow up exercise.

Regarding parts (b) and (c) of the question, since the evaluation is not yet completed, it would not be proper at this stage to give the name of the bidder. I also wish to inform the House that it has always been the practice at the NHDC to maintain a line of communication with the residents of the NHDC housing estates and to see how best their grievances can be addressed. For example, this has enabled the implementation of a programme of rehabilitation works at a number of NHDC housing estates; in certain instances, cooperation and help of Members of Parliament of the constituency.

As regards part (d) of the question, it is premature to confirm the duration of the contract at this stage. Notwithstanding this tendering exercise, I have, during a meeting held yesterday with a team of top officials from UN-Habitat, raised the issue of syndic and have requested for

technical assistance. I am pleased to indicate that the officials of UN-Habitat welcome this request and have agreed to look into it favourably and promptly.

Mr Ameer Meea: Mr Deputy Speaker, Sir, the hon. Minister stated that an expression of interest was launched, according to his previous PQ No. B/278, on 05 February 2011 and that the closing date was 04 May 2011. We all know that the NHDC estates are in a complete mess. Can I ask the hon. Minister why is he taking so long to appoint that consultant, as the closing date was 04 May 2011?

Dr. Kasenally: Mr Deputy Speaker, Sir, it has also been my question to the NHDC, which has been taken to task. In fact, I have not been very satisfied with it, and they tell me that they couldn't find somebody to evaluate it, and eventually they found out an independent evaluator, who is a former Director of the Mauritius Housing Corporation. That is why I am side tracking them as well and having an international expert coming to sort this out, because it is a real problem and we have to sort it out. Although, by law, the inhabitants are supposed to have a syndic, if it is not working, it is our duty, as a responsible Government, to see the best we can do. Already, we have done a lot for these housing estates, but we have to put some order. The initiative has to come also from the inhabitants. I dare say that there are some syndics which are working very well and we are helping them, but the big problem is that nobody wants to contribute. But we will have to make an effort.

Mr Ameer Meea: Mr Deputy Speaker, Sir, the hon. Minister admits that there are problems to appoint the consultant. Referring to the same PQ, in reply to a question of the hon. Leader of the Opposition as to whether assistance would be sought from outside, that is, overseas or UNDP, the hon. Minister stated 'we will keep that in mind'. Can I ask the hon. Minister whether assistance has been sought from overseas or the UNDP?

Dr. Kasenally: I am sorry, Mr Deputy Speaker, Sir, but the hon. Member didn't seem to have listened to what I have been saying. I have just said that I have made a request to UN-Habitat, because I knew they were coming. UN-Habitat will work under UNDP. We go through UNDP to get that.

Mr Obeegadoo: Mr Deputy Speaker, Sir, under part (b) of the question, I only heard the hon. Minister mentioning efforts at sensitisation. We all know why syndics have not or are not working. We know that, in the private sector, the tendency is now to contract out services of

syndic. If I may ask the hon. Minister; at this point in time, when his Ministry is commissioning a new plan, what is the big idea? Where is the novelty? What is it that the Ministry proposes to look into that has not as yet been considered in terms of reinventing syndic?

Dr. Kasenally: There is nothing new. The simple reason is that people don't want to cooperate. We have to find some way. We cannot just let our hands down and see things happening. I must say that when the hon. Leader of the Opposition was Prime Minister, he tried to sort it out and got all the stakeholders; but we are determined. Let's have new novel ideas, as the hon. Member said, from the UN-Habitat, who have experience in that matter.

Mr Bérenger: One last question. Will the hon. Minister agree with me that, maybe, he is giving the impression that we have to struggle to set up syndics all over the island, wherever NHDC houses are found? He will agree with me that, in fact, there is a consensus about the 33 high rise blocks of apartments. We should concentrate on that. Let's see what the UN-Habitat can suggest. Let's see whether we do recruit that consultant, but then, maybe, we'll have to - as hon. Obeegadoo was saying - contract out for a syndic for each of these 33 high rise blocks of apartments.

Dr. Kasenally: Mr Deputy Speaker, Sir, it is, in fact, for the high rise that we have problems. The syndics are working in some of them. As far as these social housing are concerned, we do not have any problems with them. Now, there is a problem of contracting out, which means that Government will have to fork out money. If we do that, this will set a very bad example, because for each and every Tom, Dick and Harry who is building high rise...

(Interruptions)

...apartments, we will have to do it. Everybody who is having problem in his house, Government will have to do it. There will be no end to it, Mr Deputy Speaker, Sir. We need, at some point, to have a cut off, and we will start with a cut off of 33. But regarding the question of funding by the Government, I don't think my colleague, the hon. Minister of Finance, will agree to that. The funding will have to be done. We have to persuade them. They have got a contract which they have signed - each and every single owner of an NHDC flat or apartment - to form part of the syndic. Perhaps, we have to apply the law. How do we do it? It is a matter which we have to think all over again. It is not an easy problem. It is a very difficult nut to crack.

The Deputy Speaker: We move forward, now. Next item!

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 Finance and Economic Development (Mr P. Jugnauth) 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 -

- (i) *The Excise (Amendment) Bill (No. XVIII of 2011)*
- (ii) *The Protection from Domestic Violence (Amendment)(Amendment) Bill (No. XIX of 2011)*

Second Reading

THE ECONOMIC & FINANCIAL MEASURES (MISCELLANEOUS PROVISIONS)

BILL

(No. XVI of 2011)

(3.27 p.m.)

Order for Second Reading read.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy-Speaker, Sir, I move that the Economic and Financial Measures (Miscellaneous Provisions) Bill (No. XVI of 2011) be read a second time.

Mr Deputy Speaker, Sir, this Bill provides the legal framework for the implementation of those measures announced in the Budget Speech of last November which do not relate to measures concerning taxation and national finance and which, accordingly, could not be

incorporated in the Finance (Miscellaneous Provisions) Bill. Opportunity is also being taken to amend various Acts to give effect to other miscellaneous measures. The provisions in the Bill relating to the LAVIMS standardisation aspects, the Statistics Act, including confidentiality aspects, and the LPES, have been finalised after appropriate and comprehensive consultations with concerned stakeholders.

Mr Deputy Speaker, Sir, I will first elaborate on the amendments relating to measures announced in the Budget Speech, namely those purporting to enhancing productivity through optimal utilisation in a business friendly manner of the country's resources, in particular land and marine resources and reforming the Central Statistical Office.

As regards the optimal utilisation of land resources, the amendments are about the setting up of the Land Productivity and Enhancement Scheme (LPES) and adapting the land conversion to new realities.

The 2011 Budget proposed a comprehensive package regarding numerous aspects of land development which addresses the concerns of all stakeholders, fosters economic development and enhances Government Revenue. In this regard, paragraph 156 of the Budget Speech mentioned and I quote -

“To make a great leap forward on productivity we need to unleash the full potential of these lands for creating employment and wealth.”

- (a) To unleash the formidable potential, we proposed to review the whole framework regarding land development in the Budget Speech, with the following objectives - enhancing economic growth through the removal of legal and administrative bottlenecks and the optimisation of land development, which has a multiplier effect on the economy and job creation;
- (b) enabling land owners to valorise their assets;
- (c) enhancing the capability of small and medium planters to effectively participate in land development;
- (d) taxing development surpluses, and
- (e) increasing government's revenue.

The land development strategy is not a standalone measure. Indeed, it has to be viewed as an essential component in the unlocking of opportunities leading to the fulfilment of the economic objectives enunciated in the Budget Speech, which purport to quantum leap the country and triple the GDP per capita in a decade or so. Allow me to spell out but a few of the objectives of the new economic vision -

- (a) using economic diplomacy to tap the opportunities from new poles of growth;
- (b) making the island a Duty Free Shopping Paradise;
- (c) the thrust to the ICT/BPO sector through, *inter alia*, the reduction of the cost of bandwidth services and a second undersea cable, and
- (d) the multifocal service hub, which would, *inter alia*, include the knowledge hub and the medical hub.

The part on land measures is structured to spur development and allow the country to attain these objectives.

Equally important is the revenue collected by government. Need I recall that, on the basis of economic and developmental projections in the 2011 Budget, Land Transfer Tax to be collected was estimated at Rs1.615 billion and Registration Duty at Rs1.35 billion, totalling Rs2.965 billion, a projected increase of 42% over corresponding figures for 2010.

Mr Deputy Speaker, Sir, the House can thus appreciate that land development is an important source of revenue for the government. When land is developed, government collects fees on the issuance of permits, the *morcellement* fee, VAT on inputs used and, in relation to the sale of developed land, Land Transfer Tax and Gains Tax are payable. Subsequently, developments on the land also attract VAT collection. In a situation when every effort has to be made towards first revenue generation and its subsequent collection as per set legislation, and the maintenance of the social budget, land development is an important revenue driver. The higher value added developments under the LPES and other land projects are expected to yield higher returns for government.

Allow me to turn to the LPES, one of the key elements in land development. It has been placed in the Planning and Development Act. In section 3 of this Act, which refers to its objects, it is, *inter alia*, spelt out that the Act provides for appropriate sharing of responsibility for

planning and development between different levels of government; facilitates inter-agency cooperation in planning and development, and encourages appropriate private sector participation in planning and development.

To underscore the commitment of government, the LPES will be administered by a Technical Committee, chaired by the Secretary to Cabinet and Head of the Civil Service, and which will report to a Ministerial Committee set up by the Prime Minister.

The Bill provides, in the context of the LPES, for the establishment of a platform for matching demand and supply and for removing impediments to the use of these lands through the optimisation of synergies between Ministries and Departments. The LPES would not deal with residential development, except where such development is minimal in an overall project.

The Technical Committee would, *inter alia*, subject to the approval of the Ministerial Committee, establish the maximum area to fall under the LPES and set pre-qualification criteria, which would be used for the processing of cases. In addition, the Bill indicates the manner in which applications for a permit, licence or authorisation required under the Building Act, *Morcellement* Act, Environment Protection Act or section 98 of the Local Government Act 2003 would be made, and also specifies the coordination and facilitation role of the Technical Committee in line with the objects of the Planning and Development Act.

The Bill also specifies, via the Third Schedule to the Planning and Development Act, the persons eligible to join the LPES; those holding a valid land conversion permit or small planters cultivating 10 *arpents* of land or less. Those holding valid land conversion permits but have not yet obtained the necessary permits for land use and development and implementation of projects will also be eligible to join the LPES.

Participation to the LPES would, of course, be voluntary.

The SIE Act is being amended. Some of the amendments made, namely the new section 28(3B) and certain amendments to section 29, relate to the LPES. These amendments are in clause 29. Section 28(3B) allows an applicant applying for written authority of the Minister of Agriculture to convert agricultural land to non-agricultural use and wishing to join the LPES Scheme to make a declaration to the effect that he satisfies the pre-qualification criteria set up under the Land Planning and Development Act in respect of the LPES. In that case, the

applicant needs not specify the use he would make of the land to be converted, as that would be determined by the instances of the LPES.

Section 29 is amended in the first paragraph of sub-section one. Items (i) to (iv) and (xv) are maintained. Items (vi) to (viii) and (xiv), relating to industrial estates, business parks and shopping malls, Information Technology Parks, the construction of hotels or the setting up of a golf course or other touristic facilities or installations, and the establishment of human resource development facilities, are deleted and not replaced.

Minor modifications are made to ensure that biotechnology refers to agro-industrial activity.

Items (x) (industrial enterprises), (xii) (education) and (xiii) (health institutions) are repealed and replaced by new provisions, which conditions exemptions for these ventures to the approval of the Ministerial Committee set up under the LPES.

A new sub-section is added as a savings provision for cases being before the land conversion committee prior to the commencement of this Bill.

Consequential amendments are made to four Acts, namely the Building Act, the Environment Protection Act, the Local Government Act 2003 and the *Morcellement* Act to cater for the LPES. They relate to application procedures. These amendments are in clauses 5, 10, 18 and 21.

In the 2005 Budget Speech, I announced measures to improve the competitiveness of small planters, and I also introduced a package for those planters who were not in a position to become competitive, I quote -

“Government recognises that a number of small planters will not be able to become competitive in agriculture. Government will, therefore, exempt those owning less than 10 *arpents* from payment of land conversion tax, land transfer tax, capital gains *morcellement* tax and *morcellement* fee on the conversion of up to one hectare of land. This exemption will be granted if the land is within a permissible development area and where no irrigation is available. A fast track procedure will be established to process all applications for the above exemptions.”

In the ERCP, I announced a host of measures for small planters and I am happy to say that they are bearing their fruits. In the Bill, I am furthering the measure regarding those planters who cannot be competitive, namely, the waiving of the 30 September 2005 time limit and raising of the threshold from one to two hectares. In addition, these planters will have the right to participate if they so wish in the LPES. In clause 29, the relevant amendments are in respect of sections 24(4A) and 28(4C) the SIE Act.

As an extension of the facilities available, a person holding a valid written authority to convert agricultural land would henceforth be able to change the site and purpose of a conversion subject to seeking the approval of the Minister of Agro-Industry and Food Security.

In line with the desire to foster value addition in all walks of agriculture, fishing and forestry, the term “agro-based activity” is being replaced by “agro-industrial activity” in section 27 of the SIE Act.

Taking into account the imperatives of the market, the time limit of the five years for the validity of a land conversion permit is being removed. To this end, paragraph 8 of the Twelfth Schedule to the SIE Act is being amended.

To speed up conversion, the SIE Act is being amended in section 11. A new sub-section 3A is added that provides for the Supervising Officer of the Ministry responsible for the subject of planning and development of land or the vendor to notify the supervising officer of the Ministry of Agro-Industry, in writing, of the date of registration of the deed of sale of the land to government within 15 days of the date of registration. The Ministry will, within 15 days of receipt of notification, grant written authority for conversion of the land.

Finally, the Bill, inasmuch as land issues are concerned, will have to be read along with the various legislation that are being amended and with those relating to the LAVIMS Project, namely the recently passed Cadastral Survey Bill and the forthcoming Property Valuation Bill.

Mr Deputy Speaker, Sir, I now turn to measures announced in the Budget to shore up the productivity of our marine resources, in particular Fish Farming and the Land-Based Oceanic Industry.

Clause 12 amends the Fisheries and Marine Resources Act to provide for a legal framework for the regulation and development of a fish farming industry in respect of fish

farming activities, which will involve the production of a variety of species. Regulations will be made to make it operational, and clause 12 will come into operation by Proclamation.

Clause 19 amends the Maritime Zones Act to provide for a legal framework for the regulation and operation of a Land-Based Oceanic Industry (LBOI). Applications will have to be made to, and processed by BOI, which shall make its recommendations to the Ministry responsible for the subject of LBOI, namely the Ministry of Energy and Public Utilities. All necessary clearances from the appropriate authorities should be obtained before any company engages in such activity, including an EIA licence and evidence of concession granted by the Prime Minister.

Any concession granted will not exceed 30 years, renewable for successive periods of 10 years. On ground of public interest, the Prime Minister may limit the number of concessions granted and clause 19 will come into operation by Proclamation, and the terms and conditions relating to a LBOI concession will be set by way of Regulations.

Mr Deputy Speaker, Sir, in the Budget Speech I stated that government policies, global trends, corporate strategies and socio-cultural developments are all reshaping our economy and society. I also added that, in our bid to leap forward on productivity, policy-makers, operators and decision-takers in our country will need increasingly more information, in greater details, and at low cost in a timely and reliable manner. The payoffs in terms of higher productivity can be substantial. For this reason, government is supporting a comprehensive reform of the Central Statistics Office focused on eight main objectives.

First, we want to enhance the status of the organisation from that of an office to that of an institution.

Second, we want to overhaul its governance structure.

Third, we provide it with greater independence in collecting and disseminating statistics.

Fourth, we give it more powers to collect statistics and to ensure better quality statistics.

Fifth, we want to broaden the scope of the Statistics Act to cover all producers of official statistics.

Sixth, we want to set the framework for better coordination among producers of statistics.

Seventh, we want to ensure greater compliance with the Code of Practice and ensure that the statistics, their collection and dissemination are, in fact, in conformity with international norms and standards, and

Eighth, we want a legal framework that strikes a right balance between the need for confidentiality and transparency.

The amendments we are proposing to the Statistics Act do all of that.

Clause 28 amends the Statistics Act to provide for the Central Statistics Office to be known as Statistics Mauritius. The amendments also provide for the reinforcement and modernisation of the national statistical system through more effective coordination mechanisms among producers of statistics. Thus, the Statistics Advisory Council will be replaced by a high-level Statistics Board, and the scope of the Statistics Act will be broadened to cover all producers of official statistics. Furthermore, the changes to the Statistics Act will reinforce the duties and powers of the Director of Statistics, and allow for surveys to be made with the approval of the Board only. Making of regulations each time a survey has to be conducted will not be required anymore, except for population census. These changes will ensure greater professional independence of Statistics Mauritius.

The present Statistics Advisory Council will be replaced by a high-level Statistics Board made up of high-level officials from key institutions producing official statistics and high-profile professionals in statistics, namely a Deputy Governor of the Bank of Mauritius or his representative; the Financial Secretary or his representative; a representative of the private sector to be appointed by the Minister on the advice of the Joint Economic Council, a qualified and suitable person having international experience on official statistics to be appointed by the Minister, the vice-Chancellor of the University of Mauritius or his representative, and the Director of Statistics.

The Chairperson of the Board must be suitably qualified and experienced in the field of statistics, economics, social sciences, finance, management or related fields, and will be appointed by the President, upon the advice of the Prime Minister after the Prime Minister has consulted the Leader of the Opposition, on such terms and conditions as may be determined by the Prime Minister.

The Bill also provides for the President, on the advice of the Prime Minister, to terminate the appointment of the Chairperson on grounds of any misconduct, default or breach of trust in the discharge of his functions or where he is subject to proceedings of such nature as to render it desirable that his appointment should be terminated.

The Statistics Board will, *inter alia*, coordinate all activities across the national statistical system, so as to ensure that all producers of statistics operate in a professional environment, promote best practices and adhere to international recommendations and standards, in particular the United Nations Fundamental Principles of Official Statistics and the African Charter on Statistics which Mauritius ratified last year. The Board will safeguard the quality, integrity and professional independence of official statistics. In addition, it is proposed that an independent assessment of the quality of statistics produced within the national statistical system will be undertaken by an independent and competent body at least once every three years.

Provisions have also been made to ensure that, in the discharge of its functions and the exercise of its powers, the Statistics Board shall not be subject to the direction or control of any other person or authority. Indeed, the international community, including the United Nations, recommends that national statistical agencies should be independent and avoid the perception that their data collection, analysis and reporting process are manipulated for political purposes.

Statistics Mauritius will be the authority in statistics.

The scope of the Statistics Act will be broadened to cover all producers of official statistics within the national statistical system, so that it becomes the fundamental law on statistics, taking precedence over provisions for statistical operations in other agencies of government.

Disclosure of data for research or statistical purposes can be made by the Director and will not require the approval of the Minister. Section 19 of the Act already provides for the conditions regarding disclosure and for the use of statistical information.

The First Schedule to the Act provides for a list of matters in respect of which statistics may be collected. A few matters have been added, whilst others have been updated to cater for new social and economic developments. They are found, in fact, at clause 28.

The confidentiality provisions are being reinforced. A provision is being made for the Gambling Regulatory Authority and any officer under the VAT legislation and Income Tax Act to disclose the information required by Statistics Mauritius, except that the name of an individual under these Acts shall not be disclosed. Consequential amendments are also being made for the Bank of Mauritius, the Banking Act and the Mauritius Revenue Authority, to disclose information required by Statistics Mauritius to enable the Director to discharge his/her functions under the Act.

I must say that there have been wide consultations by my Ministry with stakeholders, including the Bank of Mauritius, the Financial Services Commission, the Mauritius Revenue Authority, the Joint Economic Council and the Mauritius Employers' Federation.

Clause 31 amends the Trusts Act to enable a purpose trust, whether charitable or not, to have a perpetual duration. Currently the duration of a non charitable purpose trust cannot exceed 25 years.

Mr Deputy Speaker, Sir, I will now elaborate on the amendments being made to enable the implementation of measures that were not announced in the Budget Speech.

Clauses 2, 7, 14, 23, 25 and 30 amend the Affidavits of Prescription Act, *Code Civil Mauricien*, Inscription of Privileges and Mortgages Act, Notaries Act, Registration Duty Act and Transcription and Mortgage Act respectively to provide for the standardisation of documents for registration, inscription and transcription in the context of the implementation of the LAVIMS project, whereby these documents will be scanned and saved in the Digital Cadastral Database (DCDB), kept and maintained by the Ministry responsible for the subject of land surveys.

Consultations were wide and comprehensive. Indeed, my Ministry has consulted relevant stakeholders, including the Chamber of Notaries, Bar Council, Law Society and the Mauritius Bankers Association, and their inputs have been taken on board.

The three major outcomes of LAVIMS for the Island of Mauritius are a Cadastre, a parcel-based deeds registration system and a Property Valuation database, integrated and supported by an appropriate Information Management System.

The Cadastral Survey Bill has already been passed in the National Assembly on 05 July 2011 in relation to the cadastre component. Legal amendments are being brought to address the

deeds registration component. And some procedures are also being reviewed at the Registrar General's Department to cater for the new system.

A Bill for the valuation component is currently being prepared at the level of my Ministry.

Clause 25 amends the Registration Duty Act to cater for an anomaly and unfairness in taxation in the case of a pre-sale agreement. Representations have been received from purchasers of a lot in a *morcellement* that they were being made to pay registration duty on the value prevailing at time of registration of the deed of transfer, instead of the date the pre-sale agreement was signed. It may be recalled that the *Morcellement* Act was amended in 2008 to allow promoters of *morcellements* who have already received a Letter of Intent from the *Morcellement* Board to enter into a pre-sale agreement and take a deposit (normally representing 25 per cent of the price) from the would-be purchasers of a lot before the completion of infrastructure works. As a result, the common practice has been not to register the document, since full duties have to be paid on the whole amount of the contract price. The amendments provide that, in respect of a pre-sale agreement relating to an immovable property, including *morcellement*, registration duty is payable on 25 per cent of the market value of the immovable property or any part payment on the value of the immovable property, whichever is the higher, provided that the document is registered within three months from the date of signature of the agreement. The remaining duty will be payable upon presentation of the deed of transfer in respect of that immovable property for registration. The amendment is being made applicable to all pre-sale agreements in respect of immovable property, and not just for lots in *morcellement*, on the basis of non-discrimination. In case the deed of transfer is drawn up after three years from the date of registration of the pre-sale agreement, the date of valuation of the immovable property for the purpose of levying Registration Duty and Land Transfer Tax would be the date on which the deed is presented for registration instead of the date the pre-sale agreement was signed.

In addition, provisions have been made at clause 16 to amend the Land (Duties Taxes) Act for the imposition, in respect of both land transfer tax and registration duty, of a graduated penalty rate based on the extent of undervaluation of an immovable property, so as to alleviate the hardship suffered by taxpayers and the difficulties encountered by the Registrar General to

recover arrears of revenue. The penalty will henceforth be zero, 20 or 50 per cent, depending on the extent of undervaluation, instead of the present penalty rate of 100 per cent.

The reduction of the penalty stems from the recommendations of committee set up for follow-up on corrective measures to address the issues raised by the Director of Audit. Moreover, the amendments refer to any transaction which attracts the payment of land transfer tax.

And it is to be noted that the penalties are more stringent than those in force in 2005. In that year, when the difference between the open market price and the value specified in the deed did not exceed 50%, there was no penalty. Now, the penalty is imposed as from any difference exceeding 10% at the rate of 20%. That rate prevailed for values between 50 and 100% in the past; now, for this range, the penalty will be of 50%.

The 10% tolerance level is explained by the fact that a valuation exercise only gives a best estimate of the value of the property. Accordingly, it is normal practice for Government Valuers to accept declared values that vary by plus or minus 10% from their own assessed values.

The definition of religious body in the Registration Duty Act is being removed. Regulations will be made shortly under the Land (Duties and Taxes) Act to better regulate the exemption from registration duty and land transfer tax granted on acquisition of immovable property by a religious body.

Clause 3 amends the Bank of Mauritius Act to empower the Bank of Mauritius to request any institution offering credit, or any utility body to participate in the Credit Information Bureau and for the bank itself to participate therein, and to furnish to the Bureau credit information on credit facilities granted to the members of the staff of the bank.

The Banking Act is being amended at clause 4 to provide for the time limit for financial institutions to transfer to the Central Bank monies which have been left untouched and not reclaimed in customer deposit accounts to be reduced from 10 to 7 years. After that period, of course, the customer can still claim the monies from the Central Bank.

Clause 6 provides for the implementation of the PRB Report 2008 relating to the Civil Service Family Protection Scheme for public officers, Judges and Members of the National

Assembly. This amendment will take effect as from 01 July 2008.

Clause 8 amends the Companies Act to provide for companies under the Protected Cell Companies Act to apply the solvency test to the individual cell rather than to the whole company. It makes better provisions for the identification of the auditor, the signing partner of an audit firm or an audit firm in auditor's reports and for every non-public interest entity to prepare its financial statements in accordance with IFRS for SMEs, to eliminate cumbersome reporting and avoid burdening businesses, whilst maintaining timely reporting, transparency and data integrity.

Clauses 9 and 11 provide for a better definition of "financial institution" for the purposes of the Dangerous Drugs Act and the Financial Intelligence and Anti-Money Laundering Act, for the Director of Public Prosecutions and the Registrar of Associations to be represented on the National Committee for Anti-Money Laundering and Combating the Financing of Terrorism and for the FIU to issue guidelines to members of the relevant professions or occupations on measures to combat money laundering or financing of terrorism in force in jurisdictions having standards comparable to Mauritius.

The Income Tax Act is being amended at clause 13 to bring a clarification of the definition of "foreign source income" by clearly stating that it includes income derived by corporations holding a Global Business Licence and for the effective date of the coming into operation of the exemption relating to gains on immovable property to be 01 January 2011.

Clause 15 amends the Insurance Act to make a better provision for the levying of annual fees in respect of insurance salespersons and for non-compliance.

Clause 17 amends the Local Government Act to bring a clarification regarding the yearly estimates to be made following the shift from financial year to the calendar year basis for the purpose of the implementation of the Programmed Based Budgeting at the level of the local authorities.

Clause 22 makes provision for the Permanent Secretary of the Ministry responsible for the subject of social integration and economic empowerment to become a member of the National Economic and Social Council.

Clause 26 amends the Securities Act to widen the definition of the term ‘associate’ to include a ‘person acting in concert’ for the purposes of takeovers.

The Stamp Duty Act is being amended at clause 27 in order to facilitate the administration, by providing that stamp duty should be paid in the same foreign currency as that used by the purchaser of a property under the Real Estate Development Scheme for payment of his registration duty. Similar provision has been made for the payment of fees under the Transcription and Mortgage Act.

Mr Deputy Speaker, Sir, to conclude, let me place on record my deep appreciation to my staff who, during the wide ranging, comprehensive and lengthy consultations, have demonstrated their deep sense of professionalism and relentless effort to shape up this Bill, which I sincerely believe will be a watershed in the development of this country. My thanks also go to the office of the SLO and all the stakeholders who showed understanding and contributed meaningfully in the consultations.

Mr Deputy Speaker, Sir, I wish to seize this opportunity to reiterate my unflinching commitment and faith in the socio-economic vision I have enunciated in the 2011 Budget. Since I have joined politics, my only agenda has been to contribute in fostering more national wealth, propelling the country towards new heights of socio-economic progress and improving the conditions of living of the population. I am determined to translate this vision into reality and make the Mauritian dream of a second economic miracle come true.

Commitment to my given word, sincerity in all my actions and a vision for the common good and advancement of the nation at large are the three cardinal pillars of my political mantra.

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

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

(7.25 p.m.)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Deputy Speaker, Sir, this Bill comes eight months after the 2010 Budget Speech and covers several measures which had been announced in the Budget, but which were not covered in the Finance (Miscellaneous Provisions) Act.

First of all, I would like to place on record our appreciation that the controversial measures announced in that Budget, and which were referred to the Leader of the Opposition and several Members on this side of the House during the Budget Speech, have not been incorporated in the Bill that is before the House today. One measure in the Budget Speech which was not in the Finance (Miscellaneous Provisions) Act was in relation to the land-based oceanic industry. We all recognise that it is urgent for the land-based oceanic industry to move forward, and this Bill proposes to amend the Maritime Zones Act to create the legislative framework for the land-based oceanic industry. The economic activities to be covered are yet to be prescribed, but the foundations are being laid down today.

Answering to a PQ, the hon. Deputy Prime Minister explained how the first attempts to develop a joint venture for the land-based oceanic activities resulted in a flop. We understand from this PQ that the whole thing is subject to a police enquiry. The State has lost considerable amount of money in the process and the project did not take off.

Mauritius has limited resources, but we are surrounded by water. We have to optimise our resources and exploit the ocean to its full potential. In the process, we will, of course, need foreign expertise and capital. This is where it is very important that we have the appropriate framework in place for the licensing of the economic activities in this area and also for a full due diligence and screening process to be carried out on the applicants. The licensing process, we understand from the Bill, will involve several Ministries and bodies. The Board of Investment logically is the first to handle the application. Then, the Board of Investment makes recommendation to the Permanent Secretary, who approves or rejects the application.

Therefore, the Permanent Secretary of the Ministry responsible for the subject of land-based oceanic industry has the power to reject a recommendation made by the Board of Investment. Now, are we saying that the Permanent Secretary will have to scrutinise the whole process, which the Board of Investment has already gone through. How deep will that review be? Is that going to result finally in a tug of war between institutions, with everyone trying to defend its turf? But, more importantly, will such a process result in a delay in the issue of licences? Because this is not the end of the process. The applicant still needs to apply to the Prime Minister's Office for a concession in the area of the sea in respect of the proposed economic activity.

I believe that it is correct that such an important issue like planting of concession over our maritime zone is left at the level at the Prime Minister's Office. It is also logical and consistent with the existing policy that it is the Prime Minister's Office, which, for example, has the power to allow non-citizens to hold immovable property in Mauritius. In addition to the authorisation of the Permanent Secretary and the deed of concession, the promoter will also need to have the appropriate EIA licence, which is crucial, as we need to protect our maritime resources and ensure that the economic activities is environmentally friendly.

The Act also set out the circumstances under which the concession can be suspended or cancelled. But where the legislation is currently lacking is that there is no mechanism at the moment for resolving dispute. There does not seem to be any prescribed appeal procedure if, for example, an application is turned down, or in the middle the process is rejected or revoked. The Act allows the hon. Prime Minister, on grounds of public interest or for the implementation of a project of a natural interest, to remove a concession from a concessionaire, subject to the payment and I quote –

“of reasonable compensation to the concessionaire.”

What is reasonable? How do we determine what is reasonable? And who will determine what is reasonable? I am sure that what is reasonable for the government will not be reasonable for the parties whose concession is being revoked. Are we going to have arbitration? Is there going to be an arbitrator to determine this? Is the party going to go to court? Is it going to be left to the judge? Or are we going to have a special valuation tribunal? I believe that this is an aspect of the law, which we should certainly pay attention to, because promoters, especially foreigners, are going to invest huge sums of money in land-based oceanic projects, and would definitely want to have certainty and reassurance as to how it would be adequately compensated in the event the concession is being revoked.

Mr Deputy Speaker, Sir, with your permission, I would like now to comment on a few other sections of the Bill. The bulk of the proposed amendments, as far as the page numbers are concerned, is to give effect to the Land Administration Valuation Information and Management System, commonly known as LAVIMS project. This is an attempt to standardise all the various legislations, which would be concerned with the implementation of the LAVIMS project. So, we tend to standardise the font, the format and the content of deeds that would be inscribed,

registered and transcribed. This is all very well and good, Mr Deputy Speaker, Sir. But, as can be seen from the bulk of paper, there are so many legislations that are being affected and even for experienced practitioners, it is an absolute nightmare to find one's way through all the various legislations. I am sure that it is not easy for several Members of the National Assembly themselves to go through the process, because we are dealing with highly technical and complex legislation. This is why I will make an appeal to the government to set up a committee and review the whole array of legislations that affect land, land transcription, and which will be affected by LAVIMS, and come up with one consolidated set of rules that will be applicable and easy to implement.

One of the major problems that we have today, Mr Deputy Speaker, Sir, with all this array of legislations is that inconsistency is inevitable. We are seeing today that one of the amendments being brought by this piece of legislation is in relation to the Land Duty and Taxes Act. There is an inconsistency at the moment between the Land Duty and Taxes Act and the Registration Duty as to the date of valuation for the purpose of determining the duty payable. On the Registration Duty Act, it was at the time the deed was registered, whereas there was no such comparable clause in the Land Duty and Taxes Act; for the purpose of Land Duty and Taxes Act, the Registrar used to value at the date of the deed. This inconsistency today is being eliminated, and I am sure that there may be other inconsistencies that may crop up if we do a full review of all the legislations affecting land in this country.

We also welcome the decision to allow fees to be paid in foreign currency because this is one of the demands made by several foreign investors, especially those who invest in IRS/ERS project, and also we welcome the decision to revise downwards penalty. What is lacking? This is a suggestion that I am making to the hon. vice-Prime Minister; if, in the future, there can be a mechanism set for advance ruling. We have this under the Income Tax Act; we have it for Value Added Tax. I think it to be very important if we can have a mechanism for advance ruling by the Registrar, who can inspect a document that is going to be registered, assess it, tax it and tell us on what basis and how much the registration duty would be. At the moment, the Registrar insists that we file an executed document before they can tax or value it. This is one area, which I will invite the hon. vice-Prime Minister to look and see if we can have this procedure for advance ruling.

I will very briefly now talk on the other provisions of the Companies Act that are being amended. Two important provisions of the Companies Act are being affected. The first one is in relation to protect cell company. Again this is something that the industry has been asking for some time now and it is most welcome, because a protected cell company is different from each cell. So, the solvency test should apply to each cell and not to the company itself. This is being clarified by an amendment to this effect by this Bill.

The other amendment in the Companies Act is the one relating to the audit of companies. Now, the audit partners have to specify their names and give description of who is signing it and who is the auditing firm carrying out the audit. But, more interestingly, for lots of small and medium enterprises, they will now be allowed to prepare their accounts in accordance with a specific accounting reporting standard that is applicable to small and medium enterprises. Again, it's been 11 years now that the Companies Act has come to force, and I will invite the hon. vice-Prime Minister again to see whether he can set up a committee to review and revamp the whole company law legislation and coming up subsequently with a new Bill, which will have a comprehensive review of whatever has happened since the Companies Act was passed in 2001.

I have two last comments, Mr Deputy Speaker, Sir. One is on the attempt to reconcile the definition of financial institutions. The Dangerous Drug Act and the Financial Intelligence and Anti-Money Laundering Act are being amended to provide for a revised definition of financial institutions.

Unfortunately, however, Mr Deputy Speaker, Sir, I don't know why there is still inconsistency between the definition of financial institutions under the Dangerous Drugs Act and the Financial Intelligence and Anti Money Laundering Act. The main area of discrepancy is in relation to the supervision of global business companies. These are covered under the definition of financial institutions under the Financial Intelligence and Anti Money Laundering Act, but not under the Dangerous Drugs Act definition. We know that, since the 2010 Budget, category one Global Business Companies are allowed to transact with residents. So, in my opinion, it is important that the Dangerous Drugs Act also, in its definition of financial institutions, covers the Global Business Companies and not just the Management Company Registered Agent required to be licensed under the Financial Services Act.

We welcome the amendment to the Financial Intelligence and Anti Money Laundering Act, which would allow for the issue of guidance to members of the relevant profession and occupation. This is very important, Mr Deputy Speaker, Sir. At the moment, lawyers and other professionals who have reporting requirements under existing legislation do not have any guidance which would help them appreciate and determine what the suspicious transaction is. Lawyers have contact with people everyday, and it is important that there is clear guidance issued, especially for young lawyers who are still on training, who have just been called to the Bar, for them to identify what are the high risk clients and what are the suspicious transactions. This is a welcome move, because it comes at a time - as the Deputy Speaker is well aware - when there is a lot of unfounded allegation of money laundering in Mauritius, and Mauritius is being tainted because of its relationship in its double taxation treaty with India. This is a welcome move to have the guidance to be issued to members of relevant profession.

The Income Tax Act is being amended to remove a confusion that has been caused by an amendment brought in after the 2010 Budget. Under the 2010 Budget, the Global Business Companies category one were allowed to transact business, and then there were two rates of income tax applicable; one when they were receiving foreign income, and one when they were receiving domestic income. So, the definition of foreign income was modified. Unfortunately, by modifying this definition of foreign income, we also affected a regulation; there was an inconsistency with another regulation dealing with credit for income for global business companies. It is welcome today that this inconsistency has been addressed so that Global Business Companies would, for the purpose of the definition of foreign income, include income derived from other global business companies.

Finally, Mr Deputy Speaker, Sir, the Trust Act is being amended; the perpetuity period is being increased to infinity for non charitable purpose trust. Again this was an announcement already made and welcome in the last Budget Speech, and this is something that has been asked by the industry. It is welcome. Now, we hope that, as the vice-Prime Minister has stated in various PQs on the matter, new legislation would be brought to revamp the finance sector, to introduce investment, limited partnership legislation in the future.

Thank you Mr Deputy Speaker, Sir.

(4.24 p.m.)

The Minister of Housing and Lands (Dr. A. Kasenally): Mr Deputy Speaker, Sir, at the outset, I wish to congratulate my colleague, the Minister of Finance and Economic Development, for the presentation of this Bill. As we can see from hon. Uteem, from the Opposition, there seems to be lot of consensus, and the Opposition welcomes the majority of measures enunciated in this Bill.

Mr Deputy Speaker, Sir, I recall that, at the Second Reading stage on the Cadastral Survey Bill, issues leading to the registration of deeds and valuation of land parcels and properties were raised, and I did mention that the relevant legislations were being prepared to address these issues and that was why I resisted the request of a good colleague for a Select Committee to look again at the Bill.

Precisely, one of the objectives of this Bill is to cater for the standardisation of documents for registration, inscription and transcription in the context of the implementation of the LAVIMS project. Thus, provision is being made in this Bill through amendments to the various legislations, for example, the Land (Duties and Taxes) Act, the Registration Duty Act and the Notaries Act, to cater for these requirements.

Mr Deputy Speaker, Sir, I will now comment on another important measure provided for in this Bill, which pertains particularly to my Ministry, and I think the hon. vice-Prime Minister also spoke about it. One of the measures enunciated was to set up the Land Productivity Enhancement Scheme (LPES). It is a special purpose vehicle for speeding up and streamlining procedures, with a view to setting up a fast track for development.

The Budget 2011 also mentioned that some 5660 hectares of land are ready for development as a result of incentives provided for under the SIE Act. I understand that some 3660 hectares of these lands belong to the corporate sector already in possession of conversion rights, and 2000 hectares are owned by planters with less than two *arpents* who are eligible for conversion. However, development on these lands has to be carried out in a planned manner.

Mr Deputy Speaker, Sir, development is not happening as expected because of lengthy administrative, as well as regulatory procedures and other factors such as small plot size and high costs of marketing. Moreover, investors are finding difficulties to match their requirements for land with the supply, mainly due to infrastructural constraints.

In order to match demand for land for development purposes and supply of land by different land owners, namely the corporate sugar sector, planters and other land owners, the LPES will provide an appropriate mechanism to monitor, control and facilitate processing of land belonging to owners registered under the Scheme.

This legislation translates into reality the vision of this Government as enunciated in the Budget 2011. It is noted from Clauses 5, 10, 18 and 21 of the draft Bill that amendments are being brought to the Building Act, the Environment Protection Act, the Local Government Act and the Morcellement Act to enable applications made under these various legislation to be made through the LPES Technical Committee provided for under Clause 24 of the Draft Bill through an amendment to the Planning and Development Act 2004 with a view to facilitating development of lands that have already had land conversion rights or which are eligible for land conversion.

It is expected that the monitoring and facilitating role of the LPES Technical Committee will ensure fast tracking of projects under the Scheme while respecting the fundamental principles of planning and development policies.

The LPES Technical Committee under the chair of the Secretary to Cabinet and Head of the Civil Service and comprising Supervising Officers of Ministries concerned will, *inter alia*, coordinate and facilitate the processing and issue of the required permits, licenses or authorisation under the various enactments to enable projects under the scheme to start expeditiously. My Ministry shall provide the Secretariat to the LPES Technical Committee.

My Ministry, which has ample experience in handling and processing applications, will provide the necessary assistance and guidance to discharge the duties conferred upon it whilst having regard to the sound principles of sustainable spatial development, as provided for in our Outline Planning Schemes and other Planning Policy Guidance.

Mr Deputy Speaker, Sir, the LPES Technical Committee, subject to the approval of the Ministerial Committee set up for the purpose and having regard to any approved Outline Scheme, shall -

- (a) set, every year, a maximum target area of land to be developed under the LPES,
and

- (b) establish the pre-qualification criteria for selection of land, and give public notice thereof.

Mr Deputy Speaker, Sir, we note that the main objectives of the LPES are to -

- ensure that land available for creating economic value is fully utilised and optimally exploited;
- effect rapid development, and enhance economic growth;
- provide a platform for matching demand and supply of land for development;
- create wealth, and increasing government revenue, and finally
- optimise the participation of all stakeholders.

Mr Deputy Speaker, Sir, before embarking on development on land that has been removed from agriculture, the prospective promoter or investor needs to seek appropriate clearances and permits from different authorities, including my Ministry, which determine where and how land development should take place.

Mr Deputy Speaker, Sir, this government has always been sympathetic to the cause of the socially deprived and economically less favoured sections of the community. In order to assist these vulnerable segments of the population, exceptions are made to cater for local needs in terms of employment and housing within structural changes in the sugar sector, subject to the release being acceptable planning wise.

We are sensitive to the plight of small land owners owning land not exceeding 10,000 m² or a hectare in the aggregate who can convert their agricultural land only if that land is located in an area where development is permissible, in accordance with an Outline Scheme or the strategic and detailed development policies of a Development Plan.

Mr Deputy Speaker, Sir, on one hand, the corporate sector is allowed to develop in a very flexible way. On the other hand, small land owners need to comply with the restrictive clauses imposed by section 28 of the SIE Act.

Mr Deputy Speaker, Sir, the LPES is being set up under clause 24 with the relevant amendments to the Planning and Development Act, to ensure a more level playing field among all the stakeholders in our effort towards a greater democratisation of the economy.

Mr Deputy Speaker, Sir, my Ministry, which is responsible for the promotion and coordination of the orderly and economic use and development of land, will, through the LPES, ensure that appropriate structures and processes are put in place, with a view to achieving effective planning and development. In this respect, my Ministry is having recourse to foreign expertise to develop the right spatial development strategy, which takes even more importance with the concept of *Maurice Ile Durable* vision. I take this opportunity to assure the House that the LPES will be used to meet the objectives ecologically sustainable development.

The sustainability of development and our vision for a *Maurice Ile Durable* can only be achieved if a judicious use of land is made.

The legislation, Mr Deputy Speaker, Sir, translates the economic vision of government of modernising the economy, facilitating the ease of doing business and removing administrative hurdles, thereby ensuring enhanced growth and development, thus placing Mauritius firmly in the league of newly industrialised countries.

Thank you, Mr Deputy Speaker, Sir.

(4.34 p.m.)

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Deputy Speaker, Sir, first of all, let me thank the hon. Members who have participated in the debate on the second reading of this Bill, and allow me to say that, again, we must situate the passing of the measures following the Budget in the context of the time where we are evolving.

This is a time where, in fact, we need to pursue economic growth and development that will drive in large part from the better utilisation of our resources, and that is why emphasis is being laid on the development of human, land, marine and, indeed, all the natural and manmade resources that we can harness. In other words, higher productivity from more efficient use of our resources will be the fundamental aspect that will take our economy on the growth path beyond the 4.5% to 5%. We need obviously, absolutely to shore up our efficiency, to walk the extra mile that we will need to speed up our pace to the goal of Rs1 trillion economy.

The hon. Member of the Opposition has made a comment about the time we have taken for the Bill to come before this House; nearly eight months, as he said. I, myself, would have

wished that the Bill had come much earlier to this House but, of course, there are some reasons why it has taken time. I do not wish to go into those reasons, but I think it is good to say *mieux vaut tard que jamais*.

With regard to the comments that have been made by the hon. Member of the Opposition, I am very appreciative that he has supported a number of the measures that we have enunciated in the Bill, but he has made, of course, other remarks, to which I will just pass a few comments.

With regard to the LBOI, Mr Deputy Speaker, Sir, we must understand one thing. This is a new sector that we want to develop. Of course, as soon as the project was announced, there has been interest shown by foreign promoters, and government started to see to it that, with regard to those promoters who are interested, at least, there is engagement into discussions, trying to see whether they can come to an agreement concerning the project that has to be set up. At the same time, of course, this is a new thing to Mauritius, and we need to come with the proper legislation, and this is the opportunity that is being taken for government to come with the appropriate legal framework. So, we have to be careful with two things.

First of all, we need the appropriate legislation, the framework that has to be set out for such kind of activities to operate in Mauritius. The hon. Member has mentioned that there was a problem...

(Interruptions)

The Deputy Speaker: Hon. Seetaram, please!

Mr Jugnauth: ...with regard to an application that has been made. If I can recall from memory, there has been an allegation that one document has been forged, and that matter has been referred to the police. It is very unfortunate that we have reached such a situation in this case, but I can assure hon. Members that what is required is that, at least, we have the proper legislation, the proper framework, and that we will see to it that, in the course of other promoters who are interested, they will be dealt within the legal framework that is being voted.

There is the issue of reviewing the array of legislation and the different taxes with regard to registration duty, land taxes and so on. I think it is a very complicated issue, because I know that a lot of people and, in fact, even professionals sometimes get lost into the application of these different sections of the law. But I can assure the House that I am going to look into it. In

fact, I intend to set up a committee to look at all the aspects of the taxes and see to it that we rationalise and, probably, amend a number of our legislations, so that it is very clear and that we know exactly in terms of what taxes will apply. That will come eventually and, hopefully, we will be able to amend different legislations that exist today.

Hon. Uteem has talked about the inconsistency that exists between two laws with regard to registration of a deal. Let me say that there is no inconsistency, in fact, in the levying of taxes under the Land Duties and Taxes Act, as the provisions have been set at section 28 of the Act to levy the duty and the taxes at time of registration, which will be either at the time when the presale agreement is being registered or at the time when the deal is being registered; it depends. As I have said in my speech, there have been a number of representations because what used to happen was even if there has been an agreement to buy a plot of land, that land was being valued at the time when the registration was being made, whereas the buyer would have paid, let's say, part of the money at a much earlier time and, therefore, the value would have been probably different and less in a number of cases. Therefore, this issue now is being clarified and, in fact, it will be to the advantage of the purchaser, who will decide, if he so wishes, to register at that time.

With regard to the penalty, the hon. Member has mentioned mechanism for advance ruling. This is a technical matter. Of course, I will look into it and see if this can be implemented. Mention has been made about the review of the Companies Act also. The Companies Act is being constantly reviewed in a way, because we have to be dynamic, Mr Deputy Speaker, Sir. There are things which are evolving at such a rapid pace that we have to keep ourselves attune and, of course, whenever there have been successive amendments to the Act, it needs to be consolidated, so that again it is clear.

There was also one issue that the hon. Member raised with regard to the LBOI; there is no like appeal mechanism. But again, here, we have to be careful because we are *un État de Droit*. If somebody is aggrieved, let's say, by a decision, he can always move to the Supreme Court for a judicial review. But I understand the point that is being made by the hon. Member that, for judicial review, it will take time and so on. That is the state of the law and legal procedural matters, but the aggrieved party has the remedy to go to court and ask for judicial review.

With regard to the Limited Partnership Bill, yes, it has been mentioned for quite some time. I can assure the hon. Member that we have been working quite hard, and in fact, the State Law Office also has been working hard on that. If I can recall, the Bill is now ready and it will go to Cabinet, probably, I hope, this week. Hopefully, it will come to Parliament for First Reading next time.

Let me again say, Mr Deputy Speaker, Sir, that we are, through this Bill, enacting a number of the measures that have been announced in the Budget. I have highlighted the important ones, and I have also stated in the Second Reading speech the other different provisions that are being amended. Together, we have seized this opportunity. Of course, my colleague has come with an important legislation with regard to land reform and the LAVIMS project and, therefore, I must say, I am happy that today we are able to pass this Bill to the House.

Thank you.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

The Economic and Financial Measures (Miscellaneous Provisions) Bill (No. XVI of 2011) was considered and agreed to.

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

Third Reading

On motion made and seconded, the Economic and Financial Measures (Miscellaneous Provisions) Bill (No. XVI of 2011) was read the third time and passed.

At 4.49 p.m. the sitting was suspended.

On resuming at 5.24 p.m. with Mr Speaker in the Chair.

PUBLIC BILL

*Second Reading***THE EXCISE (AMENDMENT) BILL****(No. XVIII of 2011)***Order for Second Reading read.*

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth): Mr Speaker, Sir, I move that the Excise (Amendment) Bill be read a second time.

The Bill provides for the implementation of the measure announced in the 2011 Budget Speech for modifying the excise taxation system of motor cars, which is based on their engine capacity, to take into account their CO₂ emission. It thus amends the Excise Act to provide, in addition to the excise duty chargeable on a motor car, for the imposition of a CO₂ levy or for the granting of a CO₂ rebate from the excise duty payable, depending on the CO₂ emission of the car.

Mr Speaker, Sir, the motor vehicle industry is a very dynamic sector, which is subject to rapid changes in technology as well as market conditions. That is why, periodically, major reforms have been brought to the taxation structure. The last two major reforms in the tax structure of motor vehicles were brought in July 2003 and in June 2006.

In July 2003, the following changes were brought -

- (i) the registration duty that was *ad valorem* rate of 11% was replaced by a schedule of fixed fees;
- (ii) the excise duty rates, ranging from 90% to 250%, were lowered to the range between 65% and 185%, and
- (iii) the parameters for the valuation of second hand motor vehicles by Customs were modified.

In June 2006, the excise duty bands were brought from 4 to 2, and the rates of duty ranging from 65%, 95%, 135% to 185% were curtailed to 55% and 100%.

The reform we are initiating is to align our vehicle taxation system with the *Maurice Ile Durable (MID)* vision whose objective is to make of Mauritius a world model and reference of sustainable development. To this end, I emphasised at paragraph 286 of my Budget Speech last year the need to modify our motor vehicle taxation system to reflect the Polluter Pay Principle

and take into account the CO₂ emission standard which is becoming the new practice worldwide. I also mentioned that the IMF would carry out a study on the current taxation system, including excise duty, registration duty and road tax, and make appropriate recommendations. This study was meant to complement an earlier work already undertaken by *Agence Française de Développement (AFD)*, while at the same time giving due consideration to the need to safeguard government revenue base.

This study was undertaken in January/February this year in the context of the IMF Article IV mission. Two reports were submitted, namely: “Options for Environmental Tax Reform in Mauritius” and “Policy Note: Near Term Options for Green Tax Reform in Mauritius”. The two reports not only cover issues related to motor vehicle excise taxation but also include matters regarding road congestion and carbon taxation. The IMF outlined that even with a fully green excise taxation regime, the volume of CO₂ emission would not be lowered if road traffic congestion rose. Given the significant share of Government revenue from motor vehicle taxation, they came with a number of options, both short term and longer term, for environment tax reforms in the area of road transportation and motor vehicles that would reconcile revenue protection and environment promotion objectives.

On the question of road congestion, I would like to mention here that government has been spending over Rs5.5 billion in the last three years on road and traffic improvement. The ambitious Road Decongestion Programme will involve investment of Rs25 billion over the next five years in further enlargement of the Curepipe-Port-Louis motorway, construction of the Harbour Bridge and of a link bridge between Royal Road to join M1 at Soreze, construction of the Ring Road as well as the Terre Rouge-Verdun-Ebène road, which will act as an outer ring road. Government has also been investing on road projects to improve access and mobility in other parts of the country including Phoenix-Beaux Songes link road, Triolet by-pass, Goodlands by-pass, and access road at Réduit Triangle.

Mr Speaker, Sir, let me recall the taxation system currently in place on car ownership. We have, besides the general VAT, three distinct taxes on motor car ownership. These are all related to engine size, as measured by cylinder capacity in cubic centimetres (cc).

First, an excise duty which is a one-off *ad valorem* tax levied on the import price of a vehicle. There are two rates, namely -

- i 55 percent, if the engine capacity is less than 1,600 cc, or
- ii 100 percent, if the engine capacity is greater than 1,600 cc.

Second, registration fee payable on first entry into Mauritius or any subsequent transfer of ownership; for a first registration, the rate varies from Rs12,500 and Rs150,000, depending on engine size whilst for subsequent transfers, the age of the vehicle is also taken into account.

Third, the road tax that is payable every year varying between Rs3,500 and Rs13,000, again depending on engine size.

Regarding excise taxation, the IMF team recommended a two-level system -

First, so as to safeguard revenue, to keep the present *ad valorem* excise tax based on the import price, the preferred recommended option was to move to a single flat rate applicable on all cars irrespective of the engine capacity. Their proposal was to have an intermediate rate between the two existing rates. In fact, their calculation concluded that in order not to lose revenue, the single rate should be fixed at 66%, meaning that smaller-sized cars would have had to be more heavily taxed, whilst the excise duty rate on bigger cars and luxury cars would be lowered.

Second, to achieve the green objective, the above excise duty amount would be adjusted by a revenue-neutral feebate system, i.e. a Fee and Rebate system (similar to the French system of '*bonus/malus écologique*'), under which a motor car buyer would pay an additional amount as penalty per gramme of CO₂ per km emission above a set threshold. On the other hand, the buyer would receive a rebate calculated on the basis of gramme of CO₂ per km if the CO₂ standard emission of his motor car is below the CO₂ threshold.

To ensure the system protects revenue over time and also keeps pace with technological change, the IMF recommended that the CO₂ gramme per km threshold be worked out each year on the basis of the previous year's pattern of imports.

In addition, the IMF recommended that, over the medium term, the road tax be converted into a “congestion charge per km”, whereby motorists are encouraged to drive less to reduce their tax bill.

As regards registration duty, the IMF recommended that it should be lowered progressively and the revenue loss be compensated through a rise in the proposed cordon congestion toll.

We have carefully examined the different proposals submitted by not only the IMF, but also by *Agence Française de Développement* and other stakeholders. We have worked out numerous scenarios and various combinations, taking into consideration national interests. It is clear that the balance to be struck between revenue protection considerations and environmental objectives is a very delicate one. It is also clear that moving towards a full and comprehensive CO₂ based system of motor vehicle taxation can only be done one step at a time and in phases.

Mr Speaker, Sir, we believe that the proposals put before the House today are the most appropriate at this stage. We are confident that their implementation will be acknowledged as a major milestone and a watershed in the MID process.

The Excise (Amendment) Bill makes provision for keeping the current multi-band approach for the time being. Introducing a single flat rate that would be revenue-neutral will necessitate an increase in the excise duty rate for smaller cars from 55% to 66%, which would lead to a rise in the selling price in many cases, even after allowing for rebate for lower CO₂ emission.

So as to narrow the gap between the 55% rate and 100% excise rate and pave the way towards a single flat rate in the future, we are introducing an intermediate band and rate for cars of cylinder capacity between 1601 cc to 2000 cc. The new tax structure and excise rates levied on import price will be as follows -

- 55% for motor cars below 1600 cc, that is, there is no change;
- 75% instead of 100% for motor cars between 1601 to 2000 cc, and
- 100% for motor cars of more than 2000 cc, that is, again for this category, no change.

The environmental consideration in our excise taxation is incorporated through the imposition of a CO₂ levy or granting of a CO₂ rebate.

We are introducing a CO₂ levy or CO₂ rebate around a dynamic CO₂ threshold similar to the IMF proposal. The CO₂ threshold up to end of December 2012 will be 158 gramme per km, which is the average CO₂ emission of new motor vehicles classified as motor cars imported into Mauritius in 2010 - using the same unified international measurement standard, that is, the UN ECE 101, as used by other countries for taxation. The CO₂ threshold will be reviewed in subsequent years to reflect the average pattern of import of new motor cars. The task of computing the average CO₂ emission will be done jointly by my Ministry and the Mauritius Revenue Authority. A Technical Certification Committee under the chair of Central Statistical Office and comprising representatives from the Ministry of Finance, Ministry of Environment, Ministry of Commerce, Mauritius Revenue Authority and National Transport Authority will verify and certify the correctness of the average CO₂ and advise accordingly.

The CO₂ levy will be payable if the CO₂ gramme per km of a motor car exceeds the CO₂ threshold of 158 CO₂ gramme per km. A graduated CO₂ levy rupee rates are being proposed as follows, which is set out in Sub-part B of the First Schedule of the Excise (Amendment) Bill -

- + Rs2,000 per gramme/km, for Cars from 159 to 190 CO₂ grammes/km;
- + Rs3,000 per gramme/km, for Cars from 191 to 225 CO₂ grammes/km;
- + Rs4,000 per gramme/km, for Cars from 226 to 290 CO₂ grammes/km, and
- + Rs5,000 per gramme/km, for Cars above 290 CO₂ grammes/km.

The amount of CO₂ levy payable will be the difference between the CO₂ gramme per km of the motor car and the CO₂ threshold of 158 CO₂ gramme per km multiplied by the CO₂ rate. For instance, if the CO₂ gramme per km of the motor car is 168, the amount of CO₂ levy will be the difference between the CO₂ gramme per km of the motor car and the CO₂ threshold of 158 CO₂ gramme per km, that is, 10 gramme per km multiplied by the CO₂ levy rate of Rs2,000 per gramme/km and, in this case, the amount of CO₂ levy payable will be Rs20,000.

On the other hand, a CO₂ rebate is granted when the CO₂ gramme per km of a motor car is below the CO₂ threshold of 158 CO₂ gramme per km. In this case also a graduated rupee rates for CO₂ Rebate is proposed as follows -

- Rs3,000 per gramme/km, for Cars with up to 90 CO₂ grammes/km, and
- Rs1,000 per gramme/km, for Cars from 91 to 158 CO₂ grammes/km.

The same formula as in the case of CO₂ levy will be used for the computation of CO₂ rebate. For instance, if the CO₂ gramme per km of a motor car is 148, the amount of CO₂ levy will be the difference between the CO₂ gramme per km of the motorcar and the CO₂ threshold of 158 CO₂ gramme per km, that is, in this case, 10 gramme per km multiplied by the CO₂ rebate rate of Rs1,000 per gramme/km. In this case, the amount of CO₂ rebate will be Rs10,000. This amount will be deducted from the excise duty payable. And this amount of rebate that can be deducted is limited only up to the amount of excise duty that is payable; otherwise a big amount will have to be paid, and then government will start to owe money to purchasers.

As I have mentioned earlier, the implementation is being made one step at a time and in phases. The CO₂ levy or CO₂ rebate system will apply only to motor cars at this stage, including estate wagons, jeep-type vehicles and Sports Utility Vehicles (SUV). It will not apply to such motor vehicles as single-cabs, double-cabs, lorries, buses and minibuses. The motor cars that will be subject to CO₂ rebate/levy will be specified in Part III of the First Schedule to the Excise Act. An amendment will be proposed at Committee Stage to reorder the First Schedule to this Bill, as the Second Schedule and the existing Second Schedule to this Bill will be reordered as the First Schedule. Since 84% of the vehicle fleet (excluding, of course, auto cycles and motorcycles) is being made up of motor cars, our proposals will address significantly the issue of CO₂ emissions, although some of the other types of vehicles may contribute more individually than a motor car.

As a consequence of the introduction of the CO₂ levy or CO₂ rebate system, the rate of excise duty applicable on hybrid cars will have to be reviewed. There is presently a preferential rate of duty on hybrid cars through a 50% duty reduction introduced in 2008. It is proposed to replace that concession by the new CO₂ levy/rebate system.

Regarding electric cars, since their CO₂ standard emission is zero, they cannot be integrated into the CO₂ levy or CO₂ rebate system. In fact, both the *Agence Française de Développement* and the IMF recommended that a specific tax regime be applied to this category of cars. Current regulations provide for the various excise duty rates to be reduced by 50% for electric cars on the basis of a threshold relating to the power rating of the engine, namely 57.5 KW. Representations have been received from various dealers on the appropriateness of this

threshold value and on the tax base itself. My Ministry, together with other concerned Ministries, will hold consultations with car dealers on this very technical aspect.

Given the objective being sought is to bring a shift in consumer choice from high CO₂ emission cars to lower CO₂ emitting ones, the CO₂ levy/rebate system will be applied to all cars purchased, whether new or second-hand, whether private-owned, company-owned or government-owned, whether duty-paid or full duty-free or partially duty exempted, save, as I have indicated, for electric cars.

On the operational side, the measurement of the CO₂ emission has to be compliant with the UN ECE 101 standard. For new cars, CO₂ emission certificate will be made available by the car dealer. Regarding imported second-hand motor cars, the actual CO₂ emission of the motor car will be the basis for the determination of the CO₂ levy or CO₂ rebate. For imported second-hand motor cars, CO₂ emission per gramme per km has to be certified by an authorised Pre-Shipment Inspection (PSI) Company and included this additional element in the Pre-Shipment Inspection presently required by the Ministry of Commerce before issue of an import permit. The Consumer Protection (Control of Imports) Regulations is being amended accordingly.

The Bill makes provision for consequential amendment to be made to the VAT Act, so that the CO₂ levy or CO₂ rebate forms part of the VAT base. This means that the VAT amount will be computed on the excise duty plus the amount of CO₂ levy charged or minus the amount of CO₂ rebate granted from the excise duty payable, as the case may be.

I am also providing for transitional provision in the Bill for the smooth implementation of this measure. Thus, the measure will not be applicable to new motor cars that have already been shipped or where a confirmed order has been placed for an individual, provided that the motor car is shipped on or before 31 December 2011 and for imported second-hand cars for which import permit have already been issued and for motor cars in bond before 13 July, that is, the commencement date of this Bill. However, options will be granted to importers to choose the new tax regime provided that a valid CO₂ certificate is submitted.

The measures I have just announced have been designed to be revenue neutral.

Mr Speaker, Sir, I am taking opportunity of this Excise (Amendment) Bill to remove an anomaly in the taxation of double space cabin vehicle of pickup type. Presently, a fully built

double space cabin pickup is subject to an excise rate of 40%, whereas one without rear bed, that is, without the *caisson*, is subject to a 10% excise rate. You can guess what normally happens. Virtually, all double space cabin vehicles are imported without *caisson*, which are imported separately to evade the payment of the 40% excise duty. It is proposed to impose a single excise rate of 20%, effective as from tomorrow 13 July. I wish to remind the House that qualified small planters, farmers, fishermen cooperative societies and SMEs can benefit from full duty exemption. The First Schedule of the Excise Act is being amended in the Bill accordingly.

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

Mr Virahsawmy rose and seconded.

(5.48 p.m)

Mr G. Lesjongard (Second Member for Port Louis North & Montague Longue): Mr Speaker, Sir, the Excise (Amendment) Bill in front of us today has as main object to amend the Excise Act, to provide, in addition to the excise duty chargeable on motor cars, for a carbon dioxide levy on motor cars or for the granting of a carbon dioxide rebate from the excise duty payable on motor cars, as the case may be.

In other words, Mr Speaker, Sir, we are introducing a reward or *bonus* for purchasers of environmentally-friendly vehicles and a financial penalty or *malus* for those buying cars emitting a high level of carbon dioxide. This is also known, Mr Speaker, Sir, as the Bonus *Malus* Scheme, *en d'autres mots, un bonus écologique*.

D'habitude, M. le président, quand un projet de loi est présenté ainsi à la Chambre, c'est-à-dire en première, seconde et troisième lectures d'un seul trait, nous prenons position contre de telles pratiques. Aujourd'hui, on ne tiendra pas rigueur au vice-premier ministre, car ce projet de loi non seulement concerne l'amélioration de la qualité de l'air que notre population respire, mais aussi la survie de nos enfants et de nos générations futures.

M. le président, il y a eu beaucoup de chiffres, détails techniques avancés par le vice-premier ministre aujourd'hui, et j'essayerai, tout au long de mon discours, de faire la part des choses. Nous sommes pour le projet de loi dans sa forme, mais dans le fond, M. le président, nous avons beaucoup d'appréhension. Premièrement, c'est une taxe additionnelle qui risque d'alourdir encore une fois le fardeau de la population. Maintenant, pour que cette taxe ne soit

pas vraiment un fardeau, il faut que le financement soit neutre. Le vice-premier ministre a avancé cet état de choses, mais le temps nous le dira. Avant d'entrer dans le vif du sujet de ce débat, encore une fois, il y a une constatation à faire, M. le président. Malheureusement, c'est ce manque de vision, surtout dans ce concept de 'Maurice Ile Durable', qui prouve qu'effectivement il y a un manque de vision dans le long terme. Le gouvernement arrive difficilement à maîtriser surtout l'aspect énergétique de ce concept qui est intimement lié à l'environnement. Tout au long de mon intervention, je vais soulever des points que je pense être pertinents, afin que le vice-premier ministre puisse nous éclairer quand il va clôturer les débats de ce soir.

Ce concept, M. le président, de bonus malus, comme je l'ai dit, vise à récompenser, via un bonus, les acquéreurs de voitures neuves et dans ce cas aussi des voitures de seconde main émettant le moins de dioxyde de carbone et qui, d'autre part, a pénalisé à travers un malus ceux qui optent pour les modèles les plus polluants. En d'autres mots, les malus des uns financeront les bonus des autres. Et il faut que cela soit ainsi, M. le président, sans jeu de mots. C'est seulement sous cette condition que le financement sera neutre. Mais il faut faire très attention, afin qu'on ne se retrouve pas dans la même situation que la France lors de l'introduction de ce concept, une situation où il a fallu puiser dans les caisses de l'État afin de financer cette taxe. Quelle est la philosophie générale, M. le président, particulièrement de cette mesure ? Comme l'a dit le vice-premier ministre, c'est la poussée des consommateurs vers des produits propres et moins polluants. La question qu'on se pose - et c'est pourquoi j'ai parlé un peu plus tôt de cette vision étriquée de ce concept de 'Maurice Ile Durable' - est : est-ce qu'on doit s'arrêter au véhicule ou aller beaucoup plus loin dans la démarche, M. le président ? Il est un fait que les usines aussi produisent du dioxyde de carbone. Ces usines achètent régulièrement des équipements, et très souvent ce sont ces équipements qui polluent notre atmosphère. Je prends ici l'exemple du CEB et des producteurs indépendants d'électricité. On peut se poser la question : à quand une taxe pour eux ?

On entend souvent parler de l'effet de serre. C'est quoi l'effet de serre ? Quels sont les gaz à effet de serre, M. le président ? Il y a l'effet de serre naturel qui préserve la température de notre planète, qui est en moyenne de l'ordre de 15 degrés, et elle est indispensable pour la vie sur notre planète. Mais il est prouvé qu'au fil des années, cette température a tendance à augmenter, et il est prouvé aussi que presque à 90% le réchauffement de notre planète est dû à l'activité

humaine. Il est aussi important de noter que cette concentration de gaz à effet de serre provoque un réchauffement de l'ordre de 0,2 degré. Si tel est le cas, M. le président, les températures vont augmenter de l'ordre de 1,1 degré à 6,4 degrés d'ici l'an 2100, ce qui sera insupportable.

Concernant le dioxyde de carbone, M. le président, l'augmentation annuelle de cette concentration varie entre 0,4 à 2,9 PPM depuis les années 60. Ce taux varie largement dans l'atmosphère, mais soyons rassurés qu'à une telle concentration on ne peut que parler de traces de ce gaz dans l'atmosphère.

Ce projet de loi, comme je l'ai dit, concerne uniquement les véhicules. Il déterminera le choix de tout futur acquéreur d'un véhicule. Mais quoi acheter comme voiture de nos jours, M. le président? Une voiture qui fonctionne à l'essence, au diesel, au GPL, hybride ou à l'électricité? Mais qu'elle soit à essence ou à l'électricité, elle a ses avantages et ses désavantages.

M. le président, quand on parle - et c'est dans le contexte de ce projet de loi - de pollution atmosphérique qu'on veut contrôler à partir de l'introduction de cette taxe, il faut faire la différence entre la pollution mondiale ou globale, la pollution régionale, ou la pollution locale qui nous concerne aujourd'hui, et qui est caractérisée par des sites industriels ou, au cas contraire, dans la congestion routière. Dans le cas de Maurice - le vice-premier ministre l'a signalé dans un rapport, et je reviendrai sur ce rapport un peu plus tard - il est prouvé que la congestion routière contribue grandement à cette pollution. Mais, il y a eu des avancées en ce qui concerne les véhicules. Certaines techniques de nos jours nous permettent de diminuer cette pollution locale. Par exemple, nous avons le carburant sans plomb, le pot catalytique, des filtres à particules ou, dans certains cas, on effectue des contrôles réguliers sur ces véhicules.

The hon. vice-Prime Minister in his speech, Mr Speaker, Sir, mentioned a very recent report submitted by somebody from the Fiscal Affairs Department of the IMF. The report is on reforming the tax system to promote environmental objectives. The report focuses mainly on fiscal instruments for addressing externalities related to poor air quality, urban road congestion and green house gases. The report identifies possibilities of tax reform in two distinct cases, that is, excise taxes on petroleum products and on motor vehicles. Today, we are dealing with taxes on motor vehicles.

It is also worth noting, Mr Speaker, Sir, with regard to taxes on petroleum products, that government has, in the fiscal year 2008/2009, raised Rs2.2 billion as taxes, including some

Rs239 m. from the MID levy, which represents some 4.7% of total tax collection, while the vehicle excise taxes raised were of the order of Rs1.852 billion or 3.9% of total tax collected for that year. When we have a look as to why those taxes were collected, especially those related to the MID Fund, we see that most of the projects that were earmarked at that time have not been implemented. Out of some ten projects...

Mr Speaker: No, I am sorry hon. Member. I think I will have to intervene. I have given you latitude to explain what you have to say, but you cannot go into a debate about the MID projects which have not been implemented up to now. The hon. Member will have the opportunity to raise this during the debates on the Budget maybe. Now, we are talking about an amendment to the law in relation to CO₂ emitted by vehicles. So, we have to stick to this.

Mr Lesjongard: Thank you, Mr Speaker, Sir. What I was trying to say was that we collect taxes from the population in order to implement certain projects, but, at the end of the day, those projects are not implemented.

Let me move to the piece of legislation in front of us, Mr Speaker, Sir. What is happening today? We are imposing taxes with regard to vehicles. The hon. vice-Prime Minister has stated that there are three types of taxes, and all are related to the engine capacity of those vehicles. The first one is a one-off excise duty on the price of the car; the second one is a one-off registration fee for imported vehicles, which depends again on the engine size, and the third one is an annual road tax, which has been increased over the years, and which stands today between Rs3,500 and Rs13,000.

Like I said, we are introducing today a new tax to protect our environment, a new tax that the population does not really, as at today, understand the purpose. I think that we need to explain to the population at large why government has introduced this new tax. Like has been stated earlier, this tax that we are introducing will have to be revenue neutral. The hon. vice-Prime Minister has stated in his speech the threshold value of that tax with regard to gramme per kilometre. We have in the piece of legislation with us the formula to be used for calculating the value of that tax. Maybe, we would have appreciated if we could have had a precise example with regard to taxes on small capacity vehicles, but also taxes with regard to larger capacity vehicles, Mr Speaker, Sir.

Mr Speaker, Sir, other issues have also been stated with regard to the amendment to clause 5 of the legislation that has been circulated today, which now introduces a new clause, reading as follows -

- “(8) (a) a new motor car in respect of which a confirmed order for an individual has been placed or which have been shipped, or any other motor car in respect of which an import permit has been granted, before the commencement of this section; or
- (b) any motor car which is in a bonded warehouse before the commencement of this section”.

I believe there have been representations from various quarters, and that is the reason why this amendment has been circulated.

With regard to the inspection certificates found in the Sixth Schedule of the Consumer Protection Regulations 1999, the hon. vice-Prime Minister has also stated that they would have to be submitted from an authorised company before pre-shipment and, for new cars, he has referred to Regulation No. 101 of the Economic Commission for Europe of the United Nations, Mr Speaker, Sir. Bodies, which will have to ensure that certification, monitoring, control aspect of the legislation are looked into correctly, will have to do their job the way it should be, in order that we do not end into a situation where, after some time, the monitoring or the control is not done properly. Like it has been stated, this piece of legislation will incite people to buy vehicles with engines of smaller capacity, especially new vehicles, and we should take into consideration that there is going to be a rush towards the purchase of those vehicles of smaller capacity.

Mr Speaker, Sir, there are so many questions which, I think, the vice-Prime Minister will have to reply. Ce qu’il faudrait, c’est que cette mesure soit, comme on dit, un win-win situation non pas pour les fabricants de voitures ou pour les concessionnaires de voitures, mais pour la population et pour le pays. D’autant plus, comme on l’a vu dans le projet de loi, cette loi sera en vigueur à partir de demain.

Merci, M. le président.

(6.11 p.m.)

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy):

Mr Speaker, Sir, I would like, in the first instance, to congratulate the hon. vice-Prime Minister and Minister of Finance for bringing this Bill to the House. In fact, the amendments which are being proposed to the Excise Act will no doubt contribute significantly to improve the quality of ambient air and our quality of life in the long term. As Minister of Environment and Sustainable Development, I am fully supportive of this piece of legislation, which augurs well for our environment within the context of the Prime Minister's '*Maurice Ile Durable*' initiative.

Mr Speaker, Sir, may I recall that a number of measures have already been implemented by government towards improving the quality of air. Some of them are the introduction of diesel with 500 parts per million sulphur content in August 2010, as compared to the previous diesel consignment of 2,500 ppm. Review of air standards, which are at present at the State Law Office for final vetting: a national sensitisation campaign on low sulphur diesel and cleaner vehicles with the support of the United Nations Environmental Programme; procurement of smoke meters to the police for enforcement of vehicle exhaust emissions.

A Technical Committee under the aegis of my Ministry, and comprising key stakeholders, is presently working towards the implementation of 50 parts per million sulphur diesel, which will allow the country to introduce better energy efficiency measures and less polluting diesel vehicles, at least, Euro IV norms.

Mr Speaker, Sir, the transport sector is one of the largest emitters of carbon dioxide, which is the main greenhouse gas responsible for climate change and global warming. Climate change is one of the most important challenges of our time. All countries in the world are called upon to collaborate in this initiative. Mauritius, although being a non annex one party to the United Nations Framework Convention on Climate Change and, as a Small Island State, has a moral obligation to take appropriate mitigation actions to reduce emission of greenhouse gases. This initiative offers an opportune and timely measure for Mauritius to show its commitments towards this Convention. This Bill is an opportunity to address the problems of emitters of greenhouse gases which are not facing the full social cost of their action. According to the latest report issued by the International Energy Agency, energy related carbon dioxide emissions in the year 2010 were the highest in history.

Emissions are estimated to have climbed to a record of 30.6 gigatons, a 5% jump from the previous record year in 2008 when levels reached 29.3 gigatons. Records from the National Aeronautic and Space Administration showed that January 2000 to December 2009 was the warmest decade on record.

This Bill is proactive and shows government determination in moving towards a cleaner Mauritius, as well as promoting sustainable consumption. In fact, this initiative consolidates the sustainable consumption and production programme which is being implemented by my Ministry. The overall objective of this programme is to bring efficiency by using less resource to obtain the same desired results. It is also in line with our policy to move towards a greener and low carbon economy. This Bill will, no doubt, lower our carbon footprint for the benefit of our future generation, as well as bring reduction in fuel consumption.

Mr Speaker, Sir, I would like to conclude by reiterating that this Bill is environmentally friendly and should thus get the unanimous support of this House.

Thank you, Mr Speaker, Sir.

(6.16 p.m)

Mr R. Uteem (Second Member for Port Louis South & Port Louis Central): Mr Speaker, Sir, I rise to support the Bill, which aims at taxing importers of motor vehicles that pollute the air through carbon emission and at rewarding importers of cars whose carbon emission does not exceed a prescribed carbon threshold.

The Bill comes as a response to the danger of climate change. Climate change is a serious global problem which needs to be tackled both at the international and national levels. Overwhelming scientific evidence has demonstrated the link between increasing atmospheric concentration of greenhouse gas emission and rising global temperatures. One greenhouse gas is carbon dioxide. Carbon atoms are present in every fossil fuel, including petroleum product, and are released in the atmosphere to create carbon dioxide when they are burned by car engines, for example. It is estimated that there are 27 billion tonnes of carbon dioxide produced by human activities annually. Average temperatures have increased over the past 50 years at a rate of 2% per decade, largely as a result of human activity. Global warming is likely to have serious impact on human life and on the environment.

The United Nation Framework Convention on Climate Change is the main global response to climate change. The Convention sets out the framework and principle to guide the allocation of responsibilities to countries for reducing greenhouse gas emission. According to the 'Kyoto Protocol', different countries are classified according to their level of industrialisation, and different countries have different responsibility to reduce the amount of gas emission. Unfortunately, both the Convention and the Protocol are still subject to negotiation. Be that as it may, Mauritius cannot shy away from the global effort to fight against carbon pollution. In Mauritius, the greatest source of carbon emission is through exhaust from motor vehicles. True it is that we do not have the same level of air pollution that affects other countries, mainly industrialised countries. Mother Nature has gifted our islands with sufficient wind to aerate the atmosphere and displace air pollution but, today, this Bill is a clear signal to the international community that Mauritius will shoulder its part in helping climate change.

This Bill comes at a time where several countries in the world are debating about the introduction or the continuation of Carbon Tax Schemes. The economic rationale for carbon tax is pretty straightforward. Carbon emission creates pollution; this affects our environment and imposes an external cost on society. This 'externality', as it is commonly referred to in economic jargon, is not taken into consideration when determining the cost. So, it does not affect the cost of production, it does not affect the cost which the consumer ultimately pays. So, the social cost is not reflected into the actual cost and this is why, to correct this market imperfection, the government must intervene.

There are usually two ways of intervening. Either the government comes up with a series of regulations, tightening and controlling the amount of emission and gas. We already have several legislations in Mauritius which control, for example, the level of air pollution or noise pollution. Another way of combating these externalities is to directly affect it by introducing a carbon tax. An economist generally believes that it is more efficient to tax, instead of having an array of regulations, because that is where it hurts most the consumer, that is, their pocket. So, the carbon tax today is going to penalise those consumers who buy motor vehicles which create pollution, and is going to reward, through a system of rebate, those consumers who buy motor vehicles which issue carbon dioxide below a certain threshold.

However, the right balance, Mr Speaker, Sir, must be struck between the benefit derived from such carbon tax and the cost of same. I hope that, before introducing this Bill, the authorities have carefully studied the impact that such carbon tax will have on car users. Carbon tax represents an increased cost which car users will try to pass onto the ultimate consumer. If a company car becomes more expensive as a result of the carbon tax, inevitably the company will pass on that increased cost of production onto the final consumer. Similarly, if a taxi operator, for example, has to pay more or a contract car owner has to pay more for his car, he will try to pass on that increased cost onto the end user. So, I hope that the Ministry and authorities concerned have carried out a survey to assess the impact on inflation and on increased cost as a result of this carbon tax.

The carbon tax and carbon hybrid will only achieve its objective of a reduction in carbon emission if it results in a shift in the consumption pattern of the Mauritian car users. The car retail sector is quite competitive, with clear market shares by various established brands and make. Are these brands producing eco-friendly vehicles which meet the minimum gas emission standards? We know that in some countries, including European countries, car manufacturers are required to meet certain target for greenhouse gas emission. Unfortunately, not all countries, especially those countries from which we import our vehicles, have the same rules as is prevalent in European countries. The truth of the matter is that the Mauritius market is too small to have any significant impact on the production line of those countries who export vehicles to Mauritius.

So, will Mauritians agree to pay more or give up their brand loyalty to an eco-friendly brand which benefits from carbon rebates? I am not sure whether the actual cost increment will be sufficient to mark a shift from the consumption of heavy gas emitting cars to a more efficient one. So, only time will tell us whether there will be a shift in brand, which will have the result of having a clearer atmosphere.

I hope that the authorities also have held talks with the stakeholders and that everyone is on board, both the importers of new and second hand cars, because the carbon tax rebate will only work if there is no distortion in the market and everyone is on board and everyone passes on to the consumer the importance of buying clean gas emitting cars.

Mr Speaker, Sir, I would like now to turn to certain specific provisions of the Bill and invite the hon. vice-Prime Minister to consider the points that I am going to make. First of all, why is the Bill limited to motor vehicles and passenger vehicles? We know that the greatest polluters in this country are bus, especially old buses, lorries, heavy and good vehicles. So, why do we have a carbon tax only on motor vehicles, on passenger cars? I hope that, in the future, measures will be taken to also impose a tax on heavy polluters like buses.

Secondly, the mechanism for reward through rebate and sanction through levy very much depends on the CO₂ threshold, because you will get a reward if you are emitting less than the CO₂ threshold and you will be penalised if the car emits more than the threshold. So, it is very important to determine that threshold and, today, in this Bill, the threshold has been set at 158 grams per km. Was there a study carried out to determine what is the average emission of existing cars on our road? For example, last year, had there been a survey carried out based on the type of cars that were imported? What was the average? Because, clearly, if the emission level, the threshold is set too low, you will then have too many people paying taxes, and if it is set too high, you will have a lot of companies getting tax rebates. I am not too sure why we chose this threshold of 158 grams per km when we know, for example, next door in South Africa, they have set the threshold at 120 grams per km, and we know that 120 grams per km is the norm in European countries. In fact, the European countries are targeting to reduce that level to 80 grams per km. So, I would very much like to hear why we have set it up at 158 grams per km; the more so that, now, this threshold is fixed till January 2013.

The next issue is: why tax only on emission of carbon dioxide? There are other greenhouse gases emitted by motor vehicles, for example, diesel cars also emit other types of gases; the commonly known one is NO_x, the Nitrogen Dioxide.

The Bill, in section 5, is introducing the necessity for all car importers and manufacturers to produce a CO₂ emission certificate. The measurement of that CO₂ emission certificate must be done in compliance with Regulation 101 of the Economic Commission for Europe of the United Nations. My question is: do we have the capabilities in Mauritius as at to date to independently verify this norm, these gas emissions, or are we only solely relying on the manufacturers' certificate or the certificate for second hand dealers? Do we have a laboratory in Mauritius? Is the National Transport Authority equipped to actually carry out tests to determine

this? Will there also, on an ongoing basis, be random sampling tests carried out just to verify that the gas emission complies with what is stated in the certificates?

Finally, it is proposed to set up a Technical Certification Committee consisting of representatives of various Ministries and bodies. The Technical Committee would be responsible for determining the carbon dioxide threshold. I would like to make a humble suggestion to the hon. vice-Prime Minister to consider including in that Committee representatives of the car industry - new car manufacturers, and dealers in new and second hand cars - because we are talking about setting the carbon dioxide threshold, and so it would be good to have a representative from the consumer and producer's group as well.

Mr Speaker, Sir, I will end by stating that a carbon tax or rebate will only be effective to fight climate change if it is accompanied by other measures. It will serve little purpose if there is no concerted effort to reduce greenhouse carbon emission in Mauritius. It will serve no purpose if we only tax cars but we don't impose similar measures to make a cleaner energy emission if, for example, for petroleum products, we don't import a better quality diesel and gas product in this country.

Mr Speaker, Sir, today's Bill is a first step towards creating a better environment to the future generation to come. I hope that we will move to that direction.

Thank you.

(6.31p.m)

Mr Jugnauth: Mr Speaker, Sir, first of all, let me thank all the hon. Members who have intervened on this Bill, and I must say broadly - from what I gather - there is consensus, especially on the fact that we are introducing a new concept of taxation with regard to carbon emission. Although a number of questions have been asked and also for clarification, I will try, whatever I have been able to note down, to respond to those questions. Let me say again - because this has been mentioned by the hon. Member - that our vision is to align our vehicle taxation system with the '*Maurice Ile Durable*' vision, whose objective is to make of Mauritius a model and a reference of sustainable development.

I am also very happy that hon. Lesjongard has said right at the beginning that he is not objecting to this Bill being read a first, second and third time today. But he also mentioned later

on that we have to explain to the population. We need to, at least, sensitise the population about this new system of taxation. The purpose of not circulating for the First Reading and, eventually, for Second and Third Reading was not to allow for speculation, because as this is a matter of taxation, we have to be as quick as possible. This is not the first time that this is happening. It has happened in the past, but I am happy that there is consensus. Of course, we have to explain to the people the very concept and the very reason why we are introducing this tax on carbon emission. The hon. Member said that it is an additional tax. It seems that there is a contradiction when he mentioned that it is an additional tax and government will have to - I have noted it down - *puiser dans les caisses de l'Etat pour financer cette mesure*. I think that there is a contradiction; either we are going to get additional tax or there is going to be a *manque à gagner*.

Let me reassure the hon. Member that I have mentioned in my speech that we have tried to come up with - let's say - a formula with regard to excise duty and taxation on CO₂, so that it is revenue neutral at the end of the day. Of course, as a government, especially not at this juncture do we want to lose revenue and, on the other hand, we don't want to be unfair also to the consumers. We don't want to seize this opportunity to make more money, to get more revenue. We have tried to balance it out, so that it is revenue neutral to government.

I will not agree when the hon. Member said that we lack vision, there is no long term vision. In fact, this is the vision. I have said that there is this *Maurice Ile Durable* vision, and we have taken a number of decisions. As the hon. Member has rightly pointed out, as this Bill relates to taxation of cars, there is a number of other measures that have been taken towards the *Maurice Ile Durable* vision.

With regard to motorcars, one of the biggest polluters, again I have said that this is a first step. I wish to reassure hon. Uteem also. He himself said so: this is a first step. Of course, we will look at taxing the lorries, buses. In fact, individually, they are more and more polluting than the cars themselves. We will have to work out a system for these vehicles.

Hon. Lesjongard also asked whether we can probably give examples of how it will work out with regard to vehicles that are being sold on the market. I did not want to give examples, but for the sake of transparency we have worked out what is going to be the situation for a number of vehicles with this new tax. Let me give one example. There is a Suzuki Celario which is emitting 103 g of CO₂ per km. The actual estimated selling price is Rs595,000 and,

because the threshold is 158, we can imagine that this vehicle is going to get a quite substantial rebate. Therefore, the rebate is going to be Rs63,250, which means that there is going to be a change in price of about 10.6%. Likewise for Hyundai I10, it is going to be less than 9%.

However, let me give two examples where prices are going to increase. I am talking about vehicles which are less than 1,600cc. There is going to be the Toyota Avanza, which is emitting 190 CO₂ per km. The actual price is Rs785,000. Therefore, it is going to pay a penalty of Rs36,800, that is, 4.7% more expensive. Of course, within the range of these manufacturers, there are cars where the prices are going to decrease or increase.

Let me give another example with regard to motorcars between 1,600cc to 2,000cc. For the case of a Mercedes E250 emitting 139 CO₂ per km, the estimated selling price today is Rs3,500,000, and that car will get a rebate of Rs385,536, that is, less than 11%.

(Interruptions)

On the other hand, in the same category, we have a Hyundai ix35, which is emitting 207 CO₂ per km. The actual price is Rs1,590,000, but that car will be paying a penalty of Rs39,675, therefore, an increase of 2.5% in the price.

With regard to motorcars above 2,000cc, I must say most of them - I don't have the complete exhaustive list - will have an increase in price. You can see clearly that the bigger cc will generally be paying more, and the smaller cars will witness a decrease in the price.

I think generally this is fair. And then, we have to go with the concept, because the hon. Member has said also whether there is going to be a shift to lesser polluting cars. There is definitely going to be a shift. This is going to be human nature; I mean, a rational person in choosing to buy a car, which is less expensive, will definitely want to spend less and, therefore, will be purchasing lesser polluting vehicles.

There was one issue also that was raised about why we have chosen this 158 CO₂ threshold. We cannot use, for example, the threshold of countries like South Africa and others because, first of all, they have initiated this tax before us and, every year, this is being revisited. Now that we have introduced this tax, there is definitely going to be a shift to lesser polluting cars, and the manufacturers also will improve technology; with taxation that is gaining momentum worldwide on the CO₂ basis, they are also improving the CO₂ emission. Let's say we

leave it with the threshold of 158 CO₂ for five-ten years, there will come a time when government will be losing a lot of revenue. Therefore, we will have to revisit probably. We have put it every year. Now, if we feel that next year there has been no big or major shift, we might probably leave it at 158 CO₂, but, in time to come, there is no doubt that we will have to revisit it.

The CO₂ threshold of 158 grammes, which is the average CO₂ emission of new motor vehicles, are classified as motor cars imported into Mauritius in 2010. We have used the same unified international measurement standard of the UN ECE 101, as used by other countries for taxation. In fact, other countries also have used the same system, but it depends what kind of vehicles are being imported.

Concerning the other issue that has been raised by hon. Uteem with regard to the Technical Certification Committee, we will here disagree. I don't think it would be good to have representatives of the car dealers on that committee. Because, then, what will happen? They will form part of the certification and they are also a party, where they will be selling; there is going to be a conflict, a contradiction. I think we will leave it as it is but, then, as I have rightly said, we are going to have representations how we are going to adjust with regard to the transitional period. Of course, people have reacted and have made representations. They are going to have representations. We are going to listen to them. We will take on board whatever suggestions they have and, of course, we cannot make everybody happy. When you impose a tax, you can't make everybody happy, but what is important is we have to be fair and we have to see to it that government does not also lose so much and, on the other hand, that consumers are not penalised so much.

There is another issue of how we can check the carbon emission. Of course, the Ministry of Environment is equipped if the case arises that we need to check, for example, the emission of a vehicle. Again, let me reassure the hon. Member that, with regard to new cars, there is absolutely no problem, because they come with the certificate, whereby it is stated the emission of CO₂ per kilometre.

With regard to second hand cars, right now, they have to produce a certificate. It must be accompanied by a certified and authorised pre-shipment inspection company certificate. So, as it is today, this is what obtains, and I have been informed that there is absolutely no problem for

that information to be included in the certificate. I don't think that each and every car that will come will have to be checked, but in case there is suspicion that a certificate is doubtful, we will always be able to check and see whether it is in conformity with what has been stated in the certificate. I think that were the points that have been raised.

So, again, Mr Speaker, Sir, let me say that I am happy. On the whole, broadly speaking, there is consensus and, as I said, this is the first step. We will have to move with regard to lorries, buses, motorcycles and, eventually, cover all vehicles that use our roads in Mauritius.

Thank you.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

THE EXCISE (AMENDMENT) BILL

(No. XVIII of 2011)

Clauses 1 and 2 ordered to stand part of the Bill.

Clause 3 (Section 2 of principal Act amended)

Motion made and question proposed: "that the clause stand part of the Bill."

Mr Jugnauth: Sir, I move that, in this clause, the definition of "CO₂ threshold" be deleted and replaced by the following -

"CO₂ threshold" means the CO₂ threshold referred to in Sub-Part B of Part III of the First Schedule".

Amendment agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4 ordered to stand part of the Bill.

Clause 5 (New sections 3C and 3D inserted in principal Act)

Mr Jugnauth: Sir, I move that, in the new clause 3C, to delete subclause (8) and replace it by the following subclauses -

- “(8) This section and parts I and III of the First Schedule shall not apply to -
- (a) a new motor car in respect of which a confirmed order for an individual has been placed or which has been shipped, or any other motor car in respect of which an import permit has been granted, before the commencement of this section; or
 - (b) any motor car which is in a bonded warehouse before the commencement of this section.
- (9) Notwithstanding subsection (8), where an importer or manufacturer produces a CO₂ emission certificate to the Director-General in respect of a motor car referred to in that subsection at the time of importation or when removed from a bonded warehouse, this section and Parts I and III of the First Schedule shall apply to the motor car, provided that in the case of a motor car in respect of which a confirmed order for an individual has been placed, the motor car shall be shipped on or before 31 December 2011.”

Amendment agreed to.

Clause 5, as amended, ordered to stand part of the Bill.

Clause 6 (First Schedule to principal Act amended)

Mr Jugnauth: Sir, I move that clause 6 be deleted and replaced by the following clause -

“6. **First Schedule to principal Act amended**

The First Schedule to principal Act is amended -

- (a) in Part I, by deleting the items specified in Sub-part A of the First Schedule to this Act and replacing them by the items set out in Sub-part B of the First Schedule to this Act;
- (b) by repealing Part III and replacing it by Part III set out in the Second Schedule to this Act.”

Amendment agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clauses 7 and 8 ordered to stand part of the Bill.

First Schedule

Motion made and question proposed: “that the First Schedule stand part of the Bill.”

Mr Jugnauth: Sir, I move, in the First Schedule, to delete the following words -

“FIRST SCHEDULE

[Sections 3 and 5]

FIRST SCHEDULE

[Sections 3C]

PART III - CO₂ LEVY OR CO₂ REBATE”

and replace them by the following words -

“SECOND SCHEDULE

[Sections 6(b)]

PART III – CO₂ LEVY OR CO₂ REBATE”

Amendment agreed to.

First Schedule, as amended, ordered to stand part of the Bill.

Second Schedule

Motion made and question proposed: “that the Second Schedule stand part of the Bill.”

Mr Jugnauth: Sir, I move for the following amendments in the Second Schedule -

- (a) to delete the words **“SECOND SCHEDULE”** and replace them by the words **“ FIRST SCHEDULE”**;
- (b) by rearranging the Schedules in their proper numerical order;
- (c) in the newly numbered Second Schedule, by deleting the sub-heading **“Sub-Part b – Formula”** and replacing it by the sub-heading **“ Sub-Part B – Formula”**.

Amendment agreed to.

Second Schedule, as amended, ordered to stand part of the Bill.

The title and enacting clause were agreed to.

The Bill (as amended) was agreed to.

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

Third Reading

On motion made and seconded, the Excise (Amendment) Bill (No. XVIII of 2011) was read the third time and passed.

The Minister of Agro-Industry and Food Security (Mr S. Faugoo): Mr Speaker, Sir, with your permission, it is not proposed to proceed with the remaining Bills on the agenda, namely the Civil Status (Amendment) Bill (No. XVII of 2011); the Institute for Judicial and Legal Studies Bill (No. IX of 2011), and the Law Practitioners (Amendment) Bill (No. X of 2011).

ADJOURNMENT

The vice-Prime Minister, Minister of Social Integration and Economic Empowerment (Mr X. L. Duval): Sir, I beg to move that this Assembly do now adjourn to Tuesday 19 July 2011 at 11.30 a.m.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr P. Jugnauth) rose and seconded.

Mr Speaker: The House stands adjourned.

MATTER RAISED

CARREAU ESNOUF - WATERCRESS PLANTERS

Mr A. Ganoo (First Member for Savanne & Black River): Mr Speaker, Sir, I thank you for providing me with the opportunity to raise the issue of the watercress planters at Carreau Esnouf in Constituency No.12.

Sir, there are 37 families in this region who earn their living as watercress planters. They are regrouped in the Watercress and Vegetables Planters Association (WVPA), a duly registered

association since 1996, which regroups these planters in the region of Carreau Esnouf and Plaine Magnien. These planters have been exploiting these watercress plantations which are close to the sugarcane fields belonging to the sugar estate for the region for decades now.

There are a few boreholes which were drilled since 1971 by the CWA and by the then Mon Trésor Mon Désert Sugar Estate in that region called Ruisseau Les Mares-du-Tabac. Sir, during certain periods of the year, these watercress plantations are completely dry and this period usually lasts from September to January, but this year the situation has been alarming since the beginning of June. The boreholes exploited by Omnicane and the CWA, which are very close to the watercress plantations, are the cause of the planters' miseries, of their sad plight and ill fortunes, and responsible for the situation prevailing in the watercress plantations.

Mr Speaker, Sir, true it is that this problem has been lingering for many years. I agree that this is not a new and recent problem. I am aware that the Ministry of Agro-Industry and the Ministry of Public Utilities have responded to the appeal of these planters, have despatched their respective officers and technicians on the site in question. I understand that, as recently as 30 June, that is, last month, in the context of an attempt to find a fast solution, the Minister of Agro-Industry delegated an officer to meet the planters and visit the site.

Sir, I am aware that readings have been conducted by the Ministry of Public Utilities to monitor the level of water in the *mares*, in the *source* and in these plantations. Yet, unfortunately, there have been no results; no progress achieved because, as the planters argue, the borehole drilled by Omnicane, which, as I have just mentioned, is very close to the plantations, some metres away, feeds water to the Omnicane plant which is at Savannah. According to information, some 10,000 cubic metres of water are being pumped by Omnicane in addition to another 1000 cubic metres of water which Omnicane is selling to the CWA for domestic use. Therefore, Sir, the key question is the impact of this *pompée sur les sources* and their influence on the hydrologic system of the region. The planters are querying whether the borehole is being operated in strict accordance with the terms and conditions of the licence issued to Omnicane.

Therefore, Sir, for this year, the planters have been able to exploit their plantations and effect their harvest during only two months. Some planters have borrowed money, harvested in the purchase of watercress plants and shoots, but they have not had time to do any harvest because the *cressonnières* have dried up so fast. The same situation took place last year, Mr

Speaker, Sir. Yet, the dry season usually starts from September and lasts for a few months onwards, but, as I have indicated, the situation this year has deteriorated since June of this year, and there is no hope that there will be any improvement in the months to come. Things have been made worse by the CWA, which also operates a borehole of some 3,000 cubic metres that feeds a reservoir in the Mon Desert region to supply the region in the vicinity. The planters are, therefore, convinced that if the boreholes close to their watercress plantations were properly monitored, the replenishing of the *cressonnières* would have been ensured. But the question is: what are the solutions?

In 2005, Mr Speaker, Sir, authority was granted to the planters to drill a borehole for their own use. At that time I was myself Minister of Public Utilities, but it would seem that this is not a viable solution. A suggestion has been made to build a barrage in the vicinity of these watercress plantations, but it would seem that this is also not realistic and viable, Mr Speaker, Sir. The more reasonable solution would be to pay compensation to these planters, and this is what they are arguing. This is their *revendication*, Mr Speaker, Sir, because this already impoverishes a segment of the planting community, who is indeed in a desperate situation.

Mr Speaker, Sir, before intervening in this House, *par acquis de conscience*, Sunday last, I went on the site, and what I saw was really heartbreaking and reflects, in fact, what I saw in the different press cuttings: *des larmes dans la cressonnière; des cressonnières sans eau; des cressonnières à sec, c'est le comble ; les planteurs sont désespérés ; ils dénoncent les forages qui se font à proximité. Pourtant, ils approvisionnent le marché en 9,000 bottes de cresson chaque semaine.*

So, Mr Speaker, Sir, most of these planters are living in a desperate situation. They have grown up kids who are undergoing studies; most of them are indebted. Therefore, this is why I wish to appeal to the hon. Minister of Agro-Industry, highlighting that this is not a political issue. Mr Speaker, Sir, I am not motivated by any demagogy, more so as these planters are providing, as I just indicated, *9,000 bottes de cresson par semaine*. They were an essential part of the economy of the area of Trois Boutiques, of Plaine Magnien. They were contributing to the economy of this country. I understand that the Minister of Agro-Industry himself has been on the site. His Ministry has already conducted a full-fledged enquiry, with a view to compensate these planters. I understand that the list of the planters, their names are being registered by an

officer of the Ministry. So, this is why I appeal to government, to the hon. Minister, to the hon. vice-Prime Minister, Minister of Finance and Economic Development not to allow this community to slip into a *mort lente*.

I repeat, Mr Speaker, Sir, that there is no political agenda, and I trust my appeal does not fall on deaf ears. The purpose of my intervention is only to convey to government the afflictions, the frustration of these planters, and I am sure that the MPs of the constituency must have done likewise. This is why, Mr Speaker, Sir, I can rely on the hon. Minister and on the hon. Minister of Finance. There have been precedents in the past, whereby planters are being compensated after bad weather or for acts of God, Mr Speaker, Sir. I am sure the hon. Minister can decide upon a formula. His Ministry, together with the Ministry of Finance, can decide upon a formula which is acceptable to the planters. So, I thank the hon. Minister. I am sure, as I said, that my appeal will not fall on deaf ears, and I thank you, Mr Speaker, Sir.

The Minister of Agro-Industry and Food Security (Mr S. Faugoo): Mr Speaker, Sir, at the very outset, I wish to inform the House that the problem encountered by the watercress planters dates back to the late seventies. It is not something which started yesterday.

In fact, my hon. friend has highlighted all the problems that these watercress planters are facing - and rightly so - without coming with a single solution to any single problem, because there does not seem to be a solution to the problems they are facing. In fact, there are 27 planters who are involved in the cultivation of watercress over an area of 30 acres of land, Mr Speaker, Sir. On several occasions, these growers have complained that the ponds are drying, leading to a decline in the productivity of the crop and, hence, a loss of revenue. They claim that, since the exploitation of groundwater from boreholes by Mon Trésor Mon Désert, now Omnicane, the springs at Carreau Esnouf dry up prematurely during the dry months, starting from October every year.

On the other hand, the Water Resources Unit has explained that the springs dry up when the water table in the area goes down below ground level. With the coming of the summer rains, the aquifer gets recharged, and the springs start flowing again. In fact, as I said, the plight of the watercress growers dates back to many years. There have been numerous meetings, both at official and informal level, at the Ministry of Public Utilities and my own Ministry, Mr Speaker, Sir. Hon. Dr. Bunwaree has consistently been making the case for the planters, with a view to

finding an acceptable and viable solution to their problem. In fact, every week, since a couple of months when the problem has arisen, he has been raising this with me in Cabinet, saying that we must meet and try to find a solution to the problem.

In this respect, again, in November last year, as stated by my friend, I effected a site visit in the company of my colleague, hon. Dr. Bunwaree, and also the two other MPs of the region, hon. Jhugroo and hon. Thierry Henry, to meet the farmers and listen to their problems, and also to see *de visu* what was happening. The concerned stakeholders, namely Omnicane and representatives of WRU and CWA attended a meeting that was held in the office of the Deputy Prime Minister at the beginning of this year. At that meeting, a request was made in the name of the planters to close down one borehole which is close to their plantations, in order to establish the real cause of their problem. In fact, this was one of the issues which was raised and taken up by my friend. Accordingly, I must inform the House that Omnicane closed the indicated borehole, namely borehole 227A, since February of this year. Still, the springs have dried up. So, this was closed to see whether the allegation made by the planters was real. We had a test to see whether this was the cause, but it was found that this was not the cause. Now, the growers are asking for closure of the other boreholes operated by Omnicane. In fact, there are four other boreholes in the region.

This year, the situation was normal till June and July 2011. However, within a short span of time - in fact, within three days, more specifically from 16 to 18 July - some 80% of the ponds, representing about 17.14 hectares, dried out. It is feared that if this trend persists, complete drying out of the ponds will occur. This would obviously cause enormous loss in yield and revenue to the planters of the region. A site visit was effected again by officers of WRU, Irrigation Authority, CWA, AREU and representatives of my Ministry on 01 July. It was found that there was no pump installation in borehole BH2272A. The officers were apprised that the pump at this borehole had been decommissioned since 07 February 2011, meaning this year, Mr Speaker, Sir.

Mr Speaker, Sir, we are conscious of the need to maintain the cultivation of watercress by the planters, inasmuch as this is the only economic activity they are carrying and their livelihood, in fact, depends on this activity. My Ministry is further monitoring the water status and crop development in the region with the collaboration of concerned stakeholders. We are

recommending planters to save their planting stock - *bouture* - for replantation when water will be available. The possibility for relocation to maintain this activity is being investigated also.

Mr Speaker, Sir, we shall at all costs refrain from making these poor planters' miseries and plights a political issue, as rightly said. I hope that he means what he is saying, and we don't try to get political mileage out of these poor people's plight, which is a human problem I must say, Mr Speaker, Sir. We are exploring and we will continue to explore all avenues, to ensure that water is available at all times, and also see how best we can come to the rescue of these planters. We are following the evolution of the situation very closely. We are also aware of the urgency of the matter, and we are trying collectively - with all the institutions, the Ministries concerned, with my friend, hon. Dr. Bunwaree and also the other MPs of the region - to work out a solution, and I am sure we are going to find one.

Thank you, Mr Speaker, Sir.

At 7.06 p.m., the Assembly was, on its rising, adjourned to Tuesday 19 July 2011 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

CLARISSE HOUSE – LAWN-MOWER

(No. B/674) Mr A. Ganoo (First Member for Savanne and Black River) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the recent loss of a lawn-mower on the premises of the Clarisse House, at Vacoas, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been carried out into the circumstances thereof and if so, indicate the outcome thereof.

Reply: I am informed that no case of loss of lawn mower on the premises of the Clarisse House has been reported. According to the Commissioner of Police, on 29 June 2011, one Mr K. B, Assistant Technical Officer of the Ministry of Agro Industry and Food Security reported, at Vacoas Police Station, the loss of one brush cutter from a store situated outside the premises of Clarisse House.

Police has initiated an inquiry into the matter and it is in progress.

POLICE OFFICERS – CASH *IN LIEU* OF LEAVE

(No. A/243) Mr D. Nagalingum (Second Member for Stanley and Rose Hill) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether he has been informed that, contrary to the recommendation of the Pay Research Bureau Report 2008 for the payment of cash *in lieu* of leave to the Police Officers of all ranks, Police Officers from the rank of Chief Inspector of Police and above are not in receipt thereof and, if so, will he

-
- (a) for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons therefor, and
 - (b) state if he will consider advising the Commissioner of Police to rectify same and settle the arrears therefor.

Reply: The payment of cash in lieu of leave for officers who have performed duties on public holidays is governed by Recommendation 6, Paragraph 18.5.55 of the Pay Research Bureau (PRB) Report 2008 which stipulates that the provisions should apply to workers employed on shift, roster and staggered hours, and this also relates to officers of the rank of Police Inspector and below.

According to the PRB, Police officers from the grade of Chief Inspector to Deputy Commissioner of Police are on call and if their attendance is required, irrespective of the length of time, they must be available on the spot. Paragraph 14.1.34 of the PRB Report 2008 stipulates that this element was taken into consideration in arriving at the salaries recommended in the report.

All ranks of the Force have opted for the revised emoluments as well as for the conditions of service recommended by the PRB Report 2008. Therefore, the above recommendation becomes binding on all Police officers including officers of the rank of Chief Inspector of Police and above. Consequently, parts (a) and (b) of the question, do not arise.

POLICE VEHICLES – ROAD ACCIDENTS

(No. A/244) Mr D. Nagalingum (Second Member for Stanley and Rose Hill) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to the Police vehicles which have been involved in road accidents, he will, for the

benefit of the House, obtain from the Commissioner of Police, the list thereof, over the past three years, indicating in each case –

- (a) the Police Station/Branch to which it was attached, indicating if same has been replaced and, if not, why not, and
- (b) if it has been declared as total loss.

Reply: Since year 2008 to 07 July 2011, a total number of 435 Police vehicles have been involved in road accidents.

A breakdown of the Police vehicles involved and the Police Stations/Branches to which they were attached is being compiled and will be placed in the Library of the National Assembly.

Eight vehicles were found to have been damaged beyond economical repair and seven have already been replaced. One van allocated to Quatre Bornes Police Station has not been replaced being given that the said Police station is already being serviced with two vehicles, which is considered to be adequate.

The other accidented vehicles have sustained minor/slight damage and are to be repaired by their respective local agents.

MISS A. A. A – MISSING INQUIRY – INQUIRY

(No. A/245) Mr A. Ameer Meea (First Member for Port Louis Maritime and Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications whether, in regard to Miss A. A. A., who has been reported missing, since 15 May 2011 to date, at the Plaine Verte Police Station, 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 where matters stand, including the number of persons interviewed as at to date.

Reply: The Commissioner of Police has informed that on 15 May 2011, Mr M. A called at Plaine Verte Police station and reported that his daughter, Miss A. A. A has left the parental roof leaving a letter specifying her intention to return in three days.

Police initiated an inquiry in the matter. On two occasions, on 25 May and 11 June 2011, the photo of the fugitive was broadcast on television for the information and collaboration of the general public.

On 02 June 2011, in virtue of an Order from the District Magistrate of Port Louis, Police looked for Miss A.A.A at the place of Mr M.M.K.N, but the minor was not found. Mr. M.M.K.N had previously been arrested on 14 February 2011 and a provisional charge of “Abducting Minor” was lodged against him before the District Court of Port Louis. The statement of Mr M.M.K.N and his mother have been recorded.

On 23 June 2011, in virtue of another order from the District Magistrate of Port Louis, the Police looked for the said Miss A.A.A. at the place of Mr S.H., but the minor was not found. The statement of the mother of Mr S.H. was recorded.

Police has also questioned several inhabitants of the locality and the said Miss A.A.A. has not been traced out. Police inquiry has been intensified.

TOURISM FUND - CONTRIBUTION

(No. A/246) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Tourism and Leisure whether, in regard to the Tourism Fund, he will, for the benefit of the House, obtain from the Fund, information as to the contribution made thereto by private operators, since 2005 to date, indicating in each case, the project in relation to which the contribution has been made and the location thereof.

Reply: Twenty-one private promoters of hotel and other tourism-related projects have contributed Rs335,383,801 into the Tourism Fund since 2005 to date. The required information in respect of the projects concerned is being placed in the Library.

SSS – FLOREAL – FOOTBALL GROUND

(No. A/247) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Education and Human Resources whether, in regard to the football ground and the other sports facilities of the State Secondary School of Floréal, he will state the number of groups/associations who/which presently have access thereto, indicating the number of days allocated, in each case.

Reply: I am informed that at present, no group/association has access to the football ground and other sports facilities of Floréal State Secondary School.

Permission for use of the football ground and other facilities are granted subject to the following conditions -

- (a) users should apply to Zone Director through Rector for approval;
- (b) association should abide by the rules and regulations governing permission for the use of sport facilities;
- (c) organisation should be affiliated to a recognized body (Ministry of Youth & Sports; Sports Federations; Municipalities and District Councils);
- (d) clubs should pay Rs100 monthly for the use of football grounds and for other sport facilities charges range from Rs25 to Rs50 monthly;
- (e) a fee of Rs25 per hour is payable for the use of badminton court in the gymnasium;
- (f) a fee of Rs10 per hour is also paid for the services of school caretaker, and
- (g) the Association/Club should make good of any damage caused during activities.

MT ORANGE - LEARN TUBE PROJECT

(No. A/248) **Dr. S. Boolell (Second Member for Curepipe & Midlands)** asked the Minister of Education and Human Resources whether, in regard to the Learn Tube project of the MT Orange for primary and secondary education in Mauritius, he will state where matters stand, indicating the names of all those who shall be heading the project on implementation, including their respective experiences and qualifications.

Reply: I am informed that no project, under the appellation “Learn Tube”, is being implemented in primary and secondary schools in Mauritius.

I wish to add that the Learn Tube project, showcased at the Orange Expo 2011, was a purely private initiative of MT Orange used to demonstrate the classroom of the future.

My Ministry collaborated with MT Orange for Orange Expo 2011, but this collaboration was limited to the provision of a few resource persons and demo e-learning materials.

MISSIONS OVERSEAS - STAFF - RECRUITMENT

(No. A/249) **Dr. S. Boolell (Second Member for Curepipe & Midlands)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to our diplomatic missions abroad, he will -

- (a) state the policy for the recruitment of non-diplomatic support staff, and
- (b) give the list of the staff recruited locally for the United Kingdom, France, Brussels and Geneva missions and of the staff transferred from Mauritius to work thereat, indicating in each case, the terms and conditions of employment.

Reply: Up to 2001, the policy was to post Officers of the General Services Class as support staff to our Missions abroad.

However, the policy was revised by Government in December 2001 due to financial constraints. It was decided that local recruits should be appointed as far as possible in positions where employment of non diplomatic support staff was required, in order to reduce costs involved in assigning such posts to staff from the General Services from Mauritius. However, the revised policy also provided for the option of employment of support staff from Mauritius where it was deemed to be necessary.

For the employment of local recruits, it is the policy of the Ministry to do so on the terms and conditions as per local legislation or as applicable to public officers of equivalent grade in the host country.

As regards part (b) of the question, the list of the staff recruited locally for the United Kingdom, France, Brussels and Geneva missions is being placed in the Library.

There is only one Confidential Secretary posted at our Mission in London. The Confidential Secretary is entitled to salary, allowances and terms and conditions as per recommendations of the PRB Report 2008.

SEWERAGE NETWORK – CONNECTION - APPLICATIONS

(No. A/250) **Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the applications for connection to the sewerage network, he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to the number thereof which is pending, district-wise, indicating the reasons therefor.

Reply: The hon. Member may wish to know that sewerage projects are not implemented district wise, but on the basis of areas that were defined under the National Sewerage Programme in 1994.

As such, under the National Sewerage programme, 7,240 house connections have been completed since January 2003 in the context of projects which have been completed, namely Plaines Wilhems regions, Grand' Baie and Baie du Tombeau. Presently, three major projects are being implemented in parts of Beau Bassin, Rose Hill, Quatre Bornes and Belle Rose, under which 14,923 house connections have been completed and 14,077 are expected to be completed by 2014.

As regards applications for house connections in areas where a sewer system exists, government provides funding up to a ceiling of Rs175,000 per connection for both domestic and non domestic premises.

Since 2006, 2,841 house connections have been completed under house connection contracts in sewered areas, namely in Plaines Wilhems, Port Louis, Baie du Tombeau and Grand' Baie. For the period 2010 to 2012, a total amount of Rs200 m. was voted in the Budget for about 800 connections and 703 house connections have been completed within the voted budget.

According to the Wastewater Management Authority, as at 30 June 2011, 201 applications for house connections in different localities of Plaines Wilhems and 186 in Port Louis, and 41 in Grand' Baie and Baie du Tombeau were pending.

The policy is presently being reviewed to ensure a higher number of house connections.

HAJJ PILGRIMAGE FOR 2011 - VISAS

(No. A/251) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Arts and Culture whether, in regard to the Hajj Pilgrimage for 2011, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to the number of visas obtained for the Mauritian pilgrims, indicating the -

- (a) measures taken to increase the number thereof, and
- (b) criteria for the allocation thereof.

Reply: I am informed by the Islamic Cultural Centre that 1,300 visas have already been obtained for Mauritian pilgrims.

- (a) The Saudi Authorities have agreed to consider our request for 500 additional visas. Confirmation for same is awaited.
- (b) The Islamic Cultural Centre has informed that visas will be allocated on a priority basis to those who have never performed Hadj before (i.e. first timers) and to male hadjis, acting as Mahram, to accompany ladies who will proceed on pilgrimage for the first time.

In the second instance, consideration will be given to repeaters who have performed Hadj in January 2006 or before, as per criteria in force in Saudi Arabia.

CHAMOUNY - BUS SERVICE

(No. A/252) **Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether he has been informed that the bus service on route number 197, plying to Chamouny from the Pope Hennessy Street, Port Louis, every day at 1600 hrs, is very old and often breaks down, thereby causing inconveniences to the passengers thereof and, if so, will he, for the benefit of the House, obtain from the National Transport Corporation, information as to if consideration will be given for the provision of a new bus therefor in the morning and in the afternoon.

Reply: The National Transport Corporation has informed that the bus service along Route 197, plying from Pope Hennessy Street, Port Louis to Chamouny, during weekdays at 1600 hours, is provided by buses allocated to NTC's ex-Souillac Depot.

Most of the time, the buses plying to Chamouny at the abovementioned time are 16 years of age; however, they have all passed the fitness tests and are roadworthy.

For the period 01 May-06 July 2011, one tyre puncture after the bus reached Souillac was registered in May 2011 and, on 16 June 2011, passengers were made to change bus at Souillac, as the engine of the bus travelling from Port Louis was overheating.

Otherwise, no problem affecting the service was recorded in the period 01 May-01 July 2011.

The NTC has also embarked on a programme for renewing the older buses in its fleet. In that context -

- eight minibuses were procured in end 2009/early 2010, all of which are presently on road;
- 36 standard buses of 64 seats, out of which 35 have been delivered to the NTC from November 2010 onwards, up to last week and are operational;
- ten minibuses, whose delivery started in June 2011; three of these are now operating on our routes;
- 33 standard buses are on order and delivery is expected to start as from September 2011, and
- bids for the procurement of 30 standard buses will be invited this week, with the closing date fixed for 16 August 2011; delivery should start around February 2012.

Furthermore, as at to date, Forest Side Depot, which is also in charge of the fleet allocated to ex-Souillac Depot, has received 19 buses, comprising 17 standard and two minibuses. Five new standard buses have been allocated specifically to Route 197. On the other hand, out of the already ordered 33 standard buses, 11-12 will be allocated to Forest Side Depot. This will certainly enable the latter to increase the number of buses deployed on Route 197 and to provide a new bus for commuters boarding the 1600 hours bus released from Pope Hennessy Street, Port Louis. In the meantime, efforts to deploy less older buses at this hour will be made.

It has also to be pointed out that the NTC has acceded to two specific requests from the South bound passengers, namely -

- (i) to schedule fixed crews for the trip, and
- (ii) to avoid the Réduit University bus stop so as to enable them to reach home earlier.

The National Transport Authority has not received any complaint regarding the state of the 1600 hours trip bus to Chamouny. However, it would propose the NTC to allocate newer buses on that route in view of the route length.

BOIS GOYAVE ROAD, BLACK RIVER - REPAIRS

(No. A/253) **Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Local Government and Outer Islands whether he has been informed of the bad state of the Bois Goyave Road, the Bois d'Ebène Road and the other roads, opposite the *La Bonne Chute Restaurant*, in the region of La Preneuse, in Constituency No.14, Savanne and Black River, following the installation of water pipes by the Central Water Authority, since last year and, if so, will he, for the benefit of the House, obtain from the Black River District Council, information as to the remedial measures that will be taken.

Reply: I am aware of the deplorable state of the Bois Goyave Road, the Bois d'Ebène Road and other roads opposite La Bonne Chute Restaurant in the region of La Preneuse.

I wish to inform the House that, as soon as we assumed office, I and my colleague, the Minister of Health and Quality of Life, have effected visits in these regions to take stock of the situation and to initiate appropriate remedial action in the matter.

I also wish to inform the House that there was an acute problem of supply of potable water in these regions and the Central Water Authority had to replace all the water pipes which dated 30 years. Now that new water pipes have been installed and commissioned after five months of works, the National Development Unit is taking over the resurfacing of the road network in these regions. The National Development Unit has agreed to finance the project and bids will be invited soon.

PORT LOUIS - MAIN ROADS - YELLOW BOXES

(No. A/254) **Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the main roads in Port Louis, he will, for the benefit of the House, obtain from the National Transport Authority, information as to if the yellow boxes thereat have faded, thus causing traffic congestions at the junction of roads and, if so, indicate if remedial measures will be taken.

Reply: I have to inform the House that yellow boxes are painted at street junctions to prevent the junction from being locked in case of traffic flow problems on the more important road. If such problems arise, the yellow box ensures that the junction is kept unobstructed and vehicles on the main can right-turn or vehicles on the lateral roads can move freely.

It is to be pointed out that the Traffic Management and Road Safety Unit (TMRSU) implements traffic/road safety schemes on various roads around the island and during the implementation of the schemes, erects traffic signs and paints road markings on the roads. But the responsibility for maintaining these traffic signs and road markings rests with the responsible highway authority. There is no provision in TMRSU's funds for the maintenance of traffic signs and road markings. Yellow Box forms part of such traffic measures and is first painted by the TMRSU, but has to be regularly maintained by the responsible highway authority.

Yellow boxes are present mostly on important junctions on the main roads in Port Louis, which are classified roads and under the responsibility of the Road Development Authority. A number of yellow boxes are located on roads which are under the responsibility of the Municipal Council of Port Louis.

It should also be noted that very often junctions get locked because of the inconsiderate and uncivil behaviour of drivers. When in traffic queues, these drivers out of selfishness keep closest to the vehicle in front, even if they are aware that the position of their vehicles would cause obstruction to other vehicles.