



REPUBLIC OF MAURITIUS

**FIFTH NATIONAL ASSEMBLY**

**PARLIAMENTARY  
DEBATES  
(HANSARD)**

**SECOND SESSION  
TUESDAY 10 JULY 2012**

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Members

Members

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

Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues
Dr. the Hon. Ahmed Rashid Beebeejaun, GCSK, FRCP	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Charles Gaëtan Xavier-Luc Duval, GCSK	Vice-Prime Minister, Minister of Finance and Economic Development
Hon. Anil Kumar Bachoo, GOSK	Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping
Dr. the Hon. Arvin Boolell, GOSK	Minister of Foreign Affairs, Regional Integration and International Trade
Dr. the Hon. Abu Twalib Kasenally, GOSK, FRCS	Minister of Housing and Lands
Hon. Mrs Sheilabai Bappoo, GOSK	Minister of Social Security, National Solidarity and Reform Institutions
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Hon. Louis Hervé Aimée	Minister of Local Government and Outer Islands

Hon. Mookhesswur Choonee	Minister of Arts and Culture
Hon. Shakeel Ahmed Yousuf Abdul Razack Mohamed	Minister of Labour, Industrial Relations and Employment
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Hon. Surendra Dayal	Minister of Social Integration and Economic Empowerment
Hon. Jangbahadoorsing Iswurdeo Mola Roopchand Seetaram	Minister of Business, Enterprise and Cooperatives
Hon. Mrs Maria Francesca Mireille Martin	Minister of Gender Equality, Child Development and Family Welfare
Hon. Sutyadeo Moutia	Minister of Civil Service and Administrative Reforms

Members

Members

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**MAURITIUS**

**Fifth National Assembly**

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**SECOND SESSION**

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**Debate No. 13 of 2012**

**Sitting of 10 July 2012**

**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 –

- (a) The Certificate of Character Bill (No. XVII of 2012); and
- (b) The Road Traffic (Amendment) Bill (No. XVIII of 2012).

**B. Ministry of Energy and Public Utilities –**

The Central Water Authority (Drought Period) (Revocation) Regulations 2012 (Government Notice No. 127 of 2012).

**C. Ministry of Finance and Economic Development –**

- (a) The Annual Report of the Employees Welfare Fund for the 18 months period July 2009 to December 2010 (In Original).
- (b) The Virement (Contingencies) Warrant Nos. 1 to 63 of 2011, Virement Warrant Nos. 1 to 75 of 2011 and Retrospective Virement Warrant Nos. 76 to 80 of 2011 (In Original).
- (c) The Report and Accounts of the Permanent Resident Investment Fund for the period 28 April 2000 to 30 June 2001, for the years ended 30 June 2006, 30 June 2007, 30 June 2008, 30 June 2009 and for the eighteen months period ending 31 December 2010 (In Original).
- (d) The Annual Report of the Accountant General and the Accounts of the Republic of Mauritius for the fiscal year ended 31 December 2011 (In Original).
- (e) The Report of the Director of Audit on the Financial Statements of the Republic of Mauritius for the year ended 31 December 2011 (In Original).
- (f) The Report of the Director of Audit on the Financial Statements of the Rodrigues Regional Assembly for the year ended 31 December 2011 (In Original).

- (g) The Report on the Accounts of the Republic of Mauritius for the fiscal year ended 31 December 2011 (In Original).
- (h) The Report on the Accounts of the Rodrigues Regional Assembly for the fiscal year ended 31 December 2011 (In Original).
- (i) The Activity and Performance Report of the National Audit Office for the period 1 January to 31 December 2011 (In Original).
- (j) The Ministry of Fisheries Performance Audit Report No. 6 on the Implementation of the Different Plans for the Development of the Fisheries Sector – June 2012 (In Original)
- (k) The Ministry of Agro Industry and Food Security Performance Audit Report No. 7 on the Production and Development of Livestock in Government – Poultry Sector – June 2012 (In Original).
- (l) The Ministry of Health and Quality of Life Performance Audit Report No. 8 on the Procurement of Medical Equipment – June 2012 (In Original).
- (m) The Performance Audit Report No. 9 on – Should Passenger Vehicles be provided in Ministries and Departments? – June 2012 (In Original).
- (n) The Ministry of Agro Industry and Food Security Performance Audit Report No. 10 on the Mitigation of the Impacts of Deforestation – June 2012 (In Original)

**D. Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping –**

The Report of the Director of Audit on the Financial Statements of the National Transport Corporation for the years ended 30 June 2007, 30 June 2008, 30 June 2009 and for the 18 Months period ending 31 December 2010 (In Original).

**E. Ministry of Foreign Affairs, Regional Integration and International Trade –**



The Report of the Director of Audit on the Financial Statements of the Regional Economic Zones Development Fund for the periods 9 December 1999 to 30 June 2001, 1 July 2001 to 30 June 2001 and 1 July 2001 to 24 September 2001.

**F. Ministry of Social Security, National Solidarity and Reforms Institutions**

–

The Report of the Director of Audit on the Financial Statements of the Chagossian Welfare Fund for the year ended 31 December 2011.

**G. Ministry of Arts and Culture –**

The Annual Report 2006/2007 of the Mauritius Film Development Corporation.

**H. Ministry of Social Integration and Economic Empowerment –**

The National Economic and Social Council Report 19 – Managing Indebtedness and Household Budgets for Better Living.

## ORAL ANSWERS TO QUESTIONS

### MADAGASCAR - ROSEWOOD - ALLEGED SMUGGLING

**The Leader of the Opposition (Mr P. Bérenger)** (*by Private Notice*) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the alleged case of smuggling of rosewood from Madagascar, in June 2011, he will -

- (a) for the benefit of the House, obtain from the -
  - (i) Commissioner of Police, information as to if the inquiry carried out thereinto is now complete and, if so, indicate if the arrest of a Mauritian in Antananarivo last week is linked thereto;
  - (ii) Independent Commission Against Corruption, information as to if the inquiry carried out thereinto is now complete, and
- (b) state if -
  - (i) the World Bank has appointed a forensic team to investigate thereinto;
  - (ii) our Embassy in Antananarivo was involved in any way in the visit of Mr J. V. of the Mauritius Broadcasting Corporation in connection therewith, and
  - (iii) Mauritian Parliamentarians have visited Madagascar and Malagasy Parliamentarians have visited Mauritius in 2011 and since January 2012 to date.

**The Prime Minister:** Mr Speaker, Sir, in reply to a Private Notice Question on 22 May 2012, I informed the House that the Police had started an enquiry on 19 June 2011 regarding the alleged shipment of Bois de Rose which was exported fraudulently from the Malagasy Republic. I informed the House then that it is our wish that this enquiry comes to an end and that we get to the bottom of the matter.

In regard to part (a)(i) of the question, I am informed by the Commissioner of Police that Police enquiry is still in progress as it covers various limbs. Furthermore, I have caused the services of a foreign Forensic Customs Fraud Investigator to be enlisted to assist the ongoing enquiry.

I am further informed by the Commissioner of Police that one Mr L.R.L, a Mauritian national of Hong Kong origin was arrested on 20 June 2012 following accusation from a Malagasy woman going by the name of Bernadette regarding a deal on export of spices and not of rosewood. Mr L.R.L was subsequently released, but he is still in the Malagasy Republic as the Malagasy authorities have raised an objection against him to leave the country. The matter is now in court in the Malagasy Republic.

Mr Speaker, Sir, I wish to point out that Mr L.R.L was born in China on 04 December 1955 and was a resident of Hong Kong. He came to Mauritius on 05 December 1982.

He first applied for a Certificate of Naturalisation on 18 July 1985. The application was turned down on 24 June 1986 given that he did not meet the residence criteria under the Mauritius Citizenship Act. At that time, the then Solicitor General had even advised that this was a fit case for deportation.

He filed another application for Naturalisation on 18 June 1987.

On 14 August 1987, his application was approved under discretionary powers by the then Prime Minister following recommendation by the then Minister of Finance.

Regarding part a (ii) of the question, I am informed by the Director General of ICAC that enquiry into the alleged corruption and money laundering related to the fraudulent exportation of rosewood from Madagascar is still under investigation and a preliminary report has been sent to the Director of Public Prosecutions.

I am further informed that the Financial Intelligence Unit has also initiated an enquiry into the matter.

Mr Speaker, Sir, in regard to part b (i) of the question, as already stated by the hon. vice-Prime Minister and Minister of Finance and Economic Development in reply to Parliamentary Question B/367 on 26 June 2012, the Ministry of Finance and Economic Development has on 22 May 2012, sought the assistance of the World Bank with the objective to identify all those who have been involved and benefited from this illegal transshipment. The Ministry of Finance and Economic Development has been in regular contact with the World Bank representatives in relation to the above assignment. In this respect, during a visit to Mauritius in mid June by the World Bank Country Director, the Ministry of Finance and Economic Development was informed that approval to carry out this assignment was being sought from the World Bank's top management and that the scope of work was also being fine

tuned by the Bank's experts. Subsequently, the World Bank issued a statement which reads as follows -

“The Government of Mauritius has requested assistance from the World Bank to curb illicit smuggling and trade of rosewood from Madagascar. Illegal logging threatens Madagascar's natural resources admits unique biodiversity. A request from the Government of Mauritius is in keeping with the Bank's mandate of a transparent, sustainable and inclusive development and commitment to helping Madagascar curb illegal logging of precious wood, and managing existing stocks. Our efforts will be guided by the best international practice in the area, including lessons learned from implementing the Stolen Asset Recovery Initiative”.

Mr Speaker, Sir, I should briefly go through the chronology of events -

On 22 May 2012, the Financial Secretary emailed the Country Director for Mauritius at the World Bank who is also the Country Director for Madagascar resident there. The email mentioned that the Country Director might be, and I quote -

“aware that following a request from the PM of Madagascar, Mauritius customs intercepted and impounded an illegal shipment of rosewood from Madagascar that was transiting through Mauritius.

In addition to trafficking in endangered wood, there are probably also some money laundering issues involved.

In view of the lack of expertise to trace international criminal activity, Government would like assistance from the World Bank to have a forensic audit to trace back those involved in the illegal shipment.

Could this be an area where the Bank teams working on Governance and FSAP or those concerned with biological diversity perhaps assist? If the Bank is unable to assist, can you please advise on which agency may be able to help.”

On the same day, Mrs Bridi who is the Country Director for Mauritius responded that the World Bank should be able to help, but that she would check with her expert colleagues and revert back as soon as possible.

In response, the Financial Secretary, again on the same day, sent his thanks and appreciation for the willingness of the World Bank to assist.

On 24 May 2012, Mrs Bridi sent an email stating the following, and I quote -

“Following your below request, we are in the process of discussing some support/advice to the Government of Madagascar on marking, inventory and sale of seized rosewood.

We could look into including a forensic/legal component into our TA/study and incorporate the wood that has been intercepted in Mauritius. However, we need some time to identify the suitable consultants to undertake this work, and contact them to ascertain interest, etc.

So we'll be able to help if you can give us some time to get organised.

Your request is on my technical colleague's radar screen, and they will get back to you as soon as they make progress in identifying a suitable firm, and proposing a concrete way forward.”

On 25 May 2012, the Financial Secretary emailed back his thanks and stated, I quote - “Thanks for the positive and concrete actions you propose, which would very much help improve governance in this area. Please let us know how we can assist the process, and meanwhile we await your colleague's reflections on the best way forward.”

The Financial Secretary followed up on 09 June 2012 with a request for a copy of a similar forensic audit, as the one requested for Rose Wood, to have an idea of the approach taken. He also queried if an indication could be given for the start of the forensic audit.

On the same day, Mrs Bridi responded that she would see if the World Bank can get a report. She also indicated that the World Bank will get back to Government as soon as she can get feedback from the new World Bank Vice-President for Africa, and she had asked the Bank team to wait to act until he is available. He was travelling at that time. She was hoping that she could talk to him later that week.

She anticipated that the vice-President would undoubtedly ask about what Government has been doing so far. Accordingly, she indicated that it would be important to give the World Bank a sense of steps taken by the Government of what plans we have to take, so that this could be included in her briefing to the vice-President.

Regarding part (b) (ii) of the question, I am informed by our Mission in the Malagasy Republic that the Embassy was in no way involved in the visit of Mr J. V., journalist at the MBC, during the latter's recent visit to the Malagasy Republic.

As regards part (b) (iii) of the question, I am tabling a statement giving the information requested.

Mr Speaker, Sir, I should inform the House that Government has mobilised several institutions working concurrently on this case, namely the police, ICAC, the FIU, the Mauritius Revenue Authority, the World Bank and, as I said, now a foreign Forensic Customs Fraud Investigator Team.

I should like to reiterate the fervent wish that I expressed in reply to the PNQ of 22 May 2012 that this enquiry comes to an end, and that we intend to get to the bottom of the matter.

Let me seize this opportunity to dispel any doubt that may still be lingering in the minds of some in the Opposition as to my determination that the real culprits, whoever they may be, are brought to justice as soon as possible.

**Mr Bérenger:** Mr Speaker, Sir, it is more than a year now that both the police and ICAC have supposedly been carrying out their investigation, and we are informed that the inquiries are still on. But we have also been informed that now, after a year or so, Government, the Prime Minister is appointing a forensic investigator to look into this case. Can I know when that decision was taken, who identified that investigator, and his name?

**The Prime Minister:** In fact, the decision was taken after we saw that the case was more complicated than we thought. Some information we were getting were contradicting each other; we were not getting all the information that we wanted. The hon. Leader of the Opposition himself said that this might be beyond the abilities of our police team here, and I think he mentioned a select committee. I said that instead of a select committee we should get the expert advice of forensic people who are involved in this, who have done this kind of investigation before, and know how to get about it. So, the decision was taken then, and they have started work. I took contact with the customs people abroad, and they have recommended this firm which has already started working. I would rather not give the name of the firm at this point, Mr Speaker, Sir, because they want to get all the information they need.

**Mr Bérenger:** Replying to my PNQ on 22 May 2012, the hon. Prime Minister did say that the police would be sending people to Madagascar to carry out interviews there. Can I

know whether ICAC or the police have sent officers to Madagascar and, if yes, who did they interview there?

**The Prime Minister:** I don't have the details of who, Mr Speaker, Sir, but I know the police did send. I know its people from ADSU. They did go to Madagascar to interview some people.

**Mr Bérenger:** Mr Speaker, Sir, again on 22 May, the hon. Prime Minister was very forceful. If I can quote him -

“According to information that we have received that people, here, in Mauritius have participated in this *trafic de bois de rose*, there is a *gérant de la Société* Princewood Ltd, and her former husband, and then there is the PDG of Group Sodina of Madagascar who has activities in Mauritius.”

The hon. Prime Minister was quite forceful that there is evidence that, at least, these three people - to use his own words - ‘have participated in this *trafic de bois de rose*’. Can I ask the hon. Prime Minister how come then that no one has been arrested to date?

**The Prime Minister:** Mr Speaker, Sir, they have been interviewed. We are still investigating. It seems to be broader than we thought it was, and that is why we got help from abroad. The investigation is going on, but it is clear now that there are more people involved than we thought at the beginning.

**Mr Bérenger:** Concerning the arrest of this Mauritian national at the airport of Antananarivo on Sunday 01 July, the hon. Prime Minister said that this concerned some other materials, but not rosewood. Can I table a copy of an article dated Friday 06 July from ‘*l'Express de Madagascar*’, the title being ‘*Un trafic de bois de rose dénoncé*’, where it is stated -

“*Une opératrice économique a poursuivi trois individus dont un quinquagénaire et un Mauricien d'origine chinoise...*”

Then, they replied back that they had all been involved in a *trafic de bois de rose*. Can I table a copy thereof? That was in the press in Madagascar, all over place, that it was also *bois de rose* involved. Has our Embassy looked into that?

**The Prime Minister:** Mr Speaker, Sir, we have to go by what information we can get from the Malagasy authorities. The Malagasy authorities have said that it was a deal on export of spices and not of rosewood, that the person had been arrested on 20 June 2012 following the

accusation from this Malagasy woman going by the name of Bernadette, and that he was subsequently released on bail, but they have objected for him to leave the country.

**Mr Bérenger:** In fact, he was arrested for the first time on that date in a casino in Antananarivo, but when he tried to leave the country on the date which I just referred to, he was re-arrested at the airport, and he is still in detention. Has our Embassy in Madagascar been involved in any way in that arrest?

**The Prime Minister:** No, Mr Speaker, Sir, our Embassy has got nothing to do with the arrest. This is what the Malagasy authorities have done.

**Mr Bérenger:** From the lengthy and detailed reply of the hon. Prime Minister concerning the World Bank, I understand the bottom line is that forensic team to be appointed by the World Bank has still not been appointed and, in the meantime, Government has appointed an independent forensic investigator. Is that the situation?

**The Prime Minister:** That is right, Mr Speaker, Sir, because we cannot wait for that long because the trail will get cold. That is why we have moved forward.

**Mr Bérenger:** The hon. Prime Minister will remember that replying to a question put by me on PQ B/367 on 26 June 2012 - I had requested him to table copy of the e-mails exchanged between the Ministry and the World Bank - the vice-Prime Minister and Minister of Finance said the following:

“I have no issue with tabling the correspondence. I will ask the hon. Prime Minister and the World Bank, if they agree then I have no problem.”

The hon. Prime Minister has quoted from parts of those e-mails. Can I know whether the hon. Prime Minister has given his green light, and the World Bank for the placing in the Library of copies of these e-mails exchanged?

**The Prime Minister:** No, in fact, Mr Speaker, Sir, the hon. vice-Prime Minister and Minister of Finance did come to see me about this. I decided not to place it on the Table of the Assembly for the simple reason that in that e-mail, there are sensitive issues and I do not want to prejudice the enquiry that is going on. That is why I have quoted part of it.

**Mr Bérenger:** If I heard it clearly from the hon. Prime Minister, our Embassy in Antananarivo was not involved in any way in the visit of that person from the MBC. I take it that, therefore, in terms of reservations, making appointments, transport, paying of whatever



was paid there, our Embassy was not involved in any way in that visit and, including the expenses from that person from the MBC?

**The Prime Minister:** That is my understanding, Mr Speaker, Sir. In fact, our Ambassador there says that he did not even know that the person was in Madagascar until he found out from here.

**Mr Bérenger:** On the last part of my question, the hon. Prime Minister has said, if I heard him correctly - I wanted to know whether Mauritian parliamentarians have visited Madagascar and Malagasy parliamentarians have visited Mauritius in 2001 and since January 2012 to date - that he is tabling a statement. It will take time, therefore, to look carefully at this statement, but in the meantime, using the services of the Passport Office, the Police, has there been any suspicious *va-et-vient* between Mauritius and Madagascar, parliamentarians in particular, but any suspicious *va-et-vient* between Madagascar and Mauritius in 2011 and 2012 to date? Has anything suspicious been detected?

**The Prime Minister:** In fact, I am going to table it. But there are suspicious people who have travelled to and from Madagascar. I am tabling the list of those people here and also as far as parliamentarians are concerned, I can table the list as well. There are four parliamentarians who have been to Madagascar since those days concerned. First, the vice-Prime Minister and Minister of Finance, who travelled on the 27 January 2011, on the invitation of the President of Madagascar, who invited him for a dinner with other people involved in that dinner. Then there is hon. Dr. Arvin Boolell who went twice to Madagascar on 08 April and the 14 September for diplomatic reasons. We all know why he travels to Madagascar. Hon. Nicolas Von-Mally went to Madagascar on 15 April 2011, again concerned with his Ministry; and hon. Li Kwong Wing went to Madagascar on 19 February 2012.

*(Interruptions)*

No! It doesn't mean anything. I'm not saying he did. I am just answering the question.

*(Interruptions)*

I am not accusing the hon. Member of anything; I am just answering the question. He also went to Madagascar.

**Mr Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Mr Speaker, Sir, I am glad to have heard the hon. Prime Minister stating that he will leave no stone unturned to have the culprit or culprits in the rosewood big business

saga be brought to justice. Has the attention of the hon. Prime Minister been drawn that one Mr Christian Tonta has travelled on several occasions with the vice-Prime Minister to Madagascar?

*(Interruptions)*

I am just asking. Why are you replying? *Celui qui s'excuse s'accuse.*

*(Interruptions)*

**Mr Speaker:** Order! Order! Order, please! A question has been put, let the hon. Prime Minister answer! Order! Order, please!

**Mr Bhagwan:** I am just asking. Can I know from the hon. Prime Minister, whether the Police, in the course of enquiry, will look also into the activities of Mr Christian Tonta, especially with regard to the rosewood business saga?

**The Prime Minister:** Mr Speaker, Sir, the vice-Prime Minister and Minister of Finance just answered it. Never! It is not so. So, don't make false accusations as you are doing. In fact, what has happened...

*(Interruptions)*

In fact, what has happened...

*(Interruptions)*

**Mr Speaker:** Order !

**The Prime Minister:** In fact, what has happened, Mr Speaker, Sir,...

*(Interruptions)*

**Mr Speaker:** Order! Order, I said!

*(Interruptions)*

May I inform hon. Members that before citing the names of people they will have to be very, very careful. That is provided for in the Standing Orders.

*(Interruptions)*

Order! Hon. Roopun!

**The Prime Minister:** In fact, Mr Speaker, Sir, that is why I make an appeal to the Opposition. *Jeter de la boue c'est facile.*

*(Interruptions)*

So, I can say hon. Li Kwong Wing went to Madagascar. Why has he been to Madagascar? In fact, the vice-Prime Minister and Minister of Finance ...

*(Interruptions)*

**Mr Speaker:** Order! I said, order! I said order!

*(Interruptions)*

I said order, please! I am appealing to you. Otherwise, I am going to suspend this sitting. I am appealing to both sides of the House to use moderate language. This is a very sensitive issue. Please, I am in the Chair, I am controlling the House. I am asking hon. Members to use moderate language from both sides of the House in putting questions on this issue, which is a very sensitive one. Hon Roopun!

**The Prime Minister:** Mr Speaker, Sir, I didn't finish.

**Mr Speaker:** Hon Roopun, I said!

**Mr Roopun:** Hon. Prime Minister, in a statement made by a Malagasy senator it would seem that the Malagasy authority...

**Mr Speaker:** The question is irreceivable, because the Prime Minister is not responsible for a statement made by somebody outside.

**Mr Roopun:** No, it was made on the radio here.

**Mr Speaker:** I am sorry. The hon. Member talked about a statement made by somebody and he is putting a question to the hon. Prime Minister. The Prime Minister is not responsible for the statement made by somebody.

**Mr Roopun:** May I rephrase my question?

**Mr Speaker:** Yes, rephrase your question.

**Mr Roopun:** Can the hon. Prime Minister inform the House whether the support of the Malagasy Government has been obtained insofar as the enquiry by the World Bank is concerned?

**The Prime Minister:** In fact, Mr Speaker, Sir, that's what I was about to say. In fact, *c'est le monde à l'envers*. The vice-Prime Minister and Minister of Finance gets out of his way, after he gets the request from the then Prime Minister of Madagascar, about the illegal export of the rosewood. He gets out of the way to initiate proceedings and now he is in the accused box. In fact, I can't say we are getting all the cooperation, but we are getting cooperation.

**Mr Uteem:** Mr Speaker, Sir, the hon. Prime Minister mentioned in an earlier PNQ that for the containers that were seized, the destination had been changed from Kenya to China. May I know from the hon. Prime Minister whether the Police have made any contact with the

authorities in China to see whether we can have assistance from China, because that is where the rosewood was supposed to go?

**The Prime Minister:** The answer is yes.

**Mr Jugnauth:** Is the hon. Prime Minister aware that Mr J. V. who interviewed the former Prime Minister, Mr Vital Albert Camille, that very same former Prime Minister had, at one time, intervened when Malagasy customs had seized 79 containers of rosewood and had intervened to ask that those containers be released? I am tabling a copy.

**Mr Speaker:** It is signed?

**Mr Jugnauth:** It is signed by Mr Vital Albert Camille, former Prime Minister of Madagascar.

**The Prime Minister:** In fact, Mr Speaker, Sir, I must also inform the House that the former Prime Minister is about to be nominated as Ambassador for Madagascar in Geneva, that is my understanding. Let me say to hon. Jugnauth that there was rosewood seized before and when the then President of Madagascar, Mr Ravalomanana, came to Mauritius, he made a plea, like the Malagasy authorities have made a plea now, that this be returned to Madagascar and we agreed to that plea then, but we are not agreeing this time.

**Mr Baloomoody:** Mr Speaker, Sir, there is no doubt that this is a very important international fraud which has occurred and we know as a fact that there are two Mauritians involved. They have been interviewed, but not arrested or there is no objection to departure upon them. May I know what action the Police or the authorities have taken to ensure that these two persons do not interfere with the enquiry and do not tamper with evidence which might be vital for the enquiry?

**The Prime Minister:** I don't think the hon. Member has all the information that he claims to have.

**Mr Jhugroo:** Mr Speaker, Sir, with regard to Mauritian Parliamentarians who have visited Madagascar and Malagasy Parliamentarians who have visited Mauritius in 2011 and since January 2012 to date, can the hon. Prime Minister inform the House how many of these visits were official and how many were private and whom they met?

**The Prime Minister:** Obviously, when the Foreign Minister went to Madagascar, it was official – I don't know whether this was the question, I am not sure.

**Mr Speaker:** The second part of the question is irrelevant, the first part the Prime Minister can answer.

**The Prime Minister:** The first part was: who travelled to Madagascar?

**Mr Speaker:** Official or private!

**The Prime Minister:** Well, I gave the names of the four Parliamentarians who went to Madagascar. Two of them, I understand, were officials in the sense that they had to deal with a diplomatic situation in Madagascar: one was for fisheries; the other one was on a private invitation by the then President of Madagascar. It was Mr Li Kwong Wing. I don't know why he went to Madagascar.

**Mr Li Kwong Wing:** Mr Speaker, Sir, on a point of personal explanation, the Prime Minister mentioned my name for the trip, may I...

**Mr Speaker:** At the end of Question Time, I will give the Member that opportunity. Hon. Baloomoody!

**Mr Baloomoody:** Can I ask the hon. Prime Minister whether...

**Mr Speaker:** Order, I said! Hon. Minister, please order! No interjection!

**Mr Baloomoody:** Can I ask the hon. Prime Minister whether the authorities in Mauritius, be it the MRA, the ADSU intend to interview the Mauritian citizens who have been arrested in Madagascar?

**The Prime Minister:** Mr Speaker, Sir, police enquiry is ongoing. We have lot of information that we are getting. I don't want to prejudice that enquiry by giving further information on that.

**Mr Bhagwan:** Sir, can I know from the Prime Minister whether he has obtained information from the MBC/TV as to whether the team of the MBC/TV which went to Madagascar were given directives by any Minister?

**The Prime Minister:** Absolutely not, Mr Speaker, Sir! There was no team as such; I think there was one person who went; he, himself, is a cameraman, that's why only one person went.

*(Interruptions)*

I didn't say he went by himself; the MBC sent him because it is news worthy what he had said.

**Mr Jhugroo:** Mr Speaker, Sir, I am still waiting the answer from the hon. Prime Minister regarding the Malagasy Parliamentarians who visited Mauritius either officially or in a private visit.

**Mr Speaker:** The Prime Minister has answered that in the PNQ. He has said that he is going to table the information. Yes, hon. Leader of the Opposition!

**Mr Bérenger:** Sir, if you would allow me two questions!

*(Interruptions)*

**Mr Speaker:** Order! I am not going to accept....

*(Interruptions)*

Yes, both sides I said!

**Mr Bérenger:** It started there, Mr Speaker.

**Mr Speaker:** I am saying both sides.

**Mr Bérenger:** If you would allow me a final question, Mr Speaker, Sir. We have supposedly the Police and the ICAC a year later completing their enquiry. We are still running after the World Bank supposedly to get a forensic team to come and enquire into the same matter and then, in the meantime, without giving us the date on which an independent firm of forensic investigators were appointed. Does the hon. Prime Minister really think that this is the way to go about it with the Police, ICAC, running after the World Bank and now appointing, without giving us the date a forensic independent investigator.

**The Prime Minister:** In fact, Mr Speaker, Sir, we are using not just the Police, ICAC, FIU; we are waiting for the World Bank and, in the meantime, we are using the foreign team because the hon. Leader of the Opposition, himself, said that this might be beyond the capability of our Police to do that kind of investigation which has lots of ramifications. I agree with him, this is so. That is why we have taken additionally these firms which have already started their investigation and this is continuing.

**Mr Bérenger:** It did not take me a year to come to that conclusion. Finally, Mr Speaker, Sir, replying to my Private Notice Question again on 22 May, at one point, the hon. Prime Minister was very forceful, if I can quote:

‘Well, in fact, we are surprised that the inquiry in Madagascar has been completed, precisely because there are people involved in Madagascar. If the hon. Member wants me to spell it out, that is why there is a cover-up.’

That was a very serious allegation several months later. Is the hon. Prime Minister still of the opinion that there is a cover up ongoing in Madagascar?

**The Prime Minister:** Mr Speaker, Sir, I said that because we get contradictory things being said in Madagascar. One person says X; when we go there, he says: 'no, I didn't say that; that is the press that had reported this.' That is why I said that I believe there are some people who are hiding the truth.

**Mr Speaker:** Time is over! Questions addressed to Dr. the hon. Prime Minister. Hon. Ameer Meea!

**Mr Li Kwong Wing:** Mr Speaker, Sir, can I make a...

**Mr Speaker:** Yes sorry, the hon. Member has a point of personal explanation.

**Mr Li Kwong Wing:** Can I make a point of personal explanation? The hon. Prime Minister mentioned my name and that of hon. Dr. Arvin Boolell in the context of our visits to Madagascar. May I inform the House that I have gone there as I usually go on regular marketing trips to Madagascar on a professional business visit, and I am ready to offer my professional services to the Prime Minister as a forensic expert if he wants me to carry out an investigation on rosewood.

*(Interruptions)*

**Mr Speaker:** Hon. Choonee, please!

*(Interruptions)*

Order! Order! Hon. Ameer Meea!

#### **GOVERNMENT PRINTING DEPARTMENT - NATIONAL APPRENTICE SCHEME**

**(No. B/456) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the persons employed under the National Apprentice Scheme at the Government Printing Department, he will, for the benefit of the House, obtain therefrom, a list thereof, indicating in each case -

- (a) their qualifications;
- (b) the salaries/allowances drawn;
- (c) the date of employment, and
- (d) the procedures followed for the recruitment thereof.

**The Prime Minister:** Mr Speaker, Sir, I am informed that the Mauritius Institute for Training and Development (MITD) offers a printing course of one year on a full time basis and another part time course of two years under the apprenticeship scheme. Both courses lead to the National Certificate Level 3.

Apprentices taking the part-time course, spend one day per week at the Training Centre for the theoretical component of the curriculum and the remaining four days of the week in an organisation for on-the-job training to satisfy the requirements of the practical part of the course. Applications for the courses are invited by the MITD through public advertisement. Thereafter, MITD sends apprentices who meet the required criteria to organisations in the printing industry including the Government Printing Office.

It was in that context that in 2011, five apprentices were sent by the MITD to get on-the-job training at the Government Printing Office.

In regard to part (a) of the question, I am informed that among the apprentices sent to the Government Printing Office, one possesses a Cambridge Higher School Certificate, three a Cambridge School Certificate and one a Cambridge GCE 'O' Level.

In regard to part (b) of the question, according to the scheme, a stipend representing 40% of the basic salary of a worker in the lowest grade of a trade is paid to the apprentice. At the Government Printing Office, it amounted to a monthly stipend of Rs3,680.

In regard to part (c) of the question, four apprentices started placement training on 01 October 2011 and one on 05 March 2012.

In regard to part (d) of the question, I am informed by the MITD that from May to June 2011, it carried out a survey among 13 employers to look into the possibility of placement for apprenticeship courses in -

- I. Print Finishing, and
- II. Plate Making and Machine Printing.

Three Printing Companies namely Atlas Printing, Masters Continuous Stationery and Government Printing Office replied that they could provide eight placement offers for Print Finishing, and eight for Plate Making and Machine Printing.

On this basis, the MITD invited applications in June of 2011 for apprentices in the printing courses through public advertisement. Pamphlets were also distributed during the



open days held in February of 2011. The entry requirements were Form III or equivalent and a minimum age of 16 years.

Thirteen (13) applications were received for Plate Making and Machine Printing and 29 for Print Finishing. 41 eligible applicants were invited for a briefing session at the Training Centre on 03 August 2011, but only 21 applicants turned up, that is, 13 for Print Finishing and eight for Plate Making and Machine Printing.

As the basic minimum criteria for the Government Printing Office is School Certificate, the 11 candidates with such qualifications were invited to visit the Government Printing Office on 19 August 2011. Eight turned up that is six for Print Finishing and two for Plate Making and Machine Printing.

Out of the six applicants for Print Finishing, five decided - because I should add that owing to the fact that it is the policy of MITD to have a minimum of eight apprentices to run a course and the fact that two companies, that is, the other two companies withdrew the placement offers for Print Finishing, MITD decided not to offer that course as there were only four placements available. Therefore, out of the six applicants for Print Finishing, five decided to opt for Plate Making and Machine Printing and one maintained her preference for Print Finishing.

Out of the seven applicants, five turned up for the signature of the contract at the Government Printing Office, but, finally, only four joined the course on 13 September 2011. One late applicant joined the course at the MITD on 21 February 2012.

Mr Speaker, Sir, it is to be pointed out that another five candidates sponsored by their employers have also been enrolled on the Plate Making and Machine Printing Course. Altogether, therefore, 10 apprentices are following the Plate Making and Machine Printing course at the MITD.

Mr Speaker, Sir, under the Apprenticeship Scheme, apprentices are normally awarded the National Certificate Level 3 on completion of their two years successful training and placement. Should anyone be interested to join the Government Printing Office, he/she will have to apply whenever there is a public advertisement by the Public Service Commission to fill the post.

**Mr Ameer Meea:** Mr Speaker, Sir, can I ask the hon. Prime Minister whether he has been informed of a complaint that has been lodged with the Police by the trade unions of the

Government Printing concerning alleged cases of favouritism in the recruitment process under the national apprentice scheme?

**The Prime Minister:** In fact, Mr Speaker, Sir, from my answer it is clear, there cannot have been favouritism. It was a public advertisement. The pamphlets were issued also at the fair, people have applied, I have explained how people switch, because the MITB could not continue with the course, because they needed to have at least eight placements for that Plate Finishing course and, therefore, five of them switched, one of them maintained that she wanted to do the Plate Finishing. I must tell you also, she was offered another course on Print Finishing, but she did not take up.

**Mr Ameer Meea:** Mr Speaker, Sir, I asked the hon. Prime Minister if he is aware of a police complaint that has been lodged by the trade unions and also...

**Mr Speaker:** I am sorry! The Prime Minister has given his answer. Next question, hon. Soodhun!

*(Interruptions)*

Let me tell the hon. Member about the Standing Order on supplementary questions. He is commenting upon the question, he cannot comment on the question.

*(Interruptions)*

He can put his supplementary.

*(Interruptions)*

Yes, put your question!

**Mr Ameer Meea:** Can I ask the hon. Prime Minister if he is aware that out of the five people that were recruited in March 2011, three of them are of the same family?

**The Prime Minister:** That is not the case. That is why I say, they listen to all sorts of things. I can give him the names.

*(Interruptions)*

You believe everything that the press says! You have a lot to learn my friend.

### **CHAGOS ARCHIPELAGO – SOVEREIGNTY**

**(No. B/457) Mr S. Soodhun (Second Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Chagos Archipelago, he will state if, following his

meeting with the British Prime Minister on Friday 08 June 2012, he has been informed that there was no commitment to talks with Mauritius on the sovereignty thereon.

**The Prime Minister:** Mr Speaker, Sir, as I have already indicated to the House in reply to the PNQ on 12 June 2012, I discussed the issue of the Chagos Archipelago during my meeting with the British Prime Minister, the Rt. Hon. David Cameron, on Friday 08 June 2012.

During the discussions, I reminded the British Prime Minister of the repeated undertakings of the United Kingdom that the Chagos Archipelago would be returned to Mauritius when no longer required for defence purposes. In view of the expiry in 2016 of the UK-US arrangements on the use of the Chagos Archipelago, I stressed the need for formal talks to be initiated between Mauritius, the United Kingdom and the United States with a view to reaching an agreement on the effective exercise of sovereignty by Mauritius over the Chagos Archipelago while safeguarding the continued use of Diego Garcia for US defence purposes.

As a result of the discussions, an understanding was reached for both parties to start a process of positive dialogue so that we could move forward on the issue of the Chagos Archipelago. The British Prime Minister stated that he has taken note of my intention to propose to the US authorities that the three States sit together and reach an agreement on the sovereignty issue without prejudice to the continued use of Diego Garcia as a military base to meet prevailing security needs.

Mr Speaker, Sir, since my meeting with the British Prime Minister on 08 June last, there have been exchanges between the two parties to see how we could move forward following my meeting with the Rt. Hon. David Cameron at 10 Downing Street.

I do not intend to give further details about the exchanges we have had at this stage as this would not be in the national interest. It is important that we allow diplomacy to follow its course.

However, I wish to point out that I stand by the statement I made in the House on 12 June 2012.

**Mr Soodhun:** Mr Speaker, Sir, can the hon. Prime Minister state whether any official meeting has been scheduled between Mauritius, US and UK?

**The Prime Minister:** I am very sorry; I did not quite get the hon. Member.

**Mr Speaker:** Whether any meeting has been scheduled between Mauritius, US and UK.

**The Prime Minister:** No, we are in the process of trying to schedule the meeting. Last time, in fact, an appointment was scheduled with the Secretary of State, Mrs Hilary Clinton, but that was on the eve, I was travelling to India for an official visit. So, that was postponed, but we are trying to work it out, because obviously, she is very busy, she is travelling abroad a lot. So, we are trying to see what days can be found if need be as soon as possible.

**Mr Soodhun:** Can the hon. Prime Minister inform the House if he has briefed the US Ambassador in Mauritius on the outcome of the talks with the British Prime Minister and has made any formal request for meeting the President of US, Mr Obama?

**The Prime Minister:** No, I did not brief the *Chargé d’Affaires*, of the First Secretary, I think, of the US Embassy, because we are talking at the level of the Prime Ministers, but I have made a request to meet the Secretary of State. Don’t forget, it is the election year in the United States.

**Mr Jugnauth:** The hon. Prime Minister has just said that an understanding was reached for Mauritius and Britain to start a process of positive dialogue on the Chagos Archipelago and that he discussed with his British counterpart, that all the three States would get together in order to move forward. How does the hon. Prime Minister reconcile the statement that has been made by Lord Howell, whereby he said there were neither commitment to talks with Mauritius on the sovereignty of the Chagos Archipelago, nor was there any commitment to involve Mauritius in any discussion with the US?

**Mr Speaker:** Question on statement made by whatever hon. Member in UK is irreceivable according to the Standing Orders, Erskine May and a ruling of the House of Commons. The first part of the question can be asked.

**Mr Jugnauth:** Mr Speaker, Sir, this is an official statement made in the House of Lords.

**Mr Speaker:** No. Let me give the hon. Member the ruling of the House of Commons as far back as 1956 and it is a House of Commons Debate, 20 November 1956 and it is supplemented by Erskine May that a Minister or a Prime Minister is not responsible for a statement made outside, unless it is a communication between one Government to another Government.

**Mr Jugnauth:** May I then put the question in another way?

**Mr Speaker:** Yes.

**Mr Jugnauth:** Is the hon. Prime Minister not concerned about the statement that has been made by Lord Howell?

**Mr Speaker:** As I said, a statement made outside is not receivable. A PNQ...

*(Interruptions)*

Order! A PNQ in the House of Commons in 1956 was rejected by the Speaker of the House on the same basis. Unless it is a communication between two Governments. The hon. Member must put his question.

**Mr Jugnauth:** Then, is the hon. Prime Minister aware of any statement that has been made with regard to Chagos Archipelago by any Minister in Britain?

**The Prime Minister:** First of all, let me correct the misunderstanding that the hon. Member has. I propose to the British side that we think the three parties should sit together and talk about the issue. I never said that we have to arrange the issue. That is my proposition. We all know, Mr Speaker, Sir, that this is a longstanding dispute between Mauritius and the UK, going even prior to independence. The British Government position has always been the following: it always says it has no doubt about the sovereignty; that the Chagos were administered from Mauritius for convenience sake, administrative purposes; they even tried to say that there were no local inhabitants in the Chagos; they even said that they don't even need the agreement - if you go and look at all the discussions that they have - of Mauritius, that they can do it by order of the Council. That is their position; that is not our position. We totally disagree with that position. We say that the Chagos Archipelago was detached from Mauritius in total defiance of international law and two United Nations resolutions, that is, 1514 and 2066. Now, it is a fact also that the Chagossian community has been forcefully removed from the Chagos. It is a fact. There is no question to say that there was never any Chagossians living in the Chagos.

Furthermore, the British Government has consistently said that the Chagos Archipelago will be returned to Mauritius once it is no longer needed for the defence purposes of the west. I must say the former British Government even tried to put the Sovereignty issue on the backburner as we denounced straightaway, when they claimed to proclaim this marine protected area. It is straightaway even before the wikileaks information came out I said it is a backdoor way to prevent the Chagossians from ever going back to the Chagos. That is what they tried to do.

And after making our position clear that we did not accept the marine protected area, we decided to take the initiative and we took the British Government for compulsory arbitration under Annex 4 of the Arbitral Tribunal under the Law of the Sea Convention. That is coming up soon. I think we have to file our memorial by 30 July of this year.

I did say, Mr Speaker, Sir, that we are going to exhaust all the options that we have, but we would like to see whether we can sit round a table and come to an agreement before the lease expires in 2016. I took the opportunity, therefore, of reopening the dialogue. There was a dialogue that was stalemate I must say, and I said there was a stalemate on the issue, there was no communication, the dates were approaching, I took the initiative, I talked to the British Prime Minister and following my visit to London, the British side, I can say to the House, had expressed their willingness to engage in a positive dialogue on the Chagos issue. Now, we will start the dialogue. That has not happened before, there was a stalemate.

**Mr Bérenger:** Can I, on a question of fact, ask the hon. Prime Minister whether our High Commission in London has forwarded to us the question and the reply, on precisely this subject, given in the House of Lords, a few days ago, by Lord Howell of Guilford, Minister of State (Foreign & Commonwealth Office) his reply? Did our High Commission in London forward a copy thereof?

**The Prime Minister:** Yes, he did, Mr Speaker, Sir.

**Mr Bodha:** Mr Speaker, Sir, may I ask the hon. Prime Minister whether, as has been the case with Prime Minister Margaret Thatcher in the past and Tony Blair recently, the proposal that the Chagos will be given back to Mauritius once they are not needed for defence purposes, and whether during the meeting he had with Prime Minister Cameron, the British Prime Minister reiterated this stand of the UK?

**The Prime Minister:** That has been the constant stand of the British Government that once they don't need the Chagos Archipelago for the defence purposes of the west sometimes to say, I think from the United States point of view, they will return the Chagos Archipelago to Mauritius. And what we are saying is that we are not putting into question the security for the defence purposes of the west, we are saying the same thing. So, why can't we sit down round a Table and sort this out?

**Mr Jugnauth:** Mr Speaker, Sir, the Prime Minister can probably enlighten the House. May I know what is exactly the understanding between Mauritius and Britain, and to do what?

**The Prime Minister:** I did answer that question. I think everybody knows the position of the successive British governments, as I have said earlier; what is the position. We have a different point of view. There was a stalemate, nothing was happening. And I took the initiative to talk to the British Prime Minister and I must say it was *de bon augure*, as I said that I think discussions were good, that we have this discussion, and that we are now going to move forward, we have had exchanges already to move forward on the issue of the Chagos. All the issues that are involved, including the marine protected area, the Chagossian community, everybody, we want to start, at least, to move the process forward.

#### **MBC – MR A. M. - INQUIRY**

**(No. B/458) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to Mr A. M., he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to -

- (a) the capacity in which he is employed thereat, and
- (b) if he is presently interdicted and, if so, indicate
  - (i) since when
  - (ii) the reasons therefor, indicating where matters stand in relation to the inquiry carried out in connection therewith, and
  - (iii) the total amount of money paid to him in terms of salaries, since his interdiction to date.

**The Prime Minister:** Mr Speaker, Sir, in regard to parts (a) and (b) of the question, I am informed by the Director General of the Mauritius Broadcasting Corporation that, Mr A.M. holds the post of Chief News Editor, and he has been interdicted since 23 July 2009, in connection with the alleged shortcomings in relation to the organisation and management of the *Pepsi Sega Hungama* song competition organised by the Corporation.

I am further informed by the Director General that the Disciplinary Committee has been put on hold following the legal difficulties concerning the judge and party issue that arises from the fact that the MBC Act provides for the Chairperson to chair disciplinary committees. In this respect, I should perhaps inform the House that the draft amendments to the MBC Act have been finalised, and therefore, the Bill will be introduced into the House, as soon as practically possible.

Mr Speaker, Sir, I am also informed by the Director General that, in view of the number of criminal charges pending in the Intermediate Court against Mr A. M., he could not be allowed to resume work until the disposal of these criminal charges by the court.

As a matter of fact, I am informed by the Commissioner of Police that, on 11 May 2010, the Director of Public Prosecutions advised prosecution against Mr A.M., before the Intermediate Court for the following offences -

- (i) Using an information and communication service for the purpose of causing annoyance to another person in breach of Section 46 of Information and Communication Technologies Act 2001. There are 10 Counts on that charge;
- (ii) Rogue and Vagabond in breach of Section 28(1)(c) and (2) of the Criminal Code;
- (iii) Larceny in breach of Section 301(1) of the Criminal Code Act;
- (iv) Possession of Article obtained by means of a Misdemeanour in breach of Section 40 and 301(1) of the Criminal Code Act;
- (v) Sexual harassment in breach of Section 21(3) and 39 of the Sex Discrimination Act, and
- (vi) False and Malicious Denunciation in Writing in breach of Section 297 of the Criminal Code Act.

I am further informed, Mr Speaker, Sir, by the Commissioner of Police that the cases which were lodged on 24 August 2010 came pro forma on 28 September 2010 and have been postponed on several occasions. The trial has now been fixed for 31 July 2012 and 24 September 2012 respectively.

Mr Speaker, Sir, in regard to the last part of the question, I am informed by the Director General of the Corporation that during the period of interdiction, Mr A.M. is being paid his monthly salary of Rs50,420., in accordance with regulations in force applicable to employees in the public sector.

I also need to point out that the Director of Audit has made mention of the high cost incurred on interdicted officers and the time taken to finalise cases of interdiction.

In October 2008, the Solicitor General issued instructions to all Law Officers for speedy handling of disciplinary cases involving public officers.



In October 2008, the hon. Chief Justice instructed all Magistrates to expedite the disposal of such cases thereby possibly reducing the period of interdiction on full pay for public officers. But, Mr Speaker, Sir, given that there are so many cases and they come up with all sorts of excuses; they are admitted to clinics, they suddenly have got a heart problem, suddenly, they got very ill, suddenly, they cannot move. We have all sorts of problems. I am grateful to the Chief Justice for what he has done, I am grateful to the Solicitor General, but in spite of this, we are giving consideration to the current policy regarding payment of full salary during interdiction to be reviewed in the light also of the observations made by the Director of Audit.

**Mr Jhugroo:** Hon. Prime Minister, with regard to PQ B/871 of 21 July 2009 regarding *Pepsi Segá Hungama*, you mentioned that ...

**Mr Speaker:** The hon. Member must address the Chair, please!

**Mr Jhugroo:** Yes, Sir. The hon. Prime Minister mentioned that Mr Ambernath Mossaye will have to pay the consequences of his acts and that consideration will be given to refer the case to ICAC. Can I know from the hon. Prime Minister whether this case has been referred to ICAC and, if so, what is the outcome and, if not, why not?

**The Prime Minister:** The answer is simple, Mr Speaker, Sir. First, a Disciplinary Committee was going on, and then we had this problem with the MBC Act about the suggestion that they cannot be judge and party. This has been like this for years, but I agree with the findings. We are now amending the law so that this can go forward.

**Mr Jugnauth:** Surely the issue of disciplinary committee and the criminal cases are not really linked because I am sure that the hon. Prime Minister can see to it that, at least, the disciplinary committee can sit with the charges that have been preferred with regard to the *Pepsi Hungama*.

**The Prime Minister:** I just explained, Mr Speaker, Sir. After the Vellien report saying that the MBC cannot be judge and party, which I totally agree with, which has been the case before, that is why the MBC went according to legal advice. That has to be changed. Otherwise, if we do it, there will be a legal challenge to it. That is why we are bringing the amendment to the MBC Act.

**Mr Speaker:** Next question hon. Jhugroo!

**MBC – Mr D. R. – QUALIFICATIONS & SALARY**

(No. B/459) **Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to Mr D. R., he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to -

- (a) the post held;
- (b) his qualifications;
- (c) his salaries and terms and conditions of employment, and
- (d) the total amount of money paid to him as overtime, over the past three years, on a monthly basis.

**The Prime Minister:** Mr Speaker, Sir, in regard to parts (a), (b) and (c) of the question, the information has already been provided to the House on more than one occasion, and I would refer the hon. Member to the reply I made to Parliamentary Question 1B/2 on 15 June 2010, when the matter was last raised.

I am informed by the Director-General of the Corporation that Mr D.R. is currently drawing a monthly salary of Rs23,200.

In regard to the last part of the question, the information relating to the amount of overtime allowance drawn by Mr D. R. for the period ending May 2010 has already been provided to the House in reply to Parliamentary Question 1B/2 on 15 June 2010. I am, however, informed by the Director-General that, in line with the policy of the Corporation to exercise strict control on payment of overtime, Mr D. R. is being paid overtime which does not exceed a maximum amount of Rs10,000 monthly.

**Mr Jhugroo:** Can the hon. Prime Minister inform the House whether Mr D. R. has the required qualifications to perform the duties in the news room of the MBC?

**The Prime Minister:** That was a question that I replied to already, Mr Speaker, Sir.

**Mr Jhugroo:** Can the hon. Prime Minister inform the House for what reasons two cars of the MBC are put at his disposal?

**The Prime Minister:** My understanding is that this is not the case. I heard this also. But he has to have one car to travel; he cannot travel in two cars obviously.

**Mr Jugnauth:** The hon. Prime Minister just mentioned that he is being paid a maximum of Rs10,000 as overtime. But is he aware that, in a number of cases where he does not do any overtime, he is still being paid Rs10,000?

**The Prime Minister:** I have all the figures here, Mr Speaker, Sir; I have to answer by what I have. In fact, from what I understand, he works much more than that but, because of the situation, he has been told that he cannot get more than that sum.

**Mr Jhugroo:** Can the hon. Prime Minister inform the House whether Mr D. R. made several trips to Rodrigues and, if so, can we know how many trips and for what reasons?

**The Prime Minister:** Mr Speaker, Sir, that was not in the question, and I will have to ask for the information. I will be able to give it to the hon. Member I am sure.

**Mr Bhagwan:** Can I know from the hon. Prime Minister, as Minister responsible for the MBC/TV, whether he has received representations from the trade unions concerning the special favours given by the Director-General to Mr D. R., and whether he has ordered an inquiry into these protests from the unions?

**The Prime Minister:** Mr Speaker, Sir, whatever the Board of the MBC decides, they have to raise the issue with the Board. But, from what I understand, that is not the case.

**Mr Speaker:** Last question hon. Jhugroo!

**Mr Jhugroo:** Is the hon. Prime Minister aware whether Mr D. R. was sent to Rodrigues in respect of the setting up of the editing room in Rodrigues? If so, can we know whether he is the most qualified technician that the MBC has got?

**Mr Speaker:** The hon. Member should come with a substantive question! Next question hon. Uteem!

#### **MAURITIUS CONTINENTAL SHELVES & TERRITORIAL WATERS – GAS & OIL - SURVEY**

**(No. B/460) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to oil and gas, he will state if any exploration or survey has been carried out to detect the presence thereof in the territorial waters and the continental shelves of Mauritius, and if so, give details thereof.

**The Prime Minister:** Mr Speaker, Sir, no such exploration or survey has been carried out in the recent past in the territorial waters and continental shelves of Mauritius. In reply to

Parliamentary Question B/164 on 12 April 2011, the House was informed that surveys carried out recently in the territorial sea and in the Exclusive Economic Zone of Mauritius were for the purpose of producing navigational charts and bathymetric data and not for the detection of the presence of gas or oil.

Mr Speaker, Sir, in the Government Programme 2012-2015, it has been emphatically pointed out that Government's vision is to make of Mauritius, within the next ten years, a nation fully conscious of its immense potential as an Ocean State. The economic potential of the oceans covers the exploitation of living and non-living resources in our waters, on the seabed and in the sub-soil. To take advantage of these opportunities, the Mauritius Oceanography Institute has been mandated to henceforth carry out all fundamental and applied research on the ocean industry.

Mr Speaker, Sir, as the House is aware, Mauritius has one of the largest Exclusive Economic Zones in the world. In addition, last year the United Nations approved the Joint Submission made by Mauritius and Seychelles for an Extended Continental Shelf in the Mascarene Plateau Region, and both countries have been conferred jurisdiction over 396,000 square kms of additional seabed.

During the visit of the President of Seychelles in Mauritius in March 2012, two Treaties, namely the Treaty concerning the Joint Exercise of Sovereign Rights over the Continental Shelf in the Mascarene Plateau Region and the Treaty on the Joint Management of the Continental Shelf in that region were signed. Subsequently, the Maritime Zones (Amendment) Act was passed by the National Assembly on 29 May of this year to enable the Mauritian State to exercise joint sovereign rights with the State of Seychelles in the Joint Zone of the Extended Continental Shelf.

Mr Speaker, Sir, during my State visit to Seychelles, President Michel and I signed a joint letter addressed to the Secretary-General of the United Nations informing him that the Treaties for the Joint Exercise of Sovereign Rights and the Joint Management of the Extended Continental Shelf in the Mascarene Plateau Region have both entered into force. The letter also contains the coordinates of the Extended Continental Shelf for official publication by the United Nations.

Mr Speaker, Sir, now that Mauritius and Seychelles have completed all legal and domestic procedures in respect of the joint management of the Extended Continental Shelf,

action may be initiated by the authorities of both countries to explore the joint zone, and to exploit its living and non-living resources.

I am informed that, following consultations between the Mauritius and the Seychelles side, there is a proposal for the Mauritius Oceanography Institute and the Seychelles Petroleum Company to undertake a desktop study on hydro-carbon and mineral potential in the joint area, and I understand that preliminary work has started.

Mr Speaker, Sir, I also need to point out that the High-Level Project Monitoring Committee appointed by Government, under the chairmanship of the Secretary to Cabinet and Head of the Civil Service, has decided at its meeting on 26 April of this year to set up a Task Force under the chair of the Executive Director of the Mauritius Research Council, with specific terms of reference, to prepare a comprehensive list of research works on ocean resources, and to formulate options for projects to be implemented in the short and medium terms.

The Task Force, which is composed of all relevant institutions dealing with ocean resources, including the Mauritius Oceanography Institute, the Ministry of Fisheries, the University of Mauritius and the Albion Fisheries Research Centre, has submitted its report on 14 June 2012. The High-Level Project Monitoring Committee is now in the process of formulating a road map for the development of the ocean economy.

**Mr Bérenger:** I think I heard the hon. Prime Minister say that there has been no exploration or survey for oil and gas - if I heard him correctly - but he added 'recently'. Why the 'recently'? Has there been exploration or survey for oil and gas less recently?

**The Prime Minister:** I am glad that the hon. Leader of the Opposition has noticed that. In fact, in 1970s I think that Texaco was granted an exploration licence with a concession area of 150,000 sq km for the exploration, which was carried out on the Saya de Malha Bank and the Nazareth Bank. After acquisition of the staddle, the company went ahead and drilled two wells in 1975, but none of the wells had any hydrocarbon, that's what they said.

**Mr Uteem:** Now that Mauritius has extended its continental shelf area and there may be potential for the presence of oil, may I know from the hon. Prime Minister whether the Mauritius Oceanographic Institute has made an estimate of how much it will cost to try and explore the possibility of finding oil in the continental shelf area?

**The Prime Minister:** I don't think they will be able to do the exploration themselves. They would have to follow a whole procedure which would have to be very transparent. That is what they are looking at. Obviously, it would cost a lot of money. But we will follow what is the international pattern, because many countries which are very poor do have exploration of oil done by others. It is a question of what deal you make, but that is the pattern that we will follow.

**Mr Uteem:** May I know from the hon. Prime Minister whether the Government has received any request from any country, be it India, England or any other country to help and assist Mauritius in trying to explore whether there is oil and gas in our territorial water or in the continental shelf?

**The Prime Minister:** We always get the help we need from countries like India or France, which are always ready to help, but we have not gone to that extent yet.

#### **RODRIGUES – NEWS - CODE OF ETHICS**

**(No. B/461) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to article 2.2(i) and article 4.4 of the Code of Ethics with regard to news, he will, for the benefit of the House, obtain from the Independent Broadcasting Authority, information as to if the Standard Committee of the Authority has decided to bring amendments thereto, and if so, indicate the -

- (a) date on which the decision therefor was taken;
- (b) reasons therefor, and
- (c) names of the Chairperson and of the members thereof who were present at the meeting during which the decision therefor was taken

*(Withdrawn)*

#### **IBA - CODE OF ADVERTISING PRACTICE**

**(No. B/462) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to article 4.1 of the Code of Advertising Practice, he will, for the benefit of the House, obtain from the Independent Broadcasting Authority, information as to if urgent consideration will be given for amendments to be brought thereto to allow for -

- (a) the playing of background music in political advertisement, and
- (b) an increase in the limit therefor from fifteen seconds.

*(Withdrawn)*

#### **POLITICAL FUNDING OF PARTIES BILL - INTRODUCTION**

**(No. B/463) Mr E. Guimbeau (First Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the political parties, he will state if consideration will be given for the introduction of a Public Funding of Political Parties Bill, and if so, when and if not, why not.

*(Withdrawn)*

#### **FRAUD BILL - INTRODUCTION**

**(No. B/464) Mr E. Guimbeau (First Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to fraud, he will state if consideration will be given for the introduction of a Fraud Bill to fight against cases thereof within the private sector, and if so, when and if not, why not.

*(Withdrawn)*

**Mr Speaker:** The Table has been advised that Parliamentary Question Nos. B/461, B/462, B/463, B/464, B/467, B/468 and B/469 have been withdrawn. Time is over! Questions addressed to Ministers!

#### **CARRE-D'AS, LA PRENEUSE – INHABITANTS - RELOCATION**

**(No B/475) Mrs J. Radegonde (Fourth Member for Savanne & Black River)** asked the Minister of Social Integration and Economic Empowerment whether, in regard to the inhabitants of Carré-d'As, in La Preneuse, he will, for the benefit of the House, obtain from the National Empowerment Foundation, information as to if *Le Pont de Tamarinier*, a Non-Governmental Organisation, is proposing to set up a house plan for the relocation thereof and, if so, indicate the measures taken in relation thereto, as at to date.

**Mr Dayal:** Mr Speaker, Sir, I am informed that *Le Pont de Tamarinier*, a Non-Governmental Organisation had, in fact, submitted a project proposal entitled '*Village des Bougainvilliers*' to the National CSR Committee for consideration on 20 September 2011.

To implement the project *Le Pont de Tamarinier* was seeking the financial contributions of the National Empowerment Foundation (NEF) as well as CSR Funding for the construction of 30 apartments (5 blocks of ground + 2) of 39 m<sup>2</sup> each on a plot of private land at Rivière Noire to be made available by the owner whose land at *Camp Carré-d'As*, La Preneuse, was being illegally occupied by 38 families as stated by the NGO. The estimated cost of the project was around Rs27 m., including infrastructure. The unit cost was Rs750,000 and funding proposed was as follows -

CSR contribution: Rs300,000

NEF contribution: Rs200,000

Beneficiaries contribution: Rs250,000

The project was examined at the level of the National CSR Committee and NEF, and the following flaws were noted in the project proposal -

- (i) As per plan submitted by the NGO, only 30 units were to be constructed despite the fact that the survey carried out by the NGO stated that 38 families were illegally occupying the said land at Carré-d'As, La Preneuse.
- (ii) Only 21 households were eligible for assistance by NEF.
- (iii) The housing units proposed formed part of blocks of apartments, that is, ground + 2 without any possibility of expansion.
- (iv) Transfer of Title Deeds to beneficiaries would be subject to all the 38 households of *Camp Carré-d'As* vacating the said land.
- (v) The project was not in line with the CSR guidelines.
- (vi) Two lists of households were submitted at different stages and some of the names which appeared in the original list of 38 households were not to be found in the subsequent list of 30 households.

Accordingly, the project was turned down and *Le Pont de Tamarinier* was so informed on 17 November 2011.

Mr Speaker, Sir, with your permission, I wish to reiterate that the policy of my Ministry caters for vulnerable households whose monthly income is less than Rs6,200 since February 2012 this year. With regard to housing, the main purpose is to help the family with a start-up, albeit modest in size, but with the possibility of expansion by the beneficiary. NEF is not in competition with other Government Agencies such as NHDC and MHC which provide



different types of houses for different categories of households. Our aim is to empower our beneficiaries and it is only upon their requests that we proceed with the construction of such a house. Same is not imposed on them.

On the other hand, in view of the fact that 17 households were not eligible for assistance and taking into consideration the 2012 Budget has now made provisions for the setting up of Housing Development Trusts, where households earning up to Rs10,000 per month can be eligible, the NGO can, of course, implement its project through this route for the benefit of the 38 households occupying the land at *Camp Carré-d'As*, La Preneuse.

NEF, of course, will extend all its support if the project is to be implemented by a Housing Development Trust.

**Mrs Radegonde:** Mr Speaker, Sir, in his reply, the hon. Minister mentioned that the project does not comply with the guidelines. I would like the hon. Minister to inform the House what are the guidelines on Social Housing since what I found out on the Government website that in relation to income, the criteria is that the beneficiaries' income should not exceed Rs10,000, but I heard Rs6,200. So, I would like the hon. Minister to confirm which is which.

**Mr Dayal:** I should like to clarify here that as per the guidelines when the project was submitted, the poverty line was Rs5,000. In the list of 38 households that were submitted, 17 of them were earning above Rs5,000.

**Mrs Radegonde:** I heard the hon. Minister mentioning again that the guideline was Rs5,000. So, how many times has the project been submitted and rejected and for what reasons?

**Mr Dayal:** I still say that when the guidelines, that is, the poverty line came to Rs6,200 still we have several families in the list earning more than Rs6,200.

**Dr. S. Boolell:** Mr Speaker, Sir, would it not be in line with the duties of the National CSR Committee, to call this NGO and help in assisting it towards writing and project implementation and guide them so that they may be entitled to a new acceptable project?

**Mr Dayal:** Mr Speaker, Sir, the National CSR Committee falls under the purview of the Ministry of Finance, but we will look into the matter.

**Mrs Hanoomanjee:** I heard the hon. Minister saying that several flaws had been noticed in the project which was submitted. Can the hon. Minister say whether his Ministry or officers of his Ministry did communicate with those who submitted the project or had a site

visit with them to see what exactly the situation is and whether there has been a report forwarded by either members of the CSR Committee or the NEF people?

**Mr Dayal:** Mr Speaker, Sir, I am informed that *Le Pont de Tamarinier*, participated in the working sessions held by the National Empowerment Foundation and the CSR Committee, and they were informed accordingly.

**Mr Ganoo:** Can I ask the hon. Minister why doesn't he take the lead and preside over a Multi-sectoral Committee involving his own Ministry, the NEF and the Mauritius Housing Trust, in view of this complex situation and in view of the problems that he has just raised, for example, that some of the beneficiaries are now earning more than Rs6,200 and do not qualify under the NEF Programme and they now qualify under the Mauritius Housing Trust which falls under the Ministry of Finance? So, since there are divergent issues, somebody must take the lead and preside over this Multi-sectoral Committee and try to iron out all the alleged flaws because all these flaws which the hon. Minister mentioned, can be solved! All the problems mentioned can be solved! This project has lasted for three long years and there is the project of Camp Lacolle which was set up by the previous Government and the situation was similar. So, I ask the hon. Minister to preside over a committee and find the solution urgently!

**Mr Dayal:** Mr Speaker, Sir, this can be taken into consideration, but let me remind the hon. Member that out of the 38 households, the families' names that were proposed on the list, the NGO is proposing to construct only 30 and it is only when all the 38 families will be vacated that the title deeds will be given. But the point raised by the hon. Member can be taken into consideration.

**Mrs Radegonde:** Mr Speaker, Sir, I have the project plan that I would like to table. The project is in line with the CSR Social Housing. I checked the Government site concerning the income criteria and also about the 38 households. It is mentioned here in the project plan that provision has been made for 38 families. The project plan is here and I would like to table a copy. I would also like to inform that the...

**Mr Speaker:** Can the hon. Member just table it, please? Hon. Ganoo, do you have a question?

**Mr Ganoo:** Isn't it a fact also that it has been agreed by the NGO and all parties concerned that once the title deed will be signed, the land will become the property of the employee, of the purchaser?

**Mr Dayal:** Mr Speaker, Sir, I just mentioned, they are constructing only for 30 households and in the plot of land at Carré d'As, there are 38 households and it is only when all the 38 families will vacate the land. Mr De Gravel is ready to sign the title deeds. It will be only upon this condition. As hon. Mrs Radegonde has just mentioned, I too have got the project proposals, in fact, two projects proposals. The first one concerns 38 families and the second one 30 families and, as I said, it is only when all the 38 families will vacate that the title deeds will be signed. And then the flaws that I just enumerated, like they are earning above the poverty line, only 21 satisfy the criteria. As I said, I have no problem in considering the proposal, but then, as I said in the Budget of 2012, there is a proposition where households earning up to 10,000 can be taken into consideration.

**Mr Jugnauth:** Just for clarification, may we know how the hon. Minister has come to the threshold of the sum of Rs6,200?

**Mr Dayal:** This has been the decision of the CSR Committee.

**Mr Ganoo:** Can the hon. Minister also indicate to the House whether this project has changed for five times in view of the guidelines of the CSR which are changing very often. The promoters had to change the project on five occasions due to the fact that the guidelines are constantly being reviewed and new guidelines issued on a regular basis!

**Mr Dayal:** I cannot say exactly how many times they have changed the projects, but I met them when they came, the size of the House they were proposing, were quite beyond the criterion. So, we made certain propositions to the CSR Committee and then it came to 39 m<sup>2</sup>. But then, as I said, there are certain flaws in the project submitted which are not in line with CSR guidelines.

**Mr Speaker:** I will suspend here for one and a half hours.

*At 12.57 p.m. the sitting was suspended.*

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

#### **RAOUL LAMARQUE, LA GAULETTE & COTTEAU RAFFIN – ROADS & DRAINS**

**(No. B/476) Mrs J. Radegonde (Fourth Member for Savanne & Black River)** asked the Minister of Local Government and Outer Islands whether, in regard to the construction of roads and drains in Raoul Lamarque, La Gaulette and Cotteau Raffin, he will, for the benefit of the House, obtain from the Black River District Council, information as to if tenders have been launched therefor and, if so, indicate the -

- (a) name of the successful bidder therefor;
- (b) cost thereof, and
- (c) start and completion dates thereof.

**Mr Aimée:** Mr Speaker, Sir, I am informed that the project for the construction of roads and drains in Raoul Lamarque, La Gaulette and Cotteau Raffin is currently under implementation by the National Development Unit. The project had been identified as long back as in year 2009.

With regard to parts (a) and (b) of the question, I am informed that -

- The contract for construction of a new road network at Raoul Lamarque, La Gaulette has been awarded to Super Builders Ltd at the cost of Rs8,865,562.75 inclusive of VAT;
- The contract for the upgrading of Cotteau Raffin Road, La Gaulette has been awarded to the same contractor at the cost of Rs3,486,656.25 inclusive of VAT.

As regards part (c) of the question, the works at Raoul Lamarque will start in the second week of July 2012 and the completion date is second week of November 2012. Whereas the works at Cotteau Raffin have already started in the first week of May 2012 and will be completed in the first week of November 2012.

**Mrs Radegonde:** Thank you, Mr Speaker, Sir, from my information there is a certain Mr Venchagungum supervising this project. May I know if the information is correct?

**Mr Aimée:** Mr Venchagungum is the contractor of Super Builders Ltd.

**Mrs Radegonde:** May I know from the hon. Minister how much work has been completed and if payment has been effected?

**Mr Aimée:** The work has started in first week of May 2012 at Cotteau Raffin, as I had just mentioned in my reply, and the work at Raoul Lamarque will start in two weeks' time.

#### **DOMESTIC FOREIGN EXCHANGE MARKET**

**(No. B/477) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the foreign currency flows, he will, for the benefit of the House, obtain from the Bank of Mauritius, for 2011 and for the period January to June 2012 respectively, information as to the total amount of -

- (a) US dollars purchased and sold on and outside the domestic forex market;
- (b) short term Government securities invested by foreigners;
- (c) net inflows of portfolio investments by foreigners, indicating the impact of the above on the -
  - (i) forex reserves;
  - (ii) exchange rate of the rupee, and
  - (iii) expected trend for the rest of the year.

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval):** Mr Speaker, Sir, I have been informed by the Bank of Mauritius that in 2011 it purchased the equivalent of USD 533.4 m. and sold USD 511.5 million on the domestic foreign exchange market. For the period January to June 2012, the Bank purchased the equivalent of USD 301.8 million and sold USD 250.3 m. There have been no purchases or sales outside the domestic forex market.

As regards part (b) of the question, non-resident investment in short-term Government securities amounted to Rs166.4 m. in 2011 and Rs547.1 m. in the first six months of 2012, respectively. The House may wish to note that outstanding short term Government securities held by non-residents stood at some Rs820 m. at the end of June 2012, compared to a high of Rs4.5 billion at the end of July 2007, and which did not in any way disturb the market or create any instability.

With regard to part (c) of the question, net portfolio investments by foreigners amounted to Rs268 billion in 2011 and Rs89.6 billion for the first quarter of 2012. This includes transactions by Global Business Companies (GBCs) passing through Mauritius. However, outward portfolio investment by residents has been above inflows. In fact, net portfolio investment, inflows minus outflows amounted to a negative Rs309 billion in 2011 and a further negative of Rs90 billion in the first quarter of the year. These are estimated figures.

Again, any net inflows of portfolio investment would increase the net international reserves, but not necessarily gross reserves. As regards its impact on the exchange rate of the rupee, net inflows would tend to appreciate the rupee.

However, Mr Speaker, Sir, there is no discernible trend in inward portfolio investment by foreigners. It varies depending on local and external market conditions.

**Mr Li Kwong Wing:** The hon. Minister has mentioned the healthy forex reserves most probably due to balance of payments surplus accumulating continuously every year which reflects strong fundamentals of the economy for which the certificate has been given by Moody's. Can I know from the hon. Minister why is he insisting that the rupee is misaligned and by how much is it misaligned?

**Mr Duval:** Mr Speaker, Sir, this question is not related to the rupee. It relates to the balances and I have given the answer.

**Mr Li Kwong Wing:** The question says clearly: how does all the above impact on the exchange rate of the rupee?

**Mr Duval:** Mr Speaker, Sir, I have explained: net inflow increases and net outflow decreases.

**Mr Li Kwong Wing:** This is not the case, because the net inflow is negative.

**Mr Speaker:** The hon. Member is commenting the answer of the hon. Minister.

**Mr Li Kwong Wing:** Mr Speaker, Sir, the hon. Minister is not answering the question. First thing, the Bank of Mauritius is selling outside the domestic forex market because it is supplying the STC. So, it is selling to the STC which is outside the domestic market. This is a wrong answer.

The second thing is that the Minister mentioned that the net inflow of portfolio investment is negative. Given that we have a certificate of resilience given by Moody's that there is good growth and debt dynamics, why is it that foreigners are taking money out of Mauritius when Moody's is saying that we have such good dynamics in the debt market?

**Mr Duval:** Mr Speaker, Sir, I want to make a little correction. In fact, when we received the question, where it talks about the domestic foreign exchange, we thought the Member meant the overseas foreign exchange market. That's why we responded in that way. Of course, Mr Speaker, Sir, the Bank of Mauritius buys outside and also sells outside in Mauritius domestically. As far as the other question of the rupee is concerned, Mr Speaker, Sir, it does not relate to this question.

**Mr Li Kwong Wing:** Mr Speaker, Sir, the purchases of the Bank of Mauritius in terms of net purchases of foreign exchange have been very marginal, meaning that the reserves of the Bank of Mauritius have been declining, in fact, by more than 2 billion in the last six months. Is this depletion of the Bank of Mauritius reserves not contradicting the fact that Moody's has

said that there is resilience of economy and, therefore, is this not the reason why the reserves have to be propped up by an operation to buy foreign exchange through intervention in the foreign exchange market by the Bank of Mauritius in order to raise the level of reserves to six months of imports?

**Mr Duval:** Mr Speaker, Sir, I must say that the country was honoured to be upgraded by Moody's and it's a shame that instead of acknowledging this upgrading, some people have tried to systematically attack Moody's. That is not right. So far as the reserves of the Bank of Mauritius are concerned, Mr Speaker, Sir, I will deal with it if a question is asked, but as we know recently, the Bank of Mauritius did publish a statement saying that it wishes to increase its reserves, I think, to six months of imports.

**Mr Li Kwong Wing:** Mr Speaker, Sir, is not the hon. Minister contradicting Moody's when he says that the reserves of the Bank of Mauritius are declining and depleting, that foreigners are taking portfolio investment out of the country and that the ownership of Government bonds by foreigners are declining? Is all this not a contradiction of Moody's which he, himself, is showing through his figures?

**Mr Duval:** Mr Speaker, Sir, I must say Moody's has upgraded us and also recently a Chinese one - I think the hon. Member would appreciate - called Dagong which also put it in the same league as Italy and Thailand.

Mr Speaker, Sir, it would be simplistic to reduce the upgrading of Moody's to simply the reserves of the Bank of Mauritius. Moody's has explained. I can go into it - but I don't think it relates to that - and read the statement of Moody's, including the aggressive account of cyclical measures, the Africa policy, the low percentage of interest as a percentage of revenue that we have now achieved. But I don't want to go into it.

**Mr Speaker:** Last question!

**Mr Li Kwong Wing:** Thank you, Mr Speaker, Sir. What the figures show is a total contradiction of all that Moody's has been saying because if we see what is the trend of exchange rate in the last few weeks, the expected trend which the hon. vice-Prime Minister says...

**Mr Speaker:** What is the question?

**Mr Li Kwong Wing:** The question is that the expected trend is a declining trend of the rupee. Therefore, can the hon. vice-Prime Minister inform the House about the intervention of

the Bank of Mauritius to cause the rupee to depreciate, whether it is going to be financed by the tax payers' money to cause the depreciation which is going to cause further imported inflation and penalise consumers further?

**Mr Duval:** Mr Speaker, Sir, why would we need to finance it? We would finance it to sterilise. That is another issue. Otherwise buying and selling does not need to be financed as such, if it needs to be sterilised, that is another issue.

**Mr Speaker:** Next question, hon. Mr Li Kwong Wing!

### **STC - LPG - RETAIL PRICE**

**(No. B/478) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to Liquefied Petroleum Gas, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the –

- (a) current procedures for the price fixing of the retail price thereof, indicating when they were last altered;
- (b) FOB and CIF costs of the-
  - (i) current price structure thereof, and
  - (ii) latest consignment thereof received.
- (c) current terminal storage and usage fees paid per ton, indicating the duration of the contract therefor, and
- (d) amount of taxes levied and subsidies granted thereon in-
  - (i) 2011, and
  - (ii) for the period January to June 2012.

**Mr Sayed-Hossen:** Mr Speaker, Sir, as regards part (a) of the Question, the retail prices of Liquefied Petroleum Gas in cylinders of 5, 6 and 12 kgs for domestic use are fixed under the maximum price control as provided for under the Consumer Protection (Price and Supplies Control) Act of 1998. The determination of the price is based on a price structure which consists of several elements. Some include CIF, Exchange Rate, MID levy, fixed charges of the STC, storage charges, subsidy for Rodrigues. I will table a copy of the price structure later on.

As the House is aware the retail price of LPG was last reviewed on 03 March 2012 from Rs300 per cylinder of 12kg to Rs330. As regards part (b) of the question, Mr Speaker,



Sir, I have been informed by the State Trading Corporation that the FOB price is quoted on a monthly basis. The price paid by STC for import of LPG varies every month as it is based on the Saudi contract price CP for butane valid for the month of delivery as provided by Platts. STC pays on an Ex-ship basis. The price delivered Ex-ship Port Louis, is based, as we have said, on Saudi Contract Price valid in the month of delivery plus the premium. The price basis Delivered Ex-ship Port Louis also includes all port charges payable in Port Louis. In case discrepancies in volumes of delivery are above 0.5% between quantities found at loading and discharge ports, payment is made on the volume discharged. Otherwise, payment is made on the Bill of lading (BL) quantity.

As regards part (b) (i) of the question, the current price structure of LPG for a 12kg cylinder effective as from 03 March 2012 is the same document that I am going to table. Some details about that, the FOB price per tonne is 1880USD which brings us to a CIF of 1327. Then, we have MID levy on that. We have expenses incurred by the Corporation relative to the importation of LPG, storage charges, Rodrigues subsidy on LPG, STC transfer price. We calculate and give a marginal cost to the wholesaler, the distributor and the retailer. Finally, we have a retail price as I have said of Rs330 per bottle of 12kg. On this price, during the month of June, the subsidy provided by the State Trading Corporation on LPG was Rs161.17 per bottle of 12kg.

As regards part (b) (ii) of the question, Mr Speaker, Sir, I am informed by the State Trading Corporation that the latest consignment received on board vessel MT Mill House arrived on 26 June 2012. The details are as follows - FOB per metric tonne, USD765.00, there has been a decrease. CIF per metric tonne: USD912.00 and total FOB value for 3,800 metric tonnes: USD 2,907,000 and total CIF value USD3,465,000 and I repeat that was for 3,800 metric tonnes.

Mr Speaker, with regard to part (c) of the question, I am informed again by the State Trading Corporation that the Corporation is in a contract with Energy Storage Company Limited (ESCOL) jointly owned by Total and Vivo Energy. The current terminal storage and usage fees are Rs475 per metric tonne plus VAT and the contract for storage is valid up to 31 December 2015.

With regard to part (d) of the question, Mr Speaker, Sir, I am informed that the amount of taxes levied and subsidies granted thereon in 2011 and for the period January to June 2012

are as follows – 2011: VAT-Rs287,340,123. MID Levy: Rs19,895,147. Subsidy: Rs610,869,404. January to June 2012, VAT: Rs157,277,458. MID Levy:Rs9,532,368. Subsidy: Rs427,526,201.

**Mr Li Kwong Wing:** Mr Speaker, Sir, can the hon. Minister spell out the price clearly because I didn't correctly hear the figure? What is the FOB price per tonne used for fixing the price and what is the latest consignment price which is 765 dollars? Have I heard it correctly that the FOB price used to fix the retail price was 1880 dollars per tonne whereas the price of the latest consignment is 765 dollars per tonne meaning that the price of LPG on an FOB basis has fallen by more than 60%?

**Mr Sayed-Hossen:** Mr Speaker, Sir, the hon. Member should know that the price of LPG is not fixed every month. For example, the price of Rs300 which was in force until 03 March 2012 had stayed valid for a number of years. We changed the prices only at the beginning of March. But from the beginning of March up to now there have been a number of changes in the CIF, FOB plus premium. Cost of LPG as follows - I am going to give a few figures.

In March this year, the CIF price was Rs1,327 per metric tonne. In April, it was Rs1,142 per metric tonne. In May 1,042 USD per metric tonne. In June, 912 USD per metric tonne. In July 738.5 USD per metric tonne. In a sense, the hon. Member is right, Mr Speaker, Sir, that the price that we were paying for LPG is decreasing from the reference price of March 2012 which was 1,327 USD and it is now 738.50. But the fact is still that STC is subsidising the selling price of LPG. As I have said in my reply to the main question, we were subsidising in June Rs161 per bottle of 12kg.

**Mr Li Kwong Wing:** If the import price of LPG on a FOB basis has been declining consistently since March to date, why is it that the price of the LPG, the bottle of 12kg has been increased by 10% while the price for storage of LPG has been reduced to Rs475 per tonne when it was formerly more than Rs1,000?

**Mr Sayed-Hossen:** Mr Speaker, Sir, as I have said again in my main reply, the retail price of LPG is not fixed every month. The price of Rs300 had stayed valid for, I think, four or five years. In view of the very heavy cumulative subsidies that the STC was putting on LPG, a decision was made by Government in March to increase the selling price of LPG, and that was also in a context of increasing trends in the import price of LPG. It so happens that, since

March, the import price of LPG has been decreasing, but we are still selling LPG below the cost price. In any case, the stabilisation and adjustment balance of STC with regard to LPG is still showing a negative balance.

**Mr Jugnauth:** Mr Speaker, Sir, the hon. Minister has mentioned that there is a favourable negotiated price with Eskol for a storage fee of Rs475, will the hon. Minister say for what reason then Government is committed to LPGT Ltd for a storage fee of Rs1,043?

**Mr Sayed-Hossen:** Mr Speaker, Sir, I have already replied to that question a few weeks ago in a PNQ.

### CYCLING - VELODROME

**(No. B/479) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to cycling as a sport discipline, he will state where matters stand as to the proposed construction of a velodrome for the practice thereof.

**Mr Ritoo:** Mr Speaker, Sir, I have to inform the House that a plot of land of an extent of 10 acres has already been identified at Camp Le Vieux and vested in my Ministry for the construction amongst others of a velodrome, and actions have been initiated for the clearing of the site.

The Mauritius Cycling Federation has already presented a preliminary architectural plan of the velodrome, and a cost estimate is awaited. My Ministry is presently working on the siting of the project on the aforesaid plot of land, following which procedures will be initiated with the Ministry of Housing and Lands for the proper lease agreement.

**Mr Quirin:** M. le président, le ministre des sports peut-t-il préciser si toutes les formalités pour l'allocation de ce terrain à la Fédération mauricienne de cyclisme ont été complétées, et si le contrat a déjà été signé?

**Mr Ritoo:** I think I replied in my answer that procedures will be initiated with the Ministry of Housing and Lands for the proper lease agreement.

**Mr Quirin:** M. le président, dans ses différentes interventions depuis 2011, le ministre des sports a fait comprendre que la Fédération mauricienne de cyclisme doit se débrouiller - et j'utilise les mots du ministre lui-même - pour trouver le financement nécessaire. A ce jour, peut-on savoir si le ministre maintient toujours sa position, et si son ministère ou bien l'Etat ne participera pas au financement de ce projet ?

**Mr Ritoo:** Mr Speaker, Sir, due to the prevailing economic situation, the Federation of Cycling has been requested to seek for finance through the International Cycling Federation, and my Ministry, of course, if need be, will help them.

#### OLYMPIC FENCING - SPORT DISCIPLINE

**(No. B/480) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the practice of Olympic Fencing as a sport discipline, he will state if a national federation has been set up therefor and, if so, indicate

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- (a) the composition of the Executive Committee thereof, and
- (b) if same is recognised by his Ministry.

**Mr Ritoo:** Mr Speaker, Sir, I am informed by the Registrar of Associations that a Fencing Federation has been registered at his office as an Association on 09 May 2012 under the Registrar of Associations Act. However, as far as my Ministry is concerned, no request for recognition of any Fencing Federation has been received as at date. The hon. Member may wish to note that, under section 8(1) of the Sports Act 2001, as amended, every Association which wishes to operate as a sport federation or a multisport organisation shall make a written application to the Minister for recognition.

**Mr Quirin:** M. le président, j'ai en ma possession une copie d'une lettre du ministère de la jeunesse et des sports adressée au Comité Olympique Mauricien en date du 06 juillet 2011, qui se lit comme suit, et je cite -

*"This Ministry recognises the Kestrel Fencing Union as the only body responsible to promote Fencing in Mauritius as informed by the Registrar of Associations."*

Le ministre peut-il nous dire si le Kestrel Fencing Union est reconnu par le *Registrar of Associations* comme un club ou une fédération ?

**Mr Ritoo:** Kestrel is only a club; it has been registered with the Registrar of Associations. So, it is not a federation. The federation that is recognised by my Ministry is able to conduct the fencing in Mauritius. In fact, Mr Speaker, Sir, I can just tell you that we have got one Mauritian aged 20 years at the Oxford University. He is the captain of fencing sport discipline in UK, and he is representing his university. He is the only fencer. We don't have any fencing club or any fencer in Mauritius. That's why we can't go ahead with a federation for the time being.

**Mr Quirin:** M. le président, dans ce cas, comment est-ce que le ministère des sports peut reconnaître le *Kestrel Fencing Union as the only body*? Est-ce que c'est le rôle du ministère de la jeunesse et des sports de reconnaître les clubs ou les fédérations ?

**Mr Ritoo:** Kestrel is a club that has registered at the level of the Registrar of Associations. It came to ask us for facilities, and we said that, for the time being, we have only one club. Now I have received a letter from the Registrar saying that we have two other clubs that have been registered for fencing. But, again I say, Mr Speaker, Sir, no one is practising fencing actually in Mauritius.

### **BOARD OF INVESTMENT - OCCUPATIONAL PERMITS**

**(No. B/481) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the occupational permits, he will, for the benefit of the House, obtain from the Board of Investment, information as to the number thereof issued as at to date, indicating the -

- (a) fields of business/ occupation identified, and
- (b) number thereof issued which require the issue of permits from the Tourism Authority, indicating the nature of the business considered at the level of the Authority.

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval):** Mr Speaker, Sir, with your permission, I will reply to Parliamentary Questions B/481, B/484 and B/505 together, as they all deal with permits processed or issued by the Board of Investment.

I wish to inform the House that since the enactment of the Business Facilitation (Miscellaneous Provision) Act and the Investment Promotion Act, the Board of Investment has implemented a rule-based approach, based on established guidelines, for the processing of applications. These guidelines are regularly updated and available on the website of the Board of Investment.

Mr Speaker, Sir, I am informed by the Board of Investment that from October 2006 to June 2012, 10,411 occupation permits have been processed by the BOI, and issued by the Passport and Immigration Office. 925 permits have also been issued to Retired Non-Citizens during the same period. The total number of permits issued is 11,336.

To date, Mr Speaker, Sir, there are 4,414 active permits with 3,958 occupation permits and 456 Residence Permits for Retired Non-Citizens.

As regards part (a) of Parliamentary Question B/481, I am tabling a breakdown of the 10,411 occupation permits issued according to fields of business or occupation.

As for part (b) of the question relating to permits requiring licenses from the Tourism Authority, these consist of 41 restaurants, 10 hotels, 8 charter of boats and catamarans, 6 tour operators, and 14 other tourism related activities, that is, 79 permits have required a license from the Tourism Authority out of the 3,958 active occupation permits. In this respect, I am tabling the detailed breakdown including the nature of the business.

Mr Speaker, Sir, I am also informed by the Board of Investment that a Monitoring Unit consisting of five staff, on a rotation basis, was set up in 2006.

The methods utilised by the unit to monitor permit holders include -

- (i) queries by phone, letter or email;
- (ii) site visits in collaboration with the Passport and Immigration Office, and
- (iii) evaluation of returns submitted by permit holders to the Mauritius Revenue Authority.

From January 2010 to 29 June 2012, following the monitoring of 5,132 cases carried out by the different methods, 648 holders were deregistered.

During the same period, 19 onsite inspections were carried out jointly with the Passport and Immigration Office. The site visits were effected mostly after receipt of complaints either by the BOI or the Passport and Immigration Office, and were carried out at the following locations: Bambous, Curepipe, Ebene, Flic en Flac, Grand' Baie, Mont Choisy, Pereybere, Phoenix, Port Louis, Quatre Bornes, Rivière Noire, Rose Hill, Tamarin, Terre Rouge, Trou aux Biches and Vacoas.

Out of the 19 visits carried out, 13 holders were found to be compliant, and four were deregistered. One permit holder declared that he would be submitting his application for renewal, while the other one was married to a Mauritian and no longer requiring a permit.

Mr Speaker, Sir, with regard to PQ B/505, I am informed by the Board of Investment (BOI) that it processes applications for six types of permits in accordance with the provisions of the Business Facilitation (Miscellaneous Provisions) Act 2006, and the Investment Promotion Act 2006. These permits are -

- (i) Occupation Permit for foreign investors, self-employed persons and professionals;
- (ii) Residence Permit for retired non-citizens;
- (iii) Acquisition of units under the Integrated Resort Scheme (IRS), Real Estate Scheme (RES) and the Invest Hotel Scheme (IHS);
- (iv) Residence Permits for IRS and RES buyers;
- (v) Acquisition of property for business purposes by non-citizens, and
- (vi) Freeport certificate.

From May 2010 to date, 5,614 applications for permits have been processed and submitted for approval. 5,259 were approved, 314 rejected and 41 are being processed. Accordingly, the detailed breakdown by category is being tabled.

As regards part (a) (iii) of the question, I wish to inform the House that there are presently three alleged cases of irregularities. The first case was flagged by an official of the BOI and the Passport and Immigration Office took up the matter for further investigation and came across a second case. All cases have been referred to the Police and an enquiry is currently underway. One official of BOI has been arrested and investigation is going on.

No irregularities have been noted with regard to the Freeport Certificates as well as the acquisition of property under IRS, RES and IHS or for business purpose.

As regards part (b) of the question, Mr Speaker, Sir, 19 officials were recruited from May 2010 to June 2012 of whom two have resigned.

**Mr Ramano:** M. le président, est-ce qu'il y a une liste de compagnies agissant comme des *consultancy firms* qui sont recommandées par la BOI ou par la *Tourism Authority* séparément pour le montage des dossiers pour les applications des *occupational licences*?

**Mr Duval:** Sir, I wouldn't think so. They may have a website with all the consultants. I can only answer for BOI. I can't answer for the Tourism Authority, but they may have. If it is not on the website and if the hon. Member asks me a specific question, I'll provide it.

**Mr Obeegadoo:** Mr Speaker, Sir, given the very serious allegations of malpractice, will the Minister tell us what immediate steps he has ensured the BOI takes so that, pending the results of the Police enquiry under way, there is no further very obvious abuse on the granting of permits, including occupational permits at the BOI?

**Mr Duval:** Mr Speaker, Sir, obviously, we are taking this very seriously especially I must say that the Board of Investment has up to now enjoyed a good reputation. That was important for Mauritius; it has done very good work in attracting FDI to Mauritius.

The Board of Investment met a few days ago, I think, it was a Monday and has taken note of the accusation. It has appointed, I understand, a firm of auditors to do an audit of all the procedures that have been followed and the documents that exist to see whether any other cases could be found. At the same time, as you may be aware, the Officer of Public Sector Governance (OPSG) was appointed some time back to look into the procedures of the BOI and recommend amendments if required, and improvements if required, and the Police enquiry is what is happening at the moment.

**Mr Bhagwan:** Sir, it is a known fact to everybody that since the passing of this Business Facilitation Act, many people have been making a lot of money at the BOI and sometimes it was rightly said by the Leader of the Opposition: “we should have called it a ‘*Pitaye*’ Facilitation Act”.

Can the Vice-Prime Minister tell the House whether consideration will be given, at least, to review the legislation to make it mandatory to the officers at all levels of the BOI to declare their assets to the Anti-Corruption Tribunal as we do, Members of Parliament?

**Mr Duval:** Mr Speaker, Sir, firstly if the hon. Member has any information at all, it is his duty to go to the Police, to ICAC or whatever to denounce whatever he wants. He should not use people’s names if he is not sure. He should not. *Il jette la boue comme d’habitude*. He is the last person who should criticise. The hon. Member should go right now, I’ll accompany him myself. I take it as a serious matter. If there are declaration of assets to be made, that has been brought up and I think it is a good idea. Also, Mr Speaker, Sir, officers not just of BOI, but of other such authorities dealing with permits should be able to disclose whether they have any interest in any other business, etc. Both I think are important issues.

**Mr Ganoo:** Is the hon. vice-Prime Minister satisfied that, in our law as it is, sufficient attention is given to the issue of due diligence and the question of looking at the track record of the applicant? Shouldn’t we revisit this particular aspect of the law when the applicants are submitting their applications for their permits?

**Mr Duval:** Yes, Mr Speaker, Sir, that is a good point again. I understand that BOI has recently acquired a programme called World Check where they are able to check on the



reputation of people applying. That's just in the last few weeks, so there are improvements that have been made.

**Mr Jugnauth:** With regard to the occupational permit, it used to be that BOI processes only the applications and sends same to the Prime Minister's office. I would like to know whether it is the same procedure or this procedure is being reviewed right now in the light of the fake documents that have been found.

**Mr Duval:** Mr Speaker, Sir, previously it used to be the BOI which did most of the work and it was basically a rubberstamping by the Passport and Immigration Office. Since January 2011, just before me, the Passport and Immigration Office took greater control of the procedure and appointed – as I am sure the hon. Member will remember - a joint committee chaired by the Prime Minister's Office to look at the question. Now, as I mentioned, the Office of Public Sector Governance was appointed some time ago, before this came up, to look at the procedures and I think we should wait for them to come up with suggestions.

**Mr Uteem:** Mr Speaker, Sir, under the legislation there was a provision that if someone held an occupational permit, after three years this permit will be converted into a permanent residence permit giving right to acquire certain immovable property in Mauritius. May I know from the hon. Minister whether this aspect of the law is being revisited?

**Mr Duval:** Mr Speaker, Sir, the law existed for some time but was never applied. In fact, none of these people were able to get the permanent residence. Now, at the beginning of the year, the hon. Member may have noticed, we passed some regulations allowing such permanent residence holders to purchase apartments in apartment blocks of three. From then on, these permanent residence permits have been able to be issued. There is a small number; I don't know exactly the number of permanent residence permits which have been issued.

**Mr Obeegadoo:** Mr Speaker, we note that, since 2009, allowing reported cases of abuse, this tripartite committee had been set up PMO, PIO and the BOI to process each and every application. Now, what has just reportedly happened brings into question even that mechanism which no longer seems to be foolproof. May I know whether - as I said, pending the results of the Police enquiry which may take a very long time – that process has been looked into so that it may be reviewed appropriately?

**Mr Duval:** As I understand at the moment, there were fake documents produced. Now, as evidence that it does work that it was picked up internally by the BOI, with the PIO itself,

that this document was false and after enquiry they found that it was false and they found another one. I understand there is a third case also. All this has been found out. Obviously, there is also equilibrium to be reached and we cannot also, at the same time, put such procedures that we no longer get FDI and we get questions on FDI. So there must be equilibrium. At the moment we are happy. Obviously, things are being looked at very carefully at the moment, but let's try and find equilibrium - you will never have a 100%. There is nothing ever foolproof but we must ensure that the procedure is, at least, sound.

**Mr Obeegadoo:** Mr Speaker, Sir, the vice-Prime Minister is obviously aware of the increase in frustration amongst the public at large concerning permits to foreigners to come and work. Will he confirm, as a fact, that more than 80% of these permits go to professionals and independent workers, not investors, and will he tell the House whether there is on a routine basis a skills analysis of these professionals and independent workers who are allowed in, so that such information can feed into our education and human resource training strategy?

**Mr Duval:** Mr Speaker, Sir, there are always two sides to every coin. If you want an open economy with quality personnel, with an efficient private sector, then we need the help of overseas professionals. I think that is the main thing and you can see that there have been thousands of permits issued, but, at the same time, Mr Speaker, Sir, that has brought money to the economy, that has brought activity to the economy, it has brought a lot of good to the economy.

As far as skills are concerned, these are professionals. We are also dealing with about 35,000 people who have work permits, who are of much lower grade and, by definition, lower paid. This, probably, for me, is a greater issue than the professionals who are coming here, but, obviously, we are here to stop any abuses.

**Mr Speaker:** Hon. Bhagwan, last question!

**Mr Bhagwan:** In the process of all the permits, can the hon. Minister inform the House whether, in the recent past - since the whole issue has been brought public on the question of corruption - the Chairperson of the BOI has presided meetings to tighten control over all the BOI like *un système policier* and whether his attention has been brought to the state of affairs and frustration actually among the staff of the Board of Investment in trying, at least, to sort of cover up at the BOI?

**Mr Duval:** Mr Speaker, Sir, the Chairman came back at my request to deal with the matter, but I must say also that the articles which had appeared, I understand, is not the case. But it is also important to know that this part of the transaction that had been noticed was apparently identified through a camera that existed at or near the premises of the Board of Investment. So, there are some procedures in place. I don't understand that they have been tightened and if they have been tightened, it is certainly not to scare the employees, it is to make sure that - as the hon. Member was asking before - things happen as they should happen there.

#### **MARE CHICOSE – INHABITANTS – COMPENSATION**

**(No. B/482) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)** asked the Minister of Local Government and Outer Islands whether, in regard to the relocation of the inhabitants of Mare Chicose, he will state the -

- (a) reasons why compensation, swaps and allocation of plots of land have not been effected to all those concerned therewith, as at to date;
- (b) criteria used for payment when the amount to be disbursed for compensation was increased to Rs71.4 m., indicating if consideration is being given for a further increase for escalation in construction costs, and
- (c) where matters stand concerning the eight cases that had been excluded from the extended families and tenants list.

**Mr Aimée:** Mr Speaker, Sir, the exercise for the relocation of the inhabitants of Mare Chicose Village to Marie Jeannie, Rose Belle, involves some 46 families comprising residential landowners, tenants and extended families living at Mare Chicose and the owners of agricultural and waste lands. Amongst the last category are a few families who also have residential property at Mare Chicose.

The relocation exercise is well underway and has reached an advanced stage of implementation. The land swapping and payment of compensation to eligible beneficiaries are being effected by the notaries appointed by Government upon signature of the relevant deeds by the beneficiaries. As at date, the notarial deeds for 26 families out of 36 resident landowners in Mare Chicose who have accepted the offer of Government have been finalised and funds totalising some Rs55.2 m., have been released by my Ministry. The respective compensation

amounts have been paid to 26 beneficiaries concerned. Procedures for the drawing up of the notarial deeds in respect of the remaining 10 families are in progress.

The payment of compensation also involves eight families living as tenants in Mare Chicose and arrangements are being made to pay compensation to these families who had put up their residential houses on leased lands.

Mr Speaker, Sir, I wish to inform the House that the relocation exercise has not been a smooth process. A number of problems and issues have kept cropping up which have delayed the conclusion of the exercise. For example, four families, already benefiting from the land swapping for their residential plots of land and one non-resident landowner had been previously included in the list of beneficiaries for the land swapping in respect of their agricultural/waste lands. In view of representations made from other agricultural landowners and following consultations with the Attorney General's office, it has been decided that instead of land swapping, these four families will be offered land on sale. The same policy is being applied to non-resident landowners of agricultural and waste lands who will be given the opportunity to purchase a plot of land of 422 m<sup>2</sup> at the relocation site of Marie Jeannie, Rose Belle.

Mr Speaker, Sir, there are also two other cases, where the resident landowners are requesting for land swapping for their agricultural and waste lands which were not included in the land survey list drawn up and finalised by the Ministry of Housing and Lands in July 2007. Being given that there is no spare land available at the relocation site, and acceding to these kind of requests could give rise to other similar claims, it was agreed that such requests could not be entertained. Further, there are a few currently unresolved cases which would need to be dealt with at some point in time, amongst others, one case of alleged unlawful prescription and another case where the landowner is unwilling to be relocated from Mare Chicose.

Mr Speaker, Sir, as regards part (b) of the question, I am informed that the initial compensation costs were estimated by the Consultant appointed by my Ministry for an Environmental Impact Assessment Study on the extension of Mare Chicose Landfill, comprising also a Social Impact Assessment and was based on the value of the existing buildings at Mare Chicose. The total compensation amount as validated by the Valuation Department in 2006 stood at Rs47.6 m. Following representations made by the inhabitants of Mare Chicose and advice by the Ministry of Finance and Economic Development, the

Valuation Department was requested to review the compensation figures for each individual building in Mare Chicose at replacement costs. In November 2007, the total revised compensation costs were thus increased from Rs47.6 m. to Rs71.4 m., based on the prevailing construction rates provided by the then Ministry of Public Infrastructure, Land Transport and Shipping. Again, in July 2010, fresh compensation amount for each individual house was revised upwards by the Valuation Department in view of the rise in construction costs.

Mr Speaker, Sir, the House may wish to note that, ultimately, over and above the amount of Rs71.4 m., Government has to disburse additional funds to the tune of Rs8.8 m. to pay for the increased compensation costs relating to price escalation, as well as Rs3.1 m. to enable my Ministry to pay the registration duties on behalf of the inhabitants.

Mr Speaker, Sir, as regards part (c) of the question, I wish to inform the House that no family living at Mare Chicose has been excluded for consideration in the relocation exercise. In fact, an initial list of 22 families whose names were given by the then president of the *Forces Vives* of Mare Chicose will be offered land on sale at Marie Jeannie. This would entail an amendment to the State Lands Act to enable the offer for sale of land to be made to them. My Ministry, in collaboration with the Ministry of Housing and Lands, is pursuing its efforts to identify land for the additional list of eight families.

**Mr Seeruttun:** Mr Speaker, Sir, with regard to the adjustment of the compensation payable to the inhabitants of Mare Chicose to Rs71.4 m., this represents an increase of some 50% from the initial amount proposed. Will the hon. Minister inform the House how some beneficiaries got an increase of almost 100% of compensation while others got much less than that?

**Mr Aimée:** M. le président, concernant l'allocation des terres à Marie Jeannie, je crois que toutes les personnes ont été traitées sur un même pied d'égalité. Si jamais l'honorable membre veut m'informer des problèmes concernant quelques-uns, je pourrais éventuellement voir avec mon ministère, le ministère du logement et le *Valuation Department*.

**Mr Bérenger:** It is already five years ago that land was acquired for relocation of the Mare Chicose inhabitants. Five years is a long time. Can I know how many cases, where compensation is to be paid, have not yet been settled, and can the hon. Minister give an indication when is the whole exercise expected to be completed?

**Mr Aimée:** Mr Speaker, Sir, the process of relocation of the inhabitants of Mare Chicose is a very difficult process. To give you an example, Mr Speaker, Sir, we have cases now pending before the Public Notary, we have cases pending before the court for false affidavit of prescription; we have cases where the first inquiry was to know the list of people. In one family, there were four persons, now there are six, which mean there are six heirs to be shared the land swapping there. You have one or two families who have refused completely to be relocated. It is a very complicated process. Finally, those who are owners of agricultural land there, they can't be given agricultural land at Marie Jeannie because these are residential lands. My Ministry and the Ministry of Housing and Lands have approached the Rose Belle Sugar Estate to have agricultural land, but as the hon. Leader of the Opposition probably knows, we can't just sell or transfer State land before the Ministry of Housing and Lands brings an amendment. I know it is being processed by the State Law Office; they are doing their best to bring an amendment in the State Land Act.

**Mr Bérenger:** We have not been given any indication after five years, since the land was acquired, within what kind of time frame the whole exercise will be completed. Can I know whether Government has given thought when the whole exercise will have been completed what will happen to the buildings and the land at Mare Chicose?

**Mr Aimée:** Mr Speaker, Sir, I can't answer to that question because I have just mentioned that the Ministry of Housing and Lands has sent the file to the State Law Office to have the State Land Act amended to finalise those that are ready and have the title deeds and so on. But I can't answer the question concerning the Ministry of Housing and Lands.

**Mr Bérenger:** Mr Speaker, Sir, I did not hear the Minister giving a reply to whether consideration is being given for the further increase for escalation in construction cost. I am given to understand that it is already two years ago that the sum was increased from Rs71.4 m. to Rs80.2 m. precisely because of escalation in construction cost. This is already two years back. That is why the Minister was asked whether consideration is being given for a further increase.

**Mr Aimée:** Mr Speaker, Sir, from the very beginning, the inhabitants of Mare Chicose who want to be relocated at Marie Jeannie, asked for an increase in compensation due to the fact that the price is increasing. There are procedures to follow. We have to, first of all, work with the State Law Office, the Notary, the Ministry of Housing and Lands and also with the

Valuation Department. I have got a list that I can table where compensation of more than R55 m. have been paid.

**Mr Bérenger:** Mr Speaker, Sir, I have got a question, it relates to the last part of the question, that is, the extended families and tenants list. I am given to understand that because there were extended families and there were tenants at Mare Chicose, a list was drawn and they were offered the possibility of purchasing a plot of land on the new site, the relocation site. Now, I think I heard the hon. Minister say that no one - if I got him right - who had agricultural land at Mare Chicose has been offered a piece of land at the relocation site. I think I heard the hon. Minister say, but my information is to the contrary. My information is that some 8 families were not put on this extended families and tenants list, therefore, they had no possibility, at a point in time, to opt to purchase a piece of land. In the meantime, I am given to understand that some people, who had agricultural land, have been given priority, have been given land, and now these eight families that should have been included in the extended families and tenants list, when they insist, they are told that land has been given in the meantime to owners of agricultural land. Will the hon. Minister look into that and if it is confirmed that owners of agricultural land have been given priority to members of extended families and tenants, that this will be reviewed?

**Mr Aimée:** I have been following the case for two years now. From the information that I have, there is no such operation, as the hon. Leader of the Opposition has just mentioned, for the families who supposedly would have benefitted land at Marie Jeannie. But we still have eight persons from the extended families. If they want to buy residential land at Marie Jeannie, they would have two types of land, residential and agricultural. For agricultural land, the Ministry of Housing and Lands is now looking to have land because there is no land available for agriculture and the extent of land of these people is even bigger. But for those eight families, the land is there. We have eight plots of land reserved for them; they only have to make the request to have their title deeds.

**Mr Jugnauth:** Mr Speaker, Sir, with regard to the increase of compensation from Rs47.6 m. to Rs71.4 m., may I know what are the criteria that have been used to make such allocation to each beneficiary?

**Mr Aimée:** M. le président, les prix qui ont augmenté ne dépendent pas de moi; ils dépendent de l'*Evaluation Office*, le ministère du logement qui a des experts et le *State Law Office*. Je ne peux pas répondre à cette question.

**Mr Jugnauth:** In that case, would the hon. Minister table, at least, a copy of the criteria that have been used by each of the departments that he has mentioned?

**Mr Aimée:** I am going to consider the request of the hon. Member and, if need be, I will table the copy that he wants.

**Mr Seeruttun:** The new site identified at Marie Jeannie, Rose Belle was meant to move the people from Mare Chicose to go there and build their houses and reside on that site. When we look at the title deed with regard to those who received their deeds, we see a clause which stipulates that the owner of the land has to go and carry out a soil test to be certified by a professional engineer to ensure that the land is suitable for the construction of a building. They need to get that certificate first and then ask for a building permit at the District Council level. Will the hon. Minister inform the House how did that happen that a plot of land was identified without knowing whether the land is suitable or not for construction of a building?

**Mr Aimée:** Mr Speaker, Sir, in my reply I mentioned that there has been an EIA assessment carried out there. Now the hon. Member is informing me that in the title deed they need an E.I.A— I am going to check whether this is correct or not and whether the hon. Member has got the correct information, but I answered in my reply here that before putting the land at the disposal of the people who are beneficiaries, there has been an Environment Impact Assessment carried out by the Ministry of Environment.

**Mr Seeruttun:** Allow me Mr Speaker, Sir, to table a copy of a title deed where it is clearly stipulated that the owner has to go through that exercise and get a test certified by a professional engineer.

**Mr Jugnauth:** The Minister has just mentioned that his Ministry has subscribed to an EIA to be conducted, so I am sure there must be conclusion of that EIA. Would he say to this House that the conclusion of that EIA is to certify that buildings can be constructed on any part of that land?

**Mr Aimée:** Of course buildings can be constructed everywhere on that land because there have been soil tests done and any test that is needed for the Environment Impact Assessment.



**Mr Speaker:** Last question please!

**Mr Seeruttun:** I have two more questions; please allow me as it is a big issue.

**Mr Speaker:** Okay, carry on!

**Mr Seeruttun:** This issue of relocating the inhabitants of Mare Chicose dates back to the early 2000 and the actual Prime Minister and then Leader of the Opposition went to Mare Chicose in 2004 and even empathised with the inhabitants of Mare Chicose and told them that once he got into power, he would also fight for them to get moral damage compensation. Will the hon. Minister inform the House whether this is also being considered now that we are ...

*(Interruptions)*

...completing that issue about land swapping compensation....

*(Interruptions)*

**Mr Aimée:** Mr Speaker, Sir, what our actual Prime Minister who was then the Leader of the Opposition said is not my duty as Minister who is here since only two years to answer on behalf of another person. Probably I would ask my hon. friend to put that question directly to the hon. Prime Minister and probably he will answer the hon. Member. Am I prepared to answer on behalf of the actual Prime Minister and the then Leader of the Opposition?

**Mr Speaker:** The hon. Minister has answered the question. Last question, please!

**Mr Seeruttun:** From the very beginning of this issue, Mr Speaker, Sir, the representatives of the inhabitants of Mare Chicose had the *Forces Vives* which were doing the mediation with the Ministry. In the recent past there has been no dealing with the *Forces Vives* and there is no more correspondence with the President of the *Forces Vives*, instead all the correspondences are being sent to the Village Councillor. Will the hon. Minister inform us why this has come into effect that there is no more correspondence with the President of the *Forces Vives* anymore?

**Mr Aimée:** Mr Speaker, Sir, for all those who are beneficiaries for the relocation purpose, my Ministry is dealing directly with them. The hon. Member knows as we have been there together when we were in Government...

*(Interruptions)*

I cannot understand why now he is demarking himself that there is no exchange between these beneficiaries and Government. I am dealing directly with them. I have been there on frequent occasions.

## HUMAN & FAMILY VALUES - ASSESSMENT

(No. B/483) **Mr S. Soodhun (Second Member for La Caverne & Phoenix)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the human and family values, she will state if an assessment has been made of the impact of the erosion thereof, if any, on the major social problems and, if so, indicate the measures that her Ministry proposes to take in relation thereto.

**Mrs Martin:** Mr Speaker, Sir, values are the foundations of a family. They shape our character, determine our behaviour and influence our actions. In line with the mandate of my Ministry to promote family welfare, campaigns and programmes on values are conducted all year round.

These campaigns which are conducted through our network of Social Welfare Centres, Women Centres, Family Support Bureaux, Community Centres, Creativity Centres, Women's Associations, Child Watch Committees, Zero Tolerance Clubs, Kites Clubs amongst others, target children, youth, adults, parents and the elderly across the whole island. Concurrently, my Ministry implements various programmes contributing to promote family values and strengthening family ties. These programmes include Marriage Enrichment, Pre-marital Counselling, Inter-generation Relationship, Men as Partners, Parental Empowerment and celebration of events such as the Family Week-end and the International Day of Families

Cases reported to our six Family Support Bureaux tend to reveal that erosion of family values is one of the underlying causes of social problems.

Consequently, in view of intensifying campaigns on values and to reach out to all Mauritians, my Ministry has devised a National Programme on Strengthening Values for Family Life which was launched in October 2010. One of the main objectives of the programme is to bring about nation-wide transformation of attitudes and mindsets for responsible citizenship through inculcation of values for family life. The Programme is implemented through workshops, talks, value-based activities such as drama competition, mural painting, environment day, parents' appreciation day, education in human values, parental empowerment programme, healthy living campaign and through the dissemination of information, education and communication materials.

This National Programme is being implemented in collaboration with various stakeholders from governmental and non-governmental sectors as well as the civil society and will contribute to positive individual development, caring communities and a healthier nation.

In the same vein, following the signature of a Memorandum of Understanding with the Indian Ocean Centre for Education in Human Values in 2010, my Ministry benefits from the consultancy services identified by the organisation for the enrichment of the Programme on Family Values.

Concurrently, the Programme on Strengthening Values for Family Life was implemented at community level on a pilot basis from March 2011 to May 2012 in five targeted regions. Some 7,500 children, parents and grandparents from these regions participated in value-based activities. Information gathered by officers working with the five regions has shown positive changes resulting from an improved collaboration between the civil society and government bodies operating in the five regions. Now that the pilot phase in the first five regions is over, my Ministry is initiating actions to conduct an impact assessment of the Programme on the families of these regions. The assessment is expected to be completed by October 2012. Subsequently, based on the findings, the programme will be re-engineered as appropriate and extended to other regions of the island.

My Ministry also intends to commission a Situation Analysis on Family Values. The terms of reference of the study are being worked out, and procurement procedures for appointment of a Consultant are expected to be launched by August this year. Based on the findings of the Situation Analysis on Family Values, my Ministry will implement recommendations thereof for appropriate measures to be taken to enhance family life in Mauritius.

**Mr Soodhun:** Mr Speaker, Sir, I would like to know from the hon. Minister whether an assessment has been made on the impact of the erosion.

**Mrs Martin:** No, Mr Speaker, Sir. What I said was that we intend to commission a Situation Analysis on Family Values. As regards the five targeted regions where we implemented the programme on strengthening values for family life, now that the pilot phase is over, we are initiating action to conduct the impact assessment on the families in these regions.

**Mr Soodhun:** Can the hon. Minister inform the House the number of child abuse cases reported at the level of CDU in 2011?

**Mrs Martin:** For different sorts of abuse and neglects, the total number is 5,635.

**Mrs Labelle:** Mr Speaker, Sir, I have heard the hon. Minister mentioning a lot of activities that have been carried out. I would like to know how many officers are involved in these activities?

**Mrs Martin:** Normally, all officers of the Family Support Bureau and the CDU are involved in those activities. Additionally, we also have different stakeholders from the civil society, different NGOs, institutions, and other Ministries, which also form part of the whole group of people intervening in the different regions.

**Mr Jugnauth:** I heard the hon. Minister saying that this programme is moving ahead. But, I have different information...

**Mr Speaker:** Put your question.

**Mr Jugnauth:** I put the information and then the question, so that the hon. Minister understands what I am saying. Since the launching of this programme in October 2010, I see from a report that, unfortunately, because a number of stakeholders are unable to fully participate in the programme, thus hampering the full implementation of the programme at national level, now there has been another proposal to constitute, in fact, a high level steering committee. Which is which? Is what I am saying correct?

**Mrs Martin:** No, I don't have that information, Mr Speaker, Sir. My information is that now that the pilot project, which started in March 2011, has ended, we are re-engineering the programme to be extended to other regions.

**Mrs Hanoomanjee:** Mr Speaker, Sir, the hon. Minister has just said that there is a National Plan of Action, which was launched some time in 2011. Can the hon. Minister say why, when the National Plan of Action was being devised, the civil society was not asked to participate on that committee, which elaborated the National Plan of Action? I am given to understand that there were only few Ministries, and not even the National Women's Council, the National Children Council, and other NGOs.

**Mrs Martin:** This is not my information, Mr Speaker, Sir. The national programme has been elaborated in October 2010. I am informed that many stakeholders have been taken on board, the civil society and NGOs as well.

**Mrs Labelle:** Mr Speaker, Sir, the hon. Minister has mentioned that this programme has been implemented in five regions. I think I heard the hon. Minister mentioning something

like 7,000 people who have been reached. May I know from the hon. Minister in which regions and over which period of time her Ministry has been able to reach 7,000 people, children, youth, adults and everyone?

**Mrs Martin:** The five targeted regions are Batimarais, Baie du Tombeau, Vuillemin/Quartier Militaire, Cité Borstal and Cité Mangalkhan. The pilot basis of the programme conducted on strengthening values for family life was implemented from March 2011 to May 2012, targeting children, parents, adults and grand-parents as well.

**Mr Jugnauth:** Would the hon. Minister say what is the estimated cost of that programme, and whether it has been discussed with the Ministry of Finance?

**Mrs Martin:** Mr Speaker, Sir, I don't have that information, but I can make it available to the hon. Member.

**Mrs Hanoomanjee:** Mr Speaker, Sir, the hon. Minister will surely accept that this is an issue which requires a holistic approach. Can she say whether she has tried, at least, to enlist the services of sociologists, who are engaged in research at the University of Mauritius, to help her in this issue?

**Mrs Martin:** Mr Speaker, Sir, as I have said, there are a number of different stakeholders who participated. We have a list of, at least, 40 organisations that participated with us, and I assume that psychologists and sociologists also formed part of them.

**Mr Speaker:** Last question!

**Mrs Dookun-Luchoomun:** Mr Speaker, Sir, may I know the hon. Minister, who just mentioned that there was an international Consultant who has helped in capacity building, the number of people who were touched by this Capacity Building Programme?

**Mrs Martin:** There are a number of Capacity Building Programmes which have been conducted by the Consultant. We have had, for example, training for teachers, students, training with senior citizens, and women also have participated. But I don't have the exact figure of the number of people who have benefited from the training programme. I can try and find out.

**Mr Speaker:** The Table has been advised that Parliamentary Questions B/485 and B/507 have been withdrawn.

#### **BOARD OF INVESTMENT - MONITORING UNIT**

**(No. B/484) Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Monitoring Unit of the Board of Investment, he will, for the benefit of the House, obtain from the Board, information as to the number of -

- (a) staff posted thereat, and
- (b) inspections it has carried out, since January 2010 to date, indicating
  - (i) where, and
  - (ii) the outcome thereof, in each case.

*(vide reply to PQ No. B/481)*

#### **CARDIAC CENTRE – PATIENTS**

**(No. B/485) Mrs S. B. Hanoomanjee (Second Member for Savanne & Black River)** asked the Minister of Health and Quality of Life whether, in regard to the Cardiac Centre, he will state the number of cardiac patients who are awaiting surgery thereat, indicating the number thereof who have passed away, over the past five years, on a yearly basis.

*(Withdrawn)*

#### **MINOR NOVIN SEENUNDUN - SIR VEERASAMY RINGADOO GOVT. SCHOOL - DEATH**

**(No. B/486) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes)** asked the Minister of Education and Human Resources whether, in regard to the recent death of a student of Standard III of the Sir Veerasamy Ringadoo Government School, he will state if an inquiry has been carried out at the level of his Ministry to determine if the hygienic and sanitary conditions prevailing at the school had any bearing on the health of the said student.

**Dr. Bunwaree:** Mr Speaker, Sir, on behalf of the staff of the Sir Veerasamy Ringadoo Government School, my Ministry, and in my personal name, I wish to convey our deepest sympathy to the aggrieved of minor Novin Seenundun, who passed away on Sunday 10 June 2012.

An inquiry has indeed been carried out on the matter at the level of the zone, and it has been brought forward that the child attended school normally on Wednesday 06 June 2012. He was even present for the enhancement programme classes that afternoon. The child was absent from school on 07 and 08 June.

According to a report from the Ministry of Health and Quality of Life, the child was taken to the Accident and Emergency Department of Victoria Hospital on 08 June 2012 at 8.20 a.m. He was admitted with a diagnosis of acute gastroenteritis. According to information I received from the Ministry of Health and Quality of Life, his condition was reported to have suddenly seriously deteriorated in the early morning of Sunday 10 June 2012, and that he did not respond to emergency treatment. He was declared to have passed away at 5.50 a.m. on that day, with a diagnosis of viral encephalitis, a disease which is known to have a very poor prognosis and high mortality rate.

Mr Speaker, Sir, with regard to the hygienic and sanitary conditions, and according to our records, the Sir Veerasamy Ringadoo Government School falls in the category of schools with good infrastructure and acceptable level of sanitary conditions. Inspection of the school is done regularly. In fact, a visit was effected on 21 May 2012, that is, about two weeks before the incident took place. I am informed that no shortcomings were noted.

- (i) On 21 June 2012, that is, two weeks after the incident, another independent inspection was conducted by officers of the Rose Hill Health Office at the SVR Govt. School which revealed the following -
- (ii) the sanitary condition with regard to the schoolyard was satisfactory and larviciding of premises is done regularly;
- (iii) the two toilet blocks are kept clean. A private contractor carries out cleaning three times a day;
- (iv) water samples are taken on a regular basis and after analysis, the results of the last test conducted in February this year, revealed that they are in compliance with drinking water quality standard;
- (v) the disposal of waste has been found to be regular and satisfactory, and
- (vi) visits are effected regularly at the school canteen and the condition thereof has been found to be satisfactory.

Mr Speaker, Sir, there does not seem therefore to be any basis to draw any correlation between the death of Novin Seenundun and the health and sanitary conditions prevailing at that school.

In fact, every effort is being made at the level of my Ministry to ensure that the proper hygienic and sanitary conditions prevail at schools.

**Mr Ramano:** M. le président, sans mettre en doute le rapport médical, le ministre est-il au courant que le 11 juin, soit au lendemain du décès de l'élève, la force policière a effectué une descente à l'école et a procédé à la saisie de certains éléments au niveau des cantines scolaires ?

**Dr. Bunwaree:** Sir, the case was reported to the Police Medical Officer and then the family was proposed to have a post mortem carried out which they refused, but in the course of the action the Police could have done its duty and found it proper to make *certain* *prélèvements*. I don't have the result of all these, but it is being followed and whatever we have at the level of the Ministry of Health, the tests that have been done have not proved anything so far.

**Dr. S. Boolell:** Mr Speaker, Sir, in view of the gravity of the diagnosis of viral encephalitis, may I ask the hon. Minister whether the report which he is giving in relation to this diagnosis is a final report, because viral studies take a long time?

**Dr. Bunwaree:** Yes, I know as well as the hon. Member, but I am replying as the Minister of Education. I just gave the information that was given to me by the Ministry of Health.

#### **UNIVERSITY OF MAURITIUS – DEAN OF STUDIES - ALLEGED ABUSE OF POWER**

**(No. B/487) Mrs L. D. Dookun-Luchoomun (Second Member for Quartier Militaire & Moka)** asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the recent case of alleged abuse of power by a dean of studies at the University of Mauritius, he will, for the benefit of the House, obtain from the University, information as to if an inquiry has been carried out thereinto and, if so, the outcome thereof.

**Dr. Jeetah:** Mr Speaker, Sir, I am informed by the University of Mauritius that it received complaints against a Dean of studies and has appointed a barrister to conduct an enquiry which started on 11 June 2012.

I am further informed that the enquiry is still ongoing and an extension has been granted to the Barrister.

**Mrs Dookun-Luchoomun:** May I ask the hon. Minister what were the allegations made?



**Dr. Jeetah:** Mr Speaker, Sir, the nature of complaints concerned the sale of welfare bonds and the use of University of Mauritius seal and crest for Faculty Communication Seminars; behaviour of the dean towards faculty academic staff members, nomination of academic staff members for delivery of training, for workshops and so on.

**Mrs Dookun-Luchoomun:** May I ask the hon. Minister whether there were complaints regarding the dismantling of the computer lab and the removal of cable links, etc.?

**Dr. Jeetah:** I do not have this information, Mr Speaker, Sir.

**Mr Jugnauth:** May I know who is the barrister who has been appointed and his terms of reference?

**Dr. Jeetah:** The Barrister - the hon. Member knows very well - is Mr Ravindra Chetty, Senior Counsel. I do not have the exact terms of reference, but I can certainly table it.

#### **SECRETARY FOR FOREIGN AFFAIRS – OVERSEAS MISSIONS**

**(No. B/488) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Secretary for Foreign Affairs, he will state the number of overseas missions he has undertaken, since July 2005 to date, indicating in each case, the -

- (a) countries visited;
- (b) duration thereof;
- (c) composition of the delegation, and
- (d) total amount of money spent in terms of air fares, per diem and/or other allowances.

**Dr. A. Boolell:** Mr Speaker, Sir, the information sought will be placed in the Library.

**Mr Nagalingum:** Can the hon. Minister confirm that recently the Secretary for Foreign Affairs had decided that he would attend an IORARC Seminar in Australia that was meant for Junior Officers and the hon. Minister had to intervene to ensure that the opportunity goes to the Junior Officers?

**Dr. A. Boolell:** Rightly so, Sir.

**Mr Nagalingum:** Can the hon. Minister confirm whether when the Secretary for Foreign Affairs travelled to the East of Australia, India, etc., he arranged for his return journey to be through Kuala Lumpur where he stopped over?

**Dr. A. Boolell:** No, Sir.

*(Interruptions)*

**Mr Speaker:** Hon. Bhagwan, do you have a question?

**Mr Bhagwan:** Can I...

*(Interruptions)*

**Mr Speaker:** Order, order!

**Mr Bhagwan:** Can I know from the hon. Minister whether he has been made aware of the frustration which is prevailing in his Ministry concerning mission overseas?

**Mr Speaker:** The hon. Member should come with a substantive question. This question is about travelling and *per diem*. Next question!

*(Interruptions)*

**Mr Bhagwan:** I am going to rephrase my question, Sir. Can the hon. Minister inform the House whether his attention has been drawn, even by official Trade Union representing the Civil Servants to the fact that the Secretary for Foreign Affairs has been depriving all the other Officers as he is taking the major parts of all the missions?

**Dr. A. Boolell:** No!

*(Interruptions)*

**Mr Bhagwan:** Matters related to missions and he is protecting other Officers!

**Dr. A. Boolell:** No! I think my hon. friend has been misled.

### **PEDESTRIAN CROSSINGS - BELISHA FLASHING LAMPS**

**(No. B/489) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the pedestrian crossings, he will state where matters stand in relation to the proposed -

- (a) installation of Belisha flashing lamps, and
- (b) revisiting of the locations thereof.

**The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo):** Mr Speaker, Sir, a bidding exercise was conducted on October 2011 and it was found that during the bid evaluation exercise the solution proposed by the two lowest responsive bidders were of two different types which were

not technically comparable. Such being the case the tender specifications have been accordingly revisited and a fresh tender exercise is shortly being initiated.

As regards part (b), the revisiting of the location does not arise as most of the pedestrian crossings island-wide will be equipped with Belisha flashing lights.

**Mr Nagalingum:** Can I know the date on which the tender was launched?

**Mr Bachoo:** Well, I don't have the information with me.

*(Interruptions)*

**Mr Obeegadoo:** Mr Speaker, Sir, the hon. Minister has not given a date - of course, he cannot - for these lamps to be installed. In the meantime, will he not agree that there is an urgent need to survey the location of pedestrian crossings and to review same?

Is the hon. Minister aware, for instance, at Jan Palach, Curepipe, there is a pedestrian crossing just off a roundabout, so that if vehicles stop and they will soon be losing points under the *permis à point*, then they block the whole roundabout?

**Mr Bachoo:** Mr Speaker, Sir, instructions have already been given to the officers of my Ministry and, in fact, a few pedestrian crossings have already been changed and they are looking into all cases one by one.

### **PHOENIX CREMATORIUM - INCINERATOR**

**(No. B/490) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central)** asked the Minister of Local Government and Outer Islands whether, in regard to the commissioning of an incinerator for the Phoenix crematorium, he will, for the benefit of the House, obtain from the Municipal Council of Vacoas/Phoenix, information as to where matters stand.

**Mr Aimée:** Mr Speaker, Sir, I am informed by the Municipal Council of Vacoas/Phoenix that an open advertised bidding exercise was conducted in December 2011 for the supply, installation and commissioning of one diesel propelled incinerator at Phoenix Crematorium in replacement of the existing one which has completed its economic lifespan.

I am informed that since the bids received were not responsive, the Council has decided to launch a fresh bidding exercise. The question of commissioning therefore does not arise.

**Mr Uteem:** May I know from the hon. Minister what was the reason advanced by the Municipal council of Vacoas/Phoenix for disqualifying the lowest bidder?

**Mr Aimée:** Mr Speaker, Sir, I have just mentioned that the bids received were not responsive.

**Mr Uteem:** How?

**Mr Aimée:** I don't know.

**Mr Speaker:** Last question!

**Mr Uteem:** Is the hon. Minister in presence of a letter dated 12 June 2012, addressed to the hon. Minister by the lowest bidder, explaining and copying letters from the Municipal Council, giving the reason why his bid was rejected and why the lowest bidder for this was unjustified? Can the hon. Minister tell us whether he has received any correspondence to that effect?

**Mr Aimée:** Mr Speaker, Sir, in fact, yes, I got the letter from the bidder, but as Minister, you know, I stand very far away from bidders. So, I reverted back that letter to the Municipal Council to take their own responsibility, Mr Speaker, Sir.

**Mr Uteem:** I will table a copy of this correspondence. In the light of the damning allegation made in that letter, may I ask the hon. Minister whether he would ask his Ministry to start an investigation to find out whether the authorities of Vacoas/Phoenix were justified to reject the bid in this case?

**Mr Aimée:** Mr Speaker, Sir, maybe I am wrong, but the job of the Ministry is not to look and to do enquiry on any allegation. If the hon. Member has any allegation, there is ICAC, the CID, the Police and so many institutions where you can send it. I am not prepared to ask my Ministry to carry out any enquiry.

*(Interruptions)*

**Mr Speaker:** Next question! Hon. Seeruttun!

*(Interruptions)*

Order, please!

#### **CEB - EMPLOYMENT RELATIONS TRIBUNAL - CASES**

**(No. B/491) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Central Electricity Board, he will, for the benefit of the House, obtain from the

Board, information as to the names of the employee/s, if any, either in service, retired or dismissed, who have lodged court cases or complaints before the Employment Relations Tribunal or the Commission for Conciliation and Mediation, against the Board, since 2010 to date, indicating in each case, the -

- (a) nature thereof;
- (b) quantum of damages claimed, if any, and
- (c) report issued by the Commission for Conciliation and Mediation, if any.

**The Deputy Prime Minister:** Mr Speaker, Sir, I am tabling the information asked for.

**Mr Seeruttun:** Will the hon. Deputy Prime Minister inform the House whether one of the cases lodged at the court concerns the former Chairman of the CEB whereby an employee of the CEB, who has now retired, has sued the former Chairman for a false allegation?

**The Deputy Prime Minister:** No, Mr Speaker, Sir. There is no such information.

**Mr Speaker:** Hurry up! Time is running out, please!

**Mr Seeruttun:** I believe there are also cases which have been referred to the Employment Relations Tribunal with regard to cases with the CEB. Is the hon. Deputy Prime Minister aware that there is, at least, one member, sitting on the Board of CEB who is also a member of the Employment Relations Tribunal?

**The Deputy Prime Minister:** Mr Speaker, Sir, any member of the ERT should declare his interest when cases come in front of the ERT. Therefore, this person does not take any CEB case when they come to the Employment Relations Tribunal.

#### **COMPANIES ACT - AMENDMENT**

**(No. B/492) Mr E. Guimbeau (First Member for Curepipe & Midlands)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Companies Act, he will state if consideration will be given for amendments to be brought thereto to prohibit the managers, the directors and the shareholders of the auditing and accounting firms holding shares or other interests in any associated or related companies dealing in real estates or any other businesses related to land development and promotion, to be appointed as administrators or receiver managers by banks for asset recovery, and if so, when and if not, why not.

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval):** Mr Speaker, Sir, I wish to inform the House that sections 234(5) and 234(6) of the

Insolvency Act already impose a duty on the administrator to table an interest statement at the first meeting of creditors. The interest statement should disclose whether the administrator, or a firm of which the administrator is a partner, has a relationship (whether professional, business or personal) with the company in administration or any of its officers, shareholders or creditors.

In addition, section 184(1) of the Insolvency Act lays down the criteria for persons who cannot be a receiver, while the duties of the receiver are extensively laid down in section 197 of the same Act.

Furthermore, I am informed that the Insolvency Unit has not received any complaints regarding any wrongdoing with respect to administrators/liquidators having interest in real estate and are acting as liquidator.

In view of the above, Mr Speaker, Sir, the question of amending the law does not arise presently.

**Mr Guimbeau:** Mr Speaker, Sir, can the hon. Minister tell me if it is proper that audit firms and accounting firms be appointed by banks to realise land assets when partners and Directors of the same accounting and auditing firm has interest in related and associated companies dealing in real estate and land development?

**Mr Duval:** Mr Speaker, Sir, that is the situation all over Mauritius. Now, if there has been any wrongdoing, we have cases where there has been an abuse of the situation or creditors or shareholders have found something wrong, it should be brought before and then we will act. In the absence of any such information, this is the answer.

**Mr Guimbeau:** Mr Speaker, Sir, I can give the information, here, in the House. There are companies like PricewaterhouseCoopers; this is exactly what they are doing. They are appointed as receiver managers to sell land assets for peanuts and then, they have their own sisters and related companies who are in land development, and make big business. This is not ethical, Mr Speaker, Sir.

**Mr Speaker:** Please, bring this to the attention of the hon. Minister.

**Mr Duval:** Mr Speaker, Sir, PricewaterhouseCoopers is a respected firm in Mauritius. It is an international firm. Now, if the hon. Member is saying that he has information that something wrong has happened, then he should make a formal complaint and we will look into it.

**Mr Guimbeau:** Mr Speaker, Sir, the complaint is being done now.

**Mr Duval:** Which case?

**Mr Guimbeau:** The case of PricewaterhouseCoopers which is in the land development, Mr Speaker, Sir. I won't say what's going on privately, but this is the case, Mr Speaker, Sir.

**Mr Speaker:** But then, I would request if the hon. Member has any specific case in hand, he can talk to the hon. vice-Prime Minister, Minister of Finance and Economic Development and give him all the information so that he can act.

**Mr Duval:** Yes and not a general accusation like that.

### **LOCAL GOVERNMENT ACT 2011 - AMENDMENT**

**(No. B/493) Mr E. Guimbeau (First Member for Curepipe & Midlands)** asked the Minister of Local Government and Outer Islands whether, in regard to the Local Government Act 2011, he will state if consideration will be given for amendments to be brought to section 18(5) thereof to provide that the vacant seat shall be filled by the first available person of the same sex on the Municipal City Councillor's, Municipal Town Councillor's or Village Councillor's groups reserve list, in the order of precedence in which his/her name appears on the list and, if so, when, and if not, why not.

**Mr Aimée:** Mr Speaker, Sir, the Local Government Act 2011 makes provision for a group to submit to the Electoral Supervisory Commission a list of reserve candidates for the purpose of filling any vacancy which may occur after an election and before the next general election. The list shall indicate the order of precedence of each of the candidates appearing on the list, provided that not more than two consecutive candidates on the list shall be of the same sex.

Section 42 of the Act provides for any vacant seat to be filled by the first available person on the group's reserve list in the order of precedence in which his name appears.

I do not intend to bring amendments to the Act for the filling of vacancies by the first available person of the same sex on the group's reserve list because -

- (i) The Act requires the group to indicate the order of precedence of each candidate appearing on the list. This is the prerogative of the group. Such list consisting of more than two persons up to a maximum of six persons shall not have more than two consecutive persons of the same sex.

- (ii) The decision to elect any candidate during an election rests with the electorate. The Local Government Act and the amendment brought to the Constitution do not guarantee the election of a person of a particular sex, but gives a fair opportunity to groups to present persons of both sexes as candidates in a local government election. Amending the Act to provide for filling of vacancies by the same gender may lead to discrimination under the Constitution and the Equal Opportunities Act.
- (iii) The next Local Government Elections will be the first opportunity given to our electorate to choose to vote for a male or a female candidate. If the electorate chooses to vote only for candidates of a particular sex, amending the Act to provide for the filling of a vacancy by the first available person of the same sex on the reserve list may result to a situation where only one sex is represented in our Councils.

At the time of drafting the Act, I did consider the proposal for filling vacancies by persons of the same sex, but because of reasons mentioned, provision to that effect was not made in the Act. However, the act ensures a fair repartition in the order of precedence of names on the list so that one gender does not find itself at the complete end of the list.

**Mr Guimbeau:** Yes, Mr Speaker, Sir, but one of the aims of amending the Local Government Act is to try and provide a better representativeness of women. So, what I am proposing, here, Mr Speaker, Sir, is that a vacancy shall be filled by the first available person of the same sex. If the vacancy is for a woman, you replace by a woman and if the vacancy is for a man, you replace by a man.

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

**Mr Aimée:** Mr Speaker, Sir, I explained in my reply that this can bring to discrimination which is not covered under the Constitution.

**Mr Guimbeau:** Positive discrimination for women, Mr Speaker, Sir.

**Mr Speaker:** The hon. Minister has answered. The hon. Member can come with his point at some other time or at Adjournment Time. Next question! Hon. Soodhun!

*(PQs B/494 and B/495 – See Written Answers to Questions)*

**MINISTRY OF BUSINESS, ENTERPRISE & COOPERATIVES - REGISTRAR -  
POST**



(No. B/496) **Mr S. Soodhun (Second Member for La Caverne & Phoenix)** asked the Minister of Business, Enterprise and Cooperatives whether, in regard to the vacancy for the post of Registrar at his Ministry, he will state where matters stand as to the filling thereof.

**Mr Seetaram:** The present Scheme of Service for the post of Registrar of Co-operative Societies provides for appointment for the post to be made through open competition for officers of the Cooperative Cadre as well as from other qualified candidates.

However, following strong representations made by the Unions of the Cooperative Cadre for appointment to the post to be restricted to officers of the Cooperative cadre only, my Ministry has decided to amend the Scheme of Service and has liaised with the Ministry of Civil Service and Administrative Reforms accordingly.

The Ministry of Civil Service and Administrative Reforms has subsequently informed my Ministry that, according to advice received from the Pay Research Bureau, the amendments proposed to the Scheme of Service for the grade of Registrar of Co-operative Societies constitute fundamental changes thereto and can only be considered in the context of the forthcoming review of the Pay and Grading Structures and Conditions of Service in the public sector.

It has, consequently, been impossible for my Ministry to proceed with the filling of the vacancy for the post of Registrar of Co-operative Societies, before the publication of the next PRB Report.

However, pending the prescription of the new Scheme of Service, my Ministry has made arrangements for the duties of Registrar of Co-operative Societies to be assigned by eligible officers of the Cooperative Cadre, in accordance with the prescribed procedures and with the approval of the Public Service Commission.

**Mr Soodhun:** Mr Speaker, Sir, can the hon. Minister inform the House whether there is actually an inquiry going on the Ag. Registrar of Cooperative Societies?

**Mr Seetaram:** I heard of it, but I cannot confirm.

**Mr Speaker:** He heard of it, but cannot confirm. Next question, hon. Gungah!

#### **MOULIN ROUGE RESTAURANT, GRAND' BAIE - LICENCE**

(No. B/497) **Mr A. Gungah (First Member for Grand' Baie and Poudre D'or)** asked the Minister of Tourism and Leisure whether, in regard to the Moulin Rouge restaurant at Grand Baie, he will, for the benefit of the House, obtain from the Tourism Authority,

information as to if representations have been received regarding the proximity thereof to a mosque and to a church and, if so, indicate if –

- (a) it possesses all the permits, and
- (b) an inquiry has been carried out thereinto, indicating the outcome thereof.

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

Mr Speaker, Sir, with your permission, I shall reply to this question.

I am informed by the Tourism Authority that, according to its records, no company in the name of Moulin Rouge has been issued with a licence to operate a restaurant.

On 23 May 2012, a complaint was received at the Tourism Authority against ‘Restaurant Moulin Rouge’ regarding the proximity thereof to a mosque and a church.

Subsequently, on 25 May 2012, an inspection was carried out by officers of the Tourism Authority accompanied by the *Police du Tourisme* and it was observed that ‘Restaurant Moulin Rouge’ was trading under the license of BCP Before Ltd, having trade name as ‘B4 Lounge Bar/Restaurant’.

During the inquiry, it has come to light that the company BCP Before Ltd has ceased operations. The Tourism Authority was never informed of the change in ownership as per the established procedure.

In accordance with the established procedure, the Tourism Authority has suspended the licence of BCP Before Ltd.

**Mr Gungah:** May the hon. Minister inform the House whether he is aware that at night the restaurant operates at a night club after midnight?

**Mr Virahsawmy:** No, I am not aware of it.

**Mr Gungah:** Mr Speaker, Sir, can the hon. Minister confirm to the House whether the restaurant has a kitchen and parking space?

*(Interruptions)*

**Mr Virahsawmy:** I just said that the ‘Restaurant Moulin Rouge’ is not licensed to operate there.

**Mr Gungah:** Mr Speaker, Sir, we all know that Ramadan is approaching very fast and many *fidèles* will spend the nights at the mosque. May the hon. Minister see to it that ‘Moulin Rouge’ is relocated elsewhere, because it is going to create a lot of problems?

**Mr Virahsawmy:** The licence has been suspended. The licence will be revoked; so, they won't be able to operate.

**Mr Soodhun:** I think this is a very serious case, Mr Speaker, Sir. The fact that the restaurant is operating illegally and is causing a lot of nuisance because there is a mosque and a church. May I ask the hon. Minister if he can see to it that it stops its activities because it is operating illegally?

**Mr Virahsawmy:** This is what I have said, Mr Speaker, Sir, the licence has been suspended. There is an inquiry going on with a view to revoke the license completely.

#### **CAP MALHEUREUX – MARSHY LANDS**

**(No. B/498) Mr A. K. Gungah (First Member for Grand' Baie & Poudre D'or)** asked the Minister of Housing and Lands whether, in regard to the construction of a commercial complex on the marshy lands opposite the Cap Malheureux cemetery, he will state if the Government Land Surveyor effected any visit thereat and, if so, indicate -

- (a) when, and
- (b) the outcome thereof.

**Dr. Kasenally:** Mr Speaker, Sir, at the very outset, I wish to inform the House that the site leased for the setting up of a commercial complex at Cap Malheureux is not on marshy lands. Prior to granting the said industrial lease over the plot of State land of an extent of 0A40P, my Ministry ensured that the site was found outside the wetland located in the vicinity and also outside a 30m Buffer Zone.

Following representations and on my instructions, site visits were carried out by officers of my Ministry on 08 June 2012 and 21 June 2012 respectively in the presence of representatives of other Ministries and Departments concerned.

In regard to part (b) of the question, it was observed during both visits that the promoter had constructed a concrete wall on the boundary line of the site leased. The distance between the said wall and the edge of the wetland was measured and found to be 48 metres. This measurement confirms that the land leased to Kirav Co Ltd is located well outside the wetland and its 30m Buffer Zone.

**Mr Gungah:** Mr Speaker, Sir, may I ask the hon. Minister whether he is aware that a private Land Surveyor has carried a survey and in his report, he states and I quote -

“The said construction is situated on a direct source connecting the Mare de la Cocoterie with the sea and in a nearby future such obstruction can accrue the existing erosion while destroying the historical cemetery of Cap Malheureux”

I can lay a copy in the Library of the National Library. But, in view of this, and also to avoid confusion, because of the very sensitive nature of the issue, will the hon. Minister consider getting the said plot of land duly surveyed by a sworn Land Surveyor of his Ministry under the presence of the private Surveyor.

**Dr. Kasenally:** Mr Speaker, Sir, this land has been re-surveyed by a very competent Surveyor of my Ministry duly registered and approved by his Excellency the President of the Republic. He was also accompanied by officers of the National Ramsar Committee and also from the Ministry of Environment. Therefore, under these circumstances, I do not propose to take into consideration the report of the so-called Surveyor who has served previously in my Ministry and, I understand, had to leave early under circumstances which I cannot reveal at this stage.

**Mr Gungah:** Mr Speaker, Sir, is the hon. Minister aware that this site has been earmarked as the main wetlands for all the northern region area since 1880 according to map Descubes?

**Dr. Kasenally:** Mr Speaker, Sir, this land has been reviewed by the National Ramsar Committee, by experts, and I think the report which this Surveyor has put forward - for which he is not qualified, because we have got planners in our Ministry and experts from the National Ramsar Committee from the Ministry of Environment. Therefore, I shall not pursue the matter further.

**Mr Gungah:** Mr Speaker, Sir, I know the region very well and I know the inhabitants who stay there for years and years. During heavy rainfall and cyclone, the high water mark reaches up to the main road and more obstacles will undoubtedly increase the level of flooding and threaten the multicultural cemetery. That is why I press upon the hon. Minister to see to it if a survey can be carried out together with the Government Surveyor and the private Surveyor.

**Dr. Kasenally:** Mr Speaker, Sir, I have already replied and I don't intend to come back on it. I also know that place very well indeed as well as the hon. Member who is a duly elected representative of the people of that constituency.

**Mr Speaker:** Time is over!

**MOTION****SUSPENSION OF S.O. 10(2)**

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

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

*Question put and agreed to.*

(4.20 p.m.)

**STATEMENT BY MINISTER****MINISTER OF FOREIGN AFFAIRS, REGIONAL INTEGRATION & INTERNATIONAL TRADE – VISIT TO INDIA**

**The Minister of Foreign Affairs, Regional Integration and International Trade (Dr. A. Boolell):** Mr Speaker, Sir, I wish to inform the House that I visited India from 04-07 July 2012 with a view to following up on the State visit of the hon. Prime Minister, Dr. Navinchandra Ramgoolam to India in February of this year.

This visit was also an opportunity for me to meet with a number of Indian dignitaries in advance of the meeting of the India-Mauritius Joint Working Group to be held in Mauritius from 22-24 August 2012. I also addressed the International Fiscal Association Conference in Mumbai on 07 July.

During the first part of my visit in New-Delhi, I met with the Prime Minister and Minister of Finance of India, H.E. Dr. Manmohan Singh as well as with the Minister of External Affairs, H.E. Shri S.M.Krishna and H.E. Shri Anand Sharma, Minister of Commerce, Industry and Textiles. I equally called on the Leader of the Opposition in the Lok Sabha, H.E. Mrs Sushma Swaraj.

At the outset, all the dignitaries I met, re-affirmed the special relations which Mauritius and India share. They also expressed interest in how Mauritius was faring in the context of the global crisis and on ways and means to further consolidate the ties between our two countries.

During my discussions with the Indian Prime Minister, he re-affirmed that nothing would be done to hurt the economic interest of Mauritius. We both took note of the reconvening of the India-Mauritius Joint Working Group in August and felt that it would be best if the JWG could come to a mutually satisfactory and early resolution of the DTAC issues

taking on board the concern of both sides. I briefed the Prime Minister on all measures adopted by Mauritius to make of it a stringent jurisdiction.

We also exchanged views on the Ocean Economy, the use of Mauritius as a platform for outward investment into Africa, the use of the Line of Credit of US\$250 million and a grant of US\$20 million given to Mauritius by India, the need to reinforce the mandate of the India-Mauritius Joint Commission and an early conclusion of the Preferential Trade Area (PTA) and the Comprehensive Economic Partnership Agreement (CECPA) with India. The issue of cooperation to combat piracy and the re-dynamisation of the IOR-ARC was also raised. In this context, I expressed the appreciation for the special contribution of US\$1 million made by India to the IOR-ARC. We also exchanged views on the effects of the global economic crisis and on the international political situation.

The Minister of External Affairs, H.E. Shri S.M. Krishna and I discussed the need to expand and further strengthen India-Mauritius relations. We agreed that the India-Mauritius Joint Working Group meeting to be held in Mauritius next month should be followed by an early meeting of the Joint Commission. Minister Krishna was very reassuring in respect of India's continued support for the surveillance of our Exclusive Economic Zone, the conduct of hydrographic surveys and energy security concerns.

The Minister of Commerce, Industry and Textiles, H.E. Shri Anand Sharma, with whom I had an interesting interaction, has expressed his intention of visiting Mauritius with a business delegation in September next to explore opportunities for doing business in Mauritius and through Mauritius in Continental Africa. As was the case with Minister Krishna, we also spoke of the need to fast-track the conclusion of the PTA and CECPA with India.

I also met with H.E Ms Sushma Swaraj, Leader of the Opposition in the Lok Sabha and exchanged views with her on a host of issues including Piracy, the potential arising from the extension of the Mauritius continental shelf, and the stringent requirements surrounding the Mauritius jurisdiction. She showed much interest on the action being taken at our end on piracy issues and on our decision to position Mauritius as an Ocean economy. Ms Swaraj indicated that the information shared with her was indeed useful and enabled her to better understand the concerns and action being taken by Mauritius.

I equally seized the opportunity of my presence in New-Delhi to discuss with the Chairman of the Prime Minister's Economic Advisory Council of India, Dr. Rangrajan and the

Deputy Chairman of the Planning Commission, Dr. Montek Singh Ahluwalia, on the draft GAAR guidelines and the proposals submitted by the hon. Prime Minister of Mauritius to his Indian counterpart earlier this year.

Mr Speaker, Sir, my visit in India was widely reported in the Indian press, in particular, following on the press conference I held on Friday 06 July in New Delhi and which was widely attended.

I was able to inform the press of measures taken by Mauritius to reinforce the Mauritius jurisdiction; the investment opportunities in Mauritius; the use of Mauritius as a platform to invest in Africa and the potential of the Ocean Economy. All the above as well as the interaction with the various Indian dignitaries were widely covered by the press. However, one journalist of the Times made an unwarranted reference to Agalega. This allegation was immediately rejected through the issue of an official Communiqué by our New Delhi High Commission which re-established the facts as they stand. Other press articles also made reference to the contents of the Communiqué. The Wall Street Journal, for example, made it clear that Mauritius offers “*terms and not islands for the tax treaty*”. Other media also picked up on our Communiqué issued from the Mauritius High Commission in New Delhi.

This incident, of course, should not however overshadow the real benefits that have come out of this visit and to which I have referred already as well as the political will generated through discussions with Indian dignitaries on issues of common interest. The generally positive report on the Mauritius jurisdiction which appeared in the Indian press must also be noted. Let me add, Mr Speaker, Sir, that I used the opportunity of my presence in India to exchange views with tax professionals and lawyers on the draft GAAR guidelines which have now been issued.

In Mumbai, my address at the International Fiscal Association Conference was well received. In my statement, I focused on the quality of the Mauritius jurisdiction, our constant efforts to strengthen our legislation; our ongoing outreach with a view to broadening the Mauritius DTAA and IPPA network. The business community was also reassured about the ongoing discussions at the level of the India-Mauritius Joint Working Group on the DTAC.

There were very many positive responses following my address at the IFA conference and indeed this was reflected in the ensuing discussions on the future of the Mauritius jurisdiction including both as a platform to Africa and to Asia.

Our competent authorities will be following up on expressions of interest by investors and the business community at large in the Mauritius jurisdiction.

Thank you, Mr Speaker, Sir.

**PUBLIC BILLS**

*First Reading*

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

- (a) The Certificate of Character Bill (No. XVII of 2012)
- (b) The Road Traffic (Amendment) Bill (No. XVIII of 2012).

*At 4.31 p.m. the sitting was suspended.*



*On resuming at 5.07 p.m. with Mr Speaker in the Chair.*

**MOTION**

**GOVERNMENT PROGRAMME 2012-2015**

*Order read for resuming adjourned debate on the following motion of the hon. Third Member for Port Louis North and Montagne Longue (Mrs B. Juggoo) -*

*“This Assembly resolves that the Government Programme 2012-2015 presented to this Assembly on Monday 16 April 2012, copy of which has been circularised amongst Honourable Members, be and is hereby approved.”*

*Question again proposed.*

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

Mr Speaker, Sir, I would like to congratulate the Ag. President of the Republic for the delivery of her first Presidential Address with such conviction and assurance.

My congratulations also go to the Deputy Speaker for his election as well as the PPS, hon. Mrs Kalyanee Juggoo, for the Motion of Thanks on the Government Programme.

I cannot forget to thank the Prime Minister for his guidance in the preparation of this programme, and his experience and wisdom have been crucial for the proper finalisation of this important document.

It is very disappointing that the Opposition is not present in this House today. While we, on this side of the House, have decided to come forward with a new Presidential Address containing new ideas and projects that aim at making Mauritius leap forward, Members of the Opposition have decided to act in an irresponsible way. It is very unfortunate that those people, who claim outside that Mauritius is going through hard times and that we will have to face new challenges in view of the difficult situation prevailing on the international scene, have decided not to listen to Government proposals. They have decided not to contribute in the debate because they have nothing to offer in terms of concrete proposals. Anyway, we can't expect any new idea from the Opposition. Their proposal is limited to mere criticism and rumour mongering. They are playing cheap politics. This is not the first time that the Opposition acts in such an irresponsible manner. We know how they used in the past to make walkouts for futile reasons. The Leader of the Opposition has often used this august Assembly as an arena, where he had a score to settle with his political opponents. The Hansard bears testimony of how he used this House in the Sheik Hossen affair accusing the then Prime Minister and Leader of the

House, Sir Seewoosagur Ramgoolam, of arson following the fire which broke out at Le Mauricien building. We know, Mr Speaker, how he has been suspended from the House by your predecessors on several occasions. We must not forget that the Leader of the Opposition has said in the past that he does not believe in parliamentary democracy, adding that he considers the electoral process as a farce...

**Mr Speaker:** The hon. Minister is going too far down memory lane. That happened in 1971. It is no longer relevant now.

**Mr Virahsawmy:** Mr Speaker, Sir, this is a pattern.

**Mr Speaker:** No, no.

**Mr Virahsawmy:** Mr Speaker, Sir, a few weeks ago, he has tried to challenge your ruling on several occasions. He has gone to the extent of raising the matter in the press, when we know pretty well there are provisions in the Standing Orders of the House for any Member who feels aggrieved by the ruling of the Speaker to seek redress by way of a motion of no confidence.

Mr Speaker, as we say in French *chassez le naturel, il revient au galop*. That is why the Opposition is absent from the House again today. Such an irresponsible attitude will not prevent us, on this side of the House, to do what we have been elected for, that is, to work for the interests of the people and the country. The Opposition tends to forget that we have a clear mandate to govern this country, and there is no questioning about this. The population has given us its full support to lead this country on the road to progress.

However, it is sad to note the load of lies that is being spread by the Opposition, how the hypocrites are in action; somebody who has been the President of the Republic for eight years when everything was going well, and just suddenly everything goes bad. Load of lies starting with the Mauritius Telecom. Negotiations between France Telecom and Mauritius Telecom started in 1999, and the then Prime Minister, Dr. Navin Ramgoolam, started to negotiate the best terms for Mauritius Telecom. He had insisted for very advantageous conditions for Mauritius Telecom, and this negotiation had to be stopped due to the general elections of 2000. It is said that during the campaign, the Managing Director of France Telecom was requested by a high profile Opposition Member to prepare himself for signature of the contract soon after elections. In fact, the new Government elected in 2000 put this project on their priority list, and finalised the negotiations in one month, with very generous

terms to France Telecom. Today, the previous President is saying that all negotiations were finalised when he came in Government in 2000. These are blatant lies, as all negotiations stopped before elections. In fact, everybody knows how the Government MSM/MMM was a family affair, where their interests have been The SunTrust, the hotel Sands and Taj Exotica, and all other acquisitions. Those who have followed know with what speed the existing projects have been taken back from promoters to be given to close relatives. The famous Medpoint saga is another example of how some people have engaged in politics to protect the family interests. Inhabitants of Flic en Flac know today how hotel Sands has been constructed on the land which had been earmarked for a road leading to Tamarin. The Opposition would still be in Government had the Medpoint affair be finalised to their satisfaction.

Many orators before me have spoken on this and yet other examples are the Ebène Heights and Altima issue. The population has today recognised the Dinosaurs and they have deserted to engage in lies. We shall soon know more about the Koalall issue when lands in Pailles have been prescribed. What a shame! The Prime Minister has taken them by surprise by adjourning the National Assembly, to come with a new and modern programme which lays the path to economic development and progress.

La population, M. le président, est confiante aujourd'hui que c'est le Premier ministre, le Dr. Navin Ramgoolam, qui parle le langage de la vérité, lui qui est un rassembleur et qui travaille pour l'intérêt de toute la population, lui qui veut éliminer la pauvreté et permettre à toute la population de bénéficier du développement national.

There has been a Prime Minister before him for many years; the Leader of the Opposition has been Minister of Finance, Deputy Prime Minister and Prime Minister for two years. It is this Prime Minister, Dr. Navin Ramgoolam, who has negotiated and succeeded in a historical agreement with the Republic of Seychelles to jointly manage the Exclusive Economic Zone which has increased by 396,000 sq km to reach over 2.3 million sq km. The future is there, Mr Speaker, Sir, in the blue economy where there are huge prospects for development of fishing, aquaculture, renewal energy, seaweed and algae, oyster farming and pearl breeding and also the polymetallic nodules.

This has been possible due to the wisdom of the Prime Minister and yet we do not see the acknowledgement from certain quarters. Instead, we hear lies and hypocritical comments. Fortunately, this population is wise and will not be dupe to believe the stupidities of the

Opposition. It is totally unacceptable today that the previous President criticises Sir Seewoosagur Ramgoolam when the same SSR enabled him to stay in power in 1983. The population remembers him to have let down all those who have helped him in the past, including Sir Seewoosagur Ramgoolam, Sir Satcam Boolell and Sir Veerasamy Ringadoo. Again, with the support of the Labour Party, the MSM came to power in 1987 and the first thing he did was to throw Sir Satcam Boolell out. Now it's over for them and they have to stay in Opposition for a long time.

Do people in this country still believe in somebody who does not have the respect for other religions, somebody who calls one community '*Démon*', who stated that the Koran '*ena insanitié*' and who has humiliated religious citizens coming from Hajj. Responsible citizens no longer have confidence in him, except the Leader of the Opposition who is looking for political power. When they do not have arguments, they go into the private life of the Prime Minister. What a pity as the Prime Minister has the right to have a private life! Do we speak on the private life of the previous President or the Leader of the Opposition? Also, there is a lot to say. We know today that the remake 2000 is a flop and that the population does not believe in this joke. That's why they have to go into lies, private life and mudslinging.

We are here for the next three years, Mr Speaker, Sir. Unfortunately for them, it will be three long years in waiting. The Labour Party, under the guided leadership of the Prime Minister, is firmly determined, with the help of our friends from the PMSD, to push this country ahead in all fields, particularly in the field of socio-economic development.

Let me here refer the House to what Joseph Stiglitz, the Noble Prize Winner in Economics, said in an article –

“What the United States can learn from the tiny island nation of Mauritius”.

Suppose someone were to describe to you a small country that provided free education up to university level for all its citizens, transportation for school children, non-contributory old age pension, free health care - including heart surgery for all. You might suspect that such a country is either phonemically rich or on the fast track to fiscal crisis.

After all, rich countries in Europe have increasingly found that they cannot pay for university education and are asking young people and their families to bear the costs. For its part, the United States has never attempted to give free college for all, and it took a bitter battle

just to ensure that America's poor get access to health care guarantee, but the Republican Party is now working hard to repeal, claiming that the country cannot afford it.

But Mauritius, a tropical island of 1.3 million people off the east coast of Africa, is neither particularly rich nor on its way to budgetary ruin. Nonetheless, it has spent the last decades successfully building a diverse economy, a democratic political system and a strong social safety net. Many countries, not least the United States, could learn from its experience.

Nobody can deny the fact that this Government, through the Presidential Address, has charted out the way to progress for this country. *Avec ce nouveau discours-programme et les mesures innovatrices qu'il contient, nous apportons la preuve que ce gouvernement est fermement en selle, M. le président.*

What do we see, on the other side of the House, Mr Speaker, Sir? While we are *bien en selle* and, as I have just said, we are witnessing a Muppet Show in the Opposition with the *soi-disant* remake. What remake! The old man wants to be back in power. This is what the remake is all about. Who would have imagined the MMM clinging to a retired politician to come back to power! It is sad to see in what state of affairs is the Opposition today. I won't say they are in a state of decay, but they can only survive, due to the weekly press conference where week after week they criticise the Government. They don't come up with any concrete proposals, it is just a mudslinging campaign. We are not going to be disturbed by the trite arguments of the Opposition. As I said earlier on, we will continue to do what we have been elected for and work for the interests of the people and the country. But this is why we are proposing in the Presidential Address, measures which are in line with the social policies of the Labour Party, measures to help the poor and the needy, those who are at the lowest rung of the social ladder.

This Government has already initiated a series of actions and as far as my Ministry is concerned, I will say that the hon. Prime Minister has been well inspired in coining the *Maurice Ile Durable* concept. A concept which is now taking shape as we are on the eve of having our *MID* policy and strategy and our *MID* Action Plan, two documents which will create the necessary conditions for future development in a sustainable manner.

Before elaborating on the *Maurice Ile Durable* project, I would like, at the outset, to convey my appreciation for the challenging and innovative measures proposed in the 2012-2015 Government Programme. The measures contained therein will no doubt help Mauritius

leapfrog from a middle to a higher level income country. In the process, it will create more confidence in the population and, in turn, attract more foreign direct investment.

I would also like to add that the *MID* policy, strategy and action plan are being prepared at an opportune time as it coincides with the United Nations Conference on Sustainable Development, also known as the Rio+20 Conference, which was held a couple of weeks ago in Rio de Janeiro, Brazil.

As head of the Mauritian delegation, I have apprised the Conference of the *MID* concept as a nationally developed societal plan for the sustainable development of our country. We have managed to show the strong and high level political commitment of this Government to promote green economy and to give due importance to the ocean. We look forward for strong support from the international community in this endeavour. Since Mauritius is coming up shortly with green economy policies in the context of the *MID* project, we stand to benefit from assistance from funding agencies and from friendly countries.

The Rio+20 Conference is of paramount importance for the future of the world. The Heads of States and Government, as well as the high level delegates who participated in this summit, have renewed their commitment to sustainable development. The Outcome Document entitled “The Future We Want” ensures the promotion of an economically, socially and environmentally sustainable future for our planet and for future generations. This document includes, amongst others –

- (i) the elaboration of Sustainable Development Goals which will follow from the Millenium Development Goals as from 2015;
- (ii) The setting up of a process in view of the establishment of the appropriate international mechanisms for the transfer of technology, resource mobilisation and capacity building to developing countries.
- (iii) The challenges of Small Island Developing States face in greening their economies, more particularly the difficulties that SIDS face in securing concessional finance for developmental projects when GDP is used as the sole criteria for the allocation of such financial assistance.

In this context, the conference has agreed to convene the Third International Conference on SIDS in 2014 to address these challenges.

Mr Speaker, Sir, the 2012-2015 Presidential Address also provides for measures to enhance green living by further protecting our biodiversity through a new land use policy, the creation of new eco-parks and a re-afforestation programme. As far as the energy sector is concerned, the Presidential Address makes provision for several projects aiming at promoting the production of renewable energy thereby reducing our dependency on fossil fuel. Apart from the economic aspects of these projects, this programme will contribute in mitigating the adverse effects of climate change. All these actions will be undertaken in a coordinated, cohesive and comprehensive manner. Government is also envisaging to come forward with a Sustainability Index to reflect the performance of the most sustainable companies trading on the Stock Exchange of Mauritius. Eco-classification of hotels based on criteria such as energy efficiency, environmental protection and best practices in hotel management will also be undertaken. Indeed, these are very bold measures which are being taken by this farsighted and forward looking Government.

As everyone is aware, the world is going through a difficult phase. On the one hand, there is a financial and economic crisis which has hit the USA and Europe. Mauritius is, therefore, in a very vulnerable situation because of our close economic ties with Europe. On the other hand, there is the issue of climate change and its consequential problems including food crisis, change in weather and rainfall patterns, solid waste generated through domestic and economic activities and pollution of air and water.

However, we have been able to attenuate the effects of the external shocks without being affected to a great extent. This is due mainly to our sound policies and strategies which have led to a more resilient economy and the adoption of innovative measures coupled with social justice through the preservation of the Welfare State. Furthermore, the reform programme, which started in 2005 and which still continues, has contributed enormously towards our progress.

As a caring Government, we are fully conscious that we must tackle these problems if we are to sustain our growth. In this context, a series of measures have been taken, and I would like to mention just a few.

I will start with the measures announced in the 2010-2015 Programme which included the following –

- Implementation of the “*Maurice Ile Durable*” Project.

- Development of a legal and institutional framework to protect environmentally sensitive areas.
- Undertake Awareness and Educational Programme for a more responsive behaviour and attitude towards nature.
- Vulnerability assessment of climate change.
- Review of the Environment Protection Act.

I would like to point that much progress has been achieved in the execution of the above measures.

The *Maurice Ile Durable* Project - as a farsighted Government, we are fully committed to ensure that development is being pursued in a sustainable manner so as to benefit to future generations without putting at stake our environment. Following the presentation of a Green Paper in April, 2011, a new roadmap of the MID Process and a national MID vision were developed and adopted. A national consultation exercise was undertaken with various sectors of society through the organisation of 24 consultative workshops involving the mobilisation of some 300 participants from Ministries, Parastatal Bodies, the private sector, trade unions, NGOs and the civil society to identify the needs and aspirations of all Mauritians.

Today, I am proud to say that the *Maurice Ile Durable* Project is well on track. In the first instance, a policy paper, a 10-Year strategy and a first 3-year Action Plan will be developed based on five Es, namely Energy, Environment, Education, Employment and Equity.

A first draft policy and strategy report has already been submitted to my Ministry by the consultants Mott Mac Donald and I am confident that we will be able to meet the deadline for the submission accompanying the 3-Year Action Plan. We are planning to start the implementation of the Action Plan as from next year. Provisions will be made accordingly in the forthcoming budget. Concerning environmentally sensitive areas, Mauritius, being a Small Island Developing State, has a very small land area and, as such, needs to protect its environmentally sensitive areas. In this context, a study was conducted with the main objectives of identifying and demarcating these areas. The implementation of the recommendations of the study is underway and will be integrated in the Outline Planning Scheme which is an important component of our land use policy. This will allow the



preservation and sustainable use of our sensitive areas which include mountains, caves, beaches, lagoons, coral reefs, wetlands, mangroves, rivers, forests, amongst others.

Concerning the sensitisation and awareness campaigns, Mr Speaker, Sir, whatever be the project or the amount of money invested to improve our environment, no success can be achieved in this field without the cooperation of the people. We need to bring a change in behaviour, in lifestyle and, more importantly, in mindset if we want our country to be really a sustainable island. That is why my Ministry has undertaken awareness campaigns and has initiated sensitisation programmes for a more responsible behaviour and attitude towards nature. We have started at grassroot level by sensitising school children, youth clubs and women organisations.

For example, we have started, in June 2010, the School Endemic Garden Project and a Waste Segregation Project. The Endemic Garden Project which will run over a 5-year period aims at enhancing the knowledge of our younger generation on the importance of biodiversity and to initiate the child in planting activities and to promote a caring attitude towards plants and nature as a whole. Similarly, by promoting waste segregation, recycling and composting on school Premises, we want our children to become eco-citizens and to develop environmental ethics.

We have also distributed to women organisations long lasting bags to replace plastic bags as well as medicinal and decorative plants with a view to attaining the target of one family one plant. Other mass sensitisation measures include the publication and the distribution of brochures, pamphlets, stickers and posters on vehicular emissions, air and noise pollution as well as rain water harvesting and other subjects pertaining to our environment.

Concerning climate change, Government is also very much concerned with the climate change phenomenon and its impacts on our country and its population. Government is poised to build resilience in all key sectors of our economy through the development of climate change adaptation and mitigation frameworks. In line with Government's advocacy for international support in terms of adaptation, technology transfer, capacity building and finance, the Ministry of Environment and Sustainable Development has set up a Climate Change Division in 2010 and mobilised grant funding to the tune of Rs300 m. for Climate Change Adaptation Programme and Rs3.6 m. for undertaking Technology Needs Assessments and promoting sound adaptation technologies. Government has also made of climate change

adaptation one of the national priority research areas and applied research is being carried out through the Mauritius Research Council.

One of the most severe impacts of climate change is the rise in sea level resulting in coastal erosion. This is a direct threat to our coastal infrastructure and to our tourism industry as a whole. As a remedial measure, out of the 23 degraded sites identified, improvement on four priority coastal sites has already been undertaken. Nine additional sites will be rehabilitated to the tune of Rs300 m. within the next three years.

On the sensitisation site, some 40 schools have actively participated in a climate change awareness week and some 350 local participants have benefited from capacity building and training sessions in Mauritius and Rodrigues on climate-resilient policies and on Greenhouse gas inventories.

### **Review of the Environment Protection Act**

As far as the review of the Environment Protection Act is concerned, action is being taken to ensure compliance with the provision of the Act. In this context, the *Police de l'Environnement* has been strengthened for the effective enforcement of environmental laws. A series of standards on air, effluents, hazardous wastes and drinking water are being reviewed and consolidated. The Environment Protection Act is being revamped in order to strengthen the existing enforcement and compliance mechanism and to create a more conducive environment for the realisation of the *Maurice Ile Durable* vision

With the new dynamism in the environment sector, it is imperative to have a more enhanced legal framework which will provide the required tools to improve environmental management and to accelerate the sustainable development process.

### **Chemical management**

As a caring nation we have to fulfill our obligations under the various treaties to which Mauritius is a party. Under the Stockholm Convention, my Ministry is putting special focus on sustainable management and disposal of Persistent Organic Pollutants known as POPs and which are no longer in use. POPs are highly toxic to human beings and to the environment and they resist to biodegradation. They are known to cause serious health problems such as cardiovascular disease, disruption of the endocrine, reproductive and immune systems and cancer.

Moreover, there is a Hydrochlorofluoro Carbons Phase-out Management Plan which is yet another step taken by my Ministry to improve the quality of our environment. The

implementation of this plan is well under way. It aims at phasing out these ozone depleting substances by year 2030. I am proud to say that Mauritius will fulfill its obligation 10 years ahead of the scheduled date by the Montreal Protocol on substances that deplete the ozone layer.

### **Low-sulfur diesel**

Another landmark measure is the introduction of 50 ppm (parts per million) sulphur content diesel for the automotive sector. This contributes in improving the ambient air quality through the reduction of fine particulate matter, that is, black smoke emissions from diesel driven vehicles and increase the lifespan of current diesel engines. It will also pave the way for the introduction in Mauritius of a new generation of diesel vehicles which are more energy efficient and emitting less pollution and CO2 emissions.

I am proud to say that Mauritius is the first country in the African sub-Saharan region to introduce the 50 ppm sulphur content diesel for the automotive sector. We are committed to make other bold steps to further lower carbon dioxide emission from vehicles, improve the fuel economy and promote energy efficient vehicles through sensitisation programmes, enabling policies, strategies and regulations. I must point out that the transport sector in Mauritius contributes to about 25% of the total greenhouse emission which is on the rise as the number of vehicles increases each year.

### **Zero plastic**

My Ministry is also working on a Zero Plastic Strategy. We are fully conscious of the hazards that plastic bags represent to our environment. With a view to discouraging the use of these bags and their replacement by more ecological alternatives, my Ministry has started last year a national campaign to develop a zero plastic attitude among the population. The campaign is showing positive results and my Ministry intends to pursue on the line by encouraging the use of long lasting bags. I am pleased to note that the private sector is following suit.

Before concluding, allow me, Mr Speaker, Sir, to mention a few more initiatives taken by my Ministry in line with the *Maurice Ile Durable* vision -

- (i) the Rainwater Harvesting Project at community level launched at the Floreal Women Centre in October last aims at empowering women and providing them with the facility to save rainwater and use it for general cleaning purposes and

watering of plants in the garden. This project is being extended to other women centres until next year;

- (ii) the collection of used mobiles and batteries in local authorities and government offices, which is undertaken in collaboration with Mauritius Telecom, aims at encouraging the public sector officials to dispose of used mobiles and batteries in an eco-friendly manner. This project is ongoing and in February this year 6,468 kgs of used that phrase and 2400 used mobiles have been shipped to France for recycling;
- (iii) Sustainable Consumption and Production (SCP) is a cornerstone for achieving progress towards sustainable development. Since the inception of this project in 2008, my Ministry has achieved considerable progress in the promotion of SCP through training and capacity building for various groups of stakeholders. My ministry is also finalising a framework for promoting sustainable buildings and constructions in Mauritius. The implementation of this framework will pave the way towards achieving a vision of Green Buildings in Mauritius by year 2025. My Ministry is also working towards the integration of SCP considerations in all policies, strategies and development plans in key sectors of the economy;
- (iv) in line with the Maurice Ile Durable initiative, Government is setting up ten eco-villages which will demonstrate new ways of life. This is a multidimensional programme to revitalize our villages, sustain the livelihood of the coastal communities and protect the ecological integrity of environmentally sensitive areas. It is a project that will bring together all social partners and stakeholders to improve the quality of life in villages. We are starting soon with two villages, namely Pointe aux Piments and Panchavati before moving to La Gaulette, Souillac, Clemencia, Poudre d'Or, Vieux Grand Port, Vuillemin and two villages in Rodrigues.

Mr Speaker, Sir, I am convinced that the measures contained in this Presidential Address will arouse interest in the population on environmental issues and will act as a trigger for a change of mindset at all levels of society.

Government is leaving no stone unturned to ensure the sustainable development of Mauritius. In this process, we are taking on board everybody: the private sector, NGOs, the youth and the civil society at large. We are fully committed to ensure that development is being pursued in a sustainable manner so as to benefit future generations without putting at stake our environment.

This Government Programme has set the tone for future actions. I, therefore, appeal to one and all to contribute positively to make of the *Maurice Ile Durable* concept a reality.

I thank you for your attention.

(5.37 p.m.)

**The Minister of Local Government & Outer Islands (Mr H. Aimée):** M. le président, permettez-moi de féliciter dans un premier temps l'honorable Peetumber et l'honorable Madame Deerpalsing pour leur élection successive. Je suis sûr qu'ils sauront mettre leurs acquis et leurs expériences au service de l'Assemblée nationale et seront tous les deux à la hauteur de leurs fonctions.

M. le président, le nouveau programme 2012-2015 marque une nouvelle étape et cette étape s'inscrit dans la volonté du gouvernement de mener à bon port des projets, des ambitions et des objectifs fixés. Nos priorités n'ont pas changé et sont plus que jamais présentes dans ce programme. Ce sont : la croissance de notre économie, le renforcement de notre démocratie par voie de referendum populaire, le bien-être du peuple mauricien, la protection de l'environnement et le développement de la technologie. Les autres mesures qui relèvent des compétences du ministère des collectivités locales et des Iles éparses sont –

- (i) la mise sur pied d'un système de prélèvement d'ordures respectueux du concept Maurice Ile Durable ;
- (ii) la révision du *Fire Act* 1954 afin de donner à nos pompiers les outils légaux adaptés dans le cadre de leurs fonctions;
- (iii) l'importance du plan de développement pour Agaléga.

Mon ministère a pleinement collaboré pour atteindre ces objectifs. Un bon nombre de projets ont été menés avec succès par exemple –

- (i) la transformation du gaz en énergie à Mare Chicose ;
- (ii) l'achat de 50,000 ampoules fluorescentes distribuées aux collectivités locales ;

- (iii) la mise sur pied de comités pour l'élaboration d'une nouvelle formule de *grant-in-aid* et du *Business Process Review* pour les collectivités locales et l'amélioration du système des prélèvements d'ordures en mettant l'accent sur les trois 'R' (Réduire, Recycler, Réutiliser).

Il faut aussi noter que le *Fire and Emergency Services Department* sera étendu et amélioré grâce à la construction de nouvelles casernes des pompiers, l'apport de nouveaux équipements et l'arrivée de nouveaux effectifs dont le recrutement l'année dernière des femmes pompiers pour la première fois. Des efforts conséquents sont également fournis afin de mener à bien d'importants travaux d'infrastructures à Agalega.

Mr Speaker, Sir, with the change in the global economic climate, Mauritius is compelled to review its strategy to sustain economic growth and remain competitive on the world market. Accordingly, reforms of the Local Government sector, are imperative to meet the above challenge. In the World Bank's "Doing Business" indicator 2012, Mauritius has lost two ranks from 21<sup>st</sup> in 2001 to 23<sup>rd</sup> in 2012. Accordingly, the permit issuing process by Local Authority has to be continuously monitored and improved. In the Public Expenditure and Financial Accountability Assessment Report 2001 by the International Monetary Fund, Mauritius has been relegated from grade A to grade B because the grant allocation to local authority does not follow any rule base criteria. As the Programme highlights the need for a modern grant-in-aid formula to ensure a fair and equitable distribution of financial resource among the nine soon to be 12 local authorities.

Mr Speaker, Sir, before coming to the measures envisaged by my Ministry for the period 2012/2015, I would like to remind the House of the major achievement during 2010/2012. Firstly, a new Local Government Act has been enacted in December 2011, with a view to fostering a more pro-participative and inclusive Local Government and improving accountability and transparency in the management of the affairs of the local communities. Programme-Based Budgeting has been implemented in local authorities as from 2010 while the E-Government Project for local authorities has been successfully implemented to enhance delivery of service to the public.

Secondly, during 2010/2012, a number of major local infrastructure projects financed through the local infrastructure fund have been implemented, including construction of three market fairs, construction of a multipurpose complex, construction of La Chaumière transfer

station and construction of gymnasium at Paillote and Curepipe. A composting plant with a capacity of 9,000 tons is annually being operated by a private promoter at La Chaumière since September 2011. An inventory of hazardous waste generated in Mauritius has been completed in February 2012. A new fire station is being constructed at Tamarin, equipped and appliances to the tune of some Rs80 m. has been purchased. A new batch of 38 fire fighters both male and female was recruited in January 2012. The construction of a Tsunami Refuge Centre was completed in 2011 on the north island of Agalega and the acquisition of a fire-fighting vehicle is in progress.

The embellishment and upgrading of our public beaches forming part of the Beach Authority is an on-going project, including the construction of toilet blocks, rehabilitation works and parking facilities on a higher number of public beaches. With the view to implementing CCTV camera system, lighting facilities have been provided at Wolmar, Flic en Flac, Mon Choisy, Grand Gaube, Bain Boeuf, Pointe aux Cannoniers public beaches. Additional luminaries are being installed to enhance the lighting on above public beaches. A few projects such as construction of a new market fair will be implemented at Rivière des Anguilles through the local infrastructure fund.

Mr Speaker, Sir, the following measures concerning my Ministry are contained in the new Government Programme: the new Local Government Act, is being implemented and arrangements are being made for the splitting of District Council to bring service closer to Local Communities, for the development of a new grant-in-aid formula, to ensure a fair and equitable distribution of central Government grant amongst local authorities, and for the setting up of the Unified Local Government Service Board, to optimise human capital in local authorities. A new Mauritius Fire and Rescue Bill is being prepared and that will repeal and replace the Fire Act of 1954. The Bill will enable the Fire Service Department to respond to a wider range of incidents including those involving hazardous materials as well as natural disasters such as flooding. The construction of a new Rose Belle Fire Station will start by the end of 2012 and two new fire stations will be constructed in 2014/2015; namely at Goodlands and Montagne Blanche.

The new Solid Waste Management Strategy is being implemented. Consultancy service for the setting up of an interim hazard waste facility at La Chaumière, will be awarded shortly. The construction of a new refugee centre on the south island of Agalega will start and

new quarters will be constructed for the resident. The Food Security Programme for Agaleans will be pursued and coconut plantation will be optimised. Procurement exercise for the upgrading of Agalega air strip have been initiated. A leisure park will be constructed in Agalega to provide for the recreational and sports facilities for the welfare of the Agaleans. The use of renewable source of energy in Agalega such as coconut oil, as a substitute for diesel and solar energy will be tapped.

In addition to the measures stated in the Programme, my Ministry will also implement the following measures, with a view to further improving governance efficiency and service delivery in local authorities. A Local Government Unit will be set up at the level of the Ministry to monitor the performance of local authorities. In the same wake the existing IT infrastructure in the local authority will be further improved to allow the public to make online payment.

In line with the global movement towards greening economies and the local initiative of Maurice Ile Durable, it is proposed to consolidate the legal framework and introduce appropriate economic instrument for the Solid Waste Management Sector, with a view to encourage waste reduction and source recovery from waste. The composting plant at La Chaumière is expecting to operate a double capacity by the end of 2012. The PBP unit of the Ministry of Finance and Economic Development has been approached to access and approved the feasibility of setting up two additional composting plants of capacity of 50,000 tons and 20,000 tonnes of waste annually.

A new solid waste management strategy has been prepared focusing on improvement in waste collection, increased resource recovery, provision of adequate disposal infrastructure for the short, medium and long-term and an improvement in hazardous waste management. A campaign for a programme for sensitisation and awareness is being finalised in collaboration with the Mauritius College of the Air, with a view to promoting the sharing of responsibilities by all stakeholders in waste prevention and minimisation.

The fire service will be investing in a modern technology in order to further enhance its response. The preservation of public beaches and combating beaches erosion will be ensured through measures such as zoning to prohibit access to the beach, dynamic zone and increased vegetation. A Reafforestation Programme will be implemented.



Mr Speaker, Sir, throughout the new Government Programme lays emphasis on certain key words that reappear over and over again in the main proposal and measures envisaged. These words are: prosperity, connectivity, people, society, nation and sustainability. In this respect, it is important to take note of new steps that are being taken to tackle some long standing problems, namely -

- (i) the setting up of the National Strategic Transformation Commission to update vision 2020 presented by the Labour Government in 1997;
- (ii) a National Training Strategy to better align education to job opportunities;
- (iii) a connectivity ecosystem to ensure broadband accessibility to the whole island, something which even developed countries are unable to achieve yet, especially in the rural areas;
- (iv) providing brail PCs to visually impaired student;
- (v) discounted internet for the needy students, and
- (vi) basic laptop to each Standard IV pupils.

The measures that may be compared to the landmark provision of free education in 1977, in view of the long term benefit that will be ensured to all concerned are -

- (i) the implementation of a National Drug Control Master Plan, that will cover not only drug abuse but alcoholism as well;
- (ii) the implementation of a National Food Safety Action Plan, covering all possible related aspects;
- (iii) the introduction of a Safer Community and Neighbourhood Act to reinforce public participation in law and order;
- (iv) the setting up of a National Institute for Civic Education to instil character and moral in citizen, especially the young ones,
- (v) and the implementation of the recommendations relating to land issue made by the Truth and Justice Commission.

In fact, on this last item, the hon. Prime Minister went even further recently by promising a full fledge investigation including, in particular, cases of sale by levy and prescription.

Mr Speaker, Sir, I am also the Minister of the Outer Islands, defined in the Constitution to be Agalega, Tromelin, Cargados Carajos and Chagos Archipelago, including Diego Garcia and any other island comprised in the State of Mauritius.

The new Local Government Act of 2011 contained many changes, but one escaped the notice of the media in general. Section 10 provides for the setting up of a village committee in any of the outer islands. Though Agalega will be the main focus in the short term, the provision applies to any other island, including those of Chagos Archipelago. It might even be plausible to create village committees in exile while awaiting a positive outcome to the long standing Mauritian sovereignty claim.

Mr Speaker, Sir, at the international level, Mauritius continues to do well in nearly all spheres of activities. For example, during the last few months alone, Mauritius has achieved a good ranking in the following important studies. In a ranking released by the World Health Organisation - WHO - in September 2011, Mauritius was second in the list of countries with the best overall air quality, where Canada and Estonia tied for the third place. The survey ranked 1100 cities in 91 countries. Last month, the United Nations crowned Mauritius as the happiest country in Africa in its happiness report 2012, conducted by Columbia University Earth Institute in USA. This survey was based on citizen perception of overall service delivery in the country - a survey over a year - using seven key objectives -

- (i) employment;
- (ii) equality;
- (iii) education;
- (iv) health;
- (v) anti-corruption;
- (vi) environment, and
- (vii) culture.

These were all polled, and Mauritius topped them all. Mauritius also did well in the Save the Children's 12th Annual Mothers Index, which compared the wellbeing of mothers and children in 164 countries. Finally, the result of the Economist Intelligence Unit Democracy Index 2011 shows that democracy has been under intense pressure in many parts of the world, but Mauritius, out of 165 countries, ranked 24, and is the best-governed country in Africa. The World Bank put it first in its ranking of African economies, and 20<sup>th</sup> worldwide.

The MO Ibrahim Foundation ranked it first in its Ibrahim Index which measures African countries based on rule of law, human rights, human development and economic opportunity. More instructive still, is the ranking of Mauritius in the Index of Economic Freedom published by the Washington-based Heritage Foundation and the Wall Street Journal. In 2010, this index put Mauritius 12<sup>th</sup> place, out of 179 countries. In 2012, it elevated the country to eighth place. It was the first time an African country had placed in the index's top 10 - and it did so by surpassing the United States.

M. le président, la clef de la prospérité de notre pays ce sont la compétitivité et l'investissement. Pour ce gouvernement, l'enjeu c'est de tirer la société mauricienne vers le haut par les réformes, par l'innovation, par le travail, par l'éducation des enfants, par la formation des jeunes, et l'encouragement. C'est dans ce sens que nous agissons depuis sept ans. Nous sommes naturellement conscients des difficultés économiques qui guettent le monde, mais nous disposons désormais d'un socle pour aller plus loin. Pour mener à bien ce programme, il nous faut œuvrer de concert avec notre Premier ministre, le Dr. Navin Ramgoolam, dans un climat de loyauté et de confiance. Par toutes ces actions, notre pays assurera un bon fonctionnement au niveau local, national aussi bien qu'international.

Je remercie Son Excellence, la Présidente par intérim, Madame Monique Bellepeau, pour avoir rempli ses fonctions avec dignité, y compris le discours-programme gouvernemental. Malgré le peu de temps qu'elle a eu pour se préparer, je félicite l'honorable Madame Juggoo également pour son excellent discours.

M. le président, je vous remercie pour votre attention.

(5.59 p.m.)

**The Minister of Arts and Culture (Mr M. Choonee):** Mr Speaker, Sir, let me start by congratulating two hon. ladies for making history. First, Her Excellency, Mrs Bellepeau, the acting Lady President of the Republic to present a Government Programme, and second, my colleague, Mrs Kalyanee Juggoo, lady MP, who proposed the motion in favour of the Government Programme. So, congratulations to both of them.

Mr Speaker, Sir, it is with great regret that I am addressing this august Assembly on such a solemn matter, the Government Programme 2012-2015, in front of an empty Opposition bench, the more so as this programme sets the tone for moving the nation forward. I'll say: what a glittering scene in the hemicycle through their absence!

Mr Speaker, Sir, I think we need to understand them.

- They are not here because they do not have alternative ideas to what we are proposing;
- Being short of ideas, they are not even able to convince the population out there.
- On the lame excuse that we are in winter, they are regularly stopping their famous “*Pèlerinage*” and hibernating for longer periods, and
- A seasoned strategist like the Leader of the Opposition has now become a seasonal strategist.

These observations, Mr Speaker, Sir, beg the following questions -

Is it a remake *de la défaite* or a remake *de la honte* or both?

Is it that they have realised that the electorate does not approve the alliance? Or -

- Is it that almost all their partners in the front bench is provisionally charged and no one knows what is looming next?
- Is it that the resignation of SAJ from the highest office of the Republic has raised no particular interest or sympathy in the masses - a non event, ‘*ene coup l’epée dans dilo*’?
- Is it that the intelligent electorate, who are no more yes men and yes women, cannot be taken for a ride once again?
- Is it that what was considered ‘*dépot fixe*’ has now matured and does not want to be taken for granted?
- Or maybe is it that they have lost credibility (the remake never caught steam) and they are now condemned to go for the demise of the remake?

Mr Speaker, Sir, one thing is for sure “They simply cannot sell” and neither a re-branding nor any marketing strategy can convince the population to accept this great-grandfather as a possible contender for the post of Prime Minister. Can he stand comparison with our youthful, dynamic and charismatic leader named Navinchandra Ramgoolam? Unfortunately, he is losing a golden opportunity to leave in dignity from the front door. He will go down in history for the wrong reasons, as we say: the higher you are, the farther you fall!

Mr Speaker, Sir, the world continues to go through its worst-ever recession, causing casualties along its way. The scale of the havoc is such that, not only the poor, but rich and developed nations are witnessing severe pains and difficulties.

In a year, when Moody's has downgraded six European nations: Spain, Italy, Portugal, Malta, Slovakia and Slovenia; and even Cyprus, which happens to preside over the EU currently has asked for bail-out; in that same year, Moody's has upgraded the rating for Mauritius.

It should not be forgotten that Moody's has raised warnings regarding France, UK and Austria.

Our vice-Prime Minister, Minister of Finance and Economic Development on the other hand, hon. Xavier-Luc Duval, has been congratulated to be among the first of 54 African countries.

So, how do all these reflect on this Government?

It clearly shows that the world appreciates the good stewardship of the economy and the country by this Government, under the leadership of Dr. Navinchandra Ramgoolam - when on the local stage, Prophets of doom are still busy painting a bleak picture of things.

Mr Speaker, Sir, when did a rating agency like Moody's, Standard and Poor or Fitch last improved our rating?

When we topped the Mo Ibrahim Index, some columnists went as far as to say that this index is a bogus. I was just wondering what would they be churning up on Moody's now!

Well, now the new mantra is that rating agencies, including Moody's are not credible and so they cannot be taken seriously. The same Moody's whose rating was taken to be '*parole d'Évangile*' when it lowered our country's rating sometime back is now not credible. Which is which? So, how do the Opposition and its cronies in the press explain that?

Well, Mr Speaker, Sir, "*Elémentaire, mon cher Watson!*". The logic is simple, let's follow the analogy: last year, when MPs who were elected on the Government platform chose to stay in Government to respect their electorates, they were dubbed "*traîtres*" *et* "*transfuges*"; at the same time the Opposition called for Alliance MPs to go out of Government as "patriots".

Mr Speaker, Sir, so, if you go against Government, you are a patriot, and if you go with Government, you are a traitor.

In the same vein, if an institution positively rates Mauritius, then it is not credible and if that same institution gives a negative rating, then it is credible.

I wish the children of this country go to their dictionary and check the meaning of the word 'anti-patriotic'. And then, compare the behaviour of the Opposition on that scale.

A press article bore the title: Moody's has made the Opposition moody. *Je ne sais pas si cela voulait dire moody ou maudit!*

Mr Speaker, Sir, let them, as we say, *continuer rêver*. This Government has been elected to serve and that's what we are doing very well.

And now, with your permission, I shall move to this new Government Programme. What is it all about?

My colleagues earlier have already dwelt on the salient aspects of the various policy-actions that this Government intends to take. So, I shall content myself with eliciting the rationale and the philosophy behind them.

A look at the Table of Contents of this Government Programme shows the key themes, namely -

Prosperity for all, Enhanced Connectivity, Empowering People, Cohesive Society, Strong Nation and Sustainability.

Mr Speaker, Sir, these themes are landmark issues that have to be dealt with in our bid to make our citizens more active players in the global village. Under the able leadership of our Prime Minister, we have made already great strides on the route to becoming a country that sits proudly in the forum of nations. Now, we are shifting gears to reach the status of a strong and sustainable nation, a nation whose cohesiveness makes it stronger than the sum of its parts; with a population that is strongly empowered through enhanced connectivity to enjoy the fruits of growth, an inclusive growth that leads to prosperity for all.

Seven years earlier, even when the world had not witnessed its most severe recession, we could not talk of prosperity for all, because more than 26% of our youth were unemployed; how could we talk of prosperity when one out of every four young persons we meet did not have the means to make a living. Now that we are beyond that, it's time we embark on a new phase where all Mauritians can reap the benefits of greater prosperity.

To that end, we are widening the circle of opportunities for all by focussing on new industries, opening the economy further, lowering tax rates while removing a substantial number of taxpayers from the tax net and by sanitising public finances.

Mr Speaker, Sir, in business we soon learn that the world owes us nothing. Historic ties, patient diplomacy, shared values and even shared language will not get us a contract unless we can also beat our rivals on quality service and price. That is the lesson that we ignore at our peril. This explains the additional measures that we are aiming at with a view to unleashing the creative power of our small and medium sized businesses. These will whip up investment and create further employment opportunities. To that end, we are up scaling infrastructural development and enhancing connectivity.

Mr Speaker, Sir, we shall need new avenues for growth in order to push the production possibility boundary further and, here, thanks to the vision of our hon. Prime Minister, we have an emerging high growth industry through an enlarged exclusive economic zone that now covers 2.3 million km<sup>2</sup> over which we can exercise various economic rights. This proactive Government is always on the lookout for yet more novelties and innovations that add more value to our economy and bring qualitative changes to the quality of life of our citizens and we are sitting on the brink of one such innovation, the Arts and Culture Industry.

I need to make a point here. Firstly, Arts and Culture is indeed an Industry that creates gainful employment for people and that adds value to the economy. In some countries, the contribution has gone as high as 10% of GDP. The second point is that this Industry is one that is sustainable. The very beauty of this industry lies in the fact that culture and creativity are renewable resources. They shall never be on the verge of extinction as fossil fuel. Our natural environment is threatened and many parts of our habitats are facing extinction, thus our salvation lies in the optimisation of our cultural environment.

Fourthly, as Ms Irina Bokova, the Director -General of UNESCO says in her message on the occasion of the World Day for Cultural Diversity for Dialogue and Development, I quote -

“Culture is what we are. It embodies our identities and our dreams for the future. Cultures are mutually sustaining and contribute to the enhancement of humanities, wealth and productivity. Such a diversity is a wellspring for the renewal of ideas and

societies. It holds great potential for growth, dialogue and social participation. By protecting and promoting culture, we sustain diversity.”

Mr Speaker, Sir, this diversity is the very foundation of our plural nation. From a country peopled by migrant slaves and workers, we have been able to carve a modern nation. This is largely due to the fact that values and traditions that our ancestors brought to our shores and which successive generations have nurtured and transmitted ahead. At times, we lament the fact that our customs and traditions are becoming diluted in the wave of modernisation as is in the case of many other countries. It is in those moments that we need to thank the various local organisations that are active in the socio-cultural fields and are lending us great support to uphold our values and traditions.

Government, alone, cannot do everything when it comes to preserving social and moral values, sustaining good conduct between citizens, fighting crimes and anti-social behaviour, and all the problems associated with development. So, it serves no purpose to lambast the very people who are helping us in preserving the traditions of our ancestors, traditions that have seen to it that we do not emulate the west and avoid a coke-colourisation of our culture. In fact, it would appear that even the west is looking east now. So, we should stop this culture of being suspicious each time there is something to do with the east. In this era of east bashing in the press, we all know who are behind that. I would like to share this piece of wisdom from a book called “India: A Sacred Geography”. The author who happens to be a Harvard University star professor asks the question –

“What has made India the world’s most multi-religiously vibrant nation where pilgrimage lies at its very heart?”

He then answers –

“India is shaped not by the modern notion of nation State, but by the extensive and intricate interrelation of geography and mythology around rivers, shores, mountains and forests that have produced vast landscapes of *titra*.”

‘*Titra*’ meaning ‘pilgrimage’ and he concludes –

“Acknowledge, experience, comprehend the sacredness, that is, without becoming a pilgrim yourself, for I found deeper layers of the meaning of pilgrimage”

With these words of wisdom, Mr Speaker, Sir, I move now to the subject matter of Arts and Culture. I now turn to the policy action formulated by my Ministry. The Government



Programme 2012-2015 rightly mentions that Culture is a driving force in nation building. There is no doubt that Arts and Culture are the software of the mind and the best elements in human character. Being a source of creativity and innovation, they enhance our daily life. The interaction of people with plural varied and dynamic identities adds value to the quality of life of the nation. This creates a template for real harmony in diversity.

Mr Speaker, Sir, the first ever White Paper on Arts and Culture is ready. It has, as its objectives, the creation of an industry of Arts and Culture. It will also set the base for the development of artistic creativity and the effective preservation and promotion of cultural values. The White Paper will sound the bell for the re-awakening of our consciousness and drive to leverage on the abundant potentials and possibilities in the creative industries for wealth creation thus bringing it in the mainstream of the economy. We know that the production and mass distribution of cultural items are often confronted by highly uncertain environment at the inputs and outputs level. The challenge today is to reconcile the expression of artistic values with the economics of mass entertainment.

Knowledge and creativity, Mr Speaker, Sir, are keys to sustaining competitive advantage in the cultural production chain. Thus, we will bring novelty that differentiates the product of our creators and performers. We shall analyse and address existing demands for cultural products and we shall put creative systems to support and market cultural products.

Mr Speaker, Sir, today, cultural industries are highly visible as they exert an extraordinary influence on our values, our attitudes and our lifestyles. We have a variety of cultural goods that need to be marketed. Some examples are music, movies, TV serials, theatres, artworks, books and designs. This White Paper revisits the way our artistic and cultural resources are being used, and calls for a cultural impact assessment of development projects. It will set the base for a sustainable cultural development of the nation.

Our cultural centres and Speaking Unions will be called upon to play a significant role in the Government programme to bring in peace, intercultural exchange and dialogue and to put up common programmes. We have enormous cultural and creative assets of wealth of ideas, artists and creative people. It is a fact that creativity is a process which is continuously shaped and stimulated by human, social, cultural and institutional factors. The White Paper will crystallise all these factors for the benefit of the nation.

Mr Speaker, Sir, social cohesion depends on intercultural understanding. Our creative people can assist in thinking and implementing a different world, provided that their skills and expertise are duly recognised as catalyst for social transformation. We will take the creative risk of valuing imagination, the poetics, the symbolic, the aesthetic and the spiritual as factors of innovation and social progress. As Vaclav Havel rightly pointed out while addressing “The Forum For Creative Europe” in Prague in March 2009. She says:

“Creativity is the essence of being” and if we want to acknowledge the contribution of our artists in the development process, we have to take them on board.

Mr Speaker, Sir, it is imperative that initiation to music starts at school as the budding ground for creativity and the cultural industry. The music talents of our children have to be developed at an early stage. To start with, we are providing a set of musical instruments to all schools to enable our students to practice and play an instrument of their choice. Their creative potentials will be noticed earlier, thus, preparing them to enhance their skills.

Mr Speaker, Sir, the project *La ruée vers l’art* is an innovative way of bringing people to the workshops of our artists to witness the process of creation.

The objective is to enable members of the public, tourists and well-wishers to meet artists at specific dates at their site of work. It will enable artists and creators to sell their products and to create a network for future business. Our creators require exposure and visibility to enable them to be known by the general public and visitors. They cannot be left to themselves and at the mercy of private galleries. Thus, this project marks a new era in the way we shall help artists to market their products.

Mr Speaker, Sir, the one-stop shop concept has been instrumental in the progress of many sectors. The same sounds true for arts and culture. We are going ahead with the setting up of an *agora des artistes* at la Vigie, in Curepipe.

This agora will be a melting pot for the interaction of all the various art forms and it will also be a window for showcasing our rich cultural heritage. The agora will comprise an amphitheatre for conferences and training sessions, galleries for exhibitions, a recording studio and several other facilities for artists. This agora will be a focal point for symbiotic exchange between artists and the public.

Mr Speaker, Sir, the development of Arts and Culture sector in all the countries of the world is hindered by a lack of adequate funding and appropriate cultural infrastructure, especially in this post crisis era.

Nevertheless, this Government has been proactive in its commitment to widen the circle of opportunities for artists. To date, we have helped more than 400 artists under our various assistance schemes. With this new Government Programme, we want to run the extra mile and empower artists with additional assistance.

In this respect, we are equipping a stadium with the state-of-the-art facilities in accordance with international norms for the holding of concerts and other mass cultural programs. The flooring of this stadium as well as amenities adjacent to it will be transformed for optimum utilisation.

The House may note that we are already subsidising the holding of artistic events by subsidising up to 50% of the rental of venues. With the revamped stadium, we expect to attract yet more events by renowned international and local artists.

Furthermore, the MGI is also providing its venue, free of charge to artists. In the same vein, the seed money available to artists for launching their art works has been increased by 100% and the art forms concerned have been widened.

Mr Speaker, Sir, training is the linchpin of any industry. Although we are a small island, we do have world-class talents. It is up to us to unearth these talents and push them yet further. In this regard, we are building more *centres de formation*. A variety of disciplines are taught free of charge in these centres. This has impacted positively on the lives of the people, especially as these centres operate beyond normal working hours. People have an opportunity of practising an art of their choice thus keeping them away from the social ills of the society. The House may recall that we opened a centre at Goodlands last year. Government will now open two additional *centre de formation*, one at La Gaulette and another one at Trou d'Eau Douce respectively with a view to meeting the needs and aspirations of the people in the east and west.

While speaking about training, we cannot forget the role played by various CLACs, *Centre de Lecture et d'Animation Culturelle* in the different regions of the island, especially those which do not have access to adequate reading materials and facilities for *animation culturelle*.

With the assistance l'OIF, *l'Organisation internationale de la Francophonie*, we are taking steps to extend our current network of CLACs. This year itself, we opened CLACs in Flic en Flac, Caroline and Fond du Sac. In a matter of weeks, we are opening a centre at Baie du Cap and another one at Pailles. In Rodrigues, we are putting up another centre, which would be the fourth one, at Port Sud East.

Mr Speaker, Sir, our heritage is not only our legacy from the past, but the very building block of our future. As such it needs to be protected and passed on to future generations, who can live in a just, fair and sustainable society. Our history occupies a big part in this legacy, and it is our duty to see to it that we protect all the vestiges for the common good. One of these is the treasure of records kept at the National Archives. Governments have come and gone, but our collective memory has continued to be stored in an inappropriate building at Coromandel. Inappropriate, because it is not in a position to assist our archives that are being affected by the vagaries of nature, especially, weathering.

This Government has decided to take the bull by the horns. We are proceeding with the construction of a modern infrastructure in Moka to house the archives. Works are starting early 2013. On the one hand, we have achieved quite some progress in the digitisation of records of the archives. The process of digitisation will enable the records to be restored and allow for online access. The students and researchers will have an additional tool at their disposal.

Mr Speaker, Sir, we are not neglecting other aspects of heritage, maintenance and conservation. We just had a meeting with all the stakeholders on the improvements to the management plan for the Aapravasi Ghat World Heritage property so as to enable sustainable development in its buffer zone. The National Heritage Fund is already restoring artefacts like the Rouillard Mille, île de la Passe et Batterie des Grenadiers.

As the National Repository of our heritage, it is continuing with its programme aimed at identifying sites for listing as heritage sites; sensitisation campaigns and outreach programmes. Finally, the draft for the new National Heritage Act is being finalised following consultations with stakeholders at UNESCO.

Mr Speaker, Sir, my Ministry has endeavoured to promote the effective development of a film sector that will become the cornerstone of the forthcoming arts and culture industry in Mauritius. In this very august Assembly, I mooted the idea of Mauritius as an international destination for film shooting just like Hollywood and Bollywood. Today I have to say that we

have made great strides towards making Mauriwood a reality. Government has started an incentive scheme for film producers providing grants to the tune of 25% of qualifying expenditure. I have to thank the Vice Prime Minister, Minister of Finance and Economic Development for this laudable initiative. Based on experience that we gather, we shall revisit the scenario where required in order to tap the opportunities lying ahead of us. However, we shall not contend ourselves with being a shooting destination. We want to get more value added and raise the multiplier effect of activities related to this industry. In this regard, Government will soon come with a Film Commission to oversee the sector and to implement the audio visual incentive scheme that will see the emergence of Mauritius as a preferred film making destination. To square it all, we have removed the ten per cent entertainment tax on concerts, film shows and others with the help of the Ministry of Finance and the Ministry of Local Government.

Mr Speaker, Sir, the issue of copyright is central to the protection of creativity. The present Copyright Act, which dates back to 1997, is in dire need of review especially in the wake of the adoption of “Internet treaties” by the World Intellectual Property Organisation. (WIPO). These treaties, Mr Speaker, Sir, cater for developments such as downloading from the Internet an illegal streaming. We need to appreciate that, with the convergence of technologies, we are not only having new methods of disseminating music, but also we are facing new tactics of illegal copying. In this respect, my Ministry enlisted the collaboration of several international organisations and produced a comprehensive Copyright Bill. This Bill was presented to stakeholders and their concerns were taken on board. Government intends to introduce a new Copyright Bill during this session of the Assembly.

Mr Speaker, Sir, all these initiatives can reach fruition only if adequate resources, both human and financial, are applied to them. In this respect, I have the support of no less than 30 - I repeat 30 - parastatal bodies that work under the aegis of the Ministry. I have already started a preliminary work for creating greater synergies between them and I hope that the enhanced cooperation will enable us to meet our various objectives.

To conclude, Mr Speaker, Sir, this new programme sets the tone for moving our nation on the première league of world players. As regards arts and culture, it is this Government that will make of Mauritius the first artistic and cultural island city of the world.

Mr Speaker, Sir, in my address to the House last year while speaking on the Government Programme, I said: I have a dream. Of course, Government has a dream; the Prime Minister has a dream and this new programme will make this dream come true, Mr Speaker, Sir.

Thank you.

**The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval):** Mr Speaker, Sir, I move for the adjournment of the debate.

**The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo) rose and seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

**PUBLIC BILL***Second Reading***THE PRIVATE PENSION SCHEMES BILL****(NO. XVI OF 2012)***Order for Second reading read.*

**The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval):** Mr Speaker Sir, I move that the Private Pension Schemes Bill 2012 be read a second time.

The main object of this Bill is to provide for a comprehensive and modern regulatory and supervisory framework for the operation of private pension schemes in order to ensure the protection of members and beneficiaries and the soundness of such pension schemes.

Mr Speaker Sir, the Private Pension Schemes Bill is the third Bill with respect to financial services that I am presenting in second reading since taking office. Coming after the Limited Partnership Bill and the Foundations Bill, this new Bill underlines the importance given to financial services by this Government.

The House will note that, at present, there are some 1,500 private pension schemes in existence. These are approved by the MRA under Regulation 5 of the Income Tax Regulations 1996 out of which only 49 are registered with the Registrar of Associations under the Employees Superannuation Fund Act 1954.

These private schemes cover more than 100,000 employees with funds estimated at more than Rs34 billion. As per the last population census, the median age of our population has increased from 29 in year 2000 to 34 years in 2011. This is a clear indication that our population is ageing and more people will be dependent on pensions to live on. These private pension schemes are expected to grow even further in terms of number of employees contributing to these schemes as well as the value of funds involved. However, Mr Speaker, Sir, the major shortcoming of the present legal set-up and arrangements of the private pension schemes is the absence of effective supervision to ensure soundness of the schemes and protection of beneficiaries. There is a legal vacuum. Our current laws do not protect sufficiently the interests of the members and beneficiaries as well as ensuring the fair, safe and efficient functioning of the pension schemes.

To mention just a few of these lacunae, there is currently no specific statutory requirement for -

- maintaining a proper funding level to secure scheme benefits;
- ensuring safe custody of assets;
- hiring qualified auditors, actuaries and custodians;
- submitting regular reports to the Regulator;
- undertaking regular actuarial reviews, and
- determining investment rules and asset diversification.

The present Bill addresses these issues. The provisions contained therein are the results of extensive discussions and working sessions between my Ministry, the Financial Services Commission (FSC) and the operators. The Bill follows the OECD Guidelines and meets the norms and standards of the International Organisation of Pension Supervisors (IOPS) of which the FSC is a member. Implementation of the international standards is a necessary element to enhance the good repute of Mauritius as a sound and competitive Financial Services centre. The standards have six basic elements which are: licensing, monitoring, communication, analysis, intervention and correction.

Mr Speaker, Sir, the regulatory framework which is proposed in the Bill has the following main features -

- (a) All providers of private pensions with a physical presence in Mauritius will be covered by the Bill.
- (b) It will promote a business-friendly but well regulated framework for supervising the private pensions sector. The governing bodies of these pension schemes will also have more responsibilities.
- (c) Licensing criteria will focus on private pension schemes' capacity to administer their activities, manage their assets, and mitigate financial risks.
- (d) Supervision of the schemes will be risk-based with particular focus on those schemes which may be involved in risky transactions or having insufficient technical funding.
- (e) FSC will have a range of additional monitoring and enforcement powers, including powers to perform on-site inspections, request any information, initiate third party reviews and request independent actuarial valuations.



Schemes' auditors and actuaries will be required to report any major concerns to FSC. The FSC will thus become the single regulatory body for private pensions in Mauritius.

Mr Speaker, Sir, I shall now explain the provisions of the Bill.

Part I of the Bill deals with the definitions and the application of the Bill. In addition to local private pension schemes set up by an employer for the benefit of his employees, the Bill will cover also -

- a private pension scheme registered in a foreign country, but authorised to operate in Mauritius, so as to cover cases of foreign companies having an established branch in Mauritius with Mauritian employees who contribute to company's pension scheme registered in another jurisdiction, and
- a private pension scheme set up as a global business in order to promote Mauritius as an international centre for the provision of pension schemes businesses.

The Bill will not cover schemes/funds that are already operating under an Act of Parliament such as -

- the National Pensions Act,
- the National Savings Fund Act
- the Civil Service Family Protection Scheme Act,
- the Statutory Bodies Family Protection Fund Act
- the Statutory Bodies Pension Funds Act
- the Sugar Industry Pension Fund Act
- the Local Authorities (Pensions) Act.

The Bill will also not apply to a Personal Pension plan taken by an individual and which amounts to long term insurance business pursuant to Part I of the First Schedule of the Insurance Act. Existing Provident Funds registered under the Registration of Associations Act, and which provide retirement benefits to its members, will not be covered under this Bill.

Mr Speaker, Sir, the Bill provides much greater flexibility for foreign pension schemes which are already licensed in another jurisdiction as well as pension schemes in the global

business sector. It provides for the Minister to exempt by way of regulations and after consultation with the FSC such schemes from any provision of this Bill, and to provide for such other requirements, conditions, restrictions or terms to apply to that scheme.

Part II of the Bill sets out the objects, functions and powers of the Financial Services Commission, which will be responsible for administering the Act as well as the delegation of its powers to its Chief Executive and other officers. In administering the Act, the FSC shall aim to -

- maintain a fair, safe, stable and efficient private pension industry;
- promote confidence in the private pension industry;
- ensure fair treatment to members of private pensions schemes;
- mitigate the risk that the pension business is used for a purpose connected with a financial crime, and
- ensure orderly growth at the private pension industry in Mauritius.

Part III provides for the licensing of private pension schemes. All private pension schemes other than those mentioned above will be required to be licensed or authorised by the FSC as the case may be.

Part IV concerns the constitution of pension schemes and management of their assets. The Financial Services Commission may, in its Rules, make provisions regarding -

- the constitution and management of a private pension schemes;
- the duties and functions of the governing body of a private pension scheme, its administrator and its professional advisers;
- the rights and obligations, including the vesting rights of a member;
- the financial statements of a private pension scheme, and

- any other matter that it may determine for attaining the objects of this Bill.

Concerning the management of the assets of a private pension scheme, whether it is a defined benefit scheme or a defined contribution scheme, the Commission may provide in FSC Rules specific requirements for -

- the management and valuation of the assets and obligations;
- restriction on expenses;
- the qualifications and experience, appointment, resignation, removal, powers and duties of an actuary and auditor;
- restriction or regulation of the investment and borrowing powers;
- keeping and maintaining of records on transactions and financial position, and
- the preparation of periodical reports and communication of those reports.

Under the Bill, a private pension scheme shall cause its assets and liabilities to be evaluated by an actuary approved by the Commission and submit the actuary's report to the Commission at such regular intervals as may be specified. Every private pension scheme shall have a prudent written investment policy on the investments of its assets. Currently the Financial Services Act 2007 categorises private pension schemes as financial services, but does not contain any provision which is specific to pension schemes and funds.

Part V deals with the administration aspects of private pension schemes. Every private pension scheme shall be administered by a pension scheme administrator. The administration may also be carried out by a long term insurer licensed by the FSC or by the governing body of the Private Pension Scheme, when they are so authorised by the FSC. The Commission may provide in FSC Rules detailed requirements -

- (a) for the appointment, powers, duties and qualifications of the administrator, and
- (b) for the licensing criteria of a pension scheme administrator.

Part VI provides for any alteration to the constitutive documents of a private pension scheme and for transaction involving a transfer or amalgamation of the scheme to be subject to the approval of the Commission.

Part VII relates to accounts and audit obligations. A private pension scheme shall be accountable to its beneficiaries and to the Commission. It shall disclose to its beneficiaries and

to the Commission any decision that could have a material impact on future pension benefits. The Commission may determine that private pension schemes shall make specific disclosures to its members. The FSC Rules may provide for the appointment, powers, duties and qualifications of an auditor and actuary. A private pension scheme shall ensure that an auditor and actuary have the relevant qualifications and experience required to carry out his functions in accordance with the objects of the scheme.

Part VIII deals with the variation, termination, suspension and revocation of a licence or authorisation. The circumstances in which a private pension scheme can be liquidated or wound up are set out in Part IX, which provides for both voluntary winding up and winding up by the court.

Under Part X, the Commission may direct a private pension scheme to disinvest or alter the diversification of its assets so as to ensure that it complies with this Act, the FSC Rules or any other enactment. A private pension scheme shall not be liable for any loss arising from, or contingent upon, any investment, provided that the investment was made in accordance with this Act or any other enactment, unless such loss has been occasioned by fraud, recklessness or negligence. Powers are also given to the Minister to make regulations under the Act.

Mr Speaker, Sir, the Employee Superannuation Fund Act and Regulation 5 of the Income Tax Regulations under which the private pension schemes are currently operating are being repealed, and all schemes registered under the repealed legislation shall be deemed to have been set up under this Act and shall be supervised by the FSC.

I shall be proposing a number of amendments, as circulated, to correct certain minor definitions, particularly in clause 2 of the Bill. I also wish to state that the amendment to clause 8 (1) (a) of the Bill has been put forward by hon. Uteem, and this has been accepted.

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

**Dr. Jeetah rose and seconded.**

(6.50 p.m)

**Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière):** Mr Speaker, Sir, we welcome the introduction of this Bill tonight. It has been long awaited and has been subject to protracted discussions amongst stakeholders and it is coming in the same

stride after the Limited Partnership Bill and the Foundation Bill which have been kept in the closet for a long time.

Mauritius cannot hope to be a financial centre of excellence with only the India treaty on hand. That's why the Mauritius Financial Centre has to be very competitive and must always develop new products, engage in financial innovation and diversify the market and adopt state-of-the-art legislation. Regulating and modernising the private pension industry has become urgent and crucial for the development of financial services. With a greater life expectancy and ageing population leading to greater dependency ratio, and with the increasing labour mobility, pension reform has now become essential. That's why a new, modern, comprehensive, legal framework for regulating and promoting the private pension industry is welcome because it will ensure that living standards of employees do not fall abruptly after retirement while, at the same time, maintaining the affordability of the contribution to the Pension Schemes.

At present, the pension system consists of three elements, the basic retirement pension which is unfunded and provided by the State on universal basis, the National Pension Fund and the National Savings Fund which are mandatory funded systems, and thirdly, we have Voluntary Public Sector and Private Sector Pension Schemes which are both funded systems. So, we have a multi-tiered system but the third tier, namely the voluntary private sector pension system, has been subject to a wide variety of rules and legislations and, therefore, has been fragmented among several legislations and Bodies. There are too many approving Bodies and supervisory Bodies like the Registrar of Associations, the MRA, the FSC, and there has been very little control over the promoters and sponsors of the schemes, the service providers and the pension schemes managers themselves. A single legislation with a one stop-shop as the FSC is most welcome.

If you allow me, Mr Speaker, Sir, to explain the situation today; it consists of thousands of voluntary schemes which are small insured schemes normally run by insurance companies. There are about a hundred of schemes which are registered as associations under the Employees Superannuation Fund Act and about 10 self-administered schemes which are established as trusts. How sound are these schemes and how are the public and the employees informed about these schemes? This is one dimension of the problem and limitation facing the industry.

If we look at the providers of these schemes, we have mainly insurance companies which are themselves the sponsors, the promoters, the managers, the administrators, the actuaries and the custodians, and this leads to potential conflicts of interests and lack of transparency and disclosure. In many cases, the administrator of the pension scheme itself is a subsidiary of the insurance company which reduces further the independence of the administration.

With regard to the regulator, there is a blurred division of regulation between the various Bodies like the FSC, MRA and the Registrar of Association. So, there is no clarity and there is divided authority. To crown it all, the Ombudsman of Financial Services which is in the law has still not yet been appointed which makes it difficult to resolve complaints and disputes pertaining to private pension schemes.

This Bill does help to overcome all these missing elements and shortcomings. The objectives are said to protect and ensure fair treatment of beneficiaries, to promote a more professional industry with greater operating efficiency, especially to ensure good governance and orderly growth and promote Mauritius as a reputable international financial centre.

Mr Speaker, Sir, the Bill itself is a general framework, and in fact, the devil lies in the details. So, there is no quarrel with the Bill and there is not much debate we can have on the Bill itself. Discussions would arise when regulations will be issued by the FSC governing the different administrations, operations and control of these schemes. But suffice it to mention a few points which arise from this Bill. I will, first, deal with insurance companies. As we know, the private pension industry is dominated, right now, by the insurance companies. Is it the case that the insurance company will be automatically licensed under this Bill, and therefore, will still be regulated under three legislations, the Insurance Act, the Financial Services Act and the Private Pension Schemes Bill here, tabled tonight? What are the different imperatives of this Bill concerning insurance companies? Because, Mr Speaker, Sir, at the moment, their Pension Fund and their Insurance Fund are in the same basket. So, we have a commingling of assets and we don't know how the management fees, the operating charges are spread between these two funds, and how a Chinese wall is used to separate the two funds. It is hoped that, with this Bill, there will be an obligation to establish two separate trusts where the Pension Fund will be under a separate trust from the Insurance Fund so that we can have more visibility, more disclosure and so that the employees may know that if they are

contributing to the pension scheme what are the charges and operating expenses that they are incurring rather than pool into a large basket.

The second issue is about the private pension scheme itself, how it is set up. I am just informed that hon. Uteem has tabled some amendments concerning the structure of the scheme. It is good that the scheme provides for the establishment of a trust, a foundation or even a PCC to be licensed. In that case, I think it is important that the management company should be the qualified trustee and the qualified member of the governing council of the foundation in order to make it more accountable and more professional.

In the case of foreign pension schemes which are regulated in foreign jurisdictions, it is, of course, welcome that they are also open to citizens of Mauritius and to expats living in Mauritius, but incentives should be provided under the law to attract such foreign pension schemes to outsource their administration and back office services in Mauritius under the law.

The external pension scheme can be licensed and administered as a Global Business Category 1 company for the benefit of foreigners. This is a good product for the global business sector and the advantage that it will provide is the access to the network of Mauritius Double Taxation Treaties plus also the access to the capital markets and the Stock Exchange in Mauritius. This is a very powerful financial instrument that can be promoted to revamp the pension industry in Mauritius.

I will now touch on a couple of tax issues because with regard to this law, the incentive will come when the tax elements are also taken on board. As we know, at the moment, there is double taxation of pension in the sense that the tax is applied at the time of contribution because you are paying pension out of your already taxed income and also it is taxed at the time of the receipt of the benefit because any lump sum above Rs1.5 m. is taxable. So, there is a double taxation. In order to develop this private pension scheme which is a supplementary savings for retirement, it is important to review the tax system and restore the tax relief on contribution to private pension scheme.

With regard to certain restrictions to benefits for employees, we know the tax regulations at this moment do not allow a pension payment to exceed two-thirds of an employee's final remuneration after 40 years of service. But, if he wants to have a higher retirement pension, he should be allowed to do so, especially if he is willing to contribute voluntarily additional amount. So, such restrictions to benefit should be removed in order to

encourage employees to save more for their retirement especially if they obtain a lot of overtime and bonus.

The third point is with regard to freedom of choice for the employees and the employers to agree on the retirement age for different occupations under their pension schemes and all this, independently of the retirement age applicable under law to the NPF and the old age pension.

I will now come to the other issue regarding the portability of the pension. The legal framework here should be made more flexible so that the portability restriction is removed so that they do not penalise early leavers. In this context therefore, it is important to raise certain safeguards that need to be taken care of under the law. What are these safeguards, Mr Speaker, Sir?

The first point is the cost of the transfer between different pension schemes. If the law allows flexibility for an employee to have the choice between different pension schemes, the regulations should make it possible for the operators to reduce the cost of the transfer to the employees.

The second issue that I would like to raise is the question of maximum commission that can be charged by canvassers and advisers of financial products. It is important to prevent abuse of high commission and marketing charges on these schemes.

Another point that needs to be considered is whether such schemes should be inflation indexed. Whether it should be mandatory to have an indexation to inflation so that, with time, when the employee retires, the amount of the pension benefit is not completely wiped out by inflation after 40 years of service.

As we know, the pension system today allows a retiree to take 25% of the total pension benefit as lump sum and the 75% balance has to be kept as annuity so that he draws a monthly pension every month until he dies. What is not clear with the annuity component is: does the law allow the employee to opt out of his current pension administrator and does he have the freedom of choice to choose other pension providers? So, the regulations should take care of this.

The other important item is the question of fraud because, very often, the sponsoring employer puts his hands in the kitty and pilfers the workers' pensions for his own personal benefit. Very often also the beneficiaries find that their pension benefits are completely wiped



out for no reason caused by them. So, the law does not provide for a compensation fund or a kind of pension policy holders' protection fund to protect people against such misappropriation of funds.

Another aspect of the industry is the mis-selling of pension products. Does this law adequately take care of the possibilities of mis-selling of products especially when pension funds can be invested in all kinds of derivative products which are called financial weapons of mass destruction? Should there not also be provision for a cooling-off period before an employer or an employee embarks into a pension scheme that is promoted by a sponsor or promoter?

Mr Speaker, Sir, there are other issues which may not have been covered under the law, so we hope that it comes under the regulation like: should the contribution to any private pension scheme be made mandatory to the employers? Because, as we know, the employers would like to contribute the minimum rate for the employees.

As I said, Mr Speaker, Sir, the legal framework takes care of all the different safeguards that are missing under the different laws in operation now in respect to solvency of the sponsoring employer, of capital adequacy, the corporate governance, the compulsory audit and the safe custody of assets. Although all these essential gaps are filled, yet we must ensure that the members of the governing bodies of these schemes are properly qualified and are made liable for any losses that are caused by fraud or willful negligence. We need therefore to promote this Bill among the professional cadres, but give opportunities to all the professionals in the pension industry to better understand the law and to have more professional training through seminars and workshops and also through continued professional development. The proposal is to group all these professionals in the industry into a professional association, which is properly recognised and, therefore, provide them with a grade or a professional accreditation.

Mr Speaker, Sir, I would like to end by saying that the regulatory framework which is proposed, is quite comprehensive, and if it is implemented properly with a strong supervisory authority, can develop the financial industry further and can also offer the opportunity of Mauritius to go a further qualitative step forward as a reputable international financial sector.

Thank you, Mr Speaker, Sir.

(7.11 p.m.)

**Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle):** M. le président, comme le dit si bien la chanson de Tino Rossi, la vie commence à 60 ans. Mais, aujourd'hui, avec l'espérance de vie qui est passée en moyenne à Maurice à plus de 75 ans, venir avec un projet de loi pour régler les fonds de pensions, rend cette étape de la vie encore plus rassurante.

Le *Private Pension Schemes Bill*, je pense, M. le président, était, comme dirait l'anglais, *long overdue* à Maurice quand on sait que d'autres pays l'ont adopté depuis un certain temps.

Avec le *Superannuation Fund Act* datant de 1954 et le *Statutory Bodies Pension Fund Act* de 1978, qui fut amendé en 2008, pour permettre l'extension graduelle de l'âge de la retraite de 60 à 65 ans, il fallait une nouvelle loi plus adaptée afin de régler le plan de pension dans le privé.

M. le président, c'est précisément dans le privé que les risques sont plus grands pour les bénéficiaires d'un fonds de pension. Si dans le secteur public ou parapublic, les fonds de pension sont en difficultés financières, le gouvernement pourra toujours se porter garant afin que la pension individuelle soit payée. Mais, qu'advient-il au secteur privé, si tel était le cas. Cette loi, M. le président, devrait venir régler les fonds de pension du secteur privé afin de sauvegarder le droit de tout employé à avoir une pension décente.

Convaincre un jeune, de moins de 30 ans qui entre dans le monde du travail de se souscrire à un fonds de pension est souvent un parcours de combattant, je peux le dire car j'ai vu beaucoup de cas pendant ma carrière. Pour un jeune employé, penser à la retraite à cet âge est loin d'être sa priorité, mais s'il n'y a pas une bonne planification de la retraite, les gens peuvent se retrouver avec de mauvaises surprises ayant, bien souvent, des conséquences dramatiques.

Il faut dire que dans le secteur privé, ce n'est que récemment qu'un plan de pension a été proposé aux employés et dans beaucoup de cas, c'était limité à une catégorie d'employés seulement.

Un exemple, d'un fonds de pension du secteur privé auquel je pense et qui a été un pionnier à Maurice, c'est le *Sugar Industry Pension Fund*, qui date de 1955 et dont les

membres sont uniquement les employés de l'industrie sucrière. Ce fonds a permis à beaucoup de retraités d'avoir une retraite paisible avec une pension mensuelle assurée.

Malheureusement, au fil du temps, la conjoncture dans l'industrie sucrière a changé, avec des départs prématurés dûs au VRS proposé. Il y a eu un nombre grandissant de retraités et de moins en moins de membres actifs, avec comme effet que ce fonds ne peut plus donner des augmentations annuelles aux retraités, ni le paiement d'un boni de fin année, c'est-à-dire le treizième mois. Si la loi qui régit le *Sugar Industry Pension Fund* permettait une plus large diversification, les choses auraient pu être différentes aujourd'hui.

Mr Speaker, Sir, let us now look at the Private Pension Scheme Bill itself and what is being proposed to safeguard the interest of the beneficiaries and to promote confidence in employees of the private sector.

The merit of this Bill is to have under one roof, as a one-stop shop, only one institution, that is, the Financial Services Commission, to deal with all matters pertaining to private pension fund. Currently, the Registrar of Associations and the MRA are the two bodies mainly involved in regulating the private pension industry and I must admit that their involvement is quite limited. This Bill proposes to go one step further. But the proof of the pudding is in the eating, Mr Speaker, Sir.

This Bill only sets the legal framework, but the rules are yet to be defined by the FSC and the regulations by the Minister upon recommendation by the FSC. The Bill also creates space for the existence of External Pension Scheme and Foreign Pension Scheme in Mauritius. I guess that this is in line with opening up of the economy and allowing new entrants to the market. We have seen lately a few local players merging together. So, opening up the industry, hopefully, will encourage foreign players to come in and offer new products to the industry and, at the same time, bring in some competition for the benefit of the members of the schemes.

The different types of schemes that exist in the private sector are mainly the Defined Benefit Scheme, the Defined Contribution Scheme, and sometimes a mix of the two.

Nowadays, the Defined Benefits Scheme is becoming less popular among employees, given its high cost and more so due to uncertainties in the prevailing volatile pension market. So, the requirement for maintaining solvency - and here I refer to clauses 18 to 21 of this Bill - might encourage a Defined Benefit Scheme to close new entrants. Employers would prefer to

set up Defined Contribution Scheme for new entrants or for new schemes itself. In uncertain economic conditions, Defined Contribution Scheme presents greater risks to beneficiaries, especially when not properly managed.

On the one side, we also need some rules on solvency of schemes to protect beneficiaries, but we should also give some latitude for those schemes to evolve. The FSC rules should be written in such a way so that they are not too strict on Defined Beneficiary Scheme thereby discouraging employers to set up or continue with Defined Benefits Scheme.

M. le président, un employé, ayant 50 ans ou plus, qui se joint à une entreprise ne peut être admis au plan de pension de son nouvel employeur actuellement vu qu'il aurait moins de 10 ans de service à l'âge de la retraite.

Je trouve cela injuste, M. le président, car, d'un côté, il y aura de plus en plus de cas similaires car la mobilité d'emploi aujourd'hui est plus facile et plus fréquente et aussi avec la portabilité de la pension, cela permettra à un employé de transférer son *accrued pension* d'un fonds de pension à un autre. Donc, cette restriction qu'un employé qui aurait moins de dix ans de service avec son nouvel employeur ne tient plus maintenant et je pense qu'il n'a plus sa raison d'être.

Je fais un appel au ministre de considérer au moins cet aspect dans les nouvelles lois ou dans les *rules* du FSC à ce que cela n'est plus une restriction quand quelqu'un a 50 ans et qui se joint à une nouvelle organisation, à être dans les nouveaux fonds de pension de son nouvel employeur. Justement en parlant de la portabilité de pension, M. le président, le transfert entre deux plans de pension du privé est possible. De portabilité de pension, le transfert entre deux plans de pension du privé est possible. Mais pour ce qui est du transfert entre un plan du privé et le plan du service public, ce n'est pas possible car dans le service public il n'y a pas un fonds de pension à proprement dit. Il n'y a pas longtemps nous avons vu la création d'une nouvelle institution - la *Mauritius Cane Industry Authority*, (MCIA), avec la fusion de six institutions indépendantes - financée par le CESS. Chacune d'elles avait été gouvernée par un plan de pension qui lui est propre dépendant du profil de leurs employés et de ceux qui sont déjà retraités. J'imagine qu'avec cette fusion, amalgamer tous ces différents types de plans de pension ne sera pas chose facile.

Comment traiter les retraités de chaque plan? Comment réconcilier les conditions de retraite de chaque plan? Comment fédérer les politiques d'investissements de chaque plan?

Donc le cas dont je viens de faire mention est réel et il pourrait y avoir d'autres cas similaires à l'avenir. Ma question est : est-ce que dans les *Rules* du FSC, ce genre de situation sera *look after*. Parce qu'on se retrouve avec un cas réel où cela demanderait la fusion de plusieurs plans de pension avec des différents profils et comment rejoindre tout cela dans un seul fonds. C'est quelque chose qui donne à réfléchir, dorénavant si on a des décisions pareilles, comment traiter cela, comment éliminer les difficultés.

Mr Speaker, Sir, each and every pension scheme is unique in itself and what makes it unique is the profile of its Members, the investment mix of its assets, the size of the scheme, its projection of its return, etc. So, coming up with a set of Rules, a one size fits all, could become a hindrance for the proper functioning of a pension scheme and detrimental to the beneficiaries. Section 23 (1) states that a prudent written investment policy should be adopted. I do agree, but

–

- (i) who will decide that the written investment policy is “prudent”?
- (ii) how do we define what is “prudent” and what is not? And
- (iii) will deviation from section 23 (2) imply that the investment policy is not prudent or will there be other means like, relying on professional advisers of the scheme to confirm whether that policy is in line with the prudence rule of the FSC rules?

Section 23 (2) of the Bill, with regard to investment rules states - I quote –

“The Commission may issue FSC Rules on admissible assets, spreading of risks, the minimum contents of a written investment policy and the implementation of investment decision”.

We all know that the age distribution of the beneficiaries of a pension scheme is widely spread out and when it comes to deciding on the allocation of investment of the assets, the young beneficiaries tend to go for riskier funds while those getting closer to retirement age tend to opt for more secured funds. We also know that beneficiaries can, at any moment, change their investment strategy moving from riskier assets to secured ones or vice versa as they evolve in their employment.

Let me take the example of the pension scheme of the CEB, the investment policy in place at the CEB is to use most of its funds to provide as loan to its members, that is, the employees and also to CEB itself for the latter to finance the major capital projects and to the employees for home loan and this does not seem to be a sound investment strategy for a pension scheme, yet it has been working for CEB for years. I know for another case, I know that another for a foreign big multinational where most of the funds of its pension scheme were invested in the shares of that same very multinational and when it went bust, that multinational, the beneficiaries not only lost their jobs, but all their contributions into the pension fund.

So, how the FSC Rules ensure the investment policy is prudent enough, I know that it is not a simple task to define that, however, what is even more complex is how to monitor adherence to those Rules.

Mr Speaker, Sir, let's now talk about the FSC fees to be claimed on the pension schemes. It is mentioned that the FSC would be collecting some fees from all the private pension schemes, well this cannot add up to a considerable amount, the Minister himself mentioned about more than a thousand schemes existing at the moment and should the fee be a percentage of the contribution payable into the scheme and should it be the case although some of the fees would be used towards the covering administration fees in regulating the private pension industry, it seems that it would be an excess of fees being collected. Should not the excess fees be used for the benefits of the schemes and beneficiaries altogether?

In the Bill there is no mention for what is called a Pension Protection Fund and should not the excess fees together, may be, with other levy's be directed towards such a central compensation fund to protect beneficiaries in case of insolvency of some schemes. However, the presence of a Pension Protection Fund should be administered in such a way to avoid moral hazard on the part of employers, administrators or then profession advisers. I have also noted that the Insurance Act also lack the creation and administration of a Central Compensation Fund in case of insolvency, of any local insurer. Some of the money from such a Fund could have been used to protect policyholders however, it is even more important to protect beneficiaries of Pension Schemes or will there be a categorisation of the different schemes to be classified into –

- (i) small exempt local pension schemes;

- (ii) small external pension schemes;
- (iii) big pension schemes, or even
- (iv) foreign pension schemes and with the fee applied to each category and this will probably be defined in the FSC rules, I suppose.

Mr Speaker, Sir, let's now see the section pertaining to the Revocation of License. Section 21 (5) (C) and section 44 talked about; revocation of license or authorisation when not complying with the Act or FSC rules. However, this action does not meet the aims of the Act as stated in Section 2. If an employer is in trouble financially, this will create a moral hazard and he can deliberately not comply with the Act and FSC Rules so that the license of the scheme gets revoked and is freed from further financial burden and goes away scot free.

In that case, Mr Speaker, Sir –

- (i) what will happen to beneficiaries and their rights to have a pension at retirement?
- (ii) what happens if there is a huge deficit in their fund? and
- (iii) what happen when there is no cash available to pay to current pensioners?

This is where the Pension Protection Fund could be useful and while there are other processors to recoup money from the employers and its assets. A pension scheme is not a profit-making entity such that the revocation of its license will cause the sponsor to incur loss of business or profits. This is true for insurance companies which are profit making organisations, but not necessary true for a pension scheme and in case of insolvency and non-compliance with the Act and Rules, there should be corrective measures and actions to protect beneficiaries instead of revoking the license of the scheme altogether. May be one of these actions could be imposing them to get the fund insured in case of loss and not an additional protection safeguarding the beneficiaries. There are not enough details on what will happen if the employer is ultimately not able to meet pension obligations towards its employees, except

that the license of the scheme will be revoked, which is not a solution to the problem. Maybe that would be defined in the rules.

Mr Speaker, Sir, let us now see what the Bill caters about costs for very small funds.

There are some very small funds with sometimes less than five members. With this new Act, it seems that there will be additional costs associated with their running, for example, Board of trustees, auditor's fees, actuary's fees, and fees to be paid to the FSC.

- So, what will happen if these schemes cannot sustain these costs and disappear for that reason?
- Have any provisions been made for them to, at least, exempt them from any of those additional costs?
- Will not the Act encourage umbrella or multiple-employers funds?
- Are umbrella or multiple-employers funds suitable in Mauritius? Although under umbrella or multiple-employers funds there will be economies of scale, there will also be other problems associated with that, as some of the employers falling within those umbrella funds might not be complying with the rules and could put in jeopardy all the funds altogether.

Another issue, Mr Speaker, Sir, is the Normal Retirement Age (NRA). There is no definition of Normal Retirement Age in the Bill. Although it is most probable that the FSC rules will define normal retirement age on approval of the schemes, an Act on pension schemes would be expected to define normal retirement age or at least to make reference to the rules for normal retirement age. There is still confusion regarding the Normal Retirement Age in private pension schemes following amendment to the Employment Rights Act.

I believe that the Private Pension Schemes Act could have been used to remove that confusion. I don't know; probably, the hon. Minister would take that up later on.

One other thing, Mr Speaker, Sir, is with regard to the foreign pension schemes. These schemes will be governed in a foreign jurisdiction. What kind of recourse the FSC can come up with to ensure the beneficiaries are not left with nothing after a lifetime of contribution,



given what we are witnessing in the supposedly safe and solid economies where banks are collapsing and countries are going bust?

Though section 10 (2) (b) spells out clearly the kind of necessary safeguard to protect the interest of beneficiaries, like I said, there is no more any sound and safe place any more in this world. Operators in big economies are very often done away with regulations, with the consequences that we all know. It would be a tragedy should our pensioners be faced with that kind of situation.

So, all the necessary safety nets should be put in place to ensure foreign pension funds do not default.

Mr Speaker, Sir, under section 37, Returns to Commission, a private pension scheme will be required to submit a list of information to be in compliance with the FSC Rules.

We all know very well that the International Accounting Standards 19 (IAS 19) requires a set of disclosure in the financial statements of an organisation having a pension scheme, and I believe that the IAS 19 will be revised soon.

I think it would be fair that the FSC looks at the requirements of IAS 19 to avoid any duplication of information and putting unnecessary burden on the organisation.

To conclude, Mr Speaker, Sir, we, on this side of the House, support the Bill, but as I mentioned above, the proof of the pudding is in the eating. The FSC will have to be properly manned to meet the challenges ahead, and they need to have people quite conversant with foreign jurisdiction.

So, we hope that the FSC rules will meet our expectations and those of the pension beneficiaries of the private sector.

Thank you, Mr Speaker, Sir.

(7.35 p.m.)

**Mr R. Uteem (Second Member for Port Louis South & Port Louis Central):** Mr Speaker, Sir, we are addressing this House, debating on this Bill at a time where the latest statistics have shown once again that Mauritius is having an aging population. Aging population means that there is pressure on the economy, and we will have to look after the more mature members of society who have contributed their life to make Mauritius a better place. A pension is very much what this society has to offer to mature citizens. A pension is a retirement income paid to retired people out of lifelong savings.

In Mauritius, we already have an array of pension schemes. We have the Basic Retirement Pension, which is a universal pension paid by the Government out of the Consolidated Fund every year at the budget. We have National Pensions Fund and National Savings Fund, which are compulsory schemes that cover employees from the private sector who, on retirement, get a lump sum or a monthly allowance or both. We also have specialised pension for Civil servants, MPs, employees of Parastatal Bodies, Local Authorities and the sugar industry.

However, all these pensions which I have just mentioned are not covered by this Bill. They are exempt. They are in a schedule, and they would be regulated by their own existing statutory provisions. Now, whether it's time to revisit these statutes and update it and make it more efficient is something which I would like to invite the hon. Minister of Finance and Economic Development to look into, and come up subsequently with amendments.

But, today, what we are concerned with is occupational pensions, and there are over 1,000 of them. They were set up mostly under the provision of the Employees Superannuation Fund 1954, which is being revoked. I would like to tell the hon. Members of this House, since the hon. vice-Prime Minister mentioned that his Ministry together with the FSC and stakeholders have been preparing this Bill, that it is worth for the record to note that, as far back as 2003, the then Government had dealings with the World Bank, and there was a policy research working paper which was published in April 2003 on the role of Occupation Pension Funds in Mauritius, and which was very critical of the existing system, the lack of supervision. I am glad, as I said for the Foundation Bill, to say *mieux vaut tard que jamais*. It has taken the time, but at least in 2012, today, we are going to implement the recommendation made by this report of the World Bank.

So, one of the main problems that we have at the moment is a fragmental regulation. On the one hand, you have private pension schemes which are regulated by the Employees Superannuation Fund, which is supervised by the Registrar of Associations and has its own sets of criteria and responsibility. Then, on the other hand, you have provision under the Income Tax Act and under the Income Tax Regulations of 1996 which relates to Superannuation Funds approved by the Director-General of the Mauritius Revenue Authority. For the approval, there is a completely different set of criteria, of rules and regulations, and you need to comply with these criteria in order to get tax benefit, in order to get the tax incentive available.

So, this was a very unsatisfactory situation; two sets of regulations with no one knowing exactly who has to supervise over what, because it seems that there has never been any ongoing inspection to make sure that these pension funds comply with both the Employees Superannuation Fund Act and the Income Tax Regulations of 1996. So, now what this Private Pension Bill is doing is to repeal both sets of legislation: both the Superannuation Fund Act and the Income Tax Act Regulations 1996 are being repealed. They will be replaced by a single regulatory authority which will be the Financial Services Commission.

So, now the moment the Financial Services Commission regulates and issues a license to a Private Pension Fund, automatically it would be eligible to benefit from the tax provisions of the Income Tax Act. This is welcome and will give a lot of clarity to the industry. Now, the main criticism of the report was about the lack of supervision and this has been alluded to by the hon. vice-Prime Minister and Minister of Finance. There is a need for clear supervisory authority. There is a need for safe custody of assets, for assets diversification, for proactive supervision so that adequacy of funds, governance, internal control, risk management system and also to control the investment that are made by the pension fund and supervise the type of investment that is being made; why? Because you all have – at least, more mature hon. Members of this House – in mind what happened in the 90s in the UK with the Robert Maxwell saga. Robert Maxwell, Mr Speaker, Sir, was the Head of the Mirror Group. There was a Daily Mirror, a very famous newspaper in England. Then one day, in 1991, Mr Maxwell was found dead - mysteriously overboard, he apparently fell from his ship although there is a lot of theory about how he died. But following his death, there was an enquiry into the Pension Funds operated by Robert Maxwell and it was found out that over 480 million pounds had been siphoned off pension funds of various companies under the Maxwell empire. The report highlighted the danger of inherent opacity where Pension Funds are unprofessionally managed and where Pension Funds are managed by employers who dominate the Board. In the US as far back as the 70s, they had enacted ERISA, a special legislation which makes the employee part of a decision-making process for funds and it ensures that there are strict guidelines as to how you use pension funds.

In Mauritius, we also remember the notorious National Pension Fund's fraud at the Mauritius Commercial Bank, which again highlighted an inherent weakness in supervision of investments decision-making process and it is very much this lack of supervision that we hope

would be addressed by the Financial Services Commission when this Bill will be enacted. One example as of how we are going to supervise the private pension industry is through the use of actuaries and auditors.

Under the existing employees Superannuation Fund Act, there is provision that all pension funds must be audited by two auditors; one from the employer and one from the employees. But there is no requirement that there be a qualified auditor – and that is quite surprising – that if ever the auditor finds any flaw in the books of the pension fund, any requirement of him to report the matter to anyone. Now, this is being changed and I think this is one of the major interesting provisions of this legislation. Every private scheme under section 35 of the Act, with the approval of the Commission, will have to appoint an auditor and an actuary and if it fails to do so, the FSC themselves will appoint an auditor and an actuary and that actuary must be qualified under the Financial Reporting Act. So, we were talking about qualified auditors and that will give comfort to all the pensioners and employees that their books are properly supervised.

And again, section 40 makes it an obligation on the auditor and the actuary, should they find any misappropriation or fraudulent conversion of funds which they have reasonable suspicion has occurred, they need to report this to the Financial Services Commission. The Financial Services Commission will also, under the Act, exercise a lot of supervisory role both onsite and offsite the pension scheme.

Mr Speaker, Sir, orators before me have alluded to this and I will add also that the devil is in the details. At the moment, what we have is a framework. We have a framework which is an enabling legislation, but it is as if it was bone without the flesh. The flesh will come when the FSC will come up with regulations, guidelines and sets of rules with regard to composition and qualification of Board, investments strategies, prudential rules and we will wait to see these regulations and, if need be, come back to this House if ever there is any shortcoming.

Mr Speaker, Sir, in addition to furnishing a saving mechanism to alleviate poverty among the old through provision of income payment, pension funds also provide a vital role in financial markets and the economy in general. Indeed, Mr Speaker, Sir, today the largest institutional investors are pension funds. Pension funds can raise national saving by mobilising funds through workers and then use these funds productively by investing in

various sectors of the economy on the Stock Exchange and if properly regulated, pension funds can give a big boost to the national economy.

I will end, Mr Speaker Sir, by thanking the hon. vice-Prime Minister for taking on board the amendment that I proposed that the Pension Fund should also be able to be set up as foundation - we have just passed the Foundation Bill. This is very important because we want also to attract foreign pensions and in other countries the pension may be set up by entities other than trusts. They may be set up as foundation.

With these words, I thank you, Mr Speaker, Sir.

(7.48 p.m.)

**The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval):** Mr Speaker, Sir, I will very quickly summarise before dinner. It is a bit of a hat trick, Mr Speaker, Sir, we have three Bills since I took office and the three Bills have had cross party support in the House. I am very happy with this and I thank all the hon. Members who have contributed. In fact, this is encouraging and I hope to bring two more Bills to the Parliament very quickly, hopefully before the end of the year. One is the Limited Liability Partnership Bill and the other is the Ombudsman for Financial Services Bill which will further enhance our financial services sector.

I think, as everybody mentioned, this is *une loi cadre* which will set the scene; the devil is in the details as hon. Li Kwong Wing said. The FSC rules will come forward and they will be widely discussed with the industry, as was this Bill. We want to obviously find a right equilibrium between control and flexibility so that the financial services sector and especially this pension scheme sector can flourish in a controlled and healthy environment, Mr Speaker, Sir.

There are some points that have been raised like enabling transfer of pension rights. I think that hon. Seeruttun also mentioned about the portability of pension. I fully agree with that, Mr Speaker, Sir, and I will make sure that this is made as easy as possible because that is one impediment why sometimes people stick to one employment long after a move is advisable.

I mentioned about the flexibility. About fraud, Mr Speaker, Sir, there is provision in the law to sanction fraud from the governing body, etc. and that is a good thing. As far as the FSC fees are concerned, obviously we want to raise the fees to cover the cost of the running of the

FSC. But, obviously, we will keep it reasonable. And I have heard hon. Seeruttun who mentioned that somehow we should not penalise the smaller pension schemes. So, that is a good point, and we will make sure that this is not happening.

Mr Speaker, Sir, as far as the Pension Scheme Insurance Fund is concerned, that is an issue that is debatable whether you should insure banks or whether you should insure insurance companies are not. There is no risk in that, consumers may act recklessly. I don't promise, but we will consider and look at this, Mr Speaker, Sir.

As far as the point raised concerning double taxation of pensions is concerned, we don't agree. The income of the pension scheme is taxable, but the lump sum up to Rs1.5 m. is tax-free, Mr Speaker, Sir. And as far as restoring the deduction for pension contributions is concerned, in 2006, there was a major reform of income tax and all these little deductions, one or two were reinserted probably wrongly last year by my predecessor, but, we got rid of most of them and I don't think it is envisaged that it will be restored.

Mr Speaker, Sir, someone talked about attracting global business companies to Mauritius. It is eight o'clock, we are passing the Bill and it is up to the management companies and to the financial services sector to promote this overseas to make sure that people use it. We can't do everything, but, again, with the Board of Investment, we will support wherever we can. I think probably these are the main points raised, but anything else that has been raised which is very valid, will be taken up in the FSC rules, Mr Speaker, Sir.

As far as revocation of licence is concerned, I wanted to mention – it was a point raised by hon. Seeruttun - that it is one of the options that the FSC will have. We will have other options so that, in fact, employees are not unduly penalised in any case.

As far as foreign schemes are concerned, we will only authorise foreign schemes in Mauritius, as opposed to external schemes which are for offshore. Foreign schemes will only be authorised if they are already registered in a reputable overseas jurisdiction.

Mr Speaker, Sir, I think, I have covered quite a few of the points raised. A lot of the points we are dealing with forthcoming FSC rules and we will, at least, look at all the points raised today and make sure that wherever possible, wherever necessary, they will be taken on board and I thank the Members again.

*Question put and agreed to.*

*Bill read a second time and committed.*

**COMMITTEE STAGE***(Mr Speaker in the Chair)***THE PRIVATE PENSION SCHEMES BILL****(NO. XVI OF 2012)***Clause 1 ordered to stand part of the Bill.**Clause 2 (Interpretation)**Motion made and question proposed: “that the clause stand part of the Bill.”***Mr Duval:** Mr Chairman, I move that clause 2 be amended as follows -

- (i) by deleting the definition of “Chartered Secretary”;
- (ii) in the definition of “constitutive documents”, in paragraph (b), by inserting, after the words “trust deeds,”, the words “charter or Articles of a Foundation,”;
- (iii) in the definition of “governing body”, by inserting, after paragraph (b), the following new paragraph, the existing paragraph (c) being relettered as paragraph (d) –
  - (c) in the case of a Foundation, its Council; or
- (iv) by inserting, in the appropriate alphabetical order, the following new definitions –
  - “Articles of a Foundation” means the Articles made under section 10 of the Foundations Act 2012;
  - “charter” has the same meaning as in the Foundations Act 2012;
  - “Foundation” has the same meaning as in the Foundations Act 2012.

*Amendment agreed to.**Clause 2, as amended, ordered to stand part of the Bill.**Clauses 3 to 7 ordered to stand part of the Bill.**Clause 8 (General restriction on private pension activities)**Motion made and question proposed: “that the clause stand part of the Bill.”***Mr Duval:** Mr Chairman, I move that clause 8 be amended as follows -

“In clause 8(1)(a); by inserting, after the word “trust”, the words “, a Foundation”.

*Amendment agreed to.*

*Clause 8, as amended, ordered to stand part of the Bill.*

*Clause 9 (Licensing of pension scheme)*

*Motion made and question proposed: “that the clause stand part of the Bill.”*

**Mr Duval:** Mr Chairman, I move that clause 9 be amended as follows -

“In clause 9(2)(a), by inserting, after the words “trust deeds,”, the words “charter or Articles of a Foundation,”.

*Amendment agreed to.*

*Clause 9, as amended, ordered to stand part of the Bill.*

*Clauses 10 and 11 ordered to stand part of the Bill.*

*Clause 12 (Licensing of external pension scheme)*

*Motion made and question proposed: “that the clause stand part of the Bill.”*

**Mr Duval:** Mr Chairman, I move that clause 12 be amended as follows -

“In clause 12(1), by deleting the words “section 9(1)” and replacing them by the words “section 9”.

*Amendment agreed to.*

*Clause 12, as amended, ordered to stand part of the Bill.*

*Clauses 13 to 36 ordered to stand part of the Bill.*

*Clause 37 (Returns to Commission)*

*Motion made and question proposed: “that the clause stand part of the Bill.”*

**Mr Duval:** Mr Chairman, I move that clause 37 be amended as follows -

“In clause 37(2)(c), by deleting the words “of the members”.

*Amendment agreed to.*

*Clause 37, as amended, ordered to stand part of the Bill.*

*Clauses 38 to 51 ordered to stand part of the Bill.*

*Clause 52 (Legal proceedings)*

*Motion made and question proposed: “that the clause stand part of the Bill.”*

**Mr Duval:** Mr Chairman, I move that clause 52 be amended as follows -



“In clause 52, by inserting, after paragraph (a), the following new paragraph, the existing paragraphs (b) and (c) being relettered as paragraphs (c) and (d) respectively –

(b) in the case of a Foundation, through its Council”.

*Amendment agreed to.*

*Clause 52, as amended, ordered to stand part of the Bill.*

*Clauses 53 to 59 ordered to stand part of the Bill.*

*Schedule ordered to stand part of the Bill.*

*The title and the 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 Private Pension Schemes Bill (No. XVI of 2012) was read the third time and passed.*

### **ADJOURNMENT**

**The Deputy Prime Minister:** Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 17 July 2012 at 11.30 a.m.

**Mr Duval rose and seconded.**

**Mr Speaker:** The House stands adjourned.

(8.02 p.m.)

### **MATTERS RAISED**

#### **SAVANNE & BLACK RIVER – HOUSING PROBLEMS**

**Mr A. Ganoo (First Member for Savanne & Black River):** Thank you, Mr Speaker, Sir, for allowing me to raise a specific matter on adjournment. It relates to matters pertaining to the issue of housing in the Constituency No. 14 of Savanne/Black River.

In fact, there are a few matters, Mr Speaker, Sir, which I would like to raise for the attention of the hon. Minister. Firstly, there is the question of regularising the squatters in certain localities; the burning issue of the pulling down of asbestos houses and replacement of same; the issue of expediting the sale of the CHA State land to the occupiers of different CHA States in the Constituency; the provision of infrastructure amenities to ex-squatter areas; the sale of old building sites less than 10 perches in the Constituency and finally, Carré-d'As project.

Sir, I will be very brief and I will appeal to the hon. Minister, as far as the first point is concerned, to look into the issue of regularising of squatters in certain localities of the Constituency.

The hon. Minister, himself, in an answer to a Parliamentary Question on 05 June of this year, informed the House that, in the precise Constituency, inspections are carried out on a regular basis and the inspections have revealed the presence of several squatters in certain areas: Le Morne, Cotteau Raffin, African Town, Riambel, Camp Rodriguais, Bambous, and Karo Kalyptis, Case Noyale.

I am appealing to the hon. Minister to look into this matter and to, as soon as possible, regularise these squatters. My appeal is with the specific reference to the remarks made by the Truth and Justice Commission, Mr Speaker, Sir, where the emphasis was laid on the need for the rehabilitation of the community of slave descendants, that reparation be provided to poor families in terms of social reparation such as housing and education. In fact, Le Morne was especially singled out in this context.

Secondly, Mr Speaker, Sir, there is the question of asbestos houses. Again, the hon. Minister revealed to the House in two Parliamentary Questions that I have asked concerning that subject. Today, there are about 3,113 houses which are made of asbestos in Mauritius. In the area of Black River alone, there are about 260 such houses and 535 such houses in the Savanne area.

Mr Speaker, Sir, some of these houses have already been pulled down by their owners, but there remains about 350 of these houses where the occupiers are still living. Their houses are in its original state and they have no means to erect new houses. So, 2,000 of these units have been subject to concrete extensions, but the houses in their original asbestos state are owned by old couples who live below the poverty line.

I make an appeal to the hon. Minister to come up with a scheme for those who live in abject poverty, who are occupying these housing units still in their original state. I appeal to the hon. Minister to come with a scheme to help these poor occupiers to reconstruct their dwellings. A study can be carried out. Qualifications can be set and those found to be poor and who qualify for the schemes could have been provided with some form of assistance. I leave it to the Minister and to Government to devise any proper scheme so that we can do away with this danger.

In fact, the hon. Minister himself in his answer once said –

“Once asbestos partition is damaged or wrongly manipulated, the particles are released and then absorbed by breathing.”

There is definitely urgency, Sir, and I rely on the hon. Minister for his understanding.

Mr Speaker, Sir, the third issue I wish to raise is the sale of CHA State land. In fact, there are several CHA estates in the constituency and in most of these estates, for example, the areas of Tamarin, Case Noyale, Bel Ombre, Rivière des Galets, Surinam and Riambel, the process has been hampered in spite of the amendment brought to the State Land Act in 2007.

Again, in this very House, on several occasions, this issue has been raised, Mr Speaker, Sir, and the problem is that these estates are either on private land or some are to be found on *Pas Géométriques*. In case of private land, it would seem the transfer has not yet been effected and this is why the sale has not been able to take place. In the case of *Pas Géométriques*, the problem is more complex.

In fact, section 18 of the *Pas Géométriques* Act states that land found on *Pas Géométriques* does not fall under the provision of the State Land Act. In fact, the hon. Minister, himself, evoked the possibility of amending the Constitution, if need be, in order to be able to resolve this problem of the fact that *Pas Géométriques* is unalienable, Mr Speaker, Sir, and imprescriptible.

I appeal to the hon. Minister to come up with a solution. The dossier was sent to the State Law Office and this was a measure taken in 2007. Mr Speaker, Sir, five long years have elapsed now and the owners in these CHA estates are still eagerly waiting to acquire their plot of land.

The fourth issue I want to raise is the provision of infrastructures and amenities to ex-squatter areas. Mr Speaker, Sir, many squatters have been regularised years ago in this

Constituency, but they still live in depressed areas which are devoid of access roads, pavements, street lighting. In spite of the fact that now they are regular lessees, the environment in which they live, Mr Speaker, Sir, has to be improved. Many of these squatter areas have known hardly any progress in terms of provisions of these infrastructures. I appeal to the hon. Minister to look into those cases, especially in the squatter areas of Trois Bras, Surinam and Riambel which are found in Surinam. I am sure the hon. Minister will liaise with other Ministries concerned to once and for all solve this problem.

Mr Speaker, Sir, my last, but one point, the sale of building sites under 10 perches. Sir, I just commented on the amendment of the State Land Act to enable families to become more owners of a plot of State land on the CHA estates. In 2008, I asked a Parliamentary Question to the predecessor of the hon. Minister, Mr Dulull, about the advisability of selling building sites of less than 10 perches as in the case of CHA estates to their respective occupiers. I quote what the then hon. Minister said, Mr Speaker, Sir –

“We have already surveyed the number of building site lessees and we are looking into the modus operandi of such measure. We are seeking the views and advice of all stakeholders including the State Law Office. Sir, this Government will spare no effort and will continue to explore each and every avenue to democratise the economy and to have land accessible as a useful resource to empowering the nation.”

Indeed, Mr Speaker, Sir, I appeal to the present Minister to take the matter from there. I am sure that we all realise that the passing from the state of a lessee to an owner is not only a way to empower the poor man, to democratise the economy, Mr Speaker, Sir, but it is also a useful economic measure for Government itself. It will spare Government of the administrative burden of having to renew leases, to collect and to monitor the payment of rentals, etc. It is, therefore, as beneficial to Government as it is to the lessees themselves.

The last point that I wish to make is the question of Carré-d’As. We have heard this morning about the housing project of Carré-d’As. It concerns, in fact, the building of 38 units for families who are ex-employees of salt pans. Sir, it came clear from the hon. Minister’s answer this morning that land is available. Land has been made available by the employer. The CSR funds are available and funds from the private sector are available and the employees are willing themselves to borrow a third of the cost of the housing unit and have pledged to refund that loan. The NGO responsible is talking of 38 units.

The authorities are talking of 30 units. A solution can be found to that discrepancy, Mr Speaker, Sir. The NGO is willing to respect all the CSR guidelines. But the Minister of Finance and the Minister of Social Integration have not yet given the green light because of a few problems, especially the fact that some of the beneficiaries earn more than Rs6,200 and do not qualify under the NEF, but can benefit only from the National Housing Trust. This should not be a problem, Mr Speaker, Sir. I agree that the situation is flawed with a few difficulties, but they are not *insurmountable*. With the necessary political will, I am sure Government can finalise the project.

I appeal to the hon. Minister of Housing, since this is fundamentally a housing issue, to liaise with the Minister of Social Integration, to liaise with the Minister of Finance, to once for all, finalise this project which was initiated, in fact, before the 2010 elections. The Carré-d'As project, Mr Speaker, Sir, is a question of promoting the integration of low-income families in mainstreaming society through the provision of low-cost housing and I am sure my appeal to the hon. Minister will not fall on deaf ears.

Thank you, Mr Speaker, Sir.

(8.11 p.m.)

**The Minister of Housing and Lands (Dr. A. Kasenally):** Mr Speaker, Sir, I will be equally short. As my colleague...

*(Interruptions)*

Housing is one of the crucial aspects of this Government.

**Mr Speaker:** May I remind the Minister he has only 15 minutes.

**Dr. Kasenally:** Yes. This Government has invested heavily and to the tune which we have never had of Rs2 billion for a housing project to cover the whole island, not only in Constituency No. 14. As you may all know everybody realises that a roof for somebody is the most important and expensive investment of any family.

With regard to the issue of housing in Constituency No. 14 raised by the hon. Member, I wish to inform the House that in 2009, the NHDC completed the construction of 533 low-cost housing under the Firinga for housing project across the island. 78 units were constructed at Bambous and all these have been allocated. A further 198 housing units were constructed at La Vallette, Bambous under the National Empowerment Fund. The housing projects in the pipeline are following. This Government is pursuing its housing development projects. To this

effect, land has been identified for mixed housing development comprising the construction of housing units of 39 metre square, 57 metre square and provision of service lots. For Constituency No. 14, land has been identified at Beaux Songes 7 *arpents*, Surinam, 7 *arpents* and La Gaulette, 3 *arpents* for the implementation of housing projects.

Mr Speaker, Sir, I wish to inform the hon. Member that here rehabilitation works for wastewater disposal system will be undertaken at Bambous and Riambel housing estates for some 198 and 77 units respectively and it has persistently been requested by my colleague, the Minister of Local Government, as well as other MPs.

Regarding the squatters for Constituency No. 14, it is a bit difficult nut to crack, but we will crack it. Regarding the situation in Constituency No. 14, I wish to inform the House that at La Ferme, out of 75 squatters...

*(Interruptions)*

Yes, the hon. gentleman was saying that in the very past, he means to forget what happened between 2005 and 2010, but he is not a bad man and I will forgive him for that.

At La Ferme, out of 75 squatters, 72 have been allocated land, 61 at Bambous and 11 at Camp Le Vieux. The cases of remaining three families are being looked into. However, the 72 families are yet to occupy their land as there is no infrastructure. This is being looked at the level of my Ministry and the Ministry of Local Government. Funds have been made available from the Housing Development Fund. Karo Kalyptis, Case Noyale, out of 39 cases, 19 have been allocated land at Cotteau Raffin, the remaining 20 cases are being looked into on a case to case basis. Here also, there is no infrastructure and, similarly the matter is being looked at the level of my Ministry.

I wish to emphasise that in respect of the sites at Bambous, Camp Levieux, Cotteau Raffin, other stakeholders are very much aware of the issue of provision of infrastructure and we hope to bring a solution to the problem very soon so as to enable these families to start construction of their housing units.

Squatting has also taken place at Eau Bonne, Bambous, where 24 families have been detected. All of them are in the buffer zone of La Ferme reservoir. Identification of new sites for the relocation is being looked. At Dilo Pourri, Le Morne, 44 new cases of squatting have been detected. All of them stand on part of State land already leased at the shooting and fishing lease to the Baie du Cap Deer Farming Ltd. Action is being taken to retrieve part of the said

plots of land from the shooting and fishing lease held by the Baie du Cap Farming Ltd., and ultimately, to allocate building sites leases to the squatters. There are 37 squatters' cases in the region of Surinam, Riambel, Le Morne, which have also been regularised. Situations of news squatters at African Town, Riambel, I understand about 80 cases.

Recently, there has been a wild invasion over a marshy plot of land - State land at Riambel - commonly known as African Town. Information gathered from sites, it appears that there are about 80 squatters over the said plot. Attempt was made to evict these quarters through legal and administrative process in force. However, rude force was used against the officers of my Ministry, aided and abetted by thugs, imported from other parts of the country. I give a guarantee now, Government will never allow settlement on this site, given its marshy characteristics, thus posing sanitary and health problems, the site is also prone to flooding. Under these circumstances, this is most unsuitable and, probably dangerous for construction of any form of habitation.

Mr Speaker, Sir, I regret to inform that these people have been aided and abetted. I think they were even given material to build. Under these circumstances, no construction would be there. However, as a caring Government, I'll take the responsibility that those who are genuine squatters will be regularised and given a portion of land somewhere else. As far as ex-CHA housing units are concerned, there are presently some 361 ex-CHA units in 7 housing estates. I will not mention them, because you are well aware of it, but anyway it's Bel Ombre, Petit Bois, Surinam, Case Noyale, La Mivoie, l'Embrasure and Tamarin.

As you know, there is a problem on *Pas Géométriques*, but we will have to put our heads together. There is a question of changing the Constitution. If you cooperate with the Government, not trying to bring down the Government every time, we will give you a hand, or you shall give us a hand.

Mr Speaker, Sir, as regards housing units where asbestos is present, there is already a scheme to assist owners who wish to pull down or upgrade their units. These owners are being advised to avail themselves of the following: housing loan scheme at low interest rate provided by the MHC, casting of roof slabs grants and/or purchase of building materials scheme at the NHDC, assistance and subsidies from National Empowerment Fund and assistance by local authorities for removal and carting away of asbestos. The hon. Member has mentioned a number of these asbestos houses. But, as I have explained to you, a lot of people have got their

asbestos board untouched, so there is no problem. But however, gradually, it is only when the integrity of the asbestos sheet is breached, then you have fine particles which are inhaled and they cause asbestosis which is a form of pneumoconiosis leading to heart failure. That's a bit of medicine.

As far as sale of land on less than 10 perches, the hon. Member has mentioned the law because he is well-versed with the law. As far as Carré-d'As is concerned, we have discussed it lengthily under a PQ this morning and, my colleague, the hon. Minister of Local Government, is also particularly interested in that and we shall leave no stone unturned to ensure that our people, I mean, all Mauritians will have a fair share. We are here to help, we care for the poor and the underprivileged.

Thank you very much, Mr Speaker, Sir.

*At 8.23 p.m. the Assembly was, on its rising, adjourned to Tuesday 17 July 2012 at 11.30 a.m.*



**WRITTEN ANSWERS TO QUESTIONS**

**COROMANDEL – POLICE QUARTERS – WATER PUMPS**

(No. B/465) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the water pumps at the Police Quarters, in Coromandel, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if they are out of order, and if so, indicate –

- (a) the number thereof;
- (b) since when, and
- (c) if remedial measures have been or will be taken.

**Reply:** In regard to part (a) of the question, I am informed by the Commissioner of Police that there are ten water pumps at the Police Quarters situated at Montreal, Coromandel.

In regard to parts (b) and (c) of the question, the water pumps were operational until 2006 when they were disconnected as the water supply was adequate.

I am informed that in late 2011, due to drought which the country was experiencing the water supply became irregular. A Technical Team of the Special Support Unit proceeded with the connection of water pumps and it was found out that these were not functioning properly. As these pumps are electronically operated, the Technical Team will proceed with their repairs with the help of private expertise.

**RODRIGUES – POLICE STATIONS – PREMISES**

(No. B/466) Mr J. F. François (Third Member for Rodrigues) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Police Stations, in Rodrigues, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the number thereof which are housed in rented premises, indicating in each case –
  - (i) the rent payable;
  - (ii) since when they are being rented,
  - (iii) the names of the owners thereof, and
  - (iv) the total amount of money paid as rent, as at to date, and

(b) if consideration will be given for the construction of Government-owned buildings for the housing thereof in the next financial year.

**Reply:** In regard to part (a) of the question, I am informed by the Commissioner of Police that there are two Police stations in Rodrigues which are housed in rented buildings since October 2004. These are –

- (i) Petit Gabriel Police Station at a monthly rental of Rs20,500, and
- (ii) Grande Montagne Police Station at a monthly rental of Rs18,500.

Mrs D.L.C. is the owner of the building which is situated at Petit Gabriel, and Mr E.D. the one at Grande Montagne.

As at end of June 2012, an amount of Rs1,537,080.65 has been paid as rent for Petit Gabriel Police Station and Rs1,419,080.65 for the one at Grande Montagne.

In regard to part (b) of the question, I am informed by the Commissioner of Police that in line with its policy to construct new Police stations in Mauritius and Rodrigues, it is planned to construct new Police stations at Petit Gabriel and Grande Montagne in 2014/2015. The Rodrigues Regional Assembly is being requested to vest additional land in order to construct new Police stations of the required standard.

#### **FORENSIC MEDICINE DEPARTMENT – SETTING UP**

(No. B/467) **Dr. S. Boolell (Second Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether in regard to forensic medicine, he will state if consideration will be given for the setting up of an independent Forensic Medicine Department, and if so, when and if not, why not.

*(Withdrawn)*

#### **DRIVING LICENCES – APPLICANTS – CRITERIA**

(No. B/468) **Dr. S. Boolell (Second Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the driving licences, he will, for the benefit of the House,

obtain from the Commissioner of Police, information as to the criteria used for the issue thereof to applicants suffering from –

- (a) disabilities, and
- (b) diseases, including epilepsy.

*(Withdrawn)*

#### **PIRATES – TRIAL**

**(No. B/469) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the pirates, he will state when the first trial thereof will take place in Mauritius, indicating –

- (a) who will bear the cost thereof, and
- (b) in case of conviction, where will the sentence be served.

*(Withdrawn)*

#### **MAURITIUS SOCIETY OF AUTHORS – DIRECTOR – COMPLAINT AGAINST**

**(No. B/470) Mr P. Roopun (Third Member for Flacq & Bon Accueil)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the complaint lodged by the local representative of Sony Music against Mr G. L., Director of the Mauritius Society of Authors, on or about mid 2011, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the inquiry carried out thereinto is now complete, and if so, indicate the outcome thereof.

**Reply:** I am informed by the Commissioner of Police that on 29 June 2011, Mr G. L., Director General of the Mauritius Society of Authors was arrested and brought before the District Court of Port Louis Third Division for “Conspiracy” in breach of section 109 of the Criminal Code (Supplementary) Act in connection with the case reported by the local representative of Sony Music Entertainment Proprietary Ltd.

He was bailed out on the same day after having furnished a surety of Rs5,000 and a recognizance of Rs10,000.

Inquiry in the case has been completed and referred to the Director of Public Prosecutions for advice.

### SCHOOLS - DRUG OFFENCES

(No. B/471) Mr N. Bodha (First Member for Vacoas & Floreal) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to drugs, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of offences in relation thereto having been committed in the schools, since 2010 to date, indicating in each case, if an inquiry has been carried out thereinto and, if so, the outcome thereof.

**Reply:** I am informed by the Commissioner of Police that since January 2010 to 06 July 2012, four cases of possession of ganja were reported in a secondary school. In one case, the accused has been sentenced to pay a fine of Rs2,000; in two cases, the Director of Public Prosecutions has advised no further action and in the fourth case, Police is continuing its investigation, the offence having been committed in March this year.

### FLIC EN FLAC – “VANILLA ISLANDS CARNIVAL”– TRAFFIC JAMS

(No. B/472) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to Flic en Flac, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if there have been huge traffic jams thereat, on Sunday 01 July 2012, and if so, indicate –

- (a) the reasons therefor, and
- (b) if the Police had authorised any mass events to be held thereat.

**Reply:** In regard to part (a) of the question, I am informed by the Commissioner of Police that the flow of traffic at Flic en Flac was seriously hampered on Sunday 01 July 2012 owing to the fact that some thirty thousand people in about 7,000 vehicles went there, mostly to attend the “Vanilla Islands Carnival” organised by the Ministry of Tourism and Leisure and the Mauritius Tourism Promotion Authority.

I am further informed that prior to the holding of the carnival, working sessions, including site visits, were held involving representatives of the Ministry of Tourism and Leisure, the Mauritius Tourism Promotion Authority, the Western Division of the Police Department, the Traffic Branch and the Traffic Management and Road Safety Unit of the

Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, and the National Transport Authority. A traffic plan was developed and on 28 June 2012, the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping issued a Press *Communiqué* to inform the public of the Temporary Diversion Scheme which was to be put in place on the day of the event, that is, Sunday 01 July 2012, as from noon as the carnival was scheduled for 14.00 hrs to 18.00 hrs.

On its part, Police issued an Operation Order on 26 June 2012 laying down the responsibilities of the Divisional Commander, Western Division and all Branch Officers so as to ensure that appropriate policing and security measures were taken for the maintenance of law and order, crowd and traffic control on the day of the event. 70 Police Officers were deployed from different units and branches to cover all aspects of policing.

On the day of the event, in view of the huge crowd which proceeded to Flic en Flac, the main road which is, in fact, the only one allowing access to the region, was seriously congested. The situation was also aggravated by the fact that according to the traffic plan put in place for the event, lateral roads were used for parking only. As a result, the Diversion Scheme which was initially to end by 18.00 hrs had to be extended up to 21.00 hrs. The traffic flow returned to normal at about 21.45 hrs.

In regard to part (b) of the question, I am informed by the Commissioner of Police that in a letter dated 13 June 2012 addressed to him, the Ministry of Tourism and Leisure sought authorisation to hold the “Vanilla Islands Carnival” on the coastal road of Flic en Flac on Sunday 01 July 2012. In that same letter, the Ministry of Tourism and Leisure requested for Police assistance for the event.

Prior to the Police conveying its decision to the Ministry of Tourism and Leisure, a site visit was carried out with all stakeholders on 18 June 2012 to identify the exact venue, as well as the route to be used during the event. A meeting was also held at the Mauritius Tourism Promotion Authority on 20 June 2012 to discuss further the sequence of events for the carnival. Police subsequently raised no objection to the holding of the event and worked out a traffic plan for the day.

Enquiries were made after the event to look into the possibility of having a second exit for the village of Flic en Flac. It has come out that with the setting up of Mauriplace Beach Resorts Ltd and of Wolmar Bungalows Ltd, this possibility of exit is no longer available.

### ASSAULTS – CASES

**(No. B/473) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to physical assault, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases thereof, since January 2012 to date, indicating, in each case, the –

- (a) nature thereof;
- (b) number thereof having led to the death of the person/s involved therein, and
- (c) additional measures taken to prevent the commission thereof.

**Reply:** In regard to parts (a) and (b) of the question, I am informed by the Commissioner of Police that during the period January to 30 June 2012, 6,294 cases of physical assault have been reported to the Police as follows –

- (i) 6,182 cases of simple assault;
- (ii) 43 cases of assault against agent of Civil Authority;
- (iii) 6 cases of assault with corrosive substance;
- (iv) 16 cases of assault causing effusion of blood;
- (v) 29 cases of assault with premeditation, and
- (vi) 18 cases where there has been loss of life.

In regard to part (c) of the question, I am informed by the Commissioner of Police that over and above regular policing operations triggered at Force, Divisional and Station levels, Police have adopted a series of measures at strategic and technological levels.

In fact, Police launched a National Policing Strategic Framework in February 2010 aimed at paving the way for a modern Police service more mindful of public concerns, needs and expectations. Under its Reform Programme Police has taken the following measures –

- (i) setting of special units such as the Police Planning and Reform Unit to, *inter alia*, carry out studies on crime and non-crime occurrences, identification of

threats, and analysis of Police operations methodology so as to work out efficient and effective policing and control strategies;

- (ii) setting up of Tasking and Coordination Groups at Strategic and Tactical level at Force and Divisional level for active decision-making to ensure operational effectiveness and efficiency;
- (iii) implementation of community policing for identification of community concerns and sharing of information to better address their policing needs through crime prevention and sensitisation campaigns;
- (iv) implementation of Victim Support and Advice Programme in June 2011 and visits to victims of crime by the Crime Prevention Unit to provide advice and psychological support to victims and to reassure and reduce fear of crime among the public at large, and
- (v) setting up of Crime Intelligence Units for collection, analysis and dissemination of criminal intelligence for targeted operations against criminals likely to commit crimes.

The installation of CCTV Surveillance System at Flic en Flac, Port Louis, Quatre Bornes and Grand' Baie has contributed to detect criminal activities.

#### **TROU FANFARON POLICE STATION – HEALTH & SAFETY OFFICERS – VISIT**

**(No. B/474) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Trou Fanfaron Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the Health and Safety Officers recently carried out a visit thereat and, if so, indicate the outcome thereof.

**Reply:** I am informed by the Commissioner of Police that on 26 January 2012, two Safety and Health Officers carried out an inspection at Trou Fanfaron Police Station and the report containing the findings and recommendations was submitted to the Commissioner of Police on 14 March 2012.

The recommendations concerning first aid requirements, replacement of electrical fittings, fire safety and frequency of cleaning of water tanks have been implemented. However, recommendations with respect to the structure of the building could not be implemented as the building is listed as a National Heritage. Furthermore, any major renovation to the building will entail high investment and will not provide additional working space.

The Police, therefore, envisage to shift the Trou Fanfaron Police Station to a new building. A plot of land of an extent of 4200 m<sup>2</sup> in the vicinity of Quay D Round About and belonging to the Mauritius Ports Authority has been identified for the relocation. The construction of the new building is scheduled to start in 2013.

### **AGALEGA - PROJECTS EARMARKED**

**(No. B/494) Mr J. F. François (Third Member for Rodrigues)** asked the Minister of Local Government and Outer Islands whether, in regard to Agalega, he will state where matters stand in relation to the projects earmarked therefor in the 2012 budget.

**Reply:** I wish to inform the House that the following six projects have been earmarked in the PBB 2012 for implementation by the Outer Islands Development Corporation in Agalega

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- (i) the upgrading and rehabilitation of the Agalega airstrip;
- (ii) the renovation of three quarters on South Island;
- (iii) the construction of two duplex-typed quarters;
- (iv) the construction of a Refugee Centre on South Island;
- (v) the purchase of a Fire Fighting vehicle, and
- (vi) the rehabilitation of coconut fields.

Procedures for the implementation of the abovementioned projects are well under way. The renovation of three existing quarters on the South Island are in progress and are expected to be completed by end of August 2012. The labour contracts for the construction of two duplex-type quarters and that of the Refugee Centre will be awarded shortly, and construction works for both projects are expected to be completed by next year.

As regards the acquisition of an airport crash and rescue fire vehicle, I am informed that following a tender exercise, a Letter of Acceptance has been issued to the successful bidder on 26 June 2012. The Letter of Award will be subsequently issued after submission of a



Performance Security within 28 days as from date of Letter of Acceptance. The vehicle will be delivered within one year.

The rehabilitation of coconut fields in both the North and South Islands is an ongoing project. Furthermore, tenders for the procurement of two coconut dehusking and two deshelling machines have already been launched in the press and the purchase of these machines are expected to be effected by September 2012.

As regards the upgrading of the Agalega airstrip, I am informed that tenders had been invited but in view of the fact that bids received were far beyond the estimated costs, the procurement exercise has been put on hold and other proposals are being examined for the implementation of the project.

**RODRIGUES - HUMAN RESOURCE KNOWLEDGE AND ARTS  
DEVELOPMENT FUND - SCHOLARSHIP**

**(No. B/495) Mr J. F. François (Third Member for Rodrigues)** asked the Minister of Education and Human Resources whether, in regard to the scholarship or Government guarantee under the schemes of the Human Resource Knowledge and Arts Development Fund, he will, for the benefit of the House, obtain from the Fund, for Rodrigues and under each scheme, since the setting up thereof to date, information as to the -

- (a) number of applications;
- (i) granted, and
- (ii) rejected
- (b) amount of funds disbursed;
- (c) present number of beneficiaries thereof, and
- (d) current difficulties, if any, faced by the applicants therefor, indicating the remedial measures taken in relation thereto.

**Reply:** The HRKAD Fund which was set up under the Finance and Audit (HRKAD Fund) Regulations 2008 provided for the setting up of a Scholarship Scheme and a Government Guarantee/Student Loan Scheme for needy students of the Republic of Mauritius having secured a seat in a local Tertiary Education Institution.

Under the Scholarship Scheme, eligible Rodriguan Students benefit from a fully funded scholarship of a maximum of Rs210,000 per academic year covering tuition fees, examination

fees and books. This includes a monthly stipend of Rs8,000 as opposed to Rs3,000 for a Mauritian beneficiary.

Since the setting up of the Scheme to-date, a total number of 76 scholarships have been awarded to Rodriguan students under the HRKAD Fund and 44 applications have been rejected. A total amount of Rs7,523,834 have been disbursed so far.

It is a fact that the procedures for approval take on average three months. This is due to the fact that applications are submitted to the Sub Committee on Tertiary Education for processing. The latter scrutinises applications and examines whether it conforms with prescribed criteria. A social enquiry for each case to determine the household income is then carried out. Officers of the Ministry of the Social Security, National Solidarity and Reform Institutions carry this exercise.

On receipt of the social enquiry report, the Subcommittee on Tertiary Education recommends applications and submits to my Ministry for award of scholarship and disbursement of funds. Fees are paid directly to Tertiary Institutions while stipend is paid on a quarterly basis into the bank account of the student.

I have requested for streamlining of procedures to reduce the time taken for award of scholarships. The staffing of the scholarship secretariat will be reinforced.

As regard the Government Guaranteed Loan Scheme for period August 2008 to date a total number of 79 applications have been received, out of which, 67 have been provided bank guarantee, 10 have withdrawn and 2 have been rejected. Government has provided guarantee for a total amount of Rs17.1 m..

Procedures for approval of Government Guaranteed loans take on average 2 months. Applications received at the secretariat are submitted to the Subcommittee on Tertiary Education for processing. The latter recommends Government guarantees on students loans after ensuring that the applicants, their parents or spouses cannot provide guarantees for the student loans.

On receipt of the recommendations of the Subcommittee on Tertiary Education to my Ministry for the issue of bank guarantees, my Ministry informs the beneficiaries accordingly. Bank guarantees are thereafter issued by my Ministry after the signing and registration of bonds by the beneficiaries. It is to be noted that no delays are encountered for the provision of government guarantee on student loans.

**DOMAINE LES PAILLES, PORT LOUIS WATERFRONT, LAKE POINT &  
BELLE MARE TOURIST VILLAGE - EXPRESSIONS**

(No. B/499) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the invitation for Expressions of Interest by the State Investment Corporation for the acquisition of the Domaine Les Pailles, the Port Louis Waterfront, the Lake Point and the Belle Mare Tourist Village, he will, for the benefit of the House, obtain from the Corporation, in each case, information as to the names of the parties who have responded thereto, indicating where matters stand.

**Reply:** I wish to inform the House that the State Investment Corporation (SIC) has been mandated as the implementing organisation for the disposal of Domaine Les Pailles, the Port Louis Waterfront, the Lake Point and the Belle Mare Tourist Village. It is in this context that the SIC, assisted by its Transactions Adviser Messrs KPMG, launched on 09 April 2012 an Expression of Interest (EOI) for the disposal of the four properties. Interested parties may signify their intention for acquiring one or more of the four properties.

The Expression of Interest, a preliminary phase of an international tender process, is only meant to test the market and register interests. As at date, 23 applicants have already registered their interests. The closing date for EOI submissions is 16 July 2012. Thereafter, the Transaction Adviser will carry out a due diligence on the EOI submissions with a view to shortlisting applicants with sound commercial and financial capabilities. The shortlisted applicants will be requested to sign a Confidentiality Agreement prior to SIC issuing them an Information Memorandum on the basis of which they will be invited to submit their financial offers.

**CEB – POWER SECTOR EXPANSION PLAN**

(No. B/500) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the electricity power requirements of the country, he will –

(a) state the -

(i) firm Energy Power Plant projects being currently considered by his Ministry, indicating in each case, where matters stand, and

(ii) progress achieved in relation to the Energy Plan submitted to the European Union, as at to date, and

(b) for the benefit of the House, obtain from the Central Electricity Board, information as to the impact of the expected significant decrease in unit cost from the Belle Vue Power Plant, with effect from 01 July 2012, on the Board and on the consumers.

**Reply:** I wish to inform the House that the power sector expansion plan of the CEB for the short and medium terms is as follows -

- (i) installation of four units of heavy fuel engines of 15MW each at Fort Victoria Power Station. The engines have already been installed and are being tested prior to commercial operation;
- (ii) redevelopment of St Louis Power Station with the installation of heavy fuel oil engines in phases. The redevelopment study and the EIA report are almost completed. The procurement process for the first two units of around 15 MW, will be initiated shortly for the engines to be operational in 2014;
- (iii) a 100 MW coal-based plant comprising two units of 50 MW each to be operational by 2015 and 2019 respectively. The Ministry of Finance and Economic Development has already launched an Expression of Interest for the appointment of a Transaction Adviser to structure the project as a Public Private Partnership venture, with the aim of obtaining the lowest electricity purchase price for CEB. Forty-one (41) applications have been received and are being evaluated;
- (iv) the CT Power project to set up a 100 MW coal plant at Pointe aux Caves which is still at the level of the Environment Appeal Tribunal. The Power Purchase Agreement signed with CEB will become effective if

the Tribunal rules in favour of CT Power. Under this option the CEB will have to review its power sector expansion plan to cater for this project, and

- (v) the technology option of Liquefied Natural Gas is also being explored.

With regard to part (a) (ii), one of the indicators agreed with the European Union for the fixed tranche of Euro 39.411 M for 2011, to be disbursed in 2012, is an open international tender for a 100 MW coal plant. The process for the appointment of a Transaction Adviser is considered by the EU as a first step towards the implementation of the indicator. This process must lead to an open international tender for the condition to be fully satisfied.

In this respect, the Ministry of Finance and Economic Development has sought assistance from the ADB with regard to the appointment of a Transaction Adviser.

As regard part (b) of the question, I am informed by the Central Electricity Board that the Power Purchase Agreement signed with Compagnie Thermique de Belle Vue (CTBV) provides for an adjustment in the purchase price of electricity as from 01 July 2012, that is, after the debt period. The unit cost (Rs/kWh) will decrease by about 20% as from that date. The impact of this adjustment is a reduction in the purchase price of electricity from Centrale Thermique de Belle Vue, by around Rs100 m. in 2012 and Rs200 m. as from 2013.

As the Centrale Thermique de Belle Vue contributes to around 13% of total generation of electricity, the reduction in price after the debt date will account for only 1.4% of CEB's turnover and will, therefore, have no significant impact on tariff.

**MINISTRY OF INDUSTRY, COMMERCE AND CONSUMER PROTECTION -  
TRADERS/COMPANIES - RAIDS**

**(No. B/501) Mr N. Bodha (First Member for Vacoas & Floreal)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the traders/companies, he will state the number of raids carried out on the premises thereof by officers of his Ministry, since 2010 to date, indicating the number of offences registered against them as a result thereof.

**Reply:** I wish to inform the House that one of the most prominent and visible mandates of my Ministry is the promotion and protection of Consumer Rights and interests while

ensuring that the trading and commercial activities are done in the most effective and transparent manner.

In this context, my Ministry has constantly taken appropriate measures (both policy and administrative) including legal mechanisms, safety regulations, national standards and policies to ensure and facilitate fair trading practices in the market place. The different agencies of my Ministry namely, the Consumer Protection Unit, the Legal and Metrological Services, the Trade Division and the Assay Office act not only as facilitators and providers of services, but also as enforcement organs as far as the compliance regarding rules and regulations are concerned.

The House may also note that with the advent of technology, consumers are better informed and therefore relevant structures to develop, implement and monitor consumer protection policies have been put in place. One of such structure is the Hot Line service (185) at the Consumer Protection Unit which operates on a 24/7 basis since September 2010. This service has indeed contributed towards reinforcing measures aiming at further protecting the rights of consumers.

Mr Speaker Sir, I am informed that the various services operating under the aegis of my Ministry have carried out 19625 inspections and established 1146 contraventions since 2010 till today.

#### **ROCHE BOIS - FATAL ROAD ACCIDENT**

**(No. B/502) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East)** asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether he will state if he has been informed that a fatal road accident took place in Roche Bois, on Sunday 01 July 2012, and that following same, the *Forces Vives* of the region requested for some measures to be taken to prevent the recurrence of such type of accident, and if so, give details thereof, indicating the measures that will be taken by his Ministry in relation thereto.

**Reply:** I am aware of the road accident which occurred on Sunday 01 July 2012 involving a pedestrian who was knocked down by a motorcycle while crossing the motorway.

The accident was a fatal one. Notwithstanding the fact that this is indeed a very sad and unfortunate occurrence, I would like to inform the House that -

- (i) a footbridge is the safest facility to cross a Motorway and the one in Roche Bois is located only 70 m from the spot of the accident. It is noted that unfortunately many pedestrians choose to cross the Motorway at grade despite being not far away from a footbridge, and
- (ii) there is a speed zone of 60 km along the Motorway in the region of Roche Bois to deter speeding.

The Road Development Authority is replacing the staircase with ramps on both sides of the footbridge to facilitate the use thereof, especially the elderly.

Moreover, being given that Roche Bois has been identified as a black spot and with higher proportion of accident involving motorcycles and pedestrians, fresh surveys will be undertaken to see whether additional safety measures can be implemented there. Speed camera would also be installed to deal with speeding.

### **BARCLAYS BANK - LOCAL BRANCH**

**(No. B/503) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Barclays Bank, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to the situation of the local branch thereof, following the scandal affecting same in United Kingdom.

**Reply:** I am informed that Barclays Bank Plc in Mauritius is a branch of Barclays Bank Plc, UK. As of date, its assigned capital is Rs232 m. against a minimum requirement of Rs200 m. while its reserves stood at Rs7,243 m.

The Bank of Mauritius requires all banks to maintain a minimum capital adequacy ratio of 10 per cent against the international norm of 8 per cent. The Mauritius branch maintains a capital adequacy ratio which is well above the minimum requirement.

I am also informed that the Bank of Mauritius has been monitoring closely the position of the Barclays Bank PLC (Mauritius Branch) following the scandal in UK and there is no impact on the soundness of the Bank.

## UNEMPLOYMENT

**(No. B/504) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East)** asked the Minister of Labour, Industrial Relations and Employment whether, in regard to unemployment, he will state the current rate thereof, indicating the -

- (a) rate per age group;
- (b) scarcity fields for which labour has to be imported, and
- (c) number of foreign expatriates employed in the tourism industry, indicating the level of activities concerned therewith.

**Reply:** According to Statistics Mauritius (formerly the Central Statistics Office) the unemployment rate for year 2011 stands at 7.9% (5.2% for men and 12.5% for women). I am tabling the figures in respect of part (a) of the question.

As regards part (b) of the question, 35,221 work permits have been issued, as at 05 July 2012, in different sectors; the highest being in the manufacturing sectors: 26,094 (textile and other manufacturing) followed by the construction sector: 6,240. I am also tabling information in respect of the importation of labour in the different sectors.

Concerning part (c), the employment of foreign expatriates in the Tourism Industry is regulated by two schemes, namely the Occupational Permit (OP) under the Board of Investment (BOI), and Work Permit System under my Ministry. I am informed that, in general, Occupational Permit is issued to professionals or investors (other than in the ICT sector) earning or drawing a monthly income of Rs45,000 or more.

As at 06 July 2012, according to figures submitted by BOI, 473 expatriates working in the Tourism Industry are holders of an Occupational Permit. To date, some 215 are holders of a Work Permit. I am also tabling the level of activities in which these expatriates are employed.

## BOI - PERMITS

**(No. B/505) Ms S. Anquetil (Fourth Member for Vacoas & Floreal)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the



Board of Investment, he will, for the benefit of the House, obtain from the Board, for the period May 2010 to-date -

- (a) details of the applications for the issue of permits;
  - (i) submitted;
  - (ii) approved, and
  - (iii) rejected, indicating if irregularities have been reported in connection therewith, and
- (b) information as to the number of officials recruited thereat.

*(Vide reply to PQ No. B/481)*

### **CYBER CRIMES - MEASURES**

**(No. B/506) Ms S. Anquetil (Fourth Member for Vacoas & Floreal)** asked the Minister of Information and Communication Technology whether, in regard to internet, he will state the concrete measures that have been/or are being taken by his Ministry to -

- (a) create awareness on the safety aspects of the use thereof at -
  - (i) schools;
  - (ii) for parents, and
  - (iii) for the youngsters, and
- (b) combat cyber crimes.

**Reply:** My Ministry is very much concerned with the safety of children on the Internet and is working in close collaboration with the National Computer Board and the ICT Authority to sensitise school children and parents regarding the risks associated with the use of Internet and the precautionary measures to be taken to avoid children being victims of predators and cyber criminals.

I am enumerating some of the measures that have been taken so far by the National Computer Board -

- Formulation of a Child Safety Online Action Plan.

- Implementation of a sensitisation campaign to raise awareness on “Internet Safety and Security” in primary and secondary schools targeting both teachers and students and in cyber caravans targeting parents. I was personally present at the awareness sessions on Child Online Safety held, this year, at Queen Elizabeth College, Gaëtan Raynal SSS, Frank Richard SSS and M. Sangeelee SSS.
- Dissemination of information through video clips on different aspects of the subject matter, e.g. a clip on “Zanfan bizin Proteksion Kont Cyber Explwatation” was prepared in collaboration with the Mauritius College of the Air and broadcast on MBC.
- Circulation of brochures on Internet Safety and Fact Sheets on ‘Cyberbullying’ and social networking in schools and community centres.
- Organisation of a workshop on the Safer Internet Day at the Mahatma Gandhi Institute for ICT Teachers and Rectors of both private and state secondary schools to promote safer and responsible use of online technologies and mobile phones.
- Launching of a “Cybersmart Guide for Parents”.
- Radio programmes on “Cyberbullying” and “Grooming” targeting both youngsters and parents.
- Creation of a dedicated portal on “Cyber Security” providing advice on various security issues such as malicious software, protection of personal information, parental control, etc.

The ICT Authority has disseminated an Information Guide on the diligent use of the Internet in, *inter alia*, primary and secondary schools, the University of Mauritius and the University of Technology, Mauritius, the National Library, and the Municipal and District Councils. The Authority has also implemented a Child Sexual Abuse (CSA) filtering system to filter access to child sexual abuse websites for Internet users in Mauritius.

As regards part (b) of the question, a Computer Emergency Response Team (CERT-MU) has been set up at the National Computer Board to combat cyber attacks and crimes. It provides services such as -

- Information Security Incident Handling and Management for the general public.

- Issuing security alerts including vulnerability notes and virus alerts on a daily basis.
- Technical Assistance to computer security incidents such as spamming, phishing etc.

Moreover, the CERT-MU raises awareness on Information Security and publishes Information Security Guidelines. CERT-MU also organises training, in collaboration with international organisations, to create a pool of qualified Information Security Professionals.

### **CRIMINAL PROCEDURE ACT – FINES - PAYMENT**

**(No. B/507) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Attorney General whether, in regard to the accused parties on whom fines have been imposed, he will state if consideration will be given for amendments to be brought to the Criminal Procedure Act, to extend the delay for the payment thereof.

*(Withdrawn)*

### **LA GAULETTE GOVERNMENT SCHOOL - OPERATIONAL**

**(No. A/211) Mrs J. Radegonde (Fourth Member for Savanne & Black River)** asked the Minister of Education and Human Resources whether, in regard to the La Gaulette Government School, he will state -

- when construction works thereat were scheduled to start and be completed;
- the cost thereof, and
- the date on which it will be operational.

**Reply:** In regard to part (a) of the question, works at La Gaulette Government School were scheduled to start on 14 July 2011 and completed after six months by 14 January 2012.

Regarding part (b), I am informed that the contract value of the project is Rs5.31 m. including a Contingency sum of Rs 0.6 m. and VAT.

Insofar as part (c) is concerned, I am informed that there has been delay on the part of the contractor who has been granted an extension of time of 25 working days due to additional works, such that the contractual completion date was extended to 16 February 2012. The actual completion date was 19 June 2012. In the circumstance, maximum liquidated damages of Rs300,000 due to the delay in the completion of works would be applied in the next payment certificate.

The practical handing over of the project has been carried out on 05 July 2012, and the school would be operational as from resumption of classes in the third term in order not to disrupt second term examinations which are starting as from next week.

### **PRIMARY AND SECONDARY SCHOOLS - SCHOOL MATERIALS - DISTRIBUTION**

(No. A/212) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the Minister of Social Integration and Economic Empowerment whether, in regard to school materials, he will -

- (a) state the number of primary and secondary schools which have been identified for distribution thereof;
- (b) give the list thereof which will be distributed, and
- (c) state if he has been informed that same has not yet been distributed to the needy children of some schools in Constituency No.14, Savanne and Black River, and if so indicate if urgent remedial measures will be taken and if so, when.

**Reply:** As regards part (a), distribution of school materials is not carried out school-wise, but based on the number of beneficiaries registered at NEF island-wide.

To date 9872 needy children (pre primary, primary, secondary and others have obtained school materials as follows -

Pre primary	-	1098
Primary	-	5450
Secondary	-	2099

Others - 725

As regards part (b), the list of school materials distributed at the beginning of each academic year is as follows -

- 2 pairs of uniforms
- 1 pair of shoes
- 1 school bag
- 2 pairs of socks
- Pedagogical materials ( only for private preprimary schools)
- Stationeries (for all except pre- primary school students)

Concerning part (c), with regard to Constituency No. 14, the number of beneficiaries identified was 1,525 and the number of beneficiaries who were provided with school materials from 21 December 2011 to 16 June 2012 was 1,275. The distribution exercise started in December 2011 and ended in March 2012. During that period, only 1,186 beneficiaries were present on site to collect the materials. Another distribution of materials was arranged on 16 June 2012 for 89 absentees and other citizens who had complained about not having been considered as beneficiaries for school materials.

#### **ICTA V/S MR S.G - AGREEMENT**

**(No. A/213) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Information and Communication Technology whether, in regard to the case of Mr S. G. v/s the Information and Communication Technologies Authority (ICTA), he will, for the benefit of the House, obtain from the ICTA, information as to if same has been settled and, if so, indicate -

- (a) when, and
- (b) the terms and conditions of the agreement in relation thereto.

**Reply:** The Information and Communication Technologies Authority (ICTA) has informed my Ministry that the case between Mr S. G. and the Authority has been settled, and that an agreement has been reached between the two parties on 08 May 2012.

As regards part (b) of the question, the ICTA has advised that the agreement reached is governed by a non-disclosure clause, which prevents the terms and conditions thereof to be disclosed.

### **ROSE HILL MUNICIPAL MARKET - CONSTRUCTION**

(No. A/214) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the Rose Hill municipal market, he will, for the benefit of the House, obtain from the Municipal Council of Beau Bassin/Rose Hill, information as to if it is in a bad state and that unhygienic conditions prevail thereat and, if so, indicate if consideration will be given for the construction of a new modern market in replacement thereof.

**Reply:** I am informed by the Municipal Council of Beau Bassin/Rose Hill that the Rose Hill municipal market is not in an unhygienic condition as major renovation works were undertaken thereto it recently.

I am, however, informed that there is an urgent need for the construction of a modern market subject to availability of the required funds.

### **COROMANDEL - POLICE QUARTERS – WATER SUPPLY**

(No. A/215) **Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Police Quarters, at Coromandel, he will state if he has been informed of the irregular supply of water thereat, especially during weekends, and if so, will he, for the benefit of the House, obtain from the Central Water Authority, information as to the –

- (a) name of the reservoir from which water is supplied thereto, and
- (b) measures that will be taken for the provision of regular water supply thereat.

**Reply:** I am informed that water is supplied to the Police Quarters at Coromandel from Meldrum Service Reservoir at Beau Bassin. Water supply from this reservoir to the nearby localities including Coromandel is twice daily between 4.00 a.m to 9.00 a.m and 4.00 p.m to 9.00 p.m.

The Police Quarters are located in a NHDC block of flats. The CWA's pipe supplies water to a ground storage tank through a bulk meter. The water is then pumped into the internal network which feeds each building block.

I am further informed that the pump at the ground storage tank is not working. The Police Department has by-passed the pump and the residents are being supplied water directly from CWA pipe between 4.00 a.m to 9.00 a.m and 4.00 p.m to 9.00 p.m respectively.

Officers of the Ministry of Public Infrastructure and CWA carried out a joint site visit at the request of the Police Department and requested that the defective pump be replaced by the Police Department.

### **HARBOUR BRIDGE – LAND ACQUISITION**

(No. A/216) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Harbour Bridge, he will state if part of the State Land leased to Patel Engineering Ltd. for the Les Salines Waterfront Development Project, commonly known as the Neo Town Project, needs to be compulsorily acquired, and if so, indicate the –

- (a) extent thereof required therefor;
- (b) value thereof;
- (c) terms and conditions negotiated with the lessee for compensation or otherwise;
- (d) amount of lease payment made as at to date, and
- (e) Government expenditures incurred for the provision of services thereto, since the date of the signature of the lease agreement to date.

**Reply:** The construction of the Harbour Bridge will not require retrieval of land which has been leased to Les Salines Development Limited for the Neo Town Project as the Lease Agreement makes provision for a perpetual right of way in favour of the Government of Mauritius for the proposed construction of the Harbour Bridge.

### **INDUSTRIAL PROPERTY OFFICE – TRADE NAMES**

(No. A/218) Mr P. Roopun (Third Member for Flacq & Bon Accueil) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the patents, industrial designs, marks, collective marks and trade names, he will, for the benefit of the House, obtain from Industrial Property Office, information as to the number of applications received therefor, in each case, over the past five years, indicating the –

- (a) number thereof received from
  - (i) Mauritian national entities, and
  - (ii) foreign national entities respectively, and
- (b) number thereof
  - (i) approved;
  - (ii) rejected, and
  - (iii) subject to appeal to the Industrial Property Tribunal and to the Supreme Court.

**Reply:** The information has been placed in the Library of the National Assembly.

#### **INTELLECTUAL PROPERTY RIGHTS UNIT - COUNTERFEIT/PIRATED GOODS**

(No. A/219) Mr P. Roopun (Third Member for Flacq and Bon Accueil) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Intellectual Property Rights Unit, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to the conditions in which it intervenes to suspend the release of suspected counterfeit or pirated goods, indicating the number of cases of goods having been detained, over the past five years, indicating the –

- (a) value thereof;
- (b) actions initiated by lawful right owners, and
- (c) measures available for the disposal thereof to prevent same from entering the local market.

**Reply:** The Intellectual Property Rights Unit of the Customs Department of the Mauritius Revenue Authority (MRA) is in charge of the protection of Intellectual Property



Rights. It works in full compliance with Sections 66A to 66E of the Customs Act, which relates to infringement of patent, industrial design, collective mark, mark or copyright.

Under Sections 66A, any owner or authorised user of a patent, industrial design, collective mark or mark or copyright may make an application in writing to the Director-General of MRA to suspend the clearance of any goods imported or being exported on the ground that his industrial design, collective mark or mark or copyright is being or likely to be infringed. The application is valid for a period of two years and shall be accompanied by -

- (i) any evidence that the applicant is the owner or the authorized user of the patent , industrial design, collective mark, mark or copyright;
- (ii) a statement of the grounds for the application and in particular the prima facie evidence showing that his right has been or is likely to be infringed;
- (iii) particulars relating to the description of the goods making them readily recognisable by Customs and the place where such goods are to be found, and
- (iv) security in the form of a bank guarantee to protect the Mauritius Revenue Authority for any loss or damage that may result from the suspension of the clearance of the goods and to cover any reasonable expenses likely to be incurred as a result of such suspension.

Where the application is granted and the clearance of suspected goods is suspended, the MRA has to notify, in writing, the applicant, importer, exporter or his agent accordingly. If within 10 working days, MRA has not been informed in writing that legal proceedings have been initiated by the applicant, the goods are released provided that all other conditions for importation or exportation have been complied with. The applicant may request to MRA for an additional 10 working days. However, in the case of refrigerated goods, the period to release the goods is 3 working days.

In case MRA is informed that collective mark or mark or copyright registered in the name of the owner has ceased to be valid, the goods are released forthwith.

With regard to part (a) of the question the number of cases of goods having been detained and seized over the past five years and their value thereof are as follows -

<b>Year</b>	<b>Seizures</b>	<b>Duty Paid Value (Rs)</b>
2007	35	239,291
2008	93	1,087,452
2009	98	1,008,006
2010	95	656,800
2011	41	878,290
2012(Jan– June)	22	447,386

As far as part (b) of the question is concerned, the information requested is as follows -

<b>Year</b>	<b>No of cases where action has been initiated by right holders</b>	<b>Pending cases</b>	<b>Seizures</b>	<b>Out of court settlements</b>	<b>Cases settled through the court</b>
2007	38	3	35	31	4
2008	109	16	93	58	35
2009	105	7	98	79	19
2010	96	1	95	92	3
2011	48	7	41	28	13
2012 (Jan to Jun)	28	6	22	17	5

The House may wish to note that within the prescribed period of suspension the cases are either settled through the court or out of court by mutual agreement reached between the right holder and importer/exporter. In both cases, most of the time, the court rulings or the settlement terms agreed between importer and right holder provides for seizure and destruction of the suspended goods by customs.

With regard to part (c) of the question, goods that have been seized are disposed in accordance with court rulings or deed of settlement as agreed by infringer and right holder which provides for destruction of infringed goods. The destruction of these goods is carried out in presence of MRA officers (from Customs and Finance Sections), Enforcement Officer of Ministry of Local Government and right holder representative. Members of the press may also be present if invited by right holders.

### **LEGISLATION – DRAFTING - CONSULTANTS**

**(No. A/221) Mr R. Utem (Second Member for Port Louis South & Port Louis Central)** asked the Attorney General whether, in regard to the consultants whose services have been retained for the drafting of pieces of legislation by Government, since 2005 to date, he will state, in each case, the names thereof, indicating the –

- (a) amount of fees paid out thereto;
- (b) piece of legislation concerned, and
- (c) criteria used for the selection thereof.

**Reply:** The information is being compiled and will be placed in the Library.

### **STATE LAW OFFICE - VACANCIES**

**(No. A/222) Mr A. Gungah (First Member for Grand' Baie & Poudre d'Or)** asked the Attorney General whether, in regard to the State Law Office, he will, for the benefit of the House, obtain from the Judicial and Legal Services Commission, information as to the vacancies that presently exist on the establishment thereof, indicating in each case, when same will be filled.

**Reply:** The number of vacancies at the Attorney General's Office is as per Appendix .

In June 2012, 7 State Counsels were recruited at the AGO and 9 at the Office of the DPP. It is to be noted that due to lack of physical space no further recruitment is envisaged at the Attorney General's Office for the immediate future, until the Office of the Director of Public Prosecutions moves to its new quarters at the Garden Towers which is expected some time at the end of August 2012.

As regards newly created posts of Assistant Solicitor-General and Assistant Parliamentary Counsel (2 + 2) and potentially some posts in the lower cadre, consideration is being given, in view of continuing and drastic loss of trained professional staff (24 officers since 2008) to other departments of Government and other sectors, hence causing disruption in the functioning of the Office, in particular to the Legislative Drafting Unit, to converting these posts into a new grade in the Attorney General's Office with a view to ensuring greater degree of continuity in the effective delivery of legislative and related legal services in the specialised units of the Office.

As regards vacancies in previously created posts of Assistant Solicitor General and Assistant Parliamentary Counsel which have recently arisen, recommendations will shortly be made to the JLSC for the posts to be filled.

**MUNICIPAL COUNCIL OF PORT LOUIS - PARKS & GARDENS -  
SUPERINTENDENT**

**(No. A/223) Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the Municipal Council of Port Louis, he will, for the benefit of the House, obtain from the Council, information as to the number of departments that existed thereat prior to and after the promulgation of the Local Government Act 2011, indicating if the Department of Parks and Gardens still exist, and if not, if the post of Superintendent of Parks and Gardens has been downgraded to that of a Head of Section.

**Reply:** I am informed that prior to the promulgation of the Local Government Act 2011, eight departments existed at the City Council of Port Louis as follows –

- (i) Chief Executive Department;
- (ii) Treasury Department;
- (iii) Works Department;
- (iv) Welfare Department;
- (v) Health Department;
- (vi) Planning Department;
- (vii) Library Department, and
- (viii) Parks and Gardens Department.

The Local Government Act 2011, however, makes provision for six departments as follows –

- (i) Administration Department;
- (ii) Finance Department;
- (iii) Land Use & Planning Department;
- (iv) Public Infrastructure Department;
- (v) Public Health Department, and
- (vi) Welfare Department.

I am informed that prior to the promulgation of the Local Government Act 2011, the Parks and Gardens Department was headed by two technical staff namely by a Superintendent and Deputy Superintendent of Gardens respectively.

With regard to the last part of the question, I am informed that the post of Superintendent of Parks and Gardens has not been downgraded and it now falls under the Administration Department of the Council.

#### **AGALEGA - LEISURE PARK - CONSTRUCTION**

**(No. A/224) 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 project for the construction of a leisure park in Agalega, he will state if land has already been earmarked therefor, and if so, indicate –

- (a) the extent thereof;
- (b) the location thereof;
- (c) the estimated cost thereof, and
- (d) where matters stand as to the implementation thereof.

**Reply:** I wish to inform the House that a plot of State land of an extent of 9A 48P which had been vested in my Ministry on 08 February 2012 has been made available to the Outer Islands Development Corporation (OIDC) for the creation of a Leisure Park at Village 25 in Agalega.

The project is estimated at Rs1 m. and is being financed by the Employees Welfare Fund (EWF). I am informed by the OIDC that a procurement exercise for the purchase of construction materials and children's play equipment is underway and the materials and

equipment will be shipped to Agalega in the next voyage scheduled for August 2012. Furthermore, tenders will shortly be launched for the labour component of the project.

### **AGALEGA - MATERNITY UNIT - CONSTRUCTION**

**(No. A/225) 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 project for the construction of a maternity unit in Agalega, he will state if land has already been earmarked therefor, and if so, indicate –

- (a) the extent thereof;
- (b) the location thereof;
- (c) the estimated cost thereof, and
- (d) where matters stand as to the implementation thereof.

**Reply:** I am informed by the Outer Islands Development Corporation that there are two hospitals in Agalega which provide a 24-hour health coverage to the inhabitants of the North and South Islands. The staff is all posted permanently on the island and comprises a Medical Health Officer/Senior Medical Health Officer, one female Charge Nurse and two male nurses.

The services provided, amongst others, are antenatal care and family planning. As regards pregnant women, they follow antenatal care on the island, but are advised to be transferred to Mauritius for delivery and post natal care.

I am also informed by the Ministry of Health and Quality of Life that following a letter dated 10 February 2012 from the inhabitants of Agalega concerning several issues including health services, especially the Obstetrics and Gynecology Services provided on the island, a Technical Committee has been set up at the level of the said Ministry to look into the matter and to make appropriate recommendations.

### **DR. REGIS CHAPERON SSS - RENOVATION WORKS**

**(No. A/226) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)** asked the Minister of Education and Human Resources whether, in regard to the Phase I of the renovation works to be carried out at the Dr Regis Chaperon State Secondary School, he will state the –

- (a) detailed scope of works therefor;

- (b) name of the contractor therefor, and
- (c) cost thereof.

**Reply:** Phase I comprises extension works while renovation works have been scheduled in Phase II.

In regard to part (a) of the question, the detailed scope of works for the Phase I consists in the construction of -

- a) a Ground+1 toilet block of an approximate floor area of 115 m<sup>2</sup> with a total of 19 cubicles including two for disabled students and two stainless urinals of 3.6 metres each;
- b) a Ground+3 specialist room block that will accommodate one laboratory each for Biology, Chemistry, Physics and two computer rooms of an approximate floor area of 1,416 m<sup>2</sup>;
- c) a boundary wall of about 150 metres in length;
- d) covered links of about 80 metres in length;
- e) covering of the canal crossing the school compound over a distance of about 100 metres, and
- f) a parking area for some twenty vehicles.

Phase I also provides for electrical works, gas & plumbing installations and for fixed furniture and fittings.

In regard to parts (b) and (c) of the question, the contract has been awarded to Canakiah Associates Co. Ltd on 06 June 2012 in an amount of Rs76.95 m.

### **BAGATELLE MALL OF MAURITIUS - SEWERAGE SYSTEM**

**(No. A/227) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)** asked the Minister of Environment and Sustainable Development whether, in regard to the Bagatelle Mall of Mauritius, he will state if he has been informed of the foul smells emanating from the sewerage system thereof which cause inconveniences to the surroundings and, if so, indicate if urgent remedial measures will be taken.

**Reply:** Since the coming into operation of the Bagatelle Mall of Mauritius in September 2011, complaints have been received relating to foul smell emanating from the sewerage treatment plant of the mall.

Several investigations have been carried out by officers of my Ministry and the Ministry of Health and Quality of Life. On 28 October 2011, the Ministry of Health and Quality of Life issued a Sanitary Notice to ENL Property Limited (Owner of Bagatelle Mall) to take appropriate steps to stop the foul odour emanating from its premises. On 09 November 2011, a contravention was established by the Ministry of Health and Quality of Life, which is the enforcing agency for odour as per the Environment Protection Act 2002, against ENL Property Limited for non-compliance with the notice. The case is still pending at the Moka District Court.

Given that the odour nuisance was still persisting, a joint site visit was effected on 12 January 2012 at the Bagatelle Mall by all authorities concerned. During the joint site visit, the representatives of the Bagatelle Mall informed that the number of people visiting the mall daily was much more beyond their expectations. It was also noted that activities of the food courts and restaurants were putting up additional load and pressure on the sewerage treatment plant. Subsequently, the Bagatelle Mall started the carting away of the excess effluents to the Roche Bois Pumping Station of the Wastewater Management Authority.

To remedy the situation, ENL Property Limited has constructed a second sewerage treatment plant at the mall, which is fully operational since the end of May 2012. The treated effluent from the treatment plant is being carted away to the Roche Bois Pumping Station.

The Bagatelle Mall has therefore been requested to improve the treatment process so as to ensure that the effluent is in compliance with the Environment Protection (Standard of Effluent for Use in Irrigation) Regulations 2003. They have also been requested to submit analysis reports of the effluents to the Ministry and seek prior approval for the use of the treated water for irrigation purposes.

A considerable improvement has been noted in the odour problem with the coming into operation of the second treatment plant. However, a mild odour nuisance is being reported intermittently near the first treatment plant. In this respect, the Bagatelle Mall has been requested to improve the efficiency of the first sewerage treatment plant so as to abate the odour nuisance.



ENL Property Ltd has now informed my Ministry that they have hired the services of a Consultant to recommend a permanent solution to the problem.

All authorities concerned, including my Ministry, are closely monitoring the situation.

**P.Q. No. A/222**

**Appendix**

**ATTORNEY-GENERAL'S OFFICE**

**Statement of vacancies as at 05 July 2012**

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
<b>Title of post</b>	<b>No. of posts in Civil Establishment Order</b>	<b>Funded positions 2012</b>	<b>No. of posts filled</b>	<b>No. of funded vacancies (C-D)</b>
Solicitor General	1	1	1	-
Parliamentary Counsel	1	1	1	-
Deputy Solicitor General	1	1	1	-
Assistant Solicitor General	6	6	2	4
Chief State Attorney	1	1	1	-
Assistant Parliamentary Counsel	4	4	2	2
Deputy Chief State Attorney	1	1	1	-
Principal State Counsel	11	7	4	3

Principle State Attorney	2	2	2	-
Senior State Counsel	14	10	10 (include 1 post filled by an officer seconded to Judicial Dept.)	-
Senior State Attorney	4	4	2	2
State Attorney	16	16	3	13
State Counsel	36	30	15 (include 1 post filled by an officer on secondment to Judicial Dept.)	15