



FIFTH NATIONAL ASSEMBLY

**PARLIAMENTARY
DEBATES
(HANSARD)**

**SECOND SESSION
TUESDAY 17 JULY 2012**

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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
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Hon. Mrs Sheilabai Bappoo, GOSK	Minister of Social Security, National Solidarity and Reform Institutions
Dr. the Hon. Vasant Kumar Bunwaree	Minister of Education and Human Resources
Hon. Satya Veyash Faugoo	Minister of Agro-Industry and Food Security
Hon. Devanand Virahsawmy, GOSK	Minister of Environment and Sustainable Development
Dr. the Hon. Rajeshwar Jeetah	Minister of Tertiary Education, Science, Research and Technology
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PRINCIPAL OFFICERS AND OFFICIALS

<i>Mr Speaker</i>	Purryag, Hon. Rajkeswur, GCSK, GOSK
<i>Deputy Speaker</i>	Peetumber, Hon. Maneswar
<i>Deputy Chairperson of Committees</i>	Deerpalsing, Ms Kumaree Rajeshree
<i>Clerk of the National Assembly</i>	Dowlutta, Mr R. Ranjit
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MAURITIUS

Fifth National Assembly

SECOND SESSION

Debate No. 14 of 2012

Sitting of 17 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 –

- (a) Certificate of Urgency in respect of the following Bills –
 - (i) The Protection of Human Rights (Amendment) Bill (No. XIX of 2012);
 - (ii) The Police Complaints Bill (No. XX of 2012);
 - (iii) The National Preventive Mechanism Bill (No. XXI of 2012);
 - (iv) The Mauritius Broadcasting Corporation (Amendment) Bill (No. XXII of 2012); and
 - (v) The Supplementary Appropriation (2011) Bill (No. XXIII of 2012).
- (b) The Rodrigues Regional Assembly (Octopus Closed Season) Regulations 2012 (Government Notice (Rodrigues Regional Assembly) No. 2 of 2012).

B. Ministry of Finance and Economic Development –

- (a) The Public Procurement (Amendment No. 2) Regulations 2012 (Government Notice No. 128 of 2012).
- (b) The Estimates of Supplementary Expenditure (2011) of 2012.

C. Ministry of Social Security, National Solidarity and Reforms Institutions –

The Reports of the Director of Audit on the Financial Statements on the Examination of the Senior Citizens Council for the Financial Years ended 30 June 1992, 30 June 1993, 30 June 1994, 30 June 1995, 30 June 1996, 30 June 1997, 30 June 1998, 30 June 1999, 30 June 2000, 30 June 2001, 30 June 2002, 30 June 2003, 30 June 2004, 30 June 2005, 30 June 2006, 30 June 2007, 30 June 2008, 30 June 2009 and for the 18-month period ended 31 December 2010.

D. Ministry of Health and Quality of Life –

- (a) The Medical Council (Medical Institutions) (Amendment No. 3) Regulations 2012 (Government Notice No. 129 of 2012).
- (b) The Medical Council (Medical Institutions) (Amendment No. 4) Regulations 2012 (Government Notice No. 130 of 2012).
- (c) The Dental Council (Medical Institutions) (Amendment) Regulations 2012 (Government Notice No. 131 of 2012).

ORAL ANSWERS TO QUESTIONS**MICHAELA MCAREAVEY HARTE - MURDER CASE**

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, following the verdict in the Michaela McAreavey Harte murder case, he will state if –

- (a) a Fact-Finding Commission will be set up;
- (b) confessions will henceforth be video or audio-recorded;
- (c) the forensic services will be strengthened;
- (d) the jury system will be reviewed;
- (e) the Police Force will be re-structured, and
- (f) the Government of Ireland and of Northern Ireland have protested against the publication of crime scene photographs in the Mauritius “Sunday Times” of 15 July 2012 and, if so, the actions, if any, taken/to be taken against the persons involved therein.

The Prime Minister: Mr Speaker, Sir, the whole country was in a state of shock when the news of the death of Mrs Michaela McAreavey Harte, an Irish national aged 28, in her room at Legends Hotel, Grand Gaube, broke out on 10 January 2011.

Indeed, the whole population was outraged, and there was a unanimous wave of sympathy for the victim and her family. As the House is aware, the case was widely publicised nationally and in the UK, and Ireland in particular. I personally expressed my deepest condolences to the bereaved family, and gave the assurance that the authorities in our “*Etat de droit*” and law abiding country will ensure that those responsible for this despicable act be brought to justice.

During the investigation, five persons were arrested. Two persons were subsequently charged for murder, and the case was lodged before the assizes on 22 May 2012.

Following the verdict in the case on 12 July 2012, my Office issued a communiqué wherein it was stated that Government has taken note of the verdict, and that the Government and the people of Mauritius shared the grief and agony of the Harte and McAreavey families. The communiqué further stated that Government is considering all options concerning further action in the matter with a view to bringing the perpetrators of this heinous crime to justice.

Mr Speaker, Sir, in regard to part (a) of the question, let me say outright that a Fact-Finding Committee is perhaps not the best way forward in this case. This is a criminal case in which there has been -

- (a) a police investigation;
- (b) a preliminary enquiry before a District Magistrate, aimed at determining whether there is a *prima facie* case for committal/or trial before the Supreme Court;
- (c) a fully-fledged case before a Judge sitting with a jury, in which evidence was ushered in by the prosecution, challenged by the defence and assessed by the jury.

There have been wild accusations in the press and elsewhere levelled at the police, and more particularly at the Major Crime Investigation Team. Let me say that I do not find any cause for dismantling a performing unit of the Police Force on the strength of only one case.

Mr Speaker, Sir, we should analyse the verdict of the jury in a dispassionate manner. There are a number of possible reasons for that verdict, although I am not suggesting that there be any investigation into the matter.

With regard to the main point of controversy arising from this trial, that is, the alleged involuntary confessions and the allegations of police brutality levelled at, on the one hand, MCIT officers and, on the other hand, evidence of three different doctors to the effect that there was no visible traces of violence on the body of the accused, the Presiding Judge rightly left it to the jury to decide either to accept and act on the confessions, or to accept the contention of the defence and reject the alleged confessions. The jury's verdict, Mr Speaker, Sir, seems to suggest that they chose to reject the confessions.

In a jury trial, it sometimes happens that the balance may tilt one way or the other as it is apparent for the following extracts from the summing-up of the Judge, and I wish to quote it, Mr Speaker, Sir. The learned Judge said -

“The Counsel (that is, the Counsel for the defence) was threatened that he would be beaten with a chair, and was also asked to sit down. The accused was then asked to sign it, and he did so in the presence of his Counsel.”

He goes on to say, Mr Speaker, Sir -

“If the police really wanted to fabricate a statement, it would have been easier for them to fabricate the statement immediately after that, and to make the accused sign it there and then, that is, on the 12th. Why would the police run the risk of calling his Counsel,

allowing accused to meet with Counsel, saying that he would give his statement on the next day, allowing the accused to meet with his wife, and then fabricating a statement after having threatened to do bodily harm to counsel, and all this at the premises of the Line Barracks on a weekday during working hours?"

He goes on to say -

"If the police wanted to fabricate a statement, they then would have avoided the contradictions and any other things that could shake or weaken the confession. The other side of the coin is that the statement, as it has been recorded, was authored by the accused, and the police simply faithfully wrote down what he said. And the beginning of the statement on the 13th, which is a statement recorded under warning, you will see that the accused was fully warned and that he acknowledged the caution by affixing his name under it."

I think this speaks for itself, Mr Speaker, Sir.

We should not, therefore, view the outcome of the case in isolation against the favourable outcome in many cases based on MCIT investigations. I am informed, Mr Speaker, Sir, that, during the year 2010, in five cases before the Supreme Court, guilty pleas were entered on behalf of the accused based on confession obtained during the enquiry, and in two cases the jury returned a verdict of guilty. In 2011, in five cases, guilty pleas were entered on behalf of the accused based on confession obtained during the enquiry. And, finally, during the 1st term of the Assizes in the year 2012, in four cases, guilty pleas were entered on behalf of the accused based on confession obtained during the enquiry. In all these cases, the enquiry was conducted by the MCIT, and the trial before the Supreme Court was preceded by a preliminary enquiry before a District Magistrate, and the defence had the opportunity of cross examining the Police Officers.

Mr Speaker, Sir, I have always stated that I am committed to the respect for the Rule of Law. The Constitution of Mauritius rightly provides for the independence of the Judiciary, of the DPP, and of the Commissioner of Police. It is not for me, therefore, to interfere in any investigation or trial. The role of Government is to ensure that proper laws and procedures are in place for allowing these institutions to function efficiently whilst ensuring that there is a fair balance between the prosecution and the defence.

I shall later be outlining the various measures put in place to improve our criminal justice system. This being said, insofar as this very sad case is concerned, I trust the appropriate

authorities, especially the DDP and the Commissioner of Police, initiate such action as may be necessary to ensure that the guilty does not go unpunished.

I understand, Mr Speaker, Sir, that one of the options being considered by the DPP is the institution of a judicial enquiry under section 64 of the District and Intermediate Courts (Criminal Jurisdiction) Act. Any such initiative on their part will receive the unqualified support of Government.

Regarding part (b) of the question, one of the common complaints by a defendant who has made a confession in a criminal case, is that he was coerced to make that confession. It would be unreal to imagine that every police officer, in every case, is too scrupulous to succumb to the temptation to attempt to secure the conviction of a person whom he believes to be guilty, by saying that he has confessed to the crime with which he is charged, when in fact he has not done so.

The consequent dispute resulting from a challenge of a confession in court entails considerable delays, strain on judicial resources in bringing criminal cases to finality. There is an overall constitutional duty to ensure that a trial is heard within a reasonable time.

Mr Speaker, Sir, the House will recall that the Report of the Presidential Commission to examine and report upon the structure and operation of the Judicial System and Legal Profession of Mauritius, set up by me in July 1997, under the chairmanship of Lord Mackay, mentioned that the recording of confessions on audio tape or where possible by video is an extremely effective way of cutting down the need for police oral evidence, and has the effect of considerably shortening the subsequent trial. The Committee recommended that those facilities be provided to the police.

The Judiciary, which was consulted subsequently, expressed no objection for the compulsory electronic recording of police interviews.

Mr Speaker, Sir, in Chapter 4, paragraph 34 of the Government Programme 2012-2015, it was clearly stated that Government will bring necessary amendments to the Criminal Procedure Act and the Courts Act, making the electronic recording of police interviews compulsory.

As regards video-recording, I am informed by the Commissioner of Police that such facility already exists at Line Barracks, and is being used in certain cases.

Prior to the recording of any statement from an accused party, he is informed of the existence of his constitutional rights, as well as of the existence of the above facility in view of

the video recording of his statement. The decision to have his statement video recorded entirely rests with him. He may be advised by his Counsel.

As regards the M. H. case, the Counsel for the accused party, A. T., who was assisting his client, and who was fully cooperating with the police, did not express his wish to avail himself of the video-recording facility. In fact, the confession, as I said, was made in front of Counsel, and there was no objection at that time.

In the light of the experience from the above case, I am informed by the Commissioner of Police that, henceforth, in important and high profile cases, the police will impose the video recording of statements.

Mr Speaker, Sir, in regard to part (c) of the Question, the primary role of the Forensic Science Laboratory is to provide forensic services, including DNA tests in criminal and civil cases at the request of the Police or by an order from a Judge.

Emphasis is now being placed on scientific led investigation instead of confession based. In this regard, the Forensic Science Laboratory has a central role to play in our criminal justice system.

The DNA Identification Act was passed by the National Assembly on 21 July 2009 and came into operation on 25 February 2010. With a view to ensuring an effective implementation of the Act, the collaboration of the University of Staffordshire, UK has been enlisted. Training has been provided to all major stakeholders, including the Police Force and the Judiciary in the use of DNA evidence.

It should be pointed out that since September 2011, the Forensic Science Laboratory has been accredited (MS ISO/IEC 17025) for DNA finger printing, alcohol level determination and identification of drugs such as heroin and cannabis.

Mr Speaker, Sir, in October 2010, the services of Mrs Jane McLean, a British national and an expert in forensic affairs was enlisted to head the FSL. On 28 September 2011, Mrs McLean informed that she would not renew her contract as she was offered a job at the Metropolitan Police.

The post of Director of the FSL was advertised by the Public Service Commission on 07 October 2011.

Adequate resources in terms of equipment and staffing are being provided to the Laboratory.

Mr Speaker, Sir, in the Government Programme 2012-2015, we had announced that we shall pursue the upgrading of the Forensic Science Laboratory to enhance the use of DNA analysis.

In regard to part (d) of the Question, there has been, for some time, dissatisfaction with jury trials in Mauritius. In fact, many of the cases at first instance of the Supreme Court, e.g drug trafficking cases, are now tried before a judge without a jury.

In the light of the outrage in many quarters, though not reflected in the press, at such a verdict, I am contemplating referring the matter of the review of trial by jury to the Law Reform Commission for its recommendations after consultation with all stakeholders, including the legal profession, the Judiciary, members of the public, including Parliamentarians and the Police. Any review of the jury system would be considered in the light of these recommendations.

In regard to part (e) of the Question, let me remind the House that, in October 1998, during my first mandate, my Government undertook reforms to modernise the institutions of the country, including the Police Department. The reform programme entailed a host of changes which includes, *inter alia* –

- Setting up of the Emergency Response Service to attend to requests and calls for assistance promptly.
- The creation of the Scene of Crime Office to organise the recovery and preservation of vital clues to ensure speedy elucidation of cases.
- The acquisition of a modern Automatic Fingerprint Recognition Computer system.
- The creation of the Complaints Investigation Bureau after the enactment of the Protection of Human Rights Act of 1998 to enquire into complaints against the Police.

In September 1999, I introduced a higher professional education programme for our Police Officers by launching the Police degree courses in collaboration with the University of Portsmouth.

Thereupon, the Police had embarked on a modernisation programme not only in terms of building assets and infrastructure, but also with regard to a new style of policing based on customer care and adherence to Human Rights.

Being aware of the complex and evolving nature of policing, based on the initial reform programme undertaken during period 1998-1999, I have taken Police reform to a higher scale in 2010 when I launched the 2nd Police reform programme under the 'National Policing Strategic Framework (NPSF)'. The NPSF portrays a forward-looking organisation, providing a new vision which states: 'With you, making Mauritius safer' and a new direction to the Police as they shift from a force to a service aimed at bringing about a fundamental change in policing and management style, thereby ushering in a new work culture and policing philosophy being more caring and responsive towards the community.

Mr Speaker, Sir, we shall continue to modernise our Police Force.

In the Government Programme 2012-2015, we have announced a series of measures to enhance the capability and capacity of the Mauritius Police Force. We will also review the legislative framework under which the Police operate.

In this regard, we are coming forward with the Police and Criminal Evidence Bill which provides for codes of conduct that will regulate the conduct of Police and other investigators and address a number of issues relating to criminal enquiries, including victims' rights.

In line with the new Government Programme 2012-2015, Government has undertaken to enact a Police and Criminal Evidence Bill. A draft Bill has been made available for public consultations already and comments from stakeholders have been received. A workshop was held on 11 July 2012 by Professors Savage and Uglow, both eminent academics on the Police and Criminal Evidence Act of the UK and Government is expecting to introduce the PACE Bill in the National Assembly shortly.

The Police Complaints Bill has been set down for first reading before the National Assembly in fact today, Mr Speaker, Sir. The Bill is being piloted by me. The explanatory notes of the memorandum of the Bill are as follows:

The main object of the Bill is to provide for the setting up, within the National Human Rights Commission, of a Police Complaints Division to investigate complaints made against members of the Police Force, other than allegations of corruption and money laundering.

Regarding part (f) of the Question, I am not in the presence so far of an official protest from the Government of Ireland or the UK. However, a series of emails from Irish nationals expressing horror and outrage on the publication in our one local newspaper of the pictures of the mortal remains of late Mrs Harte have been received.

I should like to inform the House that the Counsel of Mr John McAreavey and Harte family have, in a letter dated the 16 July, addressed to the Commissioner of Police and copied to me and to the DPP pointed out that the publication in a Sunday newspaper, the 'Sunday Times', of 15 July of the dead body of Mrs Harte has caused severe prejudices to his client and his family.

Mr Speaker, Sir, my Office issued a communiqué on the matter yesterday and with your permission I would like to read part of that communiqué, and I quote -

“Government has taken cognizance of the outrageous publication in the issue of 15 July 2012 of a Sunday newspaper of the photographs of the dead body of Mrs Harte. This is a clear illustration of one of the most despicable methods of abuse and breach of the right to freedom of expression.

It shows an utter lack of respect for, and a reckless infliction of further hardship on the bereaved families.

This act runs counter to the deep attachment of our country and our citizens to family values and respect of those who have lost their beloved ones.

It is a matter of deep regret that whilst the authorities, within our democratic legal framework, have throughout been taking all possible steps to bring the culprits to justice and maintain the reputation of our country as a hospitable and friendly place, some isolated and unscrupulous individuals in the media, for the sake of an irresponsible sense of sensationalism, are doing everything they can to harm the image of our country and that of its law abiding citizens.

Government has referred the matter to the competent authorities.”

Mr Speaker, Sir, I am informed that the Police has already started an enquiry into the circumstances in which these photographs came in the possession of and were published in the weekly.

I am sure that the whole House and indeed the entire population will express its feeling of disgust and outrage at what constitutes a blatant case of gutter journalism. The House will also appreciate how much prejudice to the image of our country this paper has caused by its irresponsible act.

Mr Speaker, Sir, I will also invite the Director of Public Prosecutions to consider inviting the Courts, in appropriate cases, to order, in the interest of the privacy and the respect for the

grief of victims concerned, that photographs containing graphic images of injuries sustained by victims of crime and of the dead body should not be published in the media, whether broadcast, newsprint or electronic.

Mr Bérenger: Mr Speaker, Sir, on the first part of my PNQ, I have heard the hon. Prime Minister say that he does not think that the best way forward would be the setting up of the Fact-Finding Committee or Commission. But, is he aware that the Director of Public Prosecutions made a statement on Friday 13 July, *rapporé à la une de la BBC*? I quote -

“That there is to be an independent Fact-Finding Commission.”

The Prime Minister: Yes, I am aware, but after consultation, Mr Speaker, Sir, we think that the best way forward is for the institution of a judicial enquiry under Section 64 of the District and Intermediate Court, that is what the DPP is considering at the moment.

Mr Bérenger: Since what is being proposed is the judicial enquiry, am I right in understanding therefore that there will not be a full Police enquiry re-opened, looking for other possible culprits?

The Prime Minister: No, no, no, Mr Speaker, Sir. The Police enquiry will be ongoing. I am looking at the possibility of getting the help of experts from abroad to assist the Police because we have to find the guilty in this case.

Mr Bérenger: Is the Prime Minister aware of the statement in the press this morning by the Deputy Prime Minister, Foreign Minister of Ireland to the effect that Ireland would wish to collaborate with the Mauritian authorities and bring in Irish detectives, as has been the case in the past?

The Prime Minister: Yes. I will certainly welcome it, Mr Speaker, Sir. In fact, we were planning also to ask them if they wanted to send any detective to help us apart from others that we might ask probably from Scotland Yard.

Mr Bérenger: For the next part of my question, the hon. Prime Minister has told us that recording video/audio exists in certain places. Can I ask the hon. Prime Minister whether he is aware that the Director of Public Prosecutions, again, - this time not on the BBC, but in the “Irish Times” - made a statement, on the 14th, that yesterday the DPP contacted the Police Commissioner to say that all future confessions should be video or audio recorded?

The Prime Minister: As I said, we would like all of them to be video recorded; probably we don't have the facilities for all of them. There can be many crimes, but this is what the proposition is, in fact, Mr Speaker, Sir.

Mr Bérenger: I put the question. I am not proposing to do away with the Jury system. But am I right in saying that, at last Friday's meeting chaired by the hon. Prime Minister - the DPP was present, I understand, the Commissioner of Police and others - this issue of doing away with the Jury system was mentioned. Is it at that meeting that the decision was taken to ask for the opinion of the Law Reform Commission?

The Prime Minister: I don't recall really discussing this. We might have made reference to it, Mr Speaker, Sir, but that decision was taken later. Mr Speaker, Sir, the fact is that it is an established right of the Jury to give a verdict of not guilty and the prosecution cannot appeal from that verdict. However, no one can go behind that decision, in other words, Mr Speaker, Sir. However, we must look at all the facets as to whether this is the proper way to proceed. I would like to quote, Mr Speaker, Sir, what Lord Denning who was the Master of the Rolls and an eminent judge said about Jury trial in the UK. He challenged the underlined assumption that all citizens of the UK are qualified to serve on a Jury. He said, and I quote -

'The English are no longer a homogeneous race. They no longer share the same standards of conduct. They no longer share the same code of morals. They no longer share the same religious beliefs. They no longer share the same respect for the law. Many openly defy it. They attack its representatives - the police - and accuse them of harassment. They will never accept the word of a policeman against one of their own and he said therefore that in the UK they should consider replacing trial by Jury.'

In Mauritius, Mr Speaker, Sir, we are a multi ethnic society; so many people know so many other people. We need to look at this in this context. Even in the UK, he is saying they are no longer a homogeneous race even more so here with the different ethnic diversity that we have.

Mr Bérenger: The hon. Prime Minister will have taken note that the decision of the Jury in that case was unanimous and will he, therefore, reassure us that there will be no rush; that we will take time to read carefully what the Law Reform Commission will have to say on the Jury system in Mauritius and that there will be no rush to abolish the Jury system. We will take time to consider carefully.

The Prime Minister: Most certainly Mr Speaker, Sir. It is a major step. We have to pay close attention to it. We cannot rush into it obviously. We have to consult all the stakeholders, including Parliamentarians here in this House.

Mr Bérenger: As far as restructuring of the Police Force is concerned, Mr Speaker, Sir, there is a lot of opinions around that it needs a major restructuring, that there are too many units. The time has come, therefore, for a major restructuring of the old Police Force. Does the Prime Minister think that, in that case, a Commission of Inquiry, chaired by a former Judge of the Supreme Court with the best retired Police Officers we can find and other professionals in that sector like hon. Dr. Satish Boolell, for example, with such experience, should be set up to coolly look at our Police Force and make recommendations on improving that Police Force?

The Prime Minister: I can say, Mr Speaker, Sir, that there have been many major reforms being undertaken by the Police. Of course, we won't see the results straightaway. It takes time, it takes training; we need the proper training, as I said, to have this done. This is being done, Mr Speaker, Sir. We will look at everything obviously, but I don't think it is a Commission of Inquiry is what we need at this stage. We need to ensure that the institutions we put in place are working properly and that the reform that we have been doing since 1998 and continuing in a new phase, as I have said, since 2010, gets results that we expect.

Mr Bérenger: I am sure the hon. Prime Minister is aware that his statement to the effect that the MCIT will not be dismantled will go down very badly in the public in general. Will he, at the least, tell us whether we will have a fresh look urgently at the MCIT and see to it that Police violence in those quarters should be done away with for good?

The Prime Minister: Mr Speaker, Sir, as I said, fingers have been pointed at the Police. I am also very critical when I have to be, Mr Speaker, Sir. But, in that case, the confession was done in front of the Barrister. I quoted from the summary of the Judge itself. If the police wanted to fabricate evidence, there were other easier ways for them to do it. He was allowed to have his Counsel. He made the confession in front of his Counsel. He was allowed to see his family. He was allowed again to have a look at his confession. He even talked to his father and made an admission - but I'm not trying to go behind what the Jury said, Mr Speaker, Sir. Obviously, the Judge would not have made the statement he made in his summary if he did not feel strongly about it.

Very often, we see this, Mr Speaker, Sir. Somebody makes a confession and then a Barrister comes and tells him –

“Tell them that the Police have been using brutality.”

As I said, Mr Speaker, Sir, I am not exonerating anyone, there are bad apples in all societies, but I don't think it is right in this case. I looked at it very carefully. I had a meeting straightaway with all those concerned, as the hon. Leader of the Opposition is saying, to look with a comb what could have been done differently. There are a few things that could have been done differently. For example, the reconstitution: when they went on the premises, the Barristers said they are satisfied; there is no need for them to be there. I think the Police could have done differently. They took photographs. I think it should have been videotaped there and then, but they assumed, because the Barristers said so, that this is a straightforward confession, that they are just doing the reconstruction. These are little things that perhaps we could look at in detail later on and then the inquiry will probably show up.

Mr Bérenger: Again, in the last part of my question, that is, protests received or not from Ireland and Northern Ireland, I heard the hon. Prime Minister say that we have to date received no official communication from Ireland or Northern Island, but I am sure he is aware that every day in the press, not just in Northern Ireland, in Ireland, but also in the UK, the Prime Minister of Ireland, the Deputy Prime Minister of Ireland, the First Minister of Northern Ireland, the Deputy First Minister of Northern Ireland are coming out with very, very strong protests at the way things have gone. Is the hon. Prime Minister aware in particular that the Deputy First Minister of Northern Ireland stated on the BBC of 15 July: ‘It is clear that these photos have emanated from within the Mauritian system.’ And worse than that, this very morning, the Deputy Prime Minister of Ireland came out with a statement: ‘It appeared the photographs had been leaked by authorities.’ Can I ask the hon. Prime Minister, therefore, that he will see to it that this is denied as forcefully as possible?

The Prime Minister: The Police are investigating into the matter. I understand this morning that the journalist has already apologised. I believe, from the information I received that, in fact, it was leaked from a Barrister of the Defence.

Mr Bérenger: The Deputy First Minister of Northern Ireland, Mr McGuinness, said this morning that he will seek an appointment to meet with our High Commissioner in London on Thursday, that is, in two days' time. At that level also, can I ask the hon. Prime Minister to

reassure us that everything will be done concerning our High Commission and High Commissioner in London, amongst other moves by the Northern Ireland and Irish Authorities?

The Prime Minister: In fact, the Mauritius High Commissioner is not in London at present, but I think he is coming to London over the weekend. So, I will have to communicate that information. But we, certainly, will give all the collaboration that we can give, including inviting detectives from Ireland. Mr Speaker, Sir, the publishing of these photographs unanimously in the country, including journalists, are condemning this horrendous act which is a callous disregard for the grief of the bereaved and privacy of the families of the victim. It is a monstrous invasion of privacy. We must condemn it and if I had my way, I would have punished those who were responsible for it, very severely.

Mr Bérenger: I'll just ask before others come in that the Prime Minister will see to it, because he has mentioned the possibility of a Defence lawyer having leaked those photographs. I won't look at it in a given direction, but we will see to it that no Police officer shows preferences for the gentleman I have in mind, being given the recent past.

The Prime Minister: I condemn this, Mr Speaker, Sir. Any Barrister, you know in Mauritius sometimes I wonder whether some of them – I don't say all of them – know about the Code of Ethics of Barristers. The first duty of a Barrister is to the court and he has a duty to ask his client to speak the truth. If his client says he is guilty, he must ask the client to plead guilty, not the way some think, Mr Speaker, Sir, that the Barrister has got to find a way to get his client out of the guilty plea. That is not the case. That is why I say, Mr Speaker, Sir, we will ensure that this is brought to the notice of the necessary authorities. My indication is this at the moment and I am pretty sure it is right.

Mr Jugnauth: Replying to a PQ No. B/66 in 2006, the Attorney General said that he is informed by the Commissioner of Police that at the level of the Police Force –

“(...) procedures have already been initiated for the implementation of a CCTV system to video record the interrogation of suspects.”

And he even gave the contract that has been given to ViTech Electronics and in reply to another PQ No. B/292, again the Attorney General said –

“I have been informed by the Police that this method of recording – that is sound recording - of statements from a suspect is being implemented as from today - in 2006 – at the MCIT.”

May I ask the hon. Prime Minister, why is it that Government has not found it fit to legislate in order to make it mandatory for both video and sound recording with regard, at least, to murder cases?

The Prime Minister: That is the case, Mr Speaker, Sir, what the Attorney General said was absolutely right. In fact, I just mentioned, I think there is a case going on now that is being videotaped. But the Police went on the grounds when the Barrister who was in presence of the accused, made the confession in front of his barrister. There was no objection. The Counsel did not come to depone to say anything otherwise in the case, that it is a straightforward confession and that they did not feel there was a need therefore to videotape. Furthermore, as I said, when they were doing the reconstruction, when they went on the premises, again the Barrister said there was no need for them to be there. If there were going to be challenges, normally, they are there, whether it was thought out afterwards, I cannot say, Mr Speaker, Sir, hardly for me to say that, but that is the case in this case. As I said, we don't have all the facilities. There were some difficulties at the beginning, I believe, Mr Speaker, Sir, with all electronic appliances, but this is being done and it started, I say again, after the Presidential Commission that I named by Lord Mackay.

Mr Speaker: Hon. Leader of the Opposition!

Mr Bérenger: Can I end by asking the hon. Prime Minister whether he will agree to convey the unanimous and sincere expression of grief, sympathy and outrage of this House to the unanimous expression to the aggrieved families.

The Prime Minister: I will certainly do that and I thank the hon. Leader of the Opposition for this, but I think it is a good sign that the whole House shows this. I was about to write to different people in Ireland, but I will certainly add this in my letter. Thank you.

Mr Speaker: I know a number of hon. Members have raised their hands to put questions. I see that all the issues raised on this question have been sufficiently aired. Time is over! I will stop here. Questions addressed to hon. Prime Minister! Hon. Jhugroo!

PMO – ADVISERS

(No. B/508) **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 Advisers appointed by his Office, he will state the names thereof, indicating in each case –

- (a) if it is on a full time or part time basis;
- (b) the qualifications held;
- (c) the duties assigned thereto;
- (d) the salaries and terms and conditions of appointment thereof, and
- (e) the make and model of the car put at the disposal thereof.

The Prime Minister: Mr Speaker, Sir, I wish to refer the hon. Member to the reply made to Parliamentary Question IB/476 in August of 2010 and the list of Advisers subsequently laid in the Assembly in which detailed information has been provided in regard to Advisers employed by my Office. It is all there.

However, I must say, Mr Speaker, Sir, since then, one of my Advisers has passed away. The services of three Advisers have been enlisted, along with two other resource persons who have been recruited for specific assignments in relation to the implementation of the Government Programme.

Mr Speaker, Sir, as the House is aware, the portfolio of the Prime Minister has been extended to include External Communications which covers two major sectors of the economy, namely, the port and the airport. Recently, Rodrigues and matters pertaining to the Rodrigues Regional Assembly have also been included in my portfolio. That is why there has been this addition.

ROAD ACCIDENTS (FATAL) - JANUARY 2011-JULY 2012

(No. B/509) 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 fatal road accidents, 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 2011 to date, on a yearly basis, indicating the –

- (a) measures that have been implemented, since the appointment of Mr B. B., as Special Adviser on Road Safety Matters at his Office, and
- (b) additional measures that will be taken for the prevention thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that the number of fatal road accidents which has been reported during the period January 2011 to 16 July 2012 is as follows –

Period

Number of Fatal Road Accidents

2011	132
2012 (up to 16 July 2012 – that is, yesterday)	72

Mr Speaker, Sir, I have on several occasions informed the House that road safety is one of the priorities of Government. We are fully committed to create a safer and more secure road environment for all road users. Road safety, Mr Speaker, Sir, is a complex issue and requires the coordinated national strategies with a view to reducing accidents on our roads.

This is precisely why I set up a Special Road Safety Management Unit under the aegis of my Office to coordinate all road safety activities using an integrated approach to the issue. The Unit is headed by Mr B. B., Adviser on Road Safety Matters.

Mr Speaker, Sir, let me add that Mr B. B. has a vast experience in Road Safety Matters. He was in charge of the Police Road Safety Unit in the Traffic Branch for almost twenty years. He was described in 1999 by Mr Allan Jones, a Road Safety Consultant from the UK, as the most experienced Road Safety professional in Mauritius. Furthermore, I just saw a well-known Traffic magazine recently, I think in November, speaks highly of Mr B. B., as someone who is determined to make a difference. But very often, as in the case - I am not putting blame on anyone - when you want to change attitudes, when you want to change work culture, the one person who wants to change it finds all sorts of obstacles in his way. However, this is behind us.

In regard to part (a) of the question, the Special Road Safety Unit has spearheaded the formulation of a new National Road Safety Strategy: ‘Preventing Road Injuries, Saving Lives’ 2011-2020. This Strategy –

- (i) identifies fresh updated priority areas;
- (ii) looks as what new policies are needed and makes proposals;
- (iii) assigns responsibilities;
- (iv) sets casualty reduction targets, and
- (v) develops monitoring and evaluation frameworks.

I would ask you to bear with me, Mr Speaker, Sir. It is such an important subject. My reply is slightly longer than I would have liked it to be.

The strategy contains the following initiatives –

- (i) a major infrastructure program to improve the roads and roadsides across Mauritius - and we see what the hon. Minister for Public Infrastructure is doing as far as road development is concerned;
- (ii) there is a 5-stage mandatory road safety audits now for all new road projects, together with an expanded 'Blackspot' program targeting road locations where crashes tend to occur more frequently;
- (iii) there is a provision for the alignment of vehicle speed with the inherent safety of the road environment;
- (iv) a crackdown on road users who place the community at risk by using intelligence based policing to target specific anti-social behaviour, such as repeat drink-driving, speeding offenders, speaking on their mobile phones and so on, and
- (v) a new communication strategy to promote a nationwide culture of road safety, to raise public awareness on the notion of shared responsibility in enhancing road safety, and to promote different interventions such as speed management.

I should also add, Mr Speaker, Sir, that a hotline was set, I think the number 166 was introduced in 2009 and it has two dedicated telephone numbers attached to it so that the Traffic Branch can attend to their request quickly.

Mr Speaker, Sir, learning to drive safely takes time and needs systematic and extensive practice. The Special Road Safety Unit has been the main initiator of the Driver Education and Testing Centre project. The Centre, which is expected to be operational by mid 2014, will consist of the state-of-the-art facilities over an extent of *25 arpents* of land, most probably what we think, it would be now in Moka.

In addition, the Special Road Safety Unit has contributed to revive the Penalty Points System project and has made a series of implementation proposals during the preparation of the related legislation together with the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping and the Traffic Branch of the Police. In fact, the experts there did a lot of work together with the special adviser and the Traffic Branch.

Mr Speaker, Sir, any comprehensive road safety programme requires a range of actions, and inevitably this creates a need for significant funding. The Special Road Safety Unit has convinced the Corporate Social Responsibility Committee to include promotion of road safety

through awareness campaigns as one of the approved programmes qualifying under Corporate Social Responsibility.

In 2010, the Special Road Safety Unit collaborated with the Ministry of Social Security to set up a campaign to sensitise the elderly on road safety issues. It also organised the distribution of about 2000 high visibility jackets and reflective arm bands to two-wheelers at various locations both in Mauritius and Rodrigues, in collaboration with the Insurers' Association. A series of activities was organised by the Special Road Safety Unit to mark the launching of the UN's Decade of Action for Road Safety 2011-2020 on 11 May last year.

Furthermore, Mr Speaker, Sir, the in-vehicle interlock, I think it is also called 'alcolock' system. This is a new system; it has been installed for the first time in Mauritius in a vehicle belonging to the private organisation because we want to know how it actually works, whether it works, what are the difficulties and all this. This 'alcolock' system is designed to prevent a driver to drive if he has excess alcohol in his blood; it requires the driver to blow into a kind of in-car breathalyser before starting the ignition. If the driver is above the limit, the vehicle cannot be started. We intend to introduce it country-wise, Mr Speaker, Sir. Yes, there will be many people who will stay at home, I am sure.

Mr Speaker, Sir, the Special Road Safety Unit has made several proposals to increase the effectiveness of the Police in enforcing traffic rules. The proposals that have been implemented so far include -

- (i) the creation of a Road Safety Motorcycle Squad within the Police Road Safety Branch. 30 riders of this squad - they have just been made available - are responsible for improving road safety by intervening after observing events linked to driving offences and high-risk driving situations. I must say, Mr Speaker, Sir, there will be added to this 30 another 20 which will make a 50 member squad;
- (ii) all Police stations around the island have been equipped with devices, I am informed, for the detection of speeding and drink driving. Previously, enforcement activities related to speeding and drink driving were mostly performed by the officers from the Traffic Branch of the Line Barracks in Port Louis. Now, in every Police station we have these devices, Mr Speaker, Sir;
- (iii) a 'training for trainers' program intended to police drivers and riders was organised in collaboration with the Mauritius Institute of Training and

Development and a team of professional trainers from Singapore. This training program was part of a comprehensive plan with a view to enable police officers to improve their driving and riding skills and be responsible and safe motorists. 20 drivers and 25 riders have been trained as instructors already;

- (iv) an advance Defensive Riding Course had been conducted for 204 riders to enhance their knowledge on road safety aspect and defensive driving by the Singapore Driving Centre Limited last December, and
- (v) a workshop on “New Developments and effective strategies to manage drink and drug driving” had been organised in April this year with the assistance of an expert from France, Dr. Charles Mercier Guyon of the “*Centre D’Etudes et de Recherches en Médecine du trafic*”.

The Special Road Safety Unit has further prepared draft regulations that would maximise road safety, including -

- (i) pedestrian regulations to raise awareness and protect pedestrians. Sanctions against pedestrians with risky behaviours are also included therein, and
- (ii) a new piece of law which will make compulsory the use of high visibility jackets by motorised two-wheelers;

To foster a cohesive and synergistic approach in promoting road safety, the Special Road Safety Unit together with the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, and the Police have worked out a Road Safety Plan Calendar. In this calendar a particular road safety theme has been attributed to each month of the year.

The Special Road Safety Unit has recently proposed a ‘Road Safety Communications Plan 2012-2013’. The aim is to raise awareness of traffic safety as a serious issue, educate road users on the rules of the road, and encourage compliance in order to contribute to a reduction of injuries and fatalities. This two-year plan will bring the multiple components of road safety awareness campaigns together into one comprehensive marketing plan.

The Special Road Safety Unit has also partnered with the police and private sponsors to broadcast a 3-minute road safety program every Thursday at 19.25 hrs on the national television.

It has also arranged to have 64 one-minute road safety clips produced by France Televisions. These educational clips will be shown on the national television soon.

A new website exclusively dedicated to the promotion of road safety in Mauritius is online.

The Unit has purchased a rollover simulator at the cost of Rs2.2 m, with the financial contribution from private sponsors. By the end of 2012 the police will be equipped with this effective communication tool that can contribute to increase the rate of seat belt wearing in Mauritius.

The Unit has initiated a project called 'The Traffic Calming Model Village' in Rose Belle to showcase the road safety benefits of traffic calming measures. The project intends to implement several physical measures, including -

- (i) speed restriction devices;
- (ii) enhanced pedestrian and cyclist facilities;
- (iii) change in the lighting and the road surface, including colour and texture.

The planning stage has involved participation of the local community.

Following a recommendation by the Unit, the Ministry of Education and Human Resources has agreed to set up a training program intended to teachers at the pre-primary and primary levels.

The Unit led by Mr B.B., carried out an official visit in Rodrigues in June 2011. The objectives of the 5-day visit in Rodrigues were to -

- (i) meet the various stakeholders to agree on a line of action that will engage the local community in future road safety activities;
- (ii) assess the current accident data collecting and recording systems of the police, and
- (iii) create awareness on the theme 'See and be seen', which is very relevant to the island.

Another follow-up mission in Rodrigues was undertaken this year.

In regard to part (b) of the question, the following additional measures are being taken for the prevention of road accidents -

- (i) Road Safety Audits are being carried out for all new road projects - I think I have already mentioned this, Mr Speaker, Sir - and existing hazardous roads and black spots so as to bring corrective counter measures;

- (ii) Probationary Driving Licence Scheme will be implemented. We have talked about this before and I do not need to go into the details.
- (iii) road traffic signs and traffic control devices maintenance programmes will be improved over the whole island;
- (iv) new traffic by-pass scheme and one-way scheme in dense residential and commercial areas will be implemented;
- (v) accident and traffic data collection has to be improved and will be improved by using latest software for traffic and safety data analysis to bring corrective counter measures;
- (vi) driving standards and quality of driver training will be improved by standardising the curriculum for learner drivers for all driving schools with the setting up of the Driver Education and Testing Centre;
- (vii) additional mobile and fixed speed cameras are being acquired and will be installed across the island;
- (viii) four new Vehicle Testing Centres – this is also very important, Mr Speaker, Sir. We have seen what happens on our road. We see so many times unfit vehicles on the road, lots of smokes coming out, not much has been done although the police are trying very hard. These centres are to be set up shortly and they will be set up by private parties. Bids have already been received and are being evaluated by the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, and
- (ix) also, Mr Speaker, Sir, I must add a drug testing equipment is being acquired to detect the presence of drugs in drivers.

Mr Speaker, Sir, road accidents not only entail significant economic loss in terms of property and delays for road users, but they are also cause of, obviously, distress to victims and their families. I wish to reiterate to this House that Government is sparing no efforts to reinforce measures to address the issue of road safety. All stakeholders, including the Police Department, the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, and the Special Road Safety Unit of my Office will continue to bring innovative measures to render our roads safer to minimise accidents resulting in injury or loss of life.

Mr Bérenger: Mr Speaker, Sir, since the question refers to fatal road accidents, will you allow me two questions? One, some weeks back, we were all shocked when a driver mowed down cyclists on the motorway in the south. Then, we were *scandalisés* to learn that the driver who had run away turned up the following day, and that he did not have a driving licence and acknowledged that he was under the influence of alcohol. Can I know where matters stand as far as this case is concerned, and whether that person has been granted bail?

The Prime Minister: I answered a question I think last week, if I am not mistaken, Mr Speaker, Sir. He has been arrested and brought to court. The court gave him bail, and matters are proceeding on that basis.

Mr Bérenger: It is interesting to know whether the police agree to bail or object to bail in cases like that. I come to my second question. Last Sunday, there has been another accident, at Pamplermousses this time, where a driver mowed down a small crowd that had gathered to help victims of an accident that had occurred a few minutes ago. I am given to understand that the driver of that Porsche car went to a private clinic, and we are told that blood sample was taken. Will the hon. Prime Minister tell us whether this was the case, whether blood or urine samples have been taken? Because he came from a night club, having spent the whole night at that night club. Several people as well as old people living in that area have come out with statements in the press, saying that the Porsche car was coming at a very high speed. I would like to know whether all the witnesses have been or are going to be interviewed by the police. There is also the possibility that the road is defective at that place. It accumulates water at that place, with the result that both vehicles – the one with a 4x4 prior to the Porsche mowing down people – met with that problem of a certain amount of water on a defective road. They call it aquaplaning. I would like to know whether this is being looked into also.

The Prime Minister: All these are being looked into, Mr Speaker, Sir. We amended the law in the past because people used to go and hide in a clinic, and then blood samples could not be taken. That has been changed, and all the procedures are being followed. I must also add, Mr Speaker, Sir, that, sometimes, as I said, we do not seem to know what we want. There is a place there which was blocked. So, people were asked to go over the archway, the pedestrian crossing. But, they keep breaking this, so that they can cross the road there. That is also a problem. I am asking the police again to put concrete materials there so that people cannot walk through.

Mr Jhugroo: Is the hon. Prime Minister aware that many fatal accidents have occurred in some of the bus terminals of this country because they have been wrongly designed and represent a real danger for our passengers? What measures are envisaged to review the realignment of these bus terminals to prevent fatal accidents from occurring in the future?

The Prime Minister: I thank the hon. Member for this question. In fact, he is very right; we have also seen this. We have the archway – overhead - here, and then we have the bus terminal over there. So, nobody wants to walk all this way to come here; it is a bit of human nature. All this is being looked at, and I know the hon. Minister of Public Infrastructure is reviewing all the bus terminals. It is a very good question.

Mr Bhagwan: One of the major causes of accidents also, apart from the negligence of drivers and people, is the authorities. We have cases where the authorities do not perform like the lighting on the motorway which takes weeks to be repaired, and also the bad quality of the road markings and other issues related to traffic management. Can I know from the hon. Prime Minister whether his Office, the adviser has been given power to, at least, take to task these authorities which are lagging behind in their normal duties?

The Prime Minister: In fact, I cannot give him the authority to do that. But he reports back to me, and I know then how to make them do what they have to do, if they have to do it. That is why they say I am dictatorial, but you have to be from time to time.

Hon. Bhagwan is also right. Do you know what happens, Mr Speaker, Sir? People are stealing the cables. I cannot have a policeman at every ten feet on the road. This is the attitude. The second thing is that this issue of traffic lights was privatised. There was somebody who was doing it very well. It was privatised for some reason and - correct me if I am wrong - I think that we found that they are not doing the work properly. I think they have been warned that they would have to perform, and that if traffic lights are broken they have to repair it straightaway. And...

(Interruptions)

Very often this is because the cables have been stolen. That is one of the reasons.

Dr. S. Boolell: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he would request the views of the Commissioner of Police on the introduction of random fitness checks on vehicles and buses which have otherwise been found fit by the fitness centres?

The Prime Minister: There are routine checks. We are satisfied with the system as it is, and that is why we are privatising the vehicle centres. There will be four of them, I think. The tenders are about to go out, and they will be very stringent. If somebody thinks that he will be able to corrupt someone and get a licence, the centre will close.

Mr Lesjongard: Mr Speaker, Sir, I heard the hon. Prime Minister referring to overhead footpath. I am referring to a particular section of the highway just before the Roche Bois Roundabout. Does he find it normal, where we have an overhead footpath, in the middle section of the road there is an opening? People prefer to use that middle section to cross the highway rather than the overhead footpath.

The Prime Minister: In fact, we talked about this very recently. One of the problems is that we have to change attitudes. People must know that they have to cross on pedestrian crossing. They must not just cross the road, especially on motorways.

Mr François: Mr Speaker, Sir, there are also many urgencies in Rodrigues. May I ask the hon. Prime Minister whether the technical report for Rodrigues by the adviser has been submitted for implementation and whether it can be laid on the Table of the Assembly or circulated?

The Prime Minister: Mr Speaker, Sir, there are so many things to attend to. There are two reports and very often he is discussing with the Commissioner of Police. He is talking with the people of the Traffic Branch and also with me to have these things done.

Mr Jhugroo: Hon. Prime Minister, this is my second appeal. Will you give priority for consideration...

Mr Speaker: Address the Chair, please!

Mr Jhugroo: Mr Speaker, Sir, will the hon. Prime Minister give priority consideration to having rescue operation of injured passengers by helicopter in case of fatal accidents, in situations when there is a very critical road congestion or access by road is not possible?

The Prime Minister: Indeed, Mr Speaker, Sir, that is also being looked at. But the helicopter will not be able to land everywhere, of course. We have also done something additional. Again – the hon. Minister of Health will confirm – it is a measure to help people, but there are people who object! We decided that - as is done in other countries like France, UK - when there is congestion, you allow motorcycles with the first aid kit - I think the former Minister of Health is aware of this - to go through the traffic and reach the person or victim who

needs help straightaway. After a lot of objections, we have managed to agree, and now this is being done.

Mr Obeegadoo: The Prime Minister gave us a very long list of very laudable initiatives, but would he be surprised to learn that only a couple of weeks ago, many of the major crossroads in this country had their traffic lights paralysed, out of operation and creating a very serious hazard to road safety. Would he be surprised to learn that just after the very dangerous Soreze bend, the road traffic markings - when you are proceeding towards Reduit - are totally confusing and have never been properly redone? Will he be surprised to learn that the speed limitation apparatus on heavy vehicles, that is, now in the law, there is a disagreement as between the NTA and the Police, who is to inspect those mechanisms and how?

The Prime Minister: As for the traffic lights, in fact, I mentioned earlier, Mr Speaker, Sir, that it can happen, but in that case it has happened too often. I think the contract has been allocated to a new group because the existing group is not delivering.

As for the road markings, I have recently looked into that.

(Interruptions)

I will look into that. I am sure that he is looking into that also.

And third point was?

Mr Obeegadoo: The traffic delimitation mechanism on heavy vehicles.

The Prime Minister: That is one thing, Mr Speaker, Sir, and rightly so. You put in place all the legislation and everything, but people also have to obey the laws. That is why we have put these additional riders to check on all these. They will start at the beginning, on the motorway – they are doing that at the moment - and then they will expand over the whole country.

Mr Guimbeau: Mr Speaker, Sir, since we are talking about traffic lights, I would like to ask the hon. Prime Minister, what about the lightings on the highway from Nouvelle France to the SSR International Airport? I heard that all the cables have been stolen. Can the hon. Prime Minister confirm this? It has been like this for the past four years and I have put five PQs on this, Mr Speaker, Sir.

Mr Speaker: To inform the House, not to confirm!

The Prime Minister: But I can confirm, yes. That is the problem, it has been stolen. I don't think it is four years, but it has been stolen.

Mr Jhugroo: Can the hon. Prime Minister inform the House whether any VIP cars or Police riders have been involved in any fatal accident, and if so, what measures are being envisaged to prevent this?

The Prime Minister: I am not aware if any has occurred, but I will look into it.

Mr Speaker: The Table has been informed that Parliamentary Question No. B/512 has been withdrawn and that Parliamentary Question No. B/514, addressed to hon. Prime Minister will be answered by the hon. Minister of Labour and Industrial Relations, if time permits. Next Question, hon. Ameer Meea!

ROCHE BOIS - FATAL ROAD ACCIDENT

(No. B/510) 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 fatal road accident which occurred, on or about Sunday 01 July 2012 on the M2 Motorway at Roche Bois, in which one Mr G. J. passed away, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been carried out thereinto, and if so, indicate the outcome thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that on 01 July 2012 at about 08.05 hours, a road accident occurred along the New Trunk Road at Roche Bois, some 70 metres away from the footbridge, involving a motorcycle and a pedestrian, one Mr G.J. while the latter was crossing the motorway.

The pedestrian was seriously injured and he was conveyed to Dr A.G. Jeetoo Hospital by SAMU. He passed away at 10.15 hours on the same day. An autopsy carried out by the Chief Police Medical Officer revealed that death was due to cranio cerebral injury.

The rider of the motorcycle was arrested on the same day of Sunday 01 July 2012. He was negatively alcoltested. He appeared before Port Louis Division II Court on 02 July 2012 where a provisional charge of "Involuntary homicide" was lodged against him. He was released on bail after furnishing a surety of Rs15,000 and a recognizance of Rs50,000.

Police enquiry is continuing.

Mr Ameer Meea: May I ask the hon. Prime Minister if he is aware that une des causes principales qui occasionne des accidents à la hauteur de l'autoroute de Roche Bois, - le lieu où l'accident s'est produit – c'est parce qu'un bout du parapet a été enlevé entre l'autoroute menant

vers le nord et l'autoroute qui descend vers la capitale. Aussi, je dois dire que j'ai déjà soulevé ce problème à l'ajournement, il y a exactement un an de cela, le 19 Juillet 2011, à l'effet que j'avais fait un appel urgent à l'honorable ministre des Infrastructures publiques pour que le nécessaire soit fait, pour que cela n'occasionne aucun accident. L'honorable ministre avait répondu, M. le président, je cite *from Hansard* –

“I have already given instructions to the contractor. I get the feeling that they are delaying the work. I will send reminders to them and by tomorrow morning, I do hope that needful will be done.”

Un an après, M. le Premier ministre, rien n'a été visiblement fait et un accident fatal – c'est malheureux – s'est produit. Donc, je demande à l'honorable ministre pourquoi ce bout de parapet n'a pas été enlevé pendant tout ce temps, et voilà que cela a occasionné cet accident fatal.

The Prime Minister: In fact, Mr Speaker, Sir, again I draw the attention of the hon. Member. At the beginning, there was a chain there from what I have understood, but the public removed the chain. The chain was removed, I think, three times. Then the Police decided that they will close it. It was broken, not once, not twice. When the hon. Minister tried to re-put the concrete to prevent people from crossing - I think it needs to be concrete because you will see them going under the guardrail - there was big protest.

(Interruptions)

I don't know whether you encourage them to protest, but there was big protest; they don't want this. You must decide what you want. That is why I say that we must put our foot down, protest or no protest; we will have to do what is in the public interest.

Mr Ameer Meea: The hon. Prime Minister is imputing motives of me. It is not me behind the protest. Can I make an appeal to the hon. Prime Minister that in the meantime that this is solved, *que le parapet soit restauré*, that Police officers be placed in this region, especially in the morning and in the evening, so that they can prevent people from crossing the Motorway?

The Prime Minister: I would appreciate if the hon. Member explains to people why we are doing this. There is no need to protest, because protest or no protest, we have to do it in the public interest.

Mr Speaker: Time is over! Questions addressed to hon. Ministers! Hon. Dr. Sorefan!

GOVERNMENT FIRE SERVICES – FIREFIGHTER LORRIES

(No. B/521) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Local Government and Outer Islands whether, in regard to the firefighter lorries, he will, for the benefit of the House, obtain from the Government Fire Services, information as to the -

- (a) number thereof which -
 - (i) are in operation, and
 - (ii) are not in operation, indicating the reasons therefor;
- (b) cost incurred for the repair thereof, in each case, since 2005 to date, and
- (c) number thereof which have been purchased, since 2010 to date, indicating if they meet the required specifications.

Mr Aimée: Mr Speaker, Sir, the information requested by the hon. Member has been compiled and it is being placed in the Library of the National Assembly.

Dr. Sorefan: Can I know from the hon. Minister whether the long ladder lorry to cater for high building is still idle after having been repaired to the tune of Rs950,000 and there is a claim for another Rs3.5 m.?

Mr Aimée: No, Mr Speaker, Sir. The long lorry ladder that the hon. Member has mentioned they have not been able to repair it and actually we have decided probably to sell it, as scrap.

Dr. Sorefan: Mr Speaker, Sir, regarding those newly bought lorries, may we know whether - these new lorries have been bought since 2010 - the control panels are according to the specifications?

Mr Aimée: Yes, Mr Speaker, Sir.

Dr. Sorefan: Mr Speaker, Sir, may we know from the hon. Minister whether the panel is under the same side of the hose where they drain the water or it is at the back of the lorry, which is incompatible for the fire workers?

Mr Aimée: From the information that I have, Mr Speaker, Sir, from the Chief Fire Officer, it is in accordance with the specification of that lorry.

Mr Uteem: I heard the hon. Minister mentioned that the long ladder engine is still under repairs. Can I know from the hon. Minister, as at now, if the Fire Brigade in Mauritius has any vehicle that can go with a ladder to rescue people from high-rise buildings?

Mr Aimée: Not as high as that, but I think up to 15 metres.

Mr Jhugroo: I would like to ask the hon. Minister, with regard to the purchase of the long ladder lorry whether he can table a copy of the specifications and the list of the tenderers.

Mr Speaker: This is the second time I am drawing the attention of the hon. Member. He must address his request through the Chair.

Mr Jhugroo: Yes. Can the hon. Minister table a copy of the specifications ...

(Interruptions)

...and also the list of the tenderers who bid for that specific lorry?

(Interruptions)

Mr Speaker: I can't give him; the Minister can give.

Mr Aimée: In fact, the new lorry ladder that we intend to buy actually, that is, with the high part of it, it is under process. I can't bring something that has not even been commissioned.

Mr Jugnauth: Will the hon. Minister say, with regard to this lorry, with the dysfunctional ladder, whether he has been advised how much it will fetch when being sold.

Mr Aimée: Sorry!

Mr Speaker: The same price!

Mr Jugnauth: Whether you have been advised how much it...

Mr Aimée: The lorry you are talking about is for the last ten years and from the very beginning they have brought a bad one, which has never been able to function properly. They have even sent it to Italy for reparation and it came back the same and, believe me...

(Interruptions)

In Italy, when they have dismantled it to check, there were 43 litres of water in the hydraulic system.

(Interruptions)

Mrs Hanoomanjee: Mr Speaker, Sir, I understand from the hon. Minister...

(Interruptions)

Mr Speaker: Order, please!

Mrs Hanoomanjee: I understand from the hon. Minister that there is only one such vehicle and he is proposing to sell it. Can he say what is the urgency that he is giving to purchase a new one and whether there is a committee looking into it and establishing a sort of time frame for it?

Mr Aimée: Mr Speaker, Sir, I want to inform the hon. Member and the House, in particular, that this is not the only lorry with a ladder. We have two more and there is one that we are commissioning in one month probably.

Mr Roopun: I wanted to ask the hon. Minister, how many times, in fact, this particular lorry has been put into use. How many times?

Mr Aimée: Mr Speaker, Sir, the lorry we are talking about was brought many years ago and it was under the previous Government.

(Interruptions)

I am sorry to say that here. You want me to let you know. I was replying to the question.

Mr Speaker: How many times?

(Interruptions)

Some order, please!

Mr Jugnauth: May I know how much it has cost Government, so far, in trying to repair this lorry?

Mr Aimée: It has cost Rs2,055,801.

Mr Speaker: Last question, hon. Jhugroo!

Mr Jhugroo: May I ask the hon. Minister what was the cost of the lorry when it was purchased and how many times it has been used?

Mr Aimée: I am sorry, I don't have this information. I will table it, if need be.

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

At 12.58 p.m. the sitting was suspended.

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

LE MORNE, DILO POURRI – ROAD NETWORK

(No. B/522) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the road network at Dilo Pourri, in Le Morne, he will state if provision has been made for the completion of the construction thereof and, if so, indicate the expected start and completion dates of the works therefor.

The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, I am informed

by the National Development Unit that no provision has been made for the completion of the construction of the road network at Dilo Pourri, Le Morne.

I am further informed that it was the Black River District Council that had undertaken the construction of a road network at Dilo Pourri in the year 2010 under the Local Infrastructure Fund.

However, a certain length of the road was left out because of encroachment on the proposed road alignment by two corrugated iron sheet houses.

I am informed that the Ministry of Housing and Lands will arrange for a plot of land to be put at the disposal of the encroachers; following which, the road can be completed by the District Council.

CONSTITUENCY NO.14 - EX-CHA & CITE EDC HOUSES - SALE

(No. B/523) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the Minister of Housing and Lands whether, in regard to the ex-CHA and the Cité EDC houses located in Constituency No.14, Savanne and Black River, he will state the number thereof sold to the occupants thereof, indicating in each case, the -

- (a) location thereof
- (b) date of sale thereof, and
- (c) number of the owners thereof who have not received their deed of sale, indicating the reasons therefor?

Dr. Kasenally: Mr Deputy Speaker, Sir, I wish to inform the hon. Member that all the ex-CHA and Cité EDC houses located in Constituency No. 14 have already been sold to their occupiers, who are therefore full-fledged owners of the houses. However, I assume that the hon. Member is referring to the sale of State land on which stand these houses.

As a matter of fact, the State Land Act was amended in 2007 to allow owners of ex-CHA houses to purchase the land on which stands their housing unit at a nominal price of Rs2,000. So far, some 8,950 families have become owners of their respective plot of land island-wide. However, as the law stands today, land forming part of *Pas Géométriques* cannot be sold even if there are ex-CHA housing units thereon.

Regarding ex-CHA housing estates located in Constituency 14, there are 15 housing estates comprising 989 housing units. Out of the 15 housing estates, six housing estates comprising 440 housing units are on State land, three housing estates comprising 262 housing

units are located on private land and six housing estates comprising 287 housing units are found on *Pas Géométriques*.

For the six housing estates situated on State land, namely La Ferme, La Mivoie, Chamarel, Beaux Songes, Cascavelle and Bassin Road the situation is as follows -

- (i) 322 applications for the purchase of the plot of State Land have been received, out of which 232 title deeds have been finalised;
- (ii) an additional 13 cases which were considered as hardship ones have been provided with financial assistance to finalise their deed of sale at the Notary;
- (iii) 89 cases are under process at the Notary for the drawing of the title deeds, and
- (iv) 119 families have just not applied for the purchase of their plot of land.

With regard to the three housing estates found on private land namely at Bel Ombre, Case Noyale and Tamarin, the land cannot be sold for the time being as the title of the land has not yet been transferred to the State. Procedures have been initiated for the transfer of the land to the State. According to records there are some 262 families in the 3 Housing Estates found on private land.

Meanwhile, Mr Deputy Speaker, Sir, my Ministry is, since January 2011, claiming only a nominal fee of Rs10 per annum for each land lessee who is occupying the land.

Out of 262 families whose housing estates are found on private land, 144 have applied for the purchase of their plot of land on which stand their houses.

As regards the 6 housing estates found on *Pas Géométriques*, I wish to inform the House that -

- (i) the housing estates are located at Petit Bien, Surinam, L'Embrasure, Cotteau Raffin, Flic en Flac and Baie du Cap/Ruisseau des Creoles;
- (ii) out of the 287 residents, only 147 have applied for the purchase of plot of land.

Mr Deputy Speaker, Sir, as I mentioned earlier, land found on *Pas Géométriques* cannot be sold for the time being. However, my Ministry is in consultation with the State Law Office to look into the advisability of amending the law to enable the sale of land on *Pas Géométriques* over which stand Ex-CHA housing units. I also wish to point out that an in-house survey has revealed that some Ex-CHA houses found on *Pas Géométriques* have been raised to the ground and on which have emerged bungalows, restaurants, *tables d'hôtes* for which they were not meant for. In fact, we are seriously looking into the advisability of considering the lease over

these lands as industrial sites as they have changed hands from the persons for which they were originally meant. I wish to lay on the Table a few photographs showing the gorgeous housing which has come out from these plots of land and you all will agree ...

(Interruptions)

We cannot allow these people who are making multimillions from their businesses there to be paying only Rs100 per year whereas others are paying the appropriate economic rent.

In regard to the location of the housing estates, the date of sale of the plots of land, and the number of owners who have not yet received their deed of sale, the information is being compiled and will be placed in the Library of the National Assembly as soon as the exercise is completed.

Mrs Radegonde: Mr Deputy Speaker, Sir, I understand from the hon. Minister that there is some kind of complexity for some of the occupants to receive their deeds because the title has not been transferred. I would like to lay on the Table of the House the deplorable state of these houses - they were made with asbestos - so that the hon. Minister can consider and find alternative for these people to obtain their deeds so that they can improve on their living conditions.

Dr. Kasenally: Mr Deputy Speaker, Sir, for the title deed, there is no problem as far as the Ministry of Housing and Lands is concerned. In fact, I have to thank the hon. Minister of Finance who has provided a scheme by which we can help these people, because paying Rs2,000 and the fees of notary can come up to Rs7,000. I think we are cutting it down and there is no problem that those people get their title deeds.

As far as asbestos is concerned, I answered a question last week, Mr Deputy Speaker, Sir, that as long as the asbestos integrity sheet has not been breached, there is no danger to these people. However, if their houses are getting old and dilapidated and need to be pulled down, there is again a scheme by Government which will cater for that. They will be given a grant and, in fact, the Local Authorities will help to carter all these asbestos sheets and put it in a safe place. These people can have recourse to the National Empowerment Fund so as to be able to construct their houses.

Mr Baloomoody: In fact, a lot of these CHA Houses are quite old and many of them have problems with their roofs, especially where concrete is falling down. Can I ask the hon.

Minister what assistance does the Ministry or other organisations give to these people if they want to put up a new slab on these houses?

Dr. Kasenally: I think, Mr Deputy Speaker, Sir, as far as the integrity of these houses, if they are getting damaged, it would be unwise to put a slab on it. However, if they take expert advice, they will be easily be given a grant for slab.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, I am glad to have heard the Minister saying that for those who are in ex-CHA houses and who are living on *Pas Géométriques* land, these cases have been referred to the SLO for action. But the Minister surely knows that these people are living sometimes in deplorable conditions and they cannot even improve their houses, because they are found on *Pas Géométriques* land. They are not given permits to improve their housing conditions. Can the hon. Minister say whether he can - as a matter of urgency - ask the SLO as a matter of priority to consider this, because we know it's a very hard nut to crack? It's not easy to give away *Pas Géométriques* land.

Dr. Kasenally: Mr Deputy Speaker, Sir, I see no reasons why they cannot repair their houses. They have just to ask for permission from the Ministry.

(Interruptions)

I am saying that we will give them the permission. May be some bureaucrat has prevented them, but I see no reason and if need be, I will amend the regulations. But, however, these people themselves don't want to build, because the land is not theirs. Some of them have not even applied for lease of the land. However, they can construct, as I have just said, and they can be even helped to have a concrete slab there, provided the integrity of the house is adequate for that.

Mr Jugnauth: With regard to the houses having asbestos material, may I know whether there is any sensitisation that is being done with those people so that they can be made aware of any danger that it can represent if they decide to renovate or, at least, to repair the houses?

Dr. Kasenally: Mr Deputy Speaker, Sir, there is a housing unit in my Ministry which looks after that and anybody who has any problem, the officers just move in and help. They have been sensitised and I think everybody is aware of the risk of asbestos. I have said it and they have been told if ever there is a least breach; they have to contact us. We have helped many people in that instance to move houses and, in fact, to pull their houses down, to cart away all the asbestos and helped them to rebuild it.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, I just wish to clarify with the hon. Minister to say that when these people go to the District Council to get their permits for improvement of their houses; they don't get and that there is need, maybe, for his Ministry to liaise with the Ministry of Local Government on this issue.

Dr. Kasenally: Mr Deputy Speaker, Sir, as I have said, there will be no problem. They just have to get a clearance from us. They have to ask and we will give it to them.

FORT VICTORIA POWER STATION – PHASE II

(No. B/524) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the construction of the Phase II of the Fort Victoria Power Station, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to if tenders have been launched seeking technical assistance therefor and, if so, indicate –

- (a) the value of the contract, and
- (b) if one Mr M. M. D. was invited by one Mr F. H. by way of an e-mail to submit a proposal therefor, indicating if it is the same Mr M. M. D. who prepared the tender documents whenever contracts were awarded to the Burmeister & Wain Scandinavian Contractor.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I am informed by the Central Electricity Board that a request for proposals was floated in 2004 for the installation of new engines at St Louis Power Station. Messrs M. M. D was selected as consultant. Thereafter, the services of M. M. D were retained by the CEB for both Phase I of Fort Victoria Power Station, on ground of emergency, and for Phase II on the strength of provision of Section 25 (2) (f) of the Public Procurement Act, which allows for continuity of consultancy services.

With regard to part (a) of the Question, I am informed that the value of the contract for the consultancy services is Euro 516,611.00.

As regards part (b) of the Question, I am informed that the CEB approved to contract the services of Messrs M.M.D on ground of continuity of consultancy service. Accordingly, the consulting firm was requested by email to submit its offer.

I am also informed by the CEB that Messrs M.M.D has not been the only Consultant to prepare tender documents whenever contracts were awarded to BWSC. *Electricité de France (EDF)* was the Consultant for Fort George Phase II Project and Parsons Brinckerhoff Ltd (PB

Power) was the Consultant for Pointe Monnier Power Station Extension Project, and both these projects were awarded to BWSC.

Mr Lesjongard: Mr Deputy Speaker, Sir, the Deputy Prime Minister referred to section 25 (f) of the Public Procurement Act with regard to direct procurement and he mentioned continuity of consultancy. Will the hon. Deputy Prime Minister agree that these are two different projects with two different tenders having been launched and two different awards?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, the direct procurement was determined on the ground that continuity of consulting services is essential to meet the objectives of the consultancy assignment. There may be two tenders, but at the same time, one is the extension of the other and for the benefit of the House, I will place in the Library, a list of why, on technical ground, there should be continuity.

Mr Lesjongard: Is the hon. Deputy Prime Minister aware that for these consultancy services, no terms of reference were given to that consultant?

The Deputy Prime Minister: I am not aware of this, Mr Deputy Speaker, Sir. But I can assure the House that this has been done very professionally within reasonable price and won excellent results.

Mr Lesjongard: I am tabling a copy to substantiate what I saying, Mr Deputy Speaker, Sir. Now with regard to Mr F.H, may I ask the hon. Deputy Prime Minister whether he is aware of an unlawful possession of notes of the bid evaluation report during a hearing in front of the IRP against BWSC tending to favour that company?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, this is a wrong allegation and I refute this strongly. The issue at the Independent Review Panel was quite different and there were some misunderstandings about what was in the hand of the person concerned. It has nothing to do with this.

Ms Anquetil: Mr Deputy Speaker, Sir, will the hon. Deputy Prime Minister institute an enquiry as to find out how an email sent to Mr M.M.D has become of public domain and whether there has been deliberate leakage of information or hacking of the email of the CEB?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I am sure that the hon. Member asking this question can reply to it.

(Interruptions)

I am talking about the hon. Member of the Opposition who set this question!

Mr Jhugroo: Will the hon. Deputy Prime Minister inform the House whether there exists a *modus operandi* between the top engineers, the consultant Mott MacDonald and the contractor of BWSC to award bid contracts at the CEB?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I have already replied to this. I have shown that the BWSC got contracts not only with the M.M.D, but with others as well. There is a Public Procurement Board which looks after it. So, where is the problem? This question of casting aspersion is very bad unless it is substantiated. I have said if there is any problem to go to the ICAC or the Police.

(Interruptions)

Ale CID! Go to CID!

The Deputy Speaker: Order please! Hon. Lesjongard!

Mr Lesjongard: Thank you, Mr Deputy Speaker, Sir. With regard to the question that I have just put to the hon. Deputy Prime Minister concerning unlawful possession of notes of a bid evaluation report, I am tabling a copy of the report of the IRP to substantiate what I am saying, Mr Deputy Speaker, Sir.

The Deputy Prime Minister: Yes, please do and underline also the circumstances in which it was held.

(Interruptions)

Next question, hon. Ameer Meea!

AGALEGA AIRSTRIP - UPGRADING

(No. B/525) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Local Government and Outer Islands whether, in regard to the proposed upgrading of the airstrip at Agalega, he will state where matters stand, indicating the -

- (a) estimated cost thereof;
- (b) scope of works therefor, and
- (c) expected start and completion dates thereof.

Mr Aimée: Mr Deputy Speaker, Sir, I am informed by the Outer Islands Development Corporation that on 04 October 2011, tenders were invited for the upgrading of the Agalega airstrip and by the closing date on 26 January 2012, two bids were received. During the public opening of the bids received at the Central Procurement Board on the same day, it was noted that

the financial offers far exceed the budget earmarked for the project which was estimated by the Consultant GIBB (Mauritius) Ltd. at Rs120 m.

The Central Procurement Board had conveyed to my Ministry that it may not be worthwhile to proceed with the evaluation of the bids, in view of the wide difference between the bid prices and the estimated costs.

Mr Deputy Speaker, Sir, with regard to the scope of works, the upgrading of Agalega airstrips project consists of the following -

- (a) resurfacing of the existing runway (1300 mt long x 30 mt wide) and provision for shoulders;
- (b) construction of a new taxiway and apron;
- (c) adequate fuel storage facility, and
- (d) basic fire fighting facilities.

In view of the fact that the bids received are far beyond the estimated costs, Government has decided to cancel the present procurement exercise and to launch fresh tenders.

Mr Bérenger: Can I ask the hon. Minister whether he can tell us why the offer by India - which goes more than 10 years back - to upgrade that airstrip and to provide the finance was not followed up?

Mr Aimée: M. le président, c'est difficile pour moi de répondre, parce que ce sont des relations à haut niveau entre le Premier ministre et le gouvernement Indien. Mais toutefois, je comprends, avec tout ce qui se passe dans les médias concernant cette histoire de vendre Agalega, la position du gouvernement Mauricien.

Mr Ameer Meea: Mr Deputy Speaker, Sir, the upgrading of the Agalega airstrip...

The Deputy Speaker: Hon. Aimée, listen to the question. The hon. Member is asking you a question.

(Interruptions)

Mr Ameer Meea: Mr Deputy Speaker, Sir, the upgrading of the airstrip is long overdue, and today I want to stress on the reasons why this is taking so long. Can I ask the hon. Minister if he can give the names of the tenderers and their respective amount?

Mr Aimée: Yes, Mr Deputy Speaker, Sir. It was Gamma Civic to the tune of Rs350 m. The second offer was from Colas. Let me inform the House that it seems there is collusion because these two companies have merged.

Mr Jugnauth: May I know from the hon. Minister what is now the new amount that has been budgeted by the Government for this...

(Interruptions)

The Deputy Speaker: Hon. Minister Aimée, allow the hon. Member to ask his question. I am sure the hon. Minister has not followed.

Mr Jugnauth: May I know from the hon. Minister what is now the new amount that has been budgeted for the airstrip?

Mr Aimée: It is still the provision that we have in the ancient budget, that is, Rs120 m.

Mr Jugnauth: In that case, Mr Deputy Speaker, Sir, if the initial amount that was budgeted is far below than what has been the quotation by the two firms that the hon. Minister mentioned, will the hon. Minister explain how, now that new tenders are being launched, will it be matched with the same budget that is being allocated?

Mr Aimée: Mr Deputy Speaker, Sir, there was a consultant in that project, and it is GIBB (Mauritius). The provision that GIBB has asked to be made available is Rs120 m. But, in the end, we got two bidders, and one of them is Rs350 m., which is far beyond the provision in reserve.

(Interruptions)

The Deputy Speaker: Hon. Bhagwan!

Mr Bhagwan: Can the hon. Minister inform the House whether, these days, the Dornier is able to land even in difficult circumstances at Agalega?

Mr Aimée: No, only on special evacuation.

Mr Ameer Meea: Mr Deputy Speaker, Sir, last week, the hon. Minister replied to PQ No. B/94, whereby he stated, and I quote -

“The procurement exercise has been put on hold, and other proposals are being examined for the implementation of this project”.

So, can I ask the hon. Minister what are the other proposals that are being examined?

Mr Aimée: Mr Deputy Speaker, Sir, I just mentioned in my reply that the price is far beyond, and Government has decided to relaunch the tender. That's what we are doing.

(Interruptions)

Mr Bérenger: We have to look at the records to see what exactly the Minister said. But, I am putting the question to him because what he said, he seemed to allege that Colas and Gamma Civic have colluded to come in with the very heavy price. Is that what he is alleging?

Mr Aimée: No, I am not alleging anything.

(Interruptions)

I said that Rs350 m. was the bid offered by Gamma Civic, but in the meantime I learned in the newspapers - like you - that they are merging.

(Interruptions)

The Deputy Speaker: Hon. Jhugroo!

Mr Jhugroo: Can the hon. Minister confirm to the House that the amount of Rs120 m. estimated by GIBB dates back to year 2003?

Mr Aimée: No, Mr Deputy Speaker, Sir. It was Rs54 m. on that date.

Mr Ameer Meea: Can I ask the hon. Minister, if he is aware that this sum of Rs120 m. is in the Budget since 2010? There have been several Budgets since then, and the amount is Rs120 m. If this work cannot be done to the tune of Rs120 m., will the hon. Minister make the necessary arrangements so as to increase this amount and get this airstrip repaired and done?

Mr Aimée: Mr Deputy Speaker, Sir, yes, it is there since 2010. But then, during the process, the Ministry of Finance has carried forward the amount in the Budget of 2011 till now. Now, after getting the result of bidders for that project, we have seen that it is over and above the amount proposed by the consultant.

Mr Uteem: Mr Deputy Speaker, Sir, obviously the fact that there is no landing strip in Agalega is creating a lot of hardship to people in Agalega. May I ask the hon. Minister whether consideration will be given to increase the number of shipping trips and also the time that they spend on the island? Because last time they were not able to unload a lot of goods, as they were in a hurry to come back to Mauritius.

Mr Aimée: Yes, I will do it.

Mr Lesjongard: Mr Deputy Speaker, Sir, from the answer given by the hon. Minister, we understand that the consultant GIBB (Mauritius) Ltd under evaluated the project, and it was through a tendering exercise that we came to know of that value of Rs350 m. he mentioned. Can I ask the hon. Minister whether, since then, the project has been re-evaluated and, if yes, what is the amount now?

Mr Aimée: I said in my reply, Mr Deputy Speaker, Sir, that Government has decided to relaunch the tender.

The Deputy Speaker: Last question, hon. Ameer Meea!

Mr Ameer Meea: Can I ask the hon. Minister if he has the figures, the statistics of the number of times Le Dornier has flown recently to Agalega?

Mr Aimée: Mr Deputy Speaker, Sir, I think the hon. Member should come with a specific question. How much time the Dornier went there does not pertain to this question.

The Deputy Speaker: Next question hon. Li Kwong Wing!

BANK OF MAURITIUS - OPERATION RESERVES RECONSTITUTION

(No. B/526) 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 Operation Reserves Reconstitution, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to the -

- (a) amount of foreign currencies purchased by the Bank in the domestic foreign exchange market, respectively in 2011, and since January 2012 to date, indicating the impact thereof on the bank's reserves;
- (b) amount of foreign reserves needed to achieve the target level of six months' import, and
- (c) implication of the Bank for sterilized intervention on the public debt market, indicating the fiscal costs thereof.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Deputy Speaker, Sir, with regard to part (a) of the question, I wish to refer the hon. Member to my reply to PQ No. B/477 of 10 July 2012.

As for the Bank's gross foreign assets, these increased from USD2.56 billion at the end of December 2010 to USD2.73 billion at the end of December 2011, and to USD2.75 billion at the end of June 2012.

As regards part (b) of the question, based on last year's level of imports of goods and services and on the level of gross foreign assets of the Bank as at June 2012, the Bank of Mauritius, according to its latest estimates, would need to purchase on a net basis around USD617 million. However, this increase would be effected in a gradual manner.

With regard to part (c) of the question, it may be noted that all sterilisation operations are normally met through the issue of Bank of Mauritius instruments, and these have no effect on Government debts.

The net cost for attaining the target level reserves of six months of imports of goods and services will, of course, depend on whether there is a negative carry on the foreign currencies to be purchased by the Bank, and the cost of sterilising any excess rupee liquidity resulting from these interventions.

A joint committee comprising officials from the Bank of Mauritius and my Ministry has been set up to oversee the implementation, and monitor the situation closely.

Mr Li Kwong Wing: Can the hon. Minister inform the House what is the reason for this massive operation reserves reconstitution, and whether it is the result of the fact that the KRR, the Key Repo Rate that was cut by 50 basis points did not work, and that the rupee is misaligned in a freely floating market owing to the surplus of inflows of hot capital?

Mr Duval: Mr Deputy Speaker, Sir, the reason is firstly as stated by the Bank of Mauritius concerning the possibility of things worsening in Europe and the need for the bank to increase its reserves from the current 4.5 months to six months. Obviously, this will also have a tendency to increase the value of foreign currencies and depreciate the rupee. That could be the tendency. There is, as it has been reported widely, a certain misalignment in the value of the rupee.

Mr Li Kwong Wing: Is this Operation Reserves Reconstitution not a disguised and pompous description of a deliberate policy of weakening and depreciating the Rupee by compelling the Bank of Mauritius to intervene directly into the foreign exchange market which is a free floating market and, therefore, is this not a departure from the current free floating exchange rate policy and, therefore, creates a lack of credibility because the Bank of Mauritius definitely is arm-twisted to purchase...

Mr Duval: Put the question!

Mr Li Kwong Wing: The question is: is there the departure from current exchange rate policy and does this not create a lack of credibility by compelling the Bank of Mauritius to directly intervene in the market when the market is a freely floating exchange system.

Mr Duval: Mr Deputy Speaker, Sir, the Opposition is always criticizing. You do this they criticize, you do that, they criticize and you never win. Mr Deputy Speaker, Sir, firstly the

key Repo Rate is another item of monetary policy apart from intervening on the exchange rate. Mr Deputy Speaker, Sir, we do have a free floating exchange rate, but as the Member knows, I hope, the Bank of Mauritius has always intervened to actually smooth out any undue movements. What is happening now is that there is definitely a misalignment of the rupee and something has to be done about it, Mr Deputy Speaker, Sir. I welcome the action of the Bank of Mauritius. There has been no arm-twisting because it is a fact, it needs to be done and it is being done.

Mr Li Kwong Wing: Can the Minister inform the House whether there has not, therefore, been a change in policy because the intervention of the Central Bank is not to smooth out fluctuation and volatility, the intervention is to cause a downward float of the rupee? Can the Minister inform the House whether the purchase of reserves up to 6 months import cover will not cause a unidirectional continuous depreciation of the rupee and therefore fuel speculative attack on the rupee through a one-way bet?

Mr Duval: Mr Deputy Speaker, Sir, there will be, I hope, no speculation, neither on his part nor on anybody's part. Obviously, the value on a foreign currency, as you can see for the Euro at the moment, does not only depend on what Mauritius does. Unfortunately, a lot of other factors come into play. Now, as I mentioned, Mr Deputy Speaker, Sir, the Bank of Mauritius is being proactive. A misalignment has been identified and it is to the credit of the Bank of Mauritius that it is taking action to protect the economy of Mauritius because that is necessary. Any overvaluation of the rupee that does not represent competitive factors needs to be readjusted, Mr Deputy Speaker.

Mr Li Kwong Wing: Can the vice-Prime Minister inform the House what arrangement has the Minister of Finance made with the Bank of Mauritius as per the communiqué of the Bank of Mauritius which says that the fiscal authorities will have to meet the sterilization cost of the Operation Reserves Reconstitution. Therefore, given the need to raise the Reserve to 6 months, can the Minister inform the House how much will that cost in terms of sterilization cost and why is it that taxpayers are being inflicted the costs through increase in indirect tax to pay for the depreciation of rupee to favour the export sector at the cost of a whole nation?

Mr Duval: Mr Deputy Speaker, Sir, when we talk of increasing the indirect tax, you remember it is his Government that increased VAT by 50% and not us. Now, as far as the Bank of Mauritius and the subsidy or meeting the costs by Government, the Bank of Mauritius belongs to Government, Mr Deputy Speaker, Sir. Whatever money it makes or does not make comes

back to the taxpayers there is no doubt about that. Now, as far as sterilization is concerned, it all depends on what amount of sterilization is necessary. That itself depends on what amount of excess liquidity is tolerated in the economy. That depends also in terms of what are the investments - public and private - that are being made. I must say, Mr Deputy Speaker, Sir, that despite whatever is being said by the Opposition, investments are holding up. We are expecting higher investment this year in absolute amount than last year, including private investments. All this comes into play. Now what amount of excess liquidity needs to be mopped up will depend on these factors. Whether or not you make a net carrying gain or a net carrying loss on your foreign exchange depends on your management – these assets. Mr Deputy Speaker, Sir, anybody will know. I hope the Member knows that increasing your reserve does not always bring costs. If you invest it properly it can also bring you gains because the currency is appreciating, Mr Deputy Speaker. So this all talk about the excess amount that needs to be paid by the taxpayer, firstly there needs to be a loss, and the sterilization needs to happen it has not happened so far. There must be a carrying loss and not a carrying gain. That also has not been proven and at the appropriate time we will decide on what is the sterilization that is necessary,

Mr Li Kwong Wing: Mr Deputy Speaker, Sir, if, as the vice-Prime Minister says, there is so much FDI coming in Mauritius how does the Minister explain that private investment is falling; that unemployment is rising, and that your growth forecast has been downgraded all the time? Is the Minister not aware that this policy of deliberate depreciation of rupee is also likely to fail as the cut in the key Repo Rate because the fundamental problem of export sector is one of competitiveness and this lack of competitiveness is due to inability of Government and incompetence of Government to redress the fundamental weaknesses of the economy?

Mr Duval: Mr Deputy Speaker, Sir, how can someone say *quelque chose et son contraire* at the same time? He is saying unemployment is going to increase but we should not touch the misalignment of the rupee. How can that be, that's crazy economics, Mr Deputy Speaker, Sir. You cannot have that. I mean, you must have basic common sense when you speak. So you cannot say one thing and then the contrary at the same time. So, the private investment, Mr Deputy Speaker, Sir, Rs59 billion this year and probably more - some people think that it is more in monetary value than last year. That is holding up. It is crap – not crap, it is not right, what the Member is saying. I withdraw that word.

(Interruptions)

The Deputy Speaker: Next question, Mr Bhagwan!

Mr Duval: Can I answer, Mr Deputy Speaker, Sir?

The Deputy Speaker: The hon. vice-Prime Minister has not finished yet?

Mr Duval: Mr Deputy Speaker, Sir, unemployment which was 7.9% last year will be 8% this year. There is 20% unemployment in Europe, in countries like that. Civil servants are being made redundant; pensions are being cut, Mr Deputy Speaker, Sir. None of these is happening. This year we are recruiting civil servants. We have given a nice rise last year, Mr Deputy Speaker, Sir, to the workers of Mauritius and we will do so again if we can. The economy is fine, Mr Deputy Speaker, Sir, despite *les prophètes de malheur*.

Mr Jugnauth: Clearly the communiqué of the Bank of Mauritius is of a different view because it says that the sterilization cost would be borne by Government.

Mr Duval: That is right.

Mr Jugnauth: There is going to be a cost therefore. May I know if Government has already decided whether it will be by reimbursing the banks directly or whether it is going to be my issuance of Government papers in excess of the fiscal financing needs?

Mr Duval: Mr Deputy Speaker, Sir, the question is not right. One, is reimbursing the bank - that is one thing. The other one, if you issue Government paper then you are absorbing the liquidity yourself. It is not the same thing. I'll help the hon. Member, Mr Deputy Speaker, Sir. There was an assessment made, I think, by the Governor himself. This is not accurate, Mr Deputy Speaker, Sir. We think the sterilization costs, so far as we can imagine at this stage, will be minimal, Mr Deputy Speaker, Sir.

AMBASSADORS (ROVING) - APPOINTMENT

(No. B/527) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the recent appointment of Mrs R., Mrs T. S. and Mr D. as ambassadors, he will state their respective terms and conditions of appointment.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, with your permission, I will reply to this question.

Mr Deputy Speaker, Sir, I am informed that approval has been obtained from the President for the appointment of Mrs R. as non-resident Ambassador to the Republic of

Seychelles with residence in Mauritius. However, the *Agrément* of the Republic of Seychelles is awaited prior to the issue of letter of appointment to her.

As regards Mrs T. S. and Mr A. D., they have been appointed as roving Ambassadors for Africa with residence in Mauritius on a contract basis for a period of three years. However, Mr D. will not be employed on a full-time basis.

The detailed terms and conditions of the appointment will be placed in the Library. The mandate of the roving Ambassadors is to facilitate the establishment of General Framework Agreements and widen the network of Double Taxation Assistance Agreements and Investment Promotion and Protection Agreements with targeted African States.

Mr Bhagwan: Can I know from the Deputy Prime Minister whether any of them, especially Mr D., has effected any overseas mission on behalf of Government?

The Deputy Prime Minister: I am informed that they were not on behalf of Government.

Mr Bhagwan: Can I know from the Deputy Prime Minister whether these persons are based at the Ministry of Foreign Affairs or they have been given offices elsewhere, rented by Government?

The Deputy Prime Minister: They are based in Foreign Affairs, Mr Deputy Speaker, Sir.

Mr Roopun: Mr Deputy Speaker, Sir, as regards Mrs R., is there any precedent where somebody has been appointed as ambassador and who is going to serve in a country and base in Mauritius?

The Deputy Prime Minister: I am told this is not, by any way, an exception.

Mr Bhagwan: Can the Deputy Prime Minister inform the House whether these ambassadors, who have been appointed, have been given Government vehicles and drivers since they have been appointed and what are the conditions?

The Deputy Prime Minister: As I said, I am laying this on the Table of the Assembly.

Mr Jugnauth: I heard the hon. Deputy Prime Minister saying that their duties will be to negotiate for General Framework Agreements and for Double Taxation Agreements. I am sure the hon. Deputy Prime Minister is aware that BOI was already fully involved in carrying out negotiations and agreeing with regard to General Framework Agreements and Double Taxation

Agreements and with regard to the Ministry of Finance also. How is it that now these people are being appointed to do the same work?

The Deputy Prime Minister: As I have said, Mr Deputy Speaker, Sir, this was announced in the Budget Speech of 2011 in terms of internationalising our economy and this is what they are meant to be doing. When they'll start, we will see how it progresses.

Mr Uteem: May I know from the hon. Deputy Prime Minister, being given that these roving Ambassadors will have extensive power, what experience does Mrs T. S. have in African matters?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, these are well-known figures. We know their track records.

(Interruptions)

Mr Bhagwan: Can the hon. Deputy Prime Minister inform the House, the country, the nation and the taxpayers that these people have been appointed on the ABC policy and the MBC policy of Government, *manger, boire, chaquer* and *assizer bez casse*?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I don't think I have to answer this sort of question.

Mr Jugnauth: May I know from the hon. Deputy Prime Minister whether there is already a programme or a schedule of countries whereby these people are going to effect their first visit?

The Deputy Prime Minister: No. it was announced that we will start with countries like Algeria, Angola, Burkina Faso, Tanzania and South Sudan and extend it as we go along, but the programme has not been executed yet.

MON DÉSSERT ALMA – VRS

(No. B/528) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Agro-Industry and Food Security whether, in regard to the plot of land allocated under the Voluntary Retirement Scheme at Mon Désert Alma, he will state if the sale agreements thereof were given to the beneficiaries thereof and, if so, when and, if not, why not.

Mr Faugoo: Mr Deputy Speaker, Sir, I am informed that ENL Land Ltd. (Ex-Mon Désert Alma) had first applied for VRS in 2001 where some 322 beneficiaries had terminated their contract of employment. They have already received their cash compensation and their title deeds.

In 2007, 417 workers who opted for VRS opted for land as follows: 85 workers at Alma, 230 workers at l'Avenir and 102 employees at Quartier Militaire-Trevet. The 85 workers who opted for land at Alma signed their agreement on 17 February this year and received their title deeds on the 31 May 2012, that is, this year. The 230 employees, who opted for land at l'Avenir, signed their title deeds on 24 April 2012 and 15 May 2012. Registration and transcription at the Registrar General's office are being processed. I am informed by the Mauritius Cane Industry Authority (MCIA) that these workers will receive their title deeds by end of this month.

Unfortunately, Mr Deputy Speaker, Sir, the site originally proposed by ENL Land Ltd. at Quartier Militaire-Trevet for the 102 beneficiaries had to be changed on 4 occasions, namely –

- (i) in November 2009, from Quartier Militaire-Trevet to Quartier Militaire main road towards Curepipe, next to the Indian Oil Petrol Station;
- (ii) again, in March 2010, to Quartier Militaire, Bonne Veine;
- (iii) in February 2011, they went back to the initial site at Quartier Militaire-Trevet with an amended plan, and
- (iv) on the fourth occasion, ultimately in June this year, ENL Land Ltd. proposed a new site at l'Avenir.

I have impressed upon ENL Land Ltd. and also the MCIA to expedite the process in view of the undue delay.

A site visit was effected by ENL Land Ltd. on 05 July 2012 with all the beneficiaries at l'Avenir. Out of the 102 beneficiaries, 95 have accepted the site proposed while the remaining 7 beneficiaries have requested land at Quartier Militaire. The Mauritius Cane Industry Authority is looking into the matter and I am informed that a meeting has been scheduled for Friday 20 July 2012 at ENL Land Ltd. to finalise the issue.

Mrs Labelle: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether there is any reason why there has been this several change of land?

Mr Faugoo: Yes, Mr Deputy Speaker, Sir. On the first site which was found at Quartier Militaire-Trevet, after the plan was submitted to the *Morcellement* Board, it was found that there was a railway track which crossed the land and this, in fact, is considered as a national heritage, they had to drop that site. Again, in November, for the second plot, the site which was proposed had a borehole on the site and the *Morcellement* Board did not agree to that. The third place was at Bonne Veine, Quartier Militaire. Because the process is such, a site is spotted and agreed

upon the parties, meaning the estate and the employees and then we ask all the agencies like CWA, CEB and all the other concerned agencies to give their views. So, in this case at Bonne Veine, Quartier Militaire, CWA was of opinion that they were not able to supply water to that particular site. So, they went back to the first site again - that was in 2011 - the first site at Quartier Militaire and the amended plan could only contain 91 out of the 102 beneficiaries. On this score, the employees did not agree, they wanted all of them to settle on one site, Mr Deputy Speaker, Sir.

Mrs Labelle: Mr Deputy Speaker, Sir, I think, I heard the hon. Minister stating that out of the 102, some were not willing to go there. So, is it that we have been given 91, something like that, or out of the 102, because I think I heard him stating that some of them were not willing to go to this site. So, which is which?

Mr Faugoo: There is a confusion I think, Mr Deputy Speaker, Sir. What I said concerns the last site, after the visit of 05 July this year in presence of all the employees and out of 102, 7 did not agree to that site, whereas when I said 91, this was on the fourth occasion when they went back to the initial site at Quartier Militaire, so the latest is on the new site which has been proposed by ANL, all of them have agreed, except for 7 who have not agreed and there is a meeting which is going to be held to sort out matters.

Mr Bérenger: The hon. Minister has made reference to the *Morcellement* Board and so on. Are we being told that any old railway track is considered national heritage and, therefore, no one can touch it? Is there no procedure to be followed, nothing can be done?

Mr Faugoo: What I meant, Mr Deputy Speaker, Sir, is that there is a Government decision which says that all railway tracks have to be preserved. It is a *patrimoine* and also, at the same time, there is the possibility that these can be exploited for future projects.

Mr Jugnauth: In that case, can the hon. Minister say why is it that at Quartier Militaire, there is a railway track which is considered to be a national heritage and, therefore, those people are being prevented from construction and when the same railway track goes to Helvetia, permission has been granted by the Ministry of Housing and Lands for construction of so many buildings on the railway track?

Mr Faugoo: This question should be put to the Ministry of Housing and Lands, Mr Deputy Speaker, Sir.

RAPE CASES – MORNING-AFTER PILL - PROTOCOL

(No. B/529) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Health and Quality of Life whether, in regard to cases of suspected rape, he will state if consideration will be given for the reviewing of the protocol established therefor by his Ministry to include the -

- (a) day after pill, and
- (b) placing of the intra-uterine device.

Mr Bundhoo: Mr Deputy Speaker, Sir, with regard to part (a) of the question, I wish to inform the House that following the recommendation of a technical committee set up at the level of my Ministry, the morning-after pill has already been included in the protocol.

Concerning part (b) of the question, I am informed that the technical committee has recommended that it is not advisable to insert an Intra-uterine contraceptive Device in cases of suspected rape for the following reasons –

- (i) it is an invasive procedure and it can further traumatise the victim who is already stressed;
- (ii) it can lead to infections in the uterus and related structures, and
- (iii) as a result of (ii) infertility can develop.

Mrs Labelle: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether he is prepared to lay on the Table of this Assembly a copy of the revised protocol in this case?

Mr Bundhoo: Yes, I have got a copy of the protocol. I am sure it is a revised one, and I will lay a copy of same on the Table of the Assembly.

Mrs Dookun-Luchoomun: Can I ask the hon. Minister whether the use of the morning-after pill is considered to be legal in Mauritius?

Mr Bundhoo: I have every reason to believe that it has to be so, because it is commercialised and has been accepted by the Pharmacy Board and it has been recommended by the technical committee.

Mrs Labelle: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether measures are being taken to inform the population about these new measures?

Mr Bundhoo: There is, as the hon. Member has just asked earlier, a protocol, that is, the victims are being informed of the procedures and the precautionary measures that can be taken.

Mr Obeegadoo: Can I ask the hon. Minister how are the victims being informed? When we recently debated the new law in the House, we placed a lot of emphasis on the need for a

proper renewed protocol which is now being done, but also on a special desk, an advisory service in coordination with the Police wherever and whenever there are complaints of rape.

Mr Bundhoo: This is very clearly stated in the protocol that when a victim of sexual assault goes to the Police station what is the procedure to be followed. From what I said before, when a victim of sexual assault goes directly to any regional hospital, there is a protocol, of how it is being done and how it is being followed. I will circulate it for every Member to have a look at it.

Dr. S. Boolell: In view of the fact that I just heard the hon. Minister saying in his answer that the day-after pill is readily available in Mauritius. Does that mean that it is available to everyone irrespective of being raped or not?

Mr Bundhoo: What I meant to say is that it is on sale in the pharmacy on prescription which means it is available on the advice of Doctors. If the medicine is on sale in Mauritius, it must have had the approval of the Pharmacy Board.

LOCAL GOVERNMENT ACT - AMENDMENT

(No. B/530) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to the Local Government Act, he will state if consideration will be given for an amendment to be brought thereto, as a matter of urgency, to provide for the disqualification of all the candidates of a party standing for the elections for the village and municipal councils, in case the said party breaches the obligation provided for in the Act for gender balance in relation thereto.

Mr Aimée: Mr Deputy Speaker, Sir, I do not propose to bring any amendment to the Local Government Act 2011.

The Local Government Act 2011 provides at section 11(6) that, for the purpose of election of Councilors to a Municipal City Council or a Municipal Town Council, any group presenting more than 2 candidates in an electoral ward shall ensure that the candidates are not all of the same sex. Further, the Act provides at section 12(6) that for the purpose of Village Council Elections, any group presenting more than 2 candidates shall ensure that not more than two-thirds of the candidates are of the same sex.

However, sections 11(1)(b) and 12(1)(b) also state that the election of Councilors to a Municipal City Council, Municipal Town Council or Village Council, shall be -

“conducted in accordance with the representation of the People Act.”

The representation of the People Act is the legislation that covers all elections held in the Republic of Mauritius, including those for Local Authorities, the National Assembly and the Rodrigues Regional Assembly. The procedures for each election are governed by Regulations issued under that Act.

As the Electoral Supervisory Commission and the Electoral Commissioner's Office are independent institutions under the Constitution, I cannot usurp their powers.

Mr Nagalingum: Mr Deputy Speaker, Sir, since the hon. Minister has come out with different statements on this issue, since gender equality is an important one, will he agree that by coming forward in this House with amendments, he will give one and all the opportunity to express themselves?

Mr Aimée: Mr Deputy Speaker, Sir, I have already answered to that question on various occasions. Provisions in the law say clearly that in the Town Council or City Council where we have wards, there should not be more than two candidates of the same sex. In Village Councils, although there are nine councillors taking part in the election, there also it is in respect of what has been proposed in the law. If there is any regulation to make regarding the organisation of elections, this is under the Representation of the People Act which concerns the Constitution and falls under the Prime Minister, not me.

Mr Bhagwan: Mr Deputy Speaker, Sir, will the Minister maintain his statement made on several occasions that the Electoral Supervisory Commission and its president were not entitled to meet political parties and discuss the arrangements concerning the issue of Municipal election? Does he maintain his statement what he made on several occasions?

Mr Aimée: Yes, I maintain it. It is unnecessary.

Mr Ganoo: I have listened to the hon. Minister. He is saying that there is no need for the law to be amended because the procedures for elections, including Village and Local Government elections, are governed by regulations made under the Representation of People Act. This is why there is no need for amending the law. But in this case, we are not concerned about procedures for elections; we are concerned about the fact that in the original law there was a missing part, that is, the penalty was not imposed for a group or a party not respecting the gender balance. This is not a question of procedures; it is a question of substantive law. This is why we are asking the Minister whether it is not for the legislature, for us as Parliamentarians, to

plug in this loophole and to decide upon the penalty to be imposed upon a party or a group which does not respect what we, ourselves, have voted for, that there should be a gender balance?

Mr Aimée: Mr Deputy Speaker, Sir, I think this is a question of opinion. In the Act, it says clearly that in any circumstances, for the Municipal Council or the Village Council, it should not be more than two persons of the same sex, even if it is three in the ward or nine in the Village Council. This is a question of opinion. The Local Government Act is clear and I wonder if there was penalty to bring in, I think the Members of the Opposition have got so much time to do, but when the Act was in Parliament, they left the House and did not participate in the debates!

(Interruptions)

Mr Obeegadoo: Is the hon. Minister aware of the stand of the Opposition as stated very clearly in the course of the debates on the law by the hon. Leader of the Opposition and by hon. Ganoo that we consider there is a flaw in the law in that it does not provide for any sanction in case of a breach of the gender equilibrium which is imposed by the law. Is the hon. Minister aware of the stand of the Opposition that this ...

(Interruptions)

...touches upon – hon. Mohamed might ask for a supplementary afterwards if he allows me to finish. Is the hon. Minister aware of the stand of the Opposition that to the extent that any such sanction will touch upon the fundamental right to be a candidate and to be elected by the people that this should be decided by Parliament and Parliament alone? And so, should we understand from the hon. Minister that since the Representation of People's Act is the Prime Minister's domain, he has not until now, raised this issue with the hon. Prime Minister in Government?

Mr Aimée: Mr Deputy Speaker, Sir, it is a matter of opinion. But, I am going to give, at least, one example of what the hon. Member is saying. The fact that the Local Government Bill was exposed for ventilate for two months and it came in Parliament, everybody here on both sides of the House, got the opportunity to bring amendments about that, but let me tell the hon. Member, he must remember the case of block 104 which came and they are not happy to put up on the list – there was a communal problem to put their community – they did not accept, but then they weren't accepted as candidates. They were not accepted as candidates.

(Interruptions)

...then the Electoral Commission...

(Interruptions)

The hon. Member does not want to listen. So, it is a question of opinion and that is over.

(Interruptions)

Mr Bhagwan: The hon. Minister has just stated that it was not necessary for the Supervisory Commissioner to meet the different parties, but how does he reconcile that members of his own Government, hon. Assirvaden, hon. Ms Deerpalsing and others met the Supervisory Commission and the Electoral Commission and made positive statements of the outcome of the discussions? How does he reconcile that? Has he discussed with them and discouraged them to meet them?

(Interruptions)

Mr Aimée: Mr Deputy Speaker, Sir, there is no need for me to answer for others.

(Interruptions)

Mr Ganoo: Finally, the hon. Minister has said that the Opposition did not stand up to its responsibility, is the hon. Minister aware that we even proposed that this loophole should be plugged and we even suggested the disqualification of candidates in case the party or the group does not respect the ...

(Interruptions)

Mr Aimée: Mr Deputy Speaker, Sir, I am sorry this means that they have been wise after the event.

(Interruptions)

The Deputy Speaker: Order, order, please!

(Interruptions)

Order, please !

(Interruptions)

Hon. Minister Aimée!

(Interruptions)

Hon. Minister Aimée !

(Interruptions)

Hon. Minister Aimée, please !

(Interruptions)

Please!

(Interruptions)

Hon. Minister Aimée, please sit down! Sit down! I am on my feet, sit down!

(Interruptions)

Hon. Jugnauth, go ahead with your question!

Mr Aimée: Mr Deputy Speaker, Sir, on a point of order, the hon. Leader of the Opposition has said to me '*bourrique*'. So, I want him to withdraw this!

(Interruptions)

Tout dimoun bourrique to tou sel bon!

(Interruptions)

The Deputy Speaker: I will ask the hon. Leader of the Opposition if he did make this statement

Mr Bérenger: I said he is behaving like a *bourrique* on this issue...

(Interruptions)

The Deputy Speaker: I will...

(Interruptions)

Mr Bérenger: Insulting the Electoral Commission, and we ...

(Interruptions)

The Deputy Speaker: This is ...

(Interruptions)

If the Leader of the Opposition did use the term that he just said...

Mr Bérenger: I said that he is behaving like a *bourrique* on this issue...

(Interruptions)

The Deputy Speaker: This is an unparliamentary expression, and I would like the Leader of the Opposition to retract the word, please!

(Interruptions)

I am sorry. I am asking the hon. Leader of the Opposition once again...

(Interruptions)

He has to retract the word if he did use it at the address of the hon. Minister!

(Interruptions)

I am afraid this is my ruling, and the hon. Leader of the Opposition has got to retract the word that he utilised at the address of the hon. Minister.

Mr Bérenger: I am not withdrawing!

The Deputy Speaker: In that case I am very sorry. I will ask the Leader of the Opposition to withdraw from the House for the rest of the sitting!

Mr Bérenger: You do it, you do what ...

(Interruptions)

The Deputy Speaker: Hon. Minister Aimée!

(Interruptions)

At this stage Members of the Opposition left the House.

The Deputy Speaker: Hon. Ms Anquetil, next question, please!

(Interruptions)

TOURISM SECTOR - STRATEGIC MARKETING ACTION PLANS

(No. B/531) Ms S. Anquetil (Fourth Member for Vacoas & Floreal) asked the Minister of Tourism and Leisure whether, in regard to the tourism sector, he will state if strategic marketing action plans have been put in place by his Ministry for the boosting up thereof for the 2012 summer.

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, in the wake of the upcoming travel season, my Ministry is pursuing a two hold destination promotion strategy aiming at mitigating the adverse effects of the Euro zone crisis on the

(Interruptions)

The Deputy Speaker: I will ask the hon. Members to listen to the answer that the hon. Minister is giving!

Mr Yeung Sik Yuen: ...on the local tourism industry whilst exploiting the opportunities in emerging and new markets.

To this end, our marketing strategy has been articulated around a three pronged concept: first, an aggressive marketing in selected traditional markets with growth potential such as France, Germany and Switzerland. In such source markets, MTPA is marketing a prestigious image of the destination as the ideal holiday package comprising a complete and diversified product offer, ranging from sun and beach to encompass, water sports, wellness and eco tourism. A concept of the “*luxe accessible*” is being promoted through press familiarisation trips, e-

marketing, online campaigns on social platforms, celebrity marketing and brand window dressings as well as joint marketing activities with tour operators, travel agents and hoteliers.

Secondly, a market diversification strategy through deeper penetration of emerging and new markets like India, China, Russia and the Middle East is being pursued to capture specific groups in niche market segments thereby compensating for the contraction in existing source markets.

In this context, the MTPA has reinforced its presence in the main cities of China through visibility campaigns which include advertisement on Mauritius in Chinese newspapers, TV channels and Magazines and at Shanghai Airport. Similar initiatives are ongoing in Russia and India where the existing potential in niche segments such as sports, MICE and Wedding are being tapped.

Concerning new markets like Czech Republic, Middle East, Japan and South Korea, campaigns consisting of road shows are being planned for the coming weeks with the support of airlines and hoteliers.

Thirdly, a deeper penetration in regional markets like South Africa, Reunion Island, Seychelles and Kenya is being undertaken to give a boost to regional tourism. Digital campaign with tour operators, road shows, media trips and tours are being resorted.

Already, the regional market is responding favourably to these initiatives, and a growth of 10.3% has been recorded during the first six months of the year compared to the corresponding period in 2011, and 23% growth in June 2012 compared to last June 2011.

Mr Deputy Speaker, Sir, for the information of the House, I am tabling a list of the tactical strategies being implemented by the MTPA in existing, emerging and new markets, covering the period July to December 2012.

These marketing strategies aim primarily at enhancing the visibility of Mauritius as a top-of-mind destination in the media and travel trade, and at attracting the attention of the tour operators to Mauritius as a tourist destination and to what it has to offer in terms of tourism experiences, products and services.

Ms Anquetil: Est-ce que le ministre pourrait indiquer à la Chambre si la MTPA envisagerait de nouvelles stratégies de promotion, et ne pas se contenter uniquement de stratégies traditionnelles, afin d'accroître les arrivées des touristes internationaux au pays?

Mr Yeung Sik Yuen: Mr Deputy Speaker, Sir, we are putting a lot of emphasis on joint marketing campaigns. It is a fifty-fifty campaign with tour operators, and we are also putting a lot emphasis on online marketing.

Ms Anquetil: *En ce qui concerne la diversification des marchés*, can the hon. Minister inform the House if the MTPA has started marketing campaigns for 2012 summer on the African Continent?

Mr Yeung Sik Yuen: Yes, Mr Deputy Speaker, Sir. We are putting a lot of efforts on the Kenyan market, Reunion Island, Seychelles and South Africa. I can say that we are having a good growth; 23% for June 2012 and, for the first six months, 10.3%.

MAURITIUS - ICT HUB

(No. B/532) **Ms S. Anquetil (Fourth Member for Vacoas & Floreal)** asked the Minister of Information and Communication Technology whether, in regard to computer literacy, he will state the steps taken by his Ministry for the promotion thereof, with a view to be in line with Government's vision to accelerate the transformation of Mauritius into an ICT hub and make it the main pillar of the economy, indicating the -

- (a) current percentage thereof, and
- (b) if the target of 85% thereof is being envisaged and, if so, by when.

Mr Pillay-Chedumbrum: Mr Deputy Speaker, Sir, in line with the vision and declared policy of Government to make the ICT sector a stronger pillar of our economy and to transform Mauritius into an ICT hub and a knowledge society, citizens of different age groups and of different walks of life are being offered the opportunity to follow computer literacy courses to enable them to enhance, to embrace ICT in their daily life, be it at home, at school and at workplace, with a view to improving their lifestyle and raising their standard of living.

In this context, Mr Deputy Speaker, Sir, my Ministry has taken the following measures.

- (i) The implementation of the Prime Minister's Universal ICT Education Programme, under which Internet and Computing Core Certificate, (IC3) course, is being offered to the public in general. At this stage, it is good to note that the price, which was supposed to be at Rs5,000, those who have subscribed for those courses have to pay only Rs750. To encourage people to go and follow those courses, it is free for senior citizens and handicapped persons. As at date, Mr

Deputy Speaker, Sir, some 160,000 persons in Mauritius and 2,100 in Rodrigues have attended the IC3 course.

- (ii) The integration of the IC3 course content in the syllabus of Computer Studies for students of Forms I to Form III, to ensure that all students be computer literate.
- (iii) The dispensing of IC3 course through a series of 12 educational video clips in creole to reach a maximum number of people.
- (iv) Phase II of the UIEP, which is an advanced course of the IC3, is currently being dispensed online and, as at date, we have more than 600 participants having been registered for the different courses.
- (v) The dispensing of training through three cyber caravans in areas where ICT facilities are not readily available and accessible, more than 122,000 persons have benefited from such training.
- (vi) Under the Community Empowerment Programme, my Ministry, in collaboration with the National Computer Board, has set up 173 computer clubs across the island in Community Centres, Women Centres, Social Welfare Centres, Youth Clubs and Day Care Centres, to provide free internet facilities. As at date, we can say safely that some 400,000 persons have made use of these facilities.

Apart from the IC3 courses, Mr Deputy Speaker, Sir, there are other courses which are being run by other private IT institutions.

In addition to the above measures, 95 internet access points have been set up in post offices, both in Mauritius and in Rodrigues, to provide internet facilities to the population. Moreover, my Ministry, in collaboration with the ICT Authority, has launched the Wifi Project in March this year on a pilot basis in five Municipal Councils and four District Councils, as well as the Administrative Building in Rodrigues, are being provided with internet facilities, which the citizens can access free of charge. Moreover, Mr Deputy Speaker, Sir, each zone is also being equipped with at least five PCs, with free internet access for those who cannot afford a laptop and/or any other mobile device.

Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am informed that, according to Statistics Mauritius, the percentage of computer literacy has considerably increased these days and, as at 2010, that is, the last available indication, around 51.3% of the population is computer literate. However, the percentage is much higher among young people.

As regards part (b) of the question, it is expected that the percentage can reach 75% by the end of 2013 and 85% at latest by the end of 2015.

(PQ Nos. B/533-B/543 – see written answers to questions)

COMMERCIAL BANKS – LOANS & FACILITIES

(No. B/544) Mr E. Guimbeau (First Member for Curepipe & Midlands) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the commercial banks operating in Mauritius, he will, for the benefit of the House, obtain from the Bank of Mauritius, a list thereof, indicating in each case, the types of loans and other facilities offered to -

- (a) individuals, and
- (b) corporate bodies, indicating in each case, the -
 - (i) fees;
 - (ii) charges;
 - (iii) commissions, and
 - (iv) interest rates, applicable therefor.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Deputy Speaker, Sir, I am tabling a list of commercial banks authorised by the Bank of Mauritius to operate in Mauritius.

As far as the types of loans and other facilities offered by these banks to individuals and corporate bodies are concerned, the hon. Member may wish to note that the information is publicly available. In fact, the Bank of Mauritius has created a special window on its website, namely <http://bom.intnet.mu>, to enable members of the public to access such information. In addition, the public may also access information on fees, charges and rates applied by these banks directly from their websites.

Mr Guimbeau: Mr Deputy Speaker, Sir, I agree with the hon. Minister that they can have it on the website. But how many people do get access to the website?

M. le président, je voudrais, au nom de la transparence, demander au ministre des Finances s'il peut s'assurer auprès de la Banque de Maurice, que celle-ci impose aux banques commerciales d'afficher le montant et le pourcentage des *fees charged*, commissions, intérêts de chaque service, tout comme cela se fait pour le taux de change. It has to be put at the bank and not on the website, where nobody sees it.

Mr Duval: Mr Deputy Speaker, Sir, I don't know how they are going to *affiche* it, if not on the website, which is probably the best and easiest method of communication. I don't know whether the Member is using Internet but still I will pass on the information to Bank of Mauritius, Mr Deputy Speaker, Sir.

Mr Guimbeau: Mr Deputy Speaker, Sir, in view of the indecent profit registered by banks in these most uncertain times, will he, in the interest of bank customers see to it that Bank be directed to bring down fees, charges, commission and all other accessories?

Mr Duval: Mr Deputy Speaker, Sir, as the hon. Member may know, we have 20 banks in Mauritius. So there is a number of Banks. In fact, it is the two major banks that control a major share of the business but, nevertheless, there are 20 banks. Now that brings a competition and also there is a limit to what you can intervene and impose. What the Bank of Mauritius has been doing, not just now but for a long time, people has been complaining on the excess spread between the deposit rate and the loan rates practice by banks in Mauritius. People have been complaining about the excess spread in the exchange rate, differential between the buying and selling rate. These are issues which the Bank of Mauritius recently has brought up and which we support, Mr Deputy Speaker, Sir. However, the Member should know also, that about 50% of the Banks profits are actually made overseas and not in Mauritius. So, in fact, the total amount of profits made by Banks tends to over-declare the profits made in Mauritius.

So, that is also an issue but, Mr Deputy Speaker, Sir, it is in our interest to ensure that the banking customer gets the best possible deal and in that respect Mr Deputy Speaker, Sir, the Bank of Mauritius has made a few announcement recently –

- (i) they have asked every banks to have a complaints desk, and
- (ii) they have set up a task force to look into the practice of charging fees and other chargers to customers - which I personally feel are probably exaggerated in Mauritius and ought to be brought down.

Mr Deputy Speaker, we are supporting the Bank of Mauritius in that respect and, obviously, by persuasion, the Bank of Mauritius is trying to reduce the spread.

Finally, Mr Deputy Speaker, Sir, I would like to say that with the advent of ten money changes that we have now, we have about six foreign exchange dealers. So, that brings the total number of people practicing foreign exchange in Mauritius to about 36. The good news is that we have seen a reduction in the spread, at least, so far as exchange rates are concerned.

Mr Guimbeau: Yes, Mr Deputy Speaker, Sir, but still Commercial Banks are making billions on the back of all its customers. That is why I am asking to see to it that we can, at least, reduce all the charges, fees and interest rates in the interest of all the people. And I would like to if you allow me, here, to read Vince Cable, the Secretary of State for business in the UK –

“Banks are ‘throttling’ UK economy recovery. Banks’ anti-business culture and ‘obsession with short-term profits’ is harming the economy”, warns business Secretary, Vince Cable.

“Britain’s banks are ‘throttling’ the economy recovery because of an anti-business culture which focuses on short-term profits (...)”.

This is what he is saying and the same thing applies to us in Mauritius.

Mr Duval: Mr Deputy Speaker, Sir, I hope that the Member is not mixing any problems that he may have with a distressed company that is going down with the situation in the banking sector, because if he is doing that then he must actually declare any conflict of interests, that’s the first thing and that is very important what I am saying.

The second thing, Mr Deputy Speaker, Sir, I have said that we accept that, but it has been going on since independence, that we can do better in the banking sector and we want to do better. Recently, the Bank of Mauritius has issued a number of statements to try to get a complaints desk, to try and reduce spread, etc. and this is being done and has had some effect, as I mentioned, in exchange rate. So, blanket statements like that do not make any sense or serve any useful purpose.

Mr Guimbeau: Yes, I just want to say that it is not a blanket statement.

(Interruptions)

COMMERCIAL BANKS – COMPLAINTS/DESK SERVICES

(No. B/545) Mr E. Guimbeau (First Member for Curepipe & Midlands) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the commercial banks operating in Mauritius, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to if -

- (a) it will consider requiring them to operate a Complaints/Desk Services in each outlet thereof and, if so, when, and
- (b) an Ombudsperson therefor will be appointed, and if so, when.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): I think, Mr Deputy Speaker, Sir, I have just answered that question. I will go again. With regard to part (a) of the question, I am informed that the Bank of Mauritius has requested all commercial banks to set up a complaints desk to address the issue of complaints from bank customers.

As regards part (b) of the Question, my Ministry in consultation with the State Law Office is finalizing a draft Ombudsperson (Financial Services) Bill which will be issued as a Working Document to stakeholders for comments. The Bill will cover both banking and non banking services and I hope to bring the Bill before the end of the year.

Mr Guimbeau: Mr Speaker, Sir, can we have a timeframe from the hon. Minister when?

(Interruptions)

By the end of the year?

Mr Duval : Yes.

Mr Guimbeau : Dans chaque branche de chaque banque ? *The complaints desk?*

Mr Duval: The complaints desk, Mr Deputy Speaker, Sir, is something that is presently ongoing and the Bank of Mauritius just provided me this information. The following seven commercial banks have set up a formal complaints desk – Bank of Baroda, Barclays, *Banque des Mascareignes*, HABIM Bank, Bramer Banking Corporation, State Bank of Mauritius, ABC Banking Corporation – I'll read the rest of the statement –

'The other banks do not have a formal complaints desk but have their own complaints procedures; they have indicated that they will set up a formal desk as being requested by the Central Bank'.

So, that is for the complaints desk and I have answered for the Ombudsperson.

BANK OF MAURITIUS – MEXA - FOREIGN CURRENCIES

(No. B/546) Mr E. Guimbeau (First Member for Curepipe & Midlands) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Mauritian exporters, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to if the Bank will consider buying foreign currencies directly therefrom so that they can benefit from finer margins and thus become more competitive and viable and as a means of providing additional support thereto to cope with the current global crisis affecting the markets and currencies.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Deputy Speaker, Sir, I am informed by the Bank of Mauritius, that since January 2008, the Bank of Mauritius has had several discussions with the Mauritian Exporters Association (MEXA), at their request, for the direct sale of foreign currency to the Bank. Regarding this issue, the Bank had issued three communiqués dated 29 January 2008, 01 December 2008 and 24 May 2010 on this matter. Amongst others, the Bank had stated that it would stand ready to accompany the adjustment of export-oriented sectors through targeted measures.

As regards the issue of finer margins on foreign currency transactions, I am informed that with the 20 commercial banks and 10 money changers and 6 foreign exchange dealers there is already competition in the market. This is exerting a downward pressure on the margins. The Bank of Mauritius is closely monitoring the situation.

Mr Guimbeau: Mr Speaker, Sir, can the hon. Minister inform the House whether the Bank of Mauritius have powers under the Bank of Mauritius Act to direct banks to compress margins and regulate maximum margins, which can be applied between buying and selling rate of different currencies?

Mr Duval: Mr Deputy Speaker, Sir, I think the Bank of Mauritius has wide powers to set rates, etc. Anyway they have the powers, I think.

Mr Guimbeau: We must be sure, Mr Deputy Speaker, Sir, if not we have to amend.

(Interruptions)

M. le président, notre secteur d'exportation est en grande difficulté. Est-ce que le gouvernement va continuer à subir le dictat des banques ou bien laisser la Banque de Maurice acheter les devises directement avec les exportateurs afin d'économiser sur les marges des banques intermédiaires ?

Mr Duval: Mr Deputy Speaker, Sir, I think the right answer to this is to have the appropriate exchange rate that is not misaligned and that is what we are doing. I do not think, Mr Deputy Speaker, Sir, that the Bank of Mauritius should suddenly replace the whole banking sector and we would end up with only one bank in Mauritius, the Bank of Mauritius. That is not appropriate and neither is it appropriate that we should have two-tier systems for exchange rates. I think one exchange rate for everybody that is the solution, but an appropriately aligned exchange rate.

Mr Guimbeau: I agree with the hon. Minister but it is the duty of the Bank of Mauritius to see to it that Commercial Banks act and be fair to all customers. I think that is the duty of a bank and the Governor of the Bank of Mauritius, Mr Deputy Speaker, Sir.

COMMERCIAL BANKS – CREDIT FACILITIES

(No. B/547) **Mr E. Guimbeau (First Member for Curepipe & Midlands)** asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the commercial banks operating in Mauritius, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to if consideration will be given for ensuring that they cease forthwith the practice of over-collateralizing whereby they insist on floating charges and other guaranties far in excess of the credit facilities and other loans granted to the customers.

The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Deputy Speaker, Sir, I am informed by the Bank of Mauritius that it is presently giving consideration to the terms and conditions attached to the grant of credit facilities by banks.

In this context, as I mentioned before, a Task Force has been set up by the Bank on Unfair Terms and Conditions in Banking and Related Financial Contracts, which proposes to investigate into the terms and conditions of contracts, including fees, commissions and charges. The issue of over-collateralizing will be addressed as part of this exercise. The Bank has, therefore, through a press communiqué, invited comments – perhaps the hon. Member would like to make comments - from the general public, including NGOs, welfare and consumer associations as well as banking and real sector operators to contribute to this exercise; so it is ongoing.

Mr Guimbeau: *Okay. That's good!* Mais, M. le président, c'est important que le ministre s'assure auprès de la Banque de Maurice afin que le montant des liens et autres *floating charges* imposé par les banques commerciales à leurs clients sur des crédits découverts/emprunts reflète la valeur de ces derniers. Parce qu'aujourd'hui, si on prend un emprunt pour R 100,000, on met des *floating charges* d'une valeur d'un million, *which is very unfair, Mr Deputy Speaker, Sir.*

Mr Duval: In fact, Mr Deputy Speaker, Sir, obviously, value of any asset depends on how you want to sell it. If it's on a normal sale basis, it may fetch its whole value, but, as we know, if it is on a distress sale basis, sometimes it fetches 30% or so of the actual estimated value

sold otherwise. So, that is one issue, but as I mentioned - because it's a complicated issue - the bank has set up this task force to look into it and the hon. Member can depone if he so wishes.

Mr Guimbeau: The hon. Minister is talking about 30%. This is not fair, Mr Deputy Speaker, Sir. And when you go to those banks in Mauritius today, the guarantees asked is three to six times the value of the loan. This is what is unfair.

Mr Duval: I don't know, Mr Deputy Speaker, Sir. I am not dealing with the banks.

Mr Guimbeau: That's what I am telling the hon. Minister: to see to it that this is not done.

Mr Duval: Okay, Mr Deputy Speaker, Sir.

MOTION

SUSPENSION OF S.O.10 (2)

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

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

Question put and agreed to.

PUBLIC BILLS

First Reading

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

- (a) The Protection of Human Rights (Amendment) Bill (No. XIX of 2012)
- (b) The Police Complaints Bill (No. XX of 2012)
- (c) The National Preventive Mechanism Bill (No. XXI of 2012)
- (d) The Mauritius Broadcasting Corporation (Amendment) Bill (No. XXII of 2012)
- (e) The Supplementary Appropriation (2011) Bill (No. XXIII of 2012)

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

At 4.06 p.m. the sitting was suspended.

On resuming at 4.44 p.m. with the Deputy Speaker in the Chair.

Extract Deb. No. 14 of 17.07.12**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 Social Integration and Economic Empowerment (Mr S. Dayal): Mr Deputy Speaker, Sir, let me join the previous orators by thanking the acting President of the Republic for her Address and my colleague, hon. Kalyanee Juggoo, for presenting this motion to the House. Allow me, at the very outset, to underscore that the prorogation of the House is not a new phenomenon and unique to Mauritius. It is, in fact, a facet of parliamentary democracy and democratic principles. In any democracy the world over, especially democracies modelled on the Westminster system, prorogation of Parliament is deeply enshrined in the Constitution. Since our Parliamentary system has been replicated on the British Westminster model, we are, therefore, no exception.

Mr Deputy Speaker, Sir, if we look into the past and since Independence, it has been the practice for successive governments to have recourse to the tradition of Parliament's prorogation. The late Sir Seewoosagar Ramgoolam did it on many occasions. In fact, SAJ also followed in his footsteps, but for some obvious reasons, for their own political survival, and here we have in mind, the Amsterdam episode. We, therefore, fail to understand, Mr Deputy Speaker, Sir, all the hue and cry that they are making this time around. We all know one partner who was elected on a common platform, a common programme, suddenly decided for its own selfish motive and reason, which the public also knows, and also to suit their own political agenda and interest, to quit the alliance.

In fact, the House will recall that six Ministers occupying key Ministries resigned from the Government at a time when the Prime Minister was not in the country because of their own internal political squabble. They did not even have the courtesy, Mr Deputy Speaker, Sir, to wait for the hon. Prime Minister. We all know that this is part of their culture which is now known as

the MSM culture. They always look at their own individual selfish interest first. The history of the MSM is full of examples of the egotism of its leadership.

Mr Deputy Speaker, Sir, let me refer to what the then MSM leader and Prime Minister stated in 1993 in the context of the attempt to make Dr. Navin Ramgoolam lose his seat in the National Assembly. He said it in 1993 on the occasion of the 25th Independence Anniversary of Mauritius. You know what he said Mr Deputy Speaker, Sir, I quote -

“Had it been another bench, the judgment would have been different.”

Thus imputing motive on the full bench of the Supreme Court which included the late Rajsoomer Lallah, one of the best legal brains in the country. This is an insult to the Supreme Court. The House knows and out there, the public knows, what ploy and strategy, not to say what colourable device, did they use in order to unseat a democratically elected Member and Constitutional Leader of the Opposition. Mr Deputy Speaker, Sir, not only that, the same leader of the MSM, *il récidive. Il va encore plus loin* in his political machination against Dr. Navin Ramgoolam. In a reply to a question from the press as to whether he had any regrets regarding his ploy and machination to have the Leader of the Opposition lose his seat. You know what he said, Mr Deputy Speaker, Sir -

« Non, pas du tout ! Ce n'était pas du tout une erreur ! Qu'est-ce que la politique sinon comme être sur un terrain de football. Quand sur le terrain de football vous avez la chance de mettre un but, que faites-vous ? Vous dites, nous sommes des amis. Donc, je tape la balle hors du terrain. On score, bien sûr ! »

And he goes further -

« Je joue pour gagner, moi. »

This is important.

« Si demain j'ai de la chance de coincer un adversaire, bien sûr, je le coincerai, et le coincerai encore. Je le ferai avec n'importe quel adversaire. »

Mr Deputy Speaker, Sir, we all know that what the then MSM leader did was undemocratic. His act was very undemocratic. And against this background, the hon. Prime Minister in his wisdom and imbued by a high sense of patriotism and in the interest of the country as a whole, decided to propose the adjournment of the House. As George Bernard Shaw once put it and I am going to repeat what the hon. Prime Minister said the other day, and I quote

-

“Some men see things as they are, and say, ‘Why?’ I dream of things that never were, and say, ‘Why not?’”

On this side of the House, Mr Deputy Speaker, Sir, we dream of things that bring happiness and solace in the hearts of our people. We want to do things differently. We want to do things that create hope and make a difference in the lives of our countrymen. You know, Mr Deputy Speaker, Sir, we have three categories of people. There are people who make things happen. There are people who watch things happen and there are people who say what happened.

The new programme that is in front of the House will make things happen in every aspect of the lives of the people of this country. While some in the new Opposition were watching for things to happen, we, Mr Deputy Speaker, Sir, were dreaming of new things. We are committed to translate them into concrete actions with a new, homogeneous and reinvigorated team that can see things in the same fully dedicated and committed direction with a common purpose that takes into account the welfare and betterment of the people of this country.

Mr Deputy Speaker, Sir, with your permission, I would wish to quote Benjamin Franklin who, in a letter addressed to George Washington, the first President of the United States, said-

“The noblest question in the world is what good can I do in it.”

Mr Deputy Speaker, Sir, I passionately believe, this Government believes, that there is no better way to do good than to ensure that every cross-section of our population is well served.

This programme, Mr Deputy Speaker, Sir, seeks to show, to demonstrate to the people of Mauritius, how this great and important mission can be achieved under the able and visionary leadership of our Prime Minister. The new programme 2012-2015 is also an opportunity to gauge the road travelled and more importantly to chart the course ahead and to re-orient our policies in the light of the emerging realities of the global world.

We are, Mr Deputy Speaker, Sir living in an extremely turbulent world, characterised by economic uncertainty and volatility unleashed by a never ending crisis, the depth of which is still unknown and unfathomable. There is no visibility at all as to how the crisis will unravel and what would be the extent of its impact on the international economic environment. When we look at the economic literature, it all points to the uncertainty of the global economy. One thing is for sure, we are already feeling its tremors, because we are not shielded from its consequences.

Mr Deputy Speaker, Sir, many of the developed countries in the Euro zone have been badly shattered by the economic crisis. France, Mr Deputy Speaker, Sir, one of our main trading partners, has recently reviewed its growth to 0.3% and to 1.3% for 2012. Not only that, the French Government, has now announced a series of measures to prop up its ailing economy and mop up its budget deficit, that is, tax increases, reduction of public spending, freezing of vacancies in the public sector, except in the education sector, to name a few, and all these, notwithstanding the electoral promises.

Mr Deputy Speaker, Sir, only fools refuse to believe that the world is static and not dynamic that things evolve and are evolving. Indeed, we are in the midst of a changing paradigm, which has far reaching implications for all countries the world over. As a small island economy, we are more exposed to the vagaries of the changing paradigm, especially as our main trading partners, the EU and the US are in acute financial and economic difficulties. We all know that the EU constitutes one of our main markets. Over 62% of our exports indeed go to Europe. In fact, Europe also represents the principle market for our tourism.

Again this background, Mr Deputy Speaker, Sir, we have to perforce, re-engineer our policies and strategies, to adjust them in order to move ahead with determination and conviction. Government is already looking for new markets. This is why the theme of the new programme is: Moving the Nation Ahead. This programme further lays the foundation for a better Mauritius, a better future for all Mauritians from all walks of life, where no one would feel that he or she has been excluded from the mainstreams of society.

Mr Deputy Speaker, Sir, in August last year, the Prime Minister vested in me the portfolio of the Ministry of Social Integration and Economic Empowerment. It was a big challenge, the more so, as, I was taking over from a senior colleague, hon. Xavier-Luc Duval, who I must say, has drawn the contours of this new Ministry.

In May 2010, that was the first time ever that a dedicated Ministry was set up to focus into specifically poverty issues and find answers.

The ex-President, Sir Anerood Jugnauth, in his address to the Nation in 2010 stated that the Prime Minister must be congratulated by all Mauritians for the creation of such a Ministry. The creation of a dedicated Ministry, Mr Deputy Speaker, Sir, to look after poverty in this country should not be seen as a coincidence, still less accidental. In fact, it epitomises the vision

and commitment of our Prime Minister to tackle poverty, which the least to say, is a condition that always haunts those who are poor.

Mr Deputy Speaker, Sir, by creating a dedicated Ministry, to deal with poverty, Dr. Navin Ramgoolam has not only given back the lost dignity of our people, but at the same time, restored their self-esteem and self respect.

I meet poor people every day, and you know the messages that I have been asked to convey to the Prime Minister, Mr Deputy Speaker, Sir, *nous le remercions de tout cœur pour ce qu'il a fait et ce qu'il est en train de faire pour nous, les gens vulnérables*. He has our blessings in his endeavour, and that is why the Prime Minister is weathering all the storms and the *méchancetés* of his opponents. We all know that poverty is not a fatality. Our people need to be given the fullest support that they deserve from Government. Mr Deputy Speaker, Sir, the 2012-2015 programme has indeed enhanced the platform to restore the dignity and self-respect of our deprived people.

By presenting this new programme to the people of Mauritius, this Government wants to ensure that the lives of our people are not wasted. We want to enable our people to grow to their full potential, that they prosper and contribute equally. In the new programme, we are also providing the necessary conditions as well as extending every opportunity to create a just, equal and fair society, a society where everybody is on board. Our strategy encompasses a panoply of measures that cut across nearly all Ministries and departments. As a caring Government, we are doing our utmost best, with the limited amount of resources at our disposal to improve the plight of our deprived people.

Mr Deputy Speaker, Sir, it would be a fallacy, however, to believe that dealing with poverty is the sole concern of Government. It is an issue that should elicit the attention of one and all in our society, all stakeholders indiscriminately. As Mrs Margaret Thatcher once said: "You can't enjoy the fruits of efforts without first making the effort". This is why I am saying that if we were to succeed in our strategy, to eradicate absolute poverty in our country, we need the collaborative efforts of all our people and to start with, the poor people themselves.

For too long, Mr Deputy Speaker, Sir, some people when they were in power have paid lip service to poverty alleviation issues. The MSM held the reins of power for 13 years, put together, for 18 years. What did they do for the poor people of this country? What did they do? And I should tell the House, especially, for the benefit of those who are living in their own

comfort zone, in their ivory tower, you know what they did, Mr Deputy Speaker, Sir? They abolished subsidies on basic commodities that affect the poor the most, rice and flour. They did not stop there. They went as far as targeting universal pensions introduced by the Labour Party, under the visionary leadership of Sir Seewoosagur Ramgoolam.

Mr Deputy Speaker, Sir, is the House aware of the amount of untold sufferings and humiliation that were meted out to our senior citizens when they were requested to go to the Social Security Office and justify their status and eligibility? Those people, Mr Deputy Speaker, Sir, were made to queue up for long hours at the Social Security Office, *bravant les intempéries*. You know what question among other questions they were asked, Mr Deputy Speaker, Sir, to assess their eligibility? *Combien poules, combien canards, combien cabris ou ena?* Humiliating the senior citizens, and now they have *l'audace*, the cheek to brag outside that people are suffering in this country! Was there no poverty under the SAJ Government? What did they do? They removed subsidies on basic commodities and said that *du riz ration* was meant for animals.

Mr Deputy Speaker, Sir, let me reiterate in this august Assembly that the future of this country, the future of the people of Mauritius, and the future of our distressed people lie in the hands of one and only one person, and that is, Dr. Navin Ramgoolam, the Prime Minister of this country.

While I am on the subject of poverty, I wish to stress that poverty is not something that is peculiar to Mauritius only. We have poor people all over the world. Even among those so-called rich democracies, there are poor people. For example, 20% of Americans are poor, of which almost a fourth of children and elderly are poor. Although the US might be the richest country in the world, nearly 50 million Americans are deprived; they are relatively deprived. In 1974, it was 16.8%; in 2000, it was 18%, and 12 years later, it increased to 20% in America, the richest country. In the Philippines, Mr Deputy Speaker, Sir, 40% of its population is living below the poverty line. Let me repeat: 40% of the population, although Philippines has much bigger resources than us. Indonesia, Mr Deputy Speaker, Sir, which reckons an economic growth of 6%, has some 32 million of people, out of a population of 200 million, living in absolute poverty. India, which has a growth that hovers around 6% to 8%, is still struggling, is still grappling with poverty.

Mr Deputy Speaker, Sir, a few weeks ago, I happened to be watching CNN. I saw a Greek mother leaving her child to school with a letter in her hand to be given to the teacher of

the child. The teacher opened the letter. Do you know what was the content of the letter Mr Deputy Speaker, Sir? The mother wrote ‘I will not come back to pick my child in the afternoon because I have no money to feed her’. *Cela nous interpelle*. A biological mother abandoning her child because she has no means to feed her! This is happening in a European country, the so-called affluent democracies.

Mr Deputy Speaker, Sir, no people choose to be born poor; nobody chooses to be born poor. It is only through sheer accident of birth that some are born in poor families. They face incredibly different odds of experiencing extreme poverty. Poverty has existed as long as there have been markets. It is not me saying that. This is something that comes from David Brady, an Associate Professor of Sociology at Duke University in the US.

Mr Deputy Speaker, Sir, we all admit that there are varying degrees and levels of poverty. For example, those born into egalitarian countries are more likely to be economically secure. Every nation, big or small, developed or developing has vulnerable and poor people, but a country with extensive welfare state is no doubt an egalitarian haven. Do you know why, Mr Deputy Speaker, Sir? It is because a welfare state protects the vulnerable against insecurity by providing assistance in different forms, that is, healthcare, free education, public programmes that guarantee economic security, social inclusion, and economic empowerment. A welfare state relieves citizens from being forced to depend entirely on the market for economic resources. In sum, Mr Deputy Speaker, Sir, welfare generosity, as some have put it, is approximate and primary influence on a nation’s level of poverty.

Mr Deputy Speaker, Sir, in his book entitled *Rich Democracies, Poor People*, David Brady further says, I quote -

“Countries with more generous welfare programmes and more extensive welfare services have far lower poverty.”

Mr Deputy Speaker, Sir, as a government, we should not be complacent about poverty. We need to mobilise our maximum resources and effort in order to enhance the standard and qualities of life of those people who find themselves below the poverty line. It is our duty as a government to ensure that the fullest support and consideration is extended to these people so that they can be empowered and integrated in the mainstreams of society. This is why the level of poverty in Mauritius is much less than such countries as Indonesia and Philippines. We have a

welfare state in this country, and nobody has the right to dodge or make an abstraction of the history of this country. *Personne n'a le droit d'escamoter la vérité.*

The welfare state was introduced in Mauritius by the Mauritius Labour Party, under the able and visionary leadership of late Sir Seewoosagur Ramgoolam, the Father of the Nation. May I ask who introduced free education in this country, free health services, universal pension, national pension fund, subsidies and commodities, just to mention a few pillars of our welfare state?

Let me quote what Father Souchon had to say during the celebrations marking the 25th Independence Anniversary of Mauritius. I quote -

« L'homme (c'est-à-dire, Sir Seewoosagur Ramgoolam), le mythe, le souvenir plane sur l'île Maurice contemporaine en ce 25^{ème} anniversaire. Il n'était pas un administrateur mais un homme d'État avec une vision du monde. C'est à juste titre qu'il figure dans le Larousse. Père de l'indépendance, il a dépassé la mentalité coloniale des pense petit pour mettre l'île Maurice dans la carte du monde. L'éducation gratuite est son œuvre. Que serait Maurice aujourd'hui si nous étions restés une nation d'analphabète? »

This is very important, Mr Deputy Speaker, Sir. Now some people have fallen so low as to sully the memory of the late Father of the Nation. What a shame, Mr Deputy Speaker, Sir! Shame on these people! Do you know why I say 'shame on them'? With your permission, let me quote from an interview that the then Prime Minister, Sir Anerood Jugnauth, gave in the context of the 25th Anniversary of the Independence of Mauritius. The question was put to him -

« Quelle est la plus grande réussite de l'île Maurice indépendante? »

Do you know what was the reply, Mr Deputy Speaker, Sir?

« Nous avons réussi beaucoup de choses depuis 25 ans. Le Dr. Ramgoolam - that is, Sir Seewoosagur Ramgoolam - avait jeté les bases de notre système économique. Il a aussi organisé l'administration publique et le Welfare State. »

He continues -

« J'ai personnellement réalisé, dès 1982, qu'au niveau idéologique nous faisons fausse route. »

Permettez-moi de renchérir en citant cette fois-ci, M. Vishnu Lutchmeenaraidoo ! And listen to what he had to say in the same context –

« *Parlant de la stratégie de développement dans les années 71/80, le gouvernement d'alors a eu la sagesse de reconnaître que Maurice était trop petite et d'adopter une stratégie économique axée sur l'exportation donnant ainsi naissance à la zone franche et à l'industrie touristique.* »

It is precisely, Mr Deputy Speaker, Sir, the economic base that was created in the 1970s that has accelerated the development of modern Mauritius. That is the truth and truth will remain truth. *On ne peut pas escamoter*, despite what Sir Anerood Jugnauth is saying. Now he discovers poverty all of a sudden, once outside the State House, outside Le Réduit, no longer President. *Sommeil inn fek casser.*

Mr Deputy Speaker, Sir, this is what we term as the irony of history. On the one hand, the same persons to suit their political agenda, their political interest, praised Sir Seewoosagar Ramgoolam for his vision and for all the good that he did for this country. On the other hand, they are engaged in a mudslinging campaign against the very same person who gave them a new lease of life in 1983. *Plus ingratitude que ça, tu meurs!* Ingratitude is thy name, MSM.

Mr Deputy Speaker, Sir, we all know *que c'est très difficile de gommer l'histoire, encore moins de la corriger d'un revers de la main.* When we look at our Welfare State, it bears the indelible imprint of Sir Seewoosagar Ramgoolam or Dr. Navin Ramgoolam, the current Prime Minister. In fact, the contribution is fully epitomised by what Joseph Stieglitz, the American Noble Prize Winner, said: "Miracle Mauritius". America has to learn a thing or two from Mauritius.

How come a country without any natural resources, neither gold, silver, petroleum products sprouting from its soil, could afford such an extensive Welfare State? Where is the contribution of the MSM in all that? A lot of *bla-bla-bla*, but not any single contribution! I challenge the MSM to come and prove the contrary. In what way during their mandate have they defended the Welfare State created by the Labour Party? Now the MSM are feigning amnesia, they are pretending that they are the greatest champion of the poor and vulnerable people of this country. *Quel toupet, M. le président ! Quelle audace, alors, qu'ils avaient fait le contraire lorsqu'ils étaient au pouvoir !* Mr Deputy Speaker, Sir, we are blessed in this country. Yes, we are blessed in this country, because we have had visionary leaders, SSR and DNR, Sir Seewoosagar Ramgoolam and Dr. Navin Ramgoolam. Our leaders did not just share their riches, but they also revealed their own.

Mr Deputy Speaker, Sir, in a country with a population of approximately 1.2 million, we have some 7,000 families who are still living below the poverty line. The question that we should ask ourselves is: why? And yet we have free education, free health services, universal pensions, as well as so many types of other benefits, free transport for the school children and the elderly! I am not aware of any country in this part of the world, even in the affluent democracies that have such an extensive system of welfare coverage. Then why so many poor, Mr Deputy Speaker, Sir? Is it not somewhere also the responsibility of those who find themselves in such difficult situations? Are they doing enough to help themselves? *Est-ce la pauvreté voulue?* I don't know! I am simply putting myself a question. Do we have to educate our people to assume their responsibilities Mr Deputy Speaker, Sir? I think we have to be honest to ourselves.

Government can only be a stepping stone, but I am more than convinced that all of us, including the NGOs and other stakeholders should also play their part. For example, let me say it candidly and in a straightforward manner: who has the responsibility to take his/her child to school, to ensure that his/her child is getting the best education? Is not that the moral and legitimate responsibility and obligation of the parent? No amount of legislation can force a parent to send his child to school if he, himself, does not change his mindset!

We all know, Mr Deputy Speaker, Sir, that education is the best way to move out of poverty. In the past, we have empirical evidence in our own country that education has helped thousands of families to move out of poverty, but then parents also played a very important role, a crucial role in that process.

Of course, I am not trying to be pessimistic, but I am merely stating the facts as they stand. I visit on a regular basis some of those areas where there are pockets of poverty in this country. Let me tell you that I am deeply moved by their living conditions. This is why, Mr Deputy Speaker, Sir, this Government Programme provides for the introduction of a one-off cash grant where attendance rate is over 90%.

The Deputy Speaker: I am sorry to interrupt. I have to remind hon. Members that they cannot cross between the Chair and the hon. Minister who is speaking. In the same vein, I am directing the Assistant Clerk to brief their staff to refrain from doing same. Thank you. Please, carry on!

Mr Dayal: This Government Programme provides a one-off cash grant annually where attendance rate is over 90%, that is, students go to school and their attendance is over 90%, and

the student has successfully completed his yearly examination. I am more than convinced - I have been an educator myself – that all parents concerned will take maximum advantage of this ambitious policy measure.

Mr Deputy Speaker, Sir, in fact, this is a very laudable initiative which is in line with our vision to combat low attainment in our schools, especially in the ZEP schools which were created in the very first mandate of our Prime Minister. It is also one way, Mr Deputy Speaker, Sir, to create greater awareness and motivation among those families falling under the poverty line that education and continued education of their children remains a powerful instrument available to them to take their destiny and the destiny of their children in their own hands. I am fully alive to the effort being deployed by my colleague, the Minister of Education and Human Resources to improve the performance in the low achieving schools, particularly the ZEP schools. My Ministry is fully collaborating with the Ministry of Education and Human Resources, Ministry of Gender Equality, Child Development and Family Welfare in order to reach out to the children living in the deprived regions and to ensure how best we can bring back these children in the school system.

Mr Deputy Speaker, Sir, regarding the one-off cash grant, it is good to know that the NEF enters into a social contract with the beneficiaries and one condition that we impose is that the beneficiary sends his or her child to school. Somebody asked me: in case the child does not go to school, what sanctions are you going to take? At the NEF, at the Ministry of Social Integration, we are thinking a step ahead, that is, instead of taking sanctions, we are providing incentives, we are tackling this problem in a positive way.

This programme contains another innovative and revolutionary measure. This is about the assistance that will be extended to fire victims. This was a lacuna in our ongoing effort to alleviate the suffering of people and I am glad that this has now been addressed. Likewise, Mr Deputy Speaker, Sir, Government's intention to set up *crèches des quartiers*, translates our commitment to empower non-employed women. Children coming from vulnerable families will have access to these Child Day Care Centres and will receive the same quality of service for self development as obtained by children who have easy access to Day Care Centres, *c'est-à-dire la crèche*. While their children are being cared for by the Child Day Care Centres, Mr Deputy Speaker, Sir, mothers will have the opportunity to take up paid employment thus generating revenue and participating in the household budget, a way of empowering these ladies.

Mr Deputy Speaker, Sir, for quite some time, my Ministry has been receiving representations regarding the size of the housing units being constructed for people below the poverty line. One of the complaints also hinges on the structure of such units which does not ensure sufficient comfort, privacy and practicability for the beneficiary. I am glad that the Prime Minister has not remained insensitive to the solicitation of our poor people. This Programme, therefore, makes provision for the review of the size of the housing units, taking into consideration the number of persons in each family as well as the question of affordability. Already, we have had a meeting with the vice-Prime Minister and Minister of Finance and we are going in the right direction. My Ministry is currently working together with the Ministry of Finance for developing the specifications that would respond to the needs of the vulnerable people of this country and Rodrigues as well. In the same manner, Mr Deputy Speaker, Sir, my Ministry is resolutely determined to eradicate absolute poverty through education, and in this respect, it is coming forward with the setting up of learning corners throughout the island. One of the main objectives of the Learning Corner Project is to provide easy access to books, manuals, internet facilities to children living in deprived areas. The setting up of learning corners is also meant to increase the appetite of these children to education, learning and research work.

Mr Deputy Speaker, Sir, as part of its mandate, my Ministry will continue to invest in the upgrading of the living environment across the island as well as development of social infrastructure in pockets of poverty. We all know that one of the serious problems that our vulnerable people are facing is the relatively high number of children in the family. It is a fact that in some poor families, they have a tendency, Mr Deputy Speaker, Sir, to have more children and obviously such a situation has the effect of keeping them poor. I believe that no anti-poverty programme can be effective and successful if we do not address the problem of birth control. Mr Deputy Speaker, Sir, my Ministry, with the Ministry of Health and Quality of Life and other stakeholders, is examining the possibility of a sensitisation campaign, of course, through education and information, not through coercion, especially among the vulnerable groups, on family planning so as to influence them to have fewer children.

Furthermore, Mr Deputy Speaker, Sir, we will step up our efforts to stem the spread of HIV/AIDS and other infectious diseases among the poor people.

Mr Deputy Speaker, Sir, as I said earlier, this programme indeed contains many innovative proposals that target our vulnerable groups. This is an indication that this

Government is well poised to succeed in its noble task of eradicating absolute poverty in the coming years with the help of all of us and not the Government alone. *Seul, on est invisible mais ensemble nous sommes invincibles*. Alone, we are invisible but together, we are invincible.

Mr Deputy Speaker, Sir, with these words, I wish to thank the House for its attention.

(5.30 p.m.)

The vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Deputy Speaker, Sir, I would like to thank the previous orator, hon. Dayal, for his speech and for so ably coming after me in such an important Ministry as Social Integration and Economic Empowerment.

Mr Deputy Speaker, Sir, I have a few words to say tonight. As Minister of Finance, I am heading the Ministry of Finance of an ambitious country. I think that is the word that fits Mauritius of 2012: an ambitious country. A small country, we take it, but a country that has continuously since independence punched above its weight - our hon. Prime Minister often says that - and we need to continue to do so.

Mr Deputy Speaker, Sir, often we say that we are at a crossroad - for the last 10 years we are at a crossroad - but, in fact and in truth, these days we are genuinely at a crossroad and when we are at a crossroad what does it mean? It is that we have to take some decisions which are important as to which road at this crossroad we are going to take. This is, Mr Deputy Speaker, Sir, why 2012 is so important. This is also, Mr Deputy Speaker, Sir, why the Government Programme is so crucial to this country.

We moved, of course, from a mono crop economy, very poor country to a country that now demonstrates extraordinary resilience. Whatever the Opposition, *les prophètes de malheur* might say, we are demonstrating extraordinary resilience. Our growth rate this year, be it 3.5 or 3.8 as the Bank of Mauritius recently forecast, it is going to be fantastic given, Mr Deputy Speaker, Sir, that our main market, Europe, is on its knees. The IMF just published, I think, today or this week, the latest figures for growth and Europe overall is going to be in recession.

Despite the fact that our main market - 60% or more of our tourists, 60% or more of our export earnings come from Europe - we are having a more than reasonable growth rate this year and much more than was delivered by the 2000-2005 MMM/MSM government.

Why are we at a crossroad? It is because the world has changed; it has changed permanently. Europe is on the decline and the wealth is moving now to Asia, to the BRIC

countries and our reliance on Europe has now got to change. But, Mr Deputy Speaker, Sir, we are sitting here between Europe and Asia and I think that for once, Mr Deputy Speaker, Sir, fate is going to do us a good turn as far as geography is concerned. Before I come to that, perhaps I will just say that this relative change happening in Europe vis-à-vis Asia and the other BRIC countries is going to affect us probably in every part of the economy, be it our tourism market which is heavily relied on Europe, be it our garment sector, even our offshore which was heavily India centric is bound to change over the next few years. So, fate has dealt us a good hand, why? It is because from an island in the middle of nowhere, importing from God knows where, exporting thousands of kilometres away, we are now sitting next to Africa. We can use various words like 'Mauritius now as a gateway to Africa', as we used recently in the UK for the conference. Some people use the words: 'Mauritius now the jewel of Africa', and some people prefer to say that we are now 'the star and key of Africa'. All these meaning the same thing that, Mr Deputy Speaker, Sir, Mauritius is so well positioned now; like Singapore to Asia, Mauritius is to Africa and it is, Mr Deputy Speaker, Sir, the simple location of Mauritius. If we do not miss the opportunities - and the issue is that we should not miss the opportunities - I believe that this country is about to live very exciting times and I will say why in a moment, Mr Deputy Speaker, Sir. But, of course, there are opportunities that need not to be missed and this is why the Government Programme is so important.

We may think that Mauritius has everything and is the centre of the world. If we want to become the hub of Africa, we should get the move on, because Addis Ababa wants to become at least the airline hub. Nairobi has already got a head start and is moving ahead and, of course, we have tremendous competition from Johannesburg. So, we need not to miss the opportunities and we must not dilly-dally, we have to get things done in the right way. This is why I welcome this Government Programme, the Economic and Social Transformation Programme and the National Strategic Commission that form part and parcel of the ten-year plan of which the three-year Government Programme forms a part of.

Mr Deputy Speaker Sir, what about some of our mature industries, for example, tourism? There are two sides to tourism always: one is promotion and the other is product development. Everybody in Mauritius looks at promotion. What are we doing? Are we doing enough in Europe? Are we doing enough in Asia? But you are always marketing a product. It is like trying to sell a car with a flat tyre. Whatever promotion you can put in every newspaper you want, but

you won't sell it because it is not saleable: flat tyre or broken engine, whatever you like. The tourism product is the same and I think, Mr Speaker, Sir, *le débat est faussé* when we always look only at promotion. The real question mark, the real challenge for Mauritius today is the product. Is the product now a product that someone will want to come and visit whether it is from Europe, China or Africa? Sometimes I wonder whether our product is what it really portrayed and we saw the French survey that said that people were disappointed when they came to Mauritius. I understand that. If you look at the state of the place, at the failure of some of the local authorities! Even in Quatre Bornes, together with hon. Ms Deerpalsing, we used to go around and phoned the guys saying it is dirty. You do not come to a country in a *dépotoir* and hope to spend your holiday!

Mr Deputy Speaker, Sir, I understand the problem. Mauritius is in the top ten most densely populated countries in the world. That is an issue that the Government must deal with. We cannot just sweep it under the carpet - that is the right sort of words for this. But it is something that we must deal with. We are a very high densely populated country. The population in Mauritius over the last hundred years has tripled from 400,000 to a little bit less than 1.3 million today. What are we going to do about it? How are we going to deal with the densely populated population, not respecting the environment, yet we want to be a tourism destination? That is what I am saying. We cannot miss the opportunity. The moment to act is now and we must get this sorted out, Mr Deputy Speaker, Sir, and we must look at it very carefully.

Mr Deputy Speaker, Sir, for me, the action word for tourism is: product, product and product. That is the marketing. Product for me is the major thing, not forgetting that when we are changing markets from Europe to Asia, sea and sun will no longer work. Chinese will not come and *bronzer sur les plages* - that is not for them - neither the Indian population nor the Africans next door to us. In fact, you can see, Mr Deputy Speaker, Sir, that the product becomes absolutely important for the tourism industry. But we need also dramatic change elsewhere.

What about manufacturing? My colleague, the Minister of Tourism, is taking care, and the Minister of Industry is well aware of the issues facing manufacturing. The issues facing manufacturing are, firstly, very poor productivity. Can you imagine, Mr Deputy Speaker, Sir, that Chinese employees in a textile sector in China are now earning far more than Mauritian employees in the textile sector, although we are used to import from China. That will be soon a thing of the past. Why is that? It is because productivity in China has risen so much that people

are getting paid very well. In fact, people are moving away from textiles and that is an opportunity also. But in Mauritius, unless the workforce understands, we need productivity, because productivity will bring wealth and high income; that equation must be apparent to everybody. Sometimes it is like a dirty word when you mention productivity, that cannot be.

So, Mr Deputy Speaker, Sir, we need to *faire face au défi de la productivité dans le secteur manufacturier*. We have 44,000 unemployed. The hon. Li Kwong Wing was mentioning unemployment it is not a lot really in these difficult times. We have 38,000 foreign employees in Mauritius. In fact, all you would need to do is for the willingness for the unemployed to work and 90% of the foreigners are in manufacturing sector; to work in manufacturing, to be trained for it, to provide productivity and without doing anything, it would solve our labour problem. No unemployment problem in Mauritius. That is something that the Government must work on. That is another challenge. How to train our workforce to work for a job that is on offer? No forgetting that 30% or more of our population are failed CPE. So, we need a manufacturing sector. We need a tourism sector. We will always have, in the future, people who will be sewing garments or serving in restaurants because people do not pass CPE. So, they are trained to do the work that they are trained to do. Not all of them can become lawyers or doctors or whatever.

Mr Deputy Speaker, Sir, there is a mismatch between training, job opportunities, education and employment. That is another challenge that we face and we must be able to tackle in order not to miss the opportunities that will come our way, Mr Deputy Speaker, Sir. I am the first person to say that the salaries are far too low in Mauritius. Unless productivity increases, increase in salary; we just bring about factory closures, so we need to be able to reconcile the two.

Another problem in the manufacturing sector is that the BOI and the Ministry of Industry are working on, that the Foreign Direct Investment (FDI) in manufacturing is so low, less than a trickle. Mr Deputy Speaker, Sir, FDI not only brings capital, which is always a good thing, but it brings know-how. We learn how to make shirts from the *Hongkongais* otherwise we would never be making shirts in Mauritius. We need the FDI to be able to learn new techniques and new technologies. We are sitting next to Africa and we have this huge market in Africa that we can now service and export to, although there are issues which are linked to exporting, of course, to Africa.

Mr Deputy Speaker, Sir, the rise in Chinese wages creates opportunities for employment for Mauritius; for Africans also, but for Mauritians also. Everybody knows that jobs will be moving away from China to this region and we must prepare ourselves to welcome this new job that will be coming.

Mr Deputy Speaker, Sir, regarding the Financial Services, we are again at cross roads, with our Double Taxation Agreement (DTA) with India. There are two aspects with the Double Taxation Agreement with India. Firstly, is the question of money laundering, round tripping and all these illegal activities. Here the Government, the hon. Prime Minister and everyone has said quite clearly that we will not tolerate any of these. We will go the extra mile to provide the best international practice as far as controlling is concerned. On the other hand, regarding the fiscal provision of the treaty, one is exchange of information. We are and we will continue to abide by the best international practice and even better than that. But, on the other hand, as far as the fiscal provisions of the treaty are concerned, here we are looking for a win win solution because Mauritius has contributed substantially to the development of India through the routing of investment into India. We are talking about 40% of all the FDI into India that has benefitted India. Mauritius has benefited also. We see now all this turmoil with the DTA which is affecting India as it is affecting a little bit of Mauritius. So, Mr Deputy Speaker, Sir, here we need a win win solution. The next joint working group is on 23 August and we hope, Mr Deputy Speaker, Sir, to bring a swift resolution to the issues, so that we can go back to a system where certainty prevails over uncertainty. That is the wish of the Government of Mauritius and I believe in the Government of India.

Very quickly, Mr Deputy Speaker, Sir, the educational hub is becoming a reality. The number of foreign students will be probably doubling this year over last year. The plan is very ambitious to bring quality; the word is on quality students to Mauritius and quality establishment to Mauritius. Be it the State establishment or the private sector establishment, so that we can cater for the educational needs of the region. But, to our surprise, people come very far to study in Mauritius because the cost is extremely reasonable.

Concerning the medical hub, this is the same thing for the development of the hub, but there are new ideas which we are pursuing like the Petrol-Chemical Hub, Mauritius is seen as a storage hub for the region, to be able to provide along the sea routes, which are now going by

Mauritius and which are going to increase the importance tremendously over the next few decades, so that we can provide service to the ships going through on the sea route.

Mr Deputy Speaker, Sir, we have a beautiful airport under construction and that must be the hub for Mauritius. Mr Deputy Speaker, Sir, whatever we do; whether it is financial services, whether it is tourism, whether it is human farm manufacturing, whether it is for education, whether it is for medical hub, it will all depend on the connectivity of Mauritius to the rest of the world. If we can get properly connected to Asia and get properly connected to Africa, our problems, Mr Deputy Speaker, Sir, will be sorted out. We will be assured of a successful future. The biggest challenge for Mauritius, I think, in its ambition for the future will be to generate this connectivity between Mauritius and the rest of the world and that is extremely important.

So, the key, as you have seen, Mr Deputy Speaker, Sir, is Hub Mauritius. I am happy that unlike the duty-free concept that existed only in the mind of my predecessor, hon. Jugnauth, now Africa, Mauritius as a hub, this is on everybody's lips. You must have read this morning about the Stock Exchange, the internationalising, all the captains of industry were with us in London recently. Ernst and Young recently did an Africa attractiveness event, everybody - the private sector, Government - is looking in the right, the same direction. It is not like the duty-free, where it was only the Minister of Finance, at a time, talking about it and everybody else laughing. Here, Mr Deputy Speaker, Sir, everybody is concentrated on making Hub Mauritius become a reality.

Africa, Mr Deputy Speaker, Sir, will experience a growth of 6% to 7% over the next decade; seven of the best performing countries in the world, seven out of ten will be in Africa. 60% of the uncultivated land of the world is in Africa. We need to say that the growth that we have seen in Africa at the moment is not just a commodities growth. It will be a bit too easy for it to be just a commodities growth. Prices of raw materials, metals, precious metals are going up. Africa is booming and tomorrow they go down and Africa will go up. That is not the case.

Mr Deputy Speaker, Sir, good governance, you would be surprised that the effort of good governance that is happening around Africa and that is good economic governance, which is also important and, at the end, Mr Deputy Speaker, Sir, the rise of the middle class. All these points to sustain growth in Africa, which will be, as I mention, give a very good hand to Mauritius and provide us with so much opportunity for the future.

But, as I mentioned, time is of the essence, there are competitors around, and the BOI (Board of Investment) will set up before the end of this year an African Centre of Excellence to provide up-to-date, precise and expert knowledge on every country in Africa, and on every business centre in every country in Africa, Mr Deputy Speaker, Sir.

Some of the other challenges that we will have in the future will turn around our land use policy; how, in such a small country, we can make the best possible use of the land that is available. Once you use it, it's probably then too late. In fact, as my colleague, the hon. Minister of Housing and Lands is doing, to be able to obtain and push forward an appropriate land use policy, is crucial for the development of our country.

Major revamping of the utilities sector, as is happening, finding strategic partners, reforming the utilities, so that our economy become as efficient as possible. Also, Mr Deputy Speaker, Sir, the private sector needs to understand what equal opportunity is; needs to understand what is sharing; needs to understand what is *pas protez montagne*; needs to also understand that Government is not just there to support but there must be a two-way traffic. Equal opportunity is important in the private sector as it is in the public sector and, of course, as far as the civil service is concerned, with the PRB coming very soon, Mr Deputy Speaker, Sir, we do need to ensure a culture of performance at the civil service.

Mr Deputy Speaker, Sir, very quickly before I end, the Budget was passed some seven months or eight months ago, and it has had some good effects. I will come to that, obviously, at the proper time. As you know, we increased the taxes on alcohol and cigarettes substantially, and that has brought a drop in consumption of both alcohol and cigarettes, which I am sure will please the Minister of Health. Also pleasing, Mr Deputy Speaker, Sir, is one measure that was totally decried by the Opposition, that is, the special scheme we had to provide low cost financing to SMEs. That has proved to be a tremendous success. We are far above the planned involvement of banks. We had planned for Rs1 billion this year. Already, we are beyond the Rs700 m. So, we will be exceeding the previous ceiling we had of Rs1 billion for SMEs this year, at extremely low rates of interest.

Mr Deputy Speaker, Sir, I don't want to be too long. I think I tried to show some of the opportunities that would exist for us in the future. As I mentioned, time is crucial, we must seize the opportunities, the opportunities are now. I so welcome this Government Programme, and I so

welcome this National Strategic Commission, as well as the Economic and Social Transformation Programme.

Mr Deputy Speaker, Sir, we have the ambition to bring our per capita income from the present USD8,500 per capita to within 10 years to USD14,000 per capita. This will in itself transform every household in the country; this will transform our nation. This is the ambition of this Government for its people, and I will need to have the support of all to be able to bring this wonderful vision to fruition.

Thank you.

(5.54 p.m.)

Mr J. F. François (Third Member for Rodrigues): M. le président, Mesdames et Messieurs les honorables membres, d'abord je vous transmets les salutations fraternelles du peuple de Rodrigues, en particulier celles du nouveau Chef Commissaire, Serge Clair, et toute son équipe du gouvernement régional.

Je félicite les deux orateurs qui mon précédé, notamment le vice-premier ministre et ministre des Finances, l'honorable Xavier-Luc Duval, et l'honorable Dayal. J'ai l'occasion aujourd'hui de prendre la parole au nom du peuple de Rodrigues une deuxième fois au discours-programme gouvernemental de la deuxième session de la 5^{ème} Assemblée nationale.

M. le président, si notre République veut être exemplaire, sûre, solide et forte, cela nécessite un changement de comportement social et politique vers l'engagement d'un pacte moderne, d'un nouveau modèle de développement, de politique et de société. La république de Maurice est appelée à devenir une puissance de réussite économique et sociale pour être vraiment en position de *leadership*, en commençant par la région Afrique.

M. le président, l'heure est à la renaissance, à la réinvention; l'heure est à la prise de conscience et de choix; l'heure est au progrès, et non à des reculs; l'heure est à l'action et non que des mots, des promesses ou des mauvaises habitudes du passé. Nous nous trouvons aujourd'hui dans un monde qui traverse actuellement une période de turbulence et d'incertitude économique; cette turbulence mondiale qui soulève des défis réels pour nous ici, un petit Etat insulaire. A noter, ce qui nous rassemble et nous préoccupe tous aujourd'hui c'est le regard vers l'avenir ; l'espoir en l'avenir de chaque citoyen, et je cite comme mentionné dans le discours-programme de 2012-2015 -

‘La valeur philosophique qui guide l’action d’une politique progressive est de mettre l’humain au centre du développement dans toutes les îles de la république mauricienne.’

L’humain, l’homme qui doit être traité en priorité, pour qu’on puisse travailler ensemble vers un vrai exemple pour le monde.

M. le président, tout cela se traduit dans cette mouvance de promouvoir la valeur commune d’une nation responsable. A Rodrigues, nous valorisons pleinement ce processus à travers la démocratie participative, où le peuple nous a donné le pouvoir de diriger et même temps aussi donner la chance au peuple de participer dans les prises de décision.

M. le président, nous avons tous une destinée commune à travers un long chemin déjà tracé quand même par les différents gouvernements de la république. Cette destinée qu’aujourd’hui nous continuons à construire ensemble en partie, à travers ce programme gouvernemental 2012-2015, lu par Son Excellence, le président de la République par intérim, Madame Ohsan-Bellepeau, et je tiens à remercier Son Excellence pour son discours éloquent, ainsi que l’honorable membre, Madame Juggoo, *the mover of the motion*.

Les signaux de cette destinée sont visibles et palpables, mais avec des faiblesses d’ordre humain et institutionnel, que j’aborderai au cours de mon discours.

M. le président, les axes fondamentaux prévus dans le programme ‘*Moving the Nation Forward*’ se révèlent selon trois grands pôles pour répondre à l’aspiration minimale de notre peuple: la prospérité pour tous dans une interdépendance avec le peuple, la nation et la société; augmenter la collectivité, et la république durable. Tous sont relatifs à la politique économique, sociale et culturelle. Et comment ne pas citer cette grande vision à quoi tout le peuple de la république (Mauriciens, Rodriguais, Agaléens, Chagossiens) doit s’unir et maîtriser davantage, ‘Maurice Ile Durable’, que je simplifie en république durable.

M. le président, le gouvernement veut capitaliser sur les potentiels énormes du développement de notre océan bleu. Valorisons l’effort de l’accord de partenariat régional des Seychelles et Maurice pour cogérer notre zone économique exclusive de 2.3 kilomètres carrés. L’accord qui repose sur les nombreux enjeux concernant l’océan que partagent les deux nations ; des enjeux d’ordre climatique, sécuritaire, économique et territorial, et une gouvernance partagée dans un nouveau contexte mondial.

Il y a des possibilités d'exploitation des richesses à travers la pêche mais aussi l'espoir de trouver d'autres ressources en *offshore* ou nous pouvons demain créer une nouvelle forme de développement de l'*offshore*.

Comme prévu avec la vision de l'exploitation de l'énergie renouvelable, notre océan représente un potentiel immense qu'il faut exploiter à tout prix. Dans cette direction, Rodrigues veut s'engager dans l'installation des éoliennes *offshore* pour la production de l'énergie propre en partenariat avec le *Mauritius Research Council* qui travaille sur ce projet.

Notons aussi l'enjeu de l'espace géopolitique de notre océan avec Rodrigues, le Tromelin, Agalega et Chagos constituant autant d'espace de souveraineté de la République impliquant donc des responsabilités considérables vis-à-vis des citoyens et d'autres nations.

Je souhaite qu'un document Stratégique National pour la mer et notre océan soit élaboré au plus vite pour que ce concept de l'Océan Bleu soit maîtrisé et épousé par tous les citoyens de la République.

M. le président, nous sommes tous conscients qu'aucune prospérité économique durable n'est possible sans un environnement sain.

Je suis moi-même un amoureux de l'écologie, et je suis ravi de voir que le gouvernement est déterminé à faire de l'environnement un axe majeur des préoccupations du développement socio-économique.

Mr Deputy Speaker, Sir, I do fully ascribe to the Minister of Environment and Sustainable Development, hon. Virahsawmy, in his announcement for the development of policy papers based on five Es: Energy, Environment, Education, Employment and Equity.

I join him also in valuing the grassroots level sensitisation campaign for school children, by the setting up of the School Endemic Garden Project. This is what has been started in schools in Rodrigues by the Chief Commissioner, hon. Serge Clair, to make environmental issues a culture.

Note that Rodrigues is preparing to come up with regulations to ban the importation of plastic bags and that goes perfectly in line with the Zero Plastic Strategy as set also by the Ministry of Environment and Sustainable Development.

Mr Deputy Speaker, Sir, the *Republique Durable* project will create nine ecological villages inclusive of two in Rodrigues, namely at Port Sud Est and Rivière Coco. Port Sud Est is a very strategic place which fits the Southern East Marine Protected Area - the biggest in the

Republic - which is well underway with positive results and response from fishers and the community at large.

Allow me to point out a very farsighted decision also, the temporary closure of octopus fishing for two months from 13 August this year to 12 October by the Commissioner for Fisheries.

He deserves our heartfelt congratulations for his courage despite orchestrated resistance from a handful of fishers being politically motivated by short-minded politicians.

Mr Deputy Speaker, Sir, being a responsible Government, regional and national, means taking responsible decisions on behalf of the people, and it's not a question of losing, of winning votes, being popular or unpopular, or taking popular or unpopular measures as said by certain politicians. It is a question of sustainability while protecting the present resources for the future generation.

What a respectful decision in Rodrigues from Net fishers regrouping in cooperative to relinquish their in-lagoons fishing cards, for off-lagoon fishing to allow the development of marine protected areas. They themselves are part of the management team overseeing the management and enforcement issues of the site. Extraordinary, Mr Deputy Speaker, Sir!

Et là, M. le président, sur le plan national, le gouvernement doit envisager le secteur de la pêche dans une politique intégrée de notre développement à travers un bon *leadership* et vision, tout en tenant compte de nos spécificités nationales dans ce domaine et de la concurrence internationale. Ils y en ont beaucoup : Seychelles, Madagascar et les autres.

La communauté des pêcheurs attend une politique qui vise à restructurer le secteur et assurer une exploitation rationnelle et durable de nos ressources marines dans le cadre d'une gouvernance dynamique et responsable.

Qu'en est-il du projet de vente des poissons par internet?

M. le président, un projet qui donnera une nouvelle dimension de la modernité pour Maurice dans la République Durable, c'est la réalisation d'une ville moderne annoncée. Ce sera un projet futuriste à être réalisé dans un cadre d'un urbanisme concerté.

Dans cette même foulée, à Rodrigues nous pensons vers une planification hors de l'ordinaire mais qui cadre avec la vision écologique et durable de l'île.

M. le président, laissez-moi parler maintenant un petit peu sur la police. La sécurité de la population est une priorité pour la police dans sa nouvelle vision de service, le *Community Policing*.

Il y a des progrès, les critiques sont là et nombreuses, et combien de questions, de réponses parlementaires ici même dans cette Assemblée par rapport à la police.

Les recrutements continus, mais je constate quand même des frustrations diverses dans ce service. Certains attendent des promotions.

Mais, M. le président, je vais considérer quelques situations préoccupantes à Rodrigues : la construction des deux nouveaux postes de police à Grande Montagne et Petit Gabriel restent une priorité pour le confort de nos policiers.

Le combat contre la prolifération des stupéfiants à Rodrigues méritent une attention.

M. le président, la police doit inspirer confiance. Imaginez-vous que le *CID* et l'*ADSU* ont fait une perquisition chez un officier de police qui est membre de l'équipe de l'*ADSU*, quelques semaines de cela et ceci sans résultat. Quelle image envoie-t-on à la population ? Est-ce du professionnalisme ou de l'amateurisme en exécutant des actions sur ce sujet aussi sensible, les répercussions et traumatismes d'ordre social, psychologique et professionnel. La police n'a pas droit à l'amateurisme, M. le président. Je parle de ce qui s'est passé à Rodrigues.

J'ai l'impression qu'il y a quelque chose qui ne va pas dans la coordination du mauvais fonctionnement du *CID*, en contradiction avec l'*ADSU* qui fait un bon travail dans le combat contre les stupéfiants à Rodrigues ces derniers temps. On parle même de sabotage et des pièges. Où allons nous, M. le président ? Je fais un appel au Premier ministre et au Commissaire de Police de s'enquêter sur ce cas précis et le fonctionnement du *CID* à Rodrigues.

Je note quand même cependant avec joie que Rodrigues aura son *Police Band* pour bientôt.

M. le président, dans cette vision de faire de Maurice une Ile intelligente, l'éducation, la formation, l'enseignement supérieur trouvent une place privilégié avec l'effort considérable pour augmenter nos ressources humaines et le nombre de gradués dans le pays.

Par contre notre système d'éducation qui, à mon sens, est inadapté, mérite d'être réinventé.

L'éducation est gratuite dans le pays. C'est bien. La décision de rendre l'accès au pré-primaire gratuit est fort louable - ce que nous faisons à Rodrigues, M. le président.

Le *National Graduate Internship Scheme* est, à mon avis, très important pour nos jeunes universitaires d'avoir la possibilité d'internat dans des institutions et nous en avons besoin de ça.

La santé, M. le président, je rejoins l'honorable Ministre Bundhoo - il n'est pas là - dans sa détermination pour un Plan d'Action pour combattre le cancer et le SIDA à Maurice aussi bien qu'à Rodrigues.

Nous perdons trop de nos sœurs et frères atteignant du cancer chaque année. Les racines de ce mal restent à déterminer et l'installation de ce *National Cancer Centre* est primordiale et urgente.

De plus, l'Assistance à des patients Inopérables à Maurice pour des soins à l'étranger est passée de R 200,000 à R 500,000. C'est un immense soulagement pour ceux en difficulté même s'il y a certaines procédures et conditions qui restent à voir.

M. le président, qu'en est-il, et quand est-ce que vraiment nous aurons une réforme constitutionnelle?

M. le président, j'ai hâte de voir l'introduction des provisions pour des Referendums et la création d'autres espaces des débats démocratiques sur des sujets précis pour montrer la maturité de notre peuple. Et là, il y a quelques semaines de cela, l'honorable Mme Deerpalsing a soulevé la question sur l'introduction du mot 'séculier' au sein de notre Constitution à travers une question parlementaire, alors que cela aurait dû être un sujet de débat élargi.

M. le président, accès à la justice prend une nouvelle dimension, avec l'amendement au *Legal Aid Act*, le *Court and Bail Act*, nos juristes sont mieux formés. Très bien ! Mais je suis persuadé qu'il faut sérieusement penser sur la réglementation des coûts de la justice. Il y a trop d'abus de la part de certains par rapport à l'accès à la justice.

M. le président, le gouvernement a la tâche d'initier des réformes en matière de bonne gouvernance, de la gestion adéquate des divers pouvoirs, de l'administration publique et des structures locales et régionales, en plus de l'éducation de la vie publique, en particulier la lutte contre la corruption institutionnalisée dans les rouages de l'État et les institutions en charge de la gestion des affaires publiques.

La formation continue de nos fonctionnaires est une priorité pour changer les *mindsets* de certains trempés dans des magouilles et la politique partisane. Certains même permettent de s'engager à une pratique de boycottage, une mouvance de *go-slow* alors que l'heure devait être d'aller vers une nouvelle culture entrepreneuriale dans le service public.

Dans le cas de Rodrigues, l'actuel Chef Commissaire, après un audit de la situation financière et constat de la mauvaise gouvernance du gouvernement régional sortant, a demandé au Premier ministre d'envoyer une mission de *Office of Public Sector Good Governance* dans l'île pour aider à établir un bilan de la situation qu'a héritée son gouvernement. Et pour continuer, M. le président, notre présence et contribution dans des grands rendez-vous internationaux sont importantes pour tisser les relations et partenariats comme à mentionné l'honorable Dr. Boolell dans son discours au grand horizon.

En passant, je tiens à féliciter aussi M. Jean Claude de l'Estrac, un compatriote, pour sa nomination comme nouveau secrétaire de la COI, qui vise à donner une nouvelle dimension d'intégration et d'ouverture. Il faut le féliciter, M. le président.

M. le président, l'agriculture est le seul secteur qui produit de l'alimentation. J'ai soulevé pas mal sur la situation concernant le fonds de sécurité alimentaire qui doit être révisé pour une utilisation judicieuse de ces fonds. A Rodrigues, le gouvernement régional a décidé de réorienter vers la production et non que faire pousser des clôtures dispensées sur des bases politiques et partisans et qui n'est qu'une mesure panadol. On a perdu trop de temps et de ressources dans ce secteur à cause des gros requins, M. le président. Il y en a trop à Rodrigues.

Regarding ICT, Mr Deputy Speaker, Sir, Government's goal to make the Republic a centre of excellence in information, communication, technologies, financial services – as well said by the hon. vice-Prime Minister and Minister of Finance - high valued added industry, international education services, health services, among others, are in line with the diversification of our economy in this very challenging globalisation process.

With a view to achieving universal intranet access and bringing wireless broadband internet closer to the community, Government's acceleration of the WIFI Mauritius Programme for the provision of free internet access across Mauritius and Rodrigues in zones already specified is extremely positive. And I also understand that tenders for expression of interest for consultancy services are well underway for the submarine fibre optic cable connection for Rodrigues which is imperative to remedy the slow and painful actual broadband satellite connection.

M. le président, la jeunesse de la République est appelée à être des jeunes modernes, ouverts et capables. Et là, il y a aussi nos sportifs qui font la fierté de la nation et je leur félicite, ceux qui ont participé au 8^{ème} Jeux de la CJSOI au Comores, en particulier, Brice Pierre-Louis

qui a décroché 2 médailles d'or et je félicite l'honorable ministre Ritoo et son collègue Ismaël Valimamode, Commissaire du Sports de Rodrigues. Mais la pratique du sport doit dépasser le niveau d'élite, pour faire du sport une culture de la nation, M. le président. Dans cette optique, je sollicite le soutien du ministère des sports de soutenir Rodrigues dans la possibilité de l'organisation prochaine des Jeux des Femmes de l'Océan Indien, jamais tenus dans la République ou dans l'Océan Indien. Un jeu de masse pour booster la participation des femmes dans le sport après la reconstruction du stade de Camp du Roi.

M. le président, l'harmonisation de *La National Empowerment Foundation* et le *Trust Fund*, comme mentionné par l'honorable ministre Dayal, est dans la bonne direction, surtout avec le *Social Register* qui permette d'aider une personne ou une famille vulnérable sur la base de la méritocratie d'avoir accès à des facilités d'aides. Mais le taux de la pauvreté est trop élevé à Maurice aussi bien qu'à Rodrigues.

La réorganisation de l'institution à Rodrigues pour faciliter davantage les projets d'intégration sociale et de combattre l'assistanat, doit impérativement se ressaisir depuis le départ de Mons. Claude Wong So, M. le président, et je constate pas mal de retard dans ce secteur.

M. le président, le *Business Development Scheme* et l'*Action Plan* pour la coopérative de l'honorable ministre Seetaram, certainement, dynamisera un nouveau modèle de développement pour nos entrepreneurs. L'honorable ministre veut aussi l'appliquer à Rodrigues suite à sa rencontre cordiale avec le Chef Commissaire. Ils organiseront ensemble des activités pour des bailleurs pour les PME et les coopératives, à Rodrigues, bientôt, je crois en début du mois d'août.

A Rodrigues, nous sommes conscients de rôle pivot que peut être l'entrepreneuriat pour la création d'emplois et de richesses dans la population. Dans cette optique, la Commission responsable du dossier a initié les actions nécessaires pour l'élaboration d'un plan stratégique nécessaire pour un développement du secteur.

Voyageons un peu, M. le président ! Allons vers Agalega ! Agalega par contre, M. le président, a un sérieux problème - et c'est très sérieux. Les mamans d'Agaléga ne donnent plus naissance à leurs enfants sur la terre natale.

C'est très sensible ce que je dis là, M. le président. Je fais un appel à tout le monde, au gouvernement central de doter Agalega d'une maternité équipée pour que le peuplement naturel continue et aussi de faire provision de médecins et d'infirmiers additionnels pour l'île.

M. le président, je vais tourner maintenant spécifiquement sur Rodrigues. Il y a cinq mois de cela, le peuple de Rodrigues a fait un choix de rupture avec le passé par une victoire historique de l'OPR sous le *leadership* de Serge Claire pour libérer Rodrigues.

Rodrigues vit la rupture quand l'OPR a renversé la vapeur d'une situation catastrophique sans précédent de la souffrance du peuple de Rodrigues depuis 2006 par un parti politique sans direction à *leadership*, pratiquant ainsi, la mauvaise gouvernance. Il faut que je vous dise cela. Une politique d'abus de pouvoir pour enrichir, de démantèlement et de non-respect de la fonction publique - et je vais élaborer sur ça - par une politique de répression, d'exploitation de l'ignorance des pauvres, la corruption, de terreur, de frayeur, d'intimidation et d'harcèlement.

L'élection régionale à Rodrigues a donné - j'étais témoin - une victoire couronnée d'une overdose du modèle de la proportionnelle à Rodrigues. Il faut le souligner.

M. le président, permettez-moi de partager avec la Chambre le grand retour de l'OPR à Rodrigues dans la fraternité, la solidarité, la justice sociale pour rétablir la confiance, consolider et réussir l'autonomie. Pourquoi, M. le président ? L'autre parti qui était au pouvoir, s'est détourné de la vision et des grands principes de l'autonomie de Rodrigues. C'est dommage, les retards qu'a pris Rodrigues avec l'échec de l'indépendance économique, l'avion du décollage économique est resté cloué au sol, « *ine tasse dans filet* », comme on dit à Rodrigues.

M. le président, j'avais ici même souhaité le retour de l'OPR à la direction des affaires de Rodrigues pour redresser et refaire l'image de Rodrigues. C'est fait, M. le président, dans le silence sans des millions, sans des mensonges, sans des intimidations, sans des violences, sans des aides venant de Maurice, mais dans la vérité et dans le respect à travers un engagement patriotique du peuple de Rodrigues.

Je souhaite prendre cette opportunité pour remercier sincèrement le peuple de Rodrigues qui a exercé leur droit de vote et qui a accordé leur confiance à l'OPR afin de lui confier la responsabilité de gérer les affaires de Rodrigues et redresser le pays.

M. le président, Rodrigues est actuellement en bonne main, par une équipe des politiciens solides et soudés qui se sont engagés pour servir le pays et non à gagner des avantages personnels en oubliant l'intérêt public contrairement à l'équipe sortant et les mensonges qui ont

été dits dans les médias tout récemment par un politicien irresponsable et d'une malhonnêteté incomparable – je sais il n'est pas là.

M. le président, une chose est certaine, la situation reste difficile sur le plan économique et sociale à Rodrigues en ce moment. Il faut l'admettre que Rodrigues traverse une zone de turbulence, l'héritage du précédent gouvernement.

Rodrigues a besoin de sortir de son état d'urgence économique pour aller vers l'émergence d'une Rodrigues nouvelle. Rodrigues mérite une accélération vers l'aboutissement des grands chantiers du décollage économique par des projets de développement novateurs, mais surtout créateurs de richesse et d'emploi.

Les priorités sont nombreuses, mais les priorités des priorités sont l'eau, l'éducation, le tourisme, l'agriculture et la sécurité alimentaire, la formation et la télécommunication. La liste est longue.

Le gouvernement régional, M. le président, il est bon de partager avec la Chambre, propose des nouvelles cultures dans la population, une culture de professionnalisme, une culture de travail, une culture d'entrepreneuriat et une culture de développement.

Par contre, le rapport de l'audit ne fait pas honneur encore une fois à Rodrigues après le passage du MR au pouvoir. J'ai mentionné le mot de l'audit, permettez-moi M. le président, *there is over commitment of funds*, les gaspillages et l'irresponsabilité de l'ex-gouvernement régional MR que j'avais soulevé ici depuis 2010.

Il est bon de signaler, permettez-moi, M. le président, que déjà 112 millions des roupies sont *over committed* dans le budget de 2012. Imaginez-vous, M. le président, c'est de l'irresponsabilité fiscale, dont un honorable membre de Rodrigues trouve que l'OPR se cache derrière le rapport de l'audit et je reviendrai sur cette mauvaise gestion.

M. le président, même le secrétaire financier, un professionnel, a été égratigné en public par un honorable membre, et est accusé de pratiquer la politique d'austérité de la Banque Mondiale pour ses recommandations de *winding up* des compagnies privées de l'Assemblée régionale. Les compagnies non transparentes ne respectant pas les principes de la *Finance and Audit Act* et les règlements en vigueur, c'est déraisonnable, M. le président.

Il parle même en public de perte d'emplois de 500 personnes depuis que l'OPR est au pouvoir à Rodrigues. C'est faux ! Les trois compagnies fermées, M. le président, sans provisions budgétaires pour l'année financière 2012, totalisent seulement 80 travailleurs. Les compagnies

auraient dû fermer leur porte depuis décembre 2011, mais ils n'avaient pas le courage de le faire par peur de perdre les élections régionales, et ils ont perdu. Sur une base humanitaire, le conseil exécutif de Rodrigues a fait des réallocations pendant six mois pour payer les travailleurs, en déshabillant St Pierre pour habiller St Paul, comme on dit, et cela cause davantage de suffocation financière qui ne pouvait s'éterniser.

M. le président, actuellement, il est bon de noter que le conseil exécutif à Rodrigues a donné son approbation pour recruter 100 *general workers* dans la fonction publique après des discussions cordiales avec le ministère des Finances, malgré la situation financière difficile. Nous en sommes très reconnaissants. A noter que les travailleurs licenciés aussi auront leur chance égale d'être embauchés.

L'équipe de l'OPR assume pleinement ses responsabilités, contrairement à l'annonce d'enfantillage politique d'un honorable membre et là je dois citer Coluche qui disait ceci -

« Si tu n'as rien à dire de concret et sérieux, fermes ta bouche ! »

L'action du gouvernement régionale de l'OPR reposera avant tout sur les principes de la bonne gouvernance et c'est ça la valeur de ce gouvernement, c'est ça la valeur de l'OPR, c'est ça l'engagement de l'OPR envers le peuple de Rodrigues et à travers ses responsabilités dans la nation mauricienne, M. le président.

Ainsi dit, je déplore l'attitude de cet honorable membre qui n'a rien à faire avec Rodrigues. Comment est-ce qu'un *PPS*, membre du gouvernement, qui est nommé par le Premier ministre, attaque en public le directeur de l'audit, le secrétaire financier et vient faire de la démagogie contre Rodrigues qui est sous la responsabilité du Premier ministre lui-même?

C'est pourquoi il a dit ne pas comprendre la décision de son *leader* de démissionner en tant que ministre de Rodrigues dans 'Le Matinal' du samedi 11 février 2012. Il y a quelque chose qui va mal, M. le président. Eclairez-moi si vous pouvez, M. le président ! Eclairez-moi !

M. le président, permettez-moi de rappeler à la Chambre une phrase de Son Excellence, *the Acting President of the Republic of Mauritius, and I quote -*

« Government will strengthen its partnership with the Regional Assembly to promote the sustainable development of Rodrigues to allow the decentralised system to grow its full potential and maturity ».

Extraordinary! This is well said. This is the essence of the good relationship. This is the essence of what is being established between Rodrigues, the Executive Council and Government, especially with the Prime Minister.

M. le président, est-ce qu'on a compris cela, en venant faire de la démagogie politique et salir les relations entre Rodrigues et Maurice en tant que membre du gouvernement central ? Est-ce que c'est son rôle d'agir de la sorte?

M. le président, Rodrigues compte sur la compréhension du Premier ministre, le vice-Premier ministre, le ministre des Finances, le secrétaire financier, dans le déploiement des plans de sauvetage car nous sommes dans l'urgence économique, comme j'ai dit précédemment.

D'ailleurs, le Premier ministre lui-même l'a exprimé, qu'il faut aider Rodrigues. C'est ce que son excellence la présidente de la République par intérim est venue renforcer dans le discours programme 2012-2015 le 16 avril ici même, M. le président.

Déjà Rodrigues, il faut le souligner, a bénéficié le support inconditionnel du bureau de Premier ministre pour la tenue de sa première rencontre de *United Nation Country Team Meeting* et la mise en place d'un comité élargi au bureau du Premier ministre pour les dossiers de Rodrigues.

Nous sommes reconnaissants, M. le président. Merci pour les institutions comme ICTA, HRDC, MITD, MID, SMEDA, la MBC entre autres, qui, avec l'autonomie, s'adaptent aux besoins du peuple de Rodrigues. Ça, c'est formidable M. le président !

Ceci dit, je note aussi positivement les visites des différents ministres comme l'honorable Choonee, l'honorable Hervé Aimée, l'honorable Dr. Kasenally pour leurs missions fructueuses à Rodrigues en partenariat avec le gouvernement régional.

Je peux aussi confirmer que le Premier ministre, le Dr. Navin Ramgoolam, et le Chef Commissaire Serge Clair se sont rencontrés plus de trois fois. Cette nouvelle ère de confiance de diplomatie politique entre les deux îles est dans le strict respect de l'autonomie de Rodrigues. Rodrigues fêtera ses 10 ans de l'autonomie le 12 octobre prochain.

Nous savons tous ici, M. le président, qu'est-ce que la richesse de l'autonomie de Rodrigues et la reconnaissance symbolique requise pour faire réussir cette autonomie au sein de la République de Maurice.

Dans le discours programme 2012-2015, il est dit, je cite –

“Government reaffirms its continued support to the development of Rodrigues as an integral part of the Republic of Mauritius while giving due consideration to the specificities of the island.”

M. le président, j’ai en ce moment le sentiment que tout le meilleur est devant nous; que le meilleur reste à venir. C’est là aussi que je renforce cette nouvelle orientation de Rodrigues de faire de Rodrigues une industrie de la connaissance. La richesse de Rodrigues se trouve dans ses ressources humaines. L’éducation, je réitère, la formation sont fondamentales de la création d’une industrie de la connaissance à Rodrigues. C’est cela la nouvelle orientation aujourd’hui, M. le président. Nous sommes tous d’accord que notre système d’éducation, comme je l’ai dit auparavant, est appelé à se réinventer. De ce fait, nous attendons l’*Education Act (Amendment) Bill* pour proposer des amendements spécifiques par rapport à Rodrigues dans la République Mauricienne. M. le président, permettez-moi aussi d’annoncer l’école communautaire de Mont Charlot, que j’ai mentionnée ici auparavant, abandonnée depuis 2006 et finalement opérationnelle par le gouvernement régional OPR en avril dernier. Abandonnée six ans, M. le président, l’école en janvier 2012 a battu un record national pour avoir refermé ses portes le lendemain de son inauguration dans un état de chantier en marge de l’échéance électorale en février dernier pour gagner des votes mais le peuple était plus intelligent.

M. le président, pour terminer brièvement la sécurisation, gestion, production et distribution d’eau sont essentielles pour résoudre les problèmes de développement de Rodrigues, la réduction de la pauvreté et trouver une certaine résilience au changement climatique. Les appuis techniques et financiers sont nécessaires pour des investissements massifs dans l’infrastructure de stockage, production dont le dessalement avec le projet Mourouk abandonné encore depuis 2006 et la réalisation des grands barrages notamment à Anse Baleine ou Pavé La Bonté. Rodrigues compte énormément sur les bailleurs de fond avec l’accord du ministère des finances comme l’agence française du développement ; la banque africaine de développement, l’union européenne, les nations unies pour habitat pour développer ce secteur. A noter que la production d’eau n’est que de six milles mètres cubes par jour en ce moment M. le président, alors que le besoin actuel est de dix milles mètres cubes. L’objectif du gouvernement régional de Rodrigues et nous aussi parlementaires responsables de Rodrigues c’est d’approvisionner continuellement l’eau pour au moins douze mille familles d’ici 2017. Là, je fais

un appel au ministère des finances. Dans ce contexte, l'approvisionnement en eau potable et l'assainissement, la tarification sont primordiaux pour assurer la collecte durable des coûts.

Mr Deputy Speaker, Sir, Government fit thought to boost the tourism sector furthermore for more attractiveness visibility and accessibility. It is laudable, but requires to take on board the integration of the other islands through the MTPA tourism strategy. The airport development in Rodrigues and air access remain a priority also for the tourism sector development in Rodrigues. The feasibility study of the airport of Rodrigues has adressed four options where, in due course, a decision needs to be taken after or when funds will be secured for same to be part or to be at par with the same standard as the new airport of Sir Seewoosagur Ramgoolam at Plaisance.

M. le président, l'essentiel du développement du port réside dans un Master Plan déjà préparé mais il ne faut pas se confondre avec l'obsession d'un politicien qui maquille ses ambitions pour casser une montagne de corail sous la mer devant le port de Port Mathurin dit Grand Pâté, en face, en guise de sécurité pour la navigation. Non. Il faut mettre en application ce Master Plan du développement du port de Port Mathurin. Je sollicite la collaboration du gouvernement central, du gouvernement régional et de la MTPA de travailler sur la possibilité du dragage de Port Mathurin dans la même foulée du projet de modernisation et de développement du port de Maurice. Je crois que c'est en 2012-2014 avec les dragueurs qui sortent de l'Europe et arrivent à Maurice et d'étendre ces mêmes facilités vers Rodrigues dans la même foulée. L'énergie – il y a là en ce moment l'installation de deux megawatts à Pointe Meunier qui termine d'ici fin novembre, qui sécurise Rodrigues pour les cinq ans à venir en réserve de production de l'énergie. D'ailleurs, le complément de l'énergie renouvelable avec les parcs éoliens de Trèfles et Grenade place Rodrigues en avant sur Maurice comme l'a si bien dit l'honorable Assirvaden dans son discours. C'est une réalité, il l'a bien dit et c'est vrai. Nous allons pousser plus loin.

M. le président, dans mes précédents discours, j'avais attiré l'attention sur la braderie des terres de l'État à Rodrigues. J'avais demandé au ministre des terres et du logement de voir la possibilité d'étendre le projet LAVIMS vers Rodrigues même si Rodrigues était supposé être en avance avec son cadastre. M. le président, je suis ravi de voir que le gouvernement central étendra le grand projet LAVIMS pour une gestion optimale des terres à Rodrigues. L'honorable docteur Kasenally, ministre des terres et du logement, accompagné d'une équipe technique était en mission à Rodrigues du 06 au 07 juin dernier pour constater le désordre, la dilapidation de notre richesse pendant les cinq dernières années et aussi définir un plan de travail dans la gestion

des terres de l'État. Nous sommes très reconnaissants que l'honorable ministre, le docteur Kasenally ait réagi et agi rapidement. C'est cela que la population attend de nous parlementaires, ministres, PPS et tout; d'agir en conséquence et avec rapidité.

M. le président, par contre je suis écœuré de lire le rapport de l'audit qui a sévèrement critiqué la gestion de ce cadastre initié par l'OPR, initialement prévu à R27.7 millions de roupies; que le gouvernement régional sortant a piétiné passant à un investissement de R37 millions du fonds public payé à un *joint venture* pour un travail mal supervisé et non complété. Sur qui repose cette irresponsabilité? Je demande l'ouverture d'une enquête approfondie sur ce projet cadastre de Rodrigues et celui qui a fauté doit subir les conséquences qui s'ensuivront car c'est un projet qui mérite le respect et c'est de l'argent public M. le président. On ne peut perdre de temps pour attendre quand le *Public Accounts Committee* ira à Rodrigues pour faire de la lumière sur ce dossier. Il faut qu'il y ait une enquête approfondie sur ce dossier M. le président.

Rodrigues, M. le président, a besoin des infrastructures stratégiques à l'horizon de 2030 avec de grands chantiers dans le domaine de la télécommunication, l'eau, l'électricité, la route, l'éducation. La réflexion politique pour de grands chantiers pour Rodrigues par le gouvernement régional OPR en collaboration avec le gouvernement central se situe dans la vision de la promotion de l'emploi, de la création d'avantages d'opportunités d'embauche et de la garantie d'un véritable décollage économique. Le gouvernement central doit exécuter en collaboration avec le gouvernement régional un plan chantier pour Rodrigues. Comme d'autres Rodriguais je suis dans l'impatience d'entendre le ministre des finances expliquer son plan d'action pour Rodrigues avec les ressources financières nécessaires et là j'appuie sur l'essentiel de créer un *Infrastructural Stimulus Fund* for Rodrigues dans le prochain budget 2013 pour qu'on puisse réaliser les projets mentionnés.

M. le président, je termine ici en réitérant la responsabilité de l'OPR au peuple de Rodrigues pour instaurer une nouvelle culture: la culture du travail, de l'effort, de la solidarité, de discipline, de cohérence, de productivité d'améliorer avec un nouveau savoir-faire de formation et d'ouverture dans un climat de confiance et dans la bonne gouvernance.

Nous voulons retrouver ce sens du politique comme projet pour tout le monde, et faire un choix pour notre société pour le bonheur du peuple de Rodrigues dans la République mauricienne, *while contributing in moving the nation forward, as set for 2012-2015 and beyond. We will be part of this.*

I thank you, Mr Deputy Speaker, Sir.

At this stage, Mr Speaker took the Chair.

(6.45 p.m.)

The Minister of Youth and Sports (Mr S. Ritoo): Mr Speaker, Sir, allow me, first of all, to extend my sincere congratulations to Mrs Monique Ohsan-Bellepeau, Acting President, for having been the first lady to have acceded to such high position and for having presented a Government Programme in this august Assembly. I would also seize this opportunity to once again congratulate hon. Peetumber on his appointment as Deputy Speaker. Of course, congratulations also to Mrs Kalyanee Juggoo, PPS, for having presented the motion in favour of the Government Programme 2012-2015.

M. le président, avant d'axer mon intervention en profondeur sur le programme gouvernemental 2012-2015, laissez-moi, avec votre permission, annoncer deux bonnes nouvelles à la Chambre, puisque je viens directement de l'aéroport. J'étais présent aux Comores en tant que responsable de la délégation mauricienne qui avait participé dans la Commission de la Jeunesse et des Sports de l'Océan Indien, c'est-à-dire les jeux des Iles des jeunes, de moins de 17 ans, où il y avait la participation de Maurice, Madagascar, Réunion, Comores, Seychelles, Mayotte et Djibouti. L'île Maurice, pendant cette 27^{ème} session ministérielle qui a eu lieu aux Comores, a eu la présidence de la Commission de la Jeunesse et des Sports de l'Océan Indien.

(Interruptions)

A l'unanimité, Maurice a été élue. Donc cela a rejailli sur toute la communauté sportive de l'île Maurice. Et en même temps, la cerise sur le gâteau, M. le président, c'est que l'île Maurice s'est classée première parmi les sept pays au niveau des médailles. L'île Maurice a gagné cinq médailles d'or et trois d'argent. Encore une fois, cela prouve que le sport au niveau des jeunes porte ces fruits. Donc, tout l'investissement massif que le gouvernement fait, on est en train de récolter aujourd'hui des médailles. Malheureusement, l'opposition qui a l'habitude de dire 'médailles ferraille', les ferrailleurs ne sont pas là, M. le président. Mais, en tout les cas, nous, ici, ce sont des *golden boys, Mauritian magician and whatever we call it*. Ici, de ce côté de la Chambre 'c'est résultat lors résultat', comme l'a dit l'honorable Xavier-Luc Duval.

(Interruptions)

Nos deux amis sont là. C'est pour surtout applaudir les sportifs. Donc, toute la communauté sportive se sent fière aujourd'hui.

Mr Speaker, Sir, it is good at times to remind ourselves that when the Labour Party/PMSD Government took over in 2005, Mauritius was declared to be on *état d'urgence économique*. The country was on the brink of precipice with all indicators in red.

- Foreign Direct Investment was at its lowest;
- government debt at its highest;
- unemployment rate at its highest ever, with total job losses of 57,000 between 2000-2005;
- welfare state was threatened.

Enduring the nightmarish experience of 2000-2005, *le peuple admirable* had opted *pour le changement en 2005*. Understandably, *le peuple admirable* had placed its confidence and expectation in the Government, under the leadership of Dr. Navin Ramgoolam, in two successive general elections in 2005 and 2010. There could not be a better choice than that of Dr. Navin Ramgoolam at the helm of this country. Under his able and enlightened leadership, we are set to transform Mauritius into a model in this part of the world.

It is because *le peuple admirable* has realised that the vision of Dr. Navin Ramgoolam *est dans l'intérêt de toute l'île Maurice et non d'un clan familial d'un tout petit parti ou encore d'un parti, avec un Leader 'consistently unstable' and infamously known as 'l'alliance soudée pour dessouder'*.

Dans ce gouvernement nous avons l'intérêt de toute l'île Maurice et non pour venir sauver un fils de ses tracasseries légales ou pour des groupuscules cousin/cousine.

Mr Speaker, Sir, despite unfavourable international economic situations, thanks to measures initiated by this Government since 2005, the country has witnessed -

- economic growth increase as compared to other countries;
- rise in investment, including unprecedented increase in Foreign Direct Invest;
- a decline in government debt;
- a control over unemployment;
- an increase by 50% of the average income per head in purchasing power parity terms.

Mr Speaker, Sir, I still recall that, through the various measures announced in the Government Programme 2012-2015, this Government has pledged again to continue with more vigour its sustainable development strategies, encompassing poverty alleviation, employment creation, and improving the living condition of our people.

The various measures announced in the Government Programme, and the successive Budgets since 2005 bear testimony of this Government's commitment to put people, especially the youth, the poor and the underprivileged at the centre of development.

Mr Speaker, Sir, it is a fact, we have to be honest. It is thanks to the bold and timely measures that we have taken as a responsible and caring Government that we have been able to mitigate the negative impact of both the international financial crisis and the Euro zone crisis on our economy. It is against such background that this Government has come up with its Government Programme 2012-2015.

With the Government Programme 2012-2015, which has been unanimously voted by all the parliamentarians who were present, this Government has emerged stronger, with regained vigour, and confirmed as a very stable one that means business.

A programme that aims at moving the nation forward, which focuses on key areas related to prosperity for all, enhanced connectivity, empowering people, cohesive society, strong nation and sustainability.

The measures announced will further strengthen the social fabric of our nation, and will go a long way towards addressing the real issues of development, and the preoccupation of all sectors of the population.

This programme will also create the necessary synergy while instilling coherence and conveyance in various initiatives taken by all stakeholders, which will, no doubt, help in sustaining the socioeconomic growth while achieving a higher quality of life for all our citizens in a better environment.

Mr Speaker, Sir, Sir Seewoosagur Ramgoolam, the Father of the nation, had a clear vision to mould the country into a modern one. He knew that the youth bears enormous potentials, in which lays the future of the country. That is why 43 years ago he created the Ministry of Youth and Sports to empower our youngsters, so that they can contribute actively in the development process of our society. The Ministry has been very successful in taking the torch ahead for a much better future. The youths are the main actors in the strategic plan of Government.

M. le président, avant de parler du plan d'action du ministère de la Jeunesse et des Sports pour les trois prochaines années, permettez-moi de remercier, au nom de la communauté sportive

mauricienne et au nom des jeunes, le Premier ministre, le Dr. Navin Ramgoolam, qui a toujours eu une oreille plus qu'attentive, et qui nous a toujours apporté un soutien indéfectible.

Ainsi, c'est sous sa direction et à travers les nombreuses décisions et actions entreprises depuis 2005, que le sport mauricien a su reprendre un second souffle si crucial.

Et au vu des résultats enregistrés ces dernières années, nous pouvons dire que nous sommes sur la bonne voie. Jugez-en vous-mêmes.

C'est sous ce présent gouvernement que les Mauriciens ont vu le quadricolore flotter haut dans la plus haute compétition sportive au monde des jeux olympiques. Une médaille de bronze historique qui porte la signature de Bruno Julie. Maurice a pris la sixième place sur 42 pays en lice lors des derniers jeux de la francophonie au Liban. C'est la première fois que Maurice réalise une telle performance avec trois médailles d'or, trois d'argent et deux de bronze. Durant cette même année, les athlètes Mauriciens avaient remporté 70 médailles sur la scène internationale.

De 2009 à ce jour, Maurice a remporté quatre titres de champion du monde. Nous avons obtenu 11 titres de champion d'Afrique et trois titres de champion de la francophonie.

En 2011, nos athlètes ont rapporté 202 médailles régionale, continentale et mondiale. Rien que pour les six premiers mois de 2012, nous sommes déjà à 28 médailles remportées.

Lors des jeux d'Afrique au Mozambique, nous avons écrit une nouvelle page dans l'histoire du sport Mauricien -

- Nous avons réalisé notre meilleur total en matière de médailles d'or, quatre en tout.
- Maurice a terminé une très belle douzième place.
- La cerise sur le gâteau, l'île Maurice a enlevé une médaille d'or historique en *Beach Volley* féminin. Un véritable exploit de la part de Natacha Rigobert et Elodie Li.
- Ajouté à cela, ce duo c'est aussi qualifié pour les jeux olympiques de Londres. C'est la première fois que Maurice sera présente dans une compétition collective aux jeux olympiques.
- Lors des derniers jeux des îles, nous sommes revenus avec 38 médailles d'or dont 10 historiques en natation.
- Concernant le football, nous sommes les meilleurs de la région chez les jeunes, côté garçon et notre équipe senior est vice-championne de l'océan indien.

M. le président, même si certains propagandistes diront le contraire, ces titres et ces moments intenses qui ont fait la fierté des Mauriciens, ne sont pas le fruit du hasard. C'est le fruit d'une politique cohérente, moderne et réfléchie pour permettre à des sportifs de briller au plus haut niveau. C'est la somme de l'investissement massif du gouvernement. Ces aides, nous les avons canalisées vers plusieurs objectifs prioritaires -

- Développement du sport de haut niveau à travers un soutien continu aux sportifs les plus doués et en mettant à leur disposition toutes les facilités requises. D'ailleurs, nous avons énormément œuvré pour améliorer le présent et le futur des sportifs locaux.
- Le sport de masse, avec toujours plus d'activités diversifiées pour le plus grand nombre de Mauriciens, sans obligation de recherche de performance.
- La formation, nous avons donné un nouveau souffle à ce secteur qui, pour moi, demeure la clé de toute réussite.
- Nous avons aussi concentré nos actions sur la gestion de nos infrastructures. De plus, avec les accords signés avec le ministère de l'éducation, les Mauriciens ont un plus grand accès dans les infrastructures appartenant à l'Etat. Notre but, ici, est de *bring sports to people* en leur permettant de pratiquer une activité sportive sans trop se déplacer. Nous voulons également nous servir du sport pour répondre aux objectifs nationaux de santé publique.

Là, je voudrais remercier mon collègue, le ministre de la santé et qualité de la vie car on a collaboré ensemble pour faire des activités, telles que nager pour rester en bonne santé et lutter contre les différentes maladies, notamment la maladie cardiovasculaire.

M. le président, parallèlement, avec les actions déjà entreprises, les mesures contenues dans le programme gouvernemental 2012-2015 nous offrent encore plus d'opportunités et de moyens pour accomplir nos différentes missions. Les mesures nous permettront surtout d'avancer. Je me permettrai, ici, de reprendre ces quelques mots de Martin Luther King, et je cite –

« If you can't fly then run, if you can't run then walk, if you can't walk then crawl, but whatever you do you have to keep moving forward. »

Ces mots guident ma politique à la tête du ministère. Durant ces dernières années, nous avons tout mis en œuvre pour que le sport Mauricien puisse avancer et ce, malgré les tempêtes et

les cyclones. Avancer jusqu'à atteindre l'excellence. Ainsi, nous nous donnons les moyens de nos ambitions. A cet effet, le ministère des sports est venu de l'avant avec l'octroi des bourses de perfectionnement aux jeunes sportifs les plus talentueux. Cette mesure révolutionnaire donne une autre dimension au sport Mauricien puisqu'elle permet aux jeunes sportifs d'aller se perfectionner dans les plus grands centres mondiaux. A titre d'exemple, M. le président, à l'heure où je vous parle, dix premier boursiers nationaux se perfectionnent en France, aux Etats Unis, en Malaisie, à Cuba, et même en Jamaïque où actuellement Usain Bolt s'entraîne.

Permettez-moi ici de remercier le vice-Premier ministre et ministre des finances, l'honorable Xavier-Luc Duval qui s'est montré plus que réceptif à cette proposition de ma part.

M. le président, les mesures annoncées nous permettent d'avancer sur le plan de la formation de qualité. Nous avons redynamisé ce secteur en collaboration avec les fédérations et nous avons donné plus de moyens au *Trust Fund for Excellence in Sports* afin de mener à bien cette tâche si cruciale à travers ces différents pôles. D'ailleurs, les résultats obtenus par les bénéficiaires de ce programme sports/études sont plus que satisfaisants tant sur le plan sportif qu'académique. Avancer pour valoriser continuellement le statut de l'athlète. Dans ce contexte

—

- nous avons revu le *Cash Prize Scheme* en y apportant des augmentations variant entre 15 et 150%. Ainsi, le *cash prize* d'une médaille d'or olympique se chiffre désormais à R 1.5 million au lieu de R 500,000.
- De 2009 à ce jour, une somme d'environ R 8 m. a été distribuée à nos athlètes comme récompense pour leurs performances.
- Ajouté à cela, le *High Level Sports Unit* a soutenu les athlètes à la hauteur de R 6.4 millions

Avancer au niveau des infrastructures, nous avons plusieurs projets ambitieux notamment une piscine à Flacq, un stade de football dans le sud, un complexe multi-sports à Triolet et un institut national du sport à Belle Vue. Dans ce sens, nous offrons des facilités aux fédérations pour la construction des structures spécialisées. C'est le cas pour le squash, le *kickboxing* et le cyclisme où le ministère mettra à leur disposition des lopins de terre à Phoenix et à Roches Brunes.

Avancer par rapport à la hiérarchie de Maurice dans la région, des avis divergent sur la performance Mauricienne aux récents jeux des îles, mais le plus important est de tirer les leçons pour mieux construire l'avenir.

C'est ainsi que le ministère, fidèle à sa ligne de conduite, est déjà mobilisé pour le rendez-vous des Jeux des Iles de 2015 à l'île de la Réunion. Pour nous, des actions sont meilleures que les paroles. Ainsi nous avons mis sur pied un comité qui devra faire le suivi dans la préparation de nos sportifs en vu de cet événement.

Ce comité comprend les représentants de mon ministère, du *Mauritius Sports Council*, du *Trust Fund for excellence in sports*, du *high level sports unit*, du club Maurice, du Comité Olympique Mauricien et du *Medical Unit*. Il travaillera en étroite collaboration avec les fédérations pour définir une stratégie spécifiques à chaque fédération. Toutes nos actions et nos aides convergeront vers ces jeux.

Dans un premier temps, l'accent sera mis sur les athlètes et les disciplines susceptibles de nous rapporter le plus grand nombre de médailles d'or. De ce fait, c'est la qualité qui primera sur la quantité.

Laissez-moi remercier les responsables fédéraux ainsi que les sportifs qui ont été plus que réceptifs à notre projet et qui nous apportent un soutien irréprochable.

Mr Speaker, Sir, in addition to various mass ongoing sports activities such as keep fit Programme, swimming and so on, the Mauritius Schools Saturday Football League has been launched to give a new dimension to football in Mauritius. Here, I would like to thank the Minister of Education, hon. Dr. Bunwaree for his collaboration in the project. This project will give the opportunity to detect young talents and channel them to specialized structures.

The mini-soccer tournament involving children aged 5 to 8 years which was launched recently both in Mauritius and in Rodrigues goes much in the same direction.

M. le président, avancer aussi sur le plan du sport roi qu'est le football. Encore une fois, l'Etat Mauricien prend ses responsabilités avec des mesures pour booster cette discipline.

Concernant le ballon rond, nous avons tout mis en œuvre pour que le football reprenne son envol. A titre d'exemple et malgré les critiques, le ministère des Sports, depuis 2009, a investi quelques R 30 millions rien qu'en dotations budgétaires. Ajouté à cette somme, nous offrons des allocations annuelles aux clubs de *football* de première division et de deuxième division. Depuis 2008, beaucoup de choses ont été entreprises. La réouverture du Centre

National François Blacquart à Réduit, la redynamisation de notre système de formation, l'augmentation de notre aide aux clubs de *football* - cela a été doublé - embauche d'un DTN, lumière sur les terrains de *football* et d'autres travaux d'amélioration aux différents stades, le lancement du *street football*, la *Mauritius Saturday Football League* et le *mini soccer*, collaboration dans plusieurs projets comme celui de la *FIFA Grassroot project*, et ce n'est pas tout. Nous envisageons sérieusement l'embauche d'un sélectionneur national.

Mr Speaker, Sir, concerning youth which constitutes a dynamic force for nation-building, huge investment has been made to facilitate them to play their role effectively in the society. Apart from free schooling, free transport for all students and free social services which are provided by Government, my Ministry also provides a lot of facilities to empower them through a wide range of programmes which equip them to participate in the socio-economic development of the country. We have presently 24 fully operational youth centres, across the country, which contribute to the decentralisation of services like counselling, training programme in leadership and life skills and internet facilities. Equipment for physical fitness and *sports loisirs* are also made available to young people. Here, I must add that more than 80,000 youngsters have participated in personal development and empowerment programmes in youth centres. To mention just a few -

- (i) the *Entreprenariat Jeunesse* Scheme of my Ministry has been further decentralised to reach the maximum number of young people and to encourage them to set up their own business;
- (ii) the National Youth Achievement Award Programme has now been extended to many State Secondary Schools to instill in our students, values like perseverance and discipline through purposeful leisure and training activities;
- (iii) the *Speciales Vacances* Programme is becoming more and more popular among students and young people in general. Every year, during Easter, winter and summer holidays, more than 50,000 young people benefit from hikings, mountaineering, youth exchanges and *animation sports loisirs*;
- (iv) my Ministry has, in collaboration with *Conservatoire National de Musique François Mitterrand*, launched a Youth Marching Band to perform during national events. More young people will be given the opportunity to train in *percussion* to further popularise this activity.

My Ministry has, since I assumed office as Minister in 2008, been organising the Youth Excellence Award to reward young people who have excelled in the implementation of projects on agriculture, youth empowerment and enterprise initiatives, arts and crafts, family life and human values, preservation and protection of the environment, youth leadership and community work. This programme highlights youth projects which demonstrate a sense of initiatives and a search for excellence.

My Ministry provides opportunities for young people to participate in regional and international events. Mauritius hosted, among others, un *Atelier Régional de Formation des Jeunes pour la Promotion du Tourisme Durable* organised by the *Organisation Internationale de la Francophonie* and a workshop by the *Commission de la Jeunesse et des Sports de l'Océan Indien* on *Formation des Formateurs à l'Éducation et à la Citoyenneté*.

These have further broadened the horizons of our youth leaders and given my Ministry new dimension to address youth related issues. I wish to add that a comprehensive educational programme on citizenship and human rights is presently being implemented in all our youth centres in close collaboration with the Prime Minister's Office.

Our young people have also benefitted from youth development programmes in various countries like Dubai, India, Seychelles, Kenya and Reunion Island. Youth exchange programmes between Mauritius and Rodrigues are regularly held.

Young people of today are facing new kinds of social challenges in a more complex world - a world that is more diverse with increased pressure on families, greater caring responsibilities, more intense pressure from markets and employability and skill challenges. To this effect, my Ministry is upgrading the skills of youth officers through a Commonwealth Diploma Course in Youth Development.

Mr Speaker, Sir, the National Youth Policy 2010-2014, an important tool in emphasizing and addressing the needs of young people, was launched by Dr. the hon. Prime Minister in 2009. Subsequently, an Action Plan has been devised to define the commitments and responsibilities of each and every stakeholder.

The National Youth Council which operates under the aegis of my Ministry, leaves no stone unturned to establish and maintain effective communication between Government and youth organisations. A youth Parliament or *Assises de la Jeunesse* will be set up to provide

young people with a platform for debates on various youth related issues of national and international levels.

Mr Speaker, Sir, I, once again, come back to sports. As an ex-sportsman and an ex-national coach, I am more than convinced that our athletes do have the potential that athletes of other nations have.

World class sportsmen like Bruno Julie, Stéphan Buckland and Eric Milazar are among the few who have matched international athletes and proved the potential that exists within our athletes. Unfortunately, for different reasons, we did not have the conducive environment in which potential athletes could be trimmed, groomed and trained systematically and be made champions. We did what we could with our limited resources.

Mr Speaker, Sir, sports as such, was practised and done in a very casual and traditional way. Youngsters could never depend on sports for as we usually say: '*le sport ne nourrit pas son homme*'. Furthermore, when athletes had to make a choice between sports and studies, most athletes were likely to decline sports in favour of studies. No tangible incentives and motivations were made to encourage potential athletes to continue a sports career and consequently, we lost many good athletes along the way. The sports panorama was gloomy and we had to inject new impetus to get the confidence of not only athletes but the whole sporting community.

Hence, Mr Speaker, Sir, I had to revamp existing policies and come up with new ones to give a new dimension to the Mauritian sports and, at the same time, help to change the destiny of our sportsmen through a more conducive and favourable sporting environment. In this perspective, the financial assistance to high level athletes has been increased significantly, but, more importantly, the number of beneficiaries has been increased as well. It has doubled.

The Trust Fund for Excellence in Sports has been provided with additional funds under the *Sports-Études* Scheme to enable our athletes to train in optimal conditions while pursuing the academic studies with less hassles.

Concernant l'aspect académique, par exemple, M. le président, deux champions du sport local, à savoir Sohinee Ghosh en tennis et Mathieu Mamet en triathlon, viennent de réussir brillamment aux examens du baccalauréat avec mention 'très bien'. La réussite de ces deux athlètes est une preuve que les sports et les études peuvent faire bon ménage. Elle vient surtout crédibiliser nos actions et justifier les sommes investies dans le programme Sports-Études ces

dernières années. J'espère que les résultats enregistrés feront évoluer la mentalité chez certains parents et ils croiront dans un avenir sportif pour leurs enfants.

Mr Speaker, Sir, for those who are not that good in academic studies, parallel training courses are being arranged with partners like the Mauritius Institute of Training and Development (MITD) so that at the end, the athletes equally have a professional qualification at hand alongside their sporting career.

Mr Speaker, Sir, sports persons have consistently been encountering difficulties to have releases from their employers for training and competitions locally or abroad. To remedy this situation and alleviate athletes from such problems, provision has been made in this Budget to allow companies employing high level athlete to deduct 50% of their salary under the CSR Fund. This measure has been as a *bouffée d'oxygène* for our athletes and, at the same time, encourages companies to employ high level athletes.

Mr Speaker, Sir, this is not the end. With the coming up of the National Institute of Sports at Anjalay, a new era of the Mauritian Sports will start. The National Institute of Sports (NIS) will be the focal point of our training processes of high level athletes as same will be based on scientific foundations. The NIS will consist of a series of sports facilities, including dormitories to accommodate, at least, 100 persons, weight training room, conference room, lecture room and a medi-clinic among others. Coaching camps and follow up of training of our athletes will be carried out at the NIS in consultation with concerned sports federation.

Mr Speaker, Sir, what could a sportsman dream better than this: a hassle-free training, conducive environment, financial support and career orientation. Mr Speaker, Sir, my Ministry is actually working on the possibility of introducing a *plan de pension* for confirmed high level athletes after their sports career to assist them financially, either to start a business on their own or any other investment.

Mr Speaker, Sir, today we are witnessing a spectacular growth in the sports business. After leisure and tourism, it is the biggest business in the world. Can you imagine *les retombées* of the organisation of games like the Olympic games, the Commonwealth games, for example? The list, in fact, can be long. We can see positive impact on the economic front, the diplomatic front and on the nation-building front. Unfortunately, we cannot imagine organising an event of this magnitude. However, I believe that we can organise and host other events of lesser scale,

which can help to boost our economy through the concept of *le tourisme sportif*, which would be made to coincide with the off-peak season of our hotels.

M. le président, dans ce même souffle, le Congrès de la FIFA en 2013 et le Grand Prix du Judo qui se dérouleront sur notre sol en 2013, seront bénéfiques pour notre île à plus d'un titre. Les organisations d'événements sportifs internationaux auront des impacts positifs sur le sport mauricien, sur la discipline concernée, sur le tourisme et sur le rayonnement de Maurice. Plus que jamais, nous voulons asseoir la réputation du pays comme une référence et un centre d'excellence pour abriter les compétitions sportifs d'envergure.

Mr Speaker, Sir, we can do it with a concerted effort together with sports federations and other stakeholders. My Ministry is already working in this direction and some targeted sports, namely Cricket, Golf, Beach Soccer and Beach Volley. The construction of the Cricket ground at Anjalay in partnership with the Cricket Ground Trustees Ltd will enable the hosting of international matches. This will not only bring tourist revenues from participating countries, but they also generate income from sale of TV rights, at the same time offer spectacular matches to the nation and be a window opener to the outer world.

To conclude, Mr Speaker, Sir, the 2012-2015 Programme will no doubt give a new impetus to our sports activities and set the scene for new youth development strategies. There will be path-breaking landmark events that will set up a healthy track record for the present and future sports community.

Thank you, Mr Speaker, Sir.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Speaker, Sir, I move for the adjournment of the debate.

Dr. Kasenally rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

PUBLIC BILLS

Second Reading

THE CERTIFICATE OF CHARACTER BILL

(NO. XVII OF 2012)

Order for Second reading read.

The Attorney General (Mr Y. Varma): Mr Speaker, Sir, I move that the Certificate of Character Bill (No. XVII of 2012) be read a second time.

Mr Speaker, Sir, the main object of this Bill is to repeal the Certificate of Morality Act and to provide for the issue of certificates of character. The Bill provides, *inter alia*, that -

- (a) a person who has been convicted of a specified minor offence, been given a non-custodial sentence in specified cases or been granted a free pardon in respect of an offence shall be deemed not to have committed the offence, for the purpose of being issued a certificate of character;
- (b) a person may make an application for a certificate electronically;
- (c) an applicant cannot generally make more than one application in his name within 3 months from the date of issue of the certificate;
- (d) an employer cannot require a worker to apply for a certificate within one year following the submission of a certificate by that worker to him;
- (e) an applicant shall pay an appropriate fee for the issue of a certificate, and
- (f) the Director of Public Prosecutions may delegate any of his powers under the Act to the Commissioner of Police or any other public officer.

This Bill, Mr Speaker, Sir, has been drawn up following extensive consultations with the Prime Minister's Office, the Director of Public Prosecutions, the Commissioner of Police and other relevant stakeholders, who have all made valuable inputs. It has become clear recently that the Certificate of Morality Act had to be repealed to provide for a more workable regime. The sheer number of applications for certificates of morality had made it difficult for the Office of the Director of Public Prosecutions to process such applications within a reasonable time. For instance, the number of applications being processed by the Office of the Director of Public Prosecutions has risen from 37,815 in 2007 to 51,622 in 2011.

Mr Speaker, Sir, I shall now deal with the specific provisions of the Bill.

The purpose of issuing a certificate is to attest as to the previous conviction(s), if any, of a person. Law and morality are different, in the sense that whatever may be legal may not necessarily be moral. In that regard, it is felt that the term "morality" is no longer appropriate. Since a person who has no previous convictions is said, in law, to be of "good character", it is

proposed to restyle the certificate of morality as “the certificate of character”. As such, the term “certificate”, in clause 2 of the Bill means a certificate of character.

Clause 3, Mr Speaker Sir, provides that the DPP may delegate his powers under this Act to the Commissioner of Police or any other public officer. In fact, under the present Certificate of Morality Act, the DPP is responsible for processing applications and issuing certificates of morality. This has been retained in the present Bill, subject to the DPP being entitled to delegate his powers.

Mr Speaker, Sir, clause 4 deals with applications for certificates of character. Sub-clause (2) provides that any person wishing to obtain a certificate in his name shall apply to the Director of Public Prosecutions, or to the delegated person, in such form and manner as the Director of Public Prosecutions may approve. Where an application is made by a citizen of Mauritius, it shall be accompanied by the original and two photocopies of the applicant's birth certificate, identity card and, where applicable, marriage certificate. In the case of a non-citizen, the application shall be accompanied by the original and two photocopies of the applicant's birth certificate, passport and, where applicable, marriage certificate. An application fee of 100 rupees will be levied, the aim being to prohibit and lessen the burden both (financial and non-financial) on the Director of Public Prosecutions or a delegated person.

Over the years, Mr Speaker, Sir, it has been noted that an employer would require his employee to provide a certificate every three months, presumably, to ensure that the employee still has a clean record and does not have a criminal conviction which may jeopardise his position in the employer's organisation. However, very often, the employee still has a clean record and it is felt that processing additional applications from the same applicant-employee, for the same purpose entails a waste of resources for the Police Officers who have to verify the information submitted on the application form anew, and for the DPP who has to proceed with the applications and issue the certificates anew. There is also a financial implication to such applications, in that additional certificates have to be printed and issued.

Therefore, Mr Speaker, Sir, the Bill provides, in clause 4(5), that an employer cannot require a worker to apply for a certificate within one year following the submission of a certificate by that worker to him. Nevertheless, as per clause 4(3), an employer may, with the written consent of his worker, apply for a certificate in the latter's name within that period, on the condition that the employer pays a fee of Rs300 and submits the relevant documents. That

clause, Mr Speaker, Sir, is aimed at prohibiting multiple applications for certificates within a short span of time and lessening the burden on the Director of Public Prosecutions, a delegated person and the worker, while allowing an employer in appropriate cases to ascertain if the worker is still of good character.

Mr Speaker, Sir, clause 4(6) of the Bill also provides that a person may make an application for a certificate of character electronically. Mr Speaker, Sir, I shall, at Committee Stage, move for an amendment to clause 4(6) of the Bill to provide that an application for a certificate of character may be made electronically in such form and manner as may be approved by the DPP, and that the application fee for an electronic application will be prescribed by regulations. Mr Speaker, Sir, in line with Government's promotion of the use of information and communication technologies this initiative is being taken. Security issues will have to be addressed however, before this provision can be given effect.

Mr Speaker, Sir, the Bill provides that a person who has been convicted of a specified minor offence, been given a non-custodial sentence in specified cases or been granted a free pardon in respect of an offence shall be deemed not to have committed the offence, for the purpose of being issued a certificate of character.

In fact, Mr Speaker, Sir, I have been informed that a large majority of employers in the private sector have recently adopted the practice of requiring their employees and prospective employees to produce a Certificate of Morality. It has been reported that many people are facing difficulties when following a conviction, sometimes dating back several years, they are ordered to pay a small fine, were absolutely or conditionally discharged. These persons, Mr Speaker, Sir, must go through the lengthy process of petitioning the President for pardon. This process is lengthy because, on receipt of a petition, the President refers it to the Commission on the Prerogative of Mercy which, in turn, requests the Commissioner of Police (and sometimes, the Probation Office) to make a report on the petition. Some of these persons even have recourse to law practitioners.

In order to ensure that persons who have been convicted of certain minor offences will not face difficulties in society, especially when seeking employment, clause 5(2) of the Bill, Mr Speaker, Sir, provides –

- (a) that a person who has been granted a free pardon in respect of an offence;
- (b) who has, following a conviction for a crime or misdemeanour –

- (i) been given an absolute discharge;
- (ii) been given a conditional discharge and complied with the terms and conditions of the discharge, or
- (iii) who has more than 5 years before making an application, been convicted of a crime or misdemeanour and fined up to Rs5,000 or made subject of a probation order in specific cases will be considered as not having committed that offence as far as the application for the certificate of character is concerned.

Clause 5(2) of the Bill, Mr Speaker, Sir, is nevertheless subject to the person, in whose name a certificate will be issued, not having at any point in time, been convicted of certain serious offences listed in the Second Schedule to the Bill, for example, Murder, Manslaughter, Offences under the Dangerous Drugs Act, to name, but a few.

Mr Speaker, Sir, under the present Certificate of Morality Act, persons who have been convicted of serious offences listed in the Second Schedule to the Act and including, *inter alia*, Murder, Child Trafficking, Offences under the Prevention of Terrorism Act and the Dangerous Drugs Act, are not eligible to a certificate. It is proposed to follow the UK system by issuing a certificate listing out any previous conviction(s).

It is apposite here, Mr Speaker, Sir, to refer to the system that obtains in the UK. A 'Criminal Conviction Certificate' or 'Criminal Record Certificate' may be issued under the Police Act 1997. A 'Criminal Conviction Certificate' is a certificate which gives the prescribed details of every conviction of the applicant, or states that there is no such conviction. A 'Criminal Record Certificate' is a certificate which gives the prescribed details of every conviction and caution relating to the applicant, or states that there is no such matter. Where the applicant has a clean record, the mention 'NONE RECORDED' is stated on the certificate.

Clause 5(4) of the Bill will thus ensure that any person, who has been convicted of any crime or misdemeanour, shall be entitled to a certificate of character which, subject to clause 5(2), will list out his previous convictions.

Mr Speaker, Sir, there is a further provision in the Bill, which is aimed at prohibiting multiple applications for certificates within a short span of time and lessening the burden on the Director of Public Prosecutions or a delegated person. Clause 5(6) provides that no certificate of character shall be issued in the name of a person within three months from the date of issue of the

certificate, unless there has been a material change in the circumstances of that person, or where the subsequent application is made by the employer.

Mr Speaker, Sir, clause 6 of the Bill deals with offences, whilst clause 7 provides for immunity, civil and criminal, of all those involved in the process leading to the issue of certificates of character. Under clause 8, the Attorney General is empowered to make regulations for the purposes of the Act. Clauses 10 and 11 deal respectively with consequential amendments to other enactments where reference is made to a certificate of morality, and savings and transitional provisions with respect to certificates of morality already applied for or issued before the coming into operation of the Act, once passed.

Mr Speaker, Sir, the primary objectives of the Bill are -

- (a) to ensure that citizens of this country are not hampered in their everyday life by not being able to obtain a certificate attesting as to their criminal record(s), or by being issued with certificates still referring to previous convictions for certain minor offences, or by being required, on numerous occasions, to submit certificates to the same employer within a short period of time, and
- (b) to lessen the financial and non-financial constraints on the DPP or a delegated person.

Mr Speaker, Sir, I will end by thanking Dr. the hon. Prime Minister for his support and guidance throughout the preparation and finalisation of the Bill. A special note of sincere appreciation goes to my officers and Sir Victor Glover, our Legal Consultant, who have worked diligently in the preparation and finalisation of the Bill.

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

The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo) rose and seconded.

Mr Speaker: I will stop here for one hour and fifteen minutes!

At 7.38 p.m. the sitting was suspended.

On resuming at 9.00 p.m. with Mr Speaker in the Chair

The Minister of Agro-Industry and Food Security (Mr S. Faugoo): Mr Speaker, Sir, I would like to start by commending my good friend, the hon. Attorney General, for coming up with the present Bill, that is, the Certificate of Character Bill. As we all know, this Bill proposes

to repeal the Certificate of Morality Act of 2006, and provides instead for the issue of Certificate of Character.

Mr Speaker, Sir, the Certificate of Morality Bill (No. V of 2006) was debated in this very august Assembly on 25 July 2006. Only six years after, which in my view is a very short time in the life of a statute, Government felt the need to review the law for various reasons, which I shall come to later. This piece of legislation is in fact an improvement upon the 2006 Act, which was, in itself, I must say, a milestone in the reform process of our justice system.

May I, Mr Speaker, Sir, remind the House that, prior to 2006, there was no law on this subject. This matter was attended to only by an administrative framework which was there, which existed for so many years.

Let me, Mr Speaker, Sir, first of all, elaborate on the background of Certificate of Morality.

Information about a person's criminal history may be requested for a number of reasons, and used for a variety of purposes.

Most obviously, it is an important element in any criminal justice system, as it is used and relied upon by Courts of Law to determine an appropriate punishment when sentencing an accused party for a subsequent offence. Primarily, this is the purpose.

All the same, the criminal record of a person is also used by public authorities in certain cases for eligibility or suitability in granting of licences and other clearances.

Prospective employers are also increasingly using criminal history information to help determine a person's eligibility or suitability for employment, and holding certain key and/or sensitive positions.

Mr Speaker, Sir, at this juncture, maybe it is important to differentiate between a previous conviction certificate, which is issued by the Police on P.F. 19, which is an official document used by Courts of Law for sentencing purposes, and Certificate of Morality, on the other hand, issued under the Certificate of Morality Act, which is issued by the DPP's office, as it used to be the case even before the 2006 Act.

And this is used, as I said for clearance purposes, for also granting of licences and also used by employers. Mr Speaker, Sir, coming to this Bill, the first major change is in the title of the Bill itself as was highlighted earlier on by my friend, the hon. Attorney General. The present

Bill brings forth a new terminology. We are replacing Certificate of Morality by Certificate of Character. This is a departure. Why this departure, Mr Speaker, Sir?

According to the principle of legal positivism which is a school of thought about philosophy of law and jurisprudence, there should be a separation of law and morality.

By this reasoning, what is legal is not necessarily moral, as was said earlier. Hence, if an individual who is not on Police record is not necessarily proof of a person being moral, ethical, righteous, principled, virtuous or noble. This explains the shift from Certificate of morality to Certificate of Character. Indeed this is the case in many jurisdictions.

Mr Speaker, Sir, the objective of the Bill is twofold. First, it is to facilitate the application, processing and issue of the Certificate of Character. In this regard, the DPP, under clause 3 - this is a novel clause - may delegate his powers under this Act to the Commissioner of Police or any other officer with a view to expediting the process and issue of the Certificate of Character. Also the application can be made online, that is, electronically, both by resident citizens and Mauritian citizens abroad, which is not the case presently.

Albeit that the Bill does not provide for a specified timeframe for the processing and issue of a Certificate of Character, something which is very, very important also, but, nevertheless, provision for an administrative timeframe for an effective and prompt delivery will be made with the relevant authorities.

Second, the Bill recognises that convicts, especially those convicted for minor offences, can be rehabilitated, redeemed and reinserted in society. Very often, we forget that they have a family and relatives and they have to be given a second chance or else we are as if punishing them perpetually.

Mr Speaker, Sir, to translate this good intention into law, this is provided for under Clause 5 of the Bill. More specifically, under Clause 5 (2), we are putting the following categories of people who have been convicted for an offence as if they have not been convicted of any offence in Mauritius.

- Those who have been convicted, but subsequently granted a free pardon in respect of their offences under Section 75 of the Constitution.
- Following a conviction of crime of disemeanour, those who have been given an absolute discharge or a conditional discharge and the person has since complied with the terms and conditions of discharge.

- Persons, who more than 5 years preceding their applications, have been convicted of a crime of disemeanour and fined up to Rs5,000 or released on probation.

Mr Speaker, Sir, the very essence of a free pardon, absolute discharge, conditional discharge or probation order for that matter is not to impose a custodial sentence which may cause an immense prejudice to the offender or even destroy his life, his future and that of his family as well. It will be paradoxical in my view that on one hand, the very people who have been given a chance to reform and reintegrate by Courts of law – I mean, in society, by Courts of law - by imposing non custodial sentences and later the same conviction is used to debar them to integrate in the mainstream of society. Mr Speaker, Sir, this is where we are coming to correct the imbalance.

Mr Speaker, Sir, it is, however, important to strike a right balance, as we need to protect society at large and in particular the vulnerable like the elderly, the children and the handicapped. For this purpose, a second schedule has been included in the Bill and this will allow differentiation of convicts and offences. It must also be emphasised that very often, accused parties and especially first time offenders do not have the disposition for committing other offences and crimes - they are not serial criminals in a way but rather one off offenders. Of course, this is not a general rule applicable in all cases, there must be exception to this.

Thus the Bill recognises that convicts can be rehabilitated and re-inserted in society. We are conscious that with the several reinsertion programmes put in place by Government, a large number can be rehabilitated and can then make an important contribution to the development and economy of the country. They can be brought back to the mainstream of the society and development for the benefit of one and all.

The Certificate of Character will thus help to remove the stigma of conviction on these people who now have difficulty in settling in society and even their family. We are thus removing a serious handicap and obstacle to their reinsertion and reintegration. This is where there was a 10-year period in the previous Act. There was a cut-off point for 10 years as far as spent convictions are concerned, but now this has been brought down in a way to five years, Mr Speaker, Sir, which is for the benefit of this category of people I have just mentioned.

Mr Speaker, Sir, I wish to again congratulate my hon. friend, the Attorney General, for coming forward with this timely and modern piece of legislation. The passing of this Bill is

indeed in line with Government vision for greater social justice within the framework of a more equitable and fair system of justice and equal opportunities.

The House will recall that only a couple weeks back, we voted the Legal Aid Bill. Today, we are moving one step further towards creating a fair, just, and equitable Mauritian society where each and every citizen can have an equal opportunity for integration in the mainstream.

This is yet another illustration which confirms that we are a caring Government, a Government that puts the people first. And we will continue to perform along this spirit which is in line with the vision of the hon. Prime Minister to move the nation forward where individuals, families and communities will be at the centre of Government programme and actions.

With these words, Mr Speaker, Sir, I also commend the Bill and I thank you.

(9.08 p.m.)

The Minister of Labour, Industrial Relations and Employment (Mr S. Mohamed):

Mr Speaker, Sir, I also would like, at the outset, to congratulate the hon. Attorney General on this piece of legislation that is, in my humble view, a very progressive.

As hon. Minister of Employment as well, it is my duty to stand up, here, in this august Assembly, to share my views with regard to the impact of any such legislation or the existing legislation for that matter has on creation of employment.

Many studies, Mr Speaker, Sir, have shown that a lot of people who are convicted of offences and who have previous convictions, very often, or most of the time to be very precise, cannot obtain a job because, as it stands, and here we are talking about not the technicality of law but how it is in practice. You want to obtain a job in the private sector or even in Government, one of the things that is asked of any citizen, nowadays, is to include in the application, disclosing one's previous conviction. Very often, some people may have been convicted for very minor offences and are out there looking for a job in order to earn a living. And as I have said earlier on, many studies have shown that people who are convicted of offences, more often are people with families, people with children who cannot do otherwise but find a job. And the question that we should ask ourselves is: what type of society are we if we are not to recognise that once that a citizen of this country, who has done a wrong, pays for his wrong by undergoing a sentence or pays for a fine? What type of society would we be, if we are not to give the opportunity to this citizen to find a job, because as it stands today, with the actual state of affairs

with the present law, there are citizens who are paying the consequences of their acts several times, over and over again. In spite of having paid their debts to society, in spite of having, on some occasions, undergone imprisonment, they are still continuously paying their debts by not finding a job. And what makes it even more unjust is that it is not he or she only who pays the debts continuously, but it is members of his family, his children, young kids, his wife, who find themselves in more and more difficult dire situations, because precisely in the actual state of things, he cannot find a job because they require this piece of document.

Mr Speaker, Sir, reform offenders, therefore, face barriers to employment because of old criminal records hanging around their necks. In actual fact, it is as though we are hanging them, over and over again, with old criminal records.

When one looks at the state of affairs today, and what I, as Minister of Employment, would like to also add in line with this present piece of proposed legislation is the following:

One analysis shows that there is no connection at all between what someone may have done as an offence as opposed to the job *qu'il postule*; that he may want to obtain in an application after an interview. For instance, someone may have been convicted for an offence pertaining to fraud or where there are some sort of financial implications. He may be applying for a job as a welder. What is the *connexité*? None whatsoever! So, that is why when one looks at legislation and guidelines in other countries, one has interesting things to learn from other countries. What we learn from other countries is that the post that someone has applied for, for example, issues we must ask ourselves is, does it involve one-to-one contact with children? And I am talking about over and above this piece of legislation. This is what my message to employers should be. They should ask themselves. For instance, does the post applied for, involve one-to-one contact with children? And, if yes, this person has, once upon a time, been convicted of an offence pertaining to children being involved. For example, sexual molestation of a child, sexual intercourse with a girl under 16 or child abuse, if that person has been convicted for such an offence, he surely should not be given a job, if that post involves one-to-one contact with children. But if the post does not involve one-to-one contact with children, we cannot, as a modern society, as a forgiving society, after a citizen has undergone his sentence and paid his dues to society, after judgment, we cannot keep on punishing him for life.

Another issue, Mr Speaker, Sir: what levels of supervision will the post holder receive?

Thirdly, does the post involve any direct contact with the public? For instance, someone has been convicted over and over again with violence against members of the public. Should this person be deprived of the possibility of obtaining all types of jobs, but, on the contrary, if he is to apply for a job where he will not have direct contact with the public, then he is less over risk and we should be able to offer him a job.

Therefore, it is a question of mindset. Mr Speaker, Sir, that must change. There is, in fact, a document which is entitled Criminal Convictions and Employment Rights and it is with regard to the laws in New York State. And the New York Correction Law, Article 23A provides for specific guidelines for employers to follow in deciding whether, to have a person with a criminal conviction. It reads as follows, Mr Speaker, Sir, *Alinéa 752* –

“Unfair discrimination against persons previously convicted of one or more criminal offences prohibited, no application for employment held by an individual to which the provisions of this Article are applicable, shall be denied or acted upon adversely by reason of the individuals having been previously convicted of one or more criminal offences, unless there is a direct relationship between one or more of the previous criminal offences and the specific licence or employment sought.”

In other words, other countries show us that we cannot for ever *ad infinitum ad nauseam* keep on getting someone to pay his dues to society. His human right is, once he has paid his dues to society, he should be able to obtain employment.

There is another condition unless issuance or continuation of the licence would involve an unreasonable risk to property. So, irrelevant of this piece of legislation, independently of this piece of legislation proposed by the Attorney General, my message to the employers of this country is as follows -

We cannot keep on discriminating against those who have paid their dues to society.

It is as recently the hon. Minister of Social Security came to this august Assembly with a piece of legislation, to encourage the employment of people with disabilities. We cannot discriminate against people with disabilities and, here, it is a fundamental right of every citizen of a country to obtain a job. It is a question of mentality, as I have said it. We find people who have to work in the garbage sector, collecting of garbage; they are asked whether they have a previous conviction. And those people are not going to obtain a job as a refuse collector simply because he has been found guilty of an offence, of insult. I, personally, Mr Speaker, Sir, find no

sense and no logic in it. We, as a society, we, as a people, we, as a nation, are compounding us becoming accomplice to an offence against his basic human rights.

I must say here, in order for us to be a fair society and that is why I commend the hon. Attorney General for this piece of legislation. We have to be fair, and this is precisely what this piece of legislation is trying to do, bringing fairness in the system. It is a secret to no one that there have been people in this august Assembly, many years back, who have had, at some time or the other, encounters with the law. We have had Members of this august Assembly who have – they are personally known to me; I need not go into more details - been found guilty of assault. That has never disqualified them to be Members of this august Assembly. It has not disqualified them to be Ministers of the Republic. It has not discouraged anyone to vote for them. Why is it, therefore, that only regulations and rules should apply to us, Members of this august Assembly? But then, again, for the common man out there it is: ‘no, you shall have to stick to rules that are more stringent with regard to you.’ That is unfair. And this is precisely what this Bill is coming to correct and I am of the view that not only must we come up with the implementation of this Bill, but what is most important, here I talk again - and this is a prayer and a plea to the hon. Attorney General - we are moving away from an old law that was hanging around the necks of reform criminals, and we are coming towards a modern piece of legislation. But time is of the essence as well. Imagine someone who is going to try to find a job; his employer will not wait indefinitely for him to be able to obtain the Certificate of Character. His employer will look for someone whom he can employ immediately, but he will not wait indefinitely. In other words, I welcome this clause that refers to the Director of Public Prosecutions who may delegate any of his powers under this Act to the Commissioner of Police or any other public officer. What I understand from this particular provision in this Bill is that, in Government, we believe that it is necessary for us to move fast. In other words, if there is a clause like this in this Bill, it means that there is, in actual fact, the DPP, the Government, the Attorney-General - this Government recognises the need for the certificate to be delivered fast and not with delays. We have reduced the delays ever since we have come to Government. We have done everything in order to make people obtain that certificate which is a licence, in other words, to obtain an employment. We have done things, made things move fast, but we have to move even faster. I have seen how things are done in France. I have seen how things are done in England. In France, you apply for it online and you obtain the result online.

Now, with the legislation that the hon. Attorney General and this Government have worked upon in certifying the certification authority online which is now in force in Mauritius ever since the month of June, online services can also go ahead. Here, I see the hon. Minister of Information Technology looking at me! We have done everything in order for things to go faster. That is why, Mr Speaker, Sir, I would like here to make a plea to the Attorney-General to think that, yes, we are coming with this piece of legislation, but on a second stage we should modernise it even more for us to really be better than a lot of European countries and be an example, not only in this part of the world, but to the whole world. We are small. We have done a lot in the field of technology. We are still doing a lot with the excellent work being accomplished by the hon. Minister of Information Technology and I am of the view that this is the right direction that we should adopt and we are on an excellent path to show that we are indeed a modern State.

I, once again, would like to conclude by congratulating the hon. Attorney-General. Thank you.

Mr Varma: Mr Speaker, Sir, I would like to thank my good friends, hon. Ministers Faugoo and Mohamed, for their support not only for this Bill, but for all the Bills which have been presented as regards reform in the legal sector.

This is all I have to say, Mr Speaker, Sir.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

THE CERTIFICATE OF CHARACTER BILL

(NO. XVII OF 2012)

Clauses 1-3 ordered to stand part of the Bill.

Clause 4 (Making an application)

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

Mr Varma: Mr Chairman, I move that clause 4(6) be amended by deleting the words “, and on payment of such fee, as may be prescribed” and replacing them by the words “as the Director of Public Prosecutions may approve and on payment of such fee as may be prescribed”.

Amendment agreed to.

Clause 4 as amended, ordered to stand part of the Bill.

Clauses 5 to 12 ordered to stand part of the Bill.

Schedules 1 to 3 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 Certificate of Character Bill (No. XVII of 2012) was read the third time and passed.

Second Reading

THE ROAD TRAFFIC (AMENDMENT) BILL

(No. XVIII of 2012)

Order for Second reading read.

The vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Speaker, Sir, I move that the Road Traffic (Amendment) Bill be read a second time.

The main objects of the Bill are to make better provision for the application of the penalty points system to driving licences and the payment of fixed penalties as well as to provide for lane discipline on a dual carriage way.

Mr Speaker, Sir, the rapid economic and social development in the country has led to a remarkable increase of over 4% in the number of vehicles, resulting inevitably in a rise in the number of accidents. It is, therefore, the duty of this Government to address the issue as a matter of priority and to implement road safety measures with tenacity. We need to take bold decisions in order to protect our citizens from inappropriate and careless utilisation of motor vehicles and to put a halt to aberrant driving behaviours. Despite the use of sustained road safety publicity campaigns to encourage greater responsibility among drivers and the continued commitment of the Government to tackle the issue of road safety through education and despite the various road safety engineering and enforcement measures being taken by my Ministry and the Traffic Management and Road Safety Unit throughout the country, it is sad to note that there are still many drivers in our society who are not prepared to change their behaviour.

Mr Speaker, Sir, the road traffic accident statistics indicate that the trend is still maintaining an upward direction and that more efforts and better strategies have to be adopted to reverse that trend. In fact, the average number of fatal accidents in Mauritius taken over the last five years has increased to 150 as compared to 140 over the preceding five years. Furthermore, it has been found that road traffic accidents are among the principal causes of death in Mauritius. The issue should, therefore, be addressed urgently by making our law more stringent and its enforcement more effective.

In this context and premised by Government strategy to reduce the number of fatal and serious road accidents and also in line with the United Nations Decade of Action for Road Safety, this Bill is being proposed to the National Assembly.

Mr Speaker, Sir, with the advent of this new system, we will have an enforcement regime that will provide the level of deterrence needed to address road safety problems in a comprehensive and robust manner with the aim of achieving a significant and substantial reduction in road casualties.

The objective of my Ministry is to bring the fatality rate per 100,000 population down from a relatively high level of 12.2 to a much lower level; if not eliminate completely.

Mr Speaker, Sir, the introduction of penalty points in Mauritius means that drivers will have to exercise caution when using the roads; otherwise they will have to bear the consequences. Drivers, who do not learn from their mistakes and persistently commit road traffic offences, will consequently be disqualified from driving for a period of not less than six months and may also lose their driving licence. For instance, many road traffic offenders are indifferent to the threat of monetary fines, while the risk of losing one's licence can be a better and stronger deterring factor. Thus, the system is expected to instil a great sense of responsibility in motorists and make our road safer.

The Penalty points system is a system which has successfully been implemented in many countries across the World such as the United States of America, Australia, Malaysia, Singapore and several European countries. In 2007, 20 of the 27 EU member States had a point system, almost all of them differing from one another because systems vary greatly from one country to another; and adapted to the needs of a particular country. From information available, the system has led to significant reduction in road accident casualties and fatalities in most countries where there is an effective traffic monitoring system.

For example, in New South Wales (Australia), over a 45-day holiday period trial involving publicity about the penalty and enhanced enforcement, the outcomes showed the following -

- a decrease of between 27-34% in fatal crashes;
- a decrease of between 27-30% in road deaths;
- additional media support;
- high levels of community awareness and support, and
- a reduction in traffic infringements.

As a result, the New South Wales Government has since introduced double demerit points for speeding, seatbelt and motorcycle helmet offences during busy holiday periods such as long weekends, Christmas, New Year and Easter.

Spain is another recent example where speeding has been tackled efficiently as a result of a new penalty point system. Since the system came into force in July 2006, the percentage of casualties has decreased by 11% and 92% of surveyed persons think that this system is among the most important measures developed in Spain to reduce traffic accidents. That is why we are inspired by the best of models in the world to curb down the incidence of road accidents in Mauritius.

Mr Speaker, Sir, let me now come to the different amendments being brought to the Road Traffic Act to put into force the Penalty Point System –

Section 46 of the principal Act is being amended to compel a driver to keep an up to date photocopy in the actual size of the original driving licence, showing the latest endorsement, if any. The penalty point system would require that the driving licence - that is, driving licence card and counterpart - is up to date with penalty points endorsed on it and that the driver is aware of the number of effective points that he has accumulated.

Mr Speaker, Sir, for the system to be effective, there is need to keep proper records of the points allocated to a defaulter. Thus the Driving Licence will be attached to a paper counterpart which will be kept by the Driving Licence Holder. This counterpart together with the blue licence card shall constitute the driving licence. Penalty points allocated by the court upon payment of a fine, shall be endorsed on the paper counterpart for every scheduled offence committed. In this way, the licence holder shall always be aware of the number of penalty points held against him on his driving licence and cannot plead ignorance. That will be a constant

reminder to him that the sword of Damocles is hanging on his head and he has to be extremely cautious to avoid a disqualification.

Section 52 and section 53 of the principal Act are being amended to make provision for the disqualification and cancellation of driving licences under the penalty points system by the court.

Penalty point is a form of penalty that shall be imposed by the court, in addition to other sanctions such as monetary fines, and used especially to tackle the most dangerous safety related road traffic offences committed by the drivers on our roads. The court shall allocate points for the scheduled offences committed, and each of these points shall correspondingly remain effective on the driving licence of the offender for three years, as from the date on which they were allocated.

Mr Speaker, Sir, section 123AG of the principal Act is being repealed and replaced to make better provision for a proper mechanism for the allocation of penalty points by the court and takes care of all the administrative procedures required for the maintenance of a proper record and penalty points management and information system by the licensing officer.

To ensure that there is proper coordination, and that information is accurate and easily available for all those involved in the process, it is imperative that a computerised penalty point management system be established. The Traffic Branch of the Police Department is being computerised to enable storage and management of data. Also it will be ensured that all necessary measures are being taken before promulgating this legislation.

It provides for the right of appeal by the person against whom the penalty points have been allocated.

Mr Speaker, Sir, by providing a range of points instead of fixed ones, Government is taking care of those people who earn their living by driving and who run the risk of losing their licence. This will allow the court to allocate points based on circumstances of the case while sentencing. We should, however, bear in mind that no offenders should remain unpunished and that no one is allowed to transgress the law be it an ordinary or professional driver. On the contrary, the more professional a driver is, the lesser should be his propensity to commit an offence.

Mr Speaker, Sir, section 123AH of the principal Act is being repealed and replaced to make provision for the maximum number of penalty points permitted for holders of provisional

and competent driving licences. It makes provision for disqualification and cancellation of driving licences under section 52 of the principal Act, in case the maximum number of points has been exceeded. Restoration of licence is also provided for under this section.

Section 123AI of the principal Act is being repealed and replaced to make provision for the summing up of the effective penalty points accountable for disqualification and also for removal of the expired penalty points after a period of thirty-six months as from the date of its allocation.

Sections 123AJ, 123 LA and 123 LB of the principal Act are being repealed on account of the Judgment of Supreme Court in the case “Durocher versus the Commissioner of Police” in the year 2008, in which these sections were found to be unconstitutional.

Mr Speaker, Sir, under our constitutional system, the power to suspend a driving licence is regarded as a judicial function and must be entrusted to courts. In *Durocher v Commissioner of Police*, the Supreme Court considered that section 123LA of the Road Traffic Act, which purported to confer on a Police officer, not below the rank of Superintendent, the power to request a person charged with a drink-driving offence to surrender his driving licence, which would then be deemed to be suspended, pending the determination of the charge against him, was unconstitutional.

In fact, the Learned Judge stated, I quote –

“A scrutiny of the structure and design of the Act leads one to the conclusion that the legislator has provided for a strict demarcation of the powers of the licensing officer and those of the court. And the power to disqualify a person from holding or obtaining a driving licence has been given to the court before which that person is convicted of an offence under the Act. The scheme of the legislation is to provide for disqualification as a penalty inflicted by the court following a conviction. Disqualification as envisaged by the Act is part of the sentencing measures available to the court. Accordingly, the power to order a disqualification is essentially a judicial function, and that too after conviction for an offence under the Act (...)” Unquote

Thus on the advice of the State Law Office, we are repealing sections 123 AJ, 123 LA and LB.

Mr Speaker, Sir, a new section 123AM is being inserted in the principal Act to provide for lane discipline on any dual carriageway across the island to address the safety problems such as hazardous overtaking manoeuvres, obstruction of traffic along the first lane commonly known as the 'Fast lane' by slow moving vehicles, driving on the hard shoulder, etc. It also provides for definitions and lane numbering of the different lanes of a dual carriageway in each direction.

Mr Speaker, Sir, the House is aware of the chaotic situation which exists at times, when many drivers do not observe lane discipline and overtake on the left and even on the hard-shoulder, thus causing threat to other road users. Others keep to the right almost throughout their journey along the motorway, preventing other vehicles from overtaking on the right. This will no longer be tolerated and will constitute an offence punishable by law and carry penalty points under the penalty point system which is being introduced.

Sections 191, 192 of the principal Act are being repealed and replaced and section 193 is being amended to make better provisions for the Fixed Penalty Notice scheme to be aligned with the penalty point system by determining a proper mechanism for allocation and recording of penalty points.

Section 195 of the principal Act is being repealed and replaced and new sections 196 and 197 are being added to make better provisions for the Photographic Enforcement Device Notice scheme to be aligned with the penalty point system by determining a proper mechanism for allocation and recording of penalty points.

With regard to the Fixed Penalty Notice and the Photographic Enforcement Device Notice schemes, Mr Speaker, Sir, if a person accepts allocation of penalty points under these schemes for an offence committed, he shall be allocated the lowest point of the range provided for that offence. When a person chooses to go to the court instead of choosing Fixed Penalty Notice or the Photographic Enforcement Device Notice, he does so with the risk of being allocated higher penalty points provided in the range for that offence.

The principal Act is being amended by inserting, after the Second Schedule, the Third Schedule which sets out the different road traffic offences that carry penalty points with the corresponding offence code and range of points.

Lastly, Mr Speaker, Sir, the principal Act is being amended, in the Fourth Schedule to harmonise the fines applicable for Fixed Penalty notice with current Road Traffic Regulations

and the relevant sections of the principal Act. It also provides for new Road Traffic offences under the Fixed Penalty scheme.

Mr Speaker, Sir, road accident is becoming more and more common in today's society and contributes to a significant number of deaths. One of the leading causes is driver error. These are careless and unnecessary mistakes such as falling asleep at the wheel, following other cars too closely, unsafe overtaking, speeding, not stopping at the red traffic light and other common disregards of road rules. Distractions are also linked to driver error because accidents can occur when the driver is distracted by such things as changing CDs, calling on the phone or sending or reading text messages. Another common mistake committed by drivers is driving while under the influence of drugs or alcohol.

Some road accidents have been attributed to vehicle defects. These can be anything, from brake failure to a tyre bursting. Defective car components such as airbags which do not deploy correctly can also cause people to suffer more serious injuries when involved in an accident, and may even lead to death.

Mr Speaker, Sir, it is high time to avoid such mistakes and carelessness because one accident is too many and human life has no price. This Government is determined to take bold and severe actions against those defaulters who have no respect for human life. This Bill comes a long way in making the vision of a safe road a reality. At committee stage, I will move for amendments as circulated.

Before concluding, I wish to extend my thanks to the officers of the Attorney-General's Office, the Police Department, the Traffic Management and Road Safety Unit, the Special Road Safety Unit of the Prime Minister's Office and my Ministry for their hard work and efforts in drafting this piece of legislation.

I am grateful to the hon. Prime Minister who has always been supportive in bringing changes in the Road Traffic Act, and for his precious advice in advocating zero tolerance in terms of accident.

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

Mr Mohamed rose and seconded.

(9.42 p.m.)

The Minister of Labour, Industrial Relations and Employment (Mr S. Mohamed):

Mr Speaker, Sir, I would like, together with hon. Members of this august Assembly, to just

recount what I once experienced on the highway, and I was just sharing this with my good friend, the hon. Attorney-General. Once I was driving away from Port Louis, and just before the Sorèze turn - I was in the slow lane - in the emergency lane, I saw something that really shocked me. It was someone who was very romantic; I understood him finally. He was in the emergency lane, and he had stopped his car. On the bonnet of his car was his lovely wife with a flower in her hair, and he was taking a picture of her. That is basically the attitude of certain people, unfortunately, when it comes to driving on the highway.

It is a lack of knowledge and *prise de conscience* that this is not, in fact, a garden for one to relax. It is a way for us to go from point A to B and C, and not only must we be very careful for our own sake, but we must also be very careful for the sake of other road users, not only vehicle road users, but pedestrians and people on bicycles. We have to be very careful.

I, myself, have seen how in France the penalty point system does work in practice. I have come across certain people whom I personally know in France who have lost their jobs because precisely they cannot drive any more, but they have to adapt. They have obtained many points because they have not been very careful on the road. They have to save their jobs; they have had to take taxis, to use *le métro*, trains, public transport and other means of going to work.

I, as Minister of Labour, Industrial Relations and Employment, have received many representations from trade unionists representing bus drivers, commercial vehicle drivers. They have had meetings with me at my office, and have explained to me what their occupations were. They had said to me, as Minister, that they would not like such a measure to include them as drivers. They would like those measures to be waived or they would like it to apply to them, but to a lesser extent. I have explained to them, Mr Speaker, Sir, that, as a responsible Government, we have to follow responsible actions.

The responsible vision of this responsible Government is that of our hon. Prime Minister who has a vision for a modern Mauritius for road users as well. It is not simply coming up with a piece of legislation to introduce the point system, as the hon. Prime Minister has said in this august Assembly. There is a *panoplie de mesures* that have been implemented by this Government in order to make the use of the road safer. For instance, we have had the construction of many new roads. Many people visiting Mauritius from faraway lands come here and say that they were only here last year, and there are more and more roads being built and upgraded. There is nowhere in Mauritius that you will not find that roads are being improved.

Precisely, the reason why they are being improved is because it is the intention of Government to ensure that all people who use the roads are safer. The objective is to reduce road accidents.

But this cannot be done only by measures that are taken by Government; this cannot be done only by measures black on white. It has to be a partnership between people driving vehicles, people walking on the roads and the Police Force. It has to be a partnership with Government and road users. That is why I explained to the trade unionists that in other countries there is no law that waives such regulations, or laws or penalty points vis-à-vis commercial vehicle drivers like buses or lorries.

We cannot say we are going to remove the responsibility from bus drivers. We cannot do that because we have a responsibility if we are on the road. I have come across cases of the European Court of Justice that show exactly that, where an employer is paying a commercial driver to drive a vehicle. It is totally understandable that he has to spend a lot of hours on the road, and thereby puts him in a situation where he can be very tired, and, therefore, commits offences out of tiredness. That is why in Europe there are regulations pertaining to the number of hours that someone can work behind the steering wheel of a commercial vehicle, with passengers or dangerous goods behind him. There is a limit to the number of hours of work that he is entitled to be on the road. Over and above those limits, he is a danger to road users, and he has to rest by law. If he does not rest, it is an offence, and not only him but his employer also may lose his licence.

In this particular instance here, when the Government is going ahead with this piece of legislation, it is applicable to all. It shows that we are a responsible Government. We cannot make exceptions with the lives of people, with the lives of pedestrians, with the lives of people riding bicycles. There shall be no exception when it comes to the preservation of once life.

Mr Speaker, Sir, as I have said earlier on, a piece of legislation is beautiful. But when I look at the offences to which it applies, it is something which I welcome. For instance, when we look at the third schedule, the offences on the Bill, at page 17 -

"Failing to wear securely a prescribed protective helmet while riding a motorcycle or auto cycle"

It is a fact known to everyone that, very often, not even youngsters, but those who are not young anymore, *les moins jeunes* also show a total disinterest for their own safety, when you see them zooming around somewhere in town or in villages late at night, with no helmets, sometimes

even having their children in front and another child in the back. I have seen that. For instance, we are talking today about the need for safety at Roche Bois with the *passerelle*, earlier this morning. It is important when you have offences like what I have seen here, most importantly breach of lane discipline on a dual carriage way. Have we not seen it all of us? We are on the fast lane and we are trying to overtake a vehicle and that vehicle driver is pulling out his arm and giving us a very Mauritian sign which basically means – I said to a tourist: “it does not mean his is waving at you and saying hello and he loves you. He is telling you to go over his vehicle!” We see it every time but, how, Mr Speaker, Sir, will we be able to enforce this piece of legislation if we do not have Police officers who are everywhere on our roads making sure that such things have to stop?

The hon. Prime Minister has the solution even before I said it. The hon. Prime Minister said this morning that not only has he had the vision to have motorcycles everywhere on our highways, but also, to go on all roads around the island to make sure that there are no road traffic violations. We are, therefore, as a responsible Government under a responsible leadership, coming with a package of measures. This is but one of them and it is in my view a very bold measure that is being taken and that is why, Sir, I welcome this piece of legislation and I am proud to be part of a Government that each and every time is coming up with bold measures because we have only one thing at heart: the interest of the people.

Thank you, Sir.

(9.52 p.m.)

The Attorney-General (Mr Y. Varma): Mr Speaker, Sir, the decision to introduce the penalty point system was prompted by the need to induce drivers to behave more responsibly and to promote road safety. At the outset, I would like to congratulate the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping, hon. Anil Bachoo for bringing this innovative piece of legislation to the House.

The vision of Government is to provide a safe road environment to the Mauritian population. It is a priority for this Government to reduce the number of road accidents. We are determined to approach road safety issues with tenacity. Despite the use of sustained road safety publicity campaigns to encourage greater responsibility among drivers and the continued commitment of Government to tackle the issue of road safety through education and with so many road safety engineering and enforcement measures being taken throughout the country,

there are still many drivers in our society who are not prepared to change their behaviour. We, therefore, need to take bold decisions in order to protect our citizens from inappropriate and careless driving and to put a halt to abhorrent driving behaviours.

This amendment to the Road Traffic Act comes at an opportune time as it fits within Government's priority. By providing for the application of the penalty point system to driving licences and the payments of fixed penalties, Government is sending a strong signal to all defaulters that we mean business by making our law more stringent and enforcement more effective.

Mr Speaker, Sir, we are not reinventing the wheel. In fact, this piece of legislation, this penalty point system, has already proved its essence in many foreign jurisdictions. The penalty point system however, is not only designed in a context of deterrence because it also has clearly an education dimension. Indeed, it puts in the hands of each licensee a self-control education with the ability to manage itself the capital of points it has.

Mr Speaker, Sir, in Italy, for instance, it was estimated using data on road accidents, traffic fatalities and driving offences taking place over the period 2001-2005, the introduction in July 2003 of a penalty point system for driving offences has led to a reduction of road accidents. Similarly, when this piece of legislation was passed in France in 1992, the number of accidents was reduced by almost 50%. Mr Speaker, Sir, it is in this respect that this caring Government is reviewing our law on road traffic and the penalty point system from a comparative perspective with a view to ascertaining whether it is in line with international best practices. It has also considered whether the legislative scheme devised for the penalty point system complies with the requirements of the Constitution and its human rights guarantees. Under our system the power to suspend a driving licence is regarded as a judicial function and must be entrusted to courts pursuant to the case of *Durocher v Commissioner of Police* (2008) MR 97.

Penalty points have been defined as points allocated to a person by a court by way of additional penalty for an offence under this Act or pursuant to section 191 which deals with fixed penalty notices or section 195 which deals with photographic enforcement device notice. The imposition of penalty points is an additional penalty, because the fines and other penalties which are already provided for in the Act for those offences listed in the First Schedule are maintained. All the offences listed in the First Schedule are safety related so that the primary purpose of this legislation is to aim at having a better and safer system for all road users. The maximum number

of penalty points for the holder of a provisional driving licence will be ten points and for the holder of a driving licence which is not a provisional one it will be fifteen points.

Mr Speaker, Sir, penalty points will have a lifespan of 36 months as from the day when they are allocated. The definition of driving licence has been amended so that it shall comprise a licence card and also a paper counterpart. It will be a legal obligation to have at any point in time both the licence card and the paper counterpart or an up to date photocopy of both.

The paper counterpart, which will be attached to the licence card will have affixed on it all the penalty points, which a person has accumulated. In fact, a person will know how many points he has just by looking at the paper counterpart. In addition, a driving licence holder may apply to the licensing officer at anytime and on payment of the prescribed fee, to be issued with a penalty point certificate stating the number of penalty points already allocated to that person.

Mr Speaker, Sir, before any fixed penalty notice and photographic enforcement device notice is issued to a person, that person shall be informed by the Police officer of the offence, which he has committed and the penalty points, which it carries. On being made aware of same, the person may opt to accept either a fixed penalty notice or a photographic enforcement device notice. The number of penalty points that the particular offence carries will be written on those notices. Before paying a pecuniary penalty specified either fixed penalty notice or photographic enforcement device notice, the person also signifies his acceptance of the penalty points by signing the forms. It is noteworthy that an incentive is being given to a person to accept either a fixed penalty notice or a photographic enforcement device notice, so that if a person has committed only one offence, the fixed penalty notice or the photographic enforcement device notice shall make reference to the lowest number of penalty points in respect of that offence. If on a single occasion, more than one offence has been detected, the offender will only have the lowest number of the highest range. By making provision for the lowest number of penalty points to be applied for any person who has been served with a notice, the Bill is seeking to encourage offenders to accept such notices without having recourse to the court system.

Mr Speaker, Sir, the court will also be able to allocate penalty points, if the person does not accept the notices or else for any other offence, which is listed in the Third Schedule of the Bill. In the Third Schedule, there is a range of points, which is provided for each offence, so that the Magistrate will be able to assess the evidence before him or her and look at all the circumstances of the case to decide which point within the range will be applicable for that

particular offence. If a person has committed more than one offence on a single occasion, the court shall only allocate the highest number of penalty points, in respect of that offence carrying the highest range of penalty points. What in effect happens is that if a person has committed three offences on a single occasion instead of awarding penalty points in respect of three offences, the court shall only allocate penalty points for one offence, but it has to be the offence, which has the highest number of points and in that range the offender will have the highest number of points.

The procedure before any Court of Law will be the same as for any traffic offence. So that, if a court is satisfied that any person is guilty, beyond reasonable doubt, of any road traffic offence, listed in the Third Schedule, the court shall convict that person and require the licensing officer to produce a penalty points certificate in relation to that person before sentencing. Any person dissatisfied with the verdict of the court may appeal, as for any other case, and if an appeal has been lodged, the decision of the court shall, pending the appeal, be suspended. Any person who has exceeded the maximum number of penalty points, which is 10 for the holder of a provisional driving licence and 15 for any other licence shall be disqualified from holding or obtaining a driving licence for all classes of motor vehicles for a period of not less than six months by a Court of Law.

Mr Speaker, Sir, even if a person has more than one case pending before different courts and has been issued with the notices, so that the court is not aware that the person has exceeded the maximum number of penalty points, but that the licensing officer subsequently becomes aware that the person has exceeded the maximum number of penalty points, the licensing officer shall be entitled to make a written application to the Magistrate for an issue of a Summons to show cause, why that person shall not be disqualified for holding or obtaining a driving licence. A Magistrate shall, at a hearing of that person, disqualify him from holding or obtaining a driving licence for all classes of motor vehicles for a period of not less than six months. At the end of any period of disqualification, every licence shall be surrendered to the licence holder on payment of the prescribed fee. Mr Speaker, Sir, a person who has been convicted of an offence of drink-driving will not be allocated penalty points because the Road Traffic Act already imposes a tougher penalty for drink-driving.

The Second Schedule of the Road Traffic Act provides in case of a breach of section 123E for cancellation of driving licence being permissible and disqualification of a minimum

period of 12 months and endorsement being mandatory for a first-time offender. For a breach of section 123F, cancellation is permissible and disqualification for a period of eight months and endorsement obligatory for a first-time offender.

To conclude, Mr Speaker, Sir, the key determinant of road safety performance is the behaviour of our road users. Consequently, the primary focus of our road safety strategy is to positively influence that behaviour. This can be attained through initiatives across a range of areas, including the enactments and enforcement of laws that promote good road user behaviour.

Mr Speaker, Sir, this Bill will help to deliver improvements to the manner in which all drivers interact with our road system. The society both expects and requires these improvements whether in the short, medium or long term. The Road Traffic (Amendment) Bill is a testament to the radical approach that is being taken towards the development of a robust road safety policy.

Mr Speaker, Sir, I had the opportunity of chairing a number of meetings during the preparation of this Bill and I seize the opportunity to thank officers from the Ministry of Public Infrastructure, Land Transport and Shipping, the National Transport Authority, the Police, my Officers, Sir Victor Glover, the Law Reform Commission, Professor Garon and Mr Buntipilli, Adviser to the Prime Minister, for their support and collaboration in the preparation and finalisation of the Bill.

This piece of legislation should not be interpreted as an instrument of sanction, *mais comme un instrument de dissuasion pour une bonne conduite au volant qui constituera, par la même occasion, un apport certain pour la sécurité sur nos routes.*

Thank you very much.

(10.10 p.m.)

The Prime Minister: Mr Speaker, Sir, the Bill which is in front of the House today, constitutes an extremely important landmark in the history of road safety in our country. I have, Mr Speaker, Sir, on numerous occasions, both in this House and outside, expressed the commitment of the Government to ensure a more secure road environment for our citizens. As I said, this very morning while answering a PQ, road safety is a complex issue and requires a holistic and coordinated approach.

Mr Speaker, Sir, when you have a major problem, it is no good to try to tackle it in a piecemeal fashion. There are many reasons why road accidents happen. Studies in other countries indicate that the main causes fall into three categories.

In the UK, it has been found that, first and foremost, the cause is actually the driver; 93%, in fact, are due to the driver, road user error. The second one is road defects, 28%, and the third is vehicle defects, 8%. That is in the UK. In the UK, they have a different system; they have MOT tests which are more stringent and all these things. But, in Mauritius we reckon that the road user is also the main reason. So, we need to change attitudes and mentalities. That is why I have always said: *il nous faut un remède de cheval*. Otherwise, we would be back to the same situation in 10 years, 20 years, in 30 years, no change! We must start from the basics and we have a three-pronged strategy.

First of all, education. We must ensure that people actually know how to drive properly and know how to control a vehicle. Some people really think that driving is just about holding the steering wheel and knowing how to pedal. That is not the case and we must show discipline on the road. I heard hon. Shakeel Mohamed mention it, I think, and also the vice-Prime Minister, hon. Bachoo. How many times every day we see crawlers driving in the right hand lane of the motorway? Not only is it dangerous, but it also contributes significantly to congestion, because what happens then? He or she won't move, but also the driver behind feels that he or she has to go to the left, try to overtake on the left, and you get all sorts of problems. That is why we need also to apply sanctions, Mr Speaker, Sir, for those who do not obey road traffic laws. Nobody must think that he or she can do what he or she wants on the road with impunity. Thirdly, we must have enforcement. It is no good having the best laws in the country, if we cannot enforce them. We need to have these three-pronged strategies, that is, prevention, education, training, enforcement and sanctions. Unless, Mr Speaker, Sir, we take the bull by the horns, we will continue to see unwarranted road accidents, and people losing their lives for no good reason.

It is with this in mind, Mr Speaker, Sir, that I set up a Special Road Safety and Management Unit in my Office in 2009 to ensure a more coherent and strategic approach to this matter and I mentioned the special adviser, whom I name Mr Buntipilli, who has a vast experience; he has been nearly 20 years in the Road Traffic Management in the Police, he is a dedicated person and he knows what he is doing. But he is working in collaboration with the Police Department, the Ministry of Public Infrastructure and Land Transport and also with all the stakeholders concerned.

I highlighted this very morning, Mr Speaker, Sir, in a reply to a Parliamentary Question on fatal road accidents, some of the measures which we have been implemented since 2009.

Without going into repetition and repeating those measures, let me point out that it is in line with this new policy adopted by the Special Road Safety Unit. We have formulated this new national road safety strategy for the next decade. We are building a new driving, education and testing centre, because we don't want to ensure only that people are safe drivers, and when I say safe drivers, I mean be it drivers of cars, vans, buses, lorries or whatever, but we are also catering for motorbike riders, cyclists and pedestrians. We will also ensure that school children go there and are shown and told about the road code, how to respect the code, how to be disciplined on the road. We must, Mr Speaker, Sir, instill this new mindset in our young and changed behaviour. That is how we can change the road safety statistics. We'll also be having more stringent driving tests. The ultimate objective is to ensure safety on the road. We are also having new - I am not repeating what others have already said, but we want to have new vehicles testing centres. This will be decentralized - not everybody has to go to one place - and outsourced to qualify private operators. I think I mentioned this morning that we have already done the tendering procedures and it is being done at the moment.

Now, I must point out that any such centre - because we know Mauritius - which gives a MOT to a vehicle which is not fit to be on the road will be severely sanctioned and nobody can pretend that they do not see how much we are investing in our roads and the improvement of our physical infrastructure. Everybody can see the roads that are being built by the Ministry. I mentioned enforcement earlier. We have trained a dedicated Road Safety Motorcycle Squad; at the moment, it consists of 30 Riders. This will increase to 50 later on. They will patrol motorways and the main roads, but they will be dedicated just to stop those breaking the law. If you are talking on the phone, you will be stopped, if you are crossing the lane for no reason, you will be stopped, if you are changing lanes in the wrong lane you will be stop and you will be penalised.

Today, we are introducing the other part of this, the penalty point system. We said in our Government programme, Mr Speaker, Sir, that we will introduce this piece of legislation by the end of 2012. We are, therefore, ahead of our time. This amendment to the Road Traffic Act comes at an opportune time as it fits within the Government priority. By providing for the application of the penalty point system to driving licences and the payment of fix penalties, we want to send a strong signal to all defaulters that we mean business and legislation would be enforced in a stringent and effective manner.

The penalty points system Mr Speaker, Sir, is a three-point system, consisting, first of all, of deterrence, in a sense that the fear of getting penalty points which, when accumulated, will lead to the losing of their license, would inevitably encourage drivers to drive more carefully, to be more respectful and to abide by the provisions of the Road Traffic Act.

Secondly, selection - in the sense that it will allow the removal from traffic of multiple offenders. If one keeps offending, one will inevitably lose his or her license and thirdly, correction in the sense that if drivers have the opportunity to get points back for obeying traffic rules over a period of time after the rehabilitation course; that will also encourage them.

The penalty points system is a system, Mr Speaker, Sir, which has been successfully implemented in many countries across the world; in the United States of America, Australia, Malaysia, Singapore, the European countries and they are giving good results.

In 2007, 20 of the 27 EU member States had a point system in place. Almost all of them, not the same, different from one another, because countries vary from one another, but the system has led to a significant reduction in road accidents, casualties and fatalities in all these countries where there is an effective traffic monitoring system.

Mr Speaker, Sir, the penalty points system provided in the Road Traffic Amendment Bill contains the deterrence and selection elements. The strategy for the correction of irresponsible behaviour of drivers on the road and its application in the Mauritian context are being actively looked into and will come into force.

With the advent of this new system in Mauritius, we will have an enforcement regime that will provide the level of deterrence needed to address road safety problems in a comprehensive and robust manner, with the aim of achieving a significant and substantial reduction in road casualties. In fact, penalty points will be imposed by the Court in addition to other sanctions such as monetary fines and shall be used specially to tackle the most dangerous safety related road traffic offences committed by drivers on our roads. Each of the points allocated by the court shall correspondingly remain effective on the driving licence of the offender for three years as from the date on which they were allocated.

I will not go into the details of the Bill, but I want to point out something, Mr Speaker, Sir; the definition of a 'driving licence' is being amended so that a driving licence will now consist of two parts - a licence card and a paper counterpart. This means that any person must

now carry his licence card and paper counterpart or they can also carry an up-to-date actual size photocopy of both. I need to point out something here, Mr Speaker, Sir. It has been brought to our attention - both hon. vice-Prime Minister and myself, and others – that is sometimes what people do; they photocopy - we have very good photocopiers nowadays - their licence so they produce the wrong licence. There will be serious consequences if you do this, Mr Speaker, Sir. Any penalty points allocated to the holder of the driving licence will be inserted on his paper counterpart. There will be a seal from the Police so that you cannot duplicate it and try to tamper with it, and any person would be able to apply to the licensing officer to know how many penalty points he has accumulated against payment of fee. Penalty points may be allocated to a person by the court or where he has signified his acceptance of same on the photographic enforcement device of fixed penalty notice. In other words, he will not necessarily have to go to court.

Mr Speaker, Sir, the permitted maximum number of penalty points for the holder of the provisional driving licence is ten and for the holder of a driving licence, that is, a full driving licence is fifteen. We have in mind also to bring in at this point the provisional probationary licence. That is, somebody who has just passed the test, who does not have experience on the road, people should know that this is a person who does not have experience. We have some legal difficulties with this, and I know the hon. Minister is looking into this and will bring this in later. As I said, any penalty points allocated will have a lifespan of 36 months from the day of the allocation of the points where he has already been disqualified and the disqualification will expunge the points already accumulated.

Where a person is committed of more than one offence on a single occasion, he shall be awarded the largest number of penalty points for the offence carrying the highest range. The persons to whom penalty points have been accumulated may appeal against such a decision. That is in all the laws. He may appeal against that decision. It's the same as any other convictions and the points shall not be allocated pending the appeal. But, what we will have to ensure is that the appeal takes time quickly; that it does not go on and go, and then they can just carry on driving.

Where the court finds that a convicted person has exceeded the permitted maximum number of penalty points, the court shall disqualify the convicted person from holding or obtaining a driving licence for all classes of motor vehicles for a period of not less than six months. I must also point out, Mr Speaker, Sir, because I think - not just in Mauritius, but in

other countries also - sometimes people do not realise what a serious offence it is to drive when you are disqualified. We will make sure that they realise what the offence is. Where a person is disqualified from holding or obtaining a driving licence and the court subsequently disqualifies that person for having exceeded the permitted maximum penalty points, the court shall cancel the driving licence of that person.

Mr Speaker, Sir, we are following an allocation of penalty points by way of PEDN or FPN or by a court. The licensing officer becomes aware that a person has exceeded the permitted maximum number of penalty points, he shall make a written application to a Magistrate for the issue of a summons to the person to show cause why that person should not be disqualified from holding or obtaining a driving licence. Any person who accepts an FPN or a PEDN shall be allocated the lowest number of penalty points in the range that is mentioned in clause 14. Where more than one offence are detected on a single occasion, the FPN or the PEDN shall make reference to the lowest number of penalty points in respect of the offence carrying the highest range of penalty points.

Mr Speaker, Sir, a person who has been convicted of an offence of drink driving, will not be allocated penalty points because the Road Traffic Act already imposes a higher penalty for drink driving. Section 123 (e) of the Road Traffic Act provides for the offence of driving, of being in charge of a motor vehicle under the influence of intoxicating drinks or drugs. It also provides for the offence of driving or of being in charge of a motor vehicle with alcohol concentration above the prescribed limit. I do not need to go through the whole list of what are the penalties for each breach that you do on this, Mr Speaker, Sir.

But, I need to remind the House also that we amended the Road Traffic Act last June to include private medical institutions and health centres in the definition of hospital. That is in order to enable the Police to have access to these premises for the purpose of breath test and alcohol level in the blood of anyone involved in road accidents. We know what was happening before; people will just go to a private clinic and then, they are told that the Police cannot have access to a private clinic. That is not the case anymore. One case was mentioned this morning and I hope that it has been done.

Mr Speaker, Sir, it is good to note that for people who earn their living by driving there cannot be any exception, but when they risk losing their licence this has been taken into consideration in the Bill through the provision of a range of points instead of fixed points such as

the court who has sentenced him may look at the mitigating factors, the hardship cases and all. But, no one can be exempted. As hon. Minister Mohamed rightly said - we cannot, Mr Speaker, Sir. You know what some people have been saying, I think the taxi drivers; I sympathise with them. Somebody said I could be a New York taxi driver, so maybe that's what I should do next. I sympathise with them, Mr Speaker, Sir, but taxi drivers are also road users. They travel more and the more they travel, the more the probability of accidents. We can see on the statistics that, in fact, taxi drivers also have accidents. Therefore, what needs to be borne in mind is that no offenders should remain unpunished and that no one is allowed to transgress the law, be it an ordinary or a professional driver.

Mr Speaker, Sir, the introduction of the penalty points system is not an end in itself, but a means to an end. That is, to tackle the issue of road safety in this country. With this new system we are focusing on the enforcement approach to road safety. I mentioned the other approaches, but this is the enforcement approach. Nevertheless, we have also put in place the appropriate framework which would trigger a change in mindsets and behaviour of drivers, riders and road users generally.

Mr Speaker, Sir, before I end, I want to talk about one point that has been made. I have seen people writing about it. If you have penalty points, some have argued that this will lead to corruption. That is, when the Police officer will stop you, people will try to see whether they can get away with it. This is not going to be the case. We will have a dedicated specialised team. We have a project which is called Third Eye Project. This project, Mr Speaker, Sir, is actually in place in many countries, in India, in Singapore. We are going to introduce it very soon here in Mauritius. They will be able to take photographs, if say, you transgress the white line. These photographs will have evidential value. Now, this photograph is not going to be with the policeman. As soon as he takes the photograph, it goes on a survey directly. The survey will have the record there and you will be sent a letter saying that: on this day, at that time, and this is what you have done. You don't agree: come and have a look at the photograph. If you still don't agree, you can go to court, but the penalty will be higher. I think probably the best thing is to agree. Mr Speaker, Sir, the introduction of this penalty points system is yet another testimony of our commitment to making road safety a national priority. We are determined to approach road safety issues with the tenacity that it needs.

Let me end, Mr Speaker, Sir, by congratulating my colleague, the vice-Prime Minister and Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping for this bold initiative. We work very closely together. He knows that I know a lot about cars and, therefore, we have done a lot of corrections in that Bill. But, I want to congratulate him for his tenacity on having brought this landmark Bill in the House.

Thank you, Mr Speaker, Sir.

(10.29 p.m.)

Mr Bachoo: Mr Speaker, Sir, let me take this opportunity of thanking our Prime Minister from the bottom of my heart. I have yet to come across someone who shows so much of concern for such matters.

I have had the privilege of knowing four Prime Ministers, in fact. I had a very close touch with late Sir Seewoosagur Ramgoolam. I worked with three Prime Ministers, but I never had an opportunity of working with somebody who, day and night, thinks in terms of the measures that should be taken in order to eliminate road accidents from our country. In fact, our hon. Prime Minister deserves to be congratulated for his devotion and dedication for that cause. Mr Speaker, Sir, I sincerely believe that his efforts to eliminate accidents completely from our roads can become a reality if all of us join hands together and fight to tackle this issue.

We have got a very open mind in this House, and we expected the Opposition to come forward with certain suggestions. Unfortunately, they have an empty mind, and that explains why they are absent from this House. Mr Speaker, Sir, in fact, it is a very sad day for them that for such an important piece of legislation, they have not put up any effort in order to come forward with suggestions.

I received representations from professional drivers, and they were complaining that, in case we were coming forward with this piece of legislation, that would deprive them of their livelihood. But the more professional you are, the better you are equipped on our roads, and I find it extremely unjust for them to come forward and ask for any concessions. The more professional you claim to be, the lesser should be your propensity to commit an offence. This is what we have learnt, and that's the reason why we have not been able to entertain the request that they have made.

Mr Speaker, Sir, the Road Traffic (Amendment) Bill which is being debated in this House will definitely bring major changes to the road traffic management and safety landscape in

Mauritius, and all of us are unanimous in recognising that, in face of numerous accidents that we are witnessing, the whole gamut of existing measures is proving to be inadequate. The persistent, irresponsible and reckless driving habits have become a serious threat to the road users. To cope with such a situation, we have to develop and come up with such means, so that we can effectively and successfully address the problem. We have often been told by the hon. Prime Minister that one death on our road is too many, and everything should be done to see to it that not a single child or a grown up person loses his life on our roads as a result of careless driving. They are being punished for no cause of their own; they are innocent people on our roads, and every day we hear of such accidents. That is the reason why we had no other alternative than to come up with such a measure.

When looking at what is obtainable in all other countries where a penalty point system is in place, we have seen that in most of the cases there have been very meaningful decrease in the number of road traffic offences, and thus in the number of road accidents. This cannot but be to the benefit of all of us, all of the road users, and it will wipe out situations where innocent lives are taken away by irresponsible motorists.

That reminds me when I was in Higher School Certificate; there was a passage in a book by Skinner, entitled 'Reading and Reasoning'. There was one quotation -

“There is nothing wrong that compels you to drive a motor car so fast as to kill innocent pedestrians. If they turn out to be evil, it is because we who are evil. If we are evil, the fault is not in the machine but in ourselves.”

We have to remember that always. If our ideals are wrong, the fault is not in the machine and, therefore, all the causes of accidents are basically the result of our own weaknesses, and because of this so many people suffer.

It is natural that whenever a new system is put in place, it brings along its way some form of resentment. However, this type of reaction gradually subsides to create room for relief and satisfaction, and I do sincerely believe that though there have been slight reactions, all these will help because once this will come into practice, once we start, I sincerely believe that those who are a bit hesitant will also toe the line and will also get benefits out of this.

We have also taken care to ensure that the point system operates in a simplified and transparent manner, where each and everyone can ascertain its fairness. The procedures have been elaborately spelt out in this piece of legislation, and in the process, every driver can, at any

given point in time, know where he stands *par rapport* to his cumulative total. It would be unfair for someone to argue that the new system would cause any tort to him. So, we advocate a zero tolerance level.

When it comes to saving and protecting life, we have to religiously subscribe to that principle, and nobody should be above board or be granted any form of immunity. The prerequisite arrangements have already been put in place to ascertain that the new legal framework can be enforced as it should be, and we have every reason to be confident that the expected result should be achieved. We have to be daring, and this piece of legislation is proof, if ever proof were needed, that this Government is committed to applying the most responsive measures to addressing the road safety problems and curb down the trend in terms of number of road accidents.

Already, based on feedbacks received and views which are being echoed around, this piece of legislation seems to have won the acceptance of almost everybody. The interventions around this Bill by all the hon. Members reassure me that it is a subject of national interest and long awaited.

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

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Mr Speaker in the Chair)

THE ROAD TRAFFIC (AMENDMENT) BILL

(NO. XVIII OF 2012)

Clauses 1 to 11 ordered to stand part of the Bill.

Clause 12 (Section 123AM inserted in principal Act)

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

Mr Bachoo: Mr Chairperson, I move for the following amendment -

“in clause 12, in the proposed section 123AM(5), by adding, after the words “3 or more lanes”, the words “, except when turning right at a junction”;

Amendment agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

Clauses 13 to 20 ordered to stand part of the Bill.

Clause 21 (Fourth Schedule to principal Act amended)

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

Mr Bachoo: Mr Chairperson, I move for the following amendment -

“in clause 21(b), by deleting the figure “500” and replacing it by the figure “1500”;

Amendment agreed to.

Clause 21, as amended, ordered to stand part of the Bill.

Clauses 22 to 26 ordered to stand part of the Bill.

First Schedule

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

Mr Bachoo: Mr Chairperson, I move for the following amendment -

“in the First Schedule, in the proposed Third Schedule, in the item “Involuntary homicide and wounds and blows – section 133”, by deleting the words “homicide and”.

Amendment agreed to.

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

Second to Fifth Schedules ordered to stand part of the Bill.

The title and enacting clause were agreed to.

The Bill, as amended, was agreed.

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

Third Reading

On motion made and seconded, The Road Traffic (Amendment) Bill (No. XVIII of 2012) was read the third time and passed.

ADJOURNMENT

The Prime Minister: Mr Speaker, Sir, I beg to move that this Assembly do now adjourn to Friday 20 July 2012, at 3.30 p.m.

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

Mr Speaker: The House stands adjourned.

At 10.44 p.m. the Assembly was, on its rising, adjourned to Friday 20 July 2012, at 3.30 p.m.

WRITTEN ANSWERS TO QUESTIONS

EPZLWF - GENERAL MANAGER - COMPLAINTS

(No. B/514) 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 he has received a letter from a Trade Union complaining about the acts and doings of the General Manager of the Export Processing Zone Labour Welfare Fund, and if so, state the actions, if any, he proposes to take in relation thereto.

Reply (Minister of Labour, Industrial Relations and Employment): My Ministry has received, on 09 July 2012, copy of a letter addressed to the Prime Minister's Office by the negotiator of the *Fédération des Travailleurs Unis* regarding complaints against the General Manager of the Export Processing Zone Labour Welfare Fund.

An enquiry is being carried out by the Labour and Industrial Relations Division of my Ministry to look into the allegations made therein.

PLAINES WILHEMS SOUTH SEWER CONTRACT – PRICE INCREASE

(No. B/533) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Plaines Wilhems South Sewer Contract No. 73F, he will, for the benefit of the House, obtain from the Wastewater Management Authority -

- (a) information as to if -
 - (i) a Fact-Finding Committee was set up to inquire into the 50.3% increase of the original contract price thereof, and
 - (ii) the approval of the Central Procurement Board was sought and obtained prior to effecting payments in connection therewith, and
- (b) a list of the major variations, indicating the corresponding cost thereof.

Reply: I am informed by the Wastewater Management Authority that contract No. 73F for the construction of a trunk sewer from Curepipe to St. Martin was awarded on 24 April 2005 with the approval of the then Central Tender Board. Works started in May 2005 and were completed in February 2008. The final contract price amounted to Rs1,332,490,648 inclusive of VAT representing an increase of 49.92% on the initial contract price, made up of variations up to 29.92% and 20% contractual cost escalation.

The increase in the contract price was approved by the then Central Tender Board and by the Ministry of Finance and Economic Development following the coming into force of the Public Procurement Act in 2008. Accordingly, the need for setting up of a Fact-Finding Committee did not arise.

With regard to part (b) of the question, I am tabling the information.

CSR - COMPUTATION

(No. B/534) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Corporate Social Responsibility, he will state if he has been informed of the public concern as to the implication of the recent budgetary measures altering the mode of computation thereof, and if so, indicate the actions, if any, he proposes to take in relation thereto.

Reply: Indeed, there is a need to clear a recent confusion concerning CSR resources available to NGOs caused by some highly misleading public reports.

The Finance (Miscellaneous Provisions) Act 2011 has amended a previous anomaly on the basis of calculation for the CSR.

Before this amendment, unlike other taxes such as income tax on company's profits, the CSR contribution was calculated on the basis of a company's book profits, that is, the accounting profits as reported to the Registrar of Companies in their financial statements and not on the chargeable income arrived at under the Income Tax Act used for calculating corporate taxation, after disallowing certain expenditures and standardising allowances for depreciation of assets.

The prior mode of CSR calculation was susceptible to misuse because it allowed companies to deduct items such as penalties, fines, gifts and sometimes substantial entertainment expenditures and depreciation and thus enabled them to reduce the amount payable.

Also, contrary to income taxation the previous basis could lead to multiple taxation of the same income.

With the amendment announced in the 2012 Budget, some companies will contribute less in their CSR fund, but others will pay more. There is now a more coherent and consistent contribution which is no longer bound to the structure adopted by the company regardless of whether it is operating under a group structure or a lateral structure.

We estimate that the potential decrease of CSR contributions would be minimal.

Moreover, the number of CSR foundations has increased tenfold, to 40 in 2012 as compared to only four in 2009. These foundations are today implementing CSR projects directly to avoid further increases in unnecessary administrative costs.

The number of NGOs accredited by the CSR committee has increased substantially to 532 – whereas in 2009 there was only half the number. These NGOs are today widely spread across the country and act on various fields of activities.

We are far from the time when only a few NGOs benefitted from the whole of the CSR contributions.

It is also important to highlight the fact that the number of areas of intervention provided in the CSR Guidelines has also increased. As such, CSR action has been extended to areas such as the promotion of road safety (sensitisation campaigns) and employment of high level athletes, which now qualify for CSR financing.

Finally, the obligation to allocate 50% of CSR funds to the four priority areas, namely –

- (i) social housing;
- (ii) absolute poverty and community empowerment;
- (iii) welfare of children from vulnerable groups, and
- (iv) prevention of non-communicable diseases, can impact on CSR resource availability for NGOs not working in these priority areas.

It is to be noted that MRA is collecting some Rs116 m. annually from companies not utilising fully their CSR funds on social projects. NGOs should formulate valid CSR projects and tap these excess CSR funds, which are presently being remitted to MRA.

(No. B/535) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the arbitration proceedings relating to the consignments of poor quality fuel oil delivered in 2009, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to where matters stand.

Reply: I am informed by the State Trading Corporation that during 2009, the Corporation received three consignments of fuel oil which were found to contain a level of sediment exceeding the maximum tolerable limit and were therefore rejected. The details of these consignments were as follows -

Name of tanker and arrival date in Port Louis	Grade of Fuel	Problem
Pretty Jewelry of 10 February 2009	180 CST CC	Sediment level exceeding 0.1% m/m max
Ribe Maersk of 16 March 2009	180 CST SR	Sediment level exceeding 0.1% m/m max
Atlantic Eagle of 11 July 2009	180 CST CC	Sediment level exceeding 0.1% m/m max

I am informed by the State Trading Corporation that the cargoes were insured at the New India Assurance Co Ltd. However, the insurance cover did not provide for losses incurred due to contamination, leakages and commingling as a result of which the prevailing insurance cover could not be used to mitigate the loss incurred.

The assistance of the State Law Office was therefore sought on the matter and the State Trading Corporation was advised to submit the case to the London Court of International Arbitration in accordance with clause 21 "Special Provisions" of the Contract of Affreightment which the Corporation had signed with ST Shipping and Transport Pte Ltd, the company providing the carrier services.

Royds Solicitors was selected by State Law Office to represent the State Trading Corporation at the London Court of International Arbitration. On the advice of Royds Solicitors, the Corporation also enlisted the services of Petroleum Development Consultants Limited as experts in the field, and of Counsel Sir David Hunt, QC.

The main issue at this stage is to determine, substantiate and situate responsibilities between the supplier, that is, Mangalore Refinery and Petrochemicals Ltd and the carrier which is ST Shipping Ltd in relation to the cause of the deterioration of the cargo in order to target appropriate action with a view to recovering the losses. The claim in relation to the case for Arbitration has had to be recently reviewed in the light of recent findings and developments which tend to strengthen the case for State Trading Corporation. The matter which is being actively addressed has reached a critical stage in terms of orientation.

I am further informed that on 12 January 2012, Royds Solicitors served a “proposed arbitration proceedings” against Mangalore Refinery and Petrochemicals Ltd. A series of meetings were subsequently held from 28 June to 03 July 2012 in London with all parties, namely the State Trading Corporation, Royds Solicitors, David Hunt Q.C, Petroleum Development Consultants, representative of the State Law Office, SGS Mauritius to build up the case for arbitration before the London Court of International Arbitration.

I am advised by the State Trading Corporation that public divulcation of technical and commercially-sensitive information and details from their confidential records at this stage are likely to be picked up and cause severe prejudice to the case.

CEB - VALUE ADDED TAX OUTPUT TAX

(No. B/536) 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 Value Added Tax Output Tax amounting to Rs26,192,222.62 unclaimed by the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to if any legal advice was sought and obtained for the recovery thereof and, if so, from whom, indicating if the Board or the Management thereof acted upon the advice given by the Board’s Legal Adviser and if not, why not.

Reply: I am informed that in September 2009, the CEB made a request to the Mauritius Revenue Authority (MRA) for the refund of an unclaimed amount of Rs27,192,222.62.

The MRA, in December of the same year, replied that in the light of the advice it had received from the State Law Office it could not accede to the request of the CEB as the delay of 24 months within which the input tax ought to have been claimed had lapsed.

The CEB subsequently consulted its Legal Adviser who advised that the Board was entitled to a refund of the unclaimed VAT and to contemplate legal action against MRA, if no refund is made.

At the request of the CEB, my Ministry sought advice from the State Law Office as to whether the CEB was legally entitled to a refund of the unclaimed VAT, in light of the views expressed by the Legal Adviser of the CEB. The State Law Office advised the Ministry, that after having given due consideration to views expressed by the Legal Adviser of the CEB, it was of the view CEB was not legally entitled to a refund of the unclaimed VAT, in accordance with existing provisions of the Law.

The CEB was accordingly informed of the advice tendered by the SLO, following which the Board resolved not to proceed further.

TRAFFIC SIGNALS EQUIPMENT - MAINTENANCE

(No. B/537) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the tender launched for the maintenance of the traffic signals equipment, he will state where matters stand.

Reply: The contract for the maintenance of the traffic signal equipment has already been awarded on 12 July 2012.

PLAINES WILHEMS SEWERAGE PROJECT – BIDDERS

(No. B/538) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Plaines Wilhems Sewerage Project, contract No. WW80F, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to -

- (a) the names of the bidders therefor, indicating the value quoted in respect of item 3.1.5, in each case, and

- (b) if the recommendation of the Evaluation Committee set up therefor was followed for the award of the contract.

Reply: The names of the bidders for Contract No. WW80F of the Plaines Wilhems Sewerage project, are as follows -

- (i) China Jiangsu/PAD & Co. Ltd. JV
- (ii) A & J Maurel Construction Ltée
- (iii) China International Water & Electric
- (iv) Thymian Holding GbR/Sotravic Ltée JV
- (v) Jan De Nul NV

The contract was awarded by the Central Procurement Board further to the no objection of the EIB, the funding agency. Information with regard to the value quoted in respect of item 3.1.5 of the Bill of Quantities and part (b) of the question have been sought from the Central Procurement Board.

FIRE SERVICES AND RESCUE BILL - INTRODUCTION

(No. B/539) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to the fire services, he will state if Government proposes to introduce a new Fire Services and Rescue Bill and, if so, when.

Reply: As the House is aware, one of the measures announced in the Government Programme 2012-2015, is to introduce into the National Assembly, a new Mauritius Fire and Rescue Service Bill, by August 2012.

A first version of the draft Bill has been worked out by my Ministry and the Fire Services Department after numerous working sessions under my chairmanship. Following consultations with relevant Ministries and Departments, the final draft Bill has recently been submitted to the Attorney General's Office for vetting. Once the Bill is cleared by the Attorney-General's Office and the approval of Cabinet is obtained, the Bill will be introduced into the Assembly.

FLIC EN FLAC - SHOPPING FIESTA

(No. B/540) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Tourism and Leisure whether, in regard to the Shopping Fiesta held in Flic en Flac, on Sunday 01 July 2012, he will state the –

- (a) total budget earmarked therefor;
- (b) total cost thereof, indicating the cost incurred for air tickets and the name of the travel agency;
- (c) sponsorship received, if any, giving details thereof, and
- (d) names of the service providers therefor, indicating in each case, the amount of money paid thereto.

Reply: The House may wish to note that no shopping fiesta was held at Flic en Flac on Sunday 01 July 2012.

I, therefore, presume that the hon. Member is referring to the Carnival which was organised at that venue on that date.

In that context, it would be pertinent for me to highlight that the Carnival formed part of the measures being taken by the Mauritius Tourism Promotion Authority (MTPA) to enhance the visibility of the destination especially during the current low season. It also reflects the strategic approach of the MTPA to broaden our tourism product portfolio and showcase Mauritius by a series of events that create the buzz to put Mauritius on the international map. Its prime objective was to specially attract the attention of the international media and tour operators to the destination prior to the launching of their brochures in September for the next travel season and ahead of two major international trade events, namely –

- Top Reza in France in September, and
- World Travel Market in U.K in November 2012.

With regard to part (a) of the question, I am informed by the MTPA that the budget earmarked for the Carnival was Rs8.2 m.

Concerning part (b) of the question, I am advised by the MTPA that the total costs incurred for the Carnival was Rs6.5 m., including an amount of Rs1.2 m. for costs of air tickets and taxes paid directly to Emirates airline.

As far as parts (c) and (d) of the question are concerned, the information, as provided by the MTPA, is being placed in the Library.

CYBERCITY – LAND LEASE

(No. B/541) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Information and Communication Technology whether, in regard to the land in

the Cybercity, he will, for the benefit of the House, obtain from the Business Parks of Mauritius Limited, information as to the –

- (a) initial and subsequent terms and conditions thereof leased for the setting up of the Cybercity
- (b) initial extent thereof leased to the promoters of the Ebène Hypermarket, indicating the –
 - (i) terms and conditions thereof, and
 - (ii) when was the lease agreement signed, and
- (c) plot numbers thereof retrieved, if any, since 2007 to date, indicating the-
 - (i) names of the previous and new owners thereof, and
 - (ii) terms and conditions thereof.

Reply: I am informed by the Business Parks of Mauritius Ltd. that the terms and conditions for the lease of land at the Ebène Cybercity have evolved since 2001.

In September 2001, a lessee was required to pay a one-off payment of Rs2 m. for one acre of land in the Business Zone and Rs200,000 as annual rental. For the knowledge Zone, one-off payment for one acre was Rs1 m. and annual rental was Rs100,000.

In May 2004, the one-off payment for one acre in both the Business and Knowledge Zone was increased to Rs4 m. and the annual rental per acre was uniformised at Rs200,000. In May 2005, the one-off payment was revised to Rs5m. per acre whilst in February 2006, the annual rental was increased to Rs300,000 per acre. There have been no other changes since that time.

With regard to part (b) of the question, I am informed that a lease agreement was signed on 19 November 2002 for the allocation of a plot of land of an extent of 8 acres to Ebène Hypermarket on the following payment terms -

Either 20% of the annual turnover or Rs1.4 m. per annum, whichever was the higher.

Regarding part (c) of the question, five plots of land of one acre each have been retrieved. Plots No. 42 and 43 initially allocated to State Informatics Ltd. have been leased to Société Bhumi Investment, plot No. 2 retrieved from Mauritius Post Ltd. has been leased to Maxcity and plot No. 63 retrieved from the University of Mauritius has been allocated, on lease, to MTML. The terms and conditions are as follows -

- A one-off payment of Rs5 m. per acre
- Annual rental of Rs300,000 per acre
- 9% increase in rental every 3 years

**R.S. SECURITY SERVICES LTD. – EMPLOYEES - NATIONAL PENSION
FUND**

(No. B/542) Mr S. Soodhun (Second Member for La Caverne and Phoenix) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to R.S. Security Services Ltd., she will, for the benefit of the House, obtain from the National Pension Fund, information as to the number of employees thereof who have been registered therewith.

Reply: According to records available at the National Pensions Fund, it is observed that for the past eight years, the number of employees registered with R.S.L. Security Ltd has been fluctuating from 10 to 2. The business has been registered on 04 June 2004 and the last return for contributions has been received in June 2012 for the previous month.

Following complaints received at the Ministry, regarding non-compliance on the part of the company with the provisions of the National Pension Act, relating to registration of employees, actions have been taken by officers of the National Pensions Unit in April last to request for all related documents to ascertain compliance. As per normal practice, a delay for reply has been given to the company and as no response has been again noted, necessary action is now being initiated for prosecuting the company for non-payment of contributions, non submission of wages records and failing to attend to summons.

CEB – ELECTRICITY BILLS & ELECTRICITY POLES

(No. B/543) Mr A. Gungah (First Member for Grand’Baie & Poudre d’Or) 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 therefrom, information as to, since 2006 to date, the -

- (a) loss incurred due to the -
 - (i) charging of excessive electricity bills, and
 - (ii) omission for reclamation to the Mauritius Revenue Authority, and
- (b) expenditure incurred for the setting up and removal of electricity poles on the premises of the Le Morne Heritage Trust Fund.

Reply: With regard to part (a) (i) of the question, I am informed by the Central Electricity Board that there has not been any excessive billing charged to consumers. However, I am informed that in December 2008, the excessive bills arose because of end of year festivities, exceptional climate and, for around 3% of domestic customers, a billing period exceeding the normal meter reading tour of 28-35 days, was applied and gave rise to higher amount claimed.

Subsequently, a decision was taken to align the consumption of all domestic customers for that period to that of the preceding month. This has resulted into a shortfall to the tune of Rs118.6 m. to the CEB.

I have already replied to part (a) (ii) of the question in my reply to PQ No. B/536.

Regarding part (b) of the question, I am informed that an amount of Rs3,050,482.66 has been incurred for the setting up and removal of electricity poles on the premises of the Le Morne Heritage Trust Fund. I understand that the Le Morne Heritage Trust Fund objected to the erection of the 66 kV overhead network at Le Morne, claiming that it was situated in the buffer zone of the Le Morne Heritage.

CSR – PROJECTS - IMPLEMENTATION

(No. B/548) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Social Integration and Economic Empowerment whether, in regard to the Corporate Social Responsibility, he will state the –

- (a) actions taken, if any, by the Corporate Social Responsibility Committee for the capacity building of the Non-Governmental Organisations towards project formulation and implementation, and
- (b) monitoring mechanism, if any, put in place to –
 - (i) follow up on the implementation of the projects, and
 - (ii) control duplicate financing of projects by private companies.

Reply: With respect to part (a) of the question, I am informed that capacity building of NGOs is an ongoing exercise in line with the CSR guidelines. In fact, since October 2011, the guidelines allow NGOs to earmark 5% of the total project cost to local training and capacity building aimed at improving services.

I am also informed that the National CSR Committee is working jointly with the Ministry of Social Security, National Solidarity and other stakeholders, namely NGO Trust Fund, MACOSS, and Decentralised Cooperation Programme, to develop a training strategy for NGOs. As part of this exercise, a training guide for NGOs has been finalised, which specifies training methodology and also the contents and standards for training programmes. The training guide covers a number of areas, including project management, communication and leadership skills, and good governance.

With regard to part (b) (i) of the question, I am informed that the CSR Guidelines make provision for all accredited NGOs and foundations to submit semi-annual reports to the National CSR Committee, thus enabling a close monitoring of approved CSR projects. In fact, the CSR framework as reflected in the Guidelines calls for a shared responsibility between Government, companies and NGOs, whereby companies are expected to monitor implementation of projects funded by them.

At the level of the National CSR Committee, the CSR Secretariat monitors CSR projects with the assistance of the National Empowerment Foundation.

Moreover, MRA also monitors the use of the CSR funds when conducting its usual verification exercise.

It is to be noted that all Foundations registered with the Registrar of Companies have to submit audited accounts.

The House will note that the administrative costs of foundations have been limited to 15% of the total expenditure of its projects up to a maximum of Rs5m.

As regards, part (b) (ii) of the question, I am informed that, as per the CSR Guidelines, all companies with a CSR value of Rs500,000 and above are required to seek prior approval of their projects from the National CSR Committee.

Moreover, the CSR Guidelines were revised in December 2011 and all companies with CSR funds ranging between Rs50,000 and Rs500,000 are now required to submit an annual return, specifying the NGOs they are financing. This process aims at ensuring that there is no duplication in the funding of projects.

**LES SALINES WATERFRONT DEVELOPMENT PROJECT -
IMPLEMENTATION**

(No. B/550) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Minister of Housing and Lands whether, in regard to the Les Salines Waterfront Development Project, commonly known as the Neotown Project, he will state the scheduled date for implementation thereof according to the conditions of the lease agreement therefor, indicating if same has been or is expected to be adhered to.

Reply: In respect of the lease in favour of Les Salines Development Limited for the implementation of the Waterfront Development Project, there is no specific date mentioned in the Lease Agreement for that purpose. However, the Lease Agreement and the attached Framework Agreement provide for the setting up of a Joint Monitoring Committee consisting of representatives of my Ministry and other relevant authorities.

The said Committee has been meeting on a fairly regular basis to monitor the implementation of the project and take stock of developments thereof. It has been agreed that, in the first instance, the lessee would arrange for the provision of onsite infrastructural works. The hon. Member may refer to the reply to PQ B/452 of 03 July 2012 for the progress achieved. The promoter has been requested to expedite matters as regards the infrastructural works and to submit a schedule of works accordingly.

Additionally, it must be pointed out that the company has submitted detailed designs for the construction of residential apartments on the site and same are being examined at the level of my Ministry. The construction of the residential apartments is one of the components of the approved Master Plan; the other components being, *inter alia*, the construction of a hotel, boardwalks and marine gardens, a tourist heritage centre, a luxury condominium complex with a boutique hotel, marina club, office buildings, shopping malls, office campus, tourist attractions and entertainment facilities.

VITA RICE LTD – LAND LEASE

(No. B/551) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Minister of Agro-Industry and Food Security whether, in regard to Vita Rice, he will state the –

- (a) terms and conditions of the land leased by the Rose Belle Sugar Estate to Vita Rice Ltd. for the cultivation therefor, and
- (b) quantity thereof produced, indicating the quantity thereof –

- (i) sold on the local market;
- (ii) exported, and
- (iii) set aside, if any, as strategic stock.

Reply: A Memorandum of Understanding (MoU) was signed on 24 March 2009 between Vita Rice Limited and the Rose Belle Sugar Estate Board for the lease of an aggregate area of 500 hectares of land in a phase manner to Vita Rice Ltd for a rice project.

A lease agreement was accordingly signed between both parties on 01 June 2009. As at date, a total of 342 hectares of land has been leased to Vita Rice Ltd for the production of rice, hybrid rice seeds and other related agricultural activities.

The lease agreement contains 33 conditions and the main conditions of the lease agreement are as follows -

- (i) the purpose of the lease is for the production of rice, hybrid rice seeds and other related agricultural activities;
- (ii) the lease period is for 18 years renewable for a further period of 18 years;
- (iii) the total annual rent is payable in advance as follows -
 - Rs20,000 per hectare per year for the first 6 years;
 - Rs25,000 per hectare per year for the second 6 years;
 - Rs44,000 per hectare per year for the third 6 years;
- (iv) a deposit of 25% of the annual rent is payable at the time of signature of the lease agreement.

As regards part (b) of the question, I wish to inform the House that Vita Rice Ltd is a commercial entity and its commercial information is not available to the Ministry. However, I am informed that it is currently employing 60 people and around 1200 T of husked rice have been harvested for crop 2012. I am further informed that the rice produced will be sold both on the local market and international market. The husks obtained from the rice will be used by Vita Rice Ltd for energy generation.

At this stage local rice production is too low for the setting up of a strategic stock.

PENSIONS - DISABLED PERSONS - PAYMENT

(No. B/552) Mr C. Fakeemeeah (Third Member for Port Louis Maritime and Port Louis East) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to pensions, she will state if she has been informed of the dissatisfaction of genuinely disabled persons to whom the payment thereof have been discontinued and, if so, will she state if these cases will be attended to.

Reply: The issue of medical assessment for the grant of the Basic Invalidity Pensions has always been a controversial issue and has in one way or the other caused some concern to those whose claim has been either disallowed or whose benefit has been discontinued following re-assessment. However, I can state that I am not aware of any general mass dissatisfaction lately.

The House may note that the Basic Invalidity Pension is awarded to persons suffering from a disability of 60% and above. Except in cases where the disability is of a permanent nature, beneficiaries of the Basic Invalidity Pensions are awarded the pension for a definite period, following which they are re-boarded. If there has been an improvement in the general condition of the person and the disability has been assessed to less than 60%, payment is discontinued and the person is informed accordingly. In such cases, however, the person is offered a right of appeal and may submit an application to the Medical Tribunal, which is chaired by a Judge of the Supreme Court, who is assisted by two Medical Specialists.

According to figures available at the Ministry, from 2007 to 2011, an average of 67% of applications has been allowed. Out of the 33% which has been disallowed, only 12% of cases which have been heard by the Medical Tribunal for appeal have been approved and in the remaining 88% of cases, the decision of the Medical Board has been maintained.

INFORMATION AND COMMUNICATION

– AFROBAROMETER - SURVEY

(No. B/553) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Information and Communication Technology whether, in regard to the new information and communication tools, he will state if he has taken cognizance

of the findings of the recent survey carried out by Afrobarometer as to the use thereof in Mauritius, and if so, indicate the additional measures that will be taken in relation thereto.

Reply: I have taken cognizance of the findings of Afrobarometer 2012, a survey carried out by Straconsult in January and February this year among a randomly selected sample of 1,200 Mauritians aged 18 and above.

Afrobarometer 2012 indicates that the percentage of persons who have never used a computer is 59% and those who have never used the internet is 64%.

The survey does not, however, give a correct picture of the actual situation as the findings contrast sharply with those contained in the 2012 survey of Statistics Mauritius which revealed that 51.3% of persons age 5 years and above reported that they could use a computer.

With regard to Internet, actual figures show that at the end of 2011, number of Internet subscriptions stood at 370,000 representing 31% of internet penetration and the proportion of household having a computer has reached 38%. With mobile penetration having now reached more than 100%, more and more people are using the mobile to access the Internet. With these figures, it can be safely concluded that a higher percentage of Mauritians are presently using the internet.

My Ministry is implementing numerous programmes aimed at promoting ICT literacy and this is giving the opportunity to a larger proportion of the population to have access and use both the computer and the internet. Some of the measures taken are as follows -

- all 275 Primary schools have free Broadband Internet Access;
- all State and Private Secondary Schools have free Broadband Internet Access;
- 160,000 people have been trained on IC3 under the Prime Minister's Universal ICT Education Programme;
- 173 computer clubs with free Broadband Internet Service have been set up around the island in Women Centres, Youth Centres, Social Welfare Centres, Community Centres, Day Care Centres, with more than 400,000 people having already availed of same;
- 95 Public Internet Access Points across Mauritius and Rodrigues (5) - 140,000 people have used the service, and
- 3 Cyber Caravans have trained more than 120,000 persons

The National Strategic Plan 2011- 2014 and the National Broadband Policy have already enumerated the strategies and actions required to increase both computer and internet usage. The measures include, *inter alia*, the following -

- stimulate competition to bring the price of telecommunication further down;
- encourage and facilitate new entrants in the telecommunication service (e.g. Bharat Telecom implementing the Fibre to Home Project);
- encourage the development of Mobile Application;
- additional 100 computer clubs to be set up;
- accelerate the Universal ICT Education Programme;
- encourage the setting up of a more Wifi Zones across the island, and
- set up training facilities specifically targeting the handicapped and old aged.

POINTE AUX SABLES COASTAL ROAD - UPGRADING

(No. B/554) Mr J. C. Barbier (Second Member for GRNW & Port Louis West) asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the project for the widening of the Pointe aux Sables Coastal Road, he will state where matters stand as to the implementation thereof.

Reply: The Road Development Authority is currently undertaking an in-house study with respect to the upgrading of part of the Pointe aux Sables Road from its junction with Albion Road (B78) at Petite Rivière towards Petit Verger over a length an approximate length of 3 km.

The topographical survey has been completed and the design is currently in progress.

TERASSON, POINTE AUX SABLES - WASTE WATER CONNECTION

(No. B/555) Mr J. C. Barbier (Second Member for GRNW & Port Louis West) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the waste water connection network, he will state if same will be made available to the region of Terasson, at Pointe aux Sables, and if so, when.

Reply: As I have already informed the House in reply to previous PQs, on the same subject the region of Terasson at Pointe aux Sables is found in a low lying area and cannot be connected to the sewerage network by gravity.

A project proposal is under preparation for submission to the Project Plans Committee.

HOTEL DEVELOPMENT - STATE LANDS - LEASE

(No. B/556) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Housing and Lands whether, in regard to the State lands leased for hotel development, since 2005 to date, he will give a list thereof, indicating -

- (a) the names of the lessees;
- (b) where matters stand as to the implementation thereof, in each case, and
- (c) if any lease has been retrieved for non implementation of the hotel project.

Reply: The information requested is being compiled and will be placed in the Library of the National Assembly as soon as completed.

JIN FEI ECONOMIC TRADE AND COOPERATION ZONE

- BUILDING AND LAND USE PERMIT

(No. B/557) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Local Government and Outer Islands whether, in regard to the Jin Fei Economic Trade and Cooperation Zone, he will, for the benefit of the House, obtain from the Pamplemousses/Rivière du Rempart District Council, information as to a list of the applications received relating to the building and land use permit, indicating in each case, the names of the applicants and the nature of the businesses to be carried out thereat.

Reply: I am informed by the Pamplemousses-Rivière du Rempart District Council that the following Building and Land Use Permits have been issued within the Jin Fei Economic Trade and Cooperation Zone -

- To Mauritius Jin Fei Economic Trade and Cooperation Zone Co. Ltd on 24 October 2011 for the construction of a Ground Floor building to be used as a warehouse.
- To Mauritius Jin Fei Economic Trade and Cooperation Zone Co. Ltd on 16 May 2012 for the construction of reinforced concrete residential apartments.
- To Goldox Construction Ltd on 06 July 2012 for the construction of a reinforced concrete building to be used as dormitory, a reinforced concrete building to be used as offices and dormitory, a building in steel bars covered with corrugated iron sheets to be used as factory.

CEB - LA MIVOIE OFFICE - CLOSING TIME

(No. A/232) Mrs J. Radegonde (Fourth Member for Savanne & Black River) 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 therefrom, information as to if it has been informed that the office thereof, at La Mivoie, closes before the normal closing time, and if so, indicate the reasons therefor.

Reply: I am informed by the Central Electricity Board that all its offices, including La Mivoie, operate from 08.30 hours to 16.00 hours.

However, the Cash Desk Service at La Mivoie is operational only on Mondays, Wednesdays and Fridays, from 08.45 to 12.00 hours in the morning and from 12.30 to 14.30 hours in the afternoon. On Tuesdays and Thursdays, the officers of the Cash Desk Service are redeployed to the CEB office located in Bambous.

I am further informed that all Cash Desk Services of the CEB are normally open up to 14.30 only hours to allow sufficient time to the cashiers to make banking arrangements of the daily takings.

FISHERMEN WELFARE FUND - SCHEMES - BENEFICIARIES

(No. A/233) Mrs J. Radegonde (Fourth Member for Savanne & Black River) asked the Minister of Fisheries whether, in regard to the Fishermen Welfare Fund, he will, for the benefit of the House, obtain from the Fund, information as to the

- (a) activities that are carried out thereat, and
- (b) schemes offered, indicating in each case, the beneficiaries thereof, over the past five years.

Reply: The information is being placed in the Library.

CITÉ CORPS DE GARDE - WATER SUPPLY

(No. A/234) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Cité Corps de Garde, in Constituency No. 19, Stanley and Rose Hill, he will state if he has been informed of the irregular supply of water thereat and, if so, will he, for the benefit of the House,

obtain from the Central Water Authority, information as to if urgent remedial measures will be taken in relation thereto.

Reply: I am informed by the Central Water Authority that Cité Corps de Garde in Stanley, Rose Hill is supplied from Stanley service reservoir.

The normal hours of supply are -

3.00 a.m to 9.00 a.m, and

3.00 p.m to 9.00 p.m.

However, there is low pressure in the network supplying Cité Corps de Garde due to its close proximity to the service reservoir. CWA carries out valve operations daily between 3.00 p.m and 6.00 p.m to increase pressure in the network supplying Cité Corps de Garde.

So as to address this problem, CWA will install additional valves and connect Cité Corps de Garde to Candos service reservoir. The works will be completed by the end of this month.

ROAD DECONGESTION PROGRAMME

(No. A/235) Dr R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the original Road Decongestion Programme, he will state the date on which same was finalised, indicating who participated in the committee held during which same was finalised.

Reply: The Road Decongestion Programme comprising the Harbour Bridge, the Ring Road, the Terre Rouge-Verdun-Ebène Link Road, the Bus Way for Bus Rapid Transit and the East West Connector, was set up following protracted discussions involving my Ministry and the then Ministry of Finance and Economic Empowerment. This was a follow-up on the 18 measures approved by all stakeholders participating in the Mauritius Transport Consensus Forum in September 2006 on Transport Policies and Actions under the chairmanship of Mr Jonathan Richmond, Transport Adviser to the Government of Mauritius.

The project received the approval of Government on 26 March 2009.

CITÉ CORPS DE GARDE – BARE LANDS

(No. A/236) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to the Cité Corps de Garde, in Constituency No.19, Stanley and Rose Hill, he will state if he has been informed that several

bare lands thereat have been converted into dumping sites and, if so, will he, for the benefit of the House, obtain from the Municipal Council of Beau Bassin/Rose Hill, information as to the remedial measures that will be taken in relation thereto.

Reply: I am informed by the Municipal Council of Beau Bassin-Rose Hill that the Residence Corps de Garde comprises of four plots of land within a radius of 200 metres. The area has several bareland spots which have been cleaned several times within a distance of 10 metres from the roads.

I am further informed that cleaning interventions have recently been done by the Council as follows -

Dates	Sites/Lands
05/06 April 2012	Sirius Lane, Surcouf and Peroud Lane
12 June 2012	Emile Laval
25-29 June 2012	Sirius Lane, Surcouf and Peroud Lane
27 June 2012	Résidence Corps de Garde
02-05 July 2012	Flat Bhunjun, Ravinale Lane, Sirius Lane
12 July 2012	Emile Laval

I am informed that cleaning of bareland is an ongoing exercise which includes brush cutting, removal of undergrowth and of refuse deposited with the help of a backhoe loader and by manual cleaning. Spraying of herbicide has also been effected all along the road sides and scavenging service is regularly provided on a weekly basis.

In addition to the above measures, the Council has indicated that there is an urgent need for an environmental sensitisation campaign backed by the community policing to raise the general awareness of the danger of dumping and illegal creation of wastelands to inhabitants of Residence Corps de Garde.

BOIS MARCHAND CEMETERY – TOMBS - PROFANATION

(No. A/237) **Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière)** asked the Minister of Local Government and Outer Islands whether, in regard to the Bois Marchand Cemetery, he will state if inquiries have been carried out into the cases of acts of profanation of the tombs thereat and if so, indicate in each case, the -

(a) outcome thereof, and

(b) measures that have been/will be taken to prevent the recurrence of similar acts.

Reply: I am informed by the Pamplémousses - Rivière du Rempart District Council that cases of acts of profanation of tombs have been noticed at the Bois Marchand Cemetery as follows –

(a) on 22 May 2012, following a site visit effected, it has been noted that two (2) vaults in Chinese Section F belonging to Wong S.K. Yeun and Wong Fa Shing families have been broken and opened, and

(b) on 29 May 2012, following a site visit effected, it has been noted that three (3) vaults in Chinese Section B belonging to Lee Chung family, Ng Hing Cheung family and Lee Kan Chen families have been damaged and opened.

I am informed that these cases have been reported to the Terre Rouge Police Station for further inquiries.

With regard to part (a) of the question, I am informed that up to now no suspect has been arrested in these cases.

As regards part (b) of the question, the Police has been requested to effect regular patrol in the region and action has been initiated at the level of the Council to clean the cemetery.

SECURITY SERVICES COMPANIES - GOVERNMENT CONTRACTS

(No. A/238) 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 security services companies, he will give a list thereof to which Government awarded contracts in 2011 and for the period January to June 2012, indicating in each case, the -

- (a) names and addresses of the owners thereof;
- (b) total amount of money paid thereto, and
- (c) duration of the contract.

Reply: The details of the contracts awarded are being laid in the Library.

NDU - CAPITAL PROJECTS

(No. A/239) Mr R. Bhagwan (First 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 capital projects, he will state the total amount of money spent by the National Development Unit, constituency-wise, since 2005 to 2011, on a yearly basis and for the period January to June 2012.

Reply: The information is being compiled and will be placed in the Library of the National Assembly.

BUS SERVICES - SAINT HUBERT

(No. A/240) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the bus route No. 11, along Saint Hubert/Mahebourg and the bus route No. 87 along Saint Hubert/Curepipe, he will, for the benefit of the House, obtain from the National Transport Authority, information as to if it has received representations in relation to the irregular bus services thereat, thus causing inconveniences to the inhabitants of Saint Hubert and, if so, indicate if remedial measures have been/will be taken in relation thereto.

Reply: The reply is as follow -

ROUTE 11

Six buses are licensed to operate along Route 11 (St Hubert to Mahebourg) which extends over a distance of 11 kms. Buses are released at an interval of 20/30 minutes.

ROUTE 87

Six buses are licensed to operate along Route 87 (St Hubert to Curepipe) which extends over a distance of 25 kms. The release of buses varies between 20 minutes during peak hours and one hour during off peak period.

In both cases, most of the buses are over 10 years and they are unfortunately prone to breakdowns.

Repeated complaints have been received in the past from the travelling public to the effect that the bus services along the abovementioned routes are irregular. This happens when one or two buses of either route are off the road and as such the timetable of operation is disrupted. On the other hand there are no buses available to supplement the bus service.

Bus operators were informed of the repeated complaints in meetings held at the National Transport Authority (NTA) and they were requested to replace their old buses. However, operators are reluctant to do so. This might be because the routes are not economical.

Regular checks are being carried out by the inspectorate of the NTA to closely monitor the situation.

STC – WHITE OIL – LOSS INCURRED

(No. A/241) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the losses incurred due to discrepancies in the quantities of white oil found onboard the vessel, prior to discharge and after delivery, in the tanks of the oil companies, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the monetary value thereof, since 2005 to 2011, on a yearly basis, and for the period January to June 2012.

Reply: I am informed by the State Trading Corporation that the losses due to discrepancies in the quantities of white oil found onboard of vessels prior to discharge and after delivery in the tanks of oil companies for the period 2005 to 2011 and January 2012 to June 2012 stood as follows -

Year	No. of vessels	B/L quantity (quantity found on vessel prior to discharge) in MT	Quantity after delivery to tanks in MT	Difference in MT	% loss/gain	Estimated value of discrepancy in USD
2005	27	698,604	697,601	-1,003	-0.144	518,644
2006	20	659,637	658,461	-1,176	-0.178	744,880
2007	21	671,313	670,222	-1,092	-0.163	739,158
2008	20	707,664	707,170	-1,494	-0.211	1,389,671
2009	17	644,163	642,411	-1,752	-0.272	963,481
2010	18	677,353	675,247	-2,107	-0.311	1,499,445
2011	19	689,246	687,999	-1,247	-0.181	1,226,413
2012 up to end June	10	352,106	351,263	-842	-0.239	863,575

In my reply to the PQ No. B/385 on 26 June 2012, I informed the House, on the basis of information given to me by the State Trading Corporation, that petroleum products are volatile by nature. Volume discrepancies attributable to vaporisation do occur when petroleum products are shipped over distances and when transferred from tanker to onshore fuel tanks via pipelines.

I am further informed that according to international norms, it is the practice in commercial contracts to provide for up to 0.5% discrepancy to allow for evaporation, changes in density and temperature, and especially, measurement variations

From the records of the State Trading Corporation for the periods 2005 to 2011 and from January to June 2012, discrepancies between the readings of quantities of white oil found onboard arriving tankers prior to discharge and after delivery into the tanks of the oil companies, have never reached 0.5% of the quantities manifested on the respective Bills of Lading. These discrepancies, being immaterial, for all intents and purposes, cannot be termed as losses and cannot be quantified in monetary terms as they are not accounted for.

PORT LOUIS SOUTH AND PORT LOUIS CENTRAL - NDU - PROJECTS

(No. A/242) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the projects undertaken by his Ministry and the National Development Unit, in Constituency No. 2, Port Louis South and Port Louis Central, since May 2010 to date, he will give a list thereof, indicating in each case, the -

- (a) scope of works therefor ;
- (b) cost involved, and
- (c) start and completion dates thereof.

Reply: The information is being compiled and will be placed in the Library of the National Assembly.

ABDOOL RAMAN ABDOOL GOVERNMENT SCHOOL

– CLASSROOMS - CONSTRUCTION

(No. A/243) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Education and Human Resources whether, in regard to the proposed pulling down of blocks of classrooms of the Abdool Raman Abdool Government School and for the construction of new ones, he will state where matters stand.

Reply: I am informed that the preliminary drawings have already been prepared by the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping (MPI) and necessary clearances are being sought. Upon receipt of same, the MPI will proceed with the preparation of working drawings and the tender documents. Tenders are expected to be launched by November 2012, and should everything proceed smoothly, works are expected to start by February 2013.

MONTAGNE BLANCHE - FIRE STATION - CONSTRUCTION

(No. A/244) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Minister of Local Government and Outer Islands whether, in regard to the proposed construction of a new fire station in Montagne Blanche, he will, for the benefit of the House, obtain from the Government Fire Services, information as to if land has already been earmarked therefor and if so, indicate the -

- (a) location thereof;
- (b) extent of land therefor, and
- (c) expected start and completion dates thereof.

Reply: I am informed that the -

- (a) Ministry of Housing and Lands had, in September 1999, vested a plot of land located along the road B27 Bel Air/Montagne Blanche, near the Montagne Blanche fair, in my Ministry, for the construction of a Fire Station;
- (b) extent of the land is 3,758m² (OA89), and
- (c) project has been scheduled for implementation in years 2014-2015 as per the Government Programme 2012-2015.

GRAND'BAIE AND POUFRE D'OR – PRIMARY SCHOOLS RENEWAL PROJECT

(No. A/245) Mr A. Gungah (First Member for Grand'Baie & Poudre d'Or) asked the Minister of Education and Human Resources whether, in regard to the Government Primary schools in Constituency No. 6, Grand'Baie and Poudre d'Or, he will give a list thereof which have been identified for the Primary Schools Renewal Project, indicating in each case, the –

- (a) scope of works;
- (b) estimated cost thereof, and
- (c) where matters stand as to the implementation thereof.

Reply: I am tabling the information requested by the hon. Member in the Library of the National Assembly.

GRAND'BAIE - MR F. A. – SEWERAGE HOUSE CONNECTION

(No. A/246) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to if one Mr F. A. has submitted an application for a house connection to the sewerage system, at the Iqbal Road, in Grand'Baie, and if so, indicate if same has already been effected, indicating when and, if not, why not.

Reply: I am informed by the Wastewater Management Authority that Mr F. A. has, on 04 May 2012, submitted an application for connection of his premises to the sewerage network.

Application for house connections are dealt with on a first come first serve basis. I am informed that Mr F.A.'s application ranks 221 on a list of 451 applications for the regions of Port Louis, Baie du Tombeau and Grand'Baie.

WMA has requested the contractor appointed to execute the work, to carry out a preliminary field reconnaissance survey and preparation of the detailed design drawing. Subject to way leave being obtained from the District Council, the works will be undertaken.