



FIFTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

SECOND SESSION
TUESDAY 07 MAY 2013

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Members

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

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<i>Deputy Speaker</i>	Peetumber, Hon. Maneswar
<i>Deputy Chairperson of Committees</i>	Deerpalsing, Hon. Ms Kumaree Rajeshree
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MAURITIUS

Fifth National Assembly

SECOND SESSION

Debate No. 06 of 2013

Sitting of 07 May 2013

The Assembly met in the Assembly House, Port Louis,

at 11.30 a.m.

The National Anthem was played

(Mr Speaker in the Chair)

ANNOUNCEMENTS**SOREZE - BUS ACCIDENT**

Mr Speaker: On behalf of hon. Members and in my own name, I wish to extend our deep condolences to the bereaved families of the victims of the tragic accident which occurred on Friday last. I also wish to extend our wishes for a prompt recovery to the injured.

The Prime Minister: Mr Speaker, Sir, let me join you, in my own name and in the name of the Government also, to express our deep condolences to the bereaved families and also wish a prompt recovery to the injured.

Mr Ganoo: Mr Speaker, Sir, on behalf of the Opposition and in my own name, may I join you, Sir, and Dr. the hon. Prime Minister, in expressing our deep condolences to the bereaved families and to extend our wishes for a good recovery to the injured.

Mr Speaker: May I now invite hon. Members to stand in silence for one minute as a mark of respect to the memory of the departed.

(Members observed a minute of silence)

COMOROS PARLIAMENTARY DELEGATION - VISIT

Mr Speaker: Honorables Membres, j'ai le plaisir d'accueillir parmi nous, ce matin, une délégation Parlementaire Comorienne dirigée par son Excellence M. Bourhane Hamidou, Président de l'Assemblée de l'Union des Comores. La délégation qui est en visite d'information et d'échange séjournera au pays jusqu'à samedi. Au nom des honorables membres et en mon nom personnel, je souhaite à la délégation la bienvenue et un séjour agréable et fructueux chez nous.

PAPERS LAID

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

A. Office of the President

The 39th Annual Report of the Ombudsman for the period January to December 2012 (In Original).

B. Prime Minister's Office –

- (a) Certificate of Urgency in respect of the following Bills –
 - (i) The International Arbitration (Miscellaneous Provisions) Bill (No. VI of 2013), and
 - (ii) The Professional Quantity Surveyors' Council Bill (No. VII of 2013).
- (b) The Passports (Amendment) Regulations 2013, (Government Notice No. 84 of 2013).
- (c) The Representation of the People (Variation of Dates) Order, 2013 (Government Notice No. 92 of 2013).

C. Ministry of Energy and Public Utilities –

The Annual Report 2010 of the Central Electricity Board.

D. Ministry of Finance and Economic Development –

- (a) The Financial Services (Consolidated Licensing and Fees) (Amendment No. 2) Rules 2013 (Government Notice No. 86 of 2013).
- (b) The Digest of Environment Statistics 2011.
- (c) The Digest of Social Security Statistics 2011.

E. Ministry of Housing and Lands –

- (a) The Declaration of Planning Area (Curepipe) Order 2013 (Government Notice No. 79 of 2013).

- (b) The Declaration of Planning Area (Quatre Bornes) Order 2013 (Government Notice No. 80 of 2013).
- (c) The Declaration of Planning Area (Beau Bassin – Rose Hill) Order 2013 (Government Notice No. 81 of 2013).
- (d) The Declaration of Planning Area (Port Louis) Order 2013 (Government Notice No. 82 of 2013).
- (e) The Declaration of Planning Area (Vacoas – Phoenix) Order 2013 (Government Notice No. 83 of 2013).

F. Ministry of Agro Industry and Food Security –

The Meat (Abattoir) (Amendment) Regulations 2013 (Government Notice No. 85 of 2013).

G. Ministry of Tertiary Education, Science, Research and Technology –

The Annual Report 2011 of the Mauritius College of the Air.

H. Attorney General's Office –

- (a) The Council for Vocational Legal Education (Certificate of Competency) Regulations 2013 (Government Notice No. 89 of 2013).
- (b) The Council for Vocational Legal Education (Examination Fees) Regulations 2013 (Government Notice No. 90 of 2013).
- (c) The Revision of Laws (Revised Laws of Mauritius) (Supplement – Issue 4) Regulations 2013 (Government Notice No. 91 of 2013).

I. Ministry of Industry and Commerce and Consumer Protection –

- (a) The Consumer Protection (Control of Price of Imports) (Amendment) Regulations 2013 (Government Notice No. 87 of 2013).
- (b) The Consumer Protection (Importation and Sale of Second-hand Motor Vehicles) (Amendment No. 2) Regulations 2013 (Government Notice No. 88 of 2013).

ORAL ANSWERS TO QUESTIONS

NATIONAL TRANSPORT CORPORATION – BUS ACCIDENT - INQUIRIES

The Leader of the Opposition (Mr A. Ganoo) (*by Private Notice*) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the National Transport Corporation, he will, for the benefit of the House, obtain information as to -

- (a) where matters stand as to the inquiries carried out to determine the cause of the accident involving bus bearing number 4263AG07, resulting in the death of ten persons, indicating if the bus -
 - (i) had previously been involved in any other accident;
 - (ii) was fitted with its original brake system and its built-in devices at the material time, and
- (b) the maintenance policy of its fleet of buses, indicating the number of buses -
 - (i) over 16 years, in use;
 - (ii) for school transport, indicating their respective age;
 - (iii) involved in accidents since 2007 to date, indicating the number of fatal ones.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Speaker, Sir, at the very outset, I would like to solemnly convey my condolences to the bereaved families for the sudden loss of one of their dear ones.

Following the serious accident which occurred last Friday involving a bus of the National Transport Corporation bearing Registration Number 4263AG07 and resulting in the death of 10 persons, including the driver, with many others injured, appropriate inquiries are being carried out to determine the causes of that accident. Government is committed to ensuring that these inquiries are conducted in a very rigorous, transparent and accountable manner such that all the facts are unveiled without any hindrance.

A Police investigation has started on the very day the accident occurred. All the parties concerned, including the Police, Scene of Crime Officers (SOCO), Police Vehicle Technical Unit (PVTU) and very Senior Engineers from the Mechanical Engineering Division of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping are involved in the inquiry.

Contrary to what is being publicly rumoured, the damaged bus has been secured at the Bulk Sugar Terminal Police compound and only authorized persons are given access thereto.

At the level of my Ministry, I have caused an in-house inquiry to be conducted focusing on information collection regarding the general operations of the National Transport Corporation, for example, their repairs and maintenance strategies, insurance covers, medical facilities extended to the employees of the personnel mainly the crews to allow for a proper appreciation of the National Transport Corporation operational activities.

Furthermore, I wish to inform the House, the hon. Prime Minister has solicited the assistance of high calibre foreign experts from India to ensure that no stone is left unturned in the inquiry. I am informed that they will be in Mauritius shortly.

Besides, subject to the advice of the DPP, a judicial inquiry will be carried out.

Mr Speaker Sir, in regard to part (a) (i) of the question I am informed by the National Transport Corporation that since the bus bearing Registration Number 4263AG07 started operating in August 2007, it has been involved in only one minor accident on 13 December 2012 at Vacoas bus stand. It slightly knocked against another National Transport Corporation bus which was stationary. There was no injury to any party except that the bus was slightly scratched.

As for part (a) (ii) of the question, I am informed by the National Transport Corporation that the original braking system and the in-built devices were not subject to any major repair except for the usual maintenance. I am further informed that on 09 August 2012 as part of the maintenance work on the vehicle one of the spring brake actuators was replaced. I am informed that since then, no complaint concerning this vehicle has been registered. Moreover, this vehicle passed its fitness test on 07 March 2013. Its next fitness test is scheduled for March 2014.

Mr Speaker Sir, as regards part (b) of the question, I am informed that all NTC buses are subject to scheduled maintenance based on the manufacturer's recommendations as follows -

- (1) Daily verification
- (2) Normal servicing
- (3) General servicing

All buses undergo fitness repairs once or twice a year, depending on the age. During fitness repairs, the mechanical and electrical components as well as the body parts are verified and made good whenever required.

It has to be pointed out that the servicing maintenance and repairs of the 117 Nissan SP 210 buses, procured by the NTC since 2009, have been outsourced to the local Agent.

The NTC has workshops at its five depots. At depot level, fitness repairs, running repairs and routine maintenance of buses are carried out. Major repairs, inclusive of body repairs are carried out at the NTC's Central Workshop at Bonne Terre.

Extensive body repairs are contracted out to eligible contractors following tender procedures.

The Engineering Department is led by one acting Chief Engineer and four Senior Technical and Mechanical Officers, one of whom is a Registered Professional Engineer.

The Senior Technical and Mechanical Officers are responsible for the workshops. The NTC employs 22 Workshop Supervisors and 335 Tradesmen (mechanics, electricians, coach repairers, etc).

In regard to part (b) (i), I am informed that as at date, the NTC has a fleet of 519 buses out of which 94 buses are over 16 years. Even other bus companies and individuals do operate buses of over 16 years of age.

As for part (b) (ii), the NTC performs 114 school trips in the morning and 145 in the afternoon. I must point out that there are no longer dedicated school buses. As school transport is made by any of the buses of the Corporation except the Blueline buses.

Mr Speaker Sir, as regards part (b) (iii) since the year 2000, NTC buses have been involved in 7909 accidents out of which 45 were fatal and since

2007, the NTC was involved in 3884 accidents mainly minor ones with 24 fatal ones. With 519 buses the NTC covers almost half of the main bus routes of Mauritius. Besides, all the long routes are covered by the NTC which other companies might not otherwise be prepared to cover for commercial and other reasons.

It is worth pointing out that in all the cases of road accidents involving NTC buses, the NTC vehicles have not been at fault. In nearly all of them other vehicles collided against the NTC buses and caused casualty.

Mr Ganoo: I come, Mr Speaker, Sir, to the first part of my question. Doesn't the hon. Minister think that to ensure total independence of the enquiry and to ensure public confidence, it should have been to the Police to conduct this enquiry without any interference, and to avoid any possible conflict of interest, specially, high ranking officers of the NTC should not have been involved in this enquiry in any way?

Mr Bachoo: Mr Speaker, Sir, not a single high ranking officer of the National Transport Corporation is involved in that. It is only the Mechanical Division of the Public Infrastructure Department which is staffed by competent Engineers are looking after the investigations. And according to the law of our country, wherever any such accident occurs, normally the Police also solicit the support of the competent Mechanical Engineers of the Mechanical Division of the Ministry.

Therefore, I can assure the House that not a single officer - neither engineer nor any other officer of NTC - is involved in the investigation work. I can also assure the House, as has been stated by the hon. Prime Minister, there will be another group of competent engineers, specialists coming from India, they will try to give us another independent report because in this issue I can make a solemn affirmation to the House and through the House to the whole nation that all of us are interested in knowing nothing, but the truth.

Mr Ganoo: Is the hon. Minister aware that one Mr Suresh Chunnoo, Director of the Mechanical Services at the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, delivers roadworthiness fitness certificate to the NTC buses for which he is additionally remunerated by the NTC and he is playing a leading role in this enquiry?

Mr Bachoo: Mr Speaker, Sir, I have just mentioned, I can't cast aspersions on competent engineers. When buses above, let us say, 18 years are brought at the Mechanical Division of the Ministry, I can assure the House that the inspections are carried out without fear or favour and up till now, after so many years of service at the Mechanical Division, I have yet to come across any case of irregularity performed by that officer and in all such cases in our country, it is normally the Chief Engineer assisted by others - I am not going to name them - who conduct such type of enquiries.

Mr Ganoo: This is clearly a case of judge and party, Sir, but can I ask the hon. Minister whether the investigation - this present investigation - has also been carried out by mechanics and technicians of the NTC including Mr Badal when this is usually done solely by mechanics and expert engineers of the Mechanical Engineering Division of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, because these experts have the necessary expertise and also this is done to exclude possible tampering with technical evidence?

Mr Bachoo: Mr Speaker, Sir, I have just mentioned that not a single officer of the National Transport Corporation is involved in the evaluation work or in the investigation work. It is only the top officers - not only two, but more than two top officers - top engineers of the Mechanical Division of my Ministry. I don't even know as at now - I am aware of one or two - of the whole list. But, in fact, they are doing a very good job and they are doing the work independently even of my Ministry, even of Government, and that is the reason why I have just stated that I can solemnly affirm to the House and through the House to the whole nation that there will be complete *transparence* and I hope that the whole House will have to bear with us. All of us are concerned about the safety, about the future and about the causes also of this accident.

Mr Ganoo: The sanctity of the enquiry, the independence of the enquiry, Mr Speaker, Sir, is what the population is expecting as a result of this sad accident, but can the hon. Minister tell the House why after so many days after the accident, the job card of the bus which constitutes a vital

element in the enquiry, is still being deliberately withdrawn from the Police and still lying at the NTC?

Mr Bachoo: Mr Speaker, Sir, instructions have been given that anything that the Police wants, any evidence, the Police is free at any moment, at any time, either in the daytime or at night, to make a search at the CNT and procure any document which is missing. But, as far as I am concerned, I am satisfied that whatever is being asked is being provided. Secondly, I am not getting involved into this enquiry, because we have already stated that the enquiry has to be independent and we have faith and trust in the Police. The Police will do its job and if any officer at the NTC refuses to submit whatever document, the Police has the full right to take action that it deems fit.

Mr Ganoo: Does not the hon. Minister think that the description records of the NTC workshops where the Blueline buses are serviced and maintained should also have been handed over to the Police since the date of the accident?

Mr Bachoo: As I have just mentioned, anything that the Police want, we are here to collaborate; we are here to cooperate, Mr Speaker, Sir. I have got no objection. I maintain over and over again that instructions have been received by the Government that we have to see to it that justice is seen to be done and nothing will be hidden from the enquirers and I am happy that the foreign enquirers are also coming - the team is coming - and we are going to collaborate fully with them.

Mr Ganoo: Is the hon. Minister aware of a very serious information that one Mr Khodabacus with two other gentlemen, on the evening of the accident, went to the Bulk Sugar Terminal where the debris, the damaged bus was lying and this team of three gentlemen wanted to examine the motorbus and they were prevented by the Police from doing so? The Police asked them to make an official record in the Police Occurrence Book and they refused to do that and went away.

(Interruptions)

Mr Speaker: Silence!

Mr Bachoo: Mr Speaker, Sir, being given that the name of Mr Khodabacus has been raised, let me inform the House that he is one of the senior most engineers, credible engineer, hardworking engineer and definitely after each and every accident, the first thing that that engineer does, he goes on the spot. Probably, the Police might not have been at that time aware who were those inspectors or engineers who were going to conduct the survey. Probably, there might have been a slight problem at that particular moment in time but, in fact, in the team, among the senior most engineers, Mr Khodabacus is one of them.

Mr Ganoo: Mr Speaker, Sir, coming to this type of bus, is the hon. Minister aware that this bus in case of a brake failure, for example, leakage of air pressure in the brake circuit, normally the brake fail system would be activated and immobilise the bus at its rear wheels?

Mr Bachoo: Mr Speaker, Sir, I would not like to venture into that line because of investigations which are being conducted. But, being given that the hon. Leader of the Opposition has raised the issue, I have tried to enquire about it. I have been informed that if you are going to use in the jargon of Ashok Leyland, they call that the emergency brake; once you lift up the emergency brake, that is, what we call *frein à bras*, all the four wheels at the back get clogged. That is all I know about it and I would not like to venture into this because criminal investigations are on.

Mr Ganoo: Can the hon. Minister tell the House - because as the Minister, he must have talked to his engineers - whether he is aware that there was a bypass modification in the brake circuit of this type of bus at the NTC?

Mr Bachoo: Mr Speaker, Sir, the NTC had denied this information. This information appears in the papers and that is why I don't want to venture into it. We leave it to the Chief Technicians, all the engineers, all the experts, they will derive their conclusions and action will be taken against anyone who is responsible for that.

Mr Ganoo: Is the hon. Minister aware, Mr Speaker, Sir - I give him this information - that it is a perforated hose, *un raccord*, which caused the brake failure and this *raccord*, this hose, has already been sent to the FSL and this perforation took place because of the poor maintenance, inadequacy in servicing which is itself a result of the incompetence and the poor management at the NTC?

Mr Bachoo: Mr Speaker, Sir, how can I jump to such conclusions? I am aware that at the FSL such an exhibit has been sent. I cannot jump to any conclusion. That is the reason why we have decided, on this side of the House, that we give clear mandate, liberty, freedom, independence to the investigating team and I will request the hon. Leader of the Opposition to bear with us, let the report be out and everybody, the whole public, will have a look at it and action, definitely, will be taken by the Police.

Mr Ganoo: Is the hon. Minister aware that in the case of the Blue Line buses, genuine spare parts known as Sundaram Clayton brake parts as recommended by the chassis manufacturers were not purchased and it was only spurious spare parts that were being purchased by the NTC?

Mr Bachoo: I am advised by the CNT that normally they procure all types of spare parts through tender exercise and whenever the urgency is required, urgently certain spare parts, then they go for direct procurement, but everything goes on according to the established procedures and rules laid down by the CTB. I am not in a position to say that there are false make of spare parts which are

being utilised. As at now, the Blue Line has been doing a wonderful job, because we never had problems with those types of buses; we had almost 51. It is for the first time that such an unfortunate mishap has occurred and I have just mentioned, to let the investigation team look into the causes and they will have to make the report. As I have just mentioned, if there are any bogus things which have been included in those machines, then, of course, anyone who is responsible will have to pay for the consequences.

Mr Ganoo: Is the hon. Vice-Prime Minister aware that a department called Quality Assurance Department, which was set up at the NTC years ago, has now been closed down to eliminate control on the purchase of spare parts?

Mr Bachoo: No, Mr Speaker, Sir, this is not true. In fact, since the taking over of the NTC by the new Director-General, he has been monitoring the purchase. Of course, there should not be exaggeration because in the past we had big problems, and all of us know that NTC's financial situation is not that good. Strict control is being exercised, but at the same time, on a monthly basis, we are buying Rs7 m. of spare parts. This means we are interested; we are spending money in the upgrading of our existing buses.

Mr Ganoo: Is the hon. Vice-Prime Minister aware that, in the case of the Blue Line buses, servicing and maintenance after 50,000 km have not been done and effected precisely because of the unavailability of spare parts on the local market, and these buses are running on our roads without having undergone proper servicing and maintenance?

Mr Bachoo: Mr Speaker, Sir, the information is not correct. I have got the information in front of me. For example, for this particular bus, just last month, a thorough investigation has been made, and thorough repairs have already been conducted. I don't want to take too much of the time of the House, but to give you an indication how the maintenance work was carried out - because it is such an important and urgent thing - I have to read it.

The bus was kept at the central workshop, Bonne Terre, from 08 February 2013 to 21 February 2013, that is, 12 days for general servicing. The following parts were renewed, and works carried out are also described hereunder -

- rear axle vehicle injected and rear wheels on both sides removed;
- Eskom axle inspected and Eskom renewed along with bush;
- rear right wheel, brake linings as well outer and inner rear oil seal renewed;
- overall, both front wheel axles, renew brake linings;
- Eskom bushes renewed on both sides;
- check conditions for brake chamber;
- renew diaphragms on both sides;

- overall air dryer and re-assemble same;
- renew repair kit air divider; check wheel bearings condition, clean and repack with bridge on both sides.

These are the works which have already been done in that bus. Then, in the front axle also, about 12 components had been changed.

- regarding the engine also, there has been overall air compressor with new piston rings;
- renew engine, fuel oil seals, clean timing cover;
- renew turbo noise for air intake;
- fuel injection pump service, injection service;
- refit auxiliary engines and main engines radiators;
- cooling system...

Mr Speaker: Hon. Minister, are you going to be long? Next question!

Mr Bachoo: Mr Speaker, Sir, I would like to circulate this note then.

Mr Ganoo: Mr Speaker, Sir, how, therefore, does the hon. Vice-Prime Minister explain that, in the case of this precise bus, six months ago, it bumped into another bus - as the hon. Vice-Prime Minister just informed us - at the Vacoas bus station? Yesterday, there were three Blue Line buses which broke down, and one of them nearly caught fire. Is the hon. Vice-Prime Minister aware that, very often, despite protests and complaints made by drivers regarding the poor road worthiness of buses of the NTC, they are compelled and even blackmailed to drive these buses?

Mr Bachoo: Mr Speaker, Sir, six months ago the bus struck against another bus. It was a slight incident; only scratch. I have just mentioned that from 2000 to 2012 - I don't know how many times I have mentioned - they were small scratches. There was nothing wrong with the engine.

Secondly, I have just mentioned that, as far as the Blue Line buses are concerned, they are properly being maintained and monitored. Yesterday, I even heard on the radio that, apparently, there was fire in one engine. But that was not the truth. There was an increase in the smoke emission, and that created a sense of confusion. I have also inquired into that.

Thirdly, I have heard from the hon. Leader of the Opposition that, apparently, the drivers complained. But, up till now, we have not received a single letter of complaint in our office. I have not received a single complaint. But I can tell the hon. Members one thing. We had to terminate with the employment of hundreds of workers from the NTC because of many charges which were levelled...

Mr Speaker: I am sorry to interrupt you, hon. Vice-Prime Minister. You are not answering the question! This is irrelevant. Next question!

Mr Ganoo: The hon. Vice-Prime Minister has been talking about the repairs and maintenance, attempting to defend...

Mr Speaker: Hon. Leader of the Opposition, you have to put your question. No comment!

Mr Ganoo: Is the hon. Vice-Prime Minister aware that there was a report which was made concerning - it is true- the purchase of the Tata buses by the NTC, which he himself had tabled some time back in this Assembly. I refer him to what was said –

“This team - that is, the Indian Team - also concluded that the various mechanical and technical problems which were being encountered on these buses were due to a lack of proper maintenance of the vehicles, and to the use of spare parts which were not all appropriate.”

And the Minister himself not only tabled, but...

Mr Speaker: No, I am sorry to interrupt the hon. Leader of the Opposition. Put the question!

Mr Ganoo: Is it not that proof that not only for the Tata buses, but for the whole fleet at NTC, the problem is that there is no proper maintenance of these vehicles and no adequate servicing? And this is the cause of the wreck that these buses are causing on our roads.

Mr Speaker: I am sorry. I have to remind the hon. Leader of the Opposition that the purpose of a question is to ask for information and not to give information.

(Interruptions)

Mr Bachoo: Mr Speaker, Sir, it was at my request that this investigating team was called to Mauritius. I still remember there were problems at the Tata buses, and then there were all types of rumours as if those buses were unfit to be utilised. That is why we had requested the Tata experts to come to Mauritius, and together with the experts of my Mechanical Division they presented the report. There were certain anomalies which have already been corrected. But, at the same time, the report mentions that the Tata buses are not unsafe, unreliable. All these were unfounded. We had called them to Mauritius because there were too much of rumours going on that these buses were unsafe. That is the reason why, but I can assure again the House that all attempts are being made to see to it that no problem should occur at the NTC.

Mr Speaker: Hon. Jugnauth!

Mr Jugnauth: The hon. Vice-Prime Minister has just said that no complaint has been received with regard to this bus. Is he aware of the report that has been submitted to him after this accident? I can quote paragraph 3.4, where his officers have stated that, on 29 April 2013, during

meal time, the driver reported the air leakage at a connection point, and it was found out that this was due to a 8 mm coupling, and that on the very eve of the accident, the same driver reported that the vehicle was making a lot of noise.

Mr Bachoo: Mr Speaker, Sir, prior to that incident, the driver reported on 29 April, during his meal between 01 05 and 02 05 hours, an air leakage at a connection point. The leakage was due to an 8 mm coupling. The hon. Member should have read the whole sentence. The coupling was replaced by a new one on the same day. He could not see that!

(Interruptions)

Mr Speaker: Order, please!

(Interruptions)

I say order!

Mr Bachoo: Mr Speaker, Sir, I am not here to build up political fortune on the misfortune of people.

(Interruptions)

Mr Speaker: Well, I am on my feet! Look, I am not going to tolerate any interruption, and there will be no second warning!

(Interruptions)

Who is saying that? No comment on the other side!

Mr Bachoo: Mr Speaker, Sir, the coupling was replaced by a new one on the same day during the driver's meal time, and the bus was rendered road worthy. The bus was then operated by the team for the rest of the day, up to 07 05 hours. Furthermore, the conductor of the bus, himself, has stated that when he left La Tour Koenig the following day, at 06 00 hours in the morning, for Victoria Stand in Port Louis, there was no problem with the bus, particularly its braking system. The bus plied to Vacoas via Beau-Bassin, Rose-Hill, Quatre-Bornes, starting at 06 40 hours. There was no complaint regarding its braking system. Therefore, this has to be read properly.

(Interruptions)

Mr Speaker: Hon. Bhagwan! Hon. Minister of Health, your comment is not warranted at all! Put your question.

Mr Bhagwan: *En vue de ce que nous avons assisté depuis le 30 mars, M. le président, j'ai tendance à dire 'pleure mon pays bien-aimé.'* Can I put it to the hon. Vice-Prime Minister...

(Interruptions)

Mr Speaker: Proceed with your question, hon. Member.

Mr Bhagwan: Can I ask the hon. Minister whether he agrees there is unanimity in the country, there has been criminal negligence at the level of the National Transport Corporation, which is under his responsibility? And I ask the hon. Minister whether he agrees with me, what the hon. Prime Minister has stated, here, in Parliament, *je cite* Hansard du 07 avril, where the hon. Prime Minister talked about criminal negligence, he stated -

“These five people who lost their lives were youngsters (...)”

Making reference to them! Here, 10 people have lost their lives, apart from the ...

Mr Speaker: Yes, but what is your question, hon. Member?

Mr Bhagwan: The hon. Prime Minister has stated: “(...) their deaths are going to hang around his neck...” - the Minister's neck.

Mr Speaker: Yes, I am sorry to interrupt, but what is the hon. Member's question? Put a question!

Mr Bhagwan: The hon. Minister must assume responsibility of the failure of the management of the National Transport Corporation.

(Interruptions)

Mr Speaker: I am sorry!

(Interruptions)

I am on my feet. Silence, please! I said, silence! Wait a minute!

(Interruptions)

Hon. Member, you are making a comment! I don't want any provocation on this side! And I say, I am not going to give any warning this time. Your right is to put a question.

(Interruptions)

Now, hon. Minister, do you have an answer? How long?

Mr Bachoo: It is too long...

(Interruptions)

Mr Speaker: Hon. Member, your question should be of a reasonable length!

(Interruptions)

Mr Bachoo: Mr Speaker, Sir, allow me! Being given that he put me the question, I have to answer. Mr Speaker, Sir, in 1993, when the NTC was involved in an accident, 11 persons unfortunately passed away. In April 1995, nine persons passed away; in May 1996, seven persons

passed away and those were the days when Sir Anerood Jugnauth was the Prime Minister of the country. Why didn't ...

(Interruptions)

Mr Speaker: I say silence! Silence!

(Interruptions)

Mr Bachoo: Yes, I was a Minister...

(Interruptions)

Nobody asked him to resign!

Mr Speaker: Silence! Last question to the hon. Leader of the Opposition, because it is time now.

(Interruptions)

Hon Bhagwan! Please!

(Interruptions)

Proceed, hon. Leader of the Opposition! I want some quiet in this House!

(Interruptions)

Mr Ganoo: In view of the frightening figures of 55 fatal accidents plus 27 from 2009 - which the hon. Minister had just given us - and this appalling situation prevailing at the NTC, doesn't the hon. Minister consider, firstly, that, in the best interest of the NTC commuters, all these Blue Line buses should be grounded immediately, placed in custody of the Police, to carry out an enquiry in collaboration with the manufacturers to determine whether any modification has been done, and that Government should regulate to impose a brake fail system on all heavy duty vehicles in this country? But before this happens, Mr Speaker, Sir, I will ask the hon. Minister whether he agrees that an independent enquiry should be set up to look into this tragic accident and the hon. Minister should seriously think of vacating this office and giving place to another Minister.

(Interruptions)

Mr Bachoo: Mr Speaker, Sir, there are five questions into one. Allow me to answer all those questions! Firstly, Number one, the buses ...

Mr Speaker: I would advise the hon. Minister to be fast, because time is up ...

Mr Bachoo: Yes, Mr Speaker, Sir, but the hon. Leader of the Opposition has asked me five questions, I have to answer. Mr Speaker, Sir, I have given instructions to the Mechanical Engineers of my Ministry. First, each of the buses has to be properly inspected. Secondly, as far as Fact-Finding

and enquiries are concerned, they keep on asking and whenever Government puts up an enquiry/ Commission, nobody comes forward to depone and, thirdly, Mr Speaker ...

Mr Speaker: No interruptions!

Mr Bachoo: I would humbly request them: don't act as vultures waiting for corpses to make politics.

(Interruptions)

Mr Speaker: Time is up!

(Interruptions)

Silence!

(Interruptions)

I say time is over!

Mr Obeegadoo: Mr Speaker, Sir, on a point of order ...

Mr Speaker: I said time is over! Silence! Let us listen to the point of order!

Mr Obeegadoo: Mr Speaker, Sir, I would like to seek your guidance. The hon. Minister just said that the Opposition was acting like vultures with regard to the recent accident. I would seek your guidance as to whether such language, in the context of a PNQ, is appropriate?

(Interruptions)

Mr Speaker: No, no! Don't reply now! I will take time to consider. I will have to look into the transcript.

(Interruptions)

Mr Ganoo: Mr Speaker, Sir, a point of order, on the same point raised by my hon. friend, the hon. Minister should withdraw that word because immediately after my PNQ, he has described us as being vultures. I am not part of a vulture team, Mr Speaker, Sir. I am doing my job ...

(Interruptions)

Mr Speaker: Silence! Hon. Minister, I am speaking to you. Have you used the word “vultures”?

Mr Bachoo: I did not use it for the Opposition. I just mentioned...

(Interruptions)

Mr Speaker: Sit down! I am on my feet! Silence, please! Hon. Minister, have you used the word “vultures”?

(Interruptions)

Silence!

Mr Bachoo: Okay, I did use. I withdraw.

Mr Speaker: Hon. Members, I want some silence.

POINT OF ORDER - PQ NO. B/168

Mr Speaker: At the sitting of Tuesday 23 April 2013, the Second Member for Vieux Grand Port and Rose Belle, hon. Seeruttun, raised a point of order to the effect that Dr. the hon. Prime Minister had uttered unparliamentary words while replying to his supplementary question to Parliamentary Question No. B/168.

Being given that the point of order was taken at the end of Parliamentary Question No. B/169, I had to peruse the transcript before ruling on the matter.

The transcript reveals that Dr. the hon. Prime Minister had already replied to the Parliamentary Question by stating that members of the Special Mobile Force had been expeditiously deployed in the affected areas at the material time. Furthermore, the hon. Prime Minister confirmed same by stating that he could substantiate his answer as a principal witness, since he was there and had seen them, whilst the hon. Member contested the presence of the members of the Special Mobile Force in the affected areas but did not volunteer anything to the contrary, to substantiate his assertion.

Allow me to remind hon. Members of the well established principle enunciated by Standing Order 22(1) (h) to the effect that a Member cannot use facts as a basis of a question which he cannot substantiate.

Having said so, I now invite Dr. the hon. Prime Minister to kindly withdraw the offending words.

The Prime Minister: I kindly withdraw, Sir.

Mr Speaker: Now, Questions addressed to Dr. the hon. Prime Minister! The Table has been advised that Parliamentary Question ...

(Interruptions)

Hon. Minister of Health!

(Interruptions)

I am speaking to the hon. Minister of Health and hon. Soodhun! No cross-talking!

The Table has been advised that Parliamentary Question No. B/228 addressed to Dr. the hon. Prime Minister will now be replied by the hon. Vice-Prime Minister, Minister of Finance and Economic Development.

In keeping with practice, Parliamentary Question B/228 will be replied at the end of Question Time, time permitting.

Mr Jhugroo: Mr Speaker, Sir, on a point of order. The hon. Minister Bundhoo said to my friend, hon. Soodhun, *batchara*.

(Interruptions)

Mr Speaker: I say silence! There is a point of order. I do not want any interruption. Hon. Minister of Health!

Mr Bundhoo: Mr Speaker, Sir, I used the word '*bechara*' - poor insignificant figure - and I maintain, he is a '*bechara*'.

(Interruptions)

Mr Speaker: I am not going to give a ruling now. I am going to check the record and verify whether what the hon. Minister is saying is true or not, then I will give my ruling.

Mr Bundhoo: Mr Speaker, Sir, what I said is that the MSM is worth 2% and his contribution is minus 22%.

(Interruptions)

Mr Speaker: I do not appreciate ...

(Interruptions)

Silence! I do not appreciate the comments of the hon. Minister of Health. Now, let us proceed to the question of hon. Ameer Meea.

(Interruptions)

Silence, please!

ABERCROMBIE POLICE QUARTERS

(No. B/220) 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 Police Quarters at the Abercrombie Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if he is

aware that they are in a bad state and that unhygienic conditions prevail thereat and, if so, indicate where matters stand as to the -

- (a) proposed vacation of the present occupiers and pulling down thereof; and
- (b) construction of a new modern District Headquarters to house the Metropolitan (North) offices, indicating if procedures have already been initiated therefor.

The Prime Minister: Mr speaker, Sir, I am informed by the Commissioner of Police that there are eight Quarters at the Abercrombie Police Station which have been converted into offices, and four are used temporarily for residential purpose. All these Quarters are scheduled to be phased out in view of the construction of new Divisional Headquarters. They are routinely maintained and minor repair are carried out whenever the need arises. The four Quarters which are temporarily occupied for residential purposes are not unfit for human habitation.

Mr Speaker, Sir, the construction of a new and modern Metropolitan (North) Divisional Headquarters is scheduled for year 2016. The new Divisional Headquarters will comprise all the units presently operating at Abercrombie as well as a Police station to cover the region.

The project is at a preliminary stage and the Ministry of Housing and Lands has been requested to carry out a detailed survey plan of the plot of land at Abercrombie. The Ministry of Public Infrastructure, NDU, Land Transport and Shipping is working on the preliminary architectural plans for the proposed building.

In the meantime, the Police Officers and their families are allowed to occupy the Quarters and they will be asked to vacate prior to the start of work on the site.

Mr Speaker, Sir, I would like also to stress that occupants of the Quarters have to comply with Police Standing Order No. 131, and they have to ensure that the premises are kept clean and tidy, hedges are trimmed, gutters and drains are clean and free of obstruction. They also have to be responsible for the maintenance of their place of residence.

Mr Ameer Meea: Can I ask the hon. Prime Minister if he is aware that there are three written PQs on the same issue which were put to this House last year and no reply has been given yet? I can table a list of these PQs. Furthermore, Mr Speaker, Sir, with your permission, can I ask the hon. Prime Minister whether he is aware of a report in his reply to a PQ dated to April 2011 and I quote:

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

Can I ask the hon. Prime Minister what has happened to this report and where matters stand?

The Prime Minister: I explained Mr Speaker, Sir. In fact, as the hon. Member rightly pointed out I did say that and also we have acted on the report. That is why the survey is actually taking place to pull down this building. It takes time. This is all a question of architectural survey and all these things. This is being carried out and this cannot be done overnight unfortunately.

Mr Ameer Meea: May I appeal to the hon. Prime Minister to request the Commissioner of Police to look into the yard of the Police station. I have been there. There is much garbage left in the yard; wrecked, abandoned old vehicles and this is causing a lot of discomfort for officers working there. May I appeal to the hon. Prime Minister to ask the Commissioner of Police to look into the matter?

The Prime Minister: As I said Mr Speaker, Sir, those who occupy the Quarters also have the responsibility. They can't just throw the garbage there because it's Government Police Quarters. They also have a responsibility according to the Standing Orders but I will pass this on to the Commissioner of Police.

Mr Lesjongard: Mr Speaker, Sir, from what we understand now is that: the occupiers will be allowed to stay there until works start. May I ask the hon. Prime Minister whether it is that difficult to request a political activist to vacate one of the Quarters there because we understand that the Commissioner of Police was supposed to obtain a Court eviction for that family to vacate the Quarters since 2011? We are in 2013 and that family is still staying there.

The Prime Minister: They went to Court actually Mr Speaker, Sir, and I understand that he is looking for a Quarter. Until he finds some other place we cannot just throw him on the street.

Mr Speaker: Next question hon. Mrs Ribot!

NATIONAL ASSEMBLY ELECTIONS - ONE FEMALE CANDIDATE

(No. B/221) **Mrs L. Ribot (Third Member for Stanley and Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the National Assembly Elections, he will state if consideration will be given for the introduction of a proposed amendment to the Constitution to provide for the mandatory presentation of a minimum of one female candidate per constituency and, if so, when.

The Prime Minister: Mr Speaker, Sir, this Government has consistently been reaffirming its commitment to address and correct the under-representation of women in the National Assembly. The Government Programme of 2012-2015, as a matter of fact, provides that and I quote:

“Government will ensure that the country has an electoral system which is more equitable and which promotes nation building and provides for better representation of women.”

However, as I explained in my address to the nation on the occasion of the 2013 National Day Celebrations, we want to bring about constitutional changes through consultations. We want to engage the population in a national debate on these constitutional changes. Government has initiated and will take the lead in this national dialogue. As I have always been saying, Mr Speaker, Sir, changes in our constitutional regime I don't think should reflect only the interest of leaders of parties concerned here. I think the whole approach should be to engage in this dialogue and see what other opinions we have and then the whole approach, in fact, is to strengthen democracy, not to weaken it.

Mr Speaker, Sir, as I have already announced, the Government will present a White Paper on electoral reform in the light of the various proposals made by constitutional experts, including proposals on gender fairness. This Paper will form the basis of the proposed national debate here in this House. Thereafter, the Government will come forward with a Bill, and we hope that we will get broad support from across the political spectrum.

Mr Speaker, Sir, I must point out that, in the year 2000, women representation in our National Assembly was a mere 5.6%, much lower than the agreed SADC target which is 30% and amongst the lowest, in fact, if not the lowest, in the SADC region.

Mr Speaker Sir, constitutional and electoral experts agree that the major responsibility for correcting gender imbalance rests with the political parties. As a matter of fact, following the 2005 General Elections, in which the major political Parties fielded a higher number of female candidates, women representation in Parliament rose from the 5.6% to 17.14%. This figure rose further to nearly 19% after the 2010 elections.

Government has demonstrated, Mr Speaker, Sir, its commitment and willingness to encourage greater participation of women in the political life of this country. The enactment of the new Local Government Act in December 2011 was indeed a historic one to increase women participation in politics and allow them to take their rightful place in public life. Through this new law, we have made significant progress in correcting gender unfairness in local councils.

Mr Speaker, Sir, never before in the history of this country, we have had such a large number of women contesting local elections and getting elected. As a matter of fact, in the Village Council Elections held in December last, out of a total of 3867 candidates, 1174 women candidates contested the elections, representing 30.3% of women's participation, compared to 6.9% for the 2005 Village Council Elections. Furthermore, out of the 1170 candidates elected, 297 were women, representing 25.4% as compared to 5.9% in 2005.

Similarly for the 2012 Municipal Council Elections, out of 347 candidates, there were 98 women, representing 28.2% of women's participation, compared to 11.9% for the 2005 Municipal Council Elections. And out of 90 candidates who were elected in December last, 33 were women, representing 36%, as compared to 11.9% in 2005.

Mr Speaker, Sir, in regard to gender representation, I would also like to emphasize that some ten years back, Mauritius was ranked 14th among the 15 SADC countries. As a result of the initiatives we have undertaken for the political empowerment of women, Mauritius now ranks 6th among the SADC countries, and I hope this will again improve with the electoral reform that we are proposing.

Mrs Ribot: Mr Speaker, Sir, I would like to ask the hon. Prime Minister whether this amendment to the Constitution cannot be proposed and brought irrespective of the long overdue electoral reform before the next General Elections?

The Prime Minister: I am very hopeful and I think it will be brought, I am hoping, this year itself to the House. We are finalising it. It is very complicated, but we are trying to finalise it and then bring this White Paper to the House, have a debate and then we will go through all that changes that we need to do at one go.

Mr Obeegadoo: Mr Speaker, Sir, given that, on the one hand, we have made a great step forward, as the hon. Prime Minister has just said, in local Government with women's representation with unanimous support of the House and, on the other hand, that even when we talk of electoral reform, no proposal has questioned the three-member based Constituency. May I solemnly ask him, on behalf of the Opposition, to keep this issue separate, as hon. Mrs Ribot just said, and bring an urgent Constitutional amendment to ensure that we have, at least, one woman candidate in each Constituency come the next General Elections?

The Prime Minister: I am very sure, neither us, nor probably, the other side, have questioned this, but I want to see what the report actually says. There might be some changes that they are saying. I am not sure what they are going to say. I want to see what the report says and then bring the constitutional changes that have to be brought altogether. I do not want to do it piecemeal, one by one. In any case, we are not having an election tomorrow, as you know.

Mrs Navarre-Marie: Mr Speaker, Sir, the hon. Prime Minister spoke about a White Paper to be prepared. May we know when the discussions on the White Paper will start and whether there is a time frame within which the preparation of the White Paper will be completed?

The Prime Minister: I always said, Mr Speaker, Sir, and I think, the former hon. Leader of the Opposition also said the same thing, that we should not bring electoral reform on the eve of an election. I don't think that it is right. We are against it, you are against it and I am hoping the MSM also is against it. So, what we want to do is to bring it as soon as possible. People are working on it. I

am hoping to be able to have it - I am told - by July, but I am trying to push it earlier, if possible. We want to have it debated, here, in this House, this very year.

Mr Ganoo: Mr Speaker, Sir, a mandatory electoral gender quotas constitute the most appropriate and legitimate way of enhancing women's representation and this has been the option of several countries. Over and above delinking the issue that we are discussing today with the Electoral Reform Project, is the hon. Prime Minister, therefore, saying that if we don't reach an agreement on electoral reform which will be unfortunate, really will there be no constitutional amendment to enhance women's representation?

The Prime Minister: That is a very good question. I thank the hon. Leader of the Opposition for it. No, I am not saying that. In fact, if you remember the Sachs Report - that is why I said it is more complicated than it appears - also talks of funding of political parties whom I know hon. Guimbeau is very keen on and we are also keen on. He says, for example, in the report that funding of political parties should be linked to the number of women nominated for candidature. I think that is a good thing. I don't know whether this is what we are going to agree to, but I think it is a good thing, because this will encourage political parties to put up more women if they want to have more money from the State. Let me reassure the hon. Leader of the Opposition that - if suppose, and I hope not - suppose we don't come to an agreement, I think we should be able to come to an agreement, but, let us suppose that we don't come to an agreement, then I will bring these changes to delink it, as we have agreed.

Ms Deerpalsing: Mr Speaker, Sir, last time for the Municipal Elections, there was a confusion about the sanctions that the Electoral Commissioner could take for groups who would not field enough women candidates. Would the hon. Prime Minister agree that this should be taken care of?

The Prime Minister: This is also a good point that has been made by the hon. Member. In fact, there was this confusion about sanctions. I think some people raised it. In fact, we will have to take that on board as well when we are doing it.

Mr Speaker: Last question, hon. Ribot!

Mrs Ribot: I would like to ask the hon. Prime Minister whether he is aware that Mauritius is among the two only countries that have not signed the SADC Protocol on Gender and Development which advocates gender parity in political decision-making and this Protocol is supposed to be signed by 2015 I would like to know what Government intends to do to address that issue.

The Prime Minister: I was at the Summit of the SADC. I refused to sign it, precisely, because our Constitution prevents discrimination. I cannot go and sign any memorandum. There was a lot of debate about it and they were asking me to sign it. I said: no, I cannot sign it, because it will

go against our Constitution, here, in Mauritius. Once we have done the amendment that we need to do, then there will no problem for me to sign it, but not until.

CANAL DAYOT - FLASH FLOODS VICTIMS

(No. B/222) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Scheme for the grant of a purchasing coupon of Rs100,000 to the families of Canal Dayot who have been victims of the flash floods of 30 March 2013, he will state if consideration will be given for an extension thereof to the other families island-wide who have suffered material losses as a result of the floods of 13 February 2013.

The Prime Minister: Mr Speaker, Sir, I have to inform the House that there is no established scheme as such for the grant of purchasing coupons for the victims of floods. However, following the floods of 13 February and 30 March 2013, Government decided to provide a symbolic support to those who have sustained substantial material losses. Some private Companies came forward spontaneously to assist Government in extending help to those affected by the natural calamities by agreeing to provide vouchers for the purchase of furniture and household appliances, and others contributed to the Prime Minister's Relief Fund.

Vouchers were distributed to victims of the flash flood of 30 March 2013, on 05 April 2013. A second exercise of distribution of vouchers was effected on 30 April of this year to those who were affected by the floods of 13 February 2013 covering many regions of Mauritius. The exercise also included some households who were affected by the flash floods of 30 March 2013 but which, for practical reasons - one reason or another - could not be identified during the course of the first exercise. A total of 303 families benefitted from this symbolic support.

Mr Speaker, Sir, I wish to point out that following declarations to the Police by those considering themselves adversely affected by the floods, identification of genuine cases was made by way of a thorough survey on sites by the Police whereby the following relevant information was gathered from the heads of households -

- (i) the area of the survey;
- (ii) the name of the family members;
- (iii) the description of the house, and
- (iv) the nature of the loss and damage.

Wherever it was practicable, photographs were taken of households identified. All the information collected was then subject to an on the spot validation exercise. This is why it took longer than some people expected.

Mr Speaker, Sir, I must also say that it is a matter of regret that some people encouraged by irresponsible individuals have tried to take advantage of the situation. The Police are dealing with these unscrupulous persons in the most appropriate manner.

I would like to point out, Mr Speaker, Sir, that I set up the Prime Minister's Relief Fund in 1997 to cater for those who suffered losses due to hit and run accidents, injuries, fire and all these things. Since 2006 it was decided to broaden the scope of the Fund to provide financial support to other victims who have suffered other types of severe hardships. But I must also say, Mr Speaker, Sir, that it is administered by a Board and has a clearly defined set of criteria for allocation of the relief.

Mr Uteem: Mr Speaker, Sir, following the flash floods of 30 March, there was a lot of reports made to the Police and the Police have already carried out enquiries, as rightly pointed out by the hon. Prime Minister. However, up to now, many hundreds of families are still waiting and they have even demonstrated in front of the Prime Minister's Office last week. May I ask the hon. Prime Minister whether he is considering giving a second round of financing for those whose houses have been affected but who have not benefited from any help from this Relief Fund?

The Prime Minister: Mr Speaker, Sir, when I gave the first series of vouchers on 05 April, on that very day, I made a speech and I explained that inevitably there will be some genuine cases who are not found on the list, for many reasons. Sometimes, the Police say they have been to the house and the house is locked up. You can understand the house is locked up, these people must have moved somewhere else. So, they could not ascertain what they wanted to ascertain. So, I said inevitably, there would be such cases that would take place and we will correct it if they are genuine cases. In fact, for the region of Port Louis, there were 36 additional cases which were then given vouchers on 30 April of this year, when I was giving for the other victims of February. So, we have added on to the list. Some people have protested. I must tell the hon. Member that not all the cases are genuine. Some people have gone and they are adding their names on the list. We cannot just dish out money to people. This is meant to support for the genuine cases. People will enquire. I know hon. Mrs Perraud gave me a list two days ago about some people who might be genuine. We are going through the list. If there are genuine cases, we will certainly treat everybody equally.

Mr Jugnauth: I am happy to hear that Government will consider genuine cases. Can the hon. Prime Minister say what criterion has been used in order to allocate this grant to those people and secondly, for transparency sake if he can table, at least, the list of those who have benefitted? We are

getting representations; at least, we can transmit those representations to Government so that the enquiry is being conducted?

The Prime Minister: In fact, the criteria are very strict. I did say, for example, Mr Speaker, Sir, the Police didn't work on its own. First of all, people went to the Police Station to say that they have been affected by the flash floods. But, that is not itself enough, then the Police go on the spot and try to see whether these houses and people were there. Sometimes, for example, Mr Speaker, Sir, there are two different families living in the same house, one on the first level and the other on the ground level. The first level has not been affected, they cannot expect then to get vouchers for that! But they all tend sometimes to say so - not everybody - I am not saying everybody. Then, as I explained, the way the Police work, first of all, they go to the Police Station or the Police go themselves. Then we also work with the NGOs and with the private sector as well as those who were concerned and people who were giving assistance on the spot. They also took a list. We also went through the whole list. Then, another section of the Police went to revalidate the list and who were supposed to get and who were not supposed to get. I must say, the criteria are strict. For example, there must be damage to furniture or to household appliances. Some people think, for example, that if water has come in their yard and has gone up slightly, then they are entitled. They are not entitled according to these criteria. There must be substantial damage done.

I do not know whether it is a good point, but I would not mind, I have no objection, and I can understand the point of the hon. Member that they want the list. Maybe we could give it to the hon. Member if he is interested. But, the problem with the list is that people will start making politics out of it. They will start looking at what community has got what and all those things. That is why I am not too keen on that.

Mr Ganoo: Can the hon. Prime Minister give to the House the total amount of funds contributed by the private sector and other donor organisations in terms of funds and also, how much has the State disbursed so far in terms of financial assistance to the victims of the floods of 30 March?

The Prime Minister: I can, Mr Speaker, Sir. This year from January - from what I see with these floods - a sum of Rs29,112,656 was collected. I am talking about the Prime Minister's Relief Fund but, as I say, we cannot treat people unequally. So, some of them were asked to take it back to do it as vouchers, because we want to have the same treatment for everybody. We cannot give one part, vouchers and one part, money. So, some of it was converted.

As for the amount spent just for this - I thought I had it, but I cannot see it here - yes, for the companies, if the hon. Leader of the Opposition wants it specifically for these two flash floods, the sum of Rs30.5 m. was issued as vouchers in total. What was the other question?

Mr Ganoo: How much the State has spent?

The Prime Minister: Yes, that is it, Rs30.5 m. were spent - in fact, I am sorry to say, it is Rs29, 112,000 I think.

Mr Speaker: Hon. Baloomoody last question!

Mr Baloomoody: The hon. Prime Minister mentioned that these people have to go to the Police and then an enquiry is being conducted. Is the hon. Prime Minister aware that there are many people who have already been to the Police and the Police confirmed to these people that they have completed the enquiry and they have submitted it to authorities. But, up to now, we do not know who is that authority. Is it the Ministry of Social Security? The hon. Prime Minister now just mentioned that hon. Mrs Perraud has given a list. Where does she get that list? There are some political agents, I will say it, in Constituency No.1...

Mr Speaker: No, no, no, please I am sorry! Put the question!

(Interruptions)

Mr Baloomoody: But, there are some people...

(Interruptions)

Mr Speaker: No, no!

(Interruptions)

Silence! I am speaking to the hon. Member! What is the problem? Yes, hon. Member, you put your question without making it a lengthy one!

Mr Baloomoody: My question is simple: who is that authority, apart from the Police, to whom we have to submit the enquiry? Is it to hon. Mrs Perraud, to a political agent or to an institution? Simple!

The Prime Minister: The hon. Member seems to forget, even the Members of the Opposition have submitted lists, I must tell him.

(Interruptions)

Any Member of Parliament, when he goes to his Constituency, people complain - any Member, be it the Opposition or the Government...

(Interruptions)

Mr Speaker: Silence!

The Prime Minister: It is part of your job to take what people in your Constituency are telling you!

(Interruptions)

There is no harm in this! I cannot see why the hon. Member is finding this unusual! Whenever a constituent says he has a problem, the hon. Member of that Constituency can take it up. They submit the list – when I say to the authorities, first of all, the Police Station where they go to. But, that is not a complete enquiry by itself because anybody can go to the Police Station, as you probably know, and they give their name even though they have not been flash flood victims. So, that list is then sent to the people who are looking after the Prime Minister’s Relief Fund and then they are given to different sections of the Police to go and validate it. That is how it is done.

Mr Speaker: Last question to hon. Jugnauth.

Mr Jugnauth: Thank you, Mr Speaker, Sir. With regard to the floods of 13 February, may I know, because there are some regions which were very severely affected like Gokoola, Amaury, Belle Vue Maurel, Cottage and Fond du Sac, from what I know, there might be others, from these regions have there been beneficiaries with regard to that grant?

The Prime Minister: In fact, I know that these regions have also been covered but, as I say, there might be some genuine cases, like there have been for the region of Port Louis, that were not on the list, and that we are going to look at.

Mr Speaker: Next question, hon. Dr. Sorefan!

FOREIGN WORKERS – ILLEGAL RECRUITMENT

(No. B/223) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if one Mr S. D., one Mr I. A. and one Mr S. T. a recruitment agent of Bangladeshi workers, were detained at the Sir Seewoosagur Ramgoolam International Airport, on 08 March 2013 and, if so, indicate –

- (a) the reasons therefor, and
- (b) if an inquiry has been carried out thereinto and, if so, the outcome thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that following a letter dated 05 March 2013 which was addressed to various institutions including the ADSU, but also addressed to my Office, the Anti-Drug and Smuggling Unit based at the Airport plus the Customs personnel effected checks in the luggage of the three persons concerned on their arrival on 08 March 2013.

No incriminating articles were found in their luggage, they were allowed to leave.

I should also add, Mr Speaker, Sir, that one of these persons on the list that is, Mr S. T. on 14 December 2012, the Ministry of Labour, Industrial Relations and Employment had addressed a letter to the Commissioner of Police requesting that action be taken against Mr S.T., as he was allegedly involved in illegal recruitment activities. The Police started an inquiry into the matter.

Mr S.T. was convened at the CCID on 03 May 2013 after the enquiry. He confessed that he was involved in the recruitment of foreign workers from Bangladesh and India and that he was not a holder of a recruitment licence.

He was arrested and provisionally charged under section 3(1)(a) of the Recruitment of Workers Act 1993 for the offence of “Recruiting a worker without being a holder of a licence”. On the same day, he appeared before the District Court of Port Louis and he was bailed out after furnishing a surety of Rs7,000 and entering into a recognizance of Rs15,000.

He will reappear before Court on 18 September 2013 and Police has raised an objection to departure against him.

Dr. Sorefan: May we know from the hon. Prime Minister if he could inform us about Mr S. T. who came in 2006 as a machinist, was issued a press card as journalist, and his qualifications as a journalist?

The Prime Minister: I am not aware. If the hon. Member asks for the qualifications of a journalist, he may ask my good friends here. Many of them do not necessarily have the qualifications, but they are journalists!

(Interruptions)

But I am not aware, in any way, that he has got a press card as a journalist. I am not aware of that.

Mr Speaker: Time is up!

(Interruptions)

Silence! The Table has been advised that Parliamentary Question B/229 has been withdrawn.

HELICOPTER SQUADRON – EMERGENCY REQUEST

(B/229) Dr. S. Boolell (Second Member for Curepipe and Midlands) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the Helicopter Squadron, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of helicopters attached thereto, indicating the –

- (a) place where each one is kept on standby
- (b) number thereof, if any, which is out of service and

- (c) time taken for the taking off of a helicopter by day and by night, respectively, on receiving an emergency request.

(Withdrawn)

PQ B/197 – HON. MS DEERPALSING - RULING

Mr Speaker: Hon. Members, I will now rule on another point of order which was, in this case, raised by the hon. Leader of the Opposition, following a Supplementary Question raised by the hon. Third Member for Belle Rose and Quatre Bornes, Ms Deerpalsing, with regard to Parliamentary Question B/197.

I rule that the first Supplementary Question put by the hon. Member offended against one of the rules of Questions inasmuch as it was conveying information as to where exactly was the Lord Mayor, suggesting an answer and asking the Minister to answer for the Lord Mayor.

As for the second Supplementary Question, I ruled and I maintain that it was in order, inasmuch as the hon. Member was asking the Minister whether he was aware of a matter of fact.

I think it is a proper time to break. I suspend the sitting for one and half hours.

At 12.52 p.m. the sitting was suspended.

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

Mr Speaker: Questions addressed to hon. Ministers. Hon. Jhugroo!

MINISTRY OF EDUCATION & HR- ARCHIVES OFFICER

(No. B/231) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Minister of Education and Human Resources whether, in regard to the post of Archives Officer in his Ministry, he will state if same has been advertised and if so, indicate –

- (a) when;
- (b) the procedure followed for the selection of the candidate;
- (c) the qualifications requirements therefor, and
- (d) the salary scale thereof.

Dr. Bunwaree: Mr Speaker, Sir, on the Establishment of my Ministry, the post of Archives Officer does not exist.

Mr Jhugroo: Can the hon. Minister inform the House when Mrs Saroj Beeharry was recruited in the Civil Service and in which capacity?

Dr. Bunwaree: I think we have already moved to the next question, Mr Speaker, Sir.

Mr Speaker: We are still on Question B/231. Am I right hon. Member?

Dr. Bunwaree: I just said that the post of Archives Officer does not exist on the Establishment of my Ministry.

Mr Speaker: Yes, but the hon. Minister has an answer.

Dr. Bunwaree: I have already answered. The hon. Member is coming on a question which ...

Mr Speaker: The hon. Member has put a question, and you have given him the same answer!

Dr. Bunwaree: I keep repeating the same answer!

Mr Speaker: Next question!

MINISTRY OF EDUCATION & HR - MRS S. B. - EMPLOYMENT

(No. B/232) **Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien)** asked the Minister of Education and Human Resources whether, in regard to one Mrs S. B., he will state the capacity in which she is employed in his Ministry, indicating –

- (a) her qualifications;
- (b) her terms and conditions of employment, and
- (c) the duties assigned thereto.

Dr. Bunwaree: Mr Speaker, Sir, Mrs S. B. is employed in the Ministry of Education and HR as handy worker. She is presently on leave without pay.

Regarding part (a) of the question, she holds the Cambridge School Certificate, and has credits in the following subjects; seven credits - not at one sitting altogether -

- (i) Grade B - English Language, Economics, Commerce, Art, and Grade C - French, Mathematics, Travel & Tourism;
- (ii) she has also prepared for HSC examinations, and I am informed she has also successfully passed an examination and secured admission for BSc Library Science Course in Hyderabad, India;
- (iii) she has followed the IC3 course at the E-Government Unit of the Ministry of Education and HR, and

- (iv) she is presently on leave without pay, and is preparing an examination for Diploma in Library Science, which will be held, I am told, sometime this month.

As regards her terms and conditions of employment, she is governed by the laws, rules and regulations prevailing in the public service, the Public Service Commission Regulations and the provision of the PRB Report 2013.

As regards part (c), in view of her relevant skills, she has been assigned to give assistance in a team of the Library Cadre and that of the documentation Unit of the Ministry in connection with the following duties -

- (i) Search and collection of information.
- (ii) Scrutiny of relevant materials pertaining to the Education Sector;
- (iii) Selection and categorisation of information in proper sequential and chronological order.
- (iv) Input of data for record purposes.
- (v) Retrieval of information as and when required.

She was paid an allowance of Rs400 monthly as approved by the Ministry of Civil Service Affairs and Administrative Reforms as from February 2011 up to December 2012.

As she is on leave without pay the allowance is no longer being paid.

Mr Jhugroo: Can the hon. Minister inform the House when was Mrs Saroj Beeharry recruited in the Civil Service and in which capacity?

Dr. Bunwaree: I said she was recruited in ...

Mr Speaker: Well, wait a minute before you answer, hon. Minister! I would like to draw the attention of the hon. Member that he is not allowed to give the name of the person. I will ask him to withdraw the name.

Mr Jhugroo: I withdraw the name and said S.B.

Dr. Bunwaree: The question was when she joined the Ministry of Education and Human Resources. Now, another question is being put. From memory, I know she was in the Ministry of Labour and Industrial Relations before but, as to which date exactly, it is difficult to say.

Mr Seeruttun: M. le président, est-ce que le ministre peut nous dire, au moment de son recrutement, s'il y a eu un avis de presse pour faire un appel de candidature?

Dr. Bunwaree: Pour quelle affaire?

Mr Seeruttun: Pour le poste dont on parle, l'honorable ministre !

Dr. Bunwaree: C'est le *Civil Service* qui est responsable. She is a member of the Civil Service. Go and put the question to the Ministry!

Mr Jhugroo: Can the hon. Minister inform the House why this handy worker, who had been working at the Ministry of Labour and Industrial Relations, was transferred to the Ministry of Education and Human Resources soon after the Minister took office as Minister of Education and Human Resources in year 2008?

Dr. Bunwaree: Well, what's wrong in that?

Mr Seeruttun: Est-ce que l'honorable ministre peut confirmer si une voiture de l'Etat est attachée à la dame concernée?

Dr. Bunwaree: Jamais ! Ma voiture, peut-être ! Elle est une habitante de ma circonscription tout comme l'honorable membre ; il l'a connaît très bien. Cette dame appartient à une famille dont les membres ont toujours été du parti MSM, depuis ...

(Interruptions)

This is the fact.

Mr Speaker: No, no! According to the Standing Orders ...

Dr. Bunwaree: I am saying...

Mr Speaker: Well, I am on my feet! No comment! According to the Standing Orders any supplementary question put should be pertinent to the main question. I am clear and now any answer...

(Interruptions)

Hon. Minister, are you listening to me? Any answer to the supplementary question must be also pertinent to that question.

Dr. Bunwaree: The reply is coming from far because he is putting a question on a lady whom he knows very well - he knows better than I do. That lady belongs to a family who has been in the MSM since 1983...

(Interruptions)

Mr Speaker: Hon. Minister, I am on my feet!

Dr. Bunwaree: *La honte ça!*

(Interruptions)

Mr Speaker: Wait a minute! Cool down!

Mrs Navarre-Marie: Mr Speaker, Sir, on a point of order, I heard the hon. Minister of Labour say, addressing hon. Seeruttun, that he is behaving like a 'she'. What does that mean?

Mr Mohamed: Mr Speaker, Sir, maybe, if the hon. lady would like to meet me afterwards we will get into the debate as to what it means. I don't find anything unparliamentarily about it.

(Interruptions)

Mr Jhugroo: Mr Speaker, Sir, can the hon. Minister inform the House whether the said ...

Mr Speaker: We have a problem. I want all Members to listen to me carefully. We have a problem; I am far away from the Minister or from any Member on this side. It is very difficult for me to hear when the micro is off. Sometimes it happens also that it is not recorded. So, it will be very difficult for me to decide. I rely on Members' sense of responsibility to behave as hon. Members. Next question!

Mrs Navarre-Marie: Mr Speaker, Sir, may I insist on having your ruling.

Mr Speaker: Is the hon. Member standing on a point of order?

Mrs Navarre-Marie: Yes.

Mr Speaker: Ok.

Mrs Navarre-Marie: On the same point of order.

Mr Speaker: Yes, make your point of order.

Mrs Navarre-Marie: Yes. I heard the hon. Minister of Labour say that the hon. Member is acting like a 'she', and I want your ruling on that.

Mr Speaker: Oh, I see! I have not heard what the hon. Minister has said, but I am going to check the record and I am going to make a ruling. The hon. Member can trust me on that. Next question!

Mr Jhugroo: Can the hon. Minister inform the House whether the said lady has been offered an overseas training course and, if so, can we know when, where, in which field and for how long?

Dr. Bunwaree: C'est du jamais vu et entendu. Mais, je comprends ...

(Interruptions)

Mr Speaker: Silence!

Dr. Bunwaree: *Mais le conseil que je donnerai, c'est de ne pas écouter tout ce que vous avez entendu.* People are trying to put you in a trap! This is absolutely false! I am not aware of this at all. *Ce que vous auriez dû apprécier, c'est l'exemple que cette dame a donné. Elle est entrée avec la Forme 4 et aujourd'hui elle est en first year BSC Library Science.* This is the image that we want to give at the level of the Ministry of Education.

Mr Jhugroo: Can the hon. Minister inform the House for what reasons she has always worked after office hours and can we know how much has she been paid ...

(Interruptions)

Mr Speaker: Silence! No, I do not allow this question. Next question!

Mr Jhugroo: Can I ask the hon. Minister what is the relation between Mrs S. B. and the presumed paedophile of the MITD?

Mr Speaker: No! I said the hon. Member has to put any supplementary question with regard to the gist of his own question. Next question!

DRAINS, PAVEMENTS & CANALS – CONSTRUCTION/REHABILITATION

(No. B/234) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the construction/rehabilitation of drains, pavements and canals, he will state how the old precious rocks which are being removed as a result thereof are being disposed of.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo):Mr Speaker, Sir, I am informed that during construction/rehabilitation of drains, pavements and canals undertaken by my Ministry, the old precious rocks are re-used on the same sites.

However, in cases where the old precious rocks are removed and not re-used these are handed over to the local authority concerned.

Nicolay Street and Volcy Pougnet in Port Louis are two sites where old precious rocks were removed and returned to the Municipal Council of Port Louis by the RDA.

However, old precious rocks were recovered during the reconstruction of bridge over ex-railway line, along Pailles Junction Road by the RDA and a request has been made to the Municipal Council of Port Louis for necessary handing over procedures.

Mr Ameer Meea: Mr Speaker, Sir, this issue of old precious rocks is of importance and one aspect of it is that it dates back from colonial times. We must do all our effort to preserve these rocks. May I ask the hon. Minister if he is aware of the way that, canals and drains are now being designed and made is one of the causes of flood and overflow? Because before there were canals and they were opened and the water used to flow to the canals and to the bridge, but now that the road is tarred with different layers, they are obliged to remove the rocks and place slabs.

Can I make an appeal to the hon. Minister to review the whole system, especially in Port Louis, in cities where all these rocks, these canals are present and to limit them to the use of slabs, instead of tarring roads we must remove the layer of tar so that we can use the canals?

Mr Speaker: Hon. Member, this is not a question; but I allow your appeal.

Mr Bachoo: Now, Mr Speaker, Sir, in fact, the rocks were used in the colonial times when those drains were small, but now being given that we are enlarging the drains, it is difficult for us to make use of those types of rocks. Those rocks would be extremely costly for us if we are going to undertake such types of works because now, you don't get people who are going to prepare such rocks. The question addressed to me was: what are we doing with those rocks? In fact, we are preserving them, handing them over to the local authorities, that is, either to the Municipality or to the District Council. So, if the hon. Member is interested, he can come forward with a substantive question. As far as the construction of canals is concerned, I am definitely going to make a detailed statement about the systems that we are utilising for the construction of canals.

Mr Ameer Meea: Can I ask the hon. Minister if he has a stock take of the precious rocks that have been removed and if he can table those records?

Mr Bachoo: Well, as I have just mentioned, whenever we undertake such works, for example, I had given examples of two places which I have just mentioned, that is, Volcy Pougnet and Nicolay Street, that we have already handed over to the Municipality of Port Louis. At the same time, we have got the ex-railway line along Pailles Junction Road; that too, it is in our store. We have requested the Municipality of Port Louis to do the needful to take over those rocks. So, wherever such rocks are available and we are working, we are requesting the local authority to take over those rocks. Normally, RDA does not keep those rocks.

Mr Uteem: Mr Speaker, Sir, the hon. Vice-Prime Minister has just mentioned that they hand over the rocks to the local authorities. Is he aware that, in relation to the canal along Mgr Leen that was damaged following the flash floods, according to my information these rocks have disappeared and are not with the local authorities? So, I would ask the hon. Minister to look into the matter specifically with respect to the canal in Mgr Leen.

Mr Bachoo: I will have to check the information because I am aware that there is one contractor and we have assigned certain responsibilities to him. I will have to check whether that is in the possession of the contractor or whether they have been stolen away by robbers. If this is the case, then, we have to make a statement to the Police.

Mr Ameer Meea: Can I ask the hon. Minister if he is aware of a fraudulent business in relation to the old precious rocks whereby these rocks are being racketed and are being re-sold at

higher prices, sometimes Rs500 to Rs2,000 pieces? Especially, you can find these rocks in the region of Brisée Verdière.

Mr Bachoo: Mr Speaker, Sir, I am aware that Brisée Verdière and Mare d’Australia are the two villages in the whole country where the business of rocks is a flourishing business. But I don’t know, if the hon. Member has any information, then you can inform the Police. But, as far as I am concerned, I am convinced that those people who are doing that business are from very humble origin and that is their only profession. Normally, they go in the forest and they try to remove *roches couleurs*, this is what we call them. They also buy old buildings and they remove those rocks, but that does not come from the public roads.

MTPA - MR R. D. – TERMINATION OF CONTRACT

(No. B/235) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Tourism and Leisure whether, in regard to Mr R. D., he will, for the benefit of the House, obtain from the Mauritius Tourism Promotion Authority, information as to -

- (a) the reasons for the termination of his appointment as the Chairperson thereof, and
- (b) during his term of office, the -
 - (i) number of overseas missions he has undertaken, and
 - (ii) total amount of money paid out to him, as salary, *per diem* and gratifications.

The Minister of Information and Communication Technology (Mr T. Pillay Chedumbrum): Mr Speaker, Sir, with your permission, I shall reply to that question on behalf of my friend, hon. Yeung Sik Yuen, who is on mission abroad.

I wish to inform the House that in accordance with Section 5(2) of the Mauritius Tourism Promotion Authority (MTPA) Act, the power to appoint the Members of the Board, including the Chairperson, rests with the Minister. Section 5(3) of the Act further stipulates that every member of the MTPA Board shall hold and vacate office as the Minister may decide.

As regards part (b) of the question, I am informed that, during the period September 2011 to January 2013, Mr R. D. effected 16 overseas missions.

Mr Speaker, Sir, I am further informed that, as Chairperson of the MTPA Board, Mr R.D. was not paid any salary. Instead, he was paid a monthly fee as per the provisions of the PRB Reports and which is currently Rs28,500.

He was also paid a total amount of Rs638,444.28 as *per diem* and Rs44,988.32 as entertainment allowance at the approved rates. He was not paid any gratification.

Mr Ramano: M. le président, est-ce que je peux savoir du ministre s'il est d'accord avec la déclaration du Premier ministre à l'effet qu'il y a eu beaucoup d'abus en ce qui concerne les campagnes de promotion de la MTPA sous monsieur Robert Desvaux? Je cite la déclaration pour dire que tout le temps ce sont les mêmes personnes qui choisissent.

Mr Pillay Chedumbrum: Je ne peux pas commenter là-dessus. Si le Premier ministre a fait ces commentaires, donc, *I adhere to it.*

Mr Ramano: M. le président, est-ce que je peux savoir du ministre si le nombre de cas de malversations qui ont été soumis à l'ICAC concernent les cas de malversations à la MTPA? Est-ce que parmi ces cas, figure un contrat alloué sans appel d'offre à un Directeur d'une revue locale spécialisée dans la gestion du facebook.

Mr Speaker: I am sorry to interrupt the hon. Member. He is going outside the purview of the question.

Mr Jugnauth: The hon. Minister has said that, of course, the Minister has the power to terminate the contract, but we all know that this power must be used judiciously. So, can I know from the hon. Minister the reasons behind the termination of the contract of this gentleman?

Mr Pillay Chedumbrum: Mr Speaker, Sir, in fact, acting under Section 5(3) of the Act, the Minister has taken the decision. But, Mr Speaker, Sir, everyone knows that in the wake of the Euro crisis our tourist industry is facing a lot of difficulties. As a consequence, it is imperative for a Minister who wants to see to it that the Ministry moves forward and we keep that growth which is underway to take appropriate measures as he may deems fit and proper. Anyway, Mr Speaker, Sir, the law is clear about it. When we look at the Interpretation and General Clauses Act, the Interpretation and General Clauses Act speaks for itself. The one who has power to appoint has the power to revoke.

Mr Speaker: Hon. Bhagwan!

(Interruptions)

Hon. Baloomoody, you are interrupting your own friend!

Mr Bhagwan: Can the hon. Minister inform the House whether there are documents in the file or is he aware that the Vice-Prime Minister and Minister of Finance and Economic Development *a demandé la réintégration* de monsieur Desvaux *comme* Chairperson?

(Interruptions)

Je n'ai pas terminé, s'il vous plaît. Mo pas couma Orange mwa.

Mr Speaker: No. Please, proceed with your question!

Mr Bhagwan: Can the hon. Minister inform the House whether he is aware that the Vice-Prime Minister, Minister of Finance and Economic Development has made a strong request to Government, *a menacé même le Premier ministre pour la réintégration de monsieur Desvaux?*

Mr Pillay Chedumbrum: The hon. Member can put the question to the Vice-Prime Minister himself. He is going to answer him.

(Interruptions)

Mr Speaker: The hon. Minister cannot answer this question.

(Interruptions)

Silence! Let me listen to the question!

Mr Jugnauth: The hon. Minister is replying to my question and it seems because of the Euro crisis that there has been this termination of contract. So, may I know now, whether anybody else has been appointed or is likely to be appointed in order to face the same Euro crisis that the hon. Minister is saying?

Mr Pillay Chedumbrum: Of course, Mr Speaker, Sir. Mrs Roy who is the Permanent Secretary has been assigned Chairperson of the MTPA Board to carry on the business of the MTPA.

Mr Speaker: Last question!

Mr Jhugroo: Can I ask the Ag. Minister of Tourism and Leisure for what reasons all the blame has been put on Mr R.D. when the Minister of Tourism and Leisure, himself, is responsible of his Ministry regarding tourism?

Mr Pillay Chedumbrum: I am not aware about it, Mr Speaker, Sir.

Mr Speaker: Next question!

PALMAR - AKSAY LTD - STATE LAND

(No. B/236) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Minister of Housing and Lands whether he will state if a plot of State land in Palmar has been granted to Aksay Ltd. and, if so, indicate the nature of the proposed project to be implemented thereat.

Dr. Kasenally: Mr Speaker, Sir, I am advised by the Ministry of Agro-Industry and Food Security that an agricultural lease for the purpose of cultivating vegetables and fruits has been granted by that Ministry to Aksay Enterprises Ltd. over a plot of State land of an approximate extent of 6A00 at Palmar.

Mr Jugnauth: May I know who are the shareholders of this company?

Dr. Kasenally: Aksay Ltd. being a private company, I would advise the hon. Member to enquire from the Registrar of Companies.

Mr Jugnauth: Mr Speaker, Sir, the purpose of asking questions is for us to have information. A lease is being granted!

Mr Speaker: I agree with the hon. Member, but I have no control over answers.

Mr Jugnauth: Well, in that case, may I know if there has been any change in ownership of the company, in the meantime?

Dr. Kasenally: This also will be available at the Registrar of Companies, Mr Speaker, Sir.

(Interruptions)

Mr Jugnauth: Mr Speaker, Sir, may I know whether for the purpose that the lease was given that company has, in fact, fulfilled its requirements?

Dr. Kasenally: I didn't catch the last word.

Mr Speaker: Could you repeat your question, hon. Member!

Mr Jugnauth: The purpose for which the lease has been granted by Government, whether that company has fulfilled its requirements and can the hon. Minister say what were the conditions of the lease?

Dr. Kasenally: It was an agricultural lease. I have just repeated it. I have just said it; for cultivation of vegetables and fruits and it is under the purview of the Ministry of Agriculture.

Mr Speaker: Yes, hon. Bhagwan!

Mr Bhagwan: Can I ask the hon. Minister whether he is aware that another company has been given lease next to that one in the region of Palmar for the purpose of cattle rearing?

Mr Speaker: No, I will not allow this question. The hon. Member can come with a substantive question next time.

Mr Jugnauth: Will the hon. Minister then table the copy of the lease agreement?

Dr. Kasenally: Mr Speaker, Sir, the lease is issued by the Ministry of Agro-Industry and I think this should be addressed to my colleague with a substantive question.

Mr Speaker: Next question!

TOURISM AUTHORITY – WORKERS - RECRUITMENT

(No. B/237) **Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes)** asked the Minister of Tourism and Leisure whether, in regard to the Tourism Authority, he will, for the benefit

of the House, obtain therefrom information as to the number of workers recruited thereat, since 2011 to date, indicating in each case, the –

- (a) post held;
- (b) scheme of duties, and
- (c) address thereof.

The Minister of Information & Communication Technology (Mr Pillay Chedumbrum):

Mr Speaker, Sir, with your permission, I shall reply to this question. I am informed that since January 2011 to date, 107 persons have been recruited by the Tourism Authority. I am tabling the information with regard to the post held, scheme of duties and address.

Mr Ramano: M. le président, est-ce que l'honorable ministre est au courant de la déclaration de l'ancien président de la *Tourism Authority*, M. Wong, à l'effet qu'il faut une enquête sur le recrutement à la *Tourism Authority* et que les directives émanant du ministre du tourisme sont très douteuses?

Mr Pillay Chedumbrum: Non, je ne suis pas au courant.

Mr Ramano: M. le président, venons-en au recrutement des personnes qui ont été embauchées par le *Cleaning and Embellishment Programme* de la *Tourism Authority*. Peut-il nous dire quand l'appel de candidature a été lancé et est-ce qu'il peut nous dire si dans ces recrutements, il y a 33 personnes qui viennent de Curepipe et 21 personnes qui viennent de Quatre Bornes ?

Mr Pillay Chedumbrum: Mr Speaker, Sir, in fact, I must tell the hon. Member that Board approval was sought and obtained prior to initiating action for recruitment of employees. Second, a list of potential job seekers was sought from the National Empowerment Foundation. Third, interviews were conducted by a selection panel. The recommendations of the selection panel were examined by the HR committee. The recommendations of the HR committee were approved by the Board and approval of the Minister was sought in accordance with the provisions of the Tourism Authority Act 2006 prior to the issue of letter of employment to the selected candidates. As you can see, the formalities that are required have been observed.

Mr Speaker: Yes, hon. Ameer Meea.

Mr Ameer Meea: May I know from the hon. Minister - if I have heard him well, prior to the Board's approval and to the hon. Minister's approval - were these posts advertised?

Mr Pillay Chedumbrum: Mr Speaker, Sir, I am not in a position to answer this part of the question, but I have given the series of phases where the applications have been processed to, before appointment was granted.

Mr Ameer Meea: Mr Speaker, Sir, please, for the sake of transparency, I will ask the hon. Minister again: were these posts being advertised? Were they put in newspapers? Yes or no?

Mr Pillay Chedumbrum: I am not aware, Mr Speaker, Sir.

Mr Ramano: M. le président, je voudrais savoir, de la liste qui a été soumise, si, parmi ces personnes, il y a un ex-conseiller du PMSD et aussi le président du PMSD du No. 17?

Mr Pillay Chedumbrum: It is not possible for me to answer this question, Mr Speaker, Sir because it is not to my knowledge.

Mr Speaker: Next question! Since hon. Mrs Labelle is not in attendance, we move to PQ No. B/239.

WASHINGTON - MAURITIAN AMBASSADOR – COURT CASE

(No. B/239) **Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether he is aware that a Mauritian Ambassador in post in Washington has recently been sued before Court for having refused to pay the salaries of his maid and, if so, indicate the actions, if any, taken against him.

Dr. A. Boolell: Our Ambassador in Washington...

(Interruptions)

Mr Speaker: Silence!

Dr. A. Boolell: I am informed as follows our Ambassador in Washington employed a maid (Miss Cecilia Venzon) between 21 December 2008 - 04 August 2009 whilst he was Permanent Representative to the United Nations.

In August 2009, the maid quit her job without prior notice.

Three years later, the maid made allegations of having been underpaid during the period of service to the Ambassador's household.

The maid lodged a charge of misdemeanour in the District Court in New Jersey in September 2012.

On 29 August 2012, the Government of Mauritius waived the immunity of the Ambassador to enable him to enter an agreement plea.

In accordance with the judgment delivered on 29 November 2012 the Ambassador paid a fine of US\$5000 and US\$24,153.05 as restitution fees to the maid.

In a letter from the US Chief of Protocol dated 25 August 2012, it was stated that entering into an agreement plea by the Ambassador, allows the Ambassador to remain in the US representing the Republic of Mauritius.

Mr Ameer Meea: Mr Speaker, Sir, can I ask the hon. Minister what action has his Ministry taken against the Ambassador for his misbehaviour?

Dr. A. Boolell: Mr Speaker, Sir, the fact that we asked for waiver of immunity that, in itself, is an action. Secondly, Mr Speaker, Sir, the Ambassador was called to Mauritius for consultation.

(Interruptions)

However, if the hon. Member wants me to take him down memory lane and remind him of what happened in 1993 when you were a Member of the Opposition, Mr Speaker, Sir, on a specific case relating to a gentleman who was allegedly involved in a rape case, who had no right to immunity, but was given immunity by the then regime under the Prime Ministership of Sir Anerood Jugnauth. Now, if you want me to walk down memory lane, I will remind you of the case of a former High Commissioner whose name I won't mention, again no waiver of immunity was given. In fact he was recalled and given a lucrative job on terms more favourable than he had when he was High Commissioner in a particular country. Now, if you want me to proceed further down memory lane, I will remind the House, our friends sitting on the Opposition bench, of an Ambassador, whose name again I won't mention because he is now a Barrister.

Mr Speaker: Hon. Minister...

(Interruptions)

Hon. Soodhun, I am on my feet.

(Interruptions)

Silence! I have understood that the question of the hon. Member is what sanction have you taken against that person.

Dr. A. Boolell: Mr Speaker, Sir, in fact, I stated that we have asked that there be no immunity. We have waived the immunity. Secondly, the embarrassment and shame that he has endured in itself far outweigh the punishment that was inflicted upon him by the Judge.

Mr Uteem: Mr Speaker, Sir, may I know from the hon. Minister whether the Permanent Secretary of his Ministry has referred the matter to the Public Service Commission for enquiry, to see whether there is any action to be taken at that level?

Dr. A. Boolell: No, there is no need because I have stated that the punishment inflicted upon him reflects the reason as to why he can now stay in his post.

Dr. S. Boolell: Mr Speaker, Sir, may I point out to the hon. Minister that it is not the Ambassador who is the subject of shame, but the country! The whole country has been blamed; not the Ambassador!

Dr. A. Boolell: Mr Speaker, Sir, if I have to compare like with like, they should understand that the onus of shame lies upon them.

Mr Speaker: Next question!

MAURITIUS SPORTS COUNCIL – CHAIRPERSON - OVERSEAS MISSIONS

(No. B/240) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the Mauritius Sports Council, he will, for the benefit of the House, obtain therefrom, information as to the number of overseas missions undertaken by Mr K. L. A, Chairperson thereof, since his appointment to date, indicating in each case, the -

- (a) duration and purpose thereof, and
- (b) expenses thereof, including the quantum of *per diem* paid to him.

Mr Ritoo: Mr Speaker, Sir, I am informed by the Mauritius Sports Council that Mr K. L. A. has, since his appointment as Chairman of the Council on 01 December 2010, undertaken two missions overseas.

He formed part, '*hors quota*', of the delegation, which attended the 8th Indian Ocean Island Games in Seychelles from 03 August to 15 August 2011. Expenses amounted to Rs179,938, including Rs157,518 *per diem*, at approved rates, for board and lodging and other local expenses.

He attended the 12th Meeting of the Asian Sports for All Associations (ASFAA) held in Delhi from 26-30 September 2012. I am informed that he travelled on 22 September and was back on 04 October 2012, as per flight and seats availability.

Expenses for this mission amounted to Rs175,407, including Rs152,707 *per diem* for board and lodging and other local expenses.

ASFAA is a branch of the Trim and Fitness International Sports for all Association (TAFISA), to which the Mauritius Sports Council is affiliated since 2003.

AFSAA has, as one of its specific missions, to lead the Global Sports for All Movement for an Active World. Participation in the Congress has been helpful to the Council in its Sports Medicine Programme, and also in its Keep Fit Programme.

Mr Quirin: M. le président, le ministre des Sports, dans sa réponse, a fait allusion au voyage du président du MSC en Inde, à Delhi, du 26 au 30 septembre. De ce fait, vu que la conférence elle-

même s'est tenue du 26 au 30 septembre, et que le *Chairman* du MSC a quitté Maurice le 22 septembre et est rentré au pays le 04 octobre 2012, peut-il nous dire qui a payé les frais de séjour du président du MSC en Inde du 22 au 26 septembre et du 30 septembre au 04 octobre?

Mr Ritoo: Mr Speaker, Sir, information furnished to me by the Mauritius Sports Council is that the travel arrangements were according to flight and seat availability. I am informed that a quotation exercise was carried out and same was sent to three travel agencies, and all of them quoted for 22 September to 04 October 2012.

Mr Quirin: M. le président, j'ai en ma possession copie d'une lettre adressée au Premier ministre par le négociateur du FTU, monsieur Atma Shanto, où il fait état de nombreux cas d'abus par le *Chairman* du MSC lui-même, entre autres le licenciement de madame Persand en novembre 2011. Il fait aussi référence au voyage du président du MSC en Inde en septembre, où il précise qu'il y avait un vol direct, et que le président du MSC pouvait rentrer plus tôt au pays. Il y a encore d'autres points qu'il cite, et je vais, avec votre permission, déposer copie de cette lettre, M. le président. D'ailleurs, le ministre des Sports lui-même est très au courant des relations industrielles très tendues qui existent entre le personnel du MSC et le *Chairman* du MSC lui-même. Je demanderai au ministre...

Mr Speaker: I am still waiting for your question!

Mr Quirin: J'arrive à la question ! De ce fait, le ministre, peut-il nous dire...

Mr Speaker: Hon. Member, I have said this morning that the purpose of a question is to seek information. According to me, you have more information than the hon. Minister, and this letter is addressed to the hon. Prime Minister. The question would be proper if you address it to the hon. Prime Minister.

Mr Quirin: Non, je ne le pense pas, M. le président. Cela concerne le MSC, et c'est au ministre des Sports de répondre à la question.

Mr Speaker: No, but I said that the letter is addressed to the hon. Prime Minister!

Mr Quirin: D'accord. Mais, je dépose quand même la lettre, M. le président. Je suppose que le ministre a dû prendre connaissance de cette lettre adressée au Premier ministre. Quelles sont les actions qu'il a prises pour assainir cette situation industrielle tendue au sein du MSC?

Mr Speaker: No, I am sorry, I have to interrupt. There are two important questions in one. First of all, you have to ask him whether he is aware of the contents of the letter. If he is aware - the answer is positive - then you will ask your second question.

Mr Ritoo: Mr Speaker, Sir, I am aware of such a letter, and I have requested my Permanent Secretary to conduct an enquiry.

Mr Jhugroo: Est-ce que je peux demander au ministre s'il a fait une petite enquête au niveau du ministère pour savoir s'il y avait des vols directs sur Maurice, et si oui, pourquoi il n'a pas pris le vol direct pour rentrer au pays; et s'il est resté, pourquoi est-il resté pendant tout ce temps?

Mr Ritoo: As per information gathered from the Mauritius Sports Council, there was no other direct flight. I presume that the Mauritius Sports Council has looked into this issue before taking this flight. I have got information that there was no direct flight from 22 September - as per dates I am informed - to 26 November and from 30 September to 04 October.

Mr Bhagwan: Can I make a request to the hon. Minister? He knows perfectly the case of Mrs Persand, who is a resident...

Mr Speaker: No, don't mention name. Put your question!

Mr Bhagwan: ...Mrs P., who is a resident of Albion and a strong supporter of the Labour Party, has permanently been harassed by the Chairperson and has been reintegrated following representations made to us and to the Minister. Can I request the Minister to enquire why this person, Mrs Persand, is being permanently harassed?

Mr Speaker: No, I told you not to mention name. Listen to me. The question is about overseas mission so the question of harassment is irrelevant. You will agree with me that it is irrelevant. You may come with a substantive question. Next question hon. Quirin!

SECONDARY SCHOOLS – LA RELANCE DES JEUX INTERCOLLEGES

(No. B/241) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to *La Relance des Jeux Intercollèges*, as announced in the Budget Speech 2013, he will state where matters stand, indicating the actions taken in relation thereto, as at to date.

Mr Ritoo: Mr Speaker, Sir, following the announcement in November 2012 of the “*Relance des Jeux Intercollèges*” in the Budget Speech, an Organising Committee for these Games was set up in December 2012 under the chairmanship of the President of the Mauritius Secondary Schools Sports Association (MSSSA). The Committee comprises members of MSSSA, officials of my Ministry, officials of the Ministry of Education and Human Resources, and also those of the Private and Secondary Schools Authority (PSSA).

After several meetings held by the Organising Committee with other stakeholders, including the National Sports Commission of the MSSSA, which comprises Physical Education teachers, it was decided that, as from this year, athletics, which is the main event of the Inter-College Games, would

be organised with a new formula, placing more emphasis on best school teams and best individual performance. This is over and above the normal regional athletics competition, which is ongoing.

With regard to other sports, that is, Volleyball, Cross-country, Table Tennis, Badminton, Football, Swimming, Basketball and Handball, competitions have been an ongoing exercise.

This year's competitions have involved 140 schools and around 15,000 students are participating.

The finals of the National Inter-College Athletics Championship will be held from 17 to 20 June 2013 at Germain Comarmond Stadium, Bambous.

Mr Quirin: M. le président, le ministre peut-il nous dire quel est le niveau de la pratique du sport dans les collèges d'État et s'ils vont tous participer à ces jeux?

Mr Ritoo: M. le président, nous avons presque 180 collèges mais il y a 140 collèges, membres de la MMMSA qui ont souhaité participer à cette compétition. Donc il y aura à peu près quinze milles étudiants qui vont participer aux sports inter- collèges. C'est la première fois que nous avons autant de participation. En ce qui concerne le niveau, bien sûr il y a des *PE teachers* qui travaillent directement avec les athlètes étudiants et c'est à partir de là que les techniciens du ministère vont être présents sur le stade pour superviser et ensuite bien sûr détecter les talents pour les diriger vers les structures du ministère.

Mr Quirin: M. le président, malheureusement le ministre n'a pas répondu à ma question. Je lui ai demandé s'il est au courant du niveau de la pratique du sport dans les collèges d'État. Je n'ai pas parlé des collèges en général et si ces mêmes collèges d'État vont tous participer à ces jeux.

Mr Ritoo: We have approximately forty State colleges participating in this competition.

Mrs Ribot: Mr Speaker, Sir, I would like to know from the hon. Minister whether the organising committee realises that the dates proposed for intercollege sports, that is, from 17 to 20 June may coincide with the second term examinations.

Mr Ritoo: Mr Speaker, Sir, the sports will be held from 17 to 20 June 2013, then I don't know how it is a problem; it is, at least, one month before the second term and many months before the exams. Those are the dates available.

Mr Speaker: Last question!

Mr Quirin: M. le président, le ministre peut-il nous dire quelles seront les catégories qui seront concernées par ces jeux?

Mr Ritoo: Catégories Benjamin, Minime, Cadet, Junior, Senior.

Mr Speaker: Next question!

CPE - FAILURES – PREVOCATIONAL STREAM

(No. B/242) **Mr S. Obeegadoo (Third Member for Curepipe and Midlands)** asked the Minister of Education and Human Resources whether, in regard to the new policy to encourage students having failed the Certificate of Primary Education examinations at their first attempt to join the pre vocational stream at secondary level, he will state the –

- (a) rationale thereof;
- (b) number of students concerned therewith, indicating the number thereof which have opted for the pre vocational stream;
- (c) implications for the repeaters for the Certificate of Primary Education examinations in primary schooling, and
- (d) consequences for the pre vocational sector of secondary education.

Dr. Bunwaree: Mr Speaker, Sir, with regard to part (a) of the question, I wish to inform the House that, in November 2012, during my intervention on the Budget Speech in relation to prevocational education, I pointed out that pupils who have failed CPE at their first attempt will be allowed to join the prevocational stream while, at the same time, be given the opportunity to sit for the CPE examinations a second time. I also explained the rationale behind this new policy especially in the context of the extension of the prevocational education (PVE) programme from 3 to 4 years bearing in mind that education is compulsory up to the age of 16 and the legal age for work is also the same.

I recall, Mr Speaker, Sir, that the hon. Members from both sides of the House welcomed this initiative.

I wish to inform the House that general consensus was also reached on this measure at the Consultative Forum on the review of the CPE held on 17 December 2012.

It is worth noting that only 39.3% of pupils repeating the CPE examinations in 2012 had passed. Thus, about 60% of those children were unsuccessful in improving their results after spending one additional year in the CPE class and finally they had to join the PVE Year I the next year. Had they not repeated CPE in their primary school, they would have gained one year at the prevocational stream.

Mr Speaker, Sir, we have to reckon with the fact that the secondary school offers a new learning environment where there is a wider range of school activities and facilities. The PVE programme provides for a different pedagogy with emphasis on activity-based teaching and scope for trade and life skills where the learner is fully involved. At the same time, it is especially designed and

tailor made to cater for the needs of that category of learners. Ultimately, we really want to create new conditions that would enable the learner to regain his self-esteem and live his schooling life with a positive mindset. All these factors can contribute to trigger a new interest in the child for attending school and for learning.

On the strengths of the above rationale, it was decided, Mr Speaker, Sir, to implement this specific measure as from 2013 and to give the opportunity to CPE repeaters to join PVE Year I with the possibility of sitting again for the CPE examination at the end of the year. Thus, those who pass the CPE at their second attempt will have the option of either joining the mainstream in Form I the following year or to continue in the PVE stream if they so wish. As for the unsuccessful ones, they will move to Year II of the prevocational stream without having lost one year.

As regards part (b) of the question, I am informed that, out of 3,932 children who failed the CPE at their first attempt in 2012, 1,984 have taken this option and have been admitted in PVE Year I in either a State or a private secondary school.

This measure has required the operation of additional PVE Year I sections, namely 28 in State Secondary Schools and 62 in Private Secondary Schools.

Concerning part (c) of the question, I wish to inform the house that pupils who have failed the CPE at the first attempt and who have not opted to join the prevocational stream are following CPU repeater classes in their respective primary schools as it used to be in the past and the special programme designed for them since 2011 is being pursued.

Mr Speaker, Sir, as for part (d) of the question, the prevocational stream in secondary schools offers now a four-year programme based on the National Curriculum Framework (NCF) for prevocational education. This new policy provides an opportunity for CPE repeaters to join PVE Year I with option to sit for CPE examinations at the end of the year as I have said. In this context, Year I programme has been revisited and the National Curriculum Framework (NCF) for prevocational education reviewed accordingly.

This measure reinforces the very foundation of prevocational education to make it an integral part of secondary schooling. The new strategic orientation addresses the current challenges to enable us to become more responsive to the needs of an economy which is becoming more skills driven.

This specially designed programme meant for pupils who cannot follow the secondary mainstream education will have the following added benefits:

- (i) They will have their self-esteem enhanced especially at an early stage of their life and this will develop confidence and render secondary schooling more meaningful.
- (ii) It will provide them the opportunity to gain insightful knowledge into potential areas of future employment.

(iii) They will benefit from a new Quality Assurance System.

The extended four-year programme will lead to a National Certification pitched on the National Consultations Framework recognised by the Mauritius Qualifications Authority, thus allowing pathways for lifelong learning; the four years of prevocational education will be considered as a qualification at par with the CPE, that is, MQA-level one qualification.

The new prevoc certificate will have greater recognition and proper equivalence.

The new system will thus provide for greater internal efficiency in the education system and avoid wastage of resources while, at the same time, contributing towards future employability and entry into the labour market of our youngsters.

I wish to thank the hon. Member for this interesting question.

Mr Obeegadoo: Mr Speaker, Sir, the Minister has given a very long answer and I hope I will be allowed a few supplementary questions.

Mr Speaker: Of course, you will.

Mr Obeegadoo: My first question is: will the hon. Minister, to set the record straight, confirm that the Opposition agreed to the extension of prevocational from 3 to 4 years but never to any issue of redeploying, if that is the term, first-time failures as they are called to prevocational education and that, in fact, this measure had never been mentioned either in the Presidential Address or in the strategy document of the Ministry of Education or any official pronouncement of Ministers of Education up until the beginning of this year?

Dr. Bunwaree: I don't know if this has been discussed in the party of the hon. Member, but maybe he was absent when I was talking about this. This is one thing. We will check, but there is therefore a difference in policy but this is our policy.

Dr. Bunwaree: I do not know if this has been discussed in the party of the hon. Member, but maybe he was absent when I was talking about this. This is one thing.

(Interruptions)

We will check. There is, therefore, a difference in policy, but this is our policy.

Mr Obeegadoo: Mr Speaker, Sir, my second supplementary is: does the hon. Minister realise that, whereas children repeating the CPE have, at least, a 40% chance of succeeding and over the years it is between 40% and 50% of repeaters who succeeded in obtaining the CPE, as per Government policy, if those children are sent to secondary schools where there are no CPE teachers, no library facilities or any other facilities to prepare the CPE, those children are being condemned to living the rest of their lives without a CPE, which is the very basic qualification required for employment in Mauritius?

Dr. Bunwaree: I do not agree with the hon. Member. This is his way of looking at things. I have said it is an integrated programme - which I have mentioned. Now, if you read properly what I have said, those children who, unfortunately, - and they are about 60%, I said - do not succeed the second time, those children are going to continue and now the extended four-year programme, as I said, will lead to a national certification which is going to be pitched on the NQF - recognised by the MQA - and it will be considered at par with the CPE. Therefore, these children, at the end of their four-year schooling - I hope they are all going to go through, because the continuous assessment is going to take place - they are going to have this certificate which will have the equivalence of the CPE. So, there is no problem.

Mr Obeegadoo: The hon. Minister knows full well that more than half of these children drop out in the first two years and that there is no PSC recognised equivalence with the CPE. But, is he aware that children in the poorest schools have been practically forced to move out of primary to join the secondary sector? Is he aware that it is only now, in May, that CPE teachers are being called upon to be redeployed in secondary schools to take care of these children?

Dr. Bunwaree: The hon. Member is making exception become the rule. This is the first time that we have moved on this project. Of course, there are teething problems. I, myself, chaired a meeting at the end of the first term to consider all the difficulties that could have cropped up, because it is a revolution. So, I would pray the hon. Member to let this system work and then we will have always the time to discuss and see what can be done further.

Mr Obeegadoo: Will the hon. Minister not admit that the real motive is to save some low demand primary schools from closure because, right now, many private secondary schools are becoming Prevoc schools, and also to artificially raise the CPE pass rate by eliminating those who would in their majority have failed?

Dr. Bunwaree: This is an invention of the mind. I do not know where the hon. Member is taking all that from. Mr Speaker, Sir, what I can say to this House is that we have taken this measure. If they were not probably agreeable, but, at least, at the forum that we organised on CPE review, there was consensus; there was no voice against this measure. So, I went accordingly.

Mrs Navarre-Marie: I heard the hon. Minister talking about teething problems. Do we need to understand that there has been no proper planning of the programme and that these children are being used as *cobaye*?

Dr. Bunwaree: *C'est triste ce que j'entends. Moi, utiliser les enfants comme cobayes ? On ne me connaît pas ! M. le président, il y a beaucoup de choses qui se font au niveau du CPE. Comme je disais tout à l'heure, we had a consultative forum, we discussed all these points and this is a point that has made consensus and unanimously accepted. I am coming with another project. I can already inform the hon. Members. I say that because I want to get their views. I am coming with a new*

project, because about 2,000 CPE students who failed the first time, have failed in only one subject and very near the 30% mark, in only one subject. So, as from this year, in December, immediately after the CPE examination, there will be another examination for the students to sit only in the subject where they have failed to allow them to pick up.

Mrs Ribot: Mr Speaker, Sir, according to our information, it is redundant primary teachers who are being sent to secondary schools to teach those first attempt failures. I would like to know from the hon. Minister who are those redundant primary teachers? How have primary teachers been made redundant?

Dr. Bunwaree: I will have to check in what is being said. Again, I think it is exception becoming the rule. I will have to check anyway. There are supply teachers who are taken; in the supply group, there could be redundant teachers. The question that is being asked, I'll have to look into the reason and then come up again.

Mr Speaker: Last question to hon. Obeegadoo! It has been sufficiently aired.

Mr Obeegadoo: Will the hon. Minister not agree that this is yet again an instance of Government discriminating against the poorest sections of the population and their children? Will he take a solemn undertaking before the House so that next year, he will make public the numbers of the children who will take the CPE from amongst those who are going on to secondary now and the pass rate amongst those students?

Dr. Bunwaree: The pass rate will always be...

(Interruptions)

...well, of course, disaggregated; everything will be transparent. In fact, I am looking forward to consider the results with all attention, but I do not want to remind the hon. Member what my colleague, hon. Dr. Jeetah, said the other day giving the results of the CPE examinations when he was Minister, when it was going down year after year; it was dropping.

IRON SHEETS, WOODEN POLES/CONCRETE SLABS - NEF SCHEME

(No. B/243) Mrs L. D. Dookun-Luchoomun (Second Member for Quartier Militaire & Moka) asked the Minister of Social Integration and Economic Empowerment whether, in regard to the schemes for the provision of iron sheets, wooden poles or concrete slabs for the upgrading of houses, he will state the eligibility criteria to benefit therefrom.

Mr Dayal: Mr Speaker, Sir, I wish to inform the House that the upgrading of houses is a new Scheme introduced this year for which funds to the tune of Rs12 m. have been obligated.

The main objective of the Scheme is to provide continued support to vulnerable families through the improvement of their living conditions. The Scheme will be applicable to families whose monthly household income does not exceed Rs6,200 and who are registered with the National Empowerment Foundation.

Moreover, they should either be owners of their plots of land or have obtained authorisation from a landowner.

The Scheme will also cater for fire victims.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the hon. Minister whether he would be able to tell us the number of people who have benefitted from the former Scheme, whereby they were provided with iron sheets or bricks to upgrade their houses; not the Scheme which started this year, but the former Scheme which has been prevailing for a few years back now?

Mr Dayal: Mr Speaker, Sir, the question relates to eligibility criteria. I'll certainly circulate the information.

Mrs Dookun-Luchoomun: Can I ask the hon. Minister whether he has received requests from areas of La Laura, Saint Pierre, Quartier Militaire and Bonne Veine for same?

Mr Dayal: Mr Speaker, Sir, we do not consider on a constituency basis, it is on a district-wise basis. I can say that we have, so far, received some 351 representations island-wise.

Dr. S. Boolell: Mr Speaker, Sir, may I ask the hon. Minister to consider that the monthly earnings of Rs6,200 exclude overtime earnings, because with overtime earnings many people who are really in socio-class 5, let us say, never qualify for your help?

Mr Dayal: OK, we will look into it.

Mrs Dookun-Luchoomun: May I ask the hon. Minister whether he could inform the House of the time taken between the making of a request and the supply of the required materials?

Mr Dayal: Mr Speaker, Sir, once the needs assessment are done, it takes around two weeks.

Mr Barbier: May I ask the hon. Minister whether on a district-wise basis, he will circulate the list of those who have benefitted from this advantage from his Ministry?

Mr Dayal: Of course, I have no problem.

Mr Ameer Meea: Can I ask the hon. Minister if he has a waiting list for the persons who have applied to this scheme and if he can give the list as he mentioned, district wise?

Mr Dayal: Definitely, I will do so.

Mr Seeruttun: M. le président, d'après le dernier *Household Survey*, il est clair qu'il y a l'appauvrissement de la population et pour faire face à cette situation est-ce que son ministère allait

mettre des ressources nécessaires pour pouvoir répondre à ces demandes qui ne font qu'accroître de jour en jour ?

Mr Dayal: Mr Speaker, Sir, it is good to inform the House that the Ministry of Social Integration looks after what we call absolute poverty and what the hon. Member is talking about is relative poverty. But then, let me say that we have officers on the ground on a permanent basis and we always attend to the needs and we tackle the problem promptly.

Mr Speaker: Last question, Mrs Dookun-Luchoomun!

Mrs Dookun-Luchoomun: Can I know from the hon. Minister what is the criteria used to determine whether the beneficiary will receive iron sheets or bricks?

Mr Dayal: It depends on the needs assessment.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask for a clarification because we have seen in certain cases iron sheets are provided whereas in other cases bricks are provided. So, we need to know what is the criterion on which this decision is taken.

Mr Dayal: Mr Speaker, Sir, it depends on the case. It is on a case-to-case basis. The criterion for qualification is that the household income must not exceed Rs6,200, and then they have their own house.

Mr Speaker: Two last questions, one from hon. Ameer Meea.

Mr Ameer Meea: Mr Speaker, Sir, the hon. Minister said, the household income should not exceed Rs6,200. The household income, that is, even both persons working in the house, the total income should not exceed Rs6,200. So, may I make an appeal to the hon. Minister if he can review this figure and increase it in view of the rising prices and in view of inflation?

Mr Dayal: Mr Speaker, Sir, last year it was Rs5,000 and we increased it to Rs6,200. Let me inform the House that the World Bank has established between 1.25 dollars to 2 dollars per day per head as the poverty line.

(Interruptions)

It is good to mention what is being done elsewhere. And, in Mauritius despite the fact that we have got an extensive welfare state...

(Interruptions)

We have got an extensive welfare state and, on top of that, we have a Ministry of Social Integration which caters for the poor. I do not say that we will not consider the point the hon. Member has mentioned, but it depends.

Mr Jhugroo: Can I ask the hon. Minister whether there is a system for the verification of the materials purchased regarding the fitness of the iron sheets and the quality and the fitness of the wooden poles supply and other building materials?

Mr Dayal: There is a monitoring system.

Mr Speaker: Yes, last question!

Mrs Dookun-Luchoomun: M. le président, puisque le ministre a bien dit que le *threshold* est une somme de Rs6,200 par famille, est-ce que je peux lui demander quelle est la différence qu'il fait vu que tous les bénéficiaires doivent avoir un *threshold* de Rs6,200 comme salaire, sur quels critères il se base pour déterminer si la personne va bénéficier des feuilles de tôles ou des briques ou des *slabs* en béton?

Mr Dayal: Mr Speaker, Sir, I have just mentioned that it is on a case to case basis depending on the situation and the plight of the beneficiary. And then, Rs6,200 excluding social benefits.

Mr Speaker: Next question Mrs Ribot!

ABUSER REHABILITATION PROGRAMME – CONSULTANT

(No. B/244) **Mrs L. Ribot (Third Member for Stanley & Rose Hill)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Abuser Rehabilitation Programme, she will -

- (a) state the -
 - (i) names and qualifications of the consultant whose services have been retained therefor, indicating the amount of fees paid out thereto, as at December 2012, and
 - (ii) number of perpetrators of domestic violence who have benefitted therefrom, and
- (b) table the details thereof.

Mrs Martin: Mr Speaker, Sir, I wish to inform the House that my Ministry is in the process of finalising the Victim Empowerment and Abuser Rehabilitation Policy for which, the services of Mr Ibrahim Koodoruth were retained. Upon finalisation of the policy, my Ministry will develop appropriate victim empowerment and Abuser Rehabilitation Programmes.

As such, questions pertaining to parts (a) (i), (a) (ii) and (b) do not arise.

Mrs Ribot: Mr Speaker, Sir, I would like to refer the hon. Minister to the Specific Objective 8 of the National Action Plan which spelt out clearly that the time frame for the formulation of an

Abuser Empowerment Policy was six months. I would like to know from the hon. Minister the reasons for such a delay.

Mrs Martin: Indeed, Mr Speaker, Sir, actually what happened was that the agreement was signed between the Ministry and the Consultant in December 2010, but then, there has been a reorientation of the policy because initially the policy was based on domestic violence. Therefore, the emphasis was on the training of gender, focal points in the public sector and the human resource personnel in the private sector. But, with the change of appellation of the Ministry in May 2010, there has been a shift in intervention from domestic violence to gender-based violence and, therefore, the policy had to be revisited and enlarged.

Mrs Ribot: Mr Speaker, Sir, in reply to Parliamentary Question No. B/111 on 05 April 2011, the hon. Prime Minister said that since 2008 a National Domestic Violence Committee had been set up. I would like to know from the hon. Minister the composition of that Committee, the date of its last meeting and if any recommendations have been made by that committee regarding the rehabilitation of abusers.

Mrs Martin: Mr Speaker, Sir, the question relates to the Victim Empowerment and Abuser Rehabilitation Policy. I do not have this information with me. If the hon. Member comes with a substantive question, I would gladly answer it.

Mrs Ribot: I have another question, Mr Speaker, Sir. In reply to Parliamentary Question B/111, the hon. Minister talked also of draft rules which have been submitted to the Rules Committee of the Supreme Court. He even added -

“Once the rules are finalised the Protection and Domestic Violence Amendment Act will be proclaimed.”

I would like to know from the hon. Minister where matters stand and if the rehabilitation of abusers is included in those rules.

Mrs Martin: Again, Mr Speaker, Sir, like I said in my answer, we are working with regard to processing the Victim Empowerment and Rehabilitation Policy. This would be normally finalised by June this year and once this is done, we will develop appropriate Victim Empowerment and Rehabilitation Programmes. So, both of them will be taken into account.

Mr Speaker: Last question!

Mrs Ribot: Mr Speaker, Sir, we have been brought back to 2010, we are now in 2013 and we are still working on it! Can I ask the hon. Minister, since we are still working on it, if a study cannot be carried out on the number of perpetrators of domestic violence who will have relapsed during the past five years so that the appropriate measures can be taken for their rehabilitation?

Mrs Martin: Mr Speaker, Sir, the contract and the consultancy is very clear and has specific provisions and, therefore, we cannot in the middle include other things. But, this is a good suggestion from the hon. Member and we can consider it but we cannot put it right now in that consultancy service which has already been allocated with specific provisions.

Mr Speaker: Next question hon. Li Kwong Wing!

FOREIGN CURRENCY - PURCHASE

(No. B/245) 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 foreign currency, he will, for the benefit of the House, obtain information as to the total amount thereof purchased by the Accountant General or any other Government Department, in 2012, indicating in each case, the -

- (a) rate of purchase thereof in respect of each trade;
- (b) impact thereof on the –
 - (i) rupee exchange rate, and
 - (ii) inflation rate, and
- (c) reaction of the Bank of Mauritius in relation thereto, as at to date.

The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Speaker, Sir, the Accountant General is the only institution responsible to undertake purchases and sales of foreign currencies on behalf of Government.

During 2012, the Accountant General purchased foreign currencies equivalent to some Rs737 m. to meet expenditures under the Consolidated Fund. Some 123 foreign currency purchase transactions were effected by the Accountant General. In addition the Accountant General made seven purchase transactions for the National Resilience Fund (NRF) as he has also the responsibility for managing the balances of all Special Funds set up under the Finance and Audit Act. The purchases made by the Accountant General included purchases of the Australian Dollar, Swiss Franc, South African Rand, Indian Rupee, Canadian Dollar, Singapore Dollar, Chinese Renminbi, Japanese Yen and US Dollar.

For the NRF, the Accountant General purchased last year Rs2.57 billion from the Consolidated Fund and around Rs265 m. from the market.

I am tabling the details of all those transactions, including the rate of purchase in respect of each trade.

Mr Speaker Sir, with regard to part (a) of the question, the rates are listed in the document I am tabling. All purchases made from Commercial Banks were done at the market exchange rate of the rupee, the rate being set by the tender.

For the purchases from the Consolidated Fund, this rate is determined by the Bank of Mauritius. The impact of purchase transactions is always determined by the total supply and demand conditions in the forex market adapt to integrated time.

As regards part (b) of the question, a large number of factors affect the exchange rate, including the Bank of Mauritius decision to build up reserves through its Operations Reserve Reconstitution to around six months of imports. This amounts to adding to over Rs20 billion of forex equivalent to the official reserves.

Similarly a number of factors determine the inflation rate. It is difficult to single out the impact of the forex transactions of Government on the inflation rate. In fact, the inflation rate in 2012 declined to 3.9% from 6.5% in 2011.

As regards the reaction of the Bank of Mauritius, the Governor expressed the view that there was a lack of coordination between my Ministry and the Bank of Mauritius on the purchases made. However, that view was based on misinformation and misunderstandings that we have since cleared. In fact, as the House may recall in my reply to PQ B/684 on 11 December 2012, I documented that there was ample coordination with the Bank of Mauritius and the Bank was fully aware of the decision of my Ministry to purchase foreign currencies in the market.

Mr Li Kwong Wing: Mr Speaker, Sir, with regard to the purchases of the Accountant General, on behalf of the National Resilience Fund (NRF), can the hon. Minister inform the House whether the NRF is a Government fund set up under statutory provisions under his responsibility?

Mr Duval: Mr Speaker, Sir, as I have mentioned these special funds are set up under the Finance and Audit Act.

Mr Li Kwong Wing: Since the NRF, therefore, is a statutory fund, is the hon. Minister aware that the Banking Act, under section 56(1), clearly states that -

“The Central Bank is the banker to Government and must be the depository of all foreign exchange reserves of Government Funds.”

and under section 1 of the Banking Act, also says that -

“The role of the Central Bank is to formulate and implement exchange rate policies”

Since by buying directly from Commercial Banks the USD100 m., and on behalf of the NRF, the Minister of Finance is deliberately trying to depreciate the Rupee. Can I ask the hon. Minister why did he, therefore, seek to circumvent the powers of the Central Bank as a Government banker and

frustrate the Bank of Mauritius sole role and prerogative to determine the Exchange Rate? Is, therefore, the Minister of Finance, not breaching the law and acting illegally?

Mr Duval: Mr Speaker, Sir, I will take the last part first. We have advice from the State Law Office that what was done was totally legal. As far as being the sole banker to Government, the hon. Member is unfortunately misreading the Banking Act and the Bank of Mauritius Act. The hon. Member may be a Member of Parliament, but I do not think that he is a lawyer. He will not substitute himself for the State Law Office. The State Law Office has advised that what my Ministry did was totally legal.

As far as buying directly, Mr Speaker, Sir, again, I think that the hon. Member's memory is failing him. In 2004, the then MMM/MSM Government changed the regulations so that the Ministry of Finance would buy foreign exchange from Commercial Banks rather than from the Bank of Mauritius.

In fact, Mr Speaker, Sir, although the Bank of Mauritius has been and is still included in our request for tenders when we purchased, the Bank of Mauritius never, never participates in the tender.

As far as the depreciation of the rupee is concerned, Mr Speaker, Sir, the Opposition is just pure hypocrisy. Pure hypocrisy!

(Interruptions)

Mr Speaker: No, I do not like this word. Hon. Minister, please withdraw that word.

Mr Duval: Mr Speaker, Sir, I withdraw that word.

Mr Speaker: Hon. Minister, you were answering very well.

(Interruptions)

Mr Speaker: Silence!

Mr Duval: Mr Speaker, Sir, the Opposition preaches one thing when they are in the Opposition and do exactly the contrary when they are in Government. That is the whole mark of the MMM. Mr Speaker, Sir, when the MMM was in Government in 2000-2005, you will be surprised to know that on the nominal effective exchange rate, the Rupee depreciated 30% during those five years. Mr Speaker, Sir, if you were to take the Rupee exchange rate *vis-à-vis* the Euro, during that same period of time, that is, from 2000 to 2005, the Rupee depreciated 44%.

Mr Li Kwong Wing: Mr Speaker, Sir, can the hon. Minister confirm to the House whether he has not missed or misread the reaction of the Governor of the Central Bank, who said that –

“By doing this purchase directly in the forex market, the Minister is destabilising the market and has deliberately circumvented his powers.”

and he is even said that ...

Mr Speaker: No, I would not allow this question. Rephrase your question.

Mr Li Kwong Wing: Has not the hon. Minister by intervening directly in the forex market, raised the price of the dollar and paid a premium to the Commercial Banks, thereby, depreciating the Rupee at the expense of tax payer's money and, therefore, lining the pockets of the fat cats in the banks?

Mr Duval: Mr Speaker, Sir, the hon. Member may be, himself, a fat cat as far as I know.

(Interruptions)

I think, he maybe a fat cat, although he does not look it.

Mr Speaker, Sir, I am surprised with the question because this was fully debated some time ago and same is coming back again with the same question. There was a tender. All the 14 banks were in the tender. We got the rate that we got.

I have mentioned, Mr Speaker, Sir, that the Bank of Mauritius does not participate with the tender. We cannot force it. Mr Speaker, Sir, for us, it does not participate in the tender, but whenever the Accountant General requires it, it was all done in transparency. People tend to judge according to their own standards, as we are all aware.

Mr Li Kwong Wing: Mr Speaker, Sir, in the hon. Minister's reply of last November to the House, he said that he has bought foreign currency, but actually he has not taken any decision to invest because the money is still lying in the Central Bank's coffers. Can the hon. Minister, therefore, inform the House what is the purpose of going to the Commercial Banks and buy foreign exchange at high rate and then leaving the money back again in the Central Bank, earning no interest rate. So, what kind of fund management is this, Mr Speaker, Sir? What kind of confidence can we give to a Minister of Finance like that, who has achieved no purpose and who is flouting the law? He is a law breaker.

Mr Speaker: Hon. Member, you have put a good question, but you have given the answer yourself!

(Interruptions)

Mr Duval: M. le président, il nous trompe et il se trompe.

(Interruptions)

There was a tender and that is probably why he is aware of it and that is why the question has come up. Let him be frank. There was a request for tender, which was issued recently, asking for placement for these funds. That is why the hon. Member knows about it and he knows full well. The

tender will close on Friday. We hope to be able to find a decent rate for placing this money. I will not say now, but we may have even some more interesting news for this money, which will be a great use to the economy.

Mr Speaker, Sir, as I have said, we cannot leave billions of Rupees unremunerated and this is billion of tax payer's money unremunerated and the rate at which we bought the USD dollar, if you look at the rate, it is higher today. In fact, Mr Speaker, Sir, we have not lost any money.

Mr Uteem: Mr Speaker, Sir, the hon. Vice-Prime Minister would have it that there is a Minister of Finance, and then there is the Central Bank. They are two separate things charging different rates. Wouldn't the hon. Vice-Prime Minister agree with us that when it comes to national money – public funds and all these reserve funds - we should get the best rate for our rupee and go to the Central Bank and not to the commercial banks, causing them to finance the money instead of paying huge premium to the commercial banks?

Mr Duval: Mr Speaker, Sir, maybe I was not clear; I grant that. Maybe, I'll be clearer this time. We asked since 2004, when they changed the law so that Government buys from commercial banks, including in the tender, the Bank of Mauritius. Now, this is not us! In 2004, they changed the law; same as the FIU, they changed the law. Since 2004, this has been coming up. When we issue a tender, the Bank of Mauritius never responds to the tender. So, what am I going to do? I open the vault myself and take the dollars out! They don't respond to the tender. So, when they don't respond to the tender, we buy from the commercial banks. I don't know whether I need to have a little diagram to explain it. It is clear to me that they don't respond. So, we buy from where we get, Mr Speaker, Sir.

Mr Speaker: Last question, hon. Li Kwong Wing!

Mr Li Kwong Wing: Mr Speaker, Sir, the hon. Minister is saying that he is buying the foreign currency from the Central Bank.

(Interruptions)

He is buying from the commercial banks the foreign currency.

(Interruptions)

This is what the hon. Minister is saying! You bought from the commercial banks these foreign currencies. What are you doing with these foreign currencies? Because you promised since November last year that these monies are going to be managed somehow. But where has there been any appointment of any fund management company that is managing these foreign currencies in the best interest of the country? The money is still lying in the Central Bank...

Mr Speaker: This is the problem with the hon. Member. I allowed him a questionto be fair. But he puts his question, and then makes a statement! He should not make a statement.

(Interruptions)

This is a different matter! You listen to me carefully hon. Member! I said that you have the right to put the question. But why do you have to make a statement after the question?

Mr Duval: Mr Speaker, Sir, I don't know where the hon. Member obtains information on the bank accounts. I don't know where he gets that information. But, Mr Speaker, Sir, as I have mentioned, there is a tender out. In fact, we did try to place it with Morgan Stanley, but we were not satisfied with the rate they were offering; we wanted to get more. So, there is a tender out. We have sent it to about 20 people, and that's why it is out. I can give a copy; that's not a problem. It will close on Friday, and from that on we will decide where to put the money. Even better than that, Mr Speaker, Sir, there may be better uses for that, but that is something else again.

HUMAN RESOURCE, KNOWLEDGE AND ARTS DEVELOPMENT FUND - SCHOLARSHIP SCHEME

(No. B/246) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the Scholarship Scheme granted by the Human Resource, Knowledge and Arts Development Fund, he will, for the benefit of the House, obtain from the Fund, information as to -

- (a) the date of implementation thereof;
- (b) the number of students who have benefited therefrom, as at to date, and
- (c) if the scheme has been recently reviewed, and if so, give details thereof.

The Minister of Education and Human Resources (Dr. V. Bunwaree): Mr Speaker, Sir, with your permission I will reply to this question. I am informed that -

- (a) the Scholarship Scheme under the Human Resource, Knowledge and Arts Development Fund (HRKAD Fund) was launched in August 2008;
- (b) the number of students who have benefited from this Scholarship Scheme stands at 1,547 as at to date;
- (c) the Scheme is being reviewed at the level of the Ministry of Finance and Economic Development, in line with the relevant measure announced in the Budget Speech 2013.

Mr Speaker, Sir, I wish to take this opportunity to reassure the House and the public that all the present beneficiaries of the HRKAD scholarships will benefit from their scholarship till

completion of their studies. I think the question was raised by one hon. Member from the Opposition recently. So, I am giving the assurance of the House that those who have already started their course will get their scholarship till the end.

Mr Seeruttun: M. le président, c'est bien d'entendre qu'ils vont recevoir leur *sponsorship*. Mais, à ce jour, ils sont toujours dans l'obscurité parce qu'ils ne sont pas au courant de la décision finale. La dernière réponse qu'ils ont eue du ministère c'est qu'il n'y a pas d'argent, que les cours ne vont pas être payés, et qu'ils ne vont pas recevoir de *stipend*. Est-ce que je peux demander au ministre d'informer ces élèves qu'ils vont recevoir leur *stipend*, comme les années précédentes, et que les *course fees* vont être payés dans les plus brefs délais ?

Dr. Bunwaree: Yes, no problem about that. In fact, we got a letter from the Ministry of Finance and Economic Development on 29 April, where it has been clearly mentioned that they will benefit from the scholarship till the end of their studies. I think the needful has already been done recently, but I'll look into the matter. In any case, I am mentioning it here. So, we will reassure these students.

Mr Obeegadoo: Mr Speaker, Sir, the Minister has quoted a figure; I heard him say 1,547. So, will he tell the House why these 1,547 - these are the poorest of the poorest; those whose families earn less than Rs7,500 per month - have had fee payment suspended since the beginning of this year? Why they have been living, going through such a trauma, and why it is that it is only last week that the Minister of Finance met with the students involved to tell them yes, their fees will be paid, and they are still waiting? Why was there not proper planning by the Government to avoid these students the trauma they have been going through for the past four months?

Dr. Bunwaree: Mr Speaker, Sir, the funds were there at the end of last year. So, there could have been some administrative difficulties in the meantime. But, when the point was raised, I gave the guarantee immediately to the House because I did not agree with that, and the needful has been done.

Mr Obeegadoo: Mr Speaker, Sir, I am not sure I understand correctly. We are talking of more than 1,500 students who, since 01 January, until they met the Minister last week - ten days ago - had not been informed by anybody as to what was happening. We are talking of several universities which, until now, have not been informed of what is happening. Is the Minister saying to the nation that this whole affair, this whole trauma was due to certain administrative difficulties? Is this the argument we are to buy to hide, to conceal the incompetence and heartlessness of those that govern us today?

Dr. Bunwaree: Mr Speaker, Sir, a decision was taken last year, and the decision was announced publicly. Here also, the matter was raised, and when the matter was raised I gave the guarantee. When I give the guarantee, it's the whole country, the whole nation. If we had received the

claims at the level of the Ministry, of course, we would have looked into it immediately. But, then, the matter has already been solved now.

At this stage the Deputy Speaker took the Chair.

FLASH FLOODS – FEBRUARY & MARCH 2013 - MEASURES

(No. B/247) 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 flash floods of February and of 30 March 2013, he will state the regions which have been affected, indicating the remedial actions taken as at to date and the amount of money spent in relation thereto.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, I wish to inform the hon. Member that in a reply to PQs No. B/140 and B/163 on 16 April of this year, I have already tabled the list of regions affected during the flash floods of 13 February and 30 March 2013.

As regards the amount of money spent on the emergency projects, a total of Rs24,906,156.77 has been paid to contractors as at date for works performed so far.

Mr Deputy Speaker, Sir, I wish to inform the House that contractors are paid in relation to actual works performed on sites upon verification by the technical staff of my Ministry as and when claims are received.

Mr Seeruttun: Justement, dans sa réponse au PQ No. B/140, l'honorable Vice-Premier ministre avait fait référence à certaines régions affectées par les *flash floods* du 13 février et du 30 mars. Il avait dit que toutes ces régions sont en train d'être réaménagées pour prévenir ce genre d'inondation. Je dois informer que, dans ma circonscription, il y a les régions de Bambous Virieux, de Nouvelle France qui ont été affectées, mais jusqu'à présent rien n'a été fait pour réaménager ces régions. Est-ce qu'il est au courant déjà que ce sont des régions affectées, et que rien n'a été fait à ce jour ?

Mr Bachoo: Mr Deputy Speaker, Sir, I am going to circulate a list of the amount of work which had been undertaken in Constituency No. 11. I can assure the hon. Member that, at least, 75% to 80% of the work has already been completed and that whatever is left will be done, but priority is being given to the region of Port Louis because you know the reasons.

Mr Seeruttun: M. le président, dans sa réponse, le ministre avait dit que toutes les régions affectées par les *flash floods* du 13 février et 30 mars sont en train d'être réaménagées. A chaque fois, il parle de la somme dépensée dans la circonscription, mais le résultat c'est quoi, M. le président? On

revoit les mêmes problèmes, et je dois dire que j'ai été sur place à Bambous Virieux et à Nouvelle France, rien n'a été fait encore. Ces personnes ont été affectées, M. le président. Donc, je demande au Vice-Premier ministre de faire diligence à ce que ces régions soient réaménagées comme il faut pour qu'à l'avenir ces personnes ne soient plus affectées par des *flash floods*.

The Deputy Speaker: Hon. Member, the Vice-Prime Minister informed that these regions will be taken on board in his answer.

Mr Bachoo: Mr Deputy Speaker, Sir, as I have mentioned, I am going to submit a list of the amount of work which has already been completed in Constituency No. 11. I will request the hon. Member to go through it because, as they have mentioned, all regions will be taken care of depending on the urgency of the situation. As at now, Port Louis deserves all our attention because this is an emergency state; we have to do some work in Port Louis and that is the reason why I am concentrating entirely on Port Louis.

Mr Uteem: Mr Deputy Speaker, Sir, the hon. Vice-Prime Minister has mentioned that he has already tabled the list of places where work has been done. May I make a request to the hon. Vice-Prime Minister, if he could also table a list of future works, in the immediate, for the next 12 months, and the amount which has been budgeted for the region of Port Louis and other places affected by the flooding?

Mr Bachoo: Exactly. We are working on the report because there are four consultants who have been nominated in these regions so that we can go faster and most probably, let us say, within a fortnight, the works orders will have been issued and, of course, I will be pleased to submit a copy to the House.

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

BANK DEPOSIT INSURANCE SCHEME - IMPLEMENTATION

(No. B/248) **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 Bank Deposit Insurance Scheme, he will state -

- (a) when was it first announced;
- (b) the rationale thereof ;
- (c) if it has been implemented and, if not, why not, and
- (d) the protection currently afforded to the clients of banking and other financial services against risk of scams.

The Vice-Prime Minister, Minister of Finance and Economic Development (Mr X. L. Duval): Mr Speaker, Sir, with regard to parts (a), (b) and (c) of the question, I wish to inform the House that section 93 of the Bank of Mauritius Act 2004, which came into force in November 2004 provides for the establishment of a Deposit Insurance Scheme against the loss of a deposit in a bank.

No regulations were however made regarding the setting up of the Deposit Insurance Scheme as it is thought most appropriate to have a separate legislation to provide for the framework and modalities for deposit insurance. In this context, in the last Budget Speech, I announced that a separate Deposit Insurance legislation will be passed to protect bank depositors and guarantee the repayment of insured deposits with a view to contributing towards the stability of the financial system.

Accordingly, a draft Bill has been prepared and circulated to stakeholders for comments. The comments received, including those from the IMF and World Bank are being examined by my Ministry before submission to the Attorney General's Office for consideration and vetting.

Mr Deputy Speaker, Sir, concerning part (d) of the question, I wish to underline that the Deposit Insurance Scheme is meant to provide protection specifically to all depositors of banks and non-bank deposit taking institutions and is not meant to cover against scams.

Mr Li Kwong Wing: Can the hon. Vice-Prime Minister inform the House whether all the consultations with regard to this draft Bill have been completed and whether there is a timeline for the introduction of that Bill in Parliament and then, what is the limit which will be fixed for the deposit insurance cover?

Mr Duval: Mr Deputy Speaker, Sir, we have the IMF coming as a result of our request regarding the Ponzi Schemes. The IMF is coming at the end of this month itself. So, we may wait also and present this in that conjunction to the IMF.

As far as the timeline is concerned, I hope to bring it by the end of this year and, secondly, Mr Deputy Speaker, Sir, the limit has not yet been determined.

Mr Li Kwong Wing: Given the risk that there might not only be Ponzi Schemes but even Ponzi Banks, will the hon. Vice-Prime Minister inform the House what transitory and intermediate protection will be given to small depositors in the banks so as to avoid a situation like we have in Iceland and Cyprus?

Mr Duval: Mr Deputy Speaker, Sir, if the hon. Member had taken the trouble to read the last Financial Sustainability Report he would have seen, Mr Deputy Speaker, Sir, that, according to the Bank of Mauritius, the financial system in Mauritius, especially the banks, are stable and there is no cause for alarm.

Therefore, Mr Deputy Speaker, Sir, since this has been announced since 2004 by his own party at the time, I think now we can wait a few months and get a proper legislation.

The Deputy Speaker: Next question!

FIRE SERVICES - TURNTABLE LADDER LORRY

(No. B/249) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the turntable ladder lorry, bearing registration number 9 RM 13, he will, for the benefit of the House, obtain from the Government Fire Services, information as to -

- (a) the cost thereof;
- (b) the number of interventions it has carried out by night and by day respectively as at to date, and
- (c) if Fire Officers have received adequate training therefor.

Mr Aimée: Mr Deputy Speaker, Sir, with regard to part (a) of the question, I am informed by the Fire Services Department that the cost of the turntable ladder lorry bearing registration number 9 RM 13 is Rs35 m.

As regards part (b) of the question, I am informed that since its acquisition, the type of fire incidents that have occurred has not warranted the use of the turntable ladder lorry.

As far as part (c) of the question is concerned, I am informed that all the targeted 40 Fire Officers have benefitted from training as designed in the bidding document. Furthermore, this team posted at the Aerial Firefighting and Rescue Unit is continuing daily practices to remain in a state of preparedness and alertness to intervene promptly and effectively. These Officers are also following an established programme of continuous training.

Mr Nagalingum: Can the hon. Minister state the names of the Fire Officers who are being provided with training and the duration of the training course to operate the turntable ladder lorry?

Mr Aimée: Mr Deputy Speaker, Sir, as I said, there are 40 Fire Officers who have taken part in the training. Only 10 of them have succeeded in the training. But, we continue to train these other fire-fighters as well. The hon. Member wanted to have the names. They are Mr Allymeeah, Mr Buldawo, Mr Chamroo...

The Deputy Speaker: Hon. Minister, can you afford to table the information?

Mr Aimée: Yes, it is better to table it.

Mr Nagalingum: Is the hon. Minister aware that these Fire Officers who have been provided with training do work as from 8.00 a.m. till 4.00 p.m.? What will happen if the turntable ladder has to intervene in case of major fire after 4.00 p.m.?

Mr Aimée: Mr Deputy Speaker, Sir, the fact that ten of them have succeeded, there is no need to have ten at one go on the turntable ladder. The Chief Fire Officer would have a team; they will have a shift system.

Mr Nagalingum: Mr Deputy Speaker, Sir, all these Fire Officers who have got training work as from 8.00 a.m. till 4.00 p.m., so if there is a major fire after 4.00 p.m., what happens?

The Deputy Speaker: Hon. Member, I think the hon. Minister has already answered this question.

Mr Aimée: Mr Deputy Speaker, Sir, the Fire Department works 24 hours a day, that is, day and night, and you have a shift system where you have firefighters available all the time at the Fire Station.

Mr Ameer Meea: Can I ask the hon. Minister where this lorry is posted, in which region, and also - I am not finished yet...

The Deputy Speaker: Please, address the Chair!

Mr Ameer Meea: In terms of height, at what level of a storey of a building this ladder can access?

Mr Aimée: Actually, the turntable ladder lorry has a 32-metre height and it is situated at Coromandel, the main place where the continuous training is done.

The Deputy Speaker: Next question! Hon. Ms Deerpalsing!

MEDINE SUGAR ESTATE – SMALL PLANTERS - REPRESENTATIONS

(No. B/250) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) asked the Minister of Agro-Industry and Food Security whether he will state if he has received representations from small planters to the effect that the Medine Sugar Estate is forcing them to sign contracts which violate the Sugar Industry Efficiency Act.

Mr Faugoo: Mr Deputy Speaker Sir, I am informed that fourteen small planters have obtained land under a lease agreement with Medine Sugar Estate for the cultivation of sugar cane. The lease agreement is of seven year duration (i.e. one crop cycle) and has been renewed on four occasions for some planters over the past 30 years.

Mr Deputy Speaker, Sir, Section 19 of the Sugar Industry Efficiency (SIE) Act makes provisions for *metayers* where in consideration for the use of the land, the Lessee shares with the owner a portion of the annual sugar yield. Hence, any other lease agreement between sugar estates or any owners of land and tenants for sugar cane cultivation does not fall under the ambit of the SIE Act. Accordingly, the issue of violating the SIE Act does not arise in this particular case.

However, I must say, Mr Deputy Speaker, Sir, that two meetings were held upon representations made by the Lessees and also my friend, hon. Deerpalsing, who is also the Chairperson of the Commission for the democratisation of the economy, with officers of my Ministry, the Mauritius Cane Industry Authority (MCIA), a representative of the lessees and representatives of Medine Sugar Estate. From discussions and documents submitted, it appears that two new conditions are being imposed to the lessees, to their dissatisfaction, namely-

- (i) a new clause has been included whereby no new renewal will be considered at the end of the present lease by Medine S.E, and
- (ii) an increase in the rental payable by the small planters to Medine S.E, more specifically from Rs1,200 per *arpent* per year to Rs2,000 per *arpent* per year.

We have impressed upon Medine Sugar Estate to reconsider the issues raised by the lessees. Medine Sugar Estate has agreed to meet the lessees soon with a view to settle the matter. My Ministry, together with the MCIA, is closely following up the matter.

Ms Deerpalsing: Mr Deputy Speaker, Sir, is the hon. Minister aware that the same small planters are undergoing immense pressure from Medine Sugar Estate because Medine Sugar Estate, now, in this same line, want to close the weighbridge at Reufac. On top of putting pressure on their contract, they want to close the weighbridge at Reufac so that they will have to go to Medine and, therefore, the cost would increase. Can I ask the hon. Minister whether this is not against the policy of Government to help small planters not to abandon land and to continue producing sugar cane in this country?

Mr Faugoo: There are two issues here, Mr Deputy Speaker, Sir. On the question of weighbridge, I have nothing official on record confirming that there was a move from Medine to close the weighbridge. If this is being said in this House, I take the responsibility to liaise with the Control Board and to look into this matter. As far as the policy of Government is concerned, the hon. Member is correct in saying that we want to encourage people not to abandon their land. And also, this is a classic case where Medine is trying to put conditions in the lease agreement so that at the end of this present lease agreement, these people will go out of business and stop cultivating sugar cane. Even if this is outside the ambit of the SIE Act, we are, as a responsible Government and as a responsible Ministry, impressing and we are negotiating with Medine to see to it that this is not the case.

Ms Deerpalsing: Mr Deputy Speaker, Sir, I am very happy about the way that the hon. Minister has answered. Can I appeal to him to use all the powers he has in terms of land conversion to put pressure on Medine because as the hon. Minister has said in this answer, these planters pay the Medine Sugar Estate a rental and the only difference between *metayers* and them is that *metayers* pay in terms of the sugar and they pay in terms of cash? That is why they are not under the SIE Act. Can I ask the hon. Minister to consider these small planters in the same vein as *metayers* and impress upon Medine Sugar Estate not to strangle them?

Mr Faugoo: This is a very valid and sensible suggestion, I must say, on the part of the hon. Member, especially when we look at the period of time during which these people have been in occupation of the land, 30 years. So, this is a valid suggestion. We will surely canvass upon this.

The Deputy Speaker: Next question!

**STEVENSON AVENUE & ODETTE ERNEST AVENUE, QUATRE BORNES –
ACCIDENT-PRONE INTERSECTION**

(No. B/251) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether he is aware of the existence of an accident-prone intersection in the surrounding of the Stevenson Avenue and the Odette Ernest Avenue, in Quatre Bornes, and if so, indicate if consideration will be given for the installation of humps thereat.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo): Mr Deputy Speaker, Sir, I wish to inform the House that the intersection in the surrounding of Stevenson Avenue and the Odette Ernest Avenue in Quatre Bornes is an accident-prone intersection. Road crashes are occurring at the cross junction Stevenson Avenue and Odette Ernest Avenue due to overshooting of vehicles despite the fact that this office has recently upgraded all STOP lines and STOP signs at this locus. The vehicles involved in the right angle crashes were travelling along Odette Ernest Avenue and did not stop at the STOP lines at the cross junction. A site visit will have to be conducted together with the hon. Vice-Prime Minister, Minister of Finance and Economic Development, hon. Nita Deerpalsing and TRMSU to decide on the best options to be adopted.

Ms Deerpalsing: M. le président, est-ce que je pourrais demander au Vice-Premier ministre, ministre des Infrastructures publiques s'il pourrait considérer un *traffic light* dans cette région parce que vraiment dans toute cette région de vieux Quatre Bornes, les intersections sont des *blind spots*. Il faut vraiment avoir un *traffic light* dans cette région.

Mr Bachoo: Mr Deputy Speaker, Sir, this is, in fact, the request that the hon. Vice-Prime Minister is also making to me. That is the reason why I have mentioned that we have to conduct a site visit to see in what we are going to proceed because there are other junctions also in that region. Probably, in the days to come we are going to take the decision.

Ms Deerpalsing: M. le président, est-ce que je pourrais demander aussi au vice-Premier ministre s'il pourrait envoyer des operateurs pour repeindre les carrés en jaune parce que tous ont été effacés. Toute cette région de vieux Quatre Bornes, il n'y a plus de *road markings*. Donc, si cela peut se faire dans les meilleurs délais?

Mr Bachoo: Mr Deputy Speaker, Sir, I will do the needful.

The Deputy Speaker: Hon. Ramano!

Mr Ramano: M. le président, je suis tout à fait d'accord de l'urgence de la situation à l'angle de l'Avenue Steevenson.

The Deputy Speaker: The hon. Member should come with a question!

(Interruptions)

Mr Ramano: Je voudrais savoir du ministre s'il existe une politique établie quand à l'installation des obstacles vue que nous sommes tous submergés par les demandes pour l'installation des obstacles.

Mr Bachoo: Mr Deputy Speaker, Sir, in fact, this question of putting up speed humps everywhere is being discouraged these days.

The Deputy Speaker: Hon. Minister Mohamed, you are interrupting the hon. Vice-Prime Minister!

Mr Bachoo: Once we put humps, after sometimes we start getting all types of petitions from people requesting us to remove those humps because that create noises and problems. At night people can't sleep. There have also been complaints that, that has been causing cracks in the walls of houses as a result of which we have decided not to go ahead with the humps. Legally speaking, we are not supposed to put humps in the main road, that is only in the lateral roads. That is the reason principally why we are not going ahead with humps.

Mr Jhugroo: Can the hon. Minister inform the House...

The Deputy Speaker: The hon. Vice-Prime Minister!

Mr Jhugroo: Sorry! Can the hon. Vice-Prime Minister inform the House whether there is a follow up in the reinstating of the road markings along the road after a contractor has delivered the work, what we have witnessed in Quatre Bornes?

Mr Bachoo: In fact, once the contractor has completed the work, it is his duty to see to it that the roads are painted once again. But there have been cases of negligence. It is important. I have been requesting RDA to take actions.

The Deputy Speaker: Next question, hon. Uteem!

RING ROAD PROJECT (PHASE II) – LAND COMPULSORY ACQUISITION

(No. B/252) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Housing and Lands whether, in regard to the Phase II of the Ring Road Project, he will state the -

- (a) extent and value of land which will have to be compulsorily acquired therefor, and
- (b) number of people who will have to be displaced, indicating if they will be relocated or financially compensated and, if not, why not.

Dr. Kasenally: Mr Deputy Speaker, Sir, in regard to the Phase II of the Ring Road Project, my Ministry has initiated procedures for the acquisition of some 35 portions of privately owned land in the region of Tranquebar. The 35 portions to be acquired are of an approximate total extent of 16 *Arpents* 40 *Perches*.

The value of the land to be acquired and the compensation to be offered to the owners will be determined and assessed by the Valuation Department.

As regards part (b) of the question, I have been informed that a number of portions of the privately owned land are being occupied by families other than the owners which mean squatters.

An exercise is currently being undertaken by my Ministry with the support and collaboration of the Police and “*Forces Vives*” (Caritas) to determine the number of families concerned.

The preliminary results of the exercise indicate that there are some 82 families occupying private land not belonging to them plus eight families residing on their privately owned land. All the residential units stand on the alignment of the Ring Road Phase II.

An exercise has also started for the identification of land where these occupiers can be relocated. Thereafter, consideration will be given for their relocation subject to them being found eligible.

Mr Uteem: Mr Deputy Speaker, Sir, may I know from the hon. Minister whether the alignment for the Phase II Ring Road has now been finalised and whether it will go through the region of Vallée Pitôt?

Dr. Kasenally: Yes, Mr Deputy Speaker, Sir, and it has been finalised up to Vallée Pitot.

Mr Uteem: Three years ago, answering to a PQ, the hon. Minister mentioned that certain regions had been identified namely Military Road to relocate some of the families who have to be displaced. May I know from the hon. Minister whether, in addition to Military Road any site has been identified to relocate any people who will have to be displaced?

Dr. Kasenally: Mr Deputy Speaker, Sir, I think the proposed site for relocation is still being finalised, but they will include the following areas: La Cure, Dauguet, Monseigneur Leen, Monneron and Tranquebar.

Mr Baloomoody: May I ask the hon. Minister what consideration is being given to those who are occupying that plot of land, not as owner, but as tenant? Because Government deals directly with the owners and most of the owners are very happy to sell the land as they are not having a big rent. What consideration are we giving to those who are occupying as tenant of these premises?

Dr. Kasenally: I have mentioned Mr Deputy Speaker, Sir, they will be relocated based on eligibility. If they are eligible, they will be given a portion of land and they can reconstruct on it.

The Deputy Speaker: Hon. Uteem!

Mr Uteem: Thank you, Mr Deputy Speaker, Sir, may I know from the hon. Minister whether

- (i) he is prepared to table the alignment in the Library of the Parliament, and
- (ii) whether there are any houses that are being built to relocate these people, or it is only plot of land that will be available?

Dr. Kasenally: Firstly, as far as alignment is concerned. This is the purview of the Minister of Public Infrastructure. I will consult him if there are no contraindications I will most gladly lay on the Table the alignment and secondly, your question was whether houses will be built for them? Well, we will have other alternatives. They can also apply to the National Housing Development Company where they will be considered.

The Deputy Speaker: Hon. Barbier!

Mr Barbier: Thank you, Mr Deputy Speaker, Sir. The hon. Minister, in his answer said that tenants who are eligible will be considered for relocation. So, may I know from the hon. Minister what are the criteria to be eligible for, to be able to have this dislocation scheme or whatever the hon. Minister is trying to set?

Dr. Kasenally: These are very clear. First of all, they must not be holder of a plot of State land. If a plot of State land has been allocated to them, it is illegal to allocate them a second plot. Secondly, it depends on their income and also their eligibility of according to the criteria laid down by the National Housing Development Company and the loan they can contract. They can also be

contracting loans from the Mauritius Housing Corporation, depending also on their ability to pay these loans.

The Deputy Speaker: Hon. Mrs Navarre-Marie!

COMMONWEALTH SUMMIT MEETING – MAURITIUS STAND

(No. B/253) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the Commonwealth Summit Meeting scheduled to be held in November 2013, he will state the stand of Mauritius as to the holding thereof in Sri Lanka.

Dr. A. Boolell: Mr Deputy Speaker Sir, at the Commonwealth Heads of Government Meeting (CHOGM) in Trinidad and Tobago in November 2009, the Commonwealth leaders unanimously accepted a request from the President of Sri Lanka to host the 2013 CHOGM.

I wish to inform the House that this decision was greatly influenced by the direct intervention of Dr. the hon. Prime Minister with other Commonwealth leaders, including the then Prime Minister Kevin Rudd of Australia and President Rajapakse of Sri Lanka as there was a deadlock on the issue of the country to host the next CHOGM. Indeed, the diplomatic initiatives of the hon. Prime Minister brokered a political deal whereby Australia would host the CHOGM in 2011, followed by Sri Lanka in 2013 and by Mauritius in 2015. The premise of this decision was to give Sri Lanka additional time to implement its national reconciliation policies and to comply with its international human rights obligations, including respect for human rights of minorities.

This decision was reaffirmed collectively and by consensus by the whole membership at the Perth CHOGM in 2011 in Perth, Australia. It may be recalled that it was also agreed that Mauritius would host the CHOGM in 2015. This was clearly spelt out in the Perth Declaration.

On 05 October 2012, the Commonwealth Secretary General issued an official statement confirming Colombo, Sri Lanka, as the official venue for the next CHOGM.

I also want to inform the House that in the sideline of the funeral ceremony of the late British Prime Minister, Mrs Margaret Thatcher, the hon. Prime Minister had a fruitful exchange with his Canadian counterpart, Mr Stephen Harper, on the human rights situation in Sri Lanka.

Moreover the Commonwealth Ministerial Action Group (CMAG) met on 26 April 2013. Although the issue of Sri Lanka was not on the agenda of the CMAG, it was raised under the item “matters of interests” as part of the Secretary General’s general briefing. I wish to highlight here at a press conference at the end of the meeting, Secretary General Kamlesh Sharma stated and I quote -

“Sri Lanka would be hosting the 2013 CHOGM in November 2013 as planned and that no Member Government had indicated that it wished to change the venue.”

However, the Minister of Foreign Affairs of Canada has made public statements over the human rights situation in Sri Lanka in relation to the holding of the CHOGM and has even suggested that the venue should be changed.

Our position is one which is consistent with that of the UK, Australia and like-minded Commonwealth countries which put engagement at the forefront of our approach to Sri Lanka and it is good to read what is our approach which is keen to the one to the stand taken by UK and other like-minded countries.

We will do all we can to encourage Sri Lanka to demonstrate adherence to Commonwealth values of human rights, democracy and the rule of law, particularly ahead of Sri Lanka’s hosting of the Commonwealth Heads of Government meeting in November.

However, we will continue to monitor the evolution of the Human Rights situation in Sri Lanka and take appropriate decision at the right time. It is good also to note and I have been informed by the UK High Commissioner as of now they will be the personal participation of UK Prime Minister David Cameron in the Colombo CHOGM.

The Deputy Speaker: Hon. Mrs Navarre-Marie! If the hon. Leader of the Opposition has a question, I will give him priority.

Mr Ganoo: Is, therefore, the hon. Minister confirming to the House and to the nation that Mauritius will participate in this Commonwealth Summit Meeting in November in Colombo?

Dr. A. Boolell: Mr Deputy Speaker, Sir, I have been very clear in my reply notwithstanding the stand that we are taking. I have also stated that we will continue to monitor the evolution of the human rights situation in Sri Lanka and take appropriate decision at the appropriate time.

The Deputy Speaker: Hon. Obeegadoo!

Mr Obeegadoo: If the Leader of the Opposition has another question, I am ready to give way. Has the Minister been made aware of the recent report of Geoffrey Robertson on behalf of the Human Rights Committee of the Bar of England and Wales to the effect that Sri Lanka has reached the most fundamental aspect of democracy namely the separation of powers and the independence of the judiciary. Has he been made aware of the call by Amnesty International and Human Rights Watch International to move the locus from Sri Lanka? Has he made aware of the grave political crisis in India resulting from the stand of the Indian Government and from the core by the Australian Government, the Canadian Government and the Opposition in the UK including former Minister Rifkind for the Commonwealth to reconsider the decision to have the Summit in Sri Lanka?

Dr. A. Boolell: Mr Deputy Speaker, Sir, I have taken note of comments made by former Minister of Foreign Affairs and by the Commonwealth Judiciary. However, having said so, I think the Commonwealth is monitoring the situation and I have highlighted what was the outcome of the Commonwealth Ministerial Action Group which is the custodian of Commonwealth democratic values. As matters stand, Mr Deputy Speaker, Sir, there are issues that have been constantly referred to the Human Rights Council and the Universal Periodic Review Committee. Having said so, I will come back to what I have stated, we are monitoring the situation very carefully in respect of whether there is full human rights compliance or not. We know that there is a report submitted in respect of Lessons Learnt and Reconciliation Commission. I had met the High Commissioner of Sri Lanka and I have impressed upon him that the findings of the report have to be implemented otherwise the consequences could be disastrous to Sri Lanka. Even I have arranged with our friends from the Tamil community to have an interface meeting with the High Commissioner in respect of sensitive issues that are yet to be resolved in Sri Lanka.

Having said so, we have to take on board that there has been a civil war which has lasted for more than 30 years Mr Deputy Speaker, Sir. I am not going to highlight the stand taken by Mauritius and the support of Mauritius in respect of resolution which we moved at the Human Rights Council Mr Deputy Speaker, Sir.

The Deputy Speaker: Time is up, but I'll allow a final question to the hon. Leader of the Opposition.

Mr Ganoo: We, on this side of the House, are very surprised of the stand taken by Government, Mr Deputy Speaker, Sir. Can I put it to the hon. Minister that this reply on his part of 'Government monitoring the situation' before the Conference, which will take place in four months, time is not serious? Is the Minister aware that the Sri Lankan authorities and the Government have systematically failed to respect their commitment to the international community by continuing to harass and to torture the Tamilians in this country, so much so that Mr Robertson declared recently: 'Governments which respect the rule of law should not attend this conference in Colombo.'? The hon. Minister must be aware that recently, in March of this year, there was a United Nations Resolution voted even by the Indian Government, which condemned Sri Lanka and requested the latter to probe into the violations of human rights and to adhere to its commitment to respect human values. So, what more do you have to monitor before taking a decision not to attend the conference?

Dr. A. Boolell: Mr Deputy Speaker, Sir, I feel sorry that the hon. Leader of the Opposition has not taken on board the position of Mauritius at the Human Rights Council since May 2009, September 2011, March 2012 and more so in respect of the Resolution moved by Mauritius to condemn actions taken by the Sri Lankan Government not to fully implement the findings of the Lessons Learnt and Reconciliation Commission Report.

The Deputy Speaker: Time is up! The Table has been advised that PQs B/254, B/255 and B/259 have been withdrawn.

MEDICAL NEGLIGENCE - INVESTIGATIONS

(No. B/254) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Health and Quality of Life whether, in regard to medical negligence, he will state if Government proposes to set up a minimum period for the carrying out of investigations into allegations thereof and to inform the families of the victims of the findings thereof.

(Withdrawn)

SPEED CAMERAS - INSTALLATION POINTS

(No. B/255) 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 speed cameras, he will state the number thereof which has recently been acquired, indicating the –

- (a) installation points, and
- (b) total cost thereof.

(Withdrawn)

MOTION

SUSPENSION OF S.O. 10(2)

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

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 International Arbitration (Miscellaneous Provisions) Bill (No. VI of 2013)
- (b) The Professional Quantity Surveyors' Council Bill (No. VII of 2013)

At 4.37 p.m. the sitting was suspended.

On resuming at 5.25 p.m. with Mr Speaker in the Chair.

Second Reading

THE LAND ACQUISITION (AMENDMENT) BILL

(NO. XIV OF 2012)

Order for Second Reading read.

The Minister of Housing and Lands (Dr. A. Kasenally): Mr Speaker, Sir, I move that the Land Acquisition (Amendment) Bill (No. XIV) be read a second time.

Mr Speaker, Sir, this is a very short Bill, but it is very important in the sense that it is amendment to the Land Acquisition Bill, and any amendment to the State Land Act on that matter requires a comfortable three-quarter majority. Also, it is important that because we are taking possession of what is very dear to any human being here, which is a portion of land which is theirs, therefore, we have to ensure that it is done in a very fair and equitable manner.

Mr Speaker, Sir, this Bill provides first and foremost for owners of private land to be paid an interim compensation representing the value of the land as assessed by the Valuation Office. As the House may be aware, Government resorts to compulsory acquisition whenever it has to implement a project of national interest which cannot be implemented on State land. In the process, private land owners are called upon to cede to the State their private properties against compensation. However, generally, the former owners are paid the compensation long after the land is transferred to the State, and in many cases long after the completion of the project for which the land has been acquired.

Mr Speaker, Sir, in Mauritius, as in many parts of the world, landowners are very much emotionally attached to their properties. Some of them have acquired the property through hard-earned income and savings, implying lots of sacrifice and deprivation, while others have obtained land through inheritance. Moreover, in many cases, the property or land being acquired is the main source of income of the landowner. In other cases, there stands on the land the sole residential unit or a commercial unit representing the sole source of family income.

While Government has to ensure that development happens or occurs, and while one can understand that such development can only take place on private land being acquired through a legal

process, the State has the obligation to ensure that in the process it does not cause harm or hardship to the owners concerned. It has a duty not only to ensure that the landowners are fairly and adequately compensated, but that payment of such compensation is effected promptly, so as not to cause any further prejudice to the owners.

The fact that a landowner is being in a way deprived of his property does cause some hardship. Today, the legal provisions do not allow payment of any compensation until there is agreement on the amount.

It is very difficult and in many cases heartbreaking for the owner to part with his private land, the more so that there is uncertainty as to the final quantum of compensation he will benefit, and the timing of such payment.

The law as it stands today allows the owner to refuse or reject the offer of the State as regards the quantum of compensation. When there is such disagreement, inevitably the matter is referred to the Board of Assessment, the award of which may take months, and in many cases years.

Mr Speaker, Sir, compulsory acquisition has been resorted to in respect of some major road projects: Terre Rouge-Verdun-Trianon Link Road, Phoenix- Beaux Songes Link Road, and the Triolet-Bypass.

For the purpose, some 1,300 lots have been required. While most of the projects have been completed or are nearing completion, payment of compensation has been finalised in respect of some 600 cases only. These are facts. The remaining 800 cases are still under process.

Furthermore, Mr Speaker Sir, as at today, there are over 100 cases pending before the Board of Assessment, where the State has already acquired the land and has implemented, or is implementing the intended project.

Mr Speaker, Sir, this Bill aims at providing some relief to former owners. It introduces more fairness and equity. With a view to redressing a situation which is causing much hardship to landowners, I am proposing an amendment to the Land Acquisition Act, which would allow an interim payment of compensation to the former owner pending the determination of the amount by the Board of Assessment. In effect, payment of the interim compensation would be made almost immediately after assessment of the Valuation Office as regards the value of the land acquired.

This will allow the former owners to have cash in hand to continue his business, albeit on some other site, or to find an alternative accommodation. Moreover, there will not be much resistance for former owners to allow the State to enter the site, and implement the required project. This is a win-win situation.

Hon. Members have also noted that the Bill makes provision for the expeditious hearing of appeals which seek to challenge the legality of the compulsory acquisition of the property.

In view of the sensitive nature of this proposal, I am of the opinion that there needs to be further consultation on this respect. I am, therefore, proposing to move for amendment at Committee Stage to delete clause 3 of the Bill. I trust, Mr Speaker, Sir, that this amendment will obtain the full support of this House and I commend the Bill accordingly.

Thank you, Mr Speaker, Sir.

Dr. A. Boolell rose and seconded.

(5.20 p.m.)

The Leader of the Opposition (Mr A. Ganoo): Mr Speaker, Sir, we, on this side of the House, agree with this Bill which is being presented before the House today and I shall be very brief.

I shall come, first of all, to the part of the Bill that is being deleted today. The hon. Minister has just informed us that Government, by circulating the amendment to the Bill is, therefore, doing away with clause 3 of the Bill pertaining to section 10 of the Principal Act. Therefore, this Bill which deals with the expeditious hearing of appeals seeking to challenge the legality of the compulsory acquisition of property will no longer form part of the Bill before this House.

Indeed, when this Bill was presented for the first time before this House a few months ago, the then Leader of the Opposition, hon. Paul Bérenger, did in fact signify his reserve, made certain comments about whether in fact the Executive could impose upon the Judiciary the question of a delay for the hearing. I am reading from the Bill –

“The Court shall cause the matter to be fixed for hearing not later than three months from the date of the receipt of the documents.”

This was the point, in fact, that was wisely made at that time by hon. Bérenger and the Bill was postponed. Today we are happy that Government has come back to its decision, has taken on board the proposal made by hon. Paul Bérenger to the effect that this clause, which appears in the Bill, might give rise to certain difficulties.

Sir, the information that we have received is that the Judiciary is also of the opinion, perhaps for administrative reasons or other reasons, that we better do away with this clause, which leaves me to say therefore that there will be no expeditious hearing of appeals which seek to challenge the legality of compulsory acquisition of property since we are doing away with clause 3 of the Bill.

Nevertheless, Mr Speaker, Sir, the solution will be for the Prime Minister or the Attorney General to liaise with the Chief Justice, with the Head of the Judiciary to see that administratively such type of cases be given a fast track. This was the idea of formal proposal in our law. This was the idea of the amendment in the Bill. But since now Government is not going forward with this specific

proposal, the possible solution would be unofficially, informally for such cases to be given a speedy hearing and be treated with celerity because, as the hon. Minister was saying, it concerns the property of poor people and of citizens of this country who, in the framework of our democratic system, have the right to appeal when Government is seeking the compulsory acquisition of their property. That would be the solution I am sure. I have no doubt that the Judiciary will agree with this course of action if the Minister of Justice tries to find a solution in substitution of the formal amendment that we are removing from the Bill today. This could be the possible solution.

Mr Speaker, Sir, but now that this is done or now that this part of the Bill has been done away with, has been removed, I suppose that the Minister must do away with this part in the Explanatory Memorandum itself. Because now that there will be no more clause 3 of the Bill - it has been deleted - it is therefore necessary for the removal of that part which deals with the expedition hearing of the appeals in the Explanatory Memorandum. Because clause 3 has been removed in the Bill, I suppose that it stands to reason that the Explanatory Memorandum also can no longer contain that part which is dealing with the expeditious hearing of the appeals.

Having said this, Mr Speaker, Sir, we are in agreement with the other proposal of interim payment, of course. This is a way of providing relief and solace to landowners whose lands are being compulsorily acquired. But, the question that I would like to ask the hon. Minister is about the interim payment. I mean, who will decide the quantum of the interim payment? The hon. Minister has not shed any light on that issue. The Bill says the authorised officer may, pending the award of the Board, make an interim payment of compensation to any interested person, as may be determined by the Director of Valuation. I mean, what happens if the landowner is not agreeable to the determination of the Director, valuation and real estate consultative service?

True it is that the law invests the Director of Valuation to determine the amount, but in case there is no agreement, in case the landowner does not agree and thinks that he deserves more in terms of interim payment, what will happen?

M. le président, l'Opposition est entièrement d'accord avec la proposition de ce projet de loi. It is a just legislative proposal which, as I said, will definitely come to the relief of landowners of this country.

But, before I resume my seat, Mr Speaker, Sir, I would like to make another comment in terms of compulsory acquisition of land of the citizens of this country. I am referring to the Report of the Director of Audit and, I suppose, what I am going to say has an incidence as a direct bearing on this Bill because in the two reports of the Director of Audit, ending 2009 and 2010, Mr Speaker, Sir, the Director of Audit underlines, in a very elaborate manner, the case of land acquisition. This is what he had to say. I am quoting the Director of Audit -

“The services of the Ministry of Housing and Lands were resorted to by various Ministries for the acquisition of privately owned land whether compulsory or by private agreement for implementation of Government projects”.

For the period July 2008 to December 2009, the Government disbursed some Rs130 m. for the acquisition of private owned lands, but then, the Director of Audit says that -

“Since a complete database was not available, as a result, true it could not be ascertained to what extent these acquired lands have been utilised”.

But, in the years 2007-2008, the Director of Audit carried out an exercise and found out, Mr Speaker, Sir, that some 49 undeveloped lands were identified. Out of 49 projects, 30 of them covering an extent of 67 *arpents* of land were still kept in abeyance. Some portions of land were acquired as far back as the year 2001 and the Director of Audit lists several projects, examples of lands which had been acquired by the Government but these were examples of undeveloped land for years. Then, he gives several projects, Mr Speaker, Sir.

In the next report of the Director of Audit, 2010, the same comment was made, Mr Speaker, Sir. The conclusion of the Director of Audit’s report is as follows -

“In respect of the 30 projects mentioned above, in most of the cases land was compulsorily acquired for implementation of the projects. Government has had to disburse huge amount of money to acquire these lands which have to date remained idle”.

Of course, I am not blaming the present Minister because this has been done in the past, Mr Speaker, Sir. The point I wish to make is to remind the House what the Director of Audit had said in these two reports –

“Several long acquired lands were still undeveloped due to projects being kept abeyance.”

Yes, within our democratic framework, the law entitles Government to acquire compulsorily lands belonging to the citizens of this country, Mr Speaker, Sir. But I think no abuse should be made of the provisions of our law and our Constitution. This is the point I wanted to make on this issue of the remarks of the Director of Audit concerning compulsory acquisition of land. I think Government must show greater perspicacity, discernment in deciding when to acquire compulsorily land belonging to the citizens of this country.

With these words, Mr Speaker, Sir, I reiterate our agreement with the proposals in this Bill because as I said we have no doubt that it will help in relieving many of the land owners of this country whose lands have been compulsorily acquired by Government.

Thank you.

(5.33 p.m.)

The Attorney General (Mr Y. Varma): Mr Speaker, Sir, I would like to congratulate the hon. Minister of Housing and Lands for introducing this piece of legislation in the House.

In fact, the proposed amendment purports to provide an interim payment of compensation to a person whose land has been compulsorily acquired. Such amount, Mr Speaker, Sir, will be based on the determination by the Director, Valuation and Real Estate Consultancy Services.

As already stated by the hon. Minister, he has given notice of the amendment which he proposes to move at Committee Stage with regard to clause 3 of the Bill. In fact, the hon. Leader of the Opposition raised the point earlier on. Clause 3, Mr Speaker, Sir, provides for the expeditious listing of appeals, which seek to challenge the legality of compulsorily acquiring property is being deleted. In fact, Mr Speaker, Sir, this is being done after consultation with the hon. Chief Justice. I can reassure the House that the hon. Chief Justice was consulted and he has given assurance that these cases where lands are in dispute will be dealt with expeditiously.

Mr Speaker, Sir, as regards the interim payment of compensation, it carries undoubted advantages. The interested person will receive an interim payment pending the award of the Board. Since the award of the Board can also be subject to an appeal and the whole process could take some time before it is finally disposed of, this interim payment will enable the recipient to enjoy and benefit from the said interim payment shortly after the compulsory acquisition. Such interim payment, Mr Speaker, Sir, will, however, not prejudice an interested person who wishes to claim additional compensation, as it is only an interim payment and subject to the final decision on the claim for compensation following compulsory acquisition.

Mr Speaker, Sir, this has proved to be an effective and practical way of compensating the interested person pending the award of the Board and in certain instances the final determination of the claim, if subject to appeal. This method of interim payment or advance payment of compensation has been implemented and is effectively working in other jurisdictions. In the United Kingdom, for instance, section 52 of the Land Compensation Act 1973, provides for a right to an advance payment of compensation following compulsory acquisition. Likewise, in Australia, section 51 of the Land Acquisition and Compensation Act 1986 provides for the claimant to obtain an advance payment of compensation equal to the amount offered.

In fact, Mr Speaker, Sir, this Bill, which purports to amend the law relating to the compulsory acquisition or taking of possession of any property. Under section 8(4)(a) of the Constitution, will have to be supported, at the final voting in the Assembly, by votes of not less than three-quarter of all

Members of the Assembly. It is comforting to note, Mr Speaker, Sir, that the Opposition has shown its concurrence with the piece of legislation before the House.

I thank you for your attention.

(5.38 p.m.)

Mr J. F. François (Third Member for Rodrigues): Thank you, Mr Speaker, Sir, for the opportunity to speak on this Land Acquisition (Amendment) Bill. As a technician, first of all, this Bill deals with an expeditious hearing of appeal and seeks to challenge the legality of compulsory acquisition of properties and the interim payment of compensation to interested persons.

Mr Speaker, Sir, allow me to congratulate the hon. Minister and the technicians for coming forward with these amendments which also require further amendments. This fine tuning of a Land Acquisition Act is undoubtedly guaranteeing partly, the objects of the amendments in a transparent, equitable, meaningful, fair land valuation and fair compensation.

Moving the country forward, Mr Speaker, Sir, requires coherent and serious engagement and vision in an era where land is a very important State subject, which is undergoing reform on many fronts, be it in terms of legal, administration, information, management and valuation. Despite this progress, Mr Speaker, Sir, I have to point out also that there have been lots of fishy land transactions, as I observed, both here in Mauritius and Rodrigues.

I remind here the recent introduction of the affidavits of Prescription Act and we are waiting for a favourable report from the Commission of Enquiry about prescription. It is absolutely fundamental also that the valuation and acquisition system do not deprive the land owner of an adequate compensation from compulsory acquisition, Mr Speaker, Sir. This is where I believe that this amendment forms part of an integrated approach together with the introduction of various related acts namely: the Environmental and Land Use Tribunal, Building Control Act, Cadastral...

Mr Speaker: I am sorry, whatever comments the hon. Member wants to make, he has to be relevant and his relevance is linked with the amendments proposed only. I will not allow general debate on land acquisition or prescription or land environment.

Mr François: Certainly I do accept your ruling, Mr Speaker, Sir, but this is a very technical piece of amendment which has a certain interdependency.

Mr Speaker: I do agree with you, precisely because the amendments are technical that you have to be technical in your comments.

Mr François: I thank you, Mr Speaker, Sir. With regard to this amendment, under the technicality of these amendments, our constitution under article 8 sub section 126; guarantees our citizen's right to protection from deprivation of their property. Article 8 sub section 1 provides that –

‘No property of any description shall be compulsorily taken possession of, and no interest in or right over property of any description shall be compulsorily acquired, except where –

- (a) the taking of possession or acquisition is necessary or expedient in the interests of defence, public (...)

And mainly as the hon. Minister said the development of utilisation of any property in such a manner as to promote the public benefit and the social and economic well being of the people of our country. Part (c) also states that –

“The provision is made by a law applicable to that taking possession or acquisition –

- (i) for the payment of adequate compensation;(…)

The same Constitutional legality, Mr Speaker, Sir, of acquisition provision, as I have just mentioned, is subject to challenge under the Land Acquisition Act in the Supreme Court as provided in section 10 and I won't quote section 10, but however what is missing under this present provision is the time bound factor for hearing which, unfortunately, has been deleted from this Bill. That would have forced the Supreme Court to expedite matters in the interest of any person having a right over the property and that would have been most welcome if matters are fixed for hearing in a period of time. At present the legislation and this Bill do not fully meet the object of this Bill as specified in part (a) of the Explanatory Memorandum.

Further, Mr Speaker, Sir, to this Constitutional right the proposed amendments to the act raises a few questions on the overall application of the Land Acquisition Act that requires some scrutiny. It shall be clear that the Constitutional Right should not lead to abuse, though by anybody where land can be acquired for economic development through either privatisation or democratisation. In that connection I have a point of concern about compulsory acquisition or payment or interim whatever. Where an extra extent of a portion of land is being acquired what will happen to the remaining portion of land which is not marked for any future development. My question: how long a portion of land acquired for future use can remain idle and what are the extents with regard to the cases where extra land is acquired for public purposes than the required extent?

Mr Speaker: No, I am sorry hon. Member. I have said this is not a full debate on the Principal Act, we are concerned with two amendments and you are fully aware of the amendments.

So, therefore, I appeal to you to be relevant and speak on the amendments. Otherwise, I will have to stop you. You decide!

Mr François: I am a bit taken away by the technicality of the amendment Mr Speaker, Sir, but I abide by your ruling. With regard to the interim payment pending the deterioration of the amount by the board of assessment, my question is – what is the stand of the board of assessment where portion of land required for the reason as will be specified for acquisition, has been prior advertised by the owner or real estate agent for public sale of the owner or otherwise indicates that the land is available for sale. Will the Board consider the transaction on the basis of land acquisition or will it be a simple land sale transaction where the State will buy the portion of land to decide on the interim payment or not Mr Speaker, Sir. Because why I said that – under normal practice there must be negotiation with the sellers on the basis of fair market value through land acquisition process following well established standards. But these standards are not clearly defined enough in our evaluation system which I am sure the hon. Minister will come up with amendments and with code of practice to prescribe in due course. The public, in general, Mr Speaker, Sir, need to have clear access to the key parameters and standards on which land is evaluated today to avoid any irregular transaction. Here again, this amendment to section 9, Mr Speaker, Sir, is indirectly related under emergency acquisition and it is not clear what are the parameters for compensation of acquisition in case of public emergency.

Mr Speaker: I'll have to stop you again. You mention section 9 of the Principal Act. Are we concerned with section 9 of the Principal Act? I want to give you time to talk, but I want you to be relevant hon. Member!

Mr François: Certainly, Mr Speaker, Sir, because my question is afterwards, if there is compensation under urgency what will be the implication under compensation with relation to payments, whether there will be additional economic cost which has certain implications on the amount of the quantum to be paid under interim payment. That is why I make this interlink.

Mr Speaker, Sir, another point of concern is about amendment in section 14 subsection (3) of the circulated Bill which stipulates that –

‘Notwithstanding sub section (2), the authorised officer may, pending the award of the Board, make an interim payment of compensation to an interested person of such amount as may be determined by the Director, Valuation and Real Estate Consultancy Services’.

I fully agree with this interim payment of compensation which is acceptable. However, the Bill does not specified the exact quantum or percentage of payment which, with due respect, may be subject to the whims and caprices of the Director of Evaluation and the Real Estate Consultancy Services.

Mr Speaker, Sir, in such case, I believe that the words, such amount as may be determined, shall be a fixed reasonable percentage of the compensation amount. I believe it should be, at least, 50% of the market value to be paid to the publication of notification to the date of possession or compensation paid instead of the words 'such amount' as may be determined.

In that line, Mr Speaker, Sir, I propose that the new subsection 3 in section 14 be amended, so that the Bill clearly specifies the quantum or exact percentage of the market value to be paid for interim payment to the owner. Why not? We may have cases where the Director may decide to pay as a measure of precaution, without exaggeration, less than 5% of the total amount to be compensated or agree to pay a nominal percentage of only 1% of total amount pending final decision. That will be unfair and unjust to the owner. I just specified a few percentages to clarify my points.

Mr Speaker, Sir, another point of concern is why there is no consequential amendment in relation to section 2 of the relevant Act, namely the Interpretation clause of the Environment and Land Use Appeal Tribunal Act, under Section 3(1), to cater for amendment, where matters can be referred to the Environment and Land Use Appeal Tribunal. Why? This is because, Mr Speaker, Sir, the Tribunal provides for hearing of appeals.

Mr Speaker, Sir, an important aspect of the amended Act needs to provide for regulation of compulsory acquisition, and the hon. Minister referred to a few examples, namely the ring road, the Verdun Road, where about 1300 lots have been acquired. Here also, I refer to acquisition of property on State land, which makes a difference. You can acquire private land, but you can acquire property on State lands, and that is not clear in this definition and in this amendment, Mr Speaker, Sir. One direct fundamental of this Bill is to better facilitate true owners of land to enjoy the benefits of transactions of their property while consolidating a true partnership in the property development sector.

However, the question remains: what will happen to interim payments in cases of compulsory land acquisition, where the true owners or absolute owners of the land are untraceable, or in a situation of non-determination of true ownership? I refer to a case, Mr Speaker, Sir, where there is a confusing situation with regard to a portion of about 324 acres of concession land in Rodrigues. The Regional Assembly i.e. the Regional Government has constructed a Community Centre on a portion of concession land at Grand' Baie, which required compulsory acquisition in the interest of the community. But the 'true owner' determination is uncertain at present. It is uncertain.

(Interruptions)

Mr Speaker: I did not get you. Could you repeat what you have just said?

Mr François: What I am saying is that the Regional Government has built a Community Centre on a portion of concession land in Rodrigues, and at present the true owner of this concession

land is untraceable. On the other hand, some people are challenging in the Supreme Court the ownership of this concession of land. It is very confusing. That is why I am raising this point, on which I won't go any further because the case is before the Supreme Court, so as not to cause any prejudice, as a judicial decision is pending on the matter. However, if it is difficult to determine to whom compensation is payable under section 13, that is, determination of persons entitled, as was the case when a portion of land was acquired on the same concession for the construction of a football pitch, for which, till now, no compensation has been effected to anyone. My question is: what steps shall be taken by the authorised officer with regard to an interim or full payment, as per the amended section 14, subsection 3?

Mr Speaker, Sir, in that case, this situation necessitates further amendment with regard to section 13 of the Act to provide, if true owner is untraceable or true owner determination is uncertain, the market value of the acquired property for compensation shall be invested in a community development project where the property is located or associated.

A final issue on the implication of interim payment, Mr Speaker, Sir, is the question of sale back to owner, where the whole or part of any land, which has been compulsorily acquired, is no longer required for any purpose. My query is: what will be the conditions attached to pay back guarantee to the owner who has owned the property, in relation to fluctuation of market value? There shall be additional amendments to section 14 and subsequently to section 31 of the main Act - sale back to owner - to provide for consideration for original owner.

Mr Speaker, Sir, to conclude, I do support the Land Acquisition (Amendment) Bill, together with the few remarks and queries made to consolidate the Act for expediting matters and effect interim payment for compulsory property acquisition, and in that sense I won't go into any further technical details.

I thank you for your attention.

Mr Pillay Chedumbrum: Mr Speaker, Sir, I move that the debate be now adjourned.

Dr. Jeetah rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

THE PROFESSIONAL QUANTITY SURVEYORS' COUNCIL BILL

(NO. VII OF 2013)

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 Professional Quantity Surveyors' Council Bill (No. VII of 2013) be read a second time.

Mr Speaker, Sir, with the need in time to develop mechanism for the advancement of the profession of Quantity Surveyors, this Government has come up with a very important piece of legislation - the Professional Quantity Surveyor's Council Bill. Like other professions, it is our wish to bring equitable promotion of the profession of Quantity Surveyor for the benefit of the construction industry, and at the same time to maintain their position of importance within the built environment practice.

A Quantity Surveyor has an important role to play within the construction industry, as he performs a wide variety of tasks throughout the complete life cycle of a construction project. The main services provided by the Quantity Surveyor include cost planning and control, value engineering, preparing tender documentation and management of tender process, assessment of claims, contract management, performing risk analysis and feasibility studies, and assistance in dispute resolution.

Mr Speaker, Sir, any person involved in the implementation of a construction project should be concerned with construction costs, and how to achieve greater cost certainty and control. Such expertise could only be provided by professional Quantity Surveyors.

It is surprising to note that some developers hardly have recourse to the consultancy services of a qualified and experienced Quantity Surveyor when planning and implementing any building project. The Quantity Surveyor ensures that the commercial interests of the developer or builder are safeguarded at every stage of the design, procurement and construction process, in such a manner so as to secure value for money and cost certainty. The complexities of modern construction contracts, particularly in relation to large-scale projects, require that these are administered by competent and experienced professionals. Hence, the need to regulate the different professions.

However, Mr Speaker, Sir, the aim of this Government, in introducing this Bill into this august House, is not only to regulate the profession, but also to bring in a system of control and mechanism with a view to creating a viable platform for the recognition of the professional work of quantity surveyors while ensuring that whatever legislation is brought forward, it responds fully and effectively to the changing environment of the profession.

The object of this Bill is to provide for the establishment of the Professional Quantity Surveyors' Council and for better regulation of the profession of quantity surveyors. This has been made necessary by a number of factors, including the growth of the construction sector. The Bill also provides for the circumstances in which firms of quantity surveyors and foreign firms of quantity surveyors may provide quantity surveying services in Mauritius.

Mr Speaker, Sir, I shall now deal with the important specific provisions of the Bill. As I have just mentioned, Mr Speaker, Sir, section 3 of the Bill provides for the establishment of the Professional Quantity Surveyors' Council that will regulate and control the profession of quantity surveyors, and promote advancement in the field of quantity surveying.

The main functions of the Council will be to register professional quantity surveyors; exercise and maintain discipline in the profession; ensure that professional quantity surveyors comply with the Code of Practice; and approve and organise Continuous Professional Development programmes or other relevant courses and programmes for the purposes of updating professional knowledge and skills in the field of quantity surveying.

The Council will also have as functions to disseminate to professional quantity surveyors literature in connection with developments in the field of quantity surveying, new construction techniques, technology and materials; provide technical assistance to the profession; and advise the Minister on any matter relating to the profession of quantity surveyors.

As regards the composition of the Council, it will comprise, Mr Speaker, Sir, four professional quantity surveyors representing my Ministry, a Municipal City Council or Municipal Town Council, a Statutory Corporation or a Government company; three professional quantity surveyors to be elected; a professional quantity surveyor from the Mauritius Association of Quantity Surveyors; the supervising officer of my Ministry or his representative; and a representative of the Attorney-General's Office.

The Bill also provides that a professional quantity surveyor be appointed to act as Registrar who shall be responsible for the proper administration of the Council, and act as Secretary of the Council. He may also act as the Treasurer.

Mr Speaker, Sir, with a view to assisting the Council in the determination of applications for registration as a professional quantity surveyor, provision has been made in the Bill, under section 10, for the setting-up of a Registration Board which shall consist of a Chairperson and two assessors having at least 12 years' experience in the field of quantity surveying and who have not been convicted of an offence involving fraud or dishonesty in any country.

Mr Speaker, Sir, I must inform the House that, like other professionals, only a professional quantity surveyor shall practise quantity surveying in Mauritius, as stipulated under section 19 of the Bill. However, such provision does not prevent a person, who holds the relevant qualifications in quantity surveying, from providing quantity surveying services which do not include final decisions, and where such services are provided under the direct responsibility and supervision of a professional quantity surveyor.

As I have indicated, Mr Speaker Sir, only professional quantity surveyors shall practise quantity surveying. Now, for a person to be registered as a professional quantity surveyor, he has to satisfy a number of conditions, as laid down under section 20 of the Bill. Amongst others, he should hold the required relevant qualifications; has at least three years' approved post-qualification experience in quantity surveying; and has not been disqualified or deregistered from practising quantity surveying on account of professional misconduct, professional negligence, fraud, dishonesty or breach of a code of practice in any country.

Unlike the Professional Architects' Council Act 2011, which provides that no person shall be registered as a professional architect unless he is a citizen of Mauritius; and that no foreign architect shall be authorised to practise architecture in Mauritius unless he is engaged in relation to the construction of a Government building or a building for any Statutory Corporation or Government company, or he enters into a joint venture agreement with a professional architect or firm of architects, or he is appointed by the Public Service Commission, such conditions do not apply for a foreign professional quantity surveyor to practise quantity surveying in Mauritius. No distinction is made in the conditions to be applied for the registration of a local or foreign professional quantity surveyor.

In a nutshell, a professional quantity surveyor, whether he is a citizen of Mauritius or not, is authorised to practise quantity surveying in Mauritius, subject to him satisfying the conditions laid down under sections 19 and 20 of the Bill. This is because of the prevailing scarcity in the profession in the country. It is important, Mr Speaker, Sir, that hon. Members know that all stakeholders, including the Mauritius Association of Quantity Surveyors, are agreeable to such provisions in the Bill.

Mr Speaker, Sir, as regards the provision of quantity surveying services by firms of quantity surveyors, the Bill clearly stipulates the conditions that a local or foreign firm of consultant should meet before it can be allowed to provide such services in Mauritius. All local and foreign quantity surveyors should, in the first instance, be registered as consultants and foreign consultants, respectively under the Construction Industry Development Board Act.

Mr Speaker, Sir, where a foreign firm of quantity surveyor is solicited for the provision of its services in relation to a project, other than the construction of a building for any Statutory Corporation or Government company, or the construction of a Government building, the Bill provides, in section 25, that the foreign firm of quantity surveyor has, amongst others, to enter into a joint venture agreement with a local firm of quantity surveyors for that purpose; and the foreign firm undertakes to provide quantity surveying services in relation to not more than one project in Mauritius.

The Bill provides, Mr Speaker, Sir, in sections 26 to 30, the manner and procedure any complaint against a professional quantity surveyor for professional misconduct, malpractice or

negligence or breach of the Code of Practice should be dealt with. It provides also the setting-up of a Professional Conduct Committee, consisting of a President, who is or has been a Judge or Magistrate, or is a barrister of not less than 10 years' standing; and two assessors, who shall be professional quantity surveyors with not less than 12 years' experience and who are not members of the Council, to conduct such disciplinary proceedings against any professional quantity surveyor, as may be instituted by the Council. Disciplinary measures range from reprimand, severe reprimand, to suspension or deregistration.

As regards the determination of offences, Mr Speaker, Sir, section 43 of the Bill defines clearly the acts, performed by a quantity surveyor, which may constitute an offence. For example, any person, who is not registered, or has been suspended or deregistered as a professional quantity surveyor, practises quantity surveying shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding two years.

The Bill also provides, in the same section, other cases or situations that may constitute an offence. Where any person commits such an offence, for example, if he obstructs the proceedings of a meeting of the Council or a Professional Conduct Committee, he shall, on conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding 12 months.

To conclude, Mr Speaker, Sir, as I have mentioned earlier, with the development of the construction industry, it is important that we regulate the different professions with the objective of ensuring the provision of reliable professional services, and that professionals, like quantity surveyors, operate in a disciplined manner within a set legal framework, irrespective of the prevailing competitive environment. In addition, the call for quantity surveyors to adhere to a well-defined Code of Practice, and to update their professional knowledge and skills in the field of quantity surveying through Continuous Professional Development programmes, which may be provided by way of regulation, would give more importance to and generate respect for the profession.

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

Mr Choonee rose and seconded.

(6.09 p.m.)

Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix): Mr Speaker, Sir, we, on this side of the House, are for this Bill, long awaited by the Quantity Surveyors Association of Mauritius. At present we have about 75 Quantity Surveyors, out of which 30 are members of the Mauritius Quantity Surveyors Association.

Mr Speaker, Sir, regarding the composition of the Council, I am not too happy with section 1 (a), where mentioned is made of four professional Quantity Surveyors to be appointed by the Minister. Actually, I find this too many. It should be less and I will say why.

Before coming to say why, mention is made in the Bill of three Quantity Surveyors to be elected, one Quantity Surveyor from the association, one Supervising Officer and one representative from the Attorney General. If you add four, as mentioned by the hon. Minister, one Supervising Officer and one representative from the Attorney General, that will make six members in the Council.

Now, if we take the three members that are going to be elected - if it happens because nothing is mentioned regarding the three members, whether they should be mandatorily from the private sector. In this Bill, it is open for other members who are in the public sector. He may be from the Ministry or the Local Authority. If they get elected, they will dominate the Council by public officers. This will create an imbalance and the majority in the Council will always dominate the situation which can radically change the proper running of the Council in terms of decision- taking and in committees.

What I am proposing Mr Speaker, Sir, regarding the three members to be elected with the qualifications in Quantity Surveyors, is that it should be mentioned in the Act that they should be mandatorily from the private sector. There should be no other member from the public to be candidate so that we may get a proper balance in the Council. Two laymen should also be nominated in the Council so that they can consider and voice the views of the public in the Council, so that the Council is not biased by the decision of the Quantity Surveyors who will be majority.

Regarding a section where holding of office is for a period of two years, most of the Council is for three years.

Mr Speaker: Sorry, which section is the hon. Member referring to?

Dr. Sorefan: Well, it is in the Bill Mr Speaker, Sir. It is mentioned two years whereas in other Councils mention is made for three years. Two years is too short and that will be very repetitive Mr Speaker, Sir.

Mr Speaker, Sir, regarding the Registrar of the Council, I am asking myself the question whether the Registrar will be appointed on a full-time basis. If this is so, the salary that a Quantity Surveyor will expect would be higher than what he earns presently. I know in the Medical and Dental Council, there is one Registrar who do both jobs and is earning about Rs50,000. I am expecting, probably, the Quantity Surveyors, knowing the amount they get outside, as a Registrar will ask more money. and if the Council can't afford because we have only 70 Quantity Surveyors, the amount that they will pay as annual fees may not be enough even if the Government subsidies like the Ministry of Health subsidies the Medical and Dental Council to the tune of Rs700,000 per Council.

Mr Speaker, Sir, there may arise a situation where there is no Quantity Surveyor because in the Bill mention is made that the Registrar should be a professional Quantity Surveyor. If, at one stage, we advertise for a Registrar and they don't postulate because they know the salary will be less than what they earn presently, we may find ourselves in a situation with a Council without a Registrar. Every three months we keep on advertising and no one will be interested. What I am proposing, Mr Speaker, Sir, is that, as the Registrar's job, as mentioned in the Bill, is very administrative, why not make a proviso to open the door for other professionals, for example, Lawyers or Attorneys at law to postulate for Registrar of the Quantity Surveyors' Council.

As regards registration of professional Quantity Surveyor, section 20, sub-section 1 (c) -

“satisfies the Council, subject to subsection (3), that he has at least 3 years' approved post-qualification experience in quantity surveying;”

Mr Speaker, Sir, here, I see that three years is probably long. Why not a 2 years' post-qualification? Nothing is mentioned, only mention is made - three years post-qualification so that you can register with the Council. But who will certify this post-qualification? Will there be a schedule that individual Quantity Surveyor or a recognised firm will be listed by the Council so that the qualified Quantity Surveyor, after qualifying, they can go as per the schedule to get their post-qualification.

I am talking from experience as a member of the Dental Council for the few sessions that I did there. We had problems regarding students who want to be qualified Quantity Surveyors. They go and follow a course and then come for registration. In the Dental Council and the Medical Council, we had problems. When you see a student going to a foreign Far East country with an SC qualification and come for registration to the Council, it happened and we had in the Financial Act recently passed to have a minimum of 3 “C” something like this. Here also, so that the Quantity Surveyor Council does not follow the same fate as other Councils, mention should be made about the minimum qualification that a student should have so that he can follow a Quantity Surveyor's course for a diploma or any other degree.

Mr Speaker, Sir, regarding annual fee, section 22, sub-section (3) says -

“Where a professional quantity surveyor fails to pay the annual fee together with the surcharge required under subsection (1), the Council may deregister the professional quantity surveyor.”

Instead of “may” I think it should read “shall” and adding after that subsection “after two reminders sent by registered post to the person concerned”. And after having sent two reminders if the Quantity Surveyor fails to register, that is, to come and pay, no registration will be given to this Quantity Surveyor. What is surprising is that nothing is mentioned in this Bill? After de-registration what happens? Nothing is mentioned that this QS is deregistered; he should return his registration

certificate to the Council. If this is not done, people will, with their certificate, still try to convince people that he is a registered quantity surveyor. I don't understand why it is mentioned in the Bill, I quote –

“The Registrar shall, not later than the end of February in every year, transmit to the Minister a list of all professional quantity surveyors registered for that year.”

It is mentioned in the Bill that it will be gazetted. Being gazetted is enough. Why should the Minister know; he will know through the gazette the list of Quality Surveyors. It is mentioned that it should be listed in newspapers although the QS will be registered and pay an annual fee. Mention is also made in the Bill that election of members shall be conducted under the supervision of a supervisory officer. Mr Speaker, Sir, I am wondering: is it the same supervisory officer, member of the Council, who will supervise the election? If this is so, it will be out of order. He is a member of the Council; he has two years of office; he can stay there and he will conduct the election. What will be proper, Mr Speaker, Sir, is to have the election matters done by the Electoral Commissioner Officers as it is the case for the Medical and Dental Councils. There is nothing mentioned in this Bill regarding temporary registration for foreign QS because we do have some who want to work for one or two years and go back to their own country, but nothing is mentioned in the Bill as temporary registration.

Also we have institutions that giving courses for diploma and the tutors who are qualified QS should be registered with the Council so that they can give lectures because we have problems, as you may know, in the dental institutions where they have problems to register tutors for the dental education. Another issue is with regard to powers given by the Public Service Commission to the Council. The PSC gives them the powers to do everything; if there is any disciplinary action the professional committee listens to the issue but they have to go back to PSC as is the case for the Dental and Medical Councils. The Quantity Surveyors' Council cannot take action they have to refer back to the PSC. We have the same problem in the Dental and Medical Councils regarding this issue and I don't want the QS to follow the same fate as the Dental Council. With this, Mr Speaker, Sir, I thank you.

At this stage, the Deputy Speaker took the Chair.

(6.36 p.m.)

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): Mr Deputy Speaker, Sir, first of all, I would like to congratulate my colleague, the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping for bringing the Professional Quantity Surveyors Council Bill in the Assembly. I understand that QS in Mauritius have, up to now, been grouped in an association namely the Mauritius Association of

Quantity Surveyors which was set up in 1998. Since then they have been struggling for the setting up of a regulatory body to cater for professionals in quantity surveying as it is the case for professionals in engineering and architecture. This Bill provides for the necessary legal framework to bring the profession of QS in Mauritius in line with international standards, norms and practices and help to better regulate quantity surveying services in Mauritius and established a professional Quantity Surveyors Council.

The Council will regulate the profession, but will, at the same time, provide continuous professional development programme with any other programme courses, lectures to the profession. We know full well the vital role played by QS in the construction industry sustaining the growing need of the construction industry, professional quantity surveying officers necessitate therefore a robust professional body with an independent Council to regulate the profession taking into account the past changes taking place in the construction industry.

The role of the QS is very important in all projects whether minor or major. The QS is responsible for the preparation of the bill of quantities which sets up the detailed cost of the project and will enable budgetary provisions working from the final design. The Quantity Surveyor has to update with all costs whether materials, labour and equipment. It is the duty of the QS to do a proper monitoring of the project to establish that the costs are within the norms established and approved. Through proper continuous professional development programme, the QS should be able to control and guide other members of the construction team to abide, to approve bill of quantities and budgets; to draw the attention of all concerned whenever budgets are being exceeded normally. The QS will therefore ensure that actual costs stay within approved budgets with the exception of unforeseen circumstances like cyclones etc.

The professional development programme will also enable QS to acquire professional skills in new construction materials and construction techniques to enable their use with architects and other professionals at design stage to propose better quality and more sustainable building. This Bill provides for an appropriate setup to help, strengthen and support the profession both at national and international levels. This new Bill will allow foreign quantity surveying firms to work with local counterparts under prescribed conditions. As such, foreign companies will no longer be able to come and practise quantity surveying on their own. In fact, with the setting up of the Council, the Mauritian Quantity Surveyors will be able to benefit from the expertise of foreign firms which will now be required to work in joint ventures with local quantity surveying firms. It is, therefore, high time for quantity surveyors to have their own Council like their fellow colleagues architects and engineers. This Bill also sets the base for enhancing quantity surveying consultancy, project management and other services to suit our development needs. As stated in the draft Bill, the objective of the Council shall be to drive the profession to reach a high standard in the modern changing environment especially when we need to green our building environment on sustainable parameters.

To move towards sustainable development, we need professionals in the building and allied sectors to act collectively, performing and adapting to changing requirements from a greener Mauritius in line with the vision of *Maurice Ile Durable*.

I must point out, Mr Deputy Speaker, Sir, that my Ministry under the National Programme on Sustainable Conception and Production has, in collaboration with the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping, developed a comprehensive framework, including policies and strategies for an integrated design and architectural coherence for the built environment in Mauritius, with a vision that by 2025 all buildings will be of a growing design.

It is worth mentioning that some of the recommendations made, in the course of the preparation of the above framework, have partly been implemented under the provisions of the Building Control Bill which has passed at the National Assembly in June 2012. For instance, sustainability requirements, pertaining to disposal of construction waste and thermal comfort within buildings, have to be taken into account at design stage. The Quantity Surveyor will have to adapt to these new techniques and requirements to ensure that rainwater harvesting, natural ventilation enlightening, solar water heaters, solar panels for production of electricity, domestic windmills, desalinisation projects, water treatment units to treat wastewater for irrigation use, segregation of waste with composting of green waste are included in projects. It would, therefore, be highly commendable that the Professional Quantity Surveyors' Council works in close collaboration with Government authorities, in particular with the Ministry of Public Infrastructure and local authorities to coordinate all activities related to sustainable building and construction in the country.

To conclude, I firmly believe that this Bill provides the much required framework or *encadrement* to build the necessary dynamism that professionals in quantity surveying deserve to serve the country in an optimal way.

Thank you, Sir.

(6.32 p.m.)

Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue): Mr Deputy Speaker, Sir, as per the Explanatory Memorandum of the Professional Quantity Surveyors' Council Bill, the main object of this Bill is to provide for the establishment of a Council for professional Quantity Surveyors as is the case, Mr Deputy Speaker, Sir, for engineers and architects in our country.

This Council, Mr Deputy Speaker, Sir, will regulate and control the profession of quantity surveyors, register professional quantity surveyors, exercise and maintain discipline in the profession and promote advancement in the field of quantity surveying.

Mr Deputy Speaker, Sir, that profession developed during the 19th century and, at that time, the Quantity Surveyor had to prepare what was called standardised schedules for building projects where materials and labour had to be quantified. Today, this is what is known as a Bill of Quantity. This Bill of Quantity is an important element for competing builders to be able to submit price tenders. When we have a look at the flowchart of the project where we have, at the top of the ladder, the architect, just below the architect, we have the designed team and below that, we have the quantity surveyor.

When we go by the traditional route of procurement, the quantity surveyor prepares the tender documents, he also analyses the tender documents and selects the preferred bidder. Once this is done, his job is not over. He is the one who allocates works to the contractor and he is the one who is responsible for what is known as time and cost variation, he is the one who gives the green light for an extension of time if the project is delayed and he is the one who approves the cost variation and that is where I want to make my first point with regard to cost variation, because this is an important element in the job of a quantity surveyor.

Too often, we've had questions in this House where we have requested Ministers responsible for such *dossier* to enlighten the House. For example, I give the case of projects related to wastewater where you have seen cost variation of the order of more than 50% of the value of the contract. This is not proper and that is where we have to exercise a lot of control; also, in projects for road construction where again we have seen extra cost amounting to more than 30% of the contract value. I have a document which has been published by the ICAC of Hong Kong with regard to the Best Practice Checklist, that is: Letting and Administration of Works Contract. This is what is stated in that document –

“Past corruption cases showed that the selection of contractors for works contracts is vulnerable to corruption. Unscrupulous staff may accept bribes from tenderers in return for information of the tenders submitted by other tenderers. There may also be corrupt collusion between the resident site staff of the consultant and the employees of the contractor, leading to covering up of sub-standard works or ordering of undue work variation which would increase the cost of works.”

This is what I wanted to refer to and this is where, I think, we should be very careful.

Mr Deputy Speaker, Sir, if one wants to elaborate on the task and responsibilities of a quantity surveyor, one would see what is done before and after the procurement process. Like I said,

he is responsible for the cost estimate, for the preparation of the Bill of Quantity, preparation of the tender documents, tender evaluation process, negotiating meetings. He is the one who chairs negotiating meeting and then after the contract has been awarded, he is the one who chairs also the kick-off Meeting, he monitors the progress of work and issues variation certificates and payment certificates. So, it is clear, Mr Deputy Speaker, Sir, that it is a profession which has to be regulated and it is high time that they have their proper Council.

We understand - my colleague just mentioned that - that we already have an association of quantity surveyors which regroups some 75 to 80 quantity surveyors. We do not have any quarrel with this piece of legislation. We welcome this piece of legislation, as I have stated earlier, but we criticise the way this legislation is being rushed in Parliament, today. We have the First Reading, the Second Reading and the Third Reading itself today, Mr Deputy Speaker, Sir.

Let me draw the attention of the House that I would wish the Minister to enlighten us on that issue because we understand from the Association of Quantity Surveyors that the last consultation that took place with the Association was in 2011 and there has not been any consultation before this piece of legislation has been brought to the House. We understand that in the Association they have had the occasion to submit their views but, at least, they expected that before finalising the document and bringing this piece of legislation to the House, they would have been consulted.

Mr Deputy Speaker, Sir, I would wish now to make a few remarks on this piece of legislation. I understand that there was a request from the Association of Quantity Surveyors to include the term 'quantity surveying technician' just after 'quantity surveyor'. They wanted that because we understand that the 'quantity surveying technician' has the same qualification as a quantity surveyor, but he does not have the same working experience. And, I believe that we have missed an opportunity in this piece of legislation when I refer to Clause 5 related to the Functions of the Council and at Paragraph (g) where it is stated that –

“The Council shall approve, organise or cause to be organised Continuous Professional Development programmes or any other programmes, courses, lectures, seminars or conferences for the purposes of updating professional knowledge and skills in the field of quantity surveying.”

This term 'Continuous Professional Development programme' is a new term which is being introduced in such a piece of legislation, Mr Deputy Speaker, Sir. Why I have stated that we have gone half way? It is because in other pieces of legislation when we have a look at the Continuing Professional Development programme, it has as primary objective to enhance the professional skills while supporting development in the quantity surveying profession. But, it is also there to meet the requirements of the Act that is, that Continuous Professional Development programme forms part of that legislation and it is one of the conditions to be adhered to for the renewal of registration which is

not the case in this present legislation. The Association also has requested under Clause 6 related to the Powers of the Council that the Council has the power to approve and register joint venture agreement.

When we move to Clause 7 that is, the Composition of the Council, earlier my colleague hon. Dr. Sorefan had made the point because there was a request from the Association of Quantity Surveyors that there should be three professional quantity surveyors appointed by the Minister to have a proper balance at the level of the Council, Mr Deputy Speaker, Sir, and this has not been taken on board by the Minister. I do not know whether the Minister is going to give due consideration to that request from the Association of Quantity Surveyors.

When we go to Part IV of this piece of legislation which deals with Professional Quantity Surveyor whereby it is stated that nothing in this Act shall prevent a person who holds a degree, diploma or an equivalent qualification in quantity surveying to be able to practise quantity surveying. When we go to subsection (3) of the same Clause 19, it is stated that –

“an applicant shall not be required to submit particulars under subsection (2) (b) (iii) and (iv), where he satisfies the Council that he is registered as a -

- (a) professional member in the field of quantity surveying with the Royal Institution of Chartered Surveyors of the United Kingdom.”

It is important to note that, Mr Deputy Speaker, Sir, the University of Mauritius offers a part-time degree course in quantity surveying but which is not recognised by the Royal Institution of Chartered Surveyors of the United Kingdom. On top of that, we have two other institutions offering a BSc in Commercial Management and Quantity Surveying which is not even recognised by the Tertiary Education Commission! The question that we are asking is whether these people will be - why do we allow such things to happen in our country?

Mr Deputy Speaker, Sir, I will get to Part VI of this piece of legislation which deals with Discipline, where it is stated at clause 26 –

“Preliminary investigation

- (1) The Council may investigate any complaint of –
 - (a) professional misconduct, malpractice or negligence;
 - (b) a breach of the Code of Practice.”

In most of the legislations around the world, Mr Deputy Speaker, Sir, that Code of Practice is there in the Schedule of the Act. Here, this is not the case, it is just mentioned in the legislation and, I think it is for the Council to come forward with that Code of Practice. I think it should have been there in the piece of legislation whereby it is clearly defined in the Schedule what are the objects of the code of

professional conduct, the rules of conduct and, Mr Deputy Speaker, Sir, establishment of a quantity surveying practice and the carrying of business.

When we go to that same Part VI, Mr Deputy Speaker, Sir, we have at clause 26, the Professional Conduct Committee. Here also, I would wish that the Minister gives us more information on the setting-up of that Professional Conduct Committee.

Like I have stated at the beginning of my speech, Mr Deputy Speaker, Sir, and I will end up with that, we, on this side of the House agree with this piece of legislation. Like I have stated earlier, it is going to regulate a profession which has long been waiting to have their own Council and like I have stated, we have today some 75 to 80 such professionals in our country.

Thank you, Mr Deputy Speaker, Sir.

(6.50 p.m.)

Mr Bachoo: Mr Deputy Speaker, Sir, I would like to thank the hon. Members on both sides of the House, who have intervened on this important piece of legislation. This Bill has been properly debated and I am happy to note that there has been, at least, consensus as far as this important piece of legislation is concerned. I have taken note of a few criticisms which are positive and which have been levelled against.

As I have explained during my intervention, it is important that we regulate the different professions involved in the construction industry. Two years back, this Government took the initiative in regulating the professional architects and now our commitment lies in the setting-up of a proper legislative framework within which all Professional Quantity Surveyors will be called upon to operate. We have done our best to produce a Bill, which will regulate the profession of quantity surveyors and this also goes to the credit of the present Government. I heard my friend, hon. Lesjongard saying that the last time we met the Mauritius Association of Quantity Surveyors, it was about two years back. Actually, this is not the case. In fact, the last meeting was held in April 2013. There has been consensus on most of the points.

(Interruptions)

Probably, they might not have told you about it. So, one of the main players, i.e. the Mauritius Association of Quantity Surveyors was consulted all the time throughout and we have retained most of the suggestions that they have made. Again, while it is impossible to capture all elements in any piece of legislation at the initial stage, but still we believe that we have done our level best.

There are certain points which have been raised by the Opposition. For example, there was the question of suspension or deregistration. Upon deregistration, what happens? Hon. Dr. Sorefan

has raised this question. But then, I would hasten to add that the name will no longer appear in the Registrar. So, this means that the Quantity Surveyor will not be allowed to practise.

Secondly, mention was made about an individual or a firm to be compulsorily registered and the question was where it is mentioned. Section 19(1), mentions about the compulsorily registration of the professional Quantity Surveyors and there is no temporarily legislation and no limitation as such.

As far as elections to be conducted by the Supervising Officer, which the hon. Member raised, I must say that, in fact, the Supervising Officer will himself not be present. This normally happens in any other institution; he delegates this responsibility to one of the officers who acts independently and this is the case even as far as the elections of Architects in the Architects Council are concerned. So, we are talking of an election, which is rather a very simple issue in this case.

As far as the Registrar is concerned, - again concern was raised by my hon. friend - it is in line with other professional councils in the construction industry. The Registrar must understand the competencies required. We cannot put up a lawyer or, for that matter, an Attorney. There are also professionals in the field, but here it is important that we have to see to it that the Registrar must be a Quantity Surveyor. We cannot impose, for the time being, qualifications entry also because this is a scarcity area. When we speak of three years, they need to have, let us say, post qualifications or rather post experience for three years. It is important to ensure adequate level of training because this is a very, very important field and it is important that they must acquire those skills.

Regarding proposals of basic qualifications of candidates applying for registration are concerned, the Council will, in due course, decide on the matter based on the labour market consideration and this is possible under section 20 (1)(b).

Mr Deputy Speaker, Sir, there was another point made by hon. Dr. Sorefan and hon. Lesjongard regarding the election of three Quantity Surveyors. The request cannot be entertained where the Quantity Surveyors were elected. We cannot deny this chance to any Quantity Surveyor, whether they work in the Civil Service or in the private sector because the element of fairness has to prevail.

Hon. Lesjongard also raised up the point, why is it that on our side, we are going to put up four Quantity Surveyors. But, from experience, we know that in certain Councils we had very bitter experiences, so it is important that the Government must have its say. We are not going to monopolise or control, but it is extremely important. We know in certain Councils - I am not going to name them - what were the problems that professionals had to face. So, keeping that in mind, we have decided, and that too, this decision was accepted by the Association of Quantity Surveyors.

And then the question was: why a member should hold office for a period of two years. He is eligible for re-appointment or re-election to give opportunity to other persons to sit in the Council. So, two years is relatively a long and reasonable period of time for someone to contribute meaningfully in any organisation.

I have already spoken about the last consultation which was held with the Quantity Surveyors.

Mr Speaker, Sir, there was another request which hon. Lesjongard has made about the Quantity Surveying Technicians. Unfortunately, they are not degree holders and the Bill provides for registration of degree holders only.

Before I end, again I would like to mention that at the Mauritian Association of Quantity Surveyors, they are agreeable to the proposed constitution of the Council.

Mr Deputy Speaker, Sir, I personally believe that, for the construction industry that was a missing point because we have got the Council of Registered Engineers, we have the Council of Architects and we were only left with that of Professional Quantity Surveyors Council. Today, I am happy to say that we have already completed it and I do hope that, as from now, the Quantity Surveyors can also claim that they have got a Council, a registered Council under which they can work.

With these words I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

The Professional Quantity Surveyors' Council Bill (No. VII of 2013) was considered and agreed to.

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

Third Reading

On motion made and seconded the Professional Quantity Surveyors' Council Bill (No. VII of 2013) was read the third time and passed.

ADJOURNMENT

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 14 May 2013 at 11.30 a.m.

The Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping (Mr A. Bachoo) rose and seconded.

The Deputy Speaker: The House stands adjourned.

At 7.13 p.m. the Assembly was, on its rising, adjourned to Tuesday 14 May 2013 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

HOUSING AND POPULATION CENSUS 2011 - LITERACY RATE

(No. B/233) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Education and Human Resources whether he has taken cognizance of the literacy rate in the Republic of Mauritius published in the Housing and Population Census 2011 and, if so, will he state if his Ministry has taken or is contemplating to take measures in relation thereto.

Reply: I am informed that, according to the Population Census 2011, the literacy rate which was 85% in 2000 increased to 89.8% in 2011.

Between Census 2000 and 2011, the literacy rate of the population aged 12 years and above has improved. The improvement was higher among females as indicated by a decrease in the gender gap from 7.2 to 5.0 percentage points.

The Population Census 2011 provides a clear indication of Mauritius having an ageing population. As a matter of fact, the literacy rate for the age group 60 and above (60-64, 65+) is relatively lower as compared to age groups below 60. In many cases, the cause lies in these older age groups having missed out on education in their adolescence.

It is to be noted that the literacy rate for the two age groups, 12-14 and 15-19 are 98.8 and 98.6 respectively, which is nearing 100 %. The National Adult Literacy rate compares favourably with that of Developing countries which stand at 80 %.

My Ministry has taken a number of affirmative actions over the past years to promote equity and access with a view to furthering school enrolment and exposure to learning such that the literacy rate can be improved in the longer term.

Illustratively, the Early Childhood Care & Education Authority has been working in collaboration with the Ministry of Social Integration and the National Empowerment Foundation with a view to identifying out-of-school children and enrolling them in the pre-primary schools nearest to

their residence. Moreover, as from January 2012, the per-capita grant presently granted only to children of age 4+ has been extended to those of age 3+ as well. Furthermore, with a view to improving access, some 10 modern pre-primary have been constructed.

Further, my Ministry has introduced, for the first time, a student tracking mechanism. As the House is aware, education is compulsory up to the age of 16. However, while the legislation provides the enabling conditions for universal access to education for all children, it does not in itself guarantee that all children do get enrolled or move on to upper levels of education. The Tracking Mechanism ensures that all eligible children are not only enrolled at school but also remain in the system till the end of the compulsory school age period.

In the primary education sub sector, early intervention actions are also being taken to retain pupils in schools and ensure the consolidation of basic literacy. In this respect, innovative pedagogical programmes have been introduced.

I also wish to inform the House that the Mauritius Institute of Education in collaboration with my Ministry has been implementing a Literacy Project in all ZEP schools. The Project involves a facilitator supporting teachers from Standards I to VI in the classroom on a regular basis to enhance their teaching as well as supporting students through pedagogically appropriate resources.

As regards secondary and the TVET subsectors, as from 2013, my Ministry has been giving the opportunity to those pupils who have failed the CPE examinations at their first attempt to join the pre-vocational sector where alongside a special CPE curriculum, they learn life skills, livelihood and trade skills, problem solving skills, ICT skills and basic communication skills.

The Second Chance Programme currently being implemented by the Mauritius Institute of Training and Development in Mauritius and Rodrigues has offered the possibility to youngsters in the age group 16-21 years who are neither in employment nor undergoing schooling to have basic literacy, numeracy and life skills.

As part of the inclusive process, facilities have also been provided to students with Special Needs to enable them to attend school. The proper infrastructure has been put in place such that physical impairment is no handicap to learning.

I also wish to inform that my Ministry supports the endeavours of other Ministries and Civil Society Organizations that have been mounting adult literacy programmes in various sectors.

MINISTER OF EDUCATION AND HUMAN RESOURCES - PARENT MEDIATORS - EMPLOYMENT

(No. B/238) **Mrs F. Labelle (Third Member for Vacoas & Floreal)** asked the Minister of Education and Human Resources whether, in regard to the *Parents Mediateurs*, he will state the

number thereof currently employed by his Ministry, indicating the number thereof who are public officers attached to other Ministries or to parastatal bodies.

Reply: At the very outset I would like to inform the House that the 'Parent Mediator' is not an established post but incumbents are experienced facilitators to initiate small working groups amongst the parents and within the community at large to seek greater parental involvement in school activities.

Since 2003, my Ministry has, under powers delegated to it by the Public Service Commission, recruited Parent Mediators for an initial period of one year and on a purely contractual basis.

Currently there are 7 part time Parent Mediators. Out of 7 Parent Mediators, 4 are Public Officers, 1 from a Parastatal Body and 2 are retired Public Officers.

Arrangements are presently being made to renew the contract of employment of 3 Parents Mediators whose contracts have expired on 21 April 2013.

I am informed that prior to offering employment to Parent Mediators, clearances are sought from the Public Service Commission, Ministry of Civil Service and Administrative Reforms as well as from respective Ministry/Department of serving officers.

These Parent Mediators are working in clusters with the 27 ZEP schools in Mauritius.

POINTE AUX SABLES COASTAL ROAD - WIDENING

(No. B/256) 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 Pointe aux Sables Coastal Road, he will state if there is any project for the widening thereof, from the Junction thereof at Grand River North West to La Pointe Bus Terminal, and if so, the expected start and completion dates thereof.

Reply: I am informed that there is currently no project for the widening of Pointe aux Sables Road from its junction at Grand River North West to La Pointe Bus Terminal.

The road is currently 7.0m wide on average and does not need widening. The Road Development Authority will consider providing footpaths for pedestrians, where necessary.

MONT CHOISY COASTAL ROAD - DEVIATION

(No. B/257) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Mont Choisy Coastal Road, he will, for the

benefit of the House, obtain from the Road Development Authority, information as to the reasons for the deviation thereof, indicating the benefits that the community will derive therefrom.

Reply: The newly constructed link road between Pointe aux Piments and Mon Choisy (B38) and the Mon Choisy-Cap Malheureux Road (B13) form part of an approved development project by LVN Tourism Enterprise Limited at Mon Choisy. The link road has been constructed following the issue of an EIA Licence and a Morcellement Permit to the promoter in 2009.

The development project has necessitated the diversion and de-proclamation of part of the B38 Road and the proclamation of the new Pointe aux Piments-Mon Choisy Road (B38) and Mon Choisy-Cap Malheureux Road (B13).

In regard to part (b) of the question, I am informed that the newly constructed road will provide more safety to road users. Previously, the proximity of the road to the beach and the curves/bends were sources of accidents. With the modifications that have been brought, a proper segregation of main traffic and people using the beach is ensured.

SAMLO-KOYENCO STEEL CO. LTD. - PROHIBITION NOTICE

(No. B/258) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the prohibition notice issued against Samlo-Koyenco Steel Co. Ltd., he will state the reasons thereof.

Reply: I wish to inform the House that the quality of construction steel bars in Mauritius is regulated by the legal requirements of MS10:1999, which set the standards for this product.

Hon. Members may wish to note that all consignments of construction steel bars, whether produced locally or imported, are verified by the Mauritius Standards Bureau to ensure their compliance with legal requirements of MS10:1999 prior to same being put for sale on the market.

As far as imported construction steel bars are concerned, any consignment reaching Mauritius is mandatorily placed in bond and sealed by the Consumer Protection Unit of my Ministry. Thereafter, the Consumer Protection Unit collects samples from each production batch of the consignment and sends the samples to the Mauritius Standards Bureau for testing. The samples undergo both a mechanical and chemical test.

It is only after the samples have passed both the tests that the production batch concerned is certified to be in conformity with MS10:1999 and can be cleared from customs and put on the market for sale.

Hon. Members may further wish to note that the Mauritius Standards Bureau has a zero tolerance policy in this matter as this impact directly on the security and safety of the users and the

public at large. In case any sample fails either of the two tests, the whole production batch is considered to be sub-standard and is required to be shipped back to the supplier.

There have been instances in a recent past where consignments from Turkey, Egypt and South Africa have been shipped back by order of my Ministry.

As far as Samlo-Koyenco Steel Co. Ltd. (the only local producer of Construction Steel bars) is concerned, I have to inform the House that the said company holds a Mauricert Status, which implies voluntary compliance with MS10:1999 standards. Notwithstanding same, the Consumer Protection Unit of my Ministry and the Mauritius Standards Bureau carried out routine tests on the construction steel bars produced by that company.

It is in this context that the Consumer Protection Unit of my Ministry and the Mauritius Standards Bureau collected samples from the Samlo-Koyenco Steel factory at La Pipe as well as from various hardware shops across the country from 16 to 18 April 2013.

The samples collected were from steel bars of diameters 8, 10, 12, 16 and 25mm. 100 test samples were prepared from 25 of these steel bars and tested by the MSB. It was confirmed that 33 test samples covering the five dimensions did not meet the requirement of the MS standard, MS10:1999.

Based on the result of these tests, a Prohibition Notice was issued on 19 April 2013. A Press Communiqué was also issued.

LOCAL AUTHORITIES - GRANT-IN-AID

(No. B/259) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Minister of Local Government and Outer Islands whether, in regard to the local authorities, he will -

- (a) state -
 - (i) the number of grant-in-aid calculated for 2013, indicating the formula used therefor, and
 - (ii) if consideration will be given for the grant of additional funds for service delivery to the citizens, if required, and
- (b) obtain therefrom, information as to the quantum of their respective budget deficit, if any, as at 31 December 2012.

(Withdrawn)

FLACQ - MARKET - CONSTRUCTION

(No. B/261) Mr P. Roopun (Third Member for Flacq & Bon Accueil) asked the Minister of Local Government and Outer Islands whether, in regard to the new market at Flacq, he will, for the benefit of the House, obtain from the Flacq District Council, information as to the initial amount earmarked for the construction thereof, indicating the -

- (a) details of the variations work carried out, indicating the;
 - (i) cost thereof, and
 - (ii) details of the payments effected therefor, and
- (b) provisions of the fund under which same was implemented.

Reply: I am informed that the initial amount earmarked for the construction of the new Market at Flacq was Rs110,247,600 inclusive of VAT and a contingency sum of Rs5,000,000.

Additional works under the contract for the construction of the Market at Flacq were undertaken for extending the concrete platform along the river adjacent to the new market. The cost of the additional works after assessment of the quotation by the technical team of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping and after the approval by the Central Procurement Board, was Rs19,665,267.52 inclusive of VAT.

As at date, payment to the contractor has been made as follows -

- Rs103,495,558.23 for the market, and
- Rs18,640,869.36 for the additional works performed under the contract for the market.

The funding provisions are as follows -

- (i) Rs63,000,000 from the Local Infrastructure Fund for the market;
- (ii) Rs47,247,000 from the former District Council of Moka/Flacq, again for the market, and
- (iii) Rs19,665,267.52 from the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping (National Development Unit) to meet the cost of the additional works.

SCHOOLS – APEIM - CLOSING DOWN

(No. B/262) Mrs L. D. Dookun-Luchoomun (Second Member for Quartier Militaire & Moka) asked the Minister of Education and Human Resources whether, in regard to the closing down of the nine schools run by the *Association des Parents d'Enfants Inadaptés de l'île Maurice* by

December 2013, he will state the measures that are being taken by his Ministry to provide for the educational needs of the children attending thereto.

Reply: The *APEIM* has by way of a letter dated 08 March 2013 informed my Ministry that they intend to close all their nine SEN Schools as from January 2014. The main reasons put forward were that -

- (i) some claims for payments under the grant-in-aid formula had not been settled, and
- (ii) the grant-in-aid payable to them was insufficient.

With regard to the unsettled payments as claimed by the *APEIM*, a reply was made to them on 17 April 2013 explaining the mode of payment of the grant-in-aid under the existing formula and clearly setting out the reasons why their claim could not be entertained.

Furthermore, a meeting chaired by the Ag. Senior Chief Executive and attended by, *inter alia*, a representative of Ministry of Finance and Economic Development was held with representatives of *APEIM* on Tuesday 30 April 2013 to discuss the other issues raised and find a way forward.

During the meeting, the *APEIM* expressed satisfaction to the information provided in the letter dated 17 April 2013 and this has subsequently been confirmed by way of letter dated 30 April 2013. However, they stated that over the past five years, they have had budget deficits and it was becoming difficult for them to sustain the operation in the nine schools given that -

- (i) the grant-in-aid formula fell short of their expectations as it did not provide for differentiated allowances for the various categories of impairments, and
- (ii) the salaries and conditions of service of the teaching and non-teaching staff in the SEN Sector are not prescribed.

During the meeting, it has been agreed that an in-depth review of the Grant-in-Aid formula will be undertaken considering the specific disabilities, differentiated services and other support required by the NGOs. The Office of the Public Sector Governance has accordingly been approached to conduct the above exercise.

With a view to prescribing an appropriate salary structure and conditions of service for staff employed by NGOs working in the SEN Sector, my Ministry has made a submission to the Ministry of Labour, Industrial Relations and Employment and requested that the matter be referred to the National Remuneration Board, as a matter of urgency.

Furthermore, in order to ensure the provision of quality education to children with special education needs, a Committee will be set up to establish norms and standards to regulate the Sector.

My Ministry is pursuing actions along these lines and discussions with the *APEIM* and other NGOs providing Special Education Needs are ongoing.

This Government is doing its level best for the benefit of children with special needs and a series of measures have been initiated so as to improve access, offer quality education and specialised services and sustain capacity building in this area.

LA MARIE - WATER TREATMENT PLANT

(No. B/263) Mr N. Bodha (First Member for Vacoas and Floreal) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Water Treatment Plant of La Marie, he will state if he has been informed of the environmental problems being caused by the disposal of toxic sludge therefrom.

Reply: Following the statement made on adjournment by the hon. Third Member for Vacoas and Floreal on 23 April 2013 regarding water pollution at La Marie treatment plant, I visited the site on the next day accompanied by my colleague, Minister of Social Security, National Solidarity and Reform Institutions, the Honourable Third Member for Vacoas and Floreal, officials of the CWA, as well as members of the Forces Vives of the nearby localities.

I wish to inform the House that no toxic sludge or materials are being produced and disposed of at the La Marie water treatment plant.

La Marie treatment plant comprises one unit of rapid gravity filter of capacity of 70,000m³ per day. I am informed by the CWA that, Aluminium Sulphate, commonly known as alum and lime are the only chemicals being used in the treatment process. The alum is used in controlled dosage in the flocculation process. The flocs are regularly removed and transferred to a sludge tank and hence to drying beds. In the filtration system, lime is added for PH correction. These filters are cleaned by regular back washing. The back washed water is now recycled and pumped back to the plant instead of being discharged into the nearby river.

I am also informed by the CWA that water from the drying beds is disposed of in Rivière Sèche and contains traces of Aluminium Sulphate which is well below the permissible level under the Environment Protection Act (EPA).

FOOTBALL - YOUNG TALENTS - EUROPEAN FOOTBALL CLUBS

(No. B/264) Mr N. Bodha (First Member for Vacoas & Floreal) asked the Minister of Youth and Sports whether, in regard to the young talented Mauritian football players, he is aware of the opportunities open thereto to be recruited by top European football clubs and, if so, will he state the facilities, if any, extended thereto to take advantage thereof.

Reply: First of all let me inform the House that opportunities for the recruitment of young talented football players do exist as today with the competitiveness of football, the mobility of players has no barriers.

These opportunities are being offered by certain agencies which do scouting mainly in Africa to identify young talents for trial in European teams.

As far as Mauritius is concerned, neither my Ministry nor the MFA has received any official offer for such opportunities. However, I have learnt it from the press that two trainees from our National Training Centre have been recruited for a three week internship by a 2nd division team in France. Not much information has transpired on the conditions of this transfer, but I have asked the Officer-in-Charge to carry out an enquiry into this matter.

This starting point may not be a one off exercise, Mr Speaker Sir. There may be further recurrence. We will welcome such opportunities which should be within a proper framework. In this context my Ministry is looking forward, in consultation with the MFA to work out a policy on how best we can support our young talented players to take best advantage thereof and avoid any undue exploitation.

MITD - MR H. K. M - INTERDICTION

(No. B/265) Mr S. Soodhun (Second Member for La Caverne & Phoenix) asked the Minister of Education and Human Resources whether, in regard to the case of Mr H. K. M., employed by the Mauritius Institute of Training and Development who has been interdicted in January 2013, he will, for the benefit of the House, obtain from the Mauritius Institute of Training and Development, information as to where matters stand as to the inquiry carried out thereinto.

Reply: In my reply to Parliamentary Question No. B/42 on 26 March 2013, I had informed the House that following serious and unfounded allegations made by Mr H.K.M., Assistant Manager at MITD on a private radio, disciplinary action was initiated by the MITD against him including suspension from duty as from 21 January 2013. I also informed the House that a Disciplinary Committee had been set up by the MITD Board to look into the matter and the Police (CCID) was also pursuing its enquiry.

Following the rulings and the findings of the Disciplinary Committee and after seeking legal advice, the MITD has considered that -

- (i) Mr H.K.M, as an employee of the MITD and notwithstanding his involvement in trade union activities, is amenable to disciplinary action;
- (ii) his involvement in trade union activities does not confer on him the right -

- (a) to depart from and/or violate the rules and regulations of the MITD;
- (b) to be privy to initiatives which are devised to cause harm and prejudice to the MITD and to undermine the vocational objectives of the institution.
- (iii) the statements which he made over the radio, on the 20 November, 2012 are unbecoming of an officer of his rank and do contravene sections 1.6.5 and 1.6.9 of the IVTB HR Manual.

In the light of the above, after taking into consideration the fact that Mr H. K. M had been severely reprimanded in 2006 following the recommendation of a previous Disciplinary Committee, the MITD decided -

- (i) to give him a very severe warning, and
- (ii) to closely monitor his acts and doings, more particularly as regards compliance with the rules and regulations of the MITD.

Nonetheless, he was reinstated in his employment. However, the MITD Board has also decided that he would be subject to more severe disciplinary action should it receive any further adverse report against Mr H. K. M. in the future.

SEVEN WATERFALLS MOUNTAIN CABLE CAR PROJECT

(No. B/266) **Mr S. Soodhun (Second Member for La Caverne & Phoenix)** asked the Vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Seven Waterfalls Mountain Cable Car Project, he will, for the benefit of the House, obtain from the Board of Investment and the State Investment Corporation respectively, information as to the amount of money invested therein as at to date, indicating where matters stand as to the implementation thereof.

Reply: I am informed that the Seven Waterfalls Mountain Cable Car project is an integrated development project which will comprise a cable car operation, a tourism leisure village and an ayurvedic village at Tamarind Falls.

The promoters incorporated a private company namely, Seven Waterfalls Horizons (Mtius) Ltd on 07 January 2004 to develop the project. The company has obtained the following permits and licence -

- The Land Conversion Permit from the Ministry of Agro-Industry on 30 December 2004;
- The EIA Licence from the Ministry of Environment on 21 December 2007, and
- The Building and Land Use Permit from the Grand Port/Savanne District Council on 09 April 2009.

I am also informed that in the first phase of the project, the promoters are focusing on the setting up of the cable car operation. The implementation of this phase will entail an investment of some Rs805 m. According to the Financing Structure submitted by the promoters, the project will be financed by way of equity amounting to Rs300 m., loans Rs245 m., preference shares Rs210 m. and redeemable debentures Rs50 m.

The Board of the SIC has approved investment in the project in the form of Rs30 m. in equity and Rs50 m. in redeemable debentures. As at to date, the SIC has disbursed Rs31.7 m. as part of the project finance in the form of Secured Redeemable Debentures. This disbursement has been made against a bank guarantee (fixed charge on a first rank basis) on the freehold land at the project site at Tamarind Falls, of an extent of 8A 74P, valued at Rs50 m. by the Government Valuer and owned by the project company. The disbursement has been effected directly to the cable car supplier Garaventa based in Switzerland.

Regarding the status of implementation, I am informed that on-site design and planning with respect to site mobilization, construction of internal roads and preliminary works relating to the parking area have been completed. The productions of the steel towers are nearing completion and the first shipment thereof has been scheduled for October 2013. On-site works at Tamarind Falls will start as soon as the steel towers are received. The Cable Car component of the project is expected to be completed by October 2014.

GOVERNMENT FIRE SERVICES – EQUIPMENT - PURCHASE

(No. A/90) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Local Government and Outer Islands whether, following the flash floods of 13 February and 30 March 2013, he will, for the benefit of the House, obtain from the Government Fire Services, information as to if it has received any request for the purchase of additional or new modern equipment to be provided to the Fire Officers to cope with similar situations in the future and, if so, give details thereof, indicating if consideration will be given thereto.

Reply: I am informed by the Fire Services Department that so far no request for purchase of additional or new modern equipment has been received. The Fire Services Department is in the process of acquiring life saving jackets and submersible pumps.

However, in the wake of the flash floods of 13 February and 30 March 2013, the Fire Services Department has already set up a Committee to work on the possibility of acquiring modern equipment of international standards to cope with such situations in the future. The report of the Committee is awaited.

I am further informed that presently the Fire Services Department possesses equipment such as floating pumps, portable pumps, ropes and lines to be able to deal with operations such as rescue and evacuation of water in specific circumstances during flooding. These equipment have proved so far to be effective but with the acquisition of modern equipment in the future, the Department will be able to intervene more efficiently during disasters.

VIEUX GRAND PORT AND ROSE BELLE – PRIMARY SCHOOLS RENEWAL PROJECT

(No. A/91) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Minister of Education and Human Resources whether, in regard to the Government Primary Schools in Constituency No. 11, Vieux Grand Port and Rose Belle, 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: In Constituency No. 11, one Government Primary school namely, Seegoolam Torul at Rose Belle, has been identified for the Primary School Renewal Project (PSRP).

Regarding part (a) of the question, the scope of works at that school comprises the construction of a new block of 8 classrooms on stilts, toilets; demolition of an old classroom block and existing toilet block; and the construction of playground.

In regard to part (b) of the question, the cost estimates are being finalised at the level of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping (MPI).

As regards part (c) of the question, preparation of bidding documents is underway at the level of MPI.

It should also be highlighted that other infrastructural works have been identified in remaining primary schools in the Constituency as follows -

SN	School	Scope of Works	Cost Estimates	Status
1	<i>Cluny G. S.</i>	Structural Rehabilitation and construction of new staircase block	Rs 2.6 M	Preparation of bidding docs at the level of MPI
2	<i>Bois des Amourettes G. S.</i>	Structural rehabilitation works	Not yet available	Awaiting appointment of new District

				Contractors
3	Rivière des Creoles G. S.	Construction of a new Pre-Primary Unit: 2 classrooms, toilets, kitchenette, stores, playground	Rs 5M	Preliminary stage
4.	DookheeGungah G.S, New Grove	Construction of 8 classrooms	Rs 7.8 M	Ongoing Project
5	Quatre Soeurs G.S	Electrical Works in Toilet	Rs 0.51 M.	Ongoing
6	Grand Sable G.S	Construction of shelter	Rs 1.4 M	Works ongoing
7	D. Basant Rai G.S	Construction of canopy Levelling and upgrading of yard, construction of shelter and covered link	Rs 1.5 M	Evaluation stage Future project
8	Rose Belle (South) G.S	Conversion of Science Lab into pre primary classroom, Internal drains.	Not yet available	Future project
9	Rose Belle (North) G.S	Waterproofing works Construction of New toilet block	Not yet available Rs 3.2 M	Future project Works to start by next week.
10	Union Park G.S	Canopy and Shelter	Rs 0.7M	Works to start by next week.
11	Nouvelle France G.S	Off street parking, Derocking & Levelling of Football Playground, Landscaping works, drainage works & Closing of staircases Upgrading works (Canopy, Painting works, demolition works)	Not yet available Rs 0.99M	Future Project Ongoing

(No. A/92) 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 Sir Gaëtan Duval Centre located at Chebel, Beau Bassin, he will state if the building housing same was initially constructed on the wrong site and if so, indicate the-

- (a) reasons therefor
- (b) names of the
 - (i) contractor and
 - (ii) quantity surveyor thereof
- (c) contract value thereof and
- (d) sanctions taken, if any, following the recent collapse of part thereof.

Reply: I am informed by the Municipal Council of Beau Bassin-Rose Hill that the whole plot of land at Chebel is owned by the Ministry of Housing and Lands and is bounded on all four sides by tarred roads. A portion of this land had been vested in the Municipal Council for the construction of a multi-purpose hall and the other portion had been reserved for commercial purpose.

I am informed that the Contractor started construction works on the portion reserved for commercial use before handing over of the site was effected. The contractor's attention was drawn to the lapse and he then shifted to the proper site for the construction of the multi-purpose hall.

With regard to part (b) of the question, I am informed as follows -

The name of the Contractor was Mookan Building and Civil Engineering Works Ltd.

No Quantity Surveyor was appointed. Instead, the works were supervised by the Civil Engineer of the Council.

As regards part (c) of the question, the contract value of the project was Rs3,940,769.75.

As far as part (d) of the question is concerned, I am informed that no sanction has been taken up to now, following the recent collapse of part of the building as an assessment on the cause of the damage is being conducted.

PESTICIDES & INSECTICIDES - IMPORTS

(No. A/93) Mr K. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Agro-Industry and Food Security whether, in regard to pesticides and insecticides, he will state the quantity and value of the respective imports thereof in each case, in 2011 and 2012, indicating if a study has been carried out to assess the impact of the use thereof on public health and groundwater resources, and, if not, why not.

Reply: I am informed that neither my Ministry nor the Central Water Authority has carried out a study to assess the impact of the use of pesticides and insecticides on public health and water resources. Nonetheless, a comprehensive study was carried out jointly by the Central Water Authority, the Mauritius Sugar Industry Research Institute and the Mauritius Research Council in 1995/1996 to understand the fate of pesticide residue in surface water catchment of Grand River North West only and groundwater throughout the island. The level of pesticides tested was well below the permissible limits for drinking water.

Furthermore, I am informed by the Ministry of Agro Industry and Food Security that farms where pesticide residues are found to have exceeded the Maximum Residue Level are closely monitored by the Agricultural Research and Extension Unit to ensure that all norms and standards are complied with and that there is no repetitive abusive use of pesticides. In addition, the farmers are trained on good agricultural practices and on the use of bio-pesticides as an alternative. In year 2012, 845 planters have been trained on Good Agricultural Practices by AREU. This training programme is an ongoing one and will target the whole planting community.

To reduce drastically the use of pesticides in vegetable plantations, the Ministry of Agro Industry is encouraging planters to adopt Integrated Pest Management Systems, protected production systems such as hydroponics, insect proof sheltered farming technology, bio-pesticides such as 'Neem based pesticides' as an alternative to conventional pesticides, organic farming and biological control agents such as larval parasitoid and nymphal parasitoid among others. In addition, the Ministry of Agro Industry and Food Security is currently working on the preparation of an Ecological Agriculture Action Plan for Mauritius and Rodrigues in line with the concept of an 'Ile Maurice Durable'. This project aims at gradually reducing the use of conventional pesticides in food crop plantations and replacing them by bio-pesticides which are inherently less toxic.

The Ministry of Agro Industry has also sought the technical assistance of the Food and Agriculture Organisation (FAO) to prepare that Action Plan. In addition, a High Level Steering Committee has been set up under the Ministry of Agro Industry and Food Security to review the existing list of pesticides which is currently being imported and commercialised in Mauritius.

As regards importation of insecticides and pesticides for the years 2011 and 2012, the following information has been obtained from the Customs Management System/Information Technology Section of the Mauritius Revenue Authority –

		Insecticides		Pesticides	
Kg		CIF Value in Rupees	Kg	CIF Value in Rupees	
2011	904478	142,760,076.00	1372737	248,037,624.00	

2012 833137 142,786,403.00 1313975 238,288,421.00

HARRIS STREET, PORT LOUIS - SPORT COMPLEX - CONSTRUCTION

(No. A/94) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Youth and Sports whether, in regard to the construction of the sport complex at the Harris Street, in Port Louis, he will state where matters stand.

Reply: The status of remaining works pertaining to the sport complex at Harris Street, Port Louis are as follows –

- (i) The space initially earmarked for a volley-ball pitch is being extended to accommodate a mini-soccer pitch by the National Development Unit and works are expected to be completed by mid June 2013;
- (ii) The construction of a new volley-ball pitch (in asphaltic concrete) at the site initially identified for a petanque court is in progress;
- (iii) The vehicular gate will be fixed after completion of the mini-soccer pitch. The next phase of the project being undertaken by the National Development Unit will consist of provision of lighting, parking facilities and embellishment works.

NEF - CONSTITUENCY NO. 2 - BENEFICIARIES

(No. A/95) Mr R. Uteem (Second Member for Port Louis South & Port Louis Central) asked the Minister of Social Integration and Economic Empowerment whether, in regard to the National Empowerment Foundation, he will, for the benefit of the House, obtain therefrom, information as to the number of inhabitants of Constituency No. 2 who have benefitted from assistance therefrom, indicating the nature and the value thereof.

Reply: The National Empowerment Foundation (NEF) collects and compiles data on a districtwise/cum nationwide basis and not on a constituency basis.

In line with the vision of Government to eradicate absolute poverty, a three-pronged strategy has been adopted since 2010. This strategy includes the following programmes –

- (a) Social Housing and Community Empowerment;
- (b) Child Welfare and Family Development, and
- (c) Training and Placement.

Information concerning the number of beneficiaries in the regions of Tranquebar and Vallée Pitôt who have benefitted from assistance under the various programmes of the Foundation, as well as the nature and value thereof is being laid in the Library.

AUTOCYCLES/MOTORCYCLES - MODIFIED SILENCERS

(No. A/96) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the autocycles and/or motorcycles with modified silencers emitting loud noises on being run, he will, for the benefit of the House, obtain from the National Transport Authority, information as to the number thereof which have been called for examination, as per paragraph 116 of the Road Traffic Act, over the past two years, indicating the actions taken, if any, in relation thereto and, if not, indicate if consideration will be given therefor.

Reply: Section 116 of the Road Traffic Act stipulates that -

- (1) (a) where the Commissioner has reason -
 - (i) to believe that a motor vehicle or trailer to which this part applies is being used; or
 - (ii) to suspect that the motor vehicle or trailer has ceased to be fit for the purpose for which it is being used, he may order that the motor vehicle or trailer be produced for examination by a vehicle examiner at a specified time and place.
- (b) where the order under paragraph (a) is not complied with, the Commissioner may prohibit the use of the motor vehicle or trailer until the order is complied with.
- (2) where, on examination by a motor vehicle examiner, a motor vehicle or trailer is found to be unsafe for the purpose for which it is being used, the examiner may prohibit its use until all necessary repairs, adjustments or alterations have been effected to his satisfaction.

Moreover, Regulation 83 (3) of the Road Traffic (Construction and Use of Vehicles) Regulation 2010 provides that no person shall -

- (a) fit on the exhaust pipe of a motor vehicle any extension or other device likely to cause excessive or unusual noise; or
- (b) alter the silencer in such a way that the noise caused by the escape of the exhaust gases is made greater by the alteration.

In accordance with the above provisions, as and when complaints are received or on observations from enforcement officers, vehicles emitting excessive noise are called at the Vehicle Examination Centres for verification. Prior to May 2012 no such record was kept.

However, during period May 2012 to date, 49 vehicles have been called for examination as follows -

Motorcycles	-	7
Auto Cycles	-	2
Other Vehicles	-	40

Three out of the seven motorcycles were found not to comply with the noise emission standard [98 db (A)] and they were accordingly prohibited until alterations and repairs were effected. The other vehicles were found to be in order.

It is noteworthy that the Vehicle Examination Centres at Plaine Lauzun and Forest Side are equipped with 12 sound level meters to test noise emission on vehicles. Road Transport Inspectors have been requested to report on vehicles operating with modified silencers and emitting excessive noise.

PEDESTRIAN CROSSINGS - BELISHA LAMPS

(No. A/97) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the proposed installation of belisha lamps near pedestrian crossings, he will state where matters stand.

Reply: With regard to the proposed installation of belisha lamps near pedestrian crossing, efforts have been geared towards the acquiring of the lamps. However, only upon financial clearance from the Ministry of Finance and Economic Development, same can be implemented.

FIRE SERVICES - VACANCIES

(No. A/98) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the Government Fire Services, he will, for the benefit of the House, obtain therefrom, information as to the number of vacancies that presently exist thereat in each grade, indicating if same will be filled and, if so, when.

Reply: The information requested by the hon. Member is being placed in the Library.

GOVERNMENT QUARTERS - PULLING DOWN

(No. A/99) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Government Quarters which need to be pulled down, he will give a list thereof, stating where matters stand, indicating the -

- (a) location thereof, and
- (b) projects, if any, identified to be implemented on the site thereof.

Reply: The information has been tabled in the Library of the National Assembly.

**MINISTRY OF LOCAL GOVERNMENT AND OUTER ISLANDS - ADVISERS, PRESS
ATTACHÉS - CONTRACT**

(No. A/100) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Minister of Local Government and Outer Islands whether, in regard to the advisers, press attachés and/or persons employed on a contractual basis by his Ministry, since December 2009 to date, he will give a list thereof, indicating in each case, the -

- (a) qualifications possessed;
- (b) position held;
- (c) present salaries drawn, and
- (d) terms and conditions of contract.

Reply: The information requested by the hon. Member is being placed in the Library.