



REPUBLIC OF MAURITIUS

FIFTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

SECOND SESSION

TUESDAY 14 MAY 2013

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Family Welfare

Hon. Sutyadeo Moutia

Minister of Civil Service and Administrative Reforms

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MAURITIUS

Fifth National Assembly

SECOND SESSION

Debate No. 07 of 2013

Sitting of 14 May 2013

The Assembly met in the Assembly House, Port Louis

at 11.30 a.m.

The National Anthem was played

(The Deputy Speaker in the Chair)

PAPERS LAID

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

A. Ministry of Finance and Economic Development –

- (a) The SIDS DOCK Grant Agreement – Grant No. TF013174, between the Republic of Mauritius and the International Bank for Reconstruction and Development (IBRD) and the International Development Association (IDA) (In Original).
- (b) The Loan Agreement on the Second Private Sector Competitiveness Development Policy Loan between the Republic of Mauritius and the International Bank for Reconstruction and Development (IBRD) (In Original).
- (c) The Loan Agreement on the Second Public Sector Performance Development Policy Loan between the Republic of Mauritius and the International Bank for Reconstruction and Development (IBRD) (In Original).
- (d) The Value Added Tax (Amendment) Regulations 2013 (Government Notice No. 95 of 2013).

B. Ministry of Housing and Lands –

The Land Surveyors (Diplomas) (Amendment) Regulations 2013 (Government Notice No. 94 of 2013).

C. Ministry of Agro Industry and Food Security –

The Annual Report 2011 of the Agricultural Marketing Board.

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

The Statutes of the University of Mauritius 2013 (Government Notice No. 93 of 2013).

E. Ministry of Industry and Commerce and Consumer Protection –

The Annual Report of the State Trading Corporation for the 18 months period July 2009 to 31 December 2010.

F. Ministry of Social Integration and Economic Empowerment –

The National Economic and Social Council Report 22 on the Impact of the Global Financial Crisis on the Mauritian Economy.

ORAL ANSWERS TO QUESTIONS

MITD - MR N. C. – ALLEGED SEXUAL ABUSE CASE

The Leader of the Opposition (Mr A. Ganoo) (*By Private Notice*) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the case against Mr N. C. for alleged sexual abuse on a minor student of the Mauritius Institute of Training and Development, he will, for the benefit of the House -

- (a) obtain from the Commissioner of Police, information as to if -
 - (i) the matter was reported thereto in 2011 and, if so, the actions taken, if any;
 - (ii) he is aware that his officers refused to record statements of the spouse of Mr N. C. regarding the latter's alleged relationship with a minor student of the MITD;
 - (iii) Mrs P. B. and Mrs S. S. have been arrested and, if so, why;
 - (iv) Mr H. M. has been convened for inquiry in relation thereto and, if so, why, and
- (b) state if the decision to set up the Fact-Finding Committee to look thereinto was approved by Cabinet and, if so, when, indicating if copy of the report will be tabled and, if not, why not.

The Prime Minister: Mr Deputy Speaker, Sir, in regard to part (a) (i) of the question, I am informed by the Commissioner of Police that on 25 October 2011, Mrs P.S.C. made a declaration at Eau Coulée Police Station to the effect that since the beginning of October, her husband Mr N.C. wanted to divorce her for no reason. She also mentioned that her husband had ill-treated her and that she had the intention to seek the advice of the Police Family Protection Unit.

On 16 November 2011, Mrs P.S.C made a Precautionary Measure declaration at Eau Coulée Police Station against her husband, Mr N. C. as she came to know that her husband was having an affair with another woman.

On 24 November 2011, Mrs P.S.C. gave another Precautionary Measure declaration at the Phoenix Police station wherein she stated once again that her husband was having an extra-conjugal affair with somebody and this was causing conjugal problems at her place. She further stated that she was leaving the conjugal roof to elect domicile at her father's place and that she would enter a divorce case against her husband.

These declarations, Mr Deputy Speaker, Sir, were reported as Precautionary Measures and Mrs P.S.C. was referred to her own private legal remedy. Her declarations were thus filed at that stage because no offence was disclosed.

In regard to part (a) (ii) of the question, I am informed by the Commissioner of Police that at no point has Police refused to take any declaration from Mrs P.S.C. in regard to an alleged relationship which her husband was having with a minor.

However, on 30 November 2011, Police received a letter dated 29 November 2011 from Mrs P.S.C. wherein she mentioned that her husband was having a physical relationship with a minor student at MITD. The Police referred the letter to the Central Divisional Commander for enquiry. The Curepipe CID subsequently

recorded a detailed statement from Mrs P.S.C. In the course of the enquiry, Police contacted the parents of the minor student, but they refused to give any statement.

In regard to part (a) (iii) of the question, I am informed by the Commissioner of Police that on 10 May 2013, one Mr Y.S., Acting Divisional Manager at the MITD made a declaration to the CCID to the effect that there had been a conspiracy between Mrs P.B. and Mrs S.S. to commit forgery in a document to the MITD and the Fact-Finding Committee. Police initiated an enquiry into the matter. On the same day, Mrs P.B. was arrested and provisionally charged for the offence of 'Conspiracy and Forgery'. She appeared before the Rose Hill District Court and was bailed out after furnishing a surety of Rs10,000 for the charge of conspiracy and a surety of Rs15,000 for the charge of forgery and entering into a recognizance of debt of Rs100,000.

On 13 May 2013, Mrs S.S. was arrested and released on parole on the same day. She will appear before Rose Hill District Court today on a provisional charge of "Conspiracy and Forgery".

In regard to part (a) (iv) of the question, I am informed by the Commissioner of Police that Mr H.M. has, up to now, not been convened by the Police as his involvement in an offence is yet to be established.

In regard to part (b) of the question, I should like to inform the House that following a Private Notice Question addressed to the hon. Minister of Education and Human Resources by the then hon. Leader of the Opposition on Saturday 17 November 2012 on an alleged case of abuse against a minor student by a Physical Instructor at the MITD, the hon. Leader of the Opposition laid down a copy of the report of the psychologist of the MITD on the matter.

In view of the seriousness of the matter and following consultations with me, it was agreed to set up, as a matter of urgency, a Fact-Finding Committee to be chaired by a Magistrate for a comprehensive enquiry into the alleged case of abuse. Cabinet was apprised of this decision on the following Friday, that is, 23 November 2012.

The Fact-Finding Committee was chaired by no less a person than Mrs Veronique Kwok Yin Siong Yen, President of the Intermediate Court with the following terms of reference, and also, we had as Secretary, the Chief Registrar, Mr Madhoo. The terms of reference were -

- (i) to carry out an in-depth enquiry into the case of the alleged abuse of a minor student V.A, of the MITD by Mr N.C, an Instructor, that is, an instructor for physical education employed by the MITD;
- (ii) to examine records pertaining to the case of alleged abuse of the minor student, including the report of the MITD Psychologist, Mrs P.B., and records of the Child Development Unit (CDU) of the Ministry of Gender Equality, Child Development and Family Welfare;
- (iii) to situate responsibilities and report whether there has been any failure in the discharge of their duties by, or other misconducts on the part of, the MITD staff, CDU staff and other staff of the Ministry of Education and Human Resources, the Ministry of Gender Equality, Child Development and Family Welfare and any other public officer, directly or indirectly involved in the management of the case of alleged abuse of a minor;

- (iv) to enquire into and report on any matter incidental or related thereto, and
- (v) to make recommendations on the actions to be taken.

The House will appreciate, Mr Deputy Speaker, Sir, that in view of the fact that the report of the Fact-Finding Committee contains specific information of a strictly private and medical nature on a minor, it would not be proper to lay the report on the Table of the National Assembly.

Mr Deputy Speaker, Sir, I wish to refer to the statement made by the hon. Minister of Education and Human Resources in this House on 09 April 2013, where he stated, and I quote –

- “(a) None of the 28 witnesses, who deponed during the hearing came forward to say that they had seen Instructor N.C. and Minor V.A. together involved in an inappropriate behaviour;

He is quoting from the Fact-Finding Committee.

- (b) No independent evidence has been adduced to support the allegation of abuse. The then owner of the *pensionnat* where the acts were alleged to have taken place had declared that the *auberge* had already ceased operation a few years ago.
- (c) In view of the Medico-legal Report submitted to the Fact-Finding Committee, it has been found by the Committee that the issue of sexual intercourse between Instructor N.C. and Minor V.A. cannot stand. According to this Medico-legal Report, the examination of the minor on 25 February 2013 has revealed that there could not have been any sexual intercourse upon her in view of the intact genital conditions. The Fact-Finding Committee finds that this medical evidence is crucial to put an end to speculations.”

The Chairperson of the Fact-Finding Committee further stated -

“Failure to manage the problem efficiently by the authorities, led some of the persons who deponed before the Fact-Finding Committee and the public at large, in view of wide media coverage in the country, to believe that there was cover-up.”

I also wish to point out, Mr Deputy Speaker, Sir, that at its meeting on 26 April 2013, Cabinet decided to set up an Inter-Ministerial Committee to look into the implementation of the report of the Fact-Finding Committee which concerns different Ministries. The Committee is chaired by the Deputy Prime Minister and Minister of Energy and Public Utilities, and comprises the Minister of Education and Human Resources, the Minister of Tertiary Education, Science, Research and Technology, the Attorney-General and the Minister of Gender Equality, Child Development and Family Welfare.

Mr Deputy Speaker, Sir, I wish to assure the House that there is not and there will not be any cover-up in this case. I would also like to add that the Police and Criminal Evidence Bill, which has been introduced into the National Assembly will address possible weaknesses in existing procedures followed by the Police in criminal investigations and will be a major step forward in Police practices.

Mr Ganoo: Mr Deputy Speaker, Sir, the hon. Prime Minister has made reference to various precautionary measures, entries, made by Mrs P.S.C. concerning the situation in her family. But the hon. Prime Minister has also made mention of the fact that the complaint against the spouse is that he was also having an affair with a minor. Now, does not the hon. Prime Minister think that this is a matter which should have been enquired into, in fact, by the CDU immediately and not by the Police officers?

The Prime Minister: I think the hon. Minister of Education and Human Resources did mention there were procedures laid down and that is what was followed. But, as I said, the Police categorically denied having refused to take any statement from her except that she has made three Precautionary Measures which were noted.

Mr Ganoo: I put it to the hon. Prime Minister that, in fact, on 24 November 2011 at Eau Coulée Police Station, the lady did report to the Police Station and made a declaration concerning the involvement of her spouse with this minor student and also talked about the need for a protection order, but the Police refused to take that part of the complaint of the lady concerning the involvement of her spouse with the minor student and recorded only the part pertaining to the protection order. This is what happened.

The Prime Minister: Let's not be borne out by the facts, Mr Deputy Speaker, Sir. On 24 November 2011, as I said, Mrs P.S.C. gave another Precautionary Measure at the Phoenix Police Station where she stated - not with a minor - that her husband was having an extra conjugal affair with somebody and this was causing conjugal problem at her place. She further stated that she was leaving the conjugal roof to elect domicile at her father's place and that she would enter a divorce case against her husband. It is only in the letter afterwards, that is, the letter dated 29 November, which was received by the Police on 30 November that she mentions for the first time in her declaration the alleged relationship with a minor student and immediately the Police referred the matter to the Central Divisional Commander for enquiry.

Mr Ganoo: In that case also, independently of the fact that whatever the parents said, that they refused to proceed or they had faith in their daughter, but, since that child was a minor child at that time, independently of the will, of the decision, of the parents, this matter should have been referred to the CDU precisely at that time!

The Prime Minister: From what I understand, the CDU was already looking into the matter, if I understand properly what the hon. Minister is saying, separately from what the Police were doing. The question is about the Police. So, I am answering about the Police.

Mr Ganoo: Now, let us forget about the declarations at the Police Station. Is the hon. Prime Minister aware that section 11 of the Child Protection Act provides that in any case of child abuse which has been brought to the knowledge of medical, paramedical or teaching staff, the matter should be immediately reported to the Permanent Secretary for enquiry and in this case, I am referring to the report of the psychologist, Mrs P. B., who submitted her report to the Acting Divisional Manager of the MITD since 03 November 2011? Why, therefore, the provisions of the law were not respected; as soon as the report was made by the staff, by the psychologist, the matter was not referred to the PS of the Ministry for child protection?

The Prime Minister: That is probably one issue that could be argued upon, but although they looked into the matter, they did not refer it to the PS straightaway.

Mr Ganoo: I insist that the report of the psychologist was transmitted by mail to the Acting Divisional Manager of the MITD on 03 November 2011 and I would ask the hon. Prime Minister that the matter should be enquired into and disciplinary action should be taken against the officer or the officers who failed to ensure their duties properly by not reporting at that time this matter to the Permanent Secretary of the Ministry concerned.

The Prime Minister: This is precisely what we are doing with the Inter-Ministerial Committee, Mr Deputy Speaker, Sir.

Mr Ganoo: Mr Deputy Speaker, Sir, I come now to the reasons for the arrest. Before I come to the arrest of the two ladies, can I ask the hon. Prime Minister whether he is aware - in spite of the fact that the Fact-Finding Committee has already submitted its report, which has not yet been released - of recordings which have been made of conversations between that minor student and the teaching staff in which she discloses her relationship with the instructor?

The Prime Minister: Is the hon. Leader of the Opposition talking about the report from the psychologist? I did not quite catch what he has said.

Mr Ganoo: The tape recording of the conversation of the minor with the teaching staff which has been recorded and which is available. I can submit it to the hon. Prime Minister for him to listen to the conversation that had taken place between the student and the teaching staff in which she confessed her involvement with the instructor.

The Prime Minister: This was looked into by the Fact-Finding Committee, Mr Deputy Speaker, Sir.

Mr Ganoo: I will table it for the hon. Prime Minister to have a look and to listen to, Mr Deputy Speaker, Sir, but I want to come to this question of the arrest now. Mr Deputy Speaker, Sir, here, the hon. Prime Minister has told us that somebody had opened an entry, had given a declaration which had triggered the enquiry leading to the arrest of two professionals, Mrs P. B. and Mrs S. S. Can we know the name of that person, please?

The Prime Minister: Mr Servansingh.

Mr Ganoo: Mr Servansingh is the very person to whom the report of the psychologist was transmitted and he did not do anything, and now he is the one to go and open up the enquiry for the detention and the arrest of these two ladies!

Now, can I ask the hon. Prime Minister that the arrest of these two professionals who were acting in the performance of their duties and whose aim was to protect a minor and to denounce a suspected sexually depraved instructor; these two ladies have been made to endure such a traumatic experience and unjust treatment and this declaration has been made against them just for the sake of covering up and shielding that political protégé, Mr Deputy Speaker, Sir?

The Prime Minister: It's quite right to say that, Mr Deputy Speaker, Sir. I cannot go and prejudice an enquiry that is ongoing, but it appears that there has been a conspiracy. It appears that there have been false documents given. All this will be shown up in the enquiry. If they have falsified signatures and all this, it has to be looked into. That is what the enquiry is all about.

Mr Ganoo: Is the hon. Prime Minister aware that so far no handwriting expert has been able to say that there has been a forgery in this case?

The Prime Minister: That's not true, Mr Deputy Speaker, Sir. There has been an expert who said that there has been forgery in this case.

Mr Ganoo: Can we know the name of that expert?

The Prime Minister: He is a well and highly trained Police expert, Mr Deputy Speaker, Sir. It is not anybody; he has had specific training for this. We don't have just one expert, but it is an experienced expert who has said this. All this can be proved in the enquiry. People can challenge that also.

Mr Ganoo: In the case of Mrs S. S., there is no case of forgery against her. Does the hon. Prime Minister confirm that Mrs S. S. has been arrested, detained, and is going to be released on bail today? She is a professional who has just listened to that girl's complaint, and is this the treatment that is being meted out to her, Mr Deputy Speaker, Sir?

The Prime Minister: Mr Deputy Speaker, Sir, as I said, I cannot prejudice an enquiry. But it appears that there was an original handwritten note, with the letterhead of the MITD, which bears the signature of Mrs Joyce Antoine, and which now appears to be a falsehood.

Mr Ganoo: Yes, but what I am saying is whether Mrs S. S. is being charged with forgery. There is no case of forgery against her. Anyway, Mr Deputy Speaker, Sir, the point the Opposition wishes to make is whether the hon. Prime Minister doesn't think that Government is sending the wrong signal to all professionals of this country and instilling in them the fear that, by disclosing or exposing abuses and malpractices in their different fields and professions, they run the risk of arbitrary arrest and subject to humiliation, as these two ladies are being subjected to.

(Interruptions)

The Deputy Speaker: Order, please!

The Prime Minister: Mr Deputy Speaker, Sir, we have to be very careful. If there has been wrongdoing, naturally there will be consequences. There is an enquiry going on. The procedures are like this, unfortunately. That is why I mentioned PACE earlier on, Mr Deputy Speaker, Sir, because I also think that these procedures should be different.

Mr Ganoo: Mr Deputy Speaker, Sir, in the case of Mr Madhow, the trade unionist, the hon. Prime Minister said that he has not been convened by the Police. But I know - I put it to the hon. Prime Minister; perhaps, he has got the wrong information - that the counsel of Mr Madhow has already taken appointment with the Central CID for Friday because he has been summoned to come and give a statement under warning. In the

case of Mr Madhow, Mr Deputy Speaker, Sir, this is a trade unionist who has been made to appear before a Disciplinary Committee on six charges. He has been exculpated by the Disciplinary Committee, and yet he has been issued with a warning. Isn't that, Mr Deputy Speaker, Sir, *dominère* against a trade unionist?

(Interruptions)

The Prime Minister: Mr Deputy Speaker, Sir, that's right. The hon. Leader of the Opposition must accept that I cannot intervene...

(Interruptions)

The Deputy Speaker: Hon. Jhugroo!

The Prime Minister: ...and decide to tell the Police: 'arrest this one, but not this one and this one.' They are following the procedures. Hopefully, the truth will come out. If there is anything that is wrong, the Police will pay the consequences. But Mr Servansingh has made a statement at the Phoenix Police Station against Mr Madhow because he says that he had made unfounded allegations against MITD on radio on the day before, when he stated that the MITD was in a state of chaos, subject to political interference and all this. So, he has made the statement. He has the right too to go and make a statement.

Mr Ganoo: But all these charges have been looked into by this Committee presided by Mr Lassémillante, and he has been *blanchi*, exculpated. I put it to the hon. Prime Minister that Mr Madhow is being persecuted, victimised for having, as a trade unionist, made use of his rights of expression to comment on the abuses in the administration of the MITD. Attempts are being made to silence that trade unionist, and this is wrong for democracy in this country today, Mr Deputy Speaker, Sir.

The Prime Minister: First of all, we must establish whether that is the case; that is what the enquiry is about. You can't go on the radio and say whatever you want. You have to expect to bear the consequences of what you say. If what you say is true, fine!

Mr Ganoo: I come back to the Fact-Finding Committee. Is the hon. Prime Minister aware that, up to now, this minor student has never been asked to give a statement to the Police in any way? In such a serious case of sexual abuse on a minor student, doesn't the hon. Prime Minister agree that, in spite of the Fact-Finding Committee having been completed, the most appropriate course of action should have been for the Police to conduct a thorough and full-fledged enquiry into this case of abuse on a minor, Mr Deputy Speaker, Sir, and arrest and charge that suspect if need be on a provisional information? This would have been a fairer course for the authorities to adopt, to allow this full-fledged enquiry to go on.

The Prime Minister: Mr Deputy Speaker, Sir, in fact, the minor and her parents were asked to make a statement, but they refused. And then, they went to the Fact-Finding Committee and said all they had to say there. That is why the Chairperson of the Fact-Finding Committee who, as I said, is no less a person than a President of the Intermediate Court, then said what you said in the report which I just quoted.

Mr Ganoo: I come to the report of the Fact-Finding Committee, Mr Deputy Speaker, Sir. Doesn't the hon. Prime Minister think that if Government has nothing to hide and has no hidden motive to shield or cover up anybody, this report should have been made public for the sake of transparency?

The Prime Minister: Mr Deputy Speaker, Sir, I explained that we have no problem with the report. But the problem is that we are concerned here with a minor. We have to also make sure...

(Interruptions)

Already, what is coming out is ...

(Interruptions)

The Deputy Speaker: Order! Allow the hon. Prime Minister to answer, please!

The Prime Minister: You must also put yourself in the shoes of the minor. We have to protect her also. There are allegations. The medical report says that there has been no abuse, categorically. That is why the Fact-Finding Committee comes out so strongly against all these hearsays and all those things. We cannot just go and show it to everybody. But if the hon. Leader of the Opposition wants to have a look at it, I am prepared to let him have a look at it.

(Interruptions)

Because I know he will act responsibly, and not go and say all the details that are there to the public, hopefully. I will have to have this guarantee from him.

Mr Ganoo: Doesn't the hon. Prime Minister also think, Mr Deputy Speaker, Sir, that a sitting Magistrate and a sitting Judge should be no more requested to preside over committees and to rule on issues which give rise to political fury and political controversy? As a matter of principle...

(Interruptions)

...the Magistrates and Judges should not be dragged in into matters of political controversy.

(Interruptions)

The Prime Minister: The problem is...

(Interruptions)

I don't...

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: I don't totally disagree with what the hon. Leader of the Opposition is saying.

(Interruptions)

But the question is: who do you find who will have this aura of impartiality! If you take somebody from outside...

(Interruptions)

The Deputy Speaker: Hon. Bhagwan!

The Prime Minister: ... then people will say that this guy is close to this person or not. That is why we have gone that way. That is the only reason.

The Deputy Speaker: Hon. Bhagwan!

Mr Bhagwan: Mr Deputy Speaker, Sir, in the recent past, we have seen so many cases where the Central CID - I am measuring what I am saying, Sir - the Police have been giving the impression that they are acting as a tool by Government and other people to harass people, just for the sake of political reasons. Can I ask the hon. Prime Minister whether he will give the guarantee to the House that the Central CID will act independently, and not like a vendetta against these two or three officers involved in that case?

The Prime Minister: I can give the guarantee to the hon. Member. In fact, I must tell the hon. Member that - I also have said this many times; probably in this House also - unfortunately, the procedures of the Police follow as they are laid down. That is why we have brought PACE, where we say that people should not be arrested left, right and centre. There must be, at least, reasonable grounds to believe that they have committed something, and also you can enquire when there is reasonable suspicion. That is why we are bringing PACE. But before this becomes law, that has been the procedure all the time.

(Interruptions)

The Deputy Speaker: Hon. Bhagwan!

The Prime Minister: All the time this has been the procedure and that is why we are bringing PACE. I hope that hon. Members on the other side will welcome PACE.

The Deputy Speaker: Hon. Jugnauth!

Mr Jugnauth: Can I ask the hon. Prime Minister why the Police has not yet taken a statement from the minor and from Minister Bunwaree in view...

(Interruptions)

Let me ask the question! In view of the fact that since 03 January 2013, the Police is in presence of a copy of Emtel phone records, which proves that there have been for the period, and I cite only for period 01 June 2011 to 21 November 2011, less than six months, 1,218 calls and 2,282 SMS exchanges between the minor and the suspected pedophile and numerous phone calls also between Minister Bunwaree and the suspected pedophile.

(Interruptions)

And I can table all the copies which I have already given in a statement which I gave to the Police.

(Interruptions)

The Prime Minister: Can I ask the hon. Member, all these wide allegations - let us say allegations - are being made; why didn't he go and depone in front of the Fact-Finding Committee?

(Interruptions)

You were asked; why didn't you go and depone? You have so many information, you make allegations...

(Interruptions)

The Deputy Speaker: Order! Allow the hon. Prime Minister to answer, please!

(Interruptions)

Mr Ganoo: Is the...

(Interruptions)

The Deputy Speaker: Please go ahead hon. Leader of the Opposition!

Mr Ganoo: Is the hon. Prime Minister aware - I am sure he must be aware - that the US country reports on Human Rights Practices for 2012 talked about the situation in Mauritius, arbitrary arrest and detention and made very many acidic remarks concerning the right of citizens from arbitrary arrest and detention and this report mentioned the case of Mr Saminaden and Mr Pravind Jugnauth and this did not do any good to the reputation of Mauritius as a democracy?

The Deputy Speaker: What is your question, hon. Leader of the Opposition?

Mr Ganoo: Is the hon. Prime Minister aware of the remarks made in this report?

The Prime Minister: Mr Deputy Speaker, Sir, we have to look at it from the very beginning. This is the procedure and this is the procedure that prevails. Is the hon. Leader of the Opposition aware that I, myself, have been questioned under warning by the Police when I was Leader of the Opposition?

The Deputy Speaker: Last question, hon. Leader of the Opposition!

(Interruptions)

Mr Ganoo: Mr Deputy Speaker, Sir, ...

(Interruptions)

The Deputy Speaker: Now, please!

Mr Ganoo: Mr Deputy Speaker, Sir, my last question is: will the hon. Prime Minister agree that the biased, the arbitrary and the *dominère* approach and behaviour of the Minister of Education in this whole affair seems to have been condoned by the hon. Prime Minister, under whose direction the Police are being utilised as a political tool to terrorise and repress professionals, trade unionists in this country and this is paving the way to make of Mauritius ...

(Interruptions)

... *un État policier, un État gestapo* and a land of 'Tontons Macoutes' !

(Interruptions)

The Prime Minister: Mr Deputy Speaker, Sir, either we believe in institutions or we don't. The impression is being created in this country, with the help of some sections of the media, that once an allegation is made about the involvement of any public figure, be it politician, public body or otherwise, that this implies that those persons...

(Interruptions)

The Deputy Speaker: Hon. Barbier!

The Prime Minister: ...are guilty, that there is a cover-up and that, therefore, everything is wrong in this country, and when they are asked to depone, then they don't depone. If the facts are shown ...

(Interruptions)

Be happy, I am on record too. The facts speak for themselves, Mr Deputy Speaker, Sir, but I cannot prevent an enquiry from going on. So, there should be no enquiry against anybody in this country then!

The Deputy Speaker: Time is up! I am addressing myself to the hon. Leader of the Opposition! In view of the fact that the recording allegedly concerns the private life of a minor, I suggest that he communicates the recording to the hon. Prime Minister instead of tabling it.

Mr Obeegadoo: Mr Deputy Speaker, Sir, may I make an appeal to you?

The Deputy Speaker: I am sorry! Time is up!

Mr Obeegadoo: May I make an appeal?

The Deputy Speaker: Time is up!

Mr Obeegadoo: May I make an appeal to you?

The Deputy Speaker: Time is up! We move ahead, please!

(Interruptions)

Please! Let us listen to the hon. Member!

Mr Obeegadoo: Mr Deputy Speaker, Sir, the Speaker of this House has, in the recent past, when it is a matter of serious national interest and there are many Members wishing to put supplementary questions, the Speaker, in his wisdom, has exercised his discretion to allow a few additional questions.

Now, in this House, several other Members have asked for the right to put supplementary questions and, Mr Deputy Speaker, Sir, you have apparently not seen those Members even when they expressed the desire first.

(Interruptions)

So, may I...

The Deputy Speaker: Hon. Minister of Health, please remain silent! Let me listen to the hon. Member!

Mr Obeegadoo: I am solemnly asking the Deputy Speaker, being given the very important nature of this matter to exercise his discretion to allow the Opposition a few extra supplementary questions.

(Interruptions)

The Deputy Speaker: Hon. Obeegadoo, please!

(Interruptions)

I want silence, please! Resume your seat, please! Resume your seat, I am on my feet! Hon. Bhagwan!

(Interruptions)

Hon. Bhagwan! Hon. Obeegadoo, you raised an issue, I am going to respond to the issue that you raised.

(Interruptions)

But allow me to respond!

Mr Obeegadoo: Mr Deputy Speaker, Sir, you should...

The Deputy Speaker: Please, sit down! I should like to remind hon. Minister Bunwaree...

(Interruptions)

Hon. Patrick Assirvaden, please! Following a point that was made by hon. Obeegadoo, I would like to remind him that every chunk of business in the House is time bound and I must tell him that time has been up for this PNQ for four minutes now. We canvassed the issue amply and I am satisfied. We go ahead, please! It is four minutes. We have gone beyond by four minutes. Next item!

The Prime Minister: To assist you further, Mr Deputy Speaker, Sir, 19 minutes of supplementary questions were asked. Anyway!

AIRPORTS OF MAURITIUS LTD - EMPLOYEES - SUSPENSION

(No. B/267) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to Airports of Mauritius Ltd., he will, for the benefit of the House, obtain therefrom, information as to the reasons why five employees thereof have recently been suspended, indicating in each case, the respective -

- (a) post held, and
- (b) date of appointment.

The Prime Minister: Mr Deputy Speaker, Sir, the Airports of Mauritius Limited is a company governed by the Companies Act and its own constitution. As such, in regard to its personnel, it has its own internal procedures to recruit, to promote and institute disciplinary proceedings.

(Interruptions)

The Deputy Speaker: I want some silence in the House. Allow the hon. Prime Minister to answer!

The Prime Minister: The management of the company is vested in its Board of Directors and its day-to-day management is vested in its Chief Executive and senior management, as in the case of most companies. It would, therefore, not be appropriate for me to comment on the day-to-day management and control of employees of the company.

Mr Jhugroo: Is the hon. Prime Minister aware that Airports of Mauritius Ltd is defined as a public company where Government owns above 99.9% of shares and where public funds have been involved? So, *pour la transparence, je demande au Premier ministre de répondre au PQ que je lui ai adressé.*

The Deputy Speaker: I think the hon. Prime Minister has already responded.

Mr Jhugroo: Transparency and good governance are always mentioned by the hon. Prime Minister! Therefore, he should answer the PQ addressed to him.

The Deputy Speaker: Hon. Member, the hon. Prime Minister has already responded to your question. Has anyone got a different question? Next question!

GOVT OF MAURITIUS – INDIVIDUALS/COMPANIES - PAID DAMAGES

(No. B/268) 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 each of the cases in which the State has been advised to pay damages to

individuals/companies for wrongful actions by the Police, since April 2009 to date, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the -

- (a) reasons therefor, and
- (b) quantum thereof.

The Prime Minister: Mr Deputy Speaker, Sir, let me emphasise, right at the outset, that there is nothing new about the State being held liable in damages for wrongful acts in the course of duties by members of the Police. It happens here, it happens in all the countries.

In fact, damages paid by the State to individuals and companies following Police action date back many, many years ago. For example, from January 2003 to June 2005, payment was made by the State in seven such cases.

In regard to the specific details requested by the hon. Member, I am informed by the Commissioner of Police that from 01 April 2009 to 09 May 2013, there are six cases in respect of which Government has paid damages to individuals as a result of Police action.

It is a bit long, if the hon. Member wants me to circulate it or I can spell it out; otherwise, I can circulate the information in parts (a) and (b).

Let me emphasise also, Mr Deputy Speaker, Sir, as I have done on many occasions in the House, that one of the priorities of Government is the maintenance of public order through effective and humane policing. Accordingly, we have embarked on a significant reform programme for the Police Force with a view to transforming it into a more service-oriented organisation operating in accordance with the principles of democracy, customer care and the rule of law.

Since February 2010, the Mauritius Police Force has implemented the National Policing Strategic Framework which includes a section on “Achieving Human Rights Compliant Organisation”. The ultimate aim of this Framework is to enable the Police to make a fundamental shift from a “Force” to a “Service”, where service to the community is at the centre of policing thus ushering a new policing concept and a new culture of service.

In this context, various training programmes are dispensed by the Police Training School with emphasis on the necessity to uphold the rights of citizens and other residents.

Mr Deputy Speaker, Sir, nowadays, with modern technology to assist in the detection of crime, the trend is to move more towards scientific evidence-led enquiries. The DNA Identification Act which was proclaimed in February 2010 has also provided the appropriate legal framework for undertaking DNA tests and to use these results as evidence in a Court of law. DNA profiling now gives the Police a powerful tool to deal more effectively with criminal investigations on the basis of evidence, as opposed to confessions.

Mr Deputy Speaker, Sir, I just mentioned earlier, the Police and Criminal Evidence Bill, which has already been introduced for First Reading in the National Assembly will be a major step forward in Police

practices. It aims at providing the Codes of Conduct that will regulate the conduct of Police and other investigators carrying out criminal investigations.

The reform of our Police is a tremendous challenge, Mr Deputy Speaker, Sir, and over the past eight years Government has shown over and over again its commitment to the implementation of appropriate measures to facilitate the process. We are witnessing positive results as the number of reported cases of Police brutality shows a decreasing trend.

Mr Ameer Meea: I would ask the hon. Prime Minister if he can circulate information with regard to parts (a) and (b) of the question.

Can I ask, therefore, the hon. Prime Minister where Police has been found to be at fault and eventually damages have been paid, had there been any enquiries being done independently and what has been the outcome of those enquiries?

The Prime Minister: Normally, there is an internal procedure in the Police. They do their own check-up, whether things could have been done differently and all these, but I don't know what are the specifics. If the hon. Member asks me specifically, I can look into it.

Mr Baloomoody: The hon. Prime Minister mentioned that there have been six cases recently where damage has been paid following wrongful acts by the Police. Can I know what action has been taken against these specific Police Officers?

The Prime Minister: Not recently, from the 01 of April 2009 to May 2013. As I said, the Police normally look into it. I'll give you an example. There is a case which has been caused by an accident by the Government vehicle. They have to pay damages. What enquiry further can be done? There has been an enquiry, the Police were at fault and they have paid damages. These enquiries go to different sections of the Police. I know the Police enquired into it and if they have to refer it, they revert it further to the Human Rights Commission.

Mr Ganoo: There is a major flaw and constraint to litigants suing Government or Police Officers or Medical Officers. The Public Officers' Protection Act gives a prescription, a limit of two years only for a citizen to sue Government. My friends at the Bar know about this. Now, Mr Deputy Speaker, Sir, can I ask the hon. Prime Minister to contact the State Law Office to review that provision in our law which works a lot on injustice because very often, in cases of medical negligence, for example, the citizen who has suffered at the hands of medical practitioners, comes to know quite late about what has happened or the injury sustained and so on. I think we should review that clause in our law to enable the citizens of this country to sue Government or Medical Officers or Police Officers of the State without this handicap of having to do it within the limit of two years.

The Prime Minister: Our concept is to look into this, Mr Deputy Speaker, Sir, although I thought it starts from the day that you are aware that something is wrong, but, anyway, we can look into this.

Mr Ameer Meea: Can I ask the hon. Prime Minister if he can confirm to the House whether Government has received any letter or representation from Mrs late Ramdhonee in relation to the death of her husband, Mr Ramdhonee, who passed away in Police cell?

The Prime Minister: There has been an enquiry. All these allegations that were made have been proven to be false and therefore what else can we do?

The Deputy Speaker: Next question!

RAPE (ALLEGED) – MRS M. D. L. - INQUIRY

(No. B/269) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the case of alleged rape on one Mrs M. D. L., 70 years old, in Grande Rivière Noire, on 21 April 2013, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry carried out thereinto, indicating –

- (a) if any arrest has been effected in connection therewith, and
- (b) the additional measures taken to protect women against acts of violence and murder.

The Prime Minister: Mr Deputy Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that one Mr T.M.Q. was arrested on 24 April 2013. A provisional charge of “Rape” was lodged against him before the Black River District Court and he was remanded to Police cell up to 14 May 2013.

Mr Deputy Speaker, Sir, in regard to part (b) of the question, the Police Family Protection Unit and the Police Crime Prevention Unit address both the intervention and prevention aspects of violence and criminal offences against women. On the prevention side, the Police have recourse to intensive sensitisation campaigns targeting women and elderly persons. Also, the Police organise on a yearly basis, safety and security weeks throughout the country including Rodrigues. Through this campaign, the public are encouraged to report any suspected case of violence against women to the nearest Police Station.

On 21 October 2012, the Police also launched its Crimestoppers Scheme, which has as main function, to provide free and anonymous telephone access through line 148 to the Police in order to enable members of the public, NGOs, media or any organisation struggling to reduce crime to inform the Police about criminals and criminal activities in their area.

The Police have also, through the National Policing Strategic Framework, implemented Community Policing at the level of all Police Divisions. In each Station, there are dedicated neighbourhood Officers who are in permanent contact with the community. A total of 93,587 local residents have attended 6,208 Community Policing Fora organised by the Police.

Mr Deputy Speaker, Sir, on its part, the Ministry of Gender Equality, Child Development and Family Welfare launched a national platform to end gender-based violence in Mauritius in October 2011. The platform elaborated the policy direction to deal with this type of violence, and set up an Observatory for gender-based

violence. The national platform meets twice yearly to monitor the activities carried out by the various stakeholders, namely the Ministry of Social Security, National Solidarity and Reform Institutions; the Ministry of Education and Human Resources; the Ministry of Health and Quality of Life; the Ministry of Social Integration and Economic Empowerment and the Police Department.

Government, Mr Deputy Speaker, Sir, is currently considering amendments to be brought to the Criminal Code in order to make tougher provision for the criminalisation of acts of sexual perversion. Amongst the amendments being considered, it is proposed to increase the maximum sentence to penal servitude for a term not exceeding 60 years where aggravating circumstances are found to exist, amongst others, where death has resulted, and the alleged victim is a person with particular vulnerability such as mental deficiency, old age or pregnancy.

The Office of the Attorney General is currently working on a Criminal Code (Amendment) Bill, in order to bring these amendments, amongst others, to the Criminal Code.

Violence against women, Mr Deputy Speaker, Sir, is a societal problem, which has taken huge proportions worldwide. The Government is leaving no stone unturned to address this issue, and the concerted effort of society as a whole is necessary so as to better protect women, more particularly more vulnerable ones.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, given that in the case of Mrs M.D.L., one of the perpetrators has still not been identified and brought to Court. Can the hon. Prime Minister tell us as to whether forensic examinations have been performed and, if so, give details of evidence found?

The Prime Minister: I cannot give details of the evidence found, but Forensic evidence is being sought. The person who has been arrested has denied completely, has given alibi and other things. That is why the enquiry is taking a bit longer, but people are seeking the second person.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, should the hon. Prime Minister agree with me, that being raped by two young men both at the same time, Mrs M.D.L. has experienced a very serious human abuse and this inhuman behaviour is happening every day by our youths, which is not acceptable and should not be tolerated? Will the hon. Prime Minister take actions against the sexual objectification and dehumanisation of women's bodies in the press and media?

The Prime Minister: I agree with the hon. Member. I have heard that it was a horrible act committed by two young. That is why we are saying we want to strengthen those sanctions, the punishment. In some countries, Mr Deputy Speaker, Sir, they use chemical castration. I am wondering whether we should not use this here.

Mr Ganoo: Mr Deputy Speaker, Sir, I have a few questions if you will allow me. Since in these recent days or weeks, there have been several cases of old ladies being abused sexually, can the hon. Prime Minister tell the House whether there is a link between all these young aggressors in that they were under the influence of drugs at the time they were committing the offences? Is there such evidence in these cases?

The Prime Minister: There is no evidence as such, Mr Deputy Speaker, Sir, although this is something that we have to look at very carefully, because very often people behave in such a way when they are under the influence of drugs.

Mr Ganoo: Can I ask the hon. Prime Minister if he can suggest to the Commissioner of Police, that in all Police Stations, there should be a register of elderly persons or old couples living alone, so that all Police Stations should know, within the area which they control and supervise, where these elderly persons are living, and this, I am sure, would help in the preservation of security of these old persons?

The Prime Minister: That is a very positive suggestion that I will take up with the Commissioner of Police.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, should the hon. Prime Minister agree with me that change in behaviour and attitudes need to start at an early age and to see to it that learning materials used in schools need to challenge the social stereotypes prejudice and social acceptance of male domination and to ensure that boys and girls in every school are being educated on human rights and gender equality?

The Prime Minister: Mr Deputy Speaker, Sir, I agree we have to start with the children. That is why in the project that I have started - NICE - we are also telling them about real values in life and perhaps the hon. Member might be interested to come and have a look. But this is what we are doing.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, does the hon. Prime Minister understand that the physical and psychological damages of Mrs M.D.L. is not only an individual matter, but the sufferings of all women who have been raped or tortured and he will give consideration to have a trained and equipped Gender Unit, including Psychologists and trained women specialists to perform the forensic examinations within the Police Force to handle such cases?

The Prime Minister: That is generally the case, but, as I said, we also have to look at the strengthening of the law. But that is done with the case, we tend to have Women Police Constables to examine as far as possible, otherwise we wait.

HELICOPTER SQUADRON – FLASH FLOODS – RESCUE EXERCISES

(No. B/270) Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the flash floods of 30 March 2013, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the helicopters of the Helicopter Squadron participated in the rescue exercises and, if so, the number of times they so participated, indicating in each case, at what time and, if not, the reasons therefor.

The Prime Minister: Mr Deputy Speaker, Sir, the Police Helicopter Squadron set up since 16 September 1974, is entrusted with various policing tasks including, *inter alia*, combating drug trafficking, providing maritime surveillance, carrying out Search and Rescue Operations and medical evacuations.

Mr Deputy Speaker Sir, there are safety requirements before any helicopter can be allowed any *sortie*, amongst them is the prevailing weather conditions. Thus, helicopters should avoid flying in clouds and heavy rains, especially when they are close to the ground because the risk of accident is increased.

I am informed by the Commissioner of Police that on 30 March 2013, although visibility in the affected regions was impaired by low clouds and heavy rains, two Police helicopters were brought into action.

They undertook five operations and one person was rescued at Canal Dayot and he was conveyed to Sir Seewoosagur Ramgoolam National Hospital.

The Police Helicopter Squadron has, from January to 09 May 2013, carried out 31 Search and Rescue Operations and successfully rescued seven persons in these operations.

Mr Seeruttun: M. le président, est-ce que l'honorable Premier ministre peut nous confirmer si, de ces deux hélicoptères qui avaient fait une sortie le 30 mars, un était sorti juste pour faire déplacer le Commissaire de Police de Vacoas pour faire une virée sur Port Louis et puis retourner sur Vacoas et après rentrer à l'aéroport?

The Prime Minister: Mr Deputy Speaker, Sir, the two helicopters were used specifically for looking at where they can go and help. There are five helicopters in the fleet, as you probably know, and two were on standby, if needed to be used, they can be used. One is actually being serviced in India. So, there are four available at the moment.

Mr Seeruttun: Peut-on savoir pourquoi seulement deux ont été utilisés ce jour-là, alors qu'il y avait un besoin pour que tous les hélicoptères se mettent au service de ceux en détresse ?

The Prime Minister: I just explained, Mr Deputy Speaker, Sir, there are safety requirements. It was felt that it was dangerous, but, in spite of that, they allowed two of the helicopters to fly and to try to see whether they can actually, because there were low clouds and very heavy rains. But the two were on standby. And if the Commissioner of Police needs a helicopter or even the Prime Minister, they can take it, but not in this case, because these two were actually doing that job.

Dr. S. Boolell: Mr Deputy Speaker, Sir, thank you for allowing me to ask a question after having ignored me earlier.

The Deputy Speaker: Please, go straight to your question!

Dr. S. Boolell: I am thanking you, Mr Deputy Speaker, Sir. At least, I have to do that.

(Interruptions)

The Deputy Speaker: The hon. Member is wasting the time of the Assembly.

Dr. S. Boolell: Thank You, Mr Deputy Speaker, Sir. May I ask the hon. Prime Minister whether there is a protocol for helicopters to land in areas of major emergencies, including the flash foods and road traffic accident areas, which would allow them to carry patients to hospitals with landing zones in our hospitals?

The Prime Minister: We can't have landing zones all over the country, unfortunately, but they use winching as well. They do not actually have to land all the time and this is what they used at Canal Dayot. They did not, actually, land, but they did, actually, winch the person off.

(Interruptions)

Mr Jugnauth: May I know from the hon. Prime Minister at what time the two helicopters went out for rescue operations and why is it that they took so long in order to attend to the first rescue operation?

The Prime Minister: It depends when they were told where to go, Mr Deputy Speaker, Sir. They started operating as soon as it was felt that they were needed to see whether they could actually go out. As I explained there were very heavy rains and also, we all know, there were low clouds. So, they have to look at the security of the helicopters as well, but they did go out and they did make...

(Interruptions)

- not one *sortie* - many *sorties*. But in the case of Canal Dayot, they actually winched the person away.

Mr Jhugroo: How do you explain, hon. Prime Minister...

The Deputy Speaker: Please, address the Chair!

Mr Jhugroo: Yes. How does the hon. Prime Minister explain that *pendant les fêtes de l'indépendance, on voit de belles acrobaties faites par le personnel de l'hélicoptère, mais quand il y a eu cette tragédie du 30 mars 'zéro plombaz' ; on n'a pas vu les hélicoptères pour venir sauver des vies humaines...*

(Interruptions)

The Deputy Speaker: What is your question?

Mr Jhugroo: When you see what is going ...

The Deputy Speaker: Hon. Jhugroo, put your question?

Mr Jhugroo: The question is: how do you explain for this? How do you explain '*bel bel acrobatie*' on 12 March and whenever people are drowning in this country, '*zéro plombaz*'; no presence of the helicopters?

The Deputy Speaker: I think that the hon. Prime Minister has already answered the question. Next question, please!

The Prime Minister: Mr Deputy Speaker, Sir, if you will allow me. This is an untruth and this is the kind of propaganda the Oppositions do. I have just explained from January to 09 May, 31 Search and Rescue Operations were made and 7 persons were rescued. In that case, on that day, one person was winched. On the Independence Day, if the hon. Member was not there, it was raining; there were heavy clouds and heavy rains.

CITÉ MALHERBES – INCIDENT – 09 DECEMBER 2012

(No. B/271) **Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the incident that took place on the eve of the 2012 Municipal Elections at Cité Malherbes in Curepipe, whereby a candidate of the MMM/MSM alliance was allegedly physically assaulted, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry carried out thereinto.

The Prime Minister: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that on 09 December 2012 at 00 35 hours, one Mr S.A. made a declaration at the Curepipe Police Station to the effect that

on 08 December 2012, while he was sitting in his car along Charles Baudelaire Street, Cité Malherbes, Curepipe, one Mrs S.L. made some nasty remarks to him. Thereafter, two other persons accompanying her assaulted him.

I am also informed by the Commissioner of Police that on 09 December 2012 at 01 20 hours, Mrs S.L. made a declaration at Eau Coulée Police Station stating that on 08 December 2012, while she was engaged in political activities together with other activists of her party along the same street, that is, Charles Baudelaire Street, Cité Malherbes, Curepipe, she saw Mr S.A. stopping his vehicle along that street. She approached him and cautioned him about his activities. Mrs S.L. alleged that Mr S.A. grew vexed and assaulted her. Police have completed its inquiry into the case and the file has already been forwarded to the Office of the Director of Public Prosecutions for advice.

Mr Seeruttun: Cet incident a eu lieu dans la soirée du 08 au 09 décembre en présence d'un *Senior Minister* et le nom de l'agresseur a été communiqué à la police. Est-ce qu'on peut savoir si cette personne en question a été interrogée par la police?

The Prime Minister: I just said there are two versions, both of them say they have been assaulted - not just one person, but both persons - and both of them gave declarations; one Mr S. A. gave it at 00 35 hours and Mrs S. L. gave it a bit later, sort of one hour later. So, you cannot say just one, but not the other, that is why the Police did an enquiry and that is why the file has been sent to the DPP.

Mr Seeruttun: Vu qu'il y a deux versions, il y avait aussi beaucoup de témoins ce soir-là, est-ce qu'on a pris les témoignages de ceux qui étaient présents lors de cet incident pour savoir qui dit la vérité ?

The Prime Minister: This is the basic procedure for the Police to try to get all the statements they can get.

DOGS - ATTACKS - CASES

(No. B/272) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to attacks by ferocious dogs on members of the public, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases thereof, over the past two years.

The Prime Minister: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that from 09 May 2011 to 09 May 2013, the number of cases of attacks by dogs on members of the public reported to the Police is as follows -

<u>Year</u>	<u>Number of cases reported</u>
09 May to 31 December 2011	102
2012	101
January to 09 May 2013	27

Mr Deputy Speaker, Sir, since 18 January 2011, the Ministry of Agro-Industry and Food Security has decided not to grant import permit in respect of breeds of dog which are considered as dangerous.

Let me add, Mr Deputy Speaker, Sir, that the Ministry of Agro-Industry and Food Security is finalising, with the Attorney General's Office, the Animal Welfare Bill, which will be probably the first comprehensive piece of legislation which will cater for the welfare and control of animals, including dogs.

The Bill will also regulate dog keeping and dog breeding.

Mr Nagalingum: Can I know from the hon. Prime Minister whether there is a classification of ferocious dogs and whether these dogs have been banned for importation and for breeding?

The Prime Minister: They have been banned for importation, Mr Deputy Speaker, Sir.

Mr Obegadoo: Mr Deputy Speaker, Sir, the hon. Prime Minister will undoubtedly agree that there have been some yet additional very alarming cases recently. Is the hon. Prime Minister aware that in July 2009 to a question from hon. Mrs Hanoomanjee he stated that "the Ministry of Agro-Industry is having consultation with the Attorney General's Office concerning revision of existing legislation"? Is he aware that on 22 June 2010 in response to hon. Ameer Meea he stated that "I have already given instructions to the Minister for the elaboration of a Dogs Control Bill"? Is he aware that on 06 December 2011 in answer to hon. Lesjongard, he stated that "the Ministry is presently finalising the Bill"? And is he aware that on 13 December 2011, in response to hon. Mrs Hanoomanjee, he said that the Ministry is finalising the Dangerous Dogs Bill? Will he undertake that this Bill is to be presented, laid before the House in the very near future?

(Interruptions)

It is a serious matter; we need to revise the legislation to afford appropriate protection to citizens of the country.

(Interruptions)

The Prime Minister: Mr Deputy Speaker, Sir,...

(Interruptions)

The Deputy Speaker: Hon. Bhagwan, please!

The Prime Minister: ...bites by dogs did not start in 2005; they started a long time ago. There have always been attacks by dogs. You wonder why the hon. Member, when he was in Government, never thought...

(Interruptions)

...of bringing...

(Interruptions)

Why? He never thought ...

(Interruptions)

And now he wants us to do it ...

(Interruptions)

The Deputy Speaker: Order, please!

(Interruptions)

The Prime Minister: For five years, they did nothing! So why?

(Interruptions)

So why?

(Interruptions)

Let me explain, because it is very easy...

(Interruptions)

The Deputy Speaker: Order!

(Interruptions)

The Prime Minister: Let me explain, if they want to listen, they listen!

(Interruptions)

Let me explain! They think to start...

(Interruptions)

The Deputy Speaker: Hon. Jhugroo, you are interrupting the hon. Prime Minister!

The Prime Minister: I just explained, Mr Deputy Speaker, Sir, we don't want to bring just legislation; it is a comprehensive one; it is being relooked at. It is comprehensive. We are looking at the list. Some of the dogs - perhaps people will be surprised - I don't think should be on the list. But they have been put on the list. We have to relook. We have to ask authorities from abroad. It takes a long time and we are doing a comprehensive legislation, we will bring it when it is ready and not when the hon. Member decides it should be ready.

(Interruptions)

PUBLIC INSTITUTIONS & PARASTATAL BODIES – GOOD GOVERNANCE

(No. B/273) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the parastatal bodies and public-owned companies, he will state when will he come up with the changes he had proposed to bring at the head of the non-performing ones, especially with regard to good governance and accountability.

(Interruptions)

The Deputy Speaker: Hon. Jhugroo!

The Prime Minister: Mr Deputy Speaker, Sir, as the House is aware, in line with our commitment to improve the governance framework in our public institutions, particularly in our parastatal bodies, the Government has re-organised the former Management Audit Bureau into an Office of Public Sector Governance (the OPSG, as we normally call it). It operates under the aegis of my Office and is tasked with the responsibility to ensure that public sector management becomes more outcome oriented and is in line with the best practices of governance, in particular those relating to transparency and accountability.

Mr Deputy Speaker, Sir, if we really want to turn around those entities which are underperforming, we need more than simply a change of people at the top. We need a complete re-engineering and revamping of non-performing or low-performing organisations in order to ensure that they remain fit for purpose and support the

economic development of the country and provide quality service to the population. This is precisely the sort of tasks that the OPSG has set about to do.

Mr Bhagwan: Recently, the Prime Minister announced a tsunami and we have seen, Sir, so much incompetence at the Head of certain parastatal bodies. I will only mention two: the Road Development Authority recently and the National Transport Corporation. The Prime Minister has just stated that it depends on the people at the top. But there are too many people who have been appointed and he himself has stated on many occasions that they are very incompetent and they are doing nothing and they are A, B, C (*Assizé Bèze Casse*). Can I ask honestly the Prime Minister on behalf of the country itself to make sure that these incompetent people at the Head of certain parastatal bodies or Government-owned companies, where there are people making not only money, but being like super kings, at least, for the interest of the taxpayers – *ils sont comme des potentats dans plusieurs de ces corps paraétatiques*. Can the Prime Minister, at least, bring this tsunami - he has been talking about tsunami - act rapidly? There are only two years remaining or less for the Prime Minister...

The Deputy Speaker: What is your question, hon. Bhagwan?

(Interruptions)

Mr Bhagwan: To replace all these *potentats*!

(Interruptions)

The Prime Minister: I thought, Mr Deputy Speaker, Sir, that we were going to see a tsunami on 01 May!

(Interruptions)

5000 people a tsunami! What tsunami?

(Interruptions)

No tsunami! No tsunami! 5000 people!

(Interruptions)

5000 people!

(Interruptions)

They should have got more!

(Interruptions)

The buses were free!

(Interruptions)

All the buses, *pane fouti faire*!

(Interruptions)

Atane to pu gueter!

(Interruptions)

There was no tsunami!

(Interruptions)

And let me...

(Interruptions)

The Deputy Speaker: Order! Order!

The Prime Minister: Let me tell him...

(Interruptions)

The Deputy Speaker: Order! Hon. Bhagwan, allow the hon. Prime Minister to respond to your question!

(Interruptions)

The Prime Minister: I know that ...

(Interruptions)

The Deputy Speaker: Order, please!

(Interruptions)

The Prime Minister: I know they were looking for the tsunami, but they did not get.

(Interruptions)

But let me tell him something else!

(Interruptions)

Let me tell him something else! I am sure the hysteria of the hon. Member is totally sincere; I can understand it.

But let me say something else, Mr Deputy Speaker, Sir...

(Interruptions)

Perhaps the hon. Member does not know, let me tell him!

(Interruptions)

The OPSG has already conducted a survey. We need to do it in a holistic approach and not just the person, but also the regulations and all those things.

A survey of 32 parastatal bodies has already been done, Mr Deputy Speaker, Sir. This has been completed and now my Office is in the process of looking at the recommendations that have been made. I do not want to go through all these, but let me say that this exercise has started. I also want to inform the hon. Member that reviews have been conducted by ICAC into the parastatal and State-owned enterprises. They have made some 320 recommendations to improve the existing system.

Furthermore, Mr Deputy Speaker, Sir, as was announced in the Government Programme 2012-2015, a Public Sector Anti-Corruption Framework has been developed and is being implemented in some 18 State-owned enterprises. I could go on and on, Mr Deputy Speaker, Sir. Let me say that there has been progress since we have started this. For example, in the sugar sector, six service providing institutions have been merged into one apex body, the Mauritius Cane Industry Authority. As a result of this measure, Cess funding has been reduced from Rs519 m. for the crop of 2010 to Rs287 m. for crop 2011, and we expect it to be again reduced to Rs278 m. for the year 2012. Similarly, a number of permanent employees have been reduced from 908 to 490.

Mr Deputy Speaker, Sir, I would also like to highlight the fact that, prior to 2012, there were 16 parastatals operating under the aegis of the Ministry of Agro-Industry. Now, there are only eight in operation.

The Deputy Speaker: Time is up! The Table has been advised that Parliamentary Question B/277 has been withdrawn. I suspend the sitting for one and a half hours for lunch.

ATTORNEY GENERAL – ROAD ACCIDENT

(No. B/277) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Prime Minister, Minister of Defence, Home Affairs and External Communications, Minister for Rodrigues whether, in regard to the recent road accident which occurred in Quatre Bornes involving car AG 1123, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand as to the inquiry carried out thereinto, indicating if the hon. Attorney General was involved therein.

(Withdrawn)

At 12.54 p.m. the sitting was suspended.

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

The Deputy Speaker: The Table has been advised that Parliamentary Question B/287 has been withdrawn.

SAVANNE & BLACK RIVER - SQUATTERS

(No. B/281) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Minister of Housing and Lands whether, in regard to the 312 squatters presently living in Constituency No.14, Savanne and Black River, who are eligible for regularisation, he will state where matters stand.

Dr. Kasenally: Mr Deputy Speaker, Sir, I wish to refer the hon. Member to the previous replies I made to Parliamentary Questions B/221 and B/588 of 05 June and 23 October 2012 respectively.

In respect of the regularisation or location of these 312 squatters, there are 132 lots available at Bambous (near the Black River District Council), Camp Levieux and Coteau Raffin. Prior to the allocation of these lots, the sites need to be provided with basic infrastructural amenities such as roads, water and electricity. Funds to the tune of Rs54.3 m. have already been earmarked for the provision of these amenities on these three sites. A request for proposal for consultancy services has been launched in that respect, and it is expected that works on site would start soon.

Mr Deputy Speaker, Sir, the allocation of the 132 lots is as follows: 76 are being allocated to squatters residing at La Ferme, 39 to squatters at Karo Kalyptis and Case Noyale. The remaining 17 lots are to be allocated to other eligible families presently squatting on other sites of Constituency No. 14.

Mr Deputy Speaker, Sir, in respect of the remaining cases, most of them are located at Dilo Pourri (45), Coteau Raffin (31), Eau Bonne (24), and African Town (70).

Due to the specific location of the site being occupied by 45 squatters at Dilo Pourri, Le Morne, my Ministry is currently undertaking a topographical survey of the land to assess the advisability of regularising their situation on the same site or whether they have to be relocated. In case the families may be regularised on

site, the land will have to be retrieved from the Forestry Service of the Ministry of Agro-Industry and Food Security, and allocated to the families.

6 of the 31 cases at Coteau Raffin may be regularised on site. However, the 25 cases at PG Complesse de Lamarque, Coteau Raffin, have to be relocated as the land is marshy and prone to flooding. Thus, the site is unsuitable for construction purposes. The identification of an alternative site for their relocation is underway.

The situation at Eau Bonne has been further complicated by the addition of some 25 new families who have invaded the place since December 2012. My Ministry proposes to relocate the 25 initial squatters from the site, as it is found within the buffer zone of La Ferme reservoir. However, in respect of the new squatters, an exercise is being carried out to identify those who are already owners of land or lessees of State lands in Rodrigues.

As regards the squatters at African Town, Riambel, the situation there, Mr Deputy Speaker, Sir, is very serious. I have to inform the House that the invasion of some 70 families over a plot of State land at African Town, Riambel, has been followed recently - I mean during the last few months of 2012 - of another 30 families, bringing the total to some 100 squatters. The land that has been squatted is marshy and unsuitable for residential purposes. The squatters thus have to be relocated. However, I reiterate that, as a responsible Government, only the genuine cases will be considered. A comprehensive survey is thus being undertaken to gain an in-depth insight of the situation, and determine issues such as socioeconomic status of the families, eligibility for the site leases, and land ownership.

Of the remaining 27 cases, 3 have been regularised in the region of Surinam and Riambel. The others are scattered and are being processed on a case-to-case basis upon the submission of the relevant documents.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, given that many of these poor families squatting the land at La Ferme, Bambous, African Town, Riambel, Le Morne, Karo Kalyptis, Case Noyale and Coteau Raffin are being denied access to their fundamental basic rights like water and electricity, can the hon. Minister tell us whether these families and children have to be regularised first or relocated before they can enjoy the same basic human rights as other citizens of this country?

Dr. Kasenally: Mr Deputy Speaker, Sir, I think most of them have been given their human rights, but you cannot go and squat anywhere and expect Government to be providing electricity and water on the spot. Most of them are having it. As I have said, we are spending Rs25.4 m. for these basic infrastructures. Government is trying to do as much as it can. We are not denying wilfully, deliberately or maliciously. We are trying to help a situation which is difficult. As I have mentioned, we had 30 people who just squatted over the month of December. As far as African Town, Riambel, is concerned, we cannot provide there. They should never have been there because it is marshy. With the recent rains, they have been having problems. As far as we can, as a caring Government, we are trying. It is basic human rights to have this, but there are certain imperatives that we have to respect.

Mrs Radegonde-Haines: Mr Deputy Speaker, Sir, I understand the point of the hon. Minister, but my point here is that there are people who are poor and really cannot obtain or buy a plot of land. What is the caring Government doing to help these people have a plot of land, make application for social housing or any plans? What is the Government doing to prevent people from squatting?

Dr. Kasenally: Mr Deputy Speaker, Sir, we are trying. In fact, I have said how we are trying to place them somewhere. To prevent them from squatting may not be easy because some of our Members of Parliament - whom I respect actually - have been encouraging them to squat at African Town, Riambel. They have been given ...

(Interruptions)

... nails, pieces of wood, and tin sheets.

(Interruptions)

However, we have to have some order. Those who have been regularised are having their piece of land, water and electricity, and then you have somebody else coming and be a nuisance to them. We have to have some discipline in life, otherwise, we are doomed.

Mr Ganoo: Mr Deputy Speaker, Sir, I want to come back on this question of utilities, namely the provision of water and electricity. May I ask the hon. Minister whether the Government should not take a principled position that before he is granted the formal list, because it takes time to regularise squatters, it takes five years, and sometimes less or more! But, in the meantime, once Government knows that they will never be asked to leave this particular plot of State land even though they have not been granted their formal lease, why can't the Government issue a document so that they can produce it at the CEB or the CWA for them to be provided with these? This is what used to be done in the past; I don't know whether the hon. Minister has put an end to the practice, but I appeal to him to see to it that these squatters are provided with same although they are not formally lease owners.

Dr. Kasenally: Far from it, you yourself, as Minister of Public Utilities, know full well that we sometimes have to cave in - I would say cave in - because it is against the law, but, however, we are closing one eye and a lot of them are having it, even at Cité La Cure and also at Bambous. They have not been given the lease, but they have been given. We have to be very careful not to let the floodgates open. We have to have a bit of controlling, but they are being given. It is not a practice which has been stopped.

Mr Ganoo: I come to the area of Karo Kalyptis which the hon. Minister has mentioned. He has said that there are 39 squatters who are going to be regularised and who will have to move somewhere else, I think to La Gaulette. May I ask the hon. Minister to look into the particular case of Karo Kalyptis at Case Noyale? There are more than 39 squatters and they have been staying for as long as the other ones who, thank God, will be regularised soon; but there are more than 39 squatters and I will ask the hon. Minister if he can ask his Officers to look into the case of all the squatters of Karo Kalyptis. There are some other squatters who are as deserving as those who have been regularised.

Dr. Kasenally: In fact, we have to look at them, as you say, with a very compassionate attitude, but there is a limit to where we can go but most of them have been identified. The problem is that there is not much land in that region. Probably, we will have to move them. In fact, some people from Karo Kalyptis or even Coteau Raffin will have to come to Bambous.

OMBUDSPERSON - 2011-2012 REPORT - CHILD DEVELOPMENT UNIT

(No. B/282) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Gender Equality, Child Development and Family Welfare whether she will state if she has taken cognizance of the observations of the Ombudsperson for Children in her 2011-2012 Report regarding the Child Development Unit and, if so, indicate the remedial measures she proposes to take in relation thereto.

Mrs Martin: Mr Deputy Speaker, Sir, with your permission, I will reply to Parliamentary Question Nos. B/282 and B/283 at the same time as they relate to the same report and the same Unit of my Ministry.

I have taken cognizance of the observations of the Ombudsperson for Children in her 2011-2012 Report regarding the Child Development Unit (CDU) and the shelters.

The Ombudsperson for Children has made various recommendations for an enhanced service delivery by the CDU, and for the monitoring of shelters for the welfare of children placed thereat by my Ministry. I wish to inform the House that prior to the publication of the report various remedial actions were already underway at the level of my Ministry.

As regards the CDU, services to children are dispensed through six Bureaux across the island. These Bureaux are staffed with a team of professionals provided with logistics, including transport services.

For a proximity service and targeted approach, my Ministry aims at setting up one Child Protection Service in each district. With resources made available this year under my Ministry's budget and with the support from CSR funding, a first Child Protection Unit has been set up at Vacoas. It is operational since the end of April 2013 and the official launching will be made tomorrow by the hon. Prime Minister.

In conformity with the Ombudsperson for Children's recommendations, this new and modern service offers a conducive environment with a child-friendly corner. Moreover, the staff thereat is working in a better environment and subject to availability of funds, this model child service will be replicated at Goodlands where additional space has already been obtained and I shall pursue efforts to find the necessary resources for the same modern service in other districts.

My Ministry also agrees that capacity building is crucial for people dealing with vulnerable children. In this respect, training of frontline officers working with children is an ongoing feature. Furthermore, continuous training of stakeholders on child-related issues is carried out on a regular basis.

In the same vein, I have approached Development Partners in Mauritius to explore the possibility of obtaining services of technical experts in the field of child welfare. My Ministry will pursue the matter with relevant authorities in accordance with existing procedures.

As regards the Ombudsperson's recommendation on the need to re-visit the role of the CDU, I am to inform the House that my Ministry has already taken action to carry out an audit of the Unit. In the meantime, a reshuffle exercise of the staff of the CDU was effected in 2012. Moreover, some of the activities formerly undertaken by the CDU and related to information, education and communication, have been entrusted to the National Children's Council.

My Ministry will also commission a National Child Protection Strategy for a holistic planning with respect to child development and child protection.

For a coordinated approach on children's issues, a High Level Working Together Committee has been set up since 2010. To date, eight Memoranda of Understanding (MoU) have been signed. My Ministry is presently working with the remaining stakeholders. Finalisation of MoUs with the Police Department and the Ministry of Social Security, National Solidarity and Reform Institutions is under way.

With a view to improving service delivery, my Ministry is also working on the Children's Bill and a web-based Child Protection Register.

Mr Deputy Speaker, Sir, as regards the Ombudsperson's recommendations on shelters, the majority of issues are already covered by my Ministry. Regular monitoring visits, including surprise visits, are effected at these shelters. Interactions are encouraged between officers and children to enable the latter to voice out their conditions of living and other issues regarding their welfare.

Furthermore, psychologists of the Ministry hold counselling sessions with the children to facilitate their reintegration in mainstream society. One additional psychologist and one psychiatrist will soon be recruited on a sessional basis by my Ministry for counselling at the shelters. My Ministry will reinforce the monitoring and supervision of shelters through the setting-up of an Inspectorate system for a periodic review of placement of children.

To ensure compliance and harmonisation pertaining to the '*prise en charge*' of children under Court Order, a list of "Do's and Don'ts" has been issued to managers of all shelters in November 2012. Additionally, I have initiated in April 2013, a consultative process with managers of shelters with a view to taking stock of their concerns and proposals regarding the welfare and development of children. I have also requested them to share the best practices among themselves for an improved service delivery.

Mrs Ribot: Mr Deputy Speaker, Sir, in her Report, the Ombudsperson for Children pointed out that in the case of children placed in Residential Care Institutions no basic data, neither family background nor medical history is submitted along, which renders very difficult the quality of care, health services and safety to be provided to the child by the RCI. I would like to know from the hon. Minister whether she is going to see to it that those very important basic data are submitted to the RCI once the child is admitted there.

Mrs Martin: Mr Deputy Speaker, Sir, I must say that when a child is removed from its original place and placed in a place of safety or a shelter, sometimes it is difficult to obtain the relevant papers at the time when Officers are removing the child, but the necessary is done at the level of the CDU as far as possible and in cases

where those papers are not available, there are also different procedures that are done to be able to try and obtain those papers in the shortest delay.

There is also a medical examination to which the child is subjected to. We try at the maximum to see in what way we can cater holistically for that child.

Mrs Ribot: Mr Deputy Speaker, Sir, I would like also to know from the hon. Minister whether she is going to see to it that Officers of the CDU now get a better working environment since the Ombudsperson for Children pointed out dysfunctional workplace, poor working conditions, cramped offices, files stacked everywhere and no personal computer for those CDU Officers.

Mrs Martin: Mr Deputy Speaker, Sir, as I have indicated in my answer, we are very much aware of the difficult conditions in which the CDU Officers are actually working. But it is also subject to availability of funds. Sometimes it is difficult to be able to provide them with a better environment. We are nevertheless trying to do that. I have indicated that a first Child Protection Service has been set up with a child friendly environment, including appropriate amenities for the staff at the same time. We are aiming at having one in every district and I will pursue effort to make possible that there is a Child Protection Service in every district of the country with a conducive working environment for the Officers of CDU.

Mrs Ribot: Mr Deputy Speaker, Sir, I would also like to know from the hon. Minister how she intends to address the observation of the Ombudsperson for Children that in some shelters children are not going to school and she recommended that those children should join the mainstream schooling.

Mrs Martin: Well, Mr Deputy Speaker, Sir, there are some cases, for example, for children who are put into shelters, the situation of the child going to school or not is considered on a case to case basis. Some children have accumulated a lot of *retard*, in fact, in their schooling and they are taken care of at the level of the shelters themselves where they are given *un cours de rattrapage*. However, as far as possible, all the children who are in shelters do go to the schools within the vicinity of those shelters, because we really want all children to be going to school as in conformity with the law.

Dr. S. Boolell: May I ask the hon. Minister whether the services of the CDU units are available over the weekends and especially after hours in matters of children who are children of divorced parents and when there are a lot of allegations being made on children who are sent back to their parents?

Mrs Martin: Mr Deputy Speaker, Sir, the services of CDU are on a 24-hour basis. We have some officers who are on rotation with regard to taking care of the different cases around the island and we also have a hotline on which the general public can call in order to report any sort of case.

Mr Ganoo: Can I ask one question to the hon. Minister concerning *les foyers*? I think this came to light when the problem of *Foyer Namasté* was raised recently. How does the hon. Minister make sure that people who are employed at the *foyer* are people who have received proper training in order to look after these children, especially the disabled children? What guarantee does the hon. Minister or the Ministry has that these people are

fit and proper persons, not only in terms of training but also in terms of their *passé*, and that they are appropriate employees who are proper and fit persons to look after these children?

Mrs Martin: Mr Deputy Speaker, Sir, this is, I must admit, one of the main problems we have, especially with regard to shelters which are ruled by private institutions. The Ministry does not have the right to interfere in the day-to-day running of private institutions. However, we also have *un droit de regard* on the different activities which are done with the children that we place there. That is how, with regular monitoring and, at the same time, queries that we may ask to the institutions, we are able to sort of monitor the activities. But, in fact, that is one of the main problems. We do not have any data regarding the recruitment of the staff at the different shelters, especially those who are, in fact, ruled by private institutions or private Boards.

Mr Obegadoo: Mr Deputy Speaker, Sir, there are two questions in one, so I have two supplementaries. First, concerning the CDU, I am sure that the hon. Minister is aware that the judgment of the Ombudsperson was a damning one as concerns privacy. If I may quote -

“There is no privacy when offering counselling services, especially to children who may be easily intimidated. The lack of confidentiality impedes on the relationship between the officer and the client. No climate of trust can be established and self-disclosure becomes difficult.”

Given what the Ombudsperson has to say, given that it has taken Government three years to open a modern unit in Vacoas and the one in Goodlands will be subject to availability of funds, God knows when. My point is: will the hon. Minister not agree that there is a case to urgently enlist the collaboration of other Ministries which have Social Security Officers, Labour Officers and Citizens Advice Bureaux, to have, at least, one room made available for parents and relatives of children to come where there is an officer, on a permanent basis during office working hours, to give required attention within a climate of privacy?

Mrs Martin: Mr Deputy Speaker, Sir, I have indicated that Officers of CDU are working in difficult conditions and this is something that we need to acknowledge. However, like we have seen, we are trying to improve the current situation. The operation of the CPS in Vacoas has already started since April and for Goodlands, the place has already been found and we are expecting also that under CSR - because we have quite a few companies who are willing to give us support to be able to establish other CPS. If this principle is agreed upon at the level of the Ministry of Finance and Economic Development and the CSR Committee, we can proceed in a quicker manner to be able to open a few more CPS. Because in the CPS, there are places which are dedicated in a child-friendly environment where all sorts of meetings including the statement taking as well the psychologist sessions can also be arranged in a more child-friendly environment.

Mr Jugnauth: Mr Deputy Speaker, Sir, the hon. Minister has mentioned that she has, in fact, issued guidelines with regard to the management of the shelters. May I know when were the guidelines issued, and if she can table the guidelines with regard to the do's and the don'ts that she has just mentioned?

Mrs Martin: Indeed, Mr Deputy Speaker, Sir. I indicated in my answer that the list of do's and don'ts has been issued to all Managers of shelters in November 2012 and I can table it for the hon. Member to consult.

Mr Baloomoody: In a reply to the hon. Leader of the Opposition, the hon. Minister said that she has no control on the staff of the private shelters. This is an important issue. Is she coming forward with regulations or, if need be, we have to amend the law to ensure that the qualifications, the antecedents and *le certificat de moralité* of all to regulate so that the Ministry has control as to whom a private home can employ?

Mrs Martin: Mr Deputy Speaker, Sir, I have indicated that, indeed, this is a problem for us. We want to find a solution to this. We have already consulted the State Law Office in the prospect of coming up with the Children's Bill and we are hoping to have means to be able to have a say in the general running of the shelters, especially where we place the children with regard to children under Court Orders which are under our purview.

Mrs Ribot: Mr Deputy Speaker, Sir, I have two last questions. The first one is: I would like to ask the hon. Minister if she could give us the criteria according to which a shelter is declared a place of safety and the criteria according to which that appellation is removed from a shelter. That is my first question. The second question is: I heard the hon. Minister say that the CDU was operating on a 24/7 basis. However, the Ombudsperson for Children points out the inadequate transport facilities to respond whenever and wherever a child is at risk. I would like to ask her what is the number of vehicles attached to each of the outstations.

Mrs Martin: Mr Deputy Speaker, Sir, the designation of appellation of place of safety is clearly stipulated in the law; what is being called appellation of safety and when the hon. Minister can designate that. As regards the removal of appellation of safety, it is, I think, when we have reasonable grounds to believe that a child is in danger, the Ministry must act, and that is one of the reasons why we suspended, for example, the appellation of safety with regards to *Foyer Namasté*.

As regards the third question - because there are three in one - of the hon. Member, it is related to the transport facilities. Indeed, we have one vehicle attached to each Support Bureau of the Ministry and, of course, sometimes there may be impediments to reach the location in appropriate time, but we are doing the utmost which we can with regard to the six vehicles which are attached to our different Family Support Bureaux and CDU Offices.

Mr Obeegadoo: Mr Deputy Speaker, Sir, I refer to the second question. I am very alarmed by what the hon. Minister said earlier about non-schooling of children. Given that the law is clear that every child between the ages of 5 and 16 must be schooled and being given that it is not the role of Government to either act in breach of the law or to disregard the law, how can she inform the House that children are not going to school because they have accumulated - to quote her - a certain '*retard*' and that they are being tutored within the centres? I put it to the hon. Minister that this is the responsibility of the Ministry of Education and Human Resources. These children must go to school and it is also about the socialisation process.

Mrs Martin: Mr Deputy Speaker, Sir, when we talk about children under Court Orders and children which the Ministry takes care of as regards child protection, we try to work within the best interest of the child and sometimes when that child has accumulated so much delay in learning, the socialisation process within a school environment becomes difficult. What we try to do is give that child *l'encadrement nécessaire* so that we

can make him or her able to better enter the school premises and be better equipped to face the schools' challenges, get him ready to do that. Inside the shelters, there are certified teachers who come and teach those children within the shelters until the children are ready and when they are ready, they do enter the school mainstream.

The Deputy Speaker: Last question, hon. Leader of the Opposition!

Mr Ganoo: Mr Deputy Speaker, Sir, I come to the question of children with disabilities, especially poor children with disabilities. As we know, it is mostly the NGOs who cater for the schooling of these children with disabilities and the Ombudsperson has made some remarks concerning the grant-in-aid payable to these institutions. Up to now, modern Mauritius has not achieved full parity with the mainstream schools. When does the hon. Minister expect that, in terms of grant-in-aid paid to these institutions, for schools catering for these poor children with disabilities, full parity will be reached with mainstream schools?

Mrs Martin: Mr Deputy Speaker, Sir, I think this question be better addressed to the Ministry of Social Security. Thank you.

OMBUDSPERSON - 2011-2012 REPORT - SHELTERS

(No. B/283) Mrs L. Ribot (Third Member for Stanley & Rose Hill) asked the Minister of Gender Equality, Child Development and Family Welfare whether she will state if she has taken cognizance of the observations of the Ombudsperson for Children in her 2011-2012 Report regarding the shelters and, if so, indicate the remedial measures she proposes to take in relation thereto.

(Vide Reply to PQ No. B/282)

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

MUNICIPAL CITY COUNCIL OF PORT LOUIS – CAPITAL PROJECTS - GRANT

(No. B/284) Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Local Government and Outer Islands whether, in regard to the Municipal Council of Port Louis, he will state –

- (a) when will the budget deficit of around Rs64 m. and the additional budget for Pailles and the annexed regions be funded by Government, and
- (b) if his Ministry has received requests for the provision of additional grants for the implementation of capital projects and the construction of drains and, if so, indicate if consideration will be given thereto.

Mr Aimée: Mr Deputy Speaker, Sir, I am informed that the Municipal City Council of Port Louis is projecting a budget deficit of Rs63.2 m. in its Programme-Based Budget 2013. My Ministry has therefore elaborated a series of measures to address this problem namely -

- After a review conducted within my Ministry, we have identified some savings which amount to Rs3.9 m. which will cut down the projected deficit to Rs59 m.

- The self-assessment exercise through the LAVIMS Project has so far generated revenue of Rs5 m. from general rates and the total revenue that can potentially be collected by the end of 2013 will be around Rs15 m. The Council also envisages collecting revenue in terms of trade fees amounting to Rs3 m. during the fiscal year 2013.
- Following an inter-ministerial meeting I had with my colleague, the hon. Vice-Prime Minister, Minister of Finance and Economic Development, an additional grant of Rs35 m. has been provided to the Council to offset part of its deficit for the year 2013.
- An amount of Rs100 m. has been earmarked for the acquisition of compactor lorries for all the 12 local authorities and the Municipal City Council of Port Louis will receive its share of vehicles.
- My Ministry has carried out a budget monitoring expenditure estimates for the first quarter of this year and it is observed that the actual expenditure is in line with revised estimates and there might be room for more savings.

Mr Deputy Speaker, Sir, I wish to inform the House that in 2012, the Municipal City Council of Port Louis has budgeted a deficit of Rs7 m. However, when it submitted its financial accounts for the same year, there was a surplus of Rs37 m. This situation is the same in almost all Councils. It is only the Black River District Council that has registered a deficit in its financial accounts for the year 2012. According to the common practice, a surplus in the final accounts for a year can be used to finance a deficit in a subsequent year. Hence, after taking into account the revenue not budgeted for and the surplus in the final accounts for the year 2012, there will, in fact, be a surplus in the account of the Municipal City Council of Port Louis in year 2013.

As regards the region of Pailles, which now falls under the administrative jurisdiction of the Municipal City Council of Port Louis, my Ministry is in presence of a request for the additional funds of Rs30 m. to meet expenditure on scavenging, street lighting, maintenance of roads, etc. My Ministry is examining the actual expenditure and revenue of the Council for the region of Pailles before taking any decision.

With regard to part (b) of the question, the House may wish to note that an amount of Rs34 m. was allocated to the Municipal City Council of Port Louis under the Local Infrastructure Fund for implementation of minor capital projects in the township. Following the flash floods of 30 March 2013, the Council was advised to re-prioritise its projects so that priority is given to the construction and upgrading of drains. The Council has on 18 April 2013 submitted to my Ministry a revised priority list of projects for the construction and upgrading of drains which has been approved by the LIF Committee.

Mr Ameer Meea: Mr Deputy Speaker, Sir, in this question there are three issues: one about the budget deficit of about Rs64 m. and also the additional budget for Pailles and the provision for additional grants for the implementation of capital projects and the construction of drains. So, please allow me, at least, three supplementary questions. Firstly, the hon. Minister just stated that last year there was a surplus at the Municipality of Port Louis. Mr Deputy Speaker, Sir, I don't know where the hon. Minister gets this figure

because according to my information, there was a deficit of Rs41 m. and this was being financed by an additional grant-in-aid by the Ministry of Finance. I would kindly ask the hon. Minister to review his figure for last year and I can submit evidence of what I am saying. Secondly, if I can move on...

Mr Aimée: One by one. Mr Deputy Speaker, Sir, the deficit that I have mentioned for the Municipal City Council of Port Louis was not the reality. As I said, last year, there was Rs37 m. surplus at the Municipal City Council of Port Louis. This exercise has not even been done by my Ministry. This has been done by the Officers from the Ministry of Finance and we are taking on board all the aspects of financial constraints for all the Municipal Councils, not only Port Louis, but all the local authorities in general.

Mr Ameer Meea: I would, at a later stage, table a document of what I am saying about the budget deficit of Rs41 m., not a surplus. Secondly, Mr Deputy Speaker, Sir, the hon. Minister stated that the Municipality of Port Louis has requested an amount of Rs30 m. for the annexed regions of Pailles. Please, allow me to table letters from the Municipality of Port Louis which dates back to 09 November 2012, 14 January 2013, 21 February 2013 and 21 March of this year as well, whereby a detailed breakdown of this Rs27 m. has been requested to your Ministry for additional grant...

The Deputy Speaker: Please, address the Chair!

Mr Ameer Meea: ...to the Municipality of Port Louis to cater for expenses, so that when Pailles would be annexed to Port Louis, it would be around the tune of Rs27 m. and not the Rs30 m. that the hon. Minister is stating. I will table all the letters that have been sent to the Permanent Secretary of the Ministry of Local Government.

Mr Aimée: Mr Deputy Speaker, Sir, as I mentioned earlier, the hon. Member is saying that for the Municipal City Council of Port Louis, there is a deficit of Rs41 m. He said that Pailles needs funds because Rs41 m. - that is what he said - ...

(Interruptions)

Rs27 m.! But I mentioned in my reply the following -

“With regard to part (b) of the question, the House may wish to note that an amount of Rs34 m. was allocated to the Municipal City Council of Port Louis under the Local Infrastructure Fund (...).”

Which will be reallocated due to the priority after the flash flood.

Mr Barbier: Mr Deputy Speaker, Sir, I heard the hon. Minister state that the surplus of last year's budget may be used to finance the current budget of this year. As you know, Mr Deputy Speaker, Sir, with regard to surplus in budgeting, it is a fact that all expenditure which every Ministry, parastatal body or Local Government Authority do have is as a result of our system of budgeting. There is not even a single authority which may use every single rupee which has been allocated to it throughout the year. This is a known fact. So, may I know from the hon. Minister whether he confirms that this surplus can now be used to finance the current expenditure of the local authorities? Because as far as we know this is not something which is authorised, as per the Government's financial manual.

Mr Aimée: Mr Deputy Speaker, Sir, as a Minister, I stand guided by the Minister of Finance concerning finance and budget, and this is a fact for all local authorities. In special circumstances, the Minister of Finance gives his guidance that the surplus...

(Interruptions)

The hon. Member can say “no”, but he is not the Minister of Finance. I stand guided. As I said, the sum of Rs37,384,000 was the surplus during the budget exercise of 2011/2012. There were instructions from the Minister of Finance, when doing the budgetary exercise, giving the authority to the Municipal Council to use that money instead of having this money - I don't know where - in banks.

Mr Bhagwan: The hon. Minister has made mention in his reply of Black River, which situation is *au rouge*. Can I ask him whether his Ministry is doing something for the district of Black River, which has a lot of problems concerning services?

Mr Aimée: Mr Deputy Speaker, Sir, in fact, as I said, the Municipal Council of Port Louis has a surplus of Rs37 m. The Municipal Council of Beau Bassin/Rose Hill has a surplus of Rs1,000,550. The Municipal Council of Quatre Bornes has a surplus of Rs29,697,000, and Vacoas-Phoenix Rs6 m. The only place where we have a deficit is Black River and it is Rs5,478 m. Only there!

Mr Jugnauth: Will the hon. Minister table the document which shows, on the one side, the revenue and the expenditure, whereby it comes to the surpluses that he has just mentioned with regard to these local authorities?

Mr Aimée: Mr Deputy Speaker, Sir, the Municipal budget is a public exercise. If you want me, as Minister, to place on the Table of the National Assembly all explanations of the financial exercise, I am prepared to do so.

Mr Baloomoody: The hon. Minister mentioned that there is a request from the Municipality of Port Louis for an additional sum for Pailles, now that it is with the Municipality of Port Louis. Can we know when the Ministry will come to a decision to that effect? Because there is an urgent need to consider this request.

Mr Aimée: I do appreciate this question, Mr Deputy Speaker, Sir, for Pailles particularly. But, as you know, Pailles has got so many economic operators. As it was in Black River before, we have an idea of how much money we can collect from the fees that they owe to the Municipal Council. But still, for this exercise, they have already started self-assessment; they have already started paying their fees at the end of the last financial year, that is, at the beginning of this year. So, we are waiting to have a complete picture of all this, and then we can say whether the Municipal Council of Port Louis needs some more money. We are prepared for that.

Mr Ameer Meea: Mr Deputy Speaker, Sir, I have two more supplementary questions. Is the hon. Minister aware that the street lighting network of the Ring Road has been handed over to the City Council of Port Louis, and that the estimated cost of the monthly electricity bills is Rs273,000 per year, approximately more than Rs3 m., and that over and above the budget deficit, over and above the annexure of Pailles to Port Louis,

this funding of Rs3 m. to finance the lighting of the Ring Road has been requested from his Ministry to be provided to the City Council of Port Louis? Therefore, can I ask the hon. Minister if he is aware of this, and when will the City Council of Port Louis receive these funds so that light can be provided to the Ring Road?

Mr Aimée: Thank you, hon. Member. Mr Deputy Speaker, Sir, before the last election, before the coming into operation that Pailles will be part and parcel of Port Louis, the Ring Road was not there. It is only a few months ago that the Ring Road is there. I don't know where the hon. Member got the exact amount that he mentioned, but from the Department of Finance and from the information that I have from the Municipal Council of Port Louis, we have Rs3 m. for one year for the electricity Bill.

The Deputy Speaker: Hon. Minister of Local Government, kindly address the Chair!

Mr Aimée: ... Rs270,000 every month; rightly so. But we are waiting for all the exercise, so that we can take a decision about how much more money we will need if there is any deficit.

Mr Seeruttun: Mr Deputy Speaker, Sir, I just heard the hon. Minister say in his reply that the only local authority which has a deficit is Black River. Is he confirming that the District Council of Grand Port has a surplus of finance?

Mr Aimée: Mr Deputy Speaker, Sir, even though the question is not with regard to Grand Port, I am prepared to answer the question of the hon. Member. For Grand Port/Savanne District Council, which was the then District Council - not now, because now we have Grand Port and Savanne - there was a surplus of Rs7,893,000. That's why I have mentioned the situation in all local authorities for the privilege of all hon. Members here.

Dr. Sorefan: Mr Deputy Speaker, Sir, as per the EIA recommendation, the lighting of the Ring Road should have been voltaic. It is written black on white in the EIA report. May I know from the hon. Minister as to why this has not been implemented?

Mr Aimée: Mr Deputy Speaker, Sir, the responsibility of putting lights, of tarring roads, of building drains - every Member of this House knows it clearly - is under the responsibility of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping.

Mr Nagalingum: I heard from the hon. Minister that there have been consultations with the Minister of Finance regarding the grant-in-aid. Can we have a list of all local authorities in detail concerning the new grant-in-aid formula?

Mr Aimée: There is no new grant-in-aid formula. The Budget exercise is based on the previous year. As regards the amount, this is a decision from the Ministry of Finance. I could have told you to ask this question to the Minister of Finance, but still every Budget exercise is based on the last exercise. My colleague and I are looking into one formula which will be shown very clearly without ambiguity to all the local authorities. In fact, the Minister of Finance has given us six Officers who are working on the local authorities to look at their financial situation; their priorities and their administration set up.

Mr Lesjongard: Mr Deputy Speaker, Sir, can I ask the hon. Minister whether he remembers that when he presented the Local Government Act 2001, he personally said that the grant-in-aid formula will be reviewed because he thinks that this formula does not work anymore, and that we have to come forward with a new grant-in-aid formula?

Mr Aimée: As I have just mentioned, Mr Deputy Speaker, Sir, I am working on a new formula with my Colleague, the Minister of Finance and Economic Development.

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

Mr Ameer Meea: Mr Deputy Speaker, Sir, if I can resume on the figures just for the Minister to get a clear picture of what was going on. Today, we have a yearly deficit of Rs63 m.; Rs27 m. for Pailles annexure and Rs3 m. for the Ring Road to pay for electricity which, by the way, is due and the City of Port Louis has a written agreement with CEB for the delay because, up to now, the Bill has not yet been settled. All this arrives to a total of Rs93 m. Government has granted Rs35 m. That's right! And according to the answer given by the hon. Minister, Rs4 m. would be in terms of savings and Rs5 m. have been collected for LAVIMS which brings the total to Rs93 m. deficit, minus all these figures to Rs49 m. which would remain the actual deficit. Therefore, can I ask the hon. Minister what does he intend to do and what time frame his Ministry has to finance this budget deficit?

Mr Aimée: Mr Deputy Speaker, Sir, some are not even aware of the economic situation of the world and even of Mauritius, but, as a Minister responsible for Local Government, and in collaboration with my Colleague, the Minister of Finance, we are taking all the local authorities to task particularly in this financial crisis time.

(Interruptions)

I don't want to mention here that the local authorities actually are not even prepared to see the bad debt. Some of them are waiting ten years since the claim is not mandated. I am sorry; we are working on a tight financial exercise so that money is spent judiciously.

The Deputy Speaker: The Table has been advised that PQ No. B/286 has been withdrawn. Next question hon. Dr. Sorefan!

RUISSEAU DU POUCE - BRIDGE

(No. B/285) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the bridge presently under construction at the Ruisseau du Pouce, he will, for the benefit of the House, obtain from the Road Development Authority, information as to if the works are being carried out with the approval and to the satisfaction thereof.

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): With your permission, Mr Deputy Speaker, Sir, I shall reply to this question. The widening of the bridge over Ruisseau du Pouce on Motorway M1 is a component of the construction of an additional lane along Motorway M1 from

Ruisseau Creoles to Place d'Armes which is a project of the Road Development Authority (RDA). The works are being undertaken by General Construction Co. Ltd under the supervision of engineers of the RDA.

I am informed that the works are being carried out to the satisfaction of the RDA. As a matter of fact, the RDA has mobilised a dedicated team to ensure a close monitoring of the works; to ensure that no inconvenience is caused to any stakeholder during the execution of the works.

Dr. Sorefan: May I know from the hon. Minister whether RDA gave his written approval for reducing the area outflow of the bridge from 36 square metres to 16 square metres for the contractor to do the work.

Mr Virahsawmy: No, the area has not been reduced, Mr Deputy Speaker, Sir.

Dr. Sorefan: I beg to differ, Mr Deputy Speaker, Sir. This was reduced and in a Parliamentary Question, the Minister of Public Infrastructure said so.

Mr Deputy Speaker, Sir, my second question is: can the hon. Minister inform the House if authority from the Supreme Court was received by RDA to alter the stream as per the Rivers and Canals Act; if yes, to table same; if not, why not.

Mr Virahsawmy: There has been no change of the course of Ruisseau du Pouce so that there is no need to obtain authority from the Supreme Court. I would also like to add, Mr Deputy Speaker, Sir, that in the PNQ of 09 April 2013, the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping made it clear that the discharge area under the bridge at the site is 36 square metres, so, the information of the hon. Member is wrong.

TOLL ROAD PROJECT - LEVY

(No. B/286) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Toll Road Project, he will state the proposed mode of tolls collection, indicating who will be responsible for the levy thereof.

(Withdrawn)

STATE LAND & PAS GÉOMÉTRIQUES - BENEFICIARIES

(No. B/287) Mr S. Soodhun (Second Member for La Caverne & Phoenix) asked the Minister of Housing and Lands whether, in regard to State Land and *Pas Géométriques*, he will, for period July 2010 to date, give a list of the beneficiaries thereof, indicating in each case, the –

- (a) extent thereof, and
- (b) details of the project approved to be implemented thereat.

(Withdrawn)

MAURITIUS - KNOWLEDGE HUB – PROMOTION MISSIONS

(No. B/288) Mr P. Jhugroo (First Member for Mahebourg & Plaine Magnien) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the promotion of Mauritius as a

Knowledge Hub in Africa, he will state the number of missions undertaken in relation thereto, since January 2013 to date, indicating the outcome thereof in each case.

Dr. Jeetah: Mr Deputy Speaker, Sir, in line with its core objective, the Board of Investment has been actively promoting Mauritius including the education sector in its various investment promotion missions in Africa. I am informed by the Board of Investment that in 2013, it mounted four promotion missions where the knowledge sector was high on the agenda as follows -

- 29 January - 01 February 2013: Johannesburg, Tanzania and Zambia;
- 04 - 08 March 2013: South Africa - Cape Town, Durban and Johannesburg;
- 06 - 10 May 2013: East African countries such as Kenya, Tanzania and Uganda, and last
- 12 - 17 March 2013: Tanzania and Uganda.

The main objectives of these missions have been to engage with potential and targeted investors in sectors such as financial services, manufacturing, life sciences, ICT/BPO, healthcare as well as knowledge.

The mission also aimed at –

- Following up on existing contacts and leads in Africa;
- Developing new leads in the various sectors on the continent;
- Positioning Mauritius as an ideal platform for investment;
- Promoting the island as a regional knowledge hub of quality, and
- To further tap on the huge potential present in Africa with regard to attracting foreign students.

Mr Deputy Speaker, Sir, it is only recently that, through a stated Government Policy of Internalisation of the Tertiary Education Sector, we are positioning Mauritius as a regional Knowledge Hub.

Tanzania and Uganda mission had at least five positive outcomes, namely, it enabled the tertiary education institutions to participate in –

- (i) a Mauritius/Tanzania Higher Education Forum on 14 March 2013 organised by the BOI, and to meet the hon. Philipo Mulugo, Deputy Minister of Education and Vocational Training of Tanzania and Vice Chancellors, Directors of higher education institutions and recruiting agents of Tanzania;
- (ii) the EdExpo Tanzania 2013 International Higher Education Recruitment Fair and disseminate information on the higher education opportunities in Mauritius;
- (iii) the Kampala International Education Fair (KIEF), the leading student's recruitment exhibition in Uganda from 15 to 16 March 2013 which attracted high school leavers, colleges and local university students and to meet local agents and heads of schools.
- (iv) an interactive session organised by the BOI in Uganda and meet recruiting agents, principals of high schools and heads of tertiary education institutions.
- (v) **Recruitment of students**

Higher education institutions are following up with the foreign students and recruiting agents to confirm recruitment of about 50 to 70 students.

Meeting with Ministers

I also had meetings with hon. Jessica Arupo, Minister of Education and Sports, Republic of Uganda and hon. Dr. Shukuru Kawambwa, Minister of Education and Vocational Training of Tanzania. Both Ministers have agreed to sign a Memorandum of Understanding for mutual recognition of certificates and expressed their wish to visit Mauritius for further discussions and signing of the MoU. Other issues discussed were the possibility of providing teachers' training to Tanzanian teachers.

Mr Jhugroo: Can the hon. Minister inform the House what is the amount of expenses incurred for all these missions undertaken?

Dr. Jeetah: I do not have the details, but I can certainly provide the information from the Board of Investment?

Mr Jhugroo: Can the hon. Minister inform the House how many African students are actually studying in this country?

Dr. Jeetah: I do not have the details, but I am given to understand that this year the figure is going to be close to 2,000. This is the information I have.

Mr Jhugroo: Can we know from the hon. Minister whether there are a number of seats which have been reserved for foreign students and, if so, can we know how many?

Dr. Jeetah: Mr Deputy Speaker, Sir, there is one piece of information that probably the hon. Member is not aware of. It is for the first time that the Government of Mauritius has offered 50 scholarships to African students with a view to position ourselves as a country that has now a new service to offer.

With regards to the number of seats, there is a certain amount of work which has been done in collaboration with the Tertiary Education Commission and the BOI. Today, I can say that, at least, in a few institutions, we have more foreign students than local students.

Mr Jhugroo: Can the hon. Minister inform the House what other measures are taken to promote the stay of all these foreign students in the country?

Dr. Jeetah: If I understand the hon. Member, he wants to know where they would live, their residence.

The Deputy Speaker: Accommodation.

Dr. Jeetah: With regard to accommodation, Mr Deputy Speaker, Sir, it is a chicken and egg situation. When we created this Ministry, we had about 500 to 600 students. Now, we have started attracting more students. There was provision to build a Hall of residence at the University of Mauritius. At the level of TEC, they are in the process of compiling, through a well-regulated system, a data base of houses or flats that could be made available to students as accommodation just the same way that it is done in England or in other European countries.

Mr Obeegadoo: Mr Deputy Speaker, Sir, being given that there has been information that members of the family of the Minister have been on these missions and being given that I would prefer not to lend any credence to such information, will the hon. Minister reassure the House by giving the guarantee that no member of his family nor any relative of his, has ever, since he has been Minister of Tertiary Education, participated in any of these promotion missions, either with the Minister or without the Minister?

Dr. Jeetah: That's a good question, Mr Deputy Speaker, Sir. The hon. Member seems to have something personal with my family. My family, Mr Deputy Speaker, Sir,...

(Interruptions)

Mr Obeegadoo: Mr Deputy Speaker, Sir, I...

Dr. Jeetah: I am not giving way.

(Interruptions)

Mr Deputy Speaker, Sir, Mr Ramnath Jeetah has been in education for about 60 years and he is now 83 years of age...

(Interruptions)

Not because I am sitting here or I am standing here! It is not because the hon. Member has got some personal grudge against my family, he is going to have

(Interruptions)

Mr Obeegadoo: On a point of explanation, I want to make this very clear. I have said that I do not want to lend credence to such information, but I consider it a matter of integrity and of transparency that no member of a Minister's family should benefit from a State's promotion mission. There is nothing personal. This is a matter of principle.

Mr Jhugroo: Can the hon. Minister table a list of all those people who went on missions and who accompanied the hon. Minister?

Dr. Jeetah: Mr Deputy Speaker, Sir, I can certainly table a list of all institutions with the names of the people who actually participated in more missions. I can also further provide information on those who actually benefitted from Government funds as well.

Mr Jugnauth: Can the hon. Minister say whether there has been an increase in the number of students coming from Tanzania, Uganda and Kenya when we compare the figures from last year to this year?

Dr. Jeetah: The hon. Member did not listen to what I have said. I did say that initially there were about 500 students coming from overseas. This year, the figures are getting close to about 2,000. I have an additional piece of information to give, there is even - I won't say that.

The Deputy Speaker: Next question, hon. Ramano!

PAVILLON SWIMMING POOL - OPERATION

(No. B/289) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Youth and Sports whether, in regard to the Pavillon Swimming Pool, he will state

- (a) when it is proposed to be operational;
- (b) the amount of money already spent -
 - (i) in terms of consultancy fees, and
 - (ii) for repairs, and
- (c) if alternative arrangements have been made for the users thereof.

Mr Ritoo: Mr Deputy Speaker, Sir, the Consultant and the Contractor have both confirmed that the remedial works at Le Pavillon Swimming Pool will be completed by 19 June 2013. Consequently, it is envisaged to have the re-opening around end of June 2013.

I would like here to inform the House, Mr Deputy Speaker, Sir, that both hon. Ms Deerpalsing and hon. X. L. Duval, Members of the Constituency No. 18, have been continuously enquiring so that this project be materialised as soon as possible so as not to penalise the swimmers.

As regards part (b) of the question, as at date, the Consultant has been paid Rs1,035 m. and the contractor has been paid an amount of Rs530,472 as advance payment against bank guarantee. Furthermore, a claim for works completed till now, duly certified by the Consultant, amounting to Rs814,422.87 is presently being processed.

With regard to part (c) of the question, prior to the closure of Le Pavillon Swimming Pool, there were three clubs using the swimming pool. Arrangements have been made for two clubs, namely the *Club Nautique de Quatre Bornes* (CNQB) and *Le Dauphin de Quatre Bornes* (LDQB), to make use of the facilities at Serge Alfred Swimming Pool at Beau Bassin and for the other club, namely the Curepipe Starlight Sports Club (CSSC) to use facilities at Mare d'Albert Swimming Pool.

All public sessions which used to be held at Le Pavillon Swimming Pool are presently being held at the Serge Alfred Swimming Pool at Beau Bassin.

Mr Ramano: M. le président, cela fait plaisir d'entendre que très prochainement la piscine du Pavillon sera opérationnelle. Je dois rappeler au ministre que lors d'une question en date du 19 avril 2011, mention a été faite qu'après les Jeux des îles, les travaux allaient prendre seulement trois mois.

Dans sa réponse en date du 11 décembre 2012, mention a été faite que le consultant recommande à ce que le réseau actuel soit éliminé complètement, à ce qu'il y ait un nouveau réseau. Est-ce que le ministre peut confirmer si le contracteur a fait un nouveau réseau en ce qui concerne l'alimentation d'eau ?

Mr Ritoo: Mr Deputy Speaker, Sir, I understand from the Consultant that there has been, as per the works, a new piping system. So, I think that it is according to the norms.

Ms Deerpalsing: Mr Deputy Speaker, Sir, did I understand correctly that the hon. Minister has replied that the swimming pool is being replaced by a much larger one and not the same one that was there?

(Interruptions)

The same one! Okay.

(Interruptions)

Can I ask the hon. Minister...

(Interruptions)

Mr Deputy Speaker, Sir, the hon. Minister said that all public sessions are now being held at Serge Alfred swimming pool. Can he inform the House what information campaign has been done or is still being done vis-à-vis the inhabitants of Quatre Bornes to inform them where the alternative place is because a lot of the inhabitants of Quatre Bornes are still complaining that they do not know where to go, there is no notice there?

Mr Ritoo: Mr Deputy Speaker, Sir, I wish to inform the hon. Member that we have got the staff of my Ministry working there. I was myself working at the swimming pool. They are still based there and they always inform the swimmers that they can go to Mare d'Albert swimming pool or to Serge Alfred swimming pool. Transport is being given to certain schools as well for those who want to have their practice early morning. So, they are being informed.

(Interruptions)

The Deputy Speaker: Hon. Bhagwan!

Mr Ramano: M. le président, ce n'est pas tous les jours que je suis d'accord avec ma collègue, l'honorable Ms Deerpalsing, mais quand même...

The Deputy Speaker: Just ask your question, please!

Mr Ramano: Mais quand même c'est vrai que la piscine est fermée, donc il n'y a aucune communication avec les membres du public. Ma question, M. le président, concerne toujours le réseau d'eau. M. le président, dans une autre réponse en date du 19 juin 2012, mention avait été faite que le *Mechanical Engineering Division* du ministère de la Jeunesse et des Sports n'est pas d'accord avec la question de la construction d'un nouveau réseau d'eau parce que cela constituera un danger éventuellement pour les usagers. Est-ce que le ministre peut confirmer cela dans sa réponse en date du 19 juin 2012?

Mr Ritoo: Mr Deputy Speaker, Sir, I think I informed hon. Members following Parliamentary Question No. B/170 that several tests, namely, plug-in test, pressure test and valve test have been carried out and these tests reveal that the water loss is most probably due to a leakage in the piping system. Therefore, the Mechanical Division proposed for some new piping system but due to safety reasons and other technical problems this system was given away. Also because the piping system was embedded underground, below the base of the swimming pool structure, it was very difficult to identify the exact location of the leakage. The Ministry then, in close collaboration with the MPI and the CWA, wanted to attend it as quickly as possible. Tenders were floated for the hiring of a Consultant to conduct a proper investigation and propose the remedial action.

Mr Quirin: M. le président, j'aimerais que le ministre nous dise quel est le nom du contracteur qui effectue des travaux à la piscine et quelle est la somme qui a été dépensée à ce jour?

Mr Ritoo: I think I have already replied as to the amount of money spent but the contractor is Watertech Ltd. and the Consultant was Pro-Design Engineering Consultants Ltd.

Mr Quirin: Je voudrais savoir la somme dépensée, je m'excuse si je n'ai pas bien saisi le montant.

Mr Ritoo: We already spent Rs530,472 as advance payment against bank guarantee and a sum of Rs814,422.87 is presently being processed.

Ms Deerpalsing: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether he would consider favourably that the Ministry places a board there for the inhabitants, when they go to know and also places some communiqués on the radios and in the press, because I insist that the inhabitants are not aware?

Mr Ritoo: We can do it, Sir.

Mr Jhugroo: May I know from the hon. Minister whether there was a tendering procedure before awarding this contract to the contractor?

Mr Ritoo: I think I stated in my answer that there was a tendering procedure.

PREGNANCY - TERMINATION - CASES

(No. B/290) Mr K. Ramano (Second Member for Belle Rose & Quatre Bornes) asked the Minister of Health and Quality of Life whether, in regard to the termination of pregnancy in specified circumstances, he will state the number of cases thereof practised, since the coming into force of the Act authorising same.

Mr Bundhoo: Mr Deputy Speaker, Sir, I am informed as at today, there is only one case of termination of pregnancy and that also, in a public hospital.

Mr Ramano: M. le président, la loi fait mention des hôpitaux publics comme des *prescribed institutions*. Est-ce que je peux savoir du ministre si les *guidelines* et *regulations* ont été faits par son ministère et s'il est d'accord pour *table* ces *guidelines*?

Mr Bundhoo: Yes, Mr Deputy Speaker, Sir.

Mr Ramano: M. le président, est ce que le ministre est en mesure aujourd'hui de faire une évaluation de l'impact de la loi une année après son adoption parce que mention a été faite lors des débats de 2,500 cas de complications liées à l'avortement et s'il peut nous dire si une étude a été faite à cet effet?

Mr Bundhoo: Not at this moment in time, Sir, but I am sure after a given period of time, we shall carry a study to see how effective the law has been.

Mr Obeegadoo: Can I go back to the point made? Being given that a law was voted a year ago, moved by Government to address injustices as regards unwanted pregnancies, will the hon. Minister provide to the House some explanation as to how a year later, it would appear that only one person, if I heard correctly, has availed herself of the provisions of the law? I am sure the hon. Minister must be concerned by this.

Mr Bundhoo: Mr Deputy Speaker, Sir, genuinely, I am a bit confused about the term the hon. Member has used regarding unwanted pregnancies. Because the law, when it was voted – the hon. Member had intervened on it - made provisions for four specific circumstances whereby termination is allowed. So far, only one termination has been allowed under the four criteria established in the law. Surely, there might be a case whereby we might have to sensitise the population more with regard to the possibility of this being effected in the private sector.

Mr Obeegadoo: Mr Deputy Speaker, Sir, so, may we know what measures were taken in the wake of the law, specifically what are the prescribed institutions, has there been a protocol established to help medical staff deal with the cases of women coming forward in these four scenarios that were listed, how is the medical staff selected to handle those cases, and the medical panels constituted?

Mr Bundhoo: Mr Deputy Speaker, Sir, all the provisions that my hon. friend is making reference to have already been earmarked in the law and whatever we have done has been within the parametre established, within the law voted in this House.

Mr Obeegadoo: May I make it clearer? I believe, the hon. Minister may not have understood. My first question is: has there been a specific protocol established for guidance of medical practitioners and hospital staff to deal with applications from women falling within these four categories, the four scenarios? Secondly, which are the prescribed institutions that have been proclaimed? Thirdly, what are the criteria utilised to choose which members of the hospital staff will be designated to attend to such cases and form part of the panel?

Mr Bundhoo: Mr Deputy Speaker, Sir, I would kindly refer the hon. Member to go back to the Bill and refer him to section 235(a) of the Criminal Code. Secondly, I would kindly request the hon. Member to go back to the Bill and refer him to the prescribed institution as per paragraph 5(6) of the Criminal (Amendment) Act No. 11 of 2012, and, thirdly, the criteria for the institution to be prescribed and also responsibilities of prescribed institutions.

Thank you, Mr Deputy Speaker, Sir.

Dr. S. Boolell: Mr Deputy Speaker, Sir, to be very simple and for us to be able to understand, how many cases of backstreet abortions have been appearing in the Government Hospitals since this Act was implemented?

Mr Bundhoo: The question, Mr Deputy Speaker, Sir, was not backdoor, backstreet, aborted or not aborted; it was the case being carried out in public or private hospitals with regard to the termination of pregnancy under the law. The case and the answer is one.

Dr. S. Boolell: Mr Deputy Speaker, Sir, may I just rephrase it for the benefit of the hon. Minister. How many cases of abortions which have been conducted in private clinics, in backstreets appeared in your hospital for complete termination?

Mr Bundhoo: I would kindly request and invite the hon. Member - because I am not aware of the private clinics - if he has any information with regard to illegal abortions in the private clinics, as a responsible doctor and a hon. Member to do whatever he has to do with regard to these illegal abortions in the private clinics. I do not keep an eye on the private clinics with regard to abortion.

Mr Jhugroo: Can I ask the hon. Minister what mechanism has been put to determine the number of termination of pregnancy in the private sector?

Mr Bundhoo: I have already answered to the question, Mr Deputy Speaker, Sir. The application has to go through a Board and so far there is only one that has gone through the Board – it is a public sector. We have one from the public sector and, therefore, there has not been anyone in the private sector.

Mr Obeegadoo: Mr Deputy Speaker, Sir, this is a serious matter.

(Interruptions)

The Deputy Speaker: Hon. Jhugroo, you are interrupting the hon. Member!

(Interruptions)

Hon. Jhugroo!

Mr Obeegadoo: Mr Deputy Speaker, Sir, this is a serious matter. If Government took the trouble of proposing this Bill, it was surely not to address one case in one year. If we are to take this law seriously, will the hon. Minister agree and, as suggested by hon. Ramano, to commission immediately a full assessment into the implementation of the law, assessing how it has worked and what has been the reality experienced so far, whether from the private sector being referred to hospitals and in hospitals?

Mr Bundhoo: Mr Deputy Speaker, Sir, I am not trying to be arrogant at all. This question was put by hon. Ramano and I have already replied to that. But hon. Obeegadoo is putting the same question in different English; that is all. Thank you, Mr Deputy Speaker, Sir.

Mr Ramano: M. le président, une dernière question de ma part. Tout simplement pour savoir de l'honorable ministre s'il est en présence des objections de conscience qui ont été émises par des professionnels du corps médical?

Mr Bundhoo: This has already been addressed during the debate when the Bill was presented in the House by the hon. Attorney General and all the Members were concerned. I must say one thing, Mr Deputy Speaker, Sir, it was a free vote.

Mr Ramano: Est-ce que l'honorable ministre est en présence des objections de conscience qui ont été émises par les membres du corps médical à ce jour?

Mr Bundhoo: Not to my knowledge, Mr Deputy Speaker, Sir.

INTERNATIONAL OLYMPIC COMMITTEE - FEUILLE DE ROUTE

(No. B/291) Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to *La Feuille de Route* issued by the International Olympic Committee dated 10 April 2013, he will state the stand of his Ministry in relation thereto.

Mr Ritoo: Mr Deputy Speaker, Sir, in the wake of the deadlock at the level of the Mauritius National Olympic Committee for the holding of its General Assembly and election of the Managing Committee, especially after the Supreme Court judgment questioning the rationale of suspended or fictitious Sports Federations being allowed to participate in the elections, two representatives of the International Olympic Committee who were recently in Mauritius, showed much concern about the state of things and have proposed a *Feuille de Route* with a view to mitigating the situation.

As far as my Ministry is concerned, the *Feuille de Route* relates mainly to the review of the Sports Act to provide for more autonomy to be given to the Mauritius National Olympic Committee and the Sports Federations, within a time frame of six months.

With a view to finding a solution to allow sports to evolve in a sound environment, my Ministry has since long embarked on an exercise to review the Sports Act. This exercise, Mr Speaker Sir, as I have stated earlier in my reply to PQ B/76, would be completed in the next session of the National Assembly. Valid proposals from the International Olympic Committee will no doubt be incorporated in the new legislation which is envisaged to be finalised within the time frame set.

However, Mr Deputy Speaker Sir, while agreeing to the principle of greater autonomy, it is the stand of my Ministry to ensure that all national sports organisations also operate on the principle of good governance, transparency, democracy and within the ambit of the laws of Mauritius.

My Ministry would equally ensure that all Sports Federations and Sports Associations claiming to be national sports governing bodies are in fact exercising a specific, real and ongoing sports activity in line with the Olympic Charter.

Mr Quirin: M. le président, est-ce que l'honorable ministre peut nous donner l'assurance que le délai de six mois imposé par le Comité International Olympique - justement comme il a dit lui-même par rapport aux amendements à être apportés au *Sports Act* - sera respecté, vu qu'une menace de suspension pèse sur Maurice?

Mr Ritoo: Mr Deputy Speaker, Sir, I think I have already replied to this question that as far as my Ministry is concerned, the *Feuille de Route* relates mainly to the review of the Sports Act, to provide more autonomy. It will be done within a time frame of six months.

Mr Quirin: M. le président, un mois après que le C.I.O. ait émis sa requête concernant la mise en œuvre d'une *Feuille de Route* par le ministère de la Jeunesse et des Sports concernant les amendements au *Sports Act*; le ministre peut-il nous dire comment justement les choses évoluent par rapport à ces amendements?

Mr Ritoo: Mr Deputy Speaker, Sir, I think I have replied to this question that within a time frame of six months, this will be done. *Je suis autant concerné que vous même par rapport à la communauté sportive. Ce sera injuste si on est pris en otage concernant la question de Feuille de Route. J'ai la responsabilité de présenter le Sports Act within a time frame of six months.*

Mr Quirin: M. le président, dans la lettre adressée au ministre de la Jeunesse et des Sports, l'honorable Devanand Ritoo et aussi au président du COM, M. Hao Thyn Voon, le C.I.O. dans un courrier en date du 10 avril de cette année, référence est faite plutôt à une analyse effectuée sur les points qui posent problème avec le *Sports Act*. Ces points apparemment ont été transmis au ministre par email en date du 26 novembre 2012. De ce fait, le ministre peut-il nous dire quels sont ces points qui posent problème et de bien vouloir déposer une copie de ce courrier en date du 26 novembre 2012 ?

Mr Ritoo: Mr Deputy Speaker, Sir, once again, I am going to repeat the same thing. Valid proposals from the International Olympic Committee will, no doubt, be incorporated in the new legislation, which is

envisaged to be finalised within the time frame. However, the stand of my Ministry is to ensure that all National Sports Organisations also operate on the principle of good governance, transparency, democracy and within the ambit of the laws of Mauritius.

Mr Quirin: M. le président, le ministre n'a pas répondu à ma question. Je lui ai demandé quels sont les points qui posent problème avec le *Sports Act*, dont fait référence le Comité International Olympique dans son courrier en date du 10 avril de cette année ?

Mr Ritoo: M. le président, cette réunion a été tenue dans la confidentialité. On a donc pris les propositions émises par le C.I.O. et l'honorable membre aura l'occasion de débattre sur ce point à l'heure de la présentation du *Bill*.

INDIAN OCEAN ISLAND GAMES - *COMITÉ DE SUIVI*

(No. B/292) **Mr F. Quirin (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the Indian Ocean Island Games to be held in 2015, he will state the number of meetings held by *Le Comité de Suivi* of his Ministry in relation thereto, indicating the actions, if any, taken as at to date.

Mr Ritoo: Mr Deputy Speaker, Sir, I have to inform the House that this is the first time that a '*Comité de Suivi*' has been set up immediately after having taken stock of the performance of our athletes at the last edition of the Indian Ocean Island Games held in Seychelles in 2011, and more than three years ahead of the next edition, that is, 2015 at Ile de la Réunion.

The Committee comprises all stakeholders, namely Club Maurice, High Level Sports Unit, Mauritius National Olympic Committee, Mauritius Sports Council, Sports Medical Unit, Trust Fund for Excellence in Sports and all Desk Officers of my Ministry.

Since the setting up of the '*Comité de Suivi*' on 16 June 2012, it has held a total of 28 meetings as follows -

- (i) Six meetings at the '*comité de suivi*' itself;
- (ii) Fifteen meetings with sports federations, and
- (iii) Seven meetings with Regional Sports Committees in Rodrigues.

During the meetings held with the Sports Federations individually, their requirements in terms of preparation and budget have been compiled. These requirements have been communicated to my Ministry and to Club Maurice, which is responsible to mobilise sponsors.

Mr Deputy Speaker, Sir, I need to point out that although the *Conseil International des Jeux (CIJ)*, which comprises Olympic Committees of all member states and which is responsible for the organisation of the Indian Island Ocean Games, has not yet finalised the list of sports for the 2015 edition, my Ministry continues to provide all necessary assistance to the athletes likely to participate in the forthcoming Games.

Mr Quirin: M. le président, le ministre peut-il nous dire comment son ministère compte financer justement la préparation de nos sportifs en vue des jeux de 2015?

Mr Ritoo: Mr Deputy Speaker, Sir, I wish to point out that the preparation of athletes is an ongoing process, and as such we cannot separate preparation of athletes from one competition to another. More intensive training will take place as we approach the competitions.

Mr Quirin: Donc, M. le président, si je comprends bien, il n'y a pas de budget détaillé qui a été préparé à ce jour, discipline par discipline.

Mr Ritoo: Mr Deputy Speaker, Sir, the *comité de suivi* had meetings with all the sports federations - I mean those who are likely to participate in the Indian Ocean Island Games - and a tentative budget of Rs86 m. is targeted to be spent over three years. So, we are going to work in this direction.

Mr Bhagwan: We are all Mauritians, and we are interested in our national football. Can the hon. Minister inform the House - being himself an ex-international player - what has been planned for the Mauritian team in terms of overseas training, national coach right from now up to 2015, at least, for the Mauritian team to achieve success and target the gold medal?

Mr Ritoo: Mr Deputy Speaker, Sir, I should say that now that the Mauritius Football Association has come up with a new National Technical Director, who has prepared a plan for the National team as well as the preparation of all the junior teams, we will work together - the new Technical Director, the Technical Committee and the officers of my Ministry - to enhance football performance.

Mr Quirin: M. le président, le ministre des Sports, dans sa réponse, a parlé du *Club Maurice Company*, et je dois faire ressortir, avec votre permission, que le *Club Maurice Company* est actuellement inexistant. Est-ce qu'on devrait s'attendre à ce que cela se passe comme ce fut le cas en 2011 ? C'est-à-dire, uniquement dans les six derniers mois qu'on a récolté les fonds pour la préparation de nos athlètes en vue des Jeux des Iles. Doit-on s'attendre au même scénario?

Mr Ritoo: Mr Deputy Speaker, Sir, I don't know what problem the hon. Member has with the *Club Maurice Company*. But I should say that the *Club Maurice Company*, headed by Mr Giandev Motea, collected Rs17 m. to help in the preparation of the athletes for the last Indian Ocean Island Games at Seychelles. Actually, the *Club Maurice Company* is seeking for sponsors so as to prepare the athletes from now itself for the Indian Ocean Island Games that is going to be held in 2015 in Reunion.

Mr Jhugroo: Est-ce que le ministre peut nous confirmer si, lors du tournoi de la première division de foot, au cours d'un match, les arbitres étaient absents ? Si tel est le cas, pour quelle raison ces arbitres n'étaient pas présents pendant le match de foot?

The Deputy Speaker: Is the hon. Member talking about the Indian Ocean Island Games?

Mr Ritoo: I would like to answer to his question because the hon. Member does not know that it is not the Ministry that organises football matches. Football matches are being organised by the Mauritius Football Association, and they have a *Commission d'Arbitrage* regarding the organisation of these games. So, if the referees do not turn up, it is the *Commission d'Arbitrage* who is supposed to look into it. Don't forget that the Ministry gives Rs1 m. to each First Division team and Rs500,000 to each Second Division team to prepare for

the Games. But it is the *Commission d'Arbitrage* of the Mauritius Football Association which is to be blamed regarding the referees who did not turn up.

The Deputy Speaker: Hon. Quirin!

(Interruptions)

No, I am sorry, hon. Jhugroo...

(Interruptions)

Mr Quirin: M. le président, doit-on comprendre que le *Club Maurice Company* ne récolte que des fonds uniquement pour les Jeux des Iles? J'aimerais que le ministre nous dise, par rapport aux Jeux de la Francophonie qui vont avoir lieu très bientôt, quelle est la somme qui a été récoltée en vue d'aider nos athlètes.

The Deputy Speaker: Is the question of the hon. Member in connection with the Indian Ocean Island Games?

(Interruptions)

The Deputy Speaker: Sorry, next question, hon. Nagalingum!

PENALTY POINTS SYSTEM - PEDESTRIAN CROSSINGS

(No. B/293) Mr D. Nagalingum (Second Member for Stanley & Rose Hill) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the pedestrian crossings, he will state if Government proposes to revisit the locations thereof in view of the forthcoming implementation of the Penalty Points System.

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): With your permission, Mr Deputy Speaker, Sir, I shall reply to this question. Pedestrian crossings are located where they can be seen by motorists, and where adequate safe braking distance is available depending on the posted speed limit thereat.

The basic criteria for the setting up of a safe pedestrian crossing are -

- (i) adequate visibility;
- (ii) safe and sufficient pedestrian standing areas and routes to the crossing point, and
- (iii) a desired line for pedestrians to cross the road.

The Penalty Points System is a tool to enforce strict compliance with conditions for pedestrian safety and to promote responsible driving.

Mr Nagalingum: A bidding exercise was conducted in October 2011 regarding the purchase of flashing lamps for pedestrian crossings. Can I know from the hon. Minister where matters stand?

Mr Virahsawmy: I am sorry, Mr Deputy Speaker, Sir, but I am not aware of this.

Mr Nagalingum: With your permission, Mr Deputy Speaker, Sir, may I quote what the hon. Prime Minister, in reply to the PNQ of the Leader of the Opposition on 21 June 2011, stated –

“(…) amongst other measures envisaged in the overall context of road safety and security, it is proposed -

- (i) to place what is called Belisha flashing lamps for more visibility of pedestrian crossing, to forewarn both drivers and pedestrians, and
- (ii) to revisit the location of pedestrian crossings.”

Can I know where matters stand, especially when the penalty points system is in force?

Mr Virahsawmy: I will have to find out and inform the House accordingly.

NATIONAL PARKS & RESERVES/PLAINE CHAMPAGNE - SAFETY & SECURITY MEASURES

(No. B/294) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Agro-Industry and Food Security whether, in regard to the National Parks and Reserves, including Plaine Champagne, he will state the additional measures he proposes to take to reinforce the safety and security of the members of the public on visit thereat.

Mr Faugoo: Mr Deputy Speaker, Sir, the Black River Gorges National Park covers an area of 6,574 ha (15,580 *Arpents*) while the Bras D'Eau National Park covers about 500 ha (1,187 *Arpents*). The 85 kms of natural trails at the Black River Gorges National Park have 10 informative boards indicating the sites, natural trails and amenities available in the Park. In addition, there are 33 directional signs and seven signs on 'do's and dont's', at Pétrin, 3; Bel Ombre, 2, and at the Lower Gorges, 2. Similarly, at Bras D'Eau National Park, one informative board, as well as eight directional signs, are placed to guide visitors.

Following a request made by NPCCS (National Park and Conservation Service) to enhance security of visitors, a Police post has been set up in February 2007 at Plaine Champagne. The Police post carries out regular patrols and coordinates search and rescue operations when a person gets stranded in the Park. Regular patrols are also effected by officials of the NPCCS to provide more security.

Over and above hotline 999, which is provided by the Police, another hotline, with No. 148, has been set up at the level of the Police to enable the public to seek Police assistance. Visitors are briefed at entrance points on security aspects, according to a protocol which has been established by the NPCCS. First Aid facilities are available at all entry points.

In view of the increasing number of visitors - I understand there are about 800,000 visitors per year - additional measures are being taken to reinforce security in the parks. These include -

1. The patrol hours of Park Rangers on the field which are currently from 08.15 hours to 15.15 hours will be extended up to 18.00 hours.
2. Over and above cell phones, the Park Rangers will be equipped with walkie-talkies to enhance communication in the parks.
3. A 4x4 vehicle equipped with radio facilities will be attached to the park for rapid response in case of emergency.
4. More guided tours by well-trained Park Rangers for senior citizens, youth and school children will be provided.

5. Directional signs/informative signs, which I have just said, will be increased in the short-term.
6. The new Visitors' Centre at Pétrin will remain operational on weekends and during public holidays to provide optimum security support to the public.
7. The Police squad will be requested to effect more patrols at specific sites.
8. Entrance gates have been built at Pétrin, Alexandra Falls View Point, Black River Lower Gorges, Mare Longue and Black River Gorges Point to monitor access and exit of the public whilst they are going to visit the park.

Mr Bhagwan: We have just taken note of all the good measures initiated by the Ministry, especially the National Parks concerning several items of security. Following the recent accident at the Chamarel or Plaine Champagne region, can the hon. Minister tell us what are the additional measures being taken by his Ministry with regard to the National Parks where there are specific danger zones? We are all aware of the unfortunate accidents there and of people who have even disappeared.

Can the hon. Minister, at least, identify these danger zones and see to it that advertisement could be made on the National television of these high-risk areas so as to advise visitors not to go in these danger zones?

Mr Faugoo: I am advised by the NPCCS, Mr Deputy Speaker, Sir, that difficult, steep and dangerous sites will be demarcated and warning signs will be posted thereat so as to inform the visitors.

Mr Bhagwan: The hon. Minister will agree that these regions are *très bien fréquentées*. These are public places where Mauritians go to on Saturdays, Sundays and public holidays. There is a real problem of, I would say, public awareness. Will the hon. Minister, at least, agree to take up the matter with the Director of the MBC/TV to see to it that instead of doing unnecessary programmes, good programmes be initiated by the National television to, at least, educate people as far as public security is concerned in the National Parks, which are *des endroits très fréquentés*?

Mr Faugoo: Over and above the good work that is being done by the MBC/TV, I will ask them to look into this matter, Mr Deputy Speaker, Sir.

Mr Bhagwan: Mr Deputy Speaker, Sir, can the hon. Minister see with the Ministry of Education and Human Resources that there are programmes which are being, I would say, channelled to school children because these areas are also *très fréquentés par les étudiants* during holidays, so that they can be aware of all the measures of security concerning the regions?

There is another point concerning environment, Mr Deputy Speaker, Sir. Can I ask the hon. Minister whether he has been made aware of the state of Grand Bassin area/ Plaine Champagne after a Sunday or a public holiday following the visit of Mauritians, who are to be blamed for leaving the environment as it is, with lots of takeaways and so on, which is a bad image for our tourism industry?

Mr Faugoo: That is true, Mr Deputy Speaker, Sir. We need to carry out a sensitisation campaign which should target, maybe, the senior citizens and also students who visit the park. I believe we should have a

coordinated approach with different Ministries and stakeholders, Education, Social Security, Ministry of Youth and Sports to work out something to sensitise the public at large.

Mr Bhagwan: Can I ask the hon. Minister to, at least, canvass the Ministry of Tourism and Leisure instead of going for public awareness campaigns outside Mauritius? He should, at least, make the Mauritian people aware of the concern...

(Interruptions)

The Deputy Speaker: You have made your point, hon. Bhagwan!

Mr Bhagwan: No, no! I have not yet made my point, Mr Deputy Speaker, Sir,...

(Interruptions)

He is not here. I don't know if he is in the country. So, instead of doing Roadshows in Dubai or elsewhere ...

The Deputy Speaker: Hon. Member, there is no need to digress. Your question is intelligible.

Mr Bhagwan: I have not yet finished, Mr Deputy Speaker, Sir. This is a very important issue; people can lose their lives in the Plaine Champagne region. Instead of going to Dubai, I think the hon. Minister of Tourism and Leisure should pay a visit to our National Parks, Plaine Champagne, etc., and even do some walking for his own good.

(Interruptions)

Mr Faugoo: Mr Deputy Speaker, Sir, over and above the good work which is being carried out by...

(Interruptions)

The Deputy Speaker: Hon. Bhagwan, you have put a question, allow the hon. Minister to respond now.

(Interruptions)

Hon. Ms Deerpalsing, please!

Mr Faugoo: Mr Deputy Speaker, Sir, the result speaks for itself. Apart from the good work which is being carried out, I will also ask that the Ministry of Tourism and Leisure be taken on board.

COAL-FIRED POWER PLANT PROJECT - CHINA KINGHO ENERGY GROUP

(No. B/297) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the China Kingho Energy Group Co. Ltd., he will, for the benefit of the House, obtain information as to the coal-fired Power Plant Project it proposes to implement in Mauritius, indicating the -

- (a) proposed capacity thereof;
- (b) technical and cost details thereof;
- (c) land requirements therefor, and
- (d) involvement of Government therein.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, the answer is as follows -

- (a) I am informed by the Central Electricity Board (CEB) that, in July 2012, China Kingho Energy Group Co. Ltd. submitted a proposal for a project consisting of the following components -

- (i) A coal pyrolysis system to process coal, and
- (ii) A coal power plant of 2 X 55 MW with a totally new design concept which includes a methanisation system to produce natural gas, tar and sulphur.

As regards parts (b) and (c) of the question, I am informed that only a preliminary feasibility study has been carried out by the promoter with no technical and cost details.

Regarding part (d) of the question, I wish to inform the House that, as at now, there is no Government involvement in the project.

Mr Jugnauth: May I know who are the people who are the promoters of this project?

The Deputy Prime Minister: Kingho.

Mr Jugnauth: May I know who are the people who have facilitated the meetings of the promoters with people in Government?

The Deputy Prime Minister: There have been no facilitators; as far as I know, they came with a proposal and we looked at it.

Mr Ganoo: Can the hon. Deputy Prime Minister tell us if any site has been identified?

The Deputy Prime Minister: There have been different sites that have been looked at, but no site has been proposed and identified till now.

Mr Ganoo: I don't know if I heard the Deputy Prime Minister correctly. Has any formal proposal been submitted to the BOI or to his Ministry?

The Deputy Prime Minister: Not to my Ministry about any site; if you are talking about site.

Mr Jugnauth: At one time, Government has been saying that Jin Fei could be one of the sites that have been identified. So, I am surprised. Will the hon. Deputy Prime Minister confirm whether Jin Fei is, in fact, one of the sites that have been identified?

The Deputy Prime Minister: It has not been mentioned as such. If I understand, the Jin Fei proposal project is something quite different and on a different scale.

Mr Ganoo: How far can the hon. Deputy Prime Minister reconcile what he is just saying to an answer which he gave to the House on 26 March of this year, wherein he said that a Chinese company, Kingho, has submitted a proposal to the BOI to operate a coal-fired power plant and the Jin Fei Park has been identified as one of the locations?

The Deputy Prime Minister: But it is much more than a coal-fired power plant. The project of Kingho and Jin Fei is much more than that, but they have gone through the BOI and have not come to my Ministry or to CEB yet.

Mr Lesjongard: Mr Deputy Speaker, Sir, can I ask the hon. Deputy Prime Minister whether representatives of this company have met officials of the Central Electricity Board?

The Deputy Prime Minister: Not that I am aware of. What I do know is that they did come in July. I have mentioned there was a meeting and they made certain proposals and, as I have said, there have been no detailed study and feasibility study and so on.

Mr Jugnauth: May I know from the hon. Deputy Prime Minister whether one Mr Ah Fat Lan Hing Choy has been involved one way or the other with this case?

(Interruptions)

The Deputy Speaker: Order! Order! Allow the hon. Deputy Prime Minister to answer the question.

(Interruptions)

Hon. Jugnauth!

The Deputy Prime Minister: I am not aware that the person mentioned has, in any way, anything to do with it.

WASTEWATER MANAGEMENT PROJECTS - *AGENCE FRANÇAISE DE DÉVELOPPEMENT*

(No. B/298) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Wastewater Management Projects, he will state if the *Agence Française de Développement* has changed its mode of financing thereof and, if so, indicate the reasons therefor.

The Deputy Prime Minister: Mr Deputy Speaker, Sir, the Grand Baie sewerage project – Phase 2 is the only wastewater project which the *Agence Française de Développement* (AFD) showed interest to finance in December 2008. Accordingly, AFD appointed the Consultant, HTI from France, to prepare the pre-feasibility study and cost estimate for the project.

Based on the project cost estimate, AFD finalised the loan agreement of €65,000,000 which was signed in November 2009. The terms and conditions of the loan agreement were EURIBOR flat for a duration of 12 years, including 4 years grace period. The project was expected to start in 2010 and the final disbursement to be made by 28 February 2014.

Subsequently, HTI was requested, as a continuation of its services, to prepare the draft bid documents for a Design and Build concept which was completed in May 2010.

However, I have on a number of occasions informed the House of the weaknesses of the implementation of wastewater projects based on the Design and Build concept resulting in increase in quantities and additional cost as is the case under the ongoing Plaines Wilhems sewerage projects.

In this regard, my Ministry requested the Wastewater Management Authority to carry out a full scale topographical survey and detailed designs prior to the invitation of bids for works contract, as is the case for the following projects such as Pailles, Les Guibies, Baie du Tombeau – Phase III and Grand Baie - Phase 1B.

Mr Deputy Speaker, Sir, there have been protracted discussions with AFD on the procurement process in line with the provisions of the Public Procurement Act including finalisation of shortlist of bidders for -

- consultancy services for supervision of works;

- full scale topographical surveys and detailed designs, and
- the works contract, itself.

This imperative preparatory phase, in compliance with the provisions of the Public Procurement Act, and addressing the concerns expressed by the Director of Audit on the implementation of wastewater projects has implemented on the initial implementation schedule of the project and meeting the strict deadline set by AFD to complete disbursement of funds by 28 February 2014.

In view of the fact that the works would only start in 2015, after completion of the topographical survey and finalisation of detailed designs, the AFD did not agree to postpone the deadline for disbursement of funds and decided to cancel the loan.

I am advised that, at this stage, the AFD has not indicated any change in its mode to finance for the project.

Mr Lesjongard: *M. le président, voilà un cas encore qui démontre les faiblesses de cette institution qu'est la Wastewater Management Authority.* May I ask the hon. Deputy Prime Minister, since this project was supposed to cater for house connections - as stated in a public communication by AFD – for some 10,000 families in the poor areas of Triolet, Morcellement St André, Plaines des Papayes and Solitude and since the hon. Deputy Prime Minister is stating that the AFD has cancelled the loan, what will be the way forward?

The Deputy Prime Minister: I am glad that the hon. Member has mentioned 10,000 household connections. This is the whole point. We do not know till to date, according to the HTI design, whether there are 10,000, 7,000 or whatever thousand. The way forward is to look for an alternative source of funding and go ahead with the project.

Mr Lesjongard: Mr Deputy Speaker, Sir, may I ask the hon. Deputy Prime Minister - we have put questions in this House regarding the weaknesses of the Wastewater Management Authority and we agree that there was a problem of capacity building at the level of Wastewater Management Authority, but that dates back since 2006. Does it mean that it takes 7 years for professionals in that institution to understand what procurement, what implementation of projects are in the country?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I don't think we should point fingers always at our own people. I think we should be careful how we do it.

(Interruptions)

It is the condition.

(Interruptions)

The Deputy Speaker: Hon. Lesjongard!

The Deputy Prime Minister: I have explained that in this case, the...

(Interruptions)

The Deputy Speaker: I am on my feet now! Hon. Deputy Prime Minister, please!

(Interruptions)

Hon. Lesjongard, you just asked a question to the hon. Deputy Prime Minister. Allow the hon. Deputy Prime Minister to respond to your question, now. Meanwhile, you start talking.

(Interruptions)

Yes, but you have again asked a question to which you are entitled to a reply.

(Interruptions)

I want some silence in the House now!

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I wish the hon. Member had listened. It is the funding agency...

(Interruptions)

The Deputy Speaker: Hon. Lesjongard, please! Kindly lend your ears to the hon. Deputy Prime Minister for his answer!

The Deputy Prime Minister: It is the funding agency that wanted to proceed with the Design and Build without going into the topographical survey and the detailed designs. This is where the time was lost. So, we should not always point fingers at WMA.

Mr Ganoo: The hon. Deputy Prime Minister has said that the way forward now is to look for another funding agency. I think I read somewhere that somebody from the WMA did say the same thing publicly, i.e. the way forward is to look for another funding agency, but is that easy now, especially in view of the funds involved in that project which are very substantial? Has the hon. Deputy Prime Minister started to do the needful to look for another funder for this project?

The Deputy Prime Minister: Mr Deputy Speaker, Sir, we are where we are at this stage. I am surprised as much as anybody else that the AFD did not prolong their engagement and I am sorry about it. But I repeat, the problem has been with the procurement process which the AFD did not recognise for a long time and even today, before we stop negotiating with AFD, the insistence was to have a treatment plant without any detailed design. All along the line, there was disagreement of how to proceed. If I had gone ahead with it, there would have been questions in the House; why we have spent so much over the estimated value. This has been the problem. I think the criticisms that have been made before, have now been addressed in by the WMA.

Mr Lesjongard: Mr Deputy Speaker, Sir, the hon. Deputy Prime Minister is asking me not to point fingers. Can he confirm whether it is the same gentleman who was blamed in the Fact Finding Committee report at the Wastewater Management Authority who is now at the head of the National Transport Corporation of this country?

The Deputy Prime Minister: It is a process which has been going on since 2009. So, do not blame one individual; blame the process; blame the way that things have been proceeding; blame the way that funding agencies sometimes are not in line with our procurement rules.

The Deputy Speaker: Time is up! The Table has been advised that PQs B/300, B/301, B/302, B/303, B/305 and B/314 have been 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.

At 4.33 p.m. the sitting was suspended.

On resuming at 5.10 p.m. with the Deputy Speaker in the Chair

PUBLIC BILL

Second Reading

THE INTERNATIONAL ARBITRATION (MISCELLANEOUS PROVISIONS) BILL

(NO. VI OF 2013)

Order for Second Reading read.

The Prime Minister: Mr Deputy Speaker, Sir, I beg to move that the International Arbitration (Miscellaneous Provisions) Bill (No. VI of 2013) be read a second time.

Mr Deputy Speaker, Sir, ever since the enactment of the International Arbitration Act in 2008 and its commencement on 01 January 2009, Mauritius has made significant progress in establishing itself as a centre for international commercial conciliation and arbitration and in particular as the centre of reference for the arbitration of disputes relating to Africa.

I wish, in particular, to highlight the following developments -

- Mauritius has signed a Host Country Agreement with the Permanent Court of Arbitration at The Hague (PCA) which has, for the first time in its history, appointed a permanent representative outside The Hague to a different country, that is, Mauritius. It is the only time that The Hague has done this.
- Mauritius held a launch conference for its new international arbitration platform in December 2010. The Conference, which attracted some 400 delegates from Africa and beyond, was co-hosted by the International Council for Commercial Arbitration (ICCA), the Court of Arbitration of the International Chambers of Commerce, the London Court of International Arbitration (LCIA), the United Nations Commission on International Trade Law (UNCITRAL), the International Centre for Settlement of Investment Disputes of the World Bank (ICSID) and the PCA. MIAC 2012 was held on 10 and 11 December 2012 and once again was a success.
- A joint venture agreement for the creation of a state-of-the-art international arbitration centre was signed with the London Court of International Arbitration in July 2011 at Marlborough House in London which is the seat of the Commonwealth Secretariat. The Mauritian

international arbitration centre (LCIA-MIAC) is now fully operational, having published its rules of arbitration and conciliation. In addition to administering arbitral cases for those who opt into its rules, LCIA-MIAC will help in generating interest in the field, through a pro-active Users' Council, and will also channel the training assistance offered to us by institutions, such as UNCITRAL, the *Comité Français de l'Arbitrage* and the English Bar Council.

- In Singapore last year, ICCA awarded to Mauritius the right to host the 2016 ICCA Congress, in the face of strong rival bids from Copenhagen, Hong Kong and Sydney. The ICCA Congress, which is held every two years, is the key event in the international arbitration calendar. This is the first time that it will be hosted in Africa and I think we should take pride on this matter.

Those developments clearly show that the leading institutions in the field recognise the importance of an increasingly regional approach to the settlement of international disputes, and the role which Mauritius can play in that respect in Africa.

As I indicated, Mr Deputy Speaker, Sir, when I introduced the International Arbitration Bill in the House, in 2008, I said we will keep the legislation under review so that it is up to date and user-friendly. The Bill which is before the House today will ensure that this is the case.

Mr Deputy Speaker, Sir, I do not propose to take up the time of this House with a detailed explanation of every provision of a Bill which is by its very nature both highly specialised and technical.

I propose instead to focus on the salient features, which it is hoped will contribute to keeping Mauritius at the forefront of modern arbitral jurisdictions.

Clause 2 of the Bill relates to the enforcement and recognition of foreign arbitral awards in Mauritius.

Articles 1028 and 1028-1 to 1028-11 of our *Code de Procédure Civile* set out the regime and procedure for the enforcement in Mauritius of arbitral awards made outside Mauritius, in other words, foreign awards prior to their incorporation into our law in 2004 of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, better known as “the New York Convention”. The New York Convention, Mr Deputy Speaker, Sir, is the main international convention governing the recognition and enforcement of foreign arbitral awards, and has now been ratified by 148 countries.

Following the enactment of the International Arbitration Act (the IAA), there has been some debate as to whether Articles 1028 and 1028-1 to 1028-11 of the *Code de Procédure Civile* have been implicitly repealed with the coming into operation of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards Act.

Clause 2 of the Bill resolves that ambiguity by expressly repealing these articles of the *Code de Procédure Civile* and by replacing Article 1028 by a new article which provides that arbitral awards made in foreign countries are governed by the Foreign Arbitral Awards Act and the IAA.

I must here point out, Mr Deputy Speaker, Sir, that when the New York Convention was ratified by Mauritius, Mauritius agreed to enforce foreign arbitral awards in accordance with the Convention, but excluded

from that agreement awards rendered in countries which had not themselves ratified the New York Convention as it was quite entitled to do pursuant to Article I (3) of the Convention.

In order to ensure that the repeal of Articles 1028 and following of the *Code de Procédure Civile* leaves no gap in the laws of Mauritius, Mauritius is taking steps to withdraw this reservation of reciprocity. A decision to that effect was taken by Government on 01 March of this year and the relevant notifications are being deposited with the Secretary-General of the United Nations.

The new section 3A, which is sought to be inserted in the Foreign Arbitral Awards Act by clause 3(a) of the Bill, ensures, for the avoidance of any possible doubt, that the New York Convention will now govern the recognition and enforcement of all foreign awards in Mauritius.

Clause 3(b) of the Bill introduces a number of further technical changes to the Foreign Arbitral Awards Act, which are designed to make our jurisdiction more user-friendly and attractive -

- By virtue of the proposed new section 4A, French and English are each deemed to be an official language for the purpose of Article IV of the New York Convention. This, Mr Deputy Speaker, Sir, will avoid unnecessary translation of awards and ensure that awards rendered in both anglophone and francophone arbitrations are enforceable without unnecessary expense and delay in our jurisdiction.
- The new section 4B clarifies, for the avoidance of doubt that actions for the recognition and enforcement of foreign awards in Mauritius are not subject to any domestic period of limitation or prescription.

Clause 4 of the Bill seeks to make a number of amendments to the IAA.

Clause 4(a) to (e) will make a number of structural changes to section 3 of the IAA. The structure of that section of the IAA departed significantly from the UNCITRAL Model Law, on which our legislation is based, and that has not proven straightforward to apply in practice. A decision has accordingly been taken to restructure the opening part of the IAA in a manner more in line with the Model Law, with a distinction being drawn between preliminary provisions properly speaking (which will remain in Part I of the Act), and the provisions which define the scope of the application of the Act (which had been placed in a new Part IA).

These changes are purely structural and do not affect the meaning or effect of the relevant provisions, save for the following two substantive changes -

- Firstly, one of the effects of clause 4(b) of the Bill will be to replace the provisions of the existing section 3(10) of the IAA by similar provisions in a new section 2C, which deals with the important disconnection which the IAA has operated between international arbitration and our domestic arbitration regime. The new section 2C(1) effectively reproduces the contents of section 3(10) of the IAA, but a new subsection (2) has been added in order to clarify, for the avoidance of doubt again, that the procedure to be applied in applications under the IAA and under the Foreign Arbitral Awards Act is separate from that applied in other civil matters, that

specific rules of Court may be made pursuant to section 198 of the Courts Act, setting out a comprehensive and stand-alone procedural code for such applications, and that these rules may provide for the hearing of these matters by Designated Judges. This subsection will, in particular, provide an express statutory underpinning for any rules of Court on international arbitration that may be made by the Chief Justice.

- Secondly, clause 4(e) of the Bill will, *inter alia*, replace the provisions of section 3(6) of the IAA by those of a new section 3D, which relates to the incorporation of arbitration agreements in the constitution of GBL companies. The existing section 3(6) was meant to provide an option to the shareholders of GBL companies to arbitrate their disputes under the constitution of the company in circumstances where the only forum for the resolution of such disputes had thenceforth been the Mauritian Courts. The wording of the subsection, however, appears to have created some confusion as to the exact scope of that provision, and it is accordingly proposed under the new section 3D to make it absolutely clear that section 3D is dealing solely with arbitration clauses incorporated in the constitution of a GBL company. It does not affect the right of the shareholders of the company to agree to the arbitration of disputes concerning or arising out of agreements other than the constitution of the company, for example, the shareholders' agreement. This amendment will ensure that the purpose of the provision to introduce an option to arbitrate where none existed before is clearly put into effect without any risk of harming pre-existing arrangements or of limiting the parties' choice of arbitral seat for agreements other than the constitution of the company.

Mr Deputy Speaker, Sir, the existing sections 6(2), 23 and 42 of the Act provide that interim measures applications in international arbitration matters must be heard before a panel of three Judges, in the same way as all other international arbitration matters. This, however, has proved cumbersome in practice, in particular for urgent applications. The Bill addresses this problem by providing that these applications will henceforth be heard and determined by a Judge in Chambers in the first instance, but will be returnable before a panel of three Judges once the return date is fixed. This strikes a balance between the need for expediency and the assurance that international arbitration matters ultimately remain the subject of a collegiate decision.

The above amendments also introduce two further features -

- First, section 23(1) of the IAA is being amended to make it clear that the Supreme Court shall have the same power to issue an interim measure in relation to arbitration proceedings as it has in relation to proceedings in Court, whether that power is usually exercised by a Judge in Chambers or otherwise. This will prevent argument as to the extent of the jurisdiction available to the Judge in Chambers in applications under section 23;
- Secondly, a new subsection (2A) is being introduced in section 23 of the IAA to provide that (subject to any contrary agreement of the parties) the Court shall exercise its power to issue

interim measures in order to support, and not to disrupt, existing or contemplated arbitration proceedings. This is in line with the Act's object to create the most favourable environment for international arbitration to thrive in Mauritius, and will ensure that the easier access which parties are given to the Court to apply for interim measures - by giving them access to the Judge in Chambers for that purpose - is not abused by parties in order to disrupt arbitral proceedings in Mauritius or abroad.

Mr Deputy Speaker, Sir, the IAA does not at present provide for what is to happen to a matter if an arbitral award is set aside by the Supreme Court, either partly or wholly. A new section 39A will now make specific provision for this matter.

Mr Deputy Speaker, Sir, section 10(9) and (10) of our Constitution provides that hearings before our Courts must be held in public save, *inter alia*, where (i) the parties otherwise agree or where (ii) the Court is empowered by law to hold the hearing in private and considers this necessary or expedient in circumstances where publicity would prejudice the interests of justice.

Mr Deputy Speaker, Sir, the confidential nature of certain types of arbitration renders it desirable for our Courts to be able to hold hearings in private in appropriate circumstances. Clause 4(i) of the Bill seeks to introduce a new section 42(1B) into the Act, which will provide the necessary legal basis for the Courts to be able to hold proceedings in private for applications under the IAA or the Foreign Arbitral Awards Act where appropriate, taking into account the specific features of international arbitration, including any expectation of confidentiality which the parties may have had when concluding their arbitration agreement or any need to protect confidential information. The new section 42(1C) makes consequential provisions with respect to the publication of information.

Mr Deputy Speaker, Sir, clause 4(j) of the Bill introduces a new section 43 in the Act, which will put in place a system of six Designated Judges to hear all international arbitration matters in Mauritius. This is in line with the practice in many leading arbitral jurisdictions, including Singapore, the UK and France, and will ensure that all applications under the IAA or the Foreign Arbitral Awards Act are heard by specialist Judges. In addition to the specialist knowledge which the Designated Judges will accumulate from hearing all international arbitration matters, it is intended that they will receive specialist training in this field both in Mauritius and abroad.

Mr Deputy Speaker, Sir, the proposed new section 44 of the IAA specifies the procedure for appeals to the Judicial Committee of the Privy Council under section 42(2) of the IAA and under section 4(3) of the Foreign Arbitral Awards Act.

The proposed new section 45 of the IAA makes provision for the use of witness statements in Court proceedings under the IAA and under the Foreign Arbitral Awards Act, and for the applicable sanctions where a person knowingly makes a false statement. Witness statements are now a recognised feature of international arbitration worldwide, and giving international parties the ability to use them in Court proceedings under our

legislation in the stead of, or in addition to, the more traditional affidavits, will contribute to making our jurisdiction even more user-friendly.

Clause 5 of the Bill makes transitional arrangements, and will provide that the International Arbitration (Miscellaneous Provisions) Act shall apply to all proceedings in Court under the IAA or the Foreign Arbitral Awards Act which are pending on the date of the commencement of the Act, that is, 01 June of this year.

Mr Deputy Speaker, Sir, as I stated to this House when introducing the International Arbitration Act four years ago, I am convinced that there is considerable scope for Mauritius to develop as a state-of-the-art and attractive jurisdiction for international arbitration given the very real advantages which we can put to use in this field, including our perfect geographical location to become a centre of reference for disputes involving Africa, South East Asia, India, China and Europe, our infrastructure, the facility Mauritians have with languages, and the great advantage of being perceived as a neutral country from both a developed world and a developing world perspective.

The presence of the United Nations Legal Counsel, Mrs Patricia O'Brien, as the keynote speaker of our MIAC 2012 Conference, served as a timely reminder that – in addition to its commercial importance to our services industry – our International Arbitration Project is more than a commercial venture. It is, at its core, Mr Deputy Speaker, Sir, about the legitimacy of international systems of dispute resolution in Africa and in the developing world, and about the rule of law.

While developing countries are consistently – and rightly – encouraged to accept the process of international arbitration as an effective means of dispute resolution, be it as part of their commercial deals or as a necessary corollary of investment flowing into their countries from developed countries, there is a significant risk that arbitration may be perceived as a 'foreign' process imposed from abroad.

Our International Arbitration Project aims to ensure that our region has its say in the process and in the development, and for international arbitration progressively to become part of our legal culture. Our goal, Mr Deputy Speaker, Sir, is to create a platform run for the benefit of the region as a whole, to build capacity in the field of international dispute resolution, so that – within a generation – Mauritius and Africa can draw on the expertise of specialist Mauritian and African arbitrators and Lawyers.

Mr Deputy Speaker, Sir, these are ambitious goals, but the significant recognition of our project which has been achieved in a short amount of time is very encouraging indeed.

Mauritius is now regularly cited alongside the major international arbitral centres, and is fast becoming the first option for parties wishing to arbitrate in our region.

Mauritius chaired the UNCITRAL Commission last year, and has been chairing the work of its Arbitration Working Group for the past three years. The result of this work will be the creation of a worldwide transparency registry, which will allow civil society to access information relating to the arbitration of investment disputes held under the UN rules. This increased transparency will in turn help to foster the legitimacy of investment arbitration.

Mr Deputy Speaker, Sir, the present Bill is a further step towards the development in Mauritius of a new and currently non-existent service industry at the highest level.

As such, it is an integral part of Government's efforts to create the right conditions for Mauritius to thrive as an arbitral jurisdiction.

Before concluding, I should like to place on record once more – as I have consistently done since the inception of this project – that Government is acutely aware that its role is, and will only ever be, to ensure the existence of the most favourable conditions for international arbitration in Mauritius, with absolutely no interference in this field beyond that assistance; that is the cardinal rule. The present Bill is and remains true to that principle.

Mr Deputy Speaker, Sir, I wish to place on record my thanks to the Attorney General and the State Law Office, which have put in a considerable amount of work in the drafting of this Bill, including through the helpful preparation of Explanatory Notes which explain the purpose of the legislation in more detail. These will be published, in the same way as the *travaux préparatoires* of the International Arbitration Act were published in 2008, in order to assist in the future interpretation of the legislation. I also wish to put on record my deep appreciation of the active and significant contribution made by Mr Salim Moollan of Essex Court Chambers, London, who has been, I can say "*la cheville ouvrière*" behind this Bill and behind our international arbitration endeavours.

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

The Deputy Prime Minister rose and seconded.

(7.20 p.m.)

Mr V. Baloomoody (Third Member for GRNW & Port Louis West): Mr Deputy Speaker, Sir, of course, on this side of the House, we welcome the Bill and the amendment to the main Act, as we did whilst the main Act was before the House in 2008. It is a fact that the amendments being brought today are not controversial in nature and we can only hope that they will further contribute to the creation of a robust and user-friendly legal framework. As the hon. Prime Minister just mentioned, it is quite a technical Bill and I do not propose to address each and every clause, but I will make general remarks.

Sections 2 and 3 of the Bill will eliminate a potential ambiguity in our regime for the recognition and enforcement of foreign arbitral awards. We know that, in the past, in the case of *Macsteel International Fareast Ltd versus Desbro International Ltd*, that issue of whether the *Code Civil* would apply was raised. This, at least, will remove the ambiguity.

The creation of special Judges for the hearing of international arbitration matters through section 4 (b) of the Bill is in line with the development in most major arbitrations. The *Tribunal Fédéral Suisse*, the London High Court through its Commercial Division, the Singapore High Court and the Paris *cour d'appel* have now, whether formally or *de facto*, all adopted this approach which allows for a faster development of relevant expertise.

The streamlining of the structure of the opening section of the Act through sections 4 (a) to (e) and to the end of the processes for application for interim measures, under sections 4 (g) and (i), will also assist our Court in its task of interpreting and applying legislation.

So, it is a fact, as the hon. Prime Minister just said, we have made significant progress since the passing of the Act with regard to our legislation. We have the legal framework, but, unfortunately, this is not enough. It is only one aspect. The regulatory framework is however one aspect of the effort which must be put in to see Mauritius truly develop as an arbitral centre in the way in which Singapore has developed now and many other countries. We have to see why is it that after four years now, I am being informed that there is not much international arbitration in Mauritius. And, there is a lot to be done on this site.

The first thing that we have to sincerely look into is to put in place a state-of-the-art hearing facility for arbitration as they have in Singapore at the Maxwell Chambers. To date, we do not have an equivalent facility with both the PCA and the MISC Officers currently being hosted within the CyberCity. It seems to me that it is essential that such facility be provided. We should have a centre where all the facilities are given. I was informed recently - by mere coincidence I met somebody whom I know from Zimbabwe and who is now the Clerk of a Registrar of the African Court - that in December they had a hearing in Mauritius and there were no facilities! Do you know where they had to do it? It was at the Plantation Hotel! In a hotel! It apparently created some inconveniences which, of course, they did not inform the authority, but, among the Judges themselves they were not happy with the facilities provided here when the African Court sat in December in Mauritius. So, we have to go for a proper state-of-the-art technology facility arbitration centre.

We need to ensure that proper interpretation, translation and transcription facilities are in place and are readily accessible to arbitrating parties. This is another important issue. People come here for arbitration and they want to have quick, readable and accessible transcription facilities. Do you know that today in the Supreme Court if you want to have a transcript of the recording, it takes four to six weeks? At the Intermediate Court, it is the same and there is a problem of this facility in Mauritius.

We need to create the conditions for our Judges and Lawyers to receive expert training in this field. We have to have experts and I would like the hon. Prime Minister - he has mentioned it in his speech - to enlighten us of what facilities will be made available to Lawyers, especially Judges, because now we know that for the professionals we have courses which are being run, but I do not see any magistrate attending these courses. Sometimes some Judges do turn up but not the magistrates. I do not see any of them. I don't know whether it should be compulsory probably for these people to attend a certain hours of lectures per year so as to keep up-to-date with arbitration rules and regulations.

I will now refer to the Arbitration Centre here in Mauritius. I have been informed that there is an Arbitration Centre; there is only a Registrar there. There is no director, it is understaffed and it is more or less dormant. It organises conferences every two years, otherwise there are no Roadshows held by this institution. We say that we want to be the giant in the region or to be the Arbitration Centre in the region, especially for

Africa. But I understand that there have been no Roadshows missions down there! So, there is a need probably for a director or, like in the case of Scotland, where they have an ambassador.

Scotland now is working very hard to be an Arbitration Centre to compete with London. They have named somebody as an ambassador who goes around selling the centre, visiting countries to ensure that businessmen and people are aware of that institution. This is probably another issue which we have to look into.

The hon. Prime Minister refers to the conference which was held in 2010. In that conference quite a lot of issues were raised. So, I want to know from the hon. Prime Minister - I have checked this morning, there are no rules in the Supreme Court. The Chief Justice himself said that there will be a drafting of specific rules of Court for international arbitration. That was said in 2010; we are in 2013 and I have not seen any up to now! So, I want to know whether it will be for the Supreme Court to have the rules or for the Arbitration Centre. The President of the Supreme Court of the United Kingdom, at the same conference, stated that we need a fast track with regard to arbitration. I will quote his speech where he said –

“I have been talking to your Chief Justice and agreed that we must cooperate in putting in place procedures which will ensure that any application that is made to the Court in relation to an arbitration receives the fast track and this is essential if there is to be guaranteed the (...) efficacy that should make arbitration attractive.”

I know that our Chief Justice, the Court or the Judiciary, are not happy with this question of fast track. In fact, it had to be removed when the hon. Minister for Housing and Lands came with an amendment last week for the Land Acquisition Act that the purpose of that Act was to give interim payment and to ensure a fast track; that fast track was removed! Are we going to have a fast track in the Court?

Even now we are giving the opportunity for the parties to go to the Judge in Chambers. but if they want to go on appeal before the three Judges, are we going to have a fast track? Is there a fast track for Mauritius because when hon. Lord Phillips of Worth Matravers who is the President of the Supreme Court of the United Kingdom say: “Have we been able to establish a fast track between our Supreme Court and the Privy Council?” Because he said he was going to discuss that in 2010. I hope that in that two or two and a half years we have been able to have some developments on that issue of fast track because it is very important. In other jurisdictions, the Court do allow fast track when they had to intervene in cases of arbitration. But, unfortunately, it would seem, according to my information, that there is reluctance here by the Judiciary to accept that fast track. This will be a hindrance. If we do not have a fast track, then there is no point to go for arbitration and Court. Otherwise, we might as well go direct to the Court. So, we have to address that issue of fast track.

There is another question which is very important - everybody reads papers now, go through the internet and communication is over – and it is the issue of law and order. People, especially respected arbitrators, who come with important documents in their brief, will not come where there is a problem of law and order. The rule of law is the most important. Like we have received recently, the executive summary of the Human Rights Report, there is not a good reading, when it said that people are arrested arbitrarily in a country. So, these issues

are important if we want to have a proper Arbitration Centre. Why a country like South Africa which is richer and bigger than us, has no arbitration centre? Nobody wants to go there because of security reasons. Another issue which is also important for us to address is when it comes to sell Mauritius as an Arbitration Centre.

Before I conclude, I would like to address the issue which has been of controversy recently and which has not been dealt with. It is the issue of whether Judges can be arbitrators. I know that the issue has been raised on domestic arbitration, but when it comes to international arbitration, we must have an equal level playing field. Internationally, Judges are not allowed to be arbitrators. In UK, Judges are allowed to be arbitrators in domestic cases with the permission of the Chief Justice and all the revenues that it collected go to the Judiciary. This is done not during working time, but if the workload allows them. Unfortunately, in Mauritius, we have had the problem recently, where Judges, and, in some cases, even Presiding Magistrates, were sitting as *Président* in a case of Disciplinary Committee. We need to have a rule. Either the Chief Justice has to come with proper guidelines with regard to whether Judges can sit as arbitrator, be it on domestic or international arbitration. We have to tackle this issue because it is still live, it is still a current practice and it is still happening.

To conclude, Mr Deputy Speaker, Sir, there is no doubt that this amendment will improve our legal framework and it will facilitate the arbitrators' service, but there is a long way to go when it comes to the marketing of our centre. This is where I think we have to target. It is four years now that we have the institute. We have the *appui* of international organisation, but we have to look at our own institute, to have a Director or an Ambassador to go around and to make sure that people are aware of Mauritius as a centre.

Thank you, Mr Deputy Speaker, Sir.

(5.34 p.m.)

The Prime Minister: Mr Deputy Speaker, Sir, I am glad that the hon. Member from the Opposition side finds that it is a good thing that we are doing. I took note of the criticisms that have been said. Let me try to address them, Mr Deputy Speaker, Sir!

First of all, about the four years and according to the hon. Member not much has been done; in fact, it is not right. A lot of things have happened. Just now, I said how we had fierce competition from Sydney, Hong Kong and Copenhagen, and yet it is Mauritius which was chosen. We have just started. My learned friend mentioned Singapore. Singapore started in the 1980s and it is only around 2005 that we saw Singapore come up as an Arbitration Centre. Similarly, for our offshore, we have the legislations and it took some time. It is going to take the time it takes, but we will, of course, give all the facilities that we can.

The hon. Member also mentioned about the Hearing Centre. Let me say that we are in the process of discussions to find this Centre. We want to have - as he rightly said - all the technological innovations that we need to have and a proper building for this. Discussions are being held with - perhaps I should not say which parties - but the Ministry of Finance is involved in that. We are looking into that. The hon. Member mentioned the case of Zimbabwe where they had to go. Was it Zimbabwe or Zambia?

(Interruptions)

The African Court! But I must tell the hon. Member that we have found out that they did not go through the proper channels. They should have contacted the PCA or the LCIA-MIAC. They did not. They could have made the arrangements, but they did not.

I think the hon. Member mentioned about the services, that is, the translation capacity, the interpreters, the transcripts and all this. I must say that the PCA has done a survey both for the Hearing Centre and for the services that we need to provide. They are going to be responsible for that administration, not us. They will be assisted by LCIA-MIAC. They are satisfied that these services would be available.

Another point that the hon. Member raised was about the training of Magistrates. I think he made the point that Magistrates were not there. There is training available for them. But the idea of concentration on six designated Judges, we do not want the whole Judiciary. Everybody can come and listen, but we are not going to train the whole Judiciary. We must do what we can do. That is why there is the idea of six Judges. So that we can focus on specialist training, in addition to, in other words, the general training that they will have.

I must also say, Mr Deputy Speaker, Sir, that the two conferences that we had, that is, in December 2010 and then in 2012, the purpose was not just for them to attend the conference, the purpose was also for them to learn about arbitration and to look at the live issues that are there. I must also say that the ICCA – last year there was the New York Convention, what we call the Roadshow. It is a worldwide programme for African Judges and Lawyers. This was launched in Mauritius last year. They must also learn from maybe the process of osmosis as well. As the hon. Member rightly said there are lectures for them to go and attend if they want to attend.

I think the hon. Member mentioned about the rules of Court. This, I must say, has been circulated to the whole Bar some two months ago. It has been circulated, maybe the hon. Member has not seen it, but it has been circulated.

(Interruptions)

It has been circulated, I can assure the hon. Member and it will be promulgated at the same time as the Bill, that is, on 01 June of this year.

I must also say, Mr Deputy Speaker, Sir, that the idea of raising awareness, we mentioned the Roadshow and all these, but the first requirement is to establish credibility. I think we have already moved a long way to get this. Our legislation, I must say, is being praised as one of the best. There have been articles written in the law magazines. Believe it or not, our law is being actually taught in one University in South Africa because they find that it is a good model. I must also say, Mr Deputy Speaker, Sir, that some of our neighbours - perhaps I should not mention names - have approached UNCITRAL to try to develop their legislation model on ours because they have seen what kind of reviews we have got. Besides, I must say that the ICCA Council has the top Lawyers in Arbitration.

They would never have considered Mauritius as the host country for the congress that we have mentioned in 2006, if they had thought that we were not credible or if they had thought that there is a problem of

law and order. In every country there is a problem. But I must tell the hon. Member, let us not shoot ourselves in the leg. If we look at what is happening in the world, we are, in fact, one of the lowest places. The hon. Member mentioned South Africa. It is very true that South Africa has become a very dangerous place. Recently, the hon. Minister for Foreign Affairs, Regional Integration and International Trade mentioned that - even our own delegates going in a car - it is absolutely very dangerous. There are countries where the Arbitration Centres - I will not mention names - where actually we are having bombs being planted all over the place, riots and all those things. One crime is one crime too many, but comparatively we are not in that situation. I must also say that if we do not have credibility, that is the most important thing, we are dead in the water. As the hon. Member rightly says, South Africa has got this problem.

Secondly, perhaps I could say to the House, for example, the African Development Bank, for the first time, they are considering having their arbitration in Africa. They never had it in Africa. I must say that they have shortlisted three countries and I do not want to mention the names because they have not yet decided. Among the three countries, Mauritius is one of them. I also know that Lawyers, both in UK and France, at least, are recommending Mauritius for business if we are concerned with the Business Law, African Law within African States.

Maybe I can also tell the House that there is a conference - nothing to do with us - that Lawyers in Paris have decided to hold their own evolution and they have chosen Mauritius for that conference, which will be in September 2013. They have gone through the system. They have contacted the PCA. They have contacted us and all those things. We also want to make sure, if we want to be an Arbitration Centre that the disputes do not get settled before they come to arbitration, but that is another point. I feel we have this momentum. This is about capacity building, it is not anything else. We want to ensure that we have this.

As for the rules of the fast track - if you had a chance to look at it - they have given very strict and tight timetables. They have been circulated also. There is a limited time, we cannot just go on and on without anything else.

As for the Ambassador, perhaps I think that is what the hon. Member mentioned for the Director. I must tell the hon. Member that we are actually chairing UNCITRAL₂ that is, a marvellous exposure that we are getting thanks to our friend. We cannot get more visibility than that, Mr Deputy Speaker, Sir, in the field of international arbitration. It is a matter of pride that it is a Mauritian who is chairing this. Imagine also the reason about the fast track, as I have said now we can go to one Judge ex-party, but it does not mean that it is over. When the date comes for the ruling, we will have to go in front of the three Judges. The difficulty was having three Judges at one go at the beginning and that is why we have done this, and that is why also we have designated six Judges, I mean the Chief Justice, because we want it to go fast and they will gain the experience and they can go fast.

As for what happens if it goes to the Supreme Court and the Privy Council, this also is being looked at. The Privy Council is aware that we want to have it as a fast track, but the whole process idea of arbitration is that we do it quickly. That is the whole idea as the hon. Member rightly said.

I think the last point the hon. Member made was about the Judges as arbitrators. It is a domestic issue which is not linked to this international arbitration and I think that we should keep them separate so that we do not allow this debate to go into this. That is why there are six designated Judges. The other issue is the domestic issue that is being looked at. I know some people are looking at it. I don't want to go into further details.

But having said that, Mr Deputy Speaker, Sir, I think we have made quite a big leap forward and that is why I wanted to thank the people who have contributed, Mr Moollan, the State Law Office and the Attorney General's Office. They really have been moving in the direction that we should have in a rapid rate because all this would not have happened had we not done it in such a systematic and profound manner of trying to lobby for Mauritius to be the Arbitration Centre. The proof of the pudding remains in the eating, Mr Deputy Speaker, Sir, and, as I said, they would not have chosen to have the conference here, the bi-annual Conference that they do every two years. Also, we see that others are trying to copy our law and we are getting a lot of praise for the way the law has been. In fact, some people are saying it is the best law.

So, with these words, I thank you, Mr Deputy Speaker, Sir.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

The International Arbitration (Miscellaneous Provisions) Bill (No. VI 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 International Arbitration (Miscellaneous Provisions) Bill (No. VI of 2013) was read the third time and passed.

ADJOURNMENT

The Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 21 May 2013 at 11.30 a.m.

The Deputy Prime Minister rose and seconded.

The Deputy Speaker: The House stands adjourned.

I have to remind the hon. Members that we have got as many as 12 Members who have expressed their wish to intervene. I will just make an appeal to them to be as short as possible.

MATTERS RAISED

(5.48 p.m.)

MAURITIUS TELECOM – MyT SERVICES

Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière): Mr Deputy Speaker, Sir, I have to raise an issue under the responsibility of the Minister of ICT, concerning the services of MyT which are becoming worse and worse these days for the consumers. So, can I make a request to the hon. Minister to liaise with the Mauritius Telecom although I know it is very difficult for him, but it is his responsibility?

(Interruptions)

And, I wish him good luck. I am doing my duty as MP. So, the MyT services in my Constituency, especially in the Mare Gravier region, are creating lots of problems to the consumers. They have been going to the Mauritius Telecom time and again and they have been talking to deaf ears! So, today I am their voice, I wish and I hope I am not talking to another deaf ear. I am sure the hon. Minister will take up the issue with the Mauritius Telecom.

(Interruptions)

The hon. Minister of External Affairs has a problem? You have a problem?

(Interruptions)

You are not listening to me. You are murmuring.

(Interruptions)

‘Mo pas pou dire toi narien.’

So, can I ask the hon. Minister, at least, to liaise and ask his representative on the Board of Mauritius Telecom to see to it that especially people in my constituency, in the Mare Gravier region, have satisfaction?

The Minister of Information and Communication Technology (Mr T. Pillay Chedumbrum): Mr Deputy Speaker, Sir, I can assure the hon. Member that I am going to look into it, and see in what manner we can help to sort out the situation.

(5.50 p.m.)

BIGARA CEMETERY, CUREPIPE

Mr S. Obeegadoo (Third Member for Curepipe & Midlands): M. le président, je souhaiterais évoquer aussi rapidement que possible le problème du cimetière de Bigara à Curepipe, en particulier, le cimetière musulman de Bigara.

La fédération des mosquées de Curepipe a adressé un document au Premier ministre - et je pense que le ministre des collectivités locales doit l'avoir reçu, et il y a trois problèmes évoqués. Je demanderai au vice-Premier ministre ici présent d'assurer le suivi de l'affaire auprès du Premier ministre.

Premier problème, l'entretien du cimetière, l'état général du cimetière qui a été laissé à l'abandon. Le cimetière ayant maintenant l'apparence d'un terrain vague avec l'herbe, la végétation envahissant tout le

cimetière, y compris les tombes, de sorte que l'accès aux tombes devient problématique; accumulation d'eau, ordures non enlevées.

Deuxième problème, ce sont les facilités infrastructurelles. La terrasse couverte qui demande à être agrandie, des points d'eau, les robinets actuels qui ne fonctionnent pas, l'éclairage pour les enterrements la nuit qui continuent à poser problème, et aussi la requête qui a été faite pour qu'il y ait des fosses en mode *stand-by*, si je puis dire, des fosses disponibles en cas d'urgence des enterrements la nuit.

Troisièmement, M. le président, ce sont les facilités pour les enterrements en dehors des heures de bureau. Il y a des arrangements qui marchent très bien dans le cadre des autres municipalités, mais à Curepipe il y a un problème grave, à tel point, vous vous souvenez de l'incident qui a eu lieu il y a quelques semaines où un des députés de la circonscription, en compagnie du Maire, a dû forcer l'entrée du cimetière de Bigara. Je ne suis pas là pour défendre ce qui a été fait, mais je pense que cela reflète un peu la frustration des gens à Curepipe.

Les demandes sont très simples. Actuellement, il faut prévenir la mairie avant 19h30, et l'enterrement, la mise en terre doit avoir lieu avant 22h30. La demande c'est que cela soit étendu pour que l'on puisse prévenir jusqu'à 20h et enterrer jusqu'à 23h, comme cela se fait couramment ailleurs, à Rose Hill ou à Port Louis, par exemple, et que des officiers de la mairie soient disponibles. Donc, au moins trois, y compris parmi un habitant de Curepipe, afin qu'il soit accessible aux gens dans des cas d'urgence.

M. le président, c'est un problème qui a été évoqué à maintes reprises. Au moins en quatre occasions, l'honorable Dr. S. Boolell et moi avons évoqué ce problème ici à l'Assemblée. A la mairie de Curepipe, l'opposition MMM a fait deux demandes : plus de flexibilité d'une part, et de donner une certaine autonomie à la fédération des mosquées pour qu'elle puisse gérer, participer à la gestion de la *Muslim Section* du cimetière de Bigara. La situation actuelle dénote un manque de respect; un manque de respect vis-à-vis de nos morts et les familles de nos morts, un manque de respect vis-à-vis de nos concitoyens de foi musulmane qui ont une obligation religieuse d'enterrer au plus vite. Il y a une frustration grandissante au sein de la communauté musulmane de Curepipe, et je lance donc un appel au vice-Premier ministre ici présent et au ministre des collectivités locales pour que les directives appropriées soient données à l'administration MMSD/Travailleuse/PMSD de Curepipe, pour que ce problème soit résolu au plus vite. Merci, M. le président.

The Minister of Local Government and Outer Islands (Mr H. Aimée): Mr Deputy Speaker, Sir, bien sûr, j'accueille favorablement les doléances de l'honorable Membre. Effectivement, il y a eu une lettre envoyée au Premier ministre. J'ai eu une copie de la lettre, et je vais personnellement m'y mettre pour trouver des solutions aux citoyens de Curepipe à ce propos.

(5.54 p.m.)

CLUNY - KALIMAYE ROAD - ROADWORK

Mr M. Seeruttun (Second Member for Vieux Grand Port & Rose Belle): M. le président, le sujet que je vais aborder concerne le ministre des infrastructures publiques. Malheureusement, il n'est pas là. Donc, j'espère qu'on va lui passer le message.

Le problème que je vais aborder concerne les habitants de Kalimaye Road, Cluny. C'est un chemin qui doit être refait. Il y a cinq semaines de cela, un contracteur est venu là-bas pour démarrer les travaux, et au bout de deux semaines il a plié bagage, laissant les travaux inachevés. Et depuis, la situation de ce chemin est pire qu'avant que ne démarrent les travaux. Donc, les habitants doivent subir ce calvaire. Il n'y a personne pour expliquer pourquoi ils sont partis, et ils sont dans un flou total. Donc, je demande au ministre concerné de voir qui est ce contracteur qui a laissé derrière ce chantier inachevé, et de s'assurer que les travaux soient complétés et que les habitants puissent se servir de ce chemin, de façon à ce que cela ne cause pas de problème pour accéder à leur maison dans un délai le plus court possible.

Merci, M. le président.

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): Mr Deputy Speaker, Sir, I shall transmit the message to the substantive Minister when he comes back.

(5.56 pm.)

CONSTITUENCY NO. 19 – BERTHAUD-GUY ROZEMONT JUNCTION – ROAD RESURFACING

Mr D. Nagalingum (Second Member for Stanley & Rose Hill): Mr Deputy Speaker, Sir, I would like to raise a matter with regard to my Constituency No. 19, Stanley and Rose Hill, addressed to the Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping.

Mr Deputy Speaker, Sir, there is one road which is in a very bad state due to the wastewater project that has been completed five years ago. The road has not been resurfaced since. I am talking about Junction Berthaud-Guy Rozemont up to Boundary. My colleague, hon. Mrs L. Ribot, and I have received complaints and petitions from the inhabitants of the locality - Stanley and Trèfles - especially that this road is an easy access to users travelling from Rose Hill to Victoria hospital. May I ask the hon. Minister to look into it as a matter of urgency?

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): Mr Deputy Speaker, Sir, again I shall transmit the message to the substantive Minister.

(5.57 p.m.)

ROBINSON ROAD & CAMP CAVAL, CUREPIPE - DISPENSARY

Dr. S. Boolell (Second Member for Curepipe & Midlands): Mr Deputy Speaker, Sir, I wish to intervene on a matter concerning a dispensary which is badly needed in the area of Robinson Road and Camp Caval in Curepipe.

The inhabitants of these two areas are catered for only by the dispensary in the centre of Curepipe, which is Cossigny, and it is quite far for them to get to this place, which is always overloaded.

I think it would be wise to conduct a survey as to the overloading of the Cossigny Dispensary, which could be reduced by opening a dispensary in the Camp Caval area or Robinson, depending on availability of the premises.

The Minister of Health and Quality of Life (Mr L. Bundhoo): I thank the hon. Member for having raised the issue. In fact, this issue was brought to my attention, but as the hon. Member is aware, there is a catchment area. We have to see whether it warrants another Area Health Centre in this catchment area because there is a way it is being done so as to ensure some form of equity with regard to distribution of patients.

(5.58 p.m.)

CONSTITUENCY NO. 3 - ST. FRANCOIS XAVIER STREET

- PEDESTRIAN CROSSING

Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East): Mr Deputy Speaker, Sir, my issue relates to the Police and concerns the hon. Prime Minister. If the Deputy Prime Minister could take note and transmit the message to the Police. It relates to St. Francois Xavier Street in Constituency No. 3, where there is a pedestrian crossing.

The problem is that the crossing is situated at the junction of Bombay Street and St. Francois Xavier Street, next to Ladybird shop. That is, when the vehicle turns on the right, it turns directly on the pedestrian crossing, and there had been accidents. St. Francois Xavier Street is a one-way street. When people overlook on the left and there is no vehicle, they just turn on the right and then there is a pedestrian crossing. Very often, accidents have occurred.

My appeal is that the pedestrian crossing be moved before Bombay Street, so that they don't cross the pedestrian crossing when vehicles turn to the right.

Thank you, Mr Deputy Speaker, Sir.

The Minister of Environment and Sustainable Development (Mr D. Virahsawmy): Mr Deputy Speaker, Sir, I have taken note of the issue concerning the pedestrian crossing.

(5.59 p.m.)

ROSE HILL - BUS STATION - VIOLENCE

Mrs L. Ribot (Third Member for Stanley & Rose Hill): M. le président, je voudrais adresser ma requête au Premier ministre, et je demanderais au Premier ministre adjoint de bien vouloir la transmettre.

M. le président, à l'heure de l'entrée et de la sortie des classes, il y a évidemment énormément d'étudiants à la gare de Rose Hill et autour des collèges. Bien souvent, il y a non seulement des bagarres de gangs, puisqu'il y a une recrudescence de violence parmi les jeunes, mais, ces jours-ci, il y a des adultes en voiture ou à pied qui tournent autour de ces jeunes en leur proposant des balades en voiture, de la drogue, de l'alcool en petit logement ou tout simplement de l'argent pour un peu de bon temps.

Je demanderai au Premier ministre adjoint de bien vouloir transmettre au Premier ministre ma requête où je demande à ce que la Police et la Brigade des Mineurs fassent des rondes plus régulières à la gare de Rose Hill et autour des collèges, ce qui aurait un effet dissuasif sur ces adultes.

Merci, M. le président.

The Deputy Prime Minister: I will, Mr Deputy Speaker, Sir.

(6.01 p.m.)

SUGAR CAMPS - LA PROPRIÉTÉ CHOISY

Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) : Mr Deputy Speaker, Sir, I would like to appeal to the hon. Minister of Agro-Industry and Food Security concerning a notice of *Mise en Demeure* to twelve sugar camp dwellers, ex-workers of the Ramphul Ltd., also known as La Propriété Choisy situated at Choisy, Baie du Cap, District Savanne.

Mr Deputy Speaker, Sir, Ramphul Ltd. is one of the six sugar industries that was not part of the Voluntary Retirement Scheme (VRS). However, in collaboration with the Government, Ramphul Ltd. has paid his employees a cash compensation for their years of service in the development of the sugar sector and the country at large.

Hence, on 22 June 2011, the ceremony was held for the workers under the Voluntary Retirement Scheme (VRS) in the presence of hon. Minister Faugoo. In his speech, the hon. Minister has made it clear to the workers that he is well aware of the situation of the few of them who are sugar camp dwellers, that is, who are still living on the Propriété Choisy and will need to be relocated. He has provided the sugar camp dwellers the guarantee that a committee - with hon. Xavier-Luc Duval among other hon. Ministers - has been set up to work out a housing plan for them.

Up to date, there has been no housing plan and no follow-up on the situation of these sugar camp dwellers. Unfortunately, these workers have received a notice of *Mise en Demeure*. They have to quit, leave and vacate the Propriété Choisy within 15 days as from the 26 April 2013.

Mr Deputy Speaker, Sir, we all know the hard work and hardships of these workers to contribute to the progress and success of our country. They are not simply workers, as we may all agree. They also have their rights that need to be respected. Today, they are not sleeping well and they keep worrying as to where they will find a place to live. This is an unfair and dishonest situation. Therefore, I am appealing to the hon. Minister of Agro-Industry and Food Security for justice to be made to these twelve ex-employees who are still living on the Propriété Choisy.

Mr Deputy Speaker, Sir, I am now laying on the Table of the National Assembly a copy of the CD recorded on the day of the ceremony and copies of the *Mise en Demeure*.

Thank you, Mr Deputy Speaker, Sir.

The Minister of Agro-Industry and Food Security (Mr S. Faugoo): Mr Deputy Speaker, Sir, if I can, offhand, answer to some of the issues which have been raised.

First of all, Ramphul Ltd. is a company which is not a member of the MSPA, so the SIE Act does not apply to Ramphul Ltd.

As far as VRS is concerned, I think, upon negotiation and pressure put by the Government, by the Ministry and MCIA, Ramphul Ltd. accepted to pay an ex-gratia payment to some of the workers who were laid down in the general context of reform. This was done by Ramphul Ltd. upon pressure exercised by Government and the Ministry. It was not only Ramphul Ltd; there are two or three other companies which fall outside the ambit of MSPA. This is the first thing.

As for the second thing which the hon. Member is saying, I do not recall - she can go through the record, I will go through it also - what I said. I need to be corrected; I will check myself. As far as I recall, the negotiation which was done with Ramphul Ltd. for those workers who were in occupation of the houses which were there on the housing estate, a delay was granted for them to find out their own land or houses. It was also a fact that some of the workers who were staying in the camps were owners of land and houses in other places. Some of them were also holding taxi licences, as far as I can recall. All these things have to be looked into. I think, with all due respect, the hon. Member is mistaken on some of the issues, but I am ready and prepared to look again at the file and see how far we can help because we are on the side of workers. There is no doubt about this. I must see in the proper context what the negotiation was for and what has not been done by Ramphul Ltd, and I will make sure that we impress again upon Ramphul Ltd. to do whatever was decided and agreed upon, Mr Deputy Speaker, Sir.

Thank you.

(6.06 p.m.)

RODRIGUES – ALZHEIMER DISEASE

Mr J. F. François (Third Member for Rodrigues) : M. le président, je voudrais adresser un sujet très sensible et important à l'honorable ministre de la santé et l'honorable ministre de la sécurité sociale concernant la maladie d'Alzheimer et les aidants. La maladie d'Alzheimer prend de l'ampleur dans notre République et mérite une attention particulière. J'ai vu les difficultés des personnes malades, les aidants de l'entourage, qui vivent avec les personnes souffrants et qui deviennent comme une seconde victime.

Je constate un manque de formation pour les aidants familiaux pour aider les familles à vivre correctement ensemble et d'améliorer leur qualité de vie. Il y a un cri du cœur de l'entourage des aidants pour un nouveau regard sur les malades et la maladie d'Alzheimer pour un meilleur accompagnement.

M. le président, je plaide pour une meilleure prise en charge, plus conséquente de l'État envers les personnes souffrant d'Alzheimer et d'apporter un soutien accru aux aidants et accompagnements à domicile. Je propose que les ministères, avec l'aide des autres partenaires, réalisent un nouveau plan pour gérer la maladie et les malades d'Alzheimer pour la République, qui, certainement, touchera aussi Rodrigues, vu le nombre grandissant des malades comme exprimé par une nouvelle association récemment créée à Rodrigues dans ce sens.

M. le président, je vous remercie.

(6.07 p.m.)

The Minister of Health and Quality of Life (Mr L. Bundhoo): Mr Deputy Speaker, Sir, I wish to thank the hon. Member to have raised this issue here. I can assure him that during my last visit in Rodrigues, Mr Vallymamode, the Health Commissioner and Sports did raise the issue with me. Only two weeks ago, he was visiting Mauritius and we had a meeting in my office.

As far as I can understand, the services of a Medical Specialist, Neurologist and Psychiatrist are needed with regard to the diagnosis of Alzheimer. This is actually in Rodrigues. We have the services. There was a specific request made for the services of a full time psychiatrist. If I am not mistaken, this service has already been approved and granted to Rodrigues and I am sure the services of a full time psychiatrist, helped by other medical specialists, will go hand in hand in improving the services with regard to Alzheimer.

I am sure, my colleague, hon. Mrs Bappoo and myself, would see to it that whatever actions are being taken in Mauritius are also replicated in Rodrigues with regard to Alzheimer.

Thank you.

(6.08 p.m.)

KHADAFI SQUARE – TRAFFIC LIGHTS

Mr A. Ameer Meea (First Member for Port Louis Maritime & Port Louis East): Mr Deputy Speaker, Sir, again, I have another issue relating to the hon. Prime Minister and the Police. It concerns the traffic lights that are situated at the whereabouts of Khadafi Square, that is, the junction of Rue Magon and Route des Pamplemousses. The thing is that the traffic lights are switched off very early at night. Even at 7 p.m. or 8 p.m., the traffic lights are already switched off and there has been one accident last week.

May I appeal to the hon. Prime Minister to see to it that those traffic lights remain switched on until late?

Thank you.

The Minister of Environment & Sustainable Development (Mr D. Virahsawmy): I shall have a look at this problem, Mr Deputy Speaker, Sir.

At 6.22 p.m. the Assembly was, on its rising, adjourned to Tuesday 21 May 2013 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

PORT LOUIS - PUBLIC SERVICES – RENTED BUILDING

(No. B/295) Mr K. C. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the renting of spaces for use in Port Louis by Government, he will, for each of the years 2012 and 2013, obtain information as to –

- (a) the total number of square feet rented and the amount of rental paid, indicating the number of square feet rented and amount of rental paid to private owners, giving details as to the names and locations of the rented buildings, and
- (b) if an economic and social cost-benefit study has been carried out on the decentralisation of public services out of Port Louis, and if so, give details thereof and if not, why not.

Reply: With reference to part (a) of the question, the information is being compiled and will be tabled at the National Assembly, upon receipt of same from all Ministries and Departments.

In regards to part (b) of the question, I am informed that the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping has, so far, not commissioned such study. This is premised on a major decision regarding decentralisation of public services, which exercise is a multifaceted one involving transport facilities, logistics and so on.

SOCIAL REGISTER - PUBLICATION

(No. B/296) Mr K. C. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the Social Register, she will state if field surveys have been completed therefor and, if so, indicate where matters stand as to the finalisation and publication thereof.

Reply: The Social Register of Mauritius (SRM), which is being constituted by my Ministry, is meant to be a comprehensive database of potential and actual beneficiaries of social assistance programmes.

So far, the SRM has been used in two social programmes of Government, namely, the Housing and the Crèches schemes. I understand that social enquiries have been carried out by the Ministry of Housing and Lands and the Ministry of Social Integration respectively according to their own set of criteria. It is also to be noted that field surveys are being presently applied by my Ministry in respect of the Child Allowance Programme announced in the last Budget.

The compilation of the SRM is a lengthy and time consuming process which involves different stakeholders, and, *inter alia*, the following stages -

- Collection of data and including field surveys;
- Development of the relevant software;
- Processing of the data, and
- Analysis and interpretation of the data.

May I point out that the question of finalisation of the SRM does not arise as it is to be noted that the SRM is a dynamic Register with new entrants and exits.

Neither my Ministry intends to publish the Register as it involves issues of confidentiality and may give rise to stigmatisation of poor families which is not the intention of the Government.

BANK OF MAURITIUS - TASK FORCE

(No. B/299) Mr E. Guimbeau (First Member for Curepipe & Midlands) asked the Vice-Prime Minister, Minister of Finance and Economic Development whether, in regard to the Task Force set up by the Bank of Mauritius to investigate into the unfair terms and conditions of contract, including fees, commissions and charges governing contracts between the consumers and financial institutions such as the commercial banks and other related financial institutions, he will, for the benefit of the House, obtain from the Bank of Mauritius, information as to where matters stand.

Reply: In my reply to PQ B/547 of 17 July 2012, I apprised the House that the Bank of Mauritius, in a Communiqué dated 04 July 2012, had informed the public of the setting up of a Task Force on unfair terms and conditions in banking and related financial contracts. The public was accordingly invited to submit comments and proposals by 31 August 2012.

I am informed that the representations from the public in response to the Communiqué were considered and analysed by the Bank of Mauritius. However, considering the complexity of the task and since most of the complaints received relate to fees and charges imposed by commercial banks and in view of the amendments made to the Bank of Mauritius Act in December 2012, the Bank of Mauritius, has set up a Technical Committee to look into the issue of fees and charges. The Technical Committee is expected to submit a preliminary report to the Bank of Mauritius by the end of September 2013.

I am also informed that on the basis of the findings of the Technical Committee, the Bank of Mauritius will come up with a Public Consultation Document and the public will be invited to submit their comments on the Public Consultation Document.

I am also informed that the Bank of Mauritius will issue in due course a Communiqué to inform the public where matters stand regarding the work of the Task Force.

In the meantime, the Bank of Mauritius has set up a dedicated unit in the Supervision Division of the Bank, to look into complaints made by the public in their dealings with financial institutions licensed by the Bank and bring about remedial actions where possible. Furthermore, prior to the amendments of Banking Act in December 2012, the Bank of Mauritius also recommended banks to set up a Complaints Desk in their institutions to attend to customers' complaints.

In the Budget Speech 2013, I underlined that there have been persistent reports of excessive charges by the banks and to better regulate this sector I mentioned that the Bank of Mauritius will ensure that commercial banks apply a "Treat your Customer Fairly Programme". Accordingly, in December 2012 amendments were

brought to the Bank of Mauritius Act with a view to widening its powers so that it can put a cap on bank charges where necessary.

MAURITIUS TELECOM - ORANGE - CELLULAR NETWORK

(No. B/300) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Information and Communication Technology whether, in regard to Orange, he will, for the benefit of the House, obtain from the Information and Communication Technology Authority, information as to

-
- (a) the reasons why the cellular network went down/was unresponsive on 30 March and 03 May 2013, indicating the actions taken, if any, against Mauritius Telecom in relation thereto, and
 - (b) if consideration will be given for the imposition of a limit of the number of customers per network operator to ensure quality of service.

(Withdrawn)

UNEMPLOYMENT

(No. B/301) Mr C. Fakeemeeah (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Labour, Industrial Relations and employment whether, in regard to the unemployment rate, he will give a breakdown thereof per constituency and per category of workers concerned therewith.

(Withdrawn)

MEDICAL PRACTITIONERS (FOREIGN) - REGISTRATION

(No. B/302) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Health and Quality of Life whether, in regard to the foreign medical practitioners, he will, for the benefit of the House, obtain from the Medical Council, information as to the number thereof registered therewith and working in the country, indicating in each case –

- (a) the criteria on which the registration was effected, and
- (b) if a permit was applied for and obtained from the Board of Investment and other authorities, indicating the criteria considered therefor.

(Withdrawn)

DENTAL SURGEONS - REGISTRATION

(No. B/303) Dr. S. Boolell (Second Member for Curepipe & Midlands) asked the Minister of Health and Quality of Life whether, in regard to dentistry, he will, for the benefit of the House, obtain from the Dental Council, information as to the criteria considered for Dental Surgeons to be registered as Dental Specialists, indicating how same are implemented in respect of the practitioners of the private and of the public sector respectively.

(Withdrawn)

CAP MALHEUREUX PRE-PRIMARY SCHOOL – TEACHERS

(No. B/304) Mr A. Gungah (First Member for Grand’Baie and Poudre D’or) asked the Minister of Education and Human Resources whether, in regard to the Cap Malheureux pre-primary school, he will state if he has been informed that there is a lack of school teachers thereat and, if so, indicate if remedial measures will be taken in relation thereto.

Reply (The Minister of Local Government and Outer Islands): I am informed by the Early Childhood Care and Education Authority (ECCEA) that the school run by the Rivière du Rempart District Council at Cap Malheureux has only 1 teacher for its 31 pupils on roll. The District Council has been requested by the ECCEA to recruit an additional pre-primary Teacher given that the teacher pupil ratio as per current ECCEA regulations provides that -

“In every pre-primary school, there shall be at least 1 educator for every 25 children”.

I have also requested the District Council to make arrangement for the recruitment of an additional teacher.

Meanwhile, the ECCEA is exploring the possibility of providing the services of a pre-primary Teacher to the school to remedy the situation.

OCCUPATIONAL HEALTH AND SAFETY DIPLOMA - VOCATIONAL TRAINING INSTITUTE

(No. B/305) Mrs L. D. Dookun-Luchoomun (Second Member for Quartier Militaire & Moka) asked the Minister of Tertiary Education, Science, Research and Technology whether, in regard to the Tertiary Education Commission, he will, for the benefit of the House, obtain therefrom, information as to if it has approved and recognised the Diploma in Occupational Health and Safety offered by the Vocational Training Institute in collaboration with the National Safety Council of Australia.

(Withdrawn)

CSO - ABSOLUTE POVERTY - HOUSEHOLD SURVEY

(No. B/307) Mr N. Bodha (First Member for Vacoas & Floreal) asked the Minister of Social Integration and Economic Empowerment whether, in regard to absolute poverty, he will state if he has taken cognizance of the latest figures thereof and of the trend for the recent years, as published by the household survey of the Central Statistics Office and, if so, indicate the new measures that are being implemented in relation thereto.

Reply: I am informed by Statistics Mauritius that a Household Budget Survey was carried out in 2012 and the final report will be released by end of this year. I am informed that preliminary results regarding relative poverty were published in April 2013.

I am further informed by Statistics Mauritius that in their preliminary results they have only referred to cases of relative poverty based on a monthly basis of Rs5,660 per adult in 2012.

I wish to inform the House that my Ministry is responsible for the empowerment of the absolutely poor and that the total income threshold of a family living below the absolute poverty line has been revised in February 2012 from Rs5,000 to Rs6,200 excluding social aid.

The absolute poverty line has been set by the World Bank at \$1.25 per head per day for least developed countries and \$2 per head per day for developing countries.

The House will appreciate that in our strategy and as a caring Government, we have gone not one step further, but many steps further by setting an absolute poverty line at approximately \$3.4 per head per day in spite of extensive welfare coverage system.

May I stress that poverty alleviation and empowerment of the vulnerable families is one of the priorities of this Government and my Ministry is sparing no effort to improve the standard of living of our needy people.

In this regard, since its creation in May 2010, my Ministry, through its executive arm, the National Empowerment Foundation, has adopted a three-pronged strategy namely the Child Development and Family Welfare, Social Housing and Community Empowerment and Training, and Placement to enhance its service delivery and ensure a better outreach to the vulnerable families. This approach involves the profiling of vulnerable families and their members, assessing their needs, linking them to appropriate services, monitoring progress, motivating and mentoring them towards their empowerment.

Fighting poverty is an ongoing battle. I am sure that with the strategy that my Ministry has adopted, we will be able to bring a glimmer of hope in the hearts of all the vulnerable people in this country.

TEENAGE PREGNANCY - MEASURES

(No. B/309) Mrs L. D. Dookun-Luchoomun (Second Member for Quartier Militaire & Moka) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to teenage pregnancy, she will state the number of reported cases thereof in 2012, indicating the measures taken by her Ministry for the prevention thereof.

Reply: I am informed that in regard to teenage pregnancy 200 cases have been reported at the level of my Ministry in 2012.

The prevention of teenage pregnancy requires a holistic approach with intervention of multiple stakeholders. My Ministry is involved in sensitisation and awareness campaigns as following -

- (i) Regular education, information and communication campaigns are undertaken across the island to sensitise adolescents on the risk factors of teenage pregnancy and the dangers of Commercial Sexual Exploitation of Children (CSEC).

- (ii) Sensitisation programmes are also organised regularly by the National Children's Council in Primary and Secondary schools through the School Child Protection Clubs. Some 2,385 children were sensitised in 2012.
- (iii) Talks on unsafe sex and CSEC are delivered by Officers of my Ministry in collaboration with the Mauritius Family Planning and Welfare Association which is managing the Drop-in Centre at Bell Village. The beneficiaries are primary and secondary school students as well as people attending community centres. For the period July to December 2012, 1,224 people were reached.
- (iv) Families are also being sensitised on preventive measures of teenage pregnancy related issues through the '*École des Parents*' project.
- (v) Focus group sessions with pregnant teenagers with or without their parents are organised.

Furthermore, psychological counseling therapy and support services are provided free of charge to teenage mothers, victims of violence. Families facing problems with their teenage pregnant children as well as pregnant teenagers placed in shelters are also assisted by CDU Officers.

A Child Mentoring Programme has also been put in place whereby children having mild behavioural problems, including those that may lead to teenage pregnancy, are being given necessary support and guidance by a mentor.

A Community Child Protection Programme involving community and NGOs to detect children at risk has been put in place to emphasise on preventive measures to child abuse. 32 Community Child Watch Committees and 9 District Child Protection Committees have been set up.

BAIE DU TOMBEAU – PEDESTRIAN BRIDGE

(No. B/310) Mr J. C. Barbier (Second Member for GRNW & Port Louis West) asked the Minister of Local Government and Outer Islands whether, in regard to the pedestrian bridge at the Tombeau Bay, he will state if an inquiry has been carried out to establish the causes of the damages thereof, indicating if remedial measures will be taken in relation thereto.

Reply: I am informed by the Beach Authority that following the torrential rain on 10 February 2013, the north edge of the pedestrian bridge at Le Goulet public beach had partly collapsed thus representing a serious hazard to members of the public using the bridge to cross the river.

I am informed that the existing pedestrian bridge is a reinforced concrete structure supported on metal piles which have undergone severe cracks and acute corrosions and the access staircase from Le Goulet public beach was hanging and could collapse at any time. As a safety measure, the Beach Authority had immediately caused part of the access staircase from Baie du Tombeau to be removed in order to prevent persons from using the bridge and has also placed two warning signboards on both sides of the bridge.

I am further informed that consultations were held on 28 February 2013 with all concerned stakeholders on this issue, whereat there was consensus that the bridge would have to be pulled down and a new one constructed as it was being frequently used by inhabitants of Baie du Tombeau and surrounding villages. The Ministry of Environment and Sustainable Development has indicated that funds were not available for the rehabilitation and/or construction of a new bridge estimated to cost Rs25 m. However, the Ministry of Environment and Sustainable Development has requested that the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping be approached to consider the possibility of funding this project. A request has been made to the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping in this respect.

PAILLES – PORT LOUIS MUNICIPAL COUNCIL - JURISDICTION

(No. B/311) Mr J. C. Barbier (Second Member for GRNW & Port Louis West) asked the Minister of Local Government and Outer Islands whether, in regard to the newly annexed region of Pailles to the Municipal Council of Port Louis, he will, for the benefit of the House, obtain information as to if proper handing over has been carried out between the Black River District Council and the Municipal Council of Port Louis and, if so –

- (a) give details thereof, including as regards the transfer of lands, buildings and staff, and
- (b) indicate if additional funds have been provided to the Municipal Council of Port Louis in view thereof and, if so, the quantum thereof, and, if not, why not.

Reply: I wish to inform the House that a proper handing over exercise has already been carried out between the District Council of Black River and the Municipal City Council of Port Louis in respect of the region of Pailles which is now under the administrative jurisdiction of the Municipal City Council of Port Louis.

The information requested by the hon. Member at part (a) of his question is being placed in the Library.

With regard to part (b) of the question, a request for additional funds has been received from the Municipal City Council of Port Louis to service the region of Pailles amounting to Rs27 m. and Rs3.0 m. to meet street lighting for Ring Road.

We have not to look at expenditure only, but also at the revenue to be collected by the Municipal City Council of Port Louis from the economic operators of the region in terms of general rate and trade fees. The Council expects to collect Rs15 m. as general rate and Rs3 m. as trade fees during fiscal year 2013.

The amount of Rs30 m. requested by the Council covers the whole fiscal year 2013 whereas the District Council of Black River has already paid scavenging costs and street lighting expenses amounting to Rs1.7 m. for period January to April 2013. Consequently, the request of the Council appears to be unrealistic. My Ministry is therefore thoroughly examining the actual expenditure and revenue of the Council before taking any decision on the request.

POVERTY ALLEVIATION – PROJECTS

(No. B/312) Mrs A. Navarre-Marie (First Member for GRNW & Port Louis West) asked the Minister of Social Integration and Economic Empowerment whether, in regard to the projects for poverty alleviation, he will state if he has received representations from the Chairperson of the National Empowerment Foundation with regard to the implementation thereof.

Reply: The reply is in the negative.

MITD – INSTRUCTOR S. S. – TERMINATION OF EMPLOYMENT

(No. B/313) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the instructor S. S., he will state the actions he proposes to take for her re-instatement at the Mauritius Institute of Training and Development.

Reply: I am informed that following the termination of her employment by the Mauritius Institute of Training and Development, the instructor S. S. registered a complaint of unjustified termination of employment at Curepipe Labour Office on 02 May 2013.

A meeting has been fixed with the management of MITD and Mrs S. S. on Friday 17 May 2013 to discuss her case.

MITD – PSYCHOLOGIST & TRADE UNIONIST - SUSPENSION

(No. B/314) Mr S. Obeegadoo (Third Member for Curepipe & Midlands) asked the Minister of Labour, Industrial Relations and Employment whether, in regard to the Mauritius Institute of Training and Development, he will state if he has been informed of the protests following the suspension of one Mr P. B., Psychologist and the issue of a severe warning to one Mr H. M., trade unionist and, if so, indicate if his Ministry will consider carrying out inquiries thereinto.

(Withdrawn)

LE MORNE HERITAGE TRUST FUND – COMPOSITION

(No. A/104) Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River) asked the Minister of Arts and Culture whether, in regard to the Le Morne Heritage Trust Fund, he will, for the benefit of the House, obtain therefrom, information as to the composition thereof, indicating if same complies with the Management Plan thereof and, if not, why not.

Reply: The Management Plan of Le Morne Cultural Landscape does not relate to the constitution of the Board. It is a tool which is used by the Le Morne Heritage Trust Fund for the day-to-day management of Le Morne Cultural Landscape, World Heritage Site.

In accordance with the section 5 of the Le Morne Heritage Trust Fund Act of 2004, provision is made for the Fund to be managed by a Board of Trustees consisting of –

- (a) a Chairperson to be appointed by the Prime Minister;

- (b) a Vice-Chairperson to be appointed by the Minister;
- (c) a representative of the Prime Minister's Office;
- (d) a representative of the Ministry responsible for the subject of finance;
- (e) a representative of the Ministry responsible for the subject of arts and culture;
- (f) a representative of the Ministry responsible for the subject of agriculture;
- (g) a representative of the Ministry responsible for the subject of education;
- (h) a representative of the Ministry responsible for the subject of environment;
- (i) a representative of the Mauritius Cultural Centre;
- (j) a representative of the Nelson Mandela Centre for African Culture;
- (k) a representative of the National Heritage Fund;
- (l) a representative of the Mahatma Gandhi Institute;
- (m) a representative of the Black River District Council, and
- (n) 4 persons having wide experience in matters relating to history, natural history and national heritage to be appointed by the Minister.

The Le Morne Heritage Trust Fund Board was reconstituted in August 2012. The composition of the Board is as follows –

Chairperson	Mr J. C. E. Chimon
Vice-Chairperson	Mrs M. P. W. Rose
Representative of the Prime Minister's Office	Mrs S. Rambias
Representative of the Ministry of Finance and Economic Development	Mr G. J. Poule
Representative of the Ministry of Arts and Culture	Ms C. Corimbelly
Representative of the Ministry of Agro-Industry and Food Security	Mr A. N. Jurawon
Representative of the Ministry of Education and Human Resources	Mr S. Radegonde
Representative of the Ministry of Environment and Sustainable Development	Ms H. Ramdour
Mauritian Cultural Centre	No representative
Representative of the Nelson Mandela Centre for African Culture	Mr P. Fanchette
Representative of the National Heritage Fund	Mr R. Lalande
Representative of the Mahatma Gandhi Institute	Mr B. Madhou

Representative of the Black River District Council	Mr B. Seesahye
4 persons appointed by the Minister	Mr M. L. Noë Mr L. S. Auguste Mr P. D. Cangy Mr B. R. Moutou

There is no representative for the Mauritian Cultural Centre as its Board has not yet been reconstituted.

CHAMAREL – FOOTBALL GROUND

(No. A/105) **Mrs J. Radegonde-Haines (Fourth Member for Savanne & Black River)** asked the Minister of Local Government and Outer Islands whether he will state if he has received representations from the Councillors of the Chamarel Village Council for the acquisition of a plot of land located in Chamarel for the construction of a football ground thereat and, if so, state the actions, if any, taken in relation thereto.

Reply: I am informed by the District Council of Black River that following requests received from the Councillors, the Chamarel Village Council had identified a plot of State land situated at a place commonly known as “Carreau Triangle” at Chamarel for the construction of a football ground.

Subsequently, a request was made on 10 July 2012 to the Ministry of Housing and Lands for the vesting of this plot of State land in the Council for this project.

I am informed that the Ministry of Housing and Lands has on 30 April 2013 indicated that the plot of State land was not found to be appropriate for the setting-up of a football ground from a planning point of view.

LOCAL AUTHORITIES - CHIEF INSPECTOR OF WORKS - VACANCIES

(No. A/106) **Mr D. Nagalingum (Second Member for Stanley & Rose Hill)** asked the Minister of Local Government and Outer Islands whether, in regard to the post of Chief Inspector of Works in the local authorities, he will, for the benefit of the House, obtain from each one of them, information as to the number of vacancies that presently exist on the establishment thereof, indicating –

- (a) if same will be filled and, if so, when, and
- (b) when the last promotion exercise to that grade was carried out, indicating the criteria considered therefor.

Reply: There are 2 funded vacancies in the grade of Chief Inspector of Works at the following Local Authorities –

Council	No. of Vacancy	Remarks
District Council of Rivière du Rempart	1	Permanent

Municipal Council of Vacoas/Phoenix	1	Temporary
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As regards part (a) of the question, I am informed that out of these, one (1) vacancy is temporary and cannot be filled for the time being. The permanent vacancy which exists at the District Council of Rivière du Rempart will be reported to the Local Government Service Commission shortly and will be filled through a selection exercise to be carried out by the Commission.

With regard to part (b) of the question, the post was last advertised by the Local Government Service Commission in March 2012 and the criteria for appointment to the post of Chief Inspector of Works were those laid down in the Scheme of Service for the post as per the document laid in the Library.

BARKLY - NELSON MANDELA ROAD - FOOTPATHS

(No. A/107) Mr K. C. Li Kwong Wing (Second Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether, in regard to the Nelson Mandela Road in Barkly, he will state if actions have been taken for the installation of proper pavements along same to ensure the safety of the pedestrians, and if not, why not.

Reply: Following a visit undertaken on 11 February 2013, it was found that the green space on one side of the Nelson Mandela Road is sufficiently large to provide for footpaths.

In consultation with the Municipal Council of Beau Bassin/Rose Hill, modalities for the implementation of the project are underway.

PETITE RIVIÈRE - HOUSING PROJECT

(No. A/109) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Social Integration and Economic Empowerment whether, in regard to the Housing Project at Petite Rivière, he will, for the benefit of the House, obtain from the National Empowerment Foundation, information as to the number of houses constructed, indicating -

- (a) the extent of land to be allocated to each of the prospective owner thereof;
- (b) if provisions have been made for roads, drains, street lighting, bus stands and social amenities, and
- (c) when the handing over thereof are scheduled to be effected.

Reply: According to information obtained from the National Empowerment Foundation, the Integrated Housing Project at Gros Cailloux, Petite Rivière consists of two components, namely -

- (i) the construction of 59 individual concrete housing units of 30.3 m² each on a plot of land of 85 m² to be allocated to prospective beneficiaries of the National Empowerment Foundation, and
- (ii) the provision of infrastructural facilities on the site to be carried out in two phases, namely Phase A and Phase B.

Phase A consists of the construction of an access road network of 5.0 metre wide inside the housing compound and a drainage network, provision of water supply including internal reticulation system, valves and hydrants, concrete pedestrian walkways, supply of electricity and construction of boundary walls between the housing units. These works are ongoing and expected to be completed by August 2013.

With regard to Phase B, the works comprise the widening of the Lobin Lane into a 7 metre wide road and associated drainage works as required by the Road Development Authority, construction of pedestrian walkways within a road reserve of 1.5 metre on either side of the road inclusive of handrail, provision of road amenities (traffic signs, road markings) and construction of boundary walls around the village. Tenders are being launched and the proposed works are expected to be completed by August 2013.

Land for the provision of social amenities and bus stands has been earmarked and these facilities will be determined after a needs assessment exercise is carried out with all the beneficiaries once they move in the village.

It is to be noted that in the wake of the flash floods of 30 March 2013, arrangements were made for the construction works on 12 housing units to be completed to accommodate 12 families who were living in very deplorable conditions by the river bank at Anse Courtois. The units were handed over to these families on 10 May 2013. The remaining housing units will be allocated upon completion of ongoing works.

CHEBEL HOUSING PROJECT

(No. A/110) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Housing and Lands whether, in regard to the new Housing Project at Chebel, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to the number of houses to be constructed, indicating -

- (a) the type and size thereof;
- (b) if provisions have been made for access roads, street lighting, drains and social amenities, and
- (c) the expected start and completion dates for the construction thereof.

Reply: In fact, there are two housing projects which are being implemented by the National Housing Development Company (NHDC) Ltd at Chebel, the details of which are as follows -

(i) Project 1

73 housing units to be constructed on a plot of State Land of an extent of 5 A 38, out of which 55 units will be of 39m² and 18 units of 57 m².

(ii) Project 2

20 housing units of 39 m² to be constructed on vacant plots of State land found within two existing NHDC housing estates. This comprises the construction of 14 units on land of an approximate extent of 0A66P at Firinga II Housing Estate and 6 units on land of an approximate extent of 0A28P at Firinga IV Housing Estate. This project forms part

of the construction of 347 housing units of 39m² within 24 existing NHDC Housing Estates across the island.

Regarding part (a), each housing unit of 39m² will comprise a living room, a kitchen, a toilet/bathroom and one bedroom, while a 57m² housing unit will be similar except that it will contain two bedrooms. The design also caters for vertical and horizontal extension to be carried out by the eventual beneficiaries.

With regard to part (b) of the question, in all housing projects, there is provision for basic infrastructure which includes water and electricity supplies, access roads, street lighting, drains and appropriate sewerage disposal system. Space for social and recreational amenities will also be provided.

As regards part (c) of the question, tenders for Consultancy Services for Projects 1 and 2 were launched on 02 April and 08 March 2013, while the closing dates were 30 April and 08 April 2013 respectively. The bid evaluation exercise for the two projects is in progress and is expected to be completed by end of May 2013. The tenders for works are expected to be launched in September 2013. The construction works are expected to start in November 2013 and completed by December 2014 for Project 1 and February 2014 for Project 2.

SAINT PIERRE – MORCELLEMENT MON DESERT ALMA (MDA) - DRAINS

(No. A/111) **Mr P. Jugnauth (First Member for Quartier Militaire & Moka)** asked the Vice-Prime Minister, Minister of Public Infrastructure, National Development Unit, Land Transport and Shipping whether he is aware of the inconveniences caused to the inhabitants of Morcellement MDA, at Cemetery Road, in Circonstance, Saint Pierre due to uncovered drains and, if so, state if remedial actions will be taken in relation thereto.

Reply: No complaint has been received regarding inconveniences caused to the inhabitants of Morcellement Mon Desert Alma (MDA), at Cemetery Road, in Circonstance, Saint Pierre because of uncovered drains.

Covering of the drains is under consideration as this will enhance general security and may even be used as footpath by residents of the Morcellement.

MOUNT ORY - LANDSLIDES

(No. A/112) **Mr P. Jugnauth (First Member for Quartier Militaire & Moka)** asked the Minister of Local Government and Outer Islands whether, in regard to the site at Mount Ory where landslides have recently occurred, he will, for the benefit of the House, obtain from the Moka District Council, information as to if it has initiated any legal action against the inhabitants thereof and, if so, indicate the reasons therefor.

Reply: I am informed by the District Council of Moka that following the landslide which occurred on the steep slope between the side of Mr Candasamy Mootoo's residence and Mount Ory Road B 46, it had carried out an investigation which had revealed that the latter had constructed his house contrary to the approved plan which dates as far back as to year 1987.

I am informed that the report from the Engineer and Architect of the Ministry of Public Infrastructure, National Development Unit, Land Transport and Shipping has highlighted that the house has become unfit for occupation as it represents a potential danger to the owner and his family.

I am further informed that a legal notice to vacate the said house has already been served upon the owner but he has failed to comply with same. A case has therefore been lodged before the Supreme Court (Judge in Chambers) where the District Council of Moka has requested that summons be issued calling upon Mr C. Mootoo and his family to show cause why they should not be ordered to vacate the house.

**PUBLIC SERVICE VEHICLE TAXI LICENCE – SSR INTERNATIONAL AIRPORT -
APPLICATIONS**

(No. A/113) 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 applications for Public Service Vehicle Taxi Licence, in 2011, on transfer to the Sir Seewoosagar Ramgoolam International Airport, he will, for the benefit of the House, obtain from the National Transport Authority, information as to the -

- (a) regions concerned, and
- (b) names of the successful applicants, indicating the criteria used for the selection thereof.

Reply: On 07 May 2011, applications were invited from holders of Public Service Vehicle (Taxi) Licences with bases of operation situated within a radius of 5 km from Sir Seewoosagar Ramgoolam International Airport. The lists of localities are -

SN	Localities
1.	Allée Gheude, Mahebourg
2.	Beau Fond
3.	Beau Vallon
4.	Blue Bay
5.	Bois D’Oiseaux, Plaine Magnien
6.	Camp Kenya
7.	Carreau Accacia
8.	Carreau Esnouf
9.	Carreau La Paille
10.	Chatgawne, Plaine Magnien
11.	Cité La Chaux, Mahebourg
12.	Grand Bel Air
13.	Kenya
14.	La Rampe Le Moirt

15.	Le Bouchon Village
16.	Mahebourg
17.	Mare D'Albert
18.	Mon Desert Mon Trésor
19.	Petit Bel Air
20.	Plaine Magnien
21.	Riche en Eau
22.	Rivière des Creoles
23.	Sauveterre
24.	Trois Boutiques
25.	Ville Noire

Taxi Licences were granted to the persons listed below -

SN	Name
1.	Mr Rajendra Kumar Bitrayya
2.	Mr Harilal Horill
3.	Mr Soorooj Jhummun
4.	Mr Abdoollah Mahomed Beg
5.	Mr Baboo Mungroo
6.	Mr Mohammad Essan Narain
7.	Mr Ahmad Shamshoodeen Nauzeer
8.	Mr Rajendra Patny
9.	Mr Ramdeo Peeharry
10.	Mr Vijay Kumar Ramdonee
11.	Mr Kailash Ramputh
12.	Mr Kennedy James Sangamayya
13.	Mr Narain Seethiah
14.	Mr Abdool Azize Sondagur
15.	Mr Soopaul Viswarduth

The criteria used for the selection exercise are as follows -

- (i) applicants should be holders of taxi licences to operate from base of operation/locality listed above;
- (ii) they should have operated from their actual base of operation for the past 3 years;
- (iii) they should have a clean criminal record for the last 3 years;
- (iv) their age and their level of education;
- (v) knowledge of taxi fares;
- (vi) family status;
- (vii) financial status;
- (viii) knowledge of revenue derived from operation of taxis, and
- (ix) knowledge of regulations governing operation of taxis.

POINTES AUX SABLES - MORCELLEMENT GHURBURREN - MAIN ROAD - WIDENING

(No. A/114) **Mr V. Baloomoody (Third 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 main road leading to the Morcellement Ghurburren, at Pointes aux Sables, he will state if consideration will be given for the widening and the tarring thereof.

Reply: I refer the hon. Member to the reply I made to PQ No. B/97 of 09.04.13 .

PORT LOUIS MARITIME & PORT LOUIS EAST – NDU PROJECTS

(No. A/115) **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 Constituency No. 3, Port Louis Maritime and Port Louis East, he will, for the benefit of the House, obtain from the National Development Unit, a list of projects scheduled for implementation in the financial year 2013, indicating in each case the -

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

Reply: The information is being compiled and will be placed in the Library of the National Assembly as soon as it will be ready.

PAILLES - MORCELLEMENT GUIBIES - DRAINS & FOOTPATH

(No. A/116) **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 Crecerelle 3 Avenue, in Morcellement Guibies, Pailles, he will,

for the benefit of the House, obtain from the National Development Unit, information as to if consideration will be given for the urgent construction of -

(a) drains, and

(b) footpath with ramps thereat for the linking thereof with the Colline 2 Avenue, to ensure the safety of the pedestrians and, if so, when.

Reply: A request has already been made to the Consulting Firm, Mega Design Ltd to effect a holistic study and design a drainage network system and footpath linking Crecerelle 3 Avenue to Colline 2 Avenue in Morcellement Guibies, Pailles. The survey report is expected shortly for the construction works to be undertaken.