



**SIXTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**FIRST SESSION**

**TUESDAY 08 SEPTEMBER 2015**

**CONTENTS**

**ANNOUNCEMENT**

**PAPERS LAID**

**QUESTIONS** (*Oral*)

**STATEMENTS BY MINISTERS**

**MOTION**

**BILL** (*Public*)

**ADJOURNMENT**

**QUESTIONS** (*Written*)

Members

Members

**THE CABINET****(Formed by the Rt. Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC)**

Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit
Hon. Charles Gaëtan Xavier-Luc Duval, GCSK	Deputy Prime Minister, Minister of Tourism and External Communications
Hon. Showkutally Soodhun, GCSK	Vice-Prime Minister, Minister of Housing and Lands
Hon. Ivan Leslie Collendavelloo, GCSK	Vice-Prime Minister, Minister of Energy and Public Utilities
Hon. Seetanah Lutchmeenaraidoo, GCSK	Minister of Finance and Economic Development
Hon. Yogida Sawmynaden	Minister of Youth and Sports
Hon. Nandcoomar Bodha	Minister of Public Infrastructure and Land Transport
Hon. Mrs Leela Devi Dookun-Luchoomun	Minister of Education and Human Resources, Tertiary Education and Scientific Research
Hon. Anil Kumarsingh Gayan	Minister of Health and Quality of Life
Dr. the Hon. Mohammad Anwar Husnoo	Minister of Local Government
Hon. Prithvirajsing Roopun	Minister of Social Integration and Economic Empowerment
Hon. Marie Joseph Noël Etienne Ghislain Sinatambou	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Ravi Yerrigadoo	Attorney General
Hon. Mahen Kumar Seeruttun	Minister of Agro-Industry and Food Security
Hon. Santaram Baboo	Minister of Arts and Culture
Hon. Ashit Kumar Gungah	Minister of Industry, Commerce and Consumer Protection
Hon. Mrs Marie-Aurore Marie-Joyce Perraud	Minister of Gender Equality, Child Development and Family Welfare
Hon. Sudarshan Bhadain	Minister of Financial Services, Good Governance, Institutional Reforms, Minister of Technology, Communication and Innovation
Hon. Soomilduth Bholah	Minister of Business, Enterprise and Cooperatives

Hon. Mrs Fazila Jeewa-Daureeawoo	Minister of Social Security, National Solidarity and Reform Institutions
Hon. Premdut Koonjoo	Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands
Hon. Jayeshwur Raj Dayal, CSK, PDSM, QPM	Minister of Environment, Sustainable Development and Disaster and Beach Management
Hon. Marie Roland Alain Wong Yen Cheong, MSK	Minister of Civil Service and Administrative Reforms
Hon. Soodesh Satkam Callichurn	Minister of Labour, Industrial Relations, Employment and Training

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Deputy Speaker	Duval, Hon. Adrien Charles
Deputy Chairperson of Committees	Hurreeram, Hon. Mahendranuth Sharma
Clerk of the National Assembly	Lotun, Mrs Bibi Safeena
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Serjeant-at-Arms	Pannoo, Mr Vinod

**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 29 of 2015**

**Sitting of 08 September 2015**

**The Assembly met in the Assembly House, Port Louis at 11.30 a.m.**

**The National Anthem was played**

*(Madam Speaker in the Chair)*

**PAPERS LAID**

**The Prime Minister:** Madam Speaker, the Papers have been laid on the Table -

**A. Ministry of Finance and Economic Development -**

- (a) Retrospective Virement Warrants Nos. 39 to 47 for the year 2015 (January- June). (In Original).
- (b) The Income Tax (Convention on Mutual Administrative Assistance in Tax Matters) Regulations 2015. (Government Notice No. 166 of 2015).
- (c) The Annual Digest of Statistics 2014.
- (d) The Digest of Industrial Statistics 2014.
- (e) The Digest of Statistics on Rodrigues 2014.

**B. Ministry of Industry, Commerce and Consumer Protection -**

- (a) The Consumer Protection (Control of Imports) (Amendment No. 2) Regulations 2015. (Government Notice No. 167 of 2015).
- (b) The Rodrigues Consumer Protection (Control of Price of Taxable and Non-Taxable Goods) (Amendment No. 21) Regulations 2015 (Government Notice No. 168 of 2015).

**ANNOUNCEMENT**

- (1) PUBLIC ACCOUNTS COMMITTEE - HON. J.C. BARBIER – RESIGNATION**
- (2) NATIONAL ASSEMBLY - VIP GALLERY**
  - (a) SRI SHYAM JAJU, VICE-PRESIDENT - BHARATIYA JANATA PARTY**
  - (b) REPUBLIC OF SOUTH AFRICA - GAUTENG PROVINCIAL LEGISLATURE – DELEGATION**

**Madam Speaker:** Hon. Members, I have to inform the House that by a letter dated 02 September 2015, hon. Jean Claude Barbier, MP has resigned from the Public Accounts Committee.

I also have to inform the House that we have in our VIP Gallery today Sri Shyam Jaju, the Vice-President of the Bharatiya Janata Party and his spouse Mrs Jaju and we also have a delegation from the Gauteng Provincial Legislature of the Republic of South Africa who are on a benchmarking visit to Mauritius.

On behalf of this House and in my own name, I extend a warm welcome to them and wish them a fruitful visit.



## ORAL ANSWERS TO QUESTIONS

### CAMP DIABLE - AMMA TOOKAY KOVIL - INCIDENTS

**The Leader of the Opposition (Mr P. Bérenger)** (*by Private Notice*) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the recent incidents which occurred at the Tookay Temple and elsewhere, he will -

- (a) for the benefit of the House, obtain from the Commissioner of Police, information as to -
  - (i) the number of arrest effected in connection therewith, as at to date, indicating if the arrested suspects have criminal/legal antecedents;
  - (ii) the localities where the incidents occurred, including the ones which occurred during the weeks preceding the Tookay incidents, and
  - (iii) if cases of *incitation à la violence* through the internet have been established, and
- (b) state if he has discussed same with the Commissioner of Police and if he is satisfied with the work of the Police in relation thereto, as at to date.

**The Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that on 05 September 2015, at 06.45 hours, one Mr P. C., President of Amma Tookay Kovil situated at Camp Diable reported that during the previous night, unknown persons had damaged several idols at Amma Tookay Temple.

Police initiated an enquiry immediately.

I am informed that Mr P. C. showed to the Police the footages of the Kovil CCTV cameras, from which it was confirmed that the incident had taken place at 23.35 hours on the previous night. Two suspects were identified in the footage. The two suspects had been loitering on the main road near the temple, seen by Police Officers on patrol on the night of the incident.

In regard to part (a) (i), (ii) and (iii) of the question, I am informed by the Commissioner of Police that on the same day, two suspects, one Police Officer residing at Vallée Pitot and one hawker residing at Rivière des Anguilles were arrested in relation to the incident at Amma Tookay Temple. They were provisionally charged for “stirring up civil war” in breach of section 62 of the Criminal Code Act. They appeared before the Bail and Remand Court on 06 September 2015 and they have been remanded to Police cell. They

again appeared before the Savanne Court on 07 September 2015 and were remanded to Police cell up to 11 September 2015.

One of them, namely, Mr A. B. has record of two previous convictions, namely “stolen property” and “possession of counterfeited bank note”.

Madam Speaker, I am further informed that prior to that incident, no other incident of the same nature either in Camp Diable region or elsewhere, has been reported.

From 05 to 07 September 2015, nine incidents causing damage to mosques, houses and vehicles have been reported in the regions of Camp Diable, Rivière des Anguilles, Batimaraïs, Rose Belle, Nouvelle France and Chemin Grenier. According to the Police, seven persons have been arrested so far, in relation to those incidents. They appeared before Court, and have been remanded to Police cell and they are still in Police custody.

Madam Speaker, I am further informed that on 07 September 2015, the Permanent Secretary of the Ministry of Technology, Communication and Innovation reported to the Police that racial comments had been posted on Facebook, which could lead to interracial problems. An enquiry was instituted immediately by the CCID to trace out the identity of the Facebook account holders and those who had commented on the post. Nine such posts have been identified and one person has been arrested so far. He has been provisionally charged for the offence of “stirring up civil war” and remanded to Police cell. He will appear before the District Court today.

Madam Speaker, in regard to part (b) of the question, since the incidents have been reported, the Commissioner of Police has been in constant touch with my Office and myself. I have given strict directives to the Commissioner of Police to take all operational measures and to be ruthless against all ill- intentioned people and troublemakers who are putting at risk social harmony and public safety.

The Commissioner of Police has informed that the following measures have been taken -

- (i) the whole Police Force, including the Special Mobile Force, Special Support Unit, Police Helicopter Squadron, National Coast Guard, have been mobilised for a demonstrative and permanent presence on ground;
- (ii) patrols have been deployed around the whole island to deter any other such incident;
- (iii) road blocks and vehicle checkpoints have been set up at strategic places round the clock;

- (iv) all other Units of the Police, including the Cyber Crime Unit, are on the alert, and
- (v) a series of community policing activities and actions are being taken at various levels.

Madam Speaker, I am fully satisfied with the work of the Commissioner of Police and his team, and the situation is being monitored round the clock.

As I stated at a press conference yesterday, as Prime Minister I will not tolerate any conspiracy against the State and the people of Mauritius.

I wish to remind the House and the population in general that our legal framework already caters for such situations. For instance, sections 62 and 282 of the Criminal Code provide for custodial sentences going up to 60 years. Regulations are also being made under the Information and Communication Technologies Act to curtail harmful and illegal communication services.

I shall personally ensure that we kill the demon today so that we do not face the devil tomorrow.

Our country has a solid reputation of a tolerant society, but we must not underestimate the fragility thereof. On the contrary, we must strive for it to be protected as well as further consolidated. I, therefore, call upon the population to act responsibly.

We must also not forget that such incidents may have serious negative repercussions to our country as a tourist and investment destination.

Madam Speaker, in the wake of the incident that occurred at Rivière des Anguilles, Her Excellency the President of the Republic met the members of the “*Conseil des Religions*”, a few Religious Heads and inhabitants of Camp Diable, Tyack and Rivière des Anguilles, Britannia at the State House on Monday 07 September 2015 at 16.30 hours in the presence of the Vice-Prime Minister, hon. Soodhun. Around 100 persons were present. The Press was also invited to attend the meeting.

Her Excellency reminded those present at the meeting that ethnic groups in Mauritius live in peace and harmony and have all contributed to the socio-economic development of the Island. She urged those present not to give way to needless debates and retaliation to isolated cases and to think about nation building.

She invited all Heads of Religious bodies to take the pledge to put a stop to violence and to spread the message of love and brotherhood.

Madam Speaker, as the House is aware, we have inherited a rich tapestry of different cultures knitted together which has given birth to a nation that is forward looking while being deeply attached to the great cultures and religions of the world.

As a responsible Government, we are making every effort to rally all Mauritians around a national project and garner all our will power and energy to shape a prosperous nation where our unique cultural mix remains a source of pride, inspiration and strength rather than a constraining factor in our development process.

I make an appeal to one and all to join us in the task of nation building and maintaining social stability, peace and harmony.

Madam Speaker, let me again reassure the House and the population at large that I shall see to it that all perpetrators of these despicable acts, whoever they might be, are brought to justice.

I am convinced that these incidents have been politically masterminded with the intention of destabilising my Government and thwart the ongoing clean up exercise, and the development of the country.

This can be testified by the statement of Mr Rama Valayden at Vallée Pitot and Rose Hill in the course of nocturnal public meetings where he exhorted the public to come to the street, I quote him -

*“ziska nou fer sa gouvernman la aller”.*

This same sort of provoking statements were made in 1999 prior to the sinister Kaya episode.

*(Interruptions)*

But he has to be careful this time! I warn him!

Let me also be very clear. As long as I am Prime Minister, I shall not tolerate any such reprehensible acts by anybody that imperil social peace and harmony and jeopardise the safety and security of our nation.

**Mr Bérenger:** Madam Speaker, I think I heard the Rt. hon. Prime Minister say that in all eight persons have been arrested; seven around the violence committed and one in relation to internet prevention offences. Is that the case, eight in all and will he table a list of those arrested?

**The Prime Minister:** I will table the list.

**Mr Bérenger:** We have been told, Madam Speaker, that among those arrested, there is a Police Officer. Can I know whether that Police Officer has been suspended, whether he has precedence?

**The Prime Minister:** Well, he has no precedent; otherwise I would have said it in the answer. Only one has precedent. Insofar as suspension is concerned, naturally the enquiry is still on and action will be taken and I have asked the Commissioner of Police that we must get rid of such people in the Force.

**Mr Bérenger:** Can I know as far as those arrested are concerned, is the Rt. hon. Prime Minister aware of one gentleman – if I can call him that - from Bois Chéri - I won't give his name at this stage - who has been arrested, who is an employee of Mauritius Telecom and he was supposedly involved in a case of stealing a vehicle from Mauritius Telecom and coincidence, coincidence when the Police went to arrest him in that case, they found the vehicle at his home and secured the vehicle, and this gentleman is reported by the Police, itself, of damaging places of worship in the recent past?

**The Prime Minister:** Apparently, this has been tolerated by the previous Government. Apparently, he was in the habit of taking that vehicle to his place, but we are going to see to it that this is stopped and any severe action that can be taken, will be taken against this fellow.

**Mr Bérenger:** Well, I am a bit surprised by the Prime Minister's answer as far as incidents weeks before the Tookay Temple. It seems that the Police has not provided the Rt. hon. Prime Minister with information in relation thereof. Will the Rt. hon. Prime Minister take the trouble to look at it, including, for example – I'll quote one example - at Goodlands, on 01 September, a temple was attacked and an idol destroyed, the head was left behind and then two days ago, same thing again at Goodlands, but this time the head disappeared; they smashed the statue and the head disappeared? This has happened in Goodlands and, according to my information, in several other places.

**The Prime Minister:** Maybe the Police does not have this information. If the case had been reported, the Commissioner would have certainly given me the information.

**Mr Bérenger:** If the Rt. hon. Prime Minister wants the dates when it was reported, I have the dates, the Police Station and everything. At first, it was reported on 01 September to the Police Station of Goodlands and then, on 07, a few days ago, again, there was a report to the Police Station. You want another example! Grand' Baie! At Grand' Baie also, there was an incident. In that case, reported on 07.

**The Prime Minister:** Well, I will certainly ask the Commissioner of Police to look into these cases.

**Mr Bérenger:** Madam Speaker, can I ask the Rt. hon. Prime Minister whether he has had the opportunity to congratulate and thank, specifically the leaders of the Tookay Temple, the leaders of the mosques concerned and some socio-cultural organisations that have been very helpful in trying to cool things down? Has the Rt. hon. Prime Minister found the time to thank them, congratulate them and encourage them in the same direction?

**The Prime Minister:** Well, I have been thankful to everybody who has been cooperating with the Police.

**Mr Bérenger:** Including me, I am sure!

*(Interruptions)*

Madam Speaker, can I know whether the Rt. hon. Prime Minister has been advised by the Police, by the State Law Office or by his Minister of Technology, Communication and Innovation that the law, as it stands, specifically three Acts: the Criminal Code, the Information and Communication Technology Act and the Computer Misuse and Cybercrime Act of 2001, that these Acts need to be further amended, strengthened so that this problem of inciting racial hatred or *incitation à la violence* or *communalisme*, including on radios be better tackled?

**The Prime Minister:** Yes, we are aware of all this and it is being looked into.

**Mr Bérenger:** Madam Speaker, the Rt. hon. Prime Minister said that he is fully satisfied; can I put it on record that my feedback also is that the Police needs to be congratulated, but, at the same time, can I appeal that we improve on performance, for example, that family that was aggressed in Rivière des Anguilles had to wait for hours before a sentry, Police assistance was provided?

**The Prime Minister:** Well, maybe the Police Officers were taken up. They were so busy that it took some time. But, generally, I must say, in many cases, this is how it happens. Police always come quite late!

*(Interruptions)*

I will ask the Commissioner of Police to see to it and to see that there is acceleration in the Force.

*(Interruptions)*

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Bérenger:** If I can have one last question and then I will give the floor. The Rt. hon. Prime Minister has said, I am sure we'll all agree, something very serious concerning an organised plot behind the events that have taken place. Can the Rt. hon. Prime Minister

report further, Madam Speaker - one name has been mentioned, but the accusation is larger than one person - can we have more enlightenment on that?

**The Prime Minister:** I can't give any enlightenment on that, but I must say one thing, that what I have been saying here is what is officially communicated to me by the Police. But I get many information from inside, even what goes on in conversation among agents, leaders, especially in the Labour Party these days. When I come and say that it is a plot by politicians, I am serious, I know what I am talking about.

**Mr Mohamed:** As I said, I have two questions. The first one will be – I am quite amused anyway by hearing the Rt. hon. Prime Minister talk about the Police coming in late. But, to pick up from where the hon. Leader of the Opposition left off, there is an information that I received that at the time in question, the Rivière des Anguilles Police Station was greatly undermanned and that is why it explains the delay in having to attend certain reported cases like Rivière des Anguilles. But, coming to my question, could the Rt. hon. Prime Minister consider the possibility of having the relevant amendments brought to the Criminal Code as well as procedures pertaining to criminal law that would enable the Police to enter provisional information, at the same time keeping confidentiality as to the name of the accused because, in this particular case, had the Police been able, legally and logistically speaking, to keep confidentiality about the name as is possible in the United Kingdom, there would not have been the name made public and perhaps this would not have allowed people without any logic and without any love for their country to go into a haphazard retaliation which was unacceptable? Could the Rt. hon. Prime Minister consider the possibility of amending the law to give this tool to the Police to keep confidentially of such sensitive issues?

**Madam Speaker:** You have made your point, hon. Mohamed.

**The Prime Minister:** Well, that the Police Station is undermanned, not sufficiently provided with Police Officers, has this happened yesterday or since December? Was it not there and were you not in Government? What have you been doing?

**Mr Mohamed:** I was not Prime Minister.

*(Interruptions)*

**The Prime Minister:** But, we...

**Madam Speaker:** Please do not reply from a sitting position!

*(Interruptions)*

**The Prime Minister:** We are working to remedy the situation. About the second question also, we are looking into all this, Madam Speaker.

**Mr Ganoo:** Madam Speaker, the Rt. hon. Prime Minister has rightly said that, in spite of long years of nation building, the social fabric of our country is still fragile. Doesn't the Rt. hon. Prime Minister think he should arrange for the Heads of the different religions to come on TV and together make an appeal to the whole population of the island so that the situation might cool down?

**The Prime Minister:** The President of the Republic has done already a good job. This has gone to the public. About information going to the public, when something takes place in a region, in a village especially, can you keep that secret? Is that what the hon. Member wanted to make us believe?

*(Interruptions)*

**Madam Speaker:** Hon. Ganoo, Please! You have made your point. The Rt. hon. Prime Minister has already replied. Hon. Uteem, please!

**Mr Uteem:** Thank you, Madam Speaker. Yesterday, during the Press Conference, the Rt. hon. Prime Minister was quite forceful; not only making an appeal to the public, but also threatening about measures he would be taking. One of the measures that he alluded to was the state of emergency and he stated that he has the majority to give him this. So, may I ask the Rt. hon. Prime Minister to give a reassurance to the House and the population that we have not reached this state of affairs which would call for a state of emergency and this would only be used in a very dramatic situation?

**The Prime Minister:** I was very clear when I said: if we reach that situation and if we reach that situation, I would not hesitate.

**Madam Speaker:** Yes, hon. Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. I have one last question: on this side of the House, we do not want to politicise such a very, very dangerous situation and we are all for what the Rt. hon. Prime Minister has said, not on all fronts but on part of it. Since the Rt. hon. Prime Minister has made very serious allegations - not only here today, but also yesterday according to my information - when talking about some political *complot*, may we know whether the Rt. hon. Prime Minister intends to make use of the information that he has



and, by all means, give a declaration to the Police and communicate it to the Police for an enquiry to be carried out, instead of just simply throwing out allegations, but an enquiry must be made?

**The Prime Minister:** We are still having discussions on that.

**Madam Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** My last question, if you would allow me, Madam Speaker! It is addressed to the Rt. hon. Prime Minister and follows up through what my colleague, hon. Reza Uteem has just said. Will the Rt. hon. Prime Minister agree with me that the way forward is through national appeals, national action, unified action by Government, the Opposition, the trade unions, the *Forces Vives*, everybody, appealing for calm and so on, and, if required, through the kind of national appeal which, we were in Opposition, both the Rt. hon. Prime Minister and myself went on television, the then President, the Government and so on, in the 1999 dramatic situation that we went through, to appeal to the population at large. Does he not agree with me that this is the way forward and not threats about a possible *état d'urgence*?

**The Prime Minister:** Well, I have appealed for the cooperation on the part of the whole nation and that includes everybody.

**Madam Speaker:** Are you done, hon. Leader of the Opposition. That's it. Time is over! Hon. Members, the Table has been advised that Parliamentary Question B/419 in regard to the allocation of the contract to Airway Coffee Ltd. addressed to the Rt. hon. Prime Minister will now be replied by the hon. Deputy Prime Minister, Minister of Tourism and External Communications. Furthermore, Parliamentary Questions B/429, B/430 and B/432 have been withdrawn. Hon. Bhagwan, you may ask your question!

### **MR R. G. – ALLEGED CRIMINAL OFFENCES**

**(No. B/414) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Mr R. G., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the reasons why no Police action has been initiated against him as at to date although serious allegations of criminal offences have been levelled against him, namely, regarding the –

- (a) excessive loans and dealings with the Mauritius Co-operative Central Bank Ltd.;
- (b) shops and restaurants at the Sir Seewoosagur Ramgoolam International Airport;
- (c) State Insurance Company of Mauritius Ltd. Tower;
- (d) allocation of State lands;
- (e) Roche Noire case, and
- (f) Mauritius Duty Free Paradise Ltd.

**The Prime Minister:** Madam Speaker, in regard to part (a) of the question, I am informed by the Commissioner of Police that, on 27 April 2015, the Bank of Mauritius reported alleged acts of malpractice and abuse of power at the Mauritius Post and Cooperative Bank (MPCB), following which Police initiated an enquiry.

I am further informed that the enquiry is still ongoing at the level of the MPCB to collect relevant documents pertaining to the case. Mr D.G. is not required for investigation for the time being, but will be convened in due course, if need be.

Madam Speaker, in regard to parts (b), (c) and (d) of the question, I am informed by the Police that there is no enquiry being carried out. However, I am informed that the Independent Commission against Corruption has initiated an investigation on Mr D.G following a complaint against Airports of Mauritius Ltd in relation to the allocation of a contract to Airway Coffee Ltd for the operation of its Food and Beverages Service and Lounge Management at Sir Seewoosagur Ramgoolam International Airport.

Madam Speaker, regarding part (e) of the question, I am informed by the Police that the case of larceny armed with offensive weapon reported by Mr D.G. was re-opened in the light of fresh information obtained. In the course of the enquiry, three persons have been arrested and provisionally charged for the offence of conspiracy to commit an unlawful act to wit: effecting public mischief.

The enquiry has been completed and referred to the Director of Public Prosecutions on 25 June 2015 for advice.

Madam Speaker, as regards part (f) of the question, I am informed by the Police that it started an enquiry on the Mauritius Duty Free Paradise Ltd following receipt of an anonymous letter on 25 January 2015. During the course of the enquiry, Mr D.G. gave statements to the Police on five occasions.

One person has been provisionally charged before the District Court of Curepipe on 04 June 2015 for the offence of conspiracy to commit money laundering and bribery for procuring contract. The enquiry is still in progress.

I am informed that the Independent Commission Against Corruption is also investigating into an alleged act of corruption in the allocation of contract to Dufry AG by the Mauritius Duty Free Paradise Co. Ltd.

**Mr Bhagwan:** Can I ask the Rt. hon. Prime Minister whether he will see to it, despite what we have heard from the reply, and he will give directives, that no interference should occur at any level - even at any of the political level - that Mr D. G. can escape scot-free from all the murders he has committed?

**The Prime Minister:** Anyway, if there had been murder he would have been in already! I must say that for the time being we need Mr D. G. as a witness in one of the most important cases that the CCID is dealing with.

**Mr Bérenger:** Can I ask the Rt. hon. Prime Minister whether, in fact, he is confirming that the gentleman has not and will not benefit from any *immunité*?

**The Prime Minister:** For the time being he is being used as a witness.

**Mr Mohamed:** There is one thing I would have to pick up. The tenor of the question talks about excessive loans and dealings with the Mauritius Co-operative Central Bank Ltd. Could the Rt. hon. Prime Minister tell us in relation to the words “excessively used” at the time when loans were made available to, they call him, Mr D.G. - and here I see Mr R. G.; I guess they are the same person - would not it be possible for the Rt. hon. Prime Minister to tell us whether any special, unusual, abnormal facilities were given in terms of interest or otherwise to Mr R. G. that would make it suspicious or whether it was normal as any other client, as far as banking facilities and interest for the repayment of the loans are concerned?

**The Prime Minister:** The enquiry is still on. In any case, I need a specific question to this.

**Madam Speaker:** Next question, hon. Bhagwan!

**Mr Bhagwan:** I have one last supplementary question, Madam Speaker?

**Madam Speaker:** Hon. Bhagwan, would you, please, move on to the next question?

**Mr Bhagwan:** Madam Speaker, this is a very important question! One last supplementary question, please!

**Madam Speaker:** I will allow you one last, but nobody else!

**Mr Bhagwan:** Can I make a request to the Rt. hon. Prime Minister, taking into consideration the excessive loans taken at the MPCB Ltd, we have been made to understand that all these loans have been transferred to the DBM Ltd? Can the House have a guarantee from the Rt. hon. Prime Minister, through the Minister of Finance and Economic Development, that there will not be any write-off of all these loans at the level of the DBM Ltd.?

**The Prime Minister:** Well, we need specific questions from the hon. Member. We cannot answer it.

**Madam Speaker:** Next question, hon. Bhagwan!

#### **HORSE RACING - COMMISSION OF INQUIRY - INTERIM REPORT**

**(No. B/415) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Commission of Inquiry on Horse Racing in Mauritius which was set up on 24 September 2014, he will state if he is in presence of the confidential Interim Report thereof submitted to the President of the Republic on 28 April 2014, as stated at paragraph 6 of page 11 of the Executive Summary in relation thereto and, if so, indicate if any action has been initiated for the urgent carrying out of investigations into alleged cases of cheating and, if not, why not.

**The Prime Minister:** Madam Speaker, as I informed the House, while replying to Parliamentary Question No. B/57, I have not seen any interim report. I have been told that an interim report was forwarded to the former Prime Minister. What he has done with it, I don't know.

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** Being given the remarks made by the Commissioners at paragraph 6 of the report concerning urgent criminal investigation, can I know from the Rt. hon. Prime

Minister whether his Office has asked for a copy of the interim report from the Commissioners?

**The Prime Minister:** Well, I have not got any, I have not seen any.

**Mr Bérenger:** My information is that, in fact, the Commissioners had submitted a confidential interim report to the then President of the Republic who transmitted it to the then hon. Prime Minister. I am sure if that is the case, there must be a copy at the State House. Has the Rt. hon. Prime Minister enquired at the State House with the now President of the Republic whether such a document does exist?

**The Prime Minister:** Well, if that is so, the State House should have given it to me.

**Mr Mohamed:** Could the Rt. hon. Prime Minister consider - I would not go as far as to suggest that the Rt. hon. Prime Minister contacts the former Prime Minister to ask him whether he could give him his copy, may I humbly suggest - the possibility of carrying out an in-depth enquiry to find out that interim report, at least, *pour faire taire les rumeurs*? Because there is information that I have, that is circulating out there and I am not saying it is true, that there is a discrepancy or a difference between the interim report and the final report. Which is which? If that is not the case, then it is important, at least, that the hon. Members of this House see that there has been no change or editing made to the interim report as opposed to the final one. So, would he consider the possibility of carrying out an enquiry to get that report?

**The Prime Minister:** There are already too many enquiries being carried out. One document had disappeared, but there are many other documents, even in the Prime Minister's Office, which have disappeared.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** I will insist again on the Rt. hon. Prime Minister whether his Office could - because we have paid from public funds for the commissioning of this report, perhaps millions of rupees! It is a very important report which recommends urgent criminal investigations and actions. Can I make a request, in the public interest, that the Government of Mauritius writes to these Commissioners to have a copy of that interim report so as to take urgent actions as recommended by them?

**The Prime Minister:** The former Prime Minister has been a very good ally of the hon. Member, can't he ask him for a copy?

*(Interruptions)*

**Madam Speaker:** Next question, hon. Bhagwan!

*(Interruptions)*

Don't make comments from a sitting position!

## **HORSE RACING – COMMISSION OF INQUIRY - RECOMMENDATIONS**

**(No. B/416) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Commission of Inquiry on Horse Racing in Mauritius which was set up on 24 September 2014, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, a list of the actions initiated, if any, especially in respect of alleged cases of -

- (a) cheating;
- (b) taxes not paid to the Mauritius Revenue Authority by SMS Pariaz;
- (c) under invoicing on the importation of horses;
- (d) the *Police des Jeux*, and
- (e) live monitoring of bettings.

**The Prime Minister:** Madam Speaker, with your permission, I am replying to part (a) of the question. I am informed that, for any offences committed under Part XXIV of the Gambling Regulatory Authority Act 2007, as subsequently amended, the Gambling Regulatory Authority (GRA) has recourse to the assistance of the *Police des Jeux*. Any alleged case of cheating is, therefore, referred to the *Police des Jeux*, for further investigation and necessary action.

In addition, regular meetings, in relation to cases of alleged malpractices, are held by the GRA with the Mauritius Turf Club (MTC) for safeguarding the integrity of the horse racing industry and upholding public confidence.

As stated in the Report of the Commission of Inquiry on Horse Racing in Mauritius, the GRA lacks competency in the reading of horse race running and determining any case of

cheating. To overcome this competency problem, the GRA is in the process of enlisting the services of an expert from the horse racing industry, abroad, for -

- i. the reading of horse race running and determining any case of cheating not detected by the MTC, and
- ii. building capability, both, at the GRA and the *Police des Jeux*.

Moreover, my Office is enlisting the services of Messrs. Benn Gunn and Paul Scotney, the two assessors of the Commission of Inquiry on Horse Racing in Mauritius, to assist in the implementation of the recommendations thereof. One of their responsibilities will, also, be to build capacity at the GRA and the *Police des Jeux*, for better monitoring of illegal activities related to horse racing.

As regards part (b) of the question in relation to tax dues of SMS Pariaz Ltd, the Mauritius Revenue Authority has advised that SMS Pariaz Ltd, has submitted all its returns during the last five years, and paid the taxes due as per return submitted. For period August 2008 to now, the Mauritius Revenue Authority has collected an amount of Rs193,432,777 from SMS Pariaz Ltd.

I am, further, advised that, as to date, the tax audit of SMS Pariaz Ltd, undertaken by the Mauritius Revenue Authority, has not been completed, in view of the fact that SMS Pariaz Ltd did not grant access to its computer system for details of bets placed, to the officers of the Mauritius Revenue Authority.

The GRA was consequently informed of this development. However, in view of the legal implications arising under the Data Protection Act of 2004, as subsequently amended, and over which the GRA has no authority/jurisdiction, the Mauritius Revenue Authority has been advised to lawfully resolve the issue with SMS Pariaz Ltd.

I am now answering part (c) of the question. The matter of Importation of horses falls under the purview of the Mauritius Revenue Authority. I wish to refer the hon. Member to the reply I made to a question, at the sitting of 28 April 2015, as regards the process involved in the importation of horses for horse racing.

I am informed that, following an investigation carried out in 2007, the Mauritius Revenue Authority uncovered an undervaluation of racehorses imported from South Africa for period 2003 to 2007, which resulted in the payment of additional VAT by the Mauritius Turf Club amounting to approximately Rs15 m.

I have been advised by the Mauritius Revenue Authority that no further case of undervaluation of racehorses has been detected by Customs, subsequent to the above mentioned investigation.

I have also been apprised that, as a means to monitor under invoicing, a reference price chart devised by the Mauritius Revenue Authority (MRA) and the Mauritius Turf Club is used as a risk management tool to assist Customs in establishing the value of racehorses according to their categories (A, B, C and D), which are based on the age and the merit rating of the time of import.

In line with recommendation 15 of the Commission of Inquiry on Horse Racing in Mauritius, the bills of entry for the importation of racehorses are being submitted to Customs by the Mauritius Turf Club through its Customs Broker with the name of the consignee (name of owner or stable) clearly mentioned in the Customs Declaration Form.

The current process regarding the importation of horses is being included in the Terms of Reference of the assignment given to Messrs. Benn GUNN and Paul SCOTNEY, the two assessors of the Commission of Inquiry on Horse Racing in Mauritius, who will assist in the implementation of the recommendations thereof.

I am, now, replying to part (d) of the question. The *Police des Jeux* has been restructured and reinforced with additional manpower. There has also been a cleanup exercise. There is now a better co-operation and synergy among the GRA, *Police des Jeux* and the Mauritius Revenue Authority, at all levels.

As I stated earlier, both my Office and the GRA are enlisting the services of experts to build competency and capacity at the *Police des Jeux*, for better monitoring of illegal activities related to horse racing.

As regards part (e) of the question, as I informed the House, while replying to PQ No. B/255 and PQ No. B/305, the Gambling Regulatory Authority Betting Control System which was transferred to the Mauritius Revenue Authority, in March 2013, is still being used to monitor horse racing betting and football betting.

With the enhancements made to the system, the Mauritius Revenue Authority is, now, in a better position to -

- i. do more timely comparison of betting turnover declared in tax returns with the information on the system;
- ii. in case of non-compliance, such as non-submission of returns, raise timely assessments;
- iii. verify whether betting receipts are being correctly declared, and
- iv. analyse the database of betting information to detect any abnormal pattern.



As regards the Central Electronic Monitoring System, a two stage bidding exercise, in line with the Public Procurement Act 2006, is in progress, at the Mauritius Revenue Authority, to shortlist potential bidders for the implementation of this system.

I have also been informed, by the Mauritius Revenue Authority, that the outcome of the pilot testing exercise of Electronic Fiscal Device of a bookmaker stall was comparable to the current Gambling Regulatory Authority Betting Control System and, therefore, there is no compelling reason to use the Electronic Fiscal Device in the horse racing sector for the time being.

I wish to reassure the House, here, of my commitment to take appropriate actions to redress the horse racing sector as recommended by the Commission of Inquiry on Horse Racing in Mauritius.

**Mr Bhagwan:** Madam Speaker, one of the main recommendations of the Commission of Inquiry was the setting up of a Mauritius Turf Authority. Can I know from the Rt. hon. Prime Minister whether preliminary work has started for the setting up of that Mauritius Turf Authority?

**The Prime Minister:** No. I must be honest, I am not aware. I don't know whether work has started.

**Mr Bérenger:** Madam Speaker, the Rt. hon. Prime Minister has informed us that *La Police des Jeux* has been restructured. Can I know who is at present at the head of the *Police des Jeux*?

**The Prime Minister:** One Mr Gérard.

*(Interruptions)*

I don't know him, I don't know who he is.

#### **JUDICIAL COMMITTEE OF THE PRIVY COUNCIL - MR G. C. – FEES PAID**

(No. B/417) **Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Mr G. C., he will state the assignments for which his services were retained by Government, over the period July 2005 to 10 December 2014, indicating in each case, the -

- (a) amount of fees paid out thereto, giving a breakdown thereof and,
- (b) number of visits he has effected to Mauritius in connection therewith, further indicating -
  - (i) the dates thereof;
  - (ii) the purposes therefor;
  - (iii) the expenditure incurred in connection therewith in terms of air tickets, accommodation and other allowances, if any, and
  - (iv) if Government car facilities had been provided thereto.

**The Prime Minister:** Madam Speaker, during the period July 2005 to 10 December 2014, the services of Mr G.C. had been retained by the Government in connection with cases before the Judicial Committee of the Privy Council. His services were also retained in 2013 in the Michaela Harte case. The total fees paid to Mr G.C. for these cases amounted to Rupees fourteen million two hundred and sixty thousand two hundred and eight and forty-seven cents (Rs14,260,208.47). I am tabling the information requested by the hon. Member in respect of each of these cases.

Madam Speaker, in regard to part (b) of the question, Mr G. C. visited Mauritius on 16 occasions between September 2008 to 10 December 2014. He did not travel to Mauritius between 2005 to 2007.

His visits from September 2008 to 2012 were mainly in connection with matters related to claims made against the Government in regard to land at Le Morne. For these cases, Mr G.C. had been paid an additional fee of £47,000. Other expenditure in relation to the visits of Mr G.C. and his family members were as follows -

- (i) Air tickets - Rs2,464,413.00
- (ii) Accommodation - Rs1,497,214.59

I am tabling the detailed information requested by the hon. Member in regard to expenditure incurred on air tickets and accommodation.

As regards Government car facilities, I am informed by the Commissioner of Police that Mr G.C. was provided with a chauffeur-driven car by the VIPSU during each of his visits to Mauritius.

Madam Speaker, I am not in a position to provide information on the purpose of the visits of Mr G.C. during the period October 2012 onwards as I am informed by the Private Office of the Prime Minister's Office that no record is available.

*(Interruptions)*

**Mr Jhugroo:** Can the Rt. hon. Prime Minister confirm whether his service was retained in the case of Bangalia? I know that many documents have disappeared from the PMO.

*(Interruptions)*

May I ask the hon. Prime Minister whether he can confirm whether his services were retained in the case of Bangalia?

**The Prime Minister:** Well, it may be there in the document that I am producing. Sincerely, it is not to my knowledge; I cannot answer.

**Madam Speaker:** Next question, hon. Uteem!

#### **OFFENCE OF MURDER CASES - INQUIRY**

**(No. B/418) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the offence of murder, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported/detected cases thereof, since 2005 to date, indicating the number thereof which -

- (a) are still under inquiry, and
- (b) have been tried, indicating the outcome thereof in terms of conviction and acquittal.

**The Prime Minister:** Madam Speaker, the information requested for is being compiled and will be tabled in the Library of the National Assembly.

**Mr Uteem:** Thank you, Madam Speaker. There have been lately some high profile cases of murders which have resulted in acquittal by the Jury. May I know from the Rt. hon. Prime Minister whether he will agree that it is time for our Police to be trained to stop relying on confession to secure a conviction?

**The Prime Minister:** Do I understand that confession should no more be taken into consideration?

*(Interruptions)*

Well, if it is proved; we know that already it is in the law. If the confession is not obtained legally, the Court will not allow it to be admitted.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. Being given the number of cases that have led to acquittal in the case of murder because of unsoundness of confession made, would the Rt. hon. Prime Minister give the assurance to the House that the Police and Criminal Evidence Act which has already been prepared by the previous Government would be presented this session so that there is an improvement in the law regarding the taking of confession?

**The Prime Minister:** I have been told it is being looked into.

**Madam Speaker:** Next question, hon. Jhugroo!

#### **SSR INTERNATIONAL AIRPORT – AIRWAY COFFEE LTD. - CONTRACT**

**(No. B/419) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the allocation of the contract to Airway Coffee Ltd. for the provision of catering services at the Sir Seewoosagur Ramgoolam International Airport, allegedly to the detriment of Tropical Times, he will, for the benefit of the House, obtain from Airports of Mauritius Ltd., information as to if the case has been referred to the Commissioner of Police for inquiry and, if so, indicate the outcome thereof and, if not, why not.

*(Withdrawn)*

**MAURITIUS POST & COOPERATIVE BANK LTD. – CHIEF EXECUTIVE  
OFFICER - INQUIRY**

(No. B/420) **Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Mr R.K.B., former Chief Executive Officer of the Mauritius Post and Cooperative Bank Ltd., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the where matters stand as to the inquiry being carried out in relation thereto, indicating the charges lodged against him, if any.

**The Prime Minister:** Madam Speaker, I am informed by the Commissioner of Police that on 27 April 2015, the Bank of Mauritius reported a case of malpractice and abuse of power in sanctioning loans and overdrafts to various customers against Mr R.K.B., former Chief Executive Officer of the Mauritius Post and Cooperative Bank. An enquiry was then initiated by the Police.

During the course of the investigation, Mr R.K.B. was interviewed and arrested on 08 July 2015. On the next day, he appeared before the District Court of Port Louis (South) and was provisionally charged with “Conspiracy” and “Failing to comply with the banking guidelines and instructions issued by the Central Bank”. As at to date, two persons from the Bank of Mauritius and one from the Mauritius Post and Cooperative Bank have given statements to the Police.

On 10 July 2015, Mr R.K.B. was granted bail and his next appearance in Court is scheduled for 12 November 2015.

I am further informed that the enquiry is still in progress.

**Mr Jhugroo:** Is the Rt. hon. Prime Minister aware that several documents have disappeared from the bank after the election?

**The Prime Minister:** Well, that’s what I have been told, yes.

**Madam Speaker:** The Table has been advised that PQ No. B/431 addressed to the Rt. hon. Prime Minister has been withdrawn. Time is over!

Questions addressed to hon. Ministers! The Table has been advised that Parliamentary Question Nos. B/443, B/451, B/452, B/454, B/455, B/471, B/472, and also B/465 and B/466 have been withdrawn.

The Table has been further advised that PQ No. B/436 in regard to the forthcoming Hajj pilgrimage addressed to the hon. Minister of Arts and Culture will now be replied by the hon. Vice-Prime Minister, Minister of Housing and Lands.

**Madam Speaker:** Hon. Bhagwan!

**OFFSHORE COMPANIES - MODI GATE SAGA/IPL CRICKET LEAGUE, INDIA -  
MONEY LAUNDERING**

(No. B/433) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Lalit Modi Gate Saga/IPL Cricket League, India, he will state if the Indian authorities have sought the assistance of the Mauritian authorities in relation to the inquiry it is carrying out regarding the transfer of black money through offshore companies in Mauritius and, if so, indicate where matters stand, indicating the -

- (a) amount of money allegedly involved, and
- (b) name of the companies allegedly involved therein.

**Mr Bhadain:** Madam Speaker, I am informed by the State Law Office that the information requested is privileged under section 20 of the Mutual Assistance in Criminal and Related Matters Act 2003 which provides that documents exchanged between States and international Tribunals cannot be disclosed.

I am further informed, Madam Speaker, by the Financial Services Commission that information relating to offshore companies is confidential under section 83 of the Financial Services Act 2007. This information can only be obtained following an order for disclosure by the Supreme Court under section 83(5) and this order can only be obtained upon application of the Director of Public Prosecutions for the purpose of any enquiry or trial into or relating to the trafficking of narcotics and dangerous drugs, arms trafficking or money laundering under section 83(6).

I also wish to draw the attention of the hon. Member to the fact that information held by the Financial Intelligence Unit is confidential under section 30 of the Financial Intelligence and Anti-Money Laundering Act 2002 and can only be disclosed to third parties to enable the FIU to carry out its functions (under section 30(2)(a)), in the interests of the prevention or detection of crime (under section 30(2)(b)) or in connection with the discharge of any international obligation to which Mauritius is subject (section 30(2)(c)).

Regarding requests from overseas FIUs, Mauritius and India are both members of the Egmont Group of Financial Intelligence Units and exchanges of information within the Group are governed by the Egmont Principles for Information Exchange. These principles are incorporated into our domestic legislation under section 20(2) of the FIAMLA and only cater for information to be disseminated for administrative, investigative, prosecutorial or judicial purposes (as approved by the foreign FIU).

Regretfully, Madam Speaker, the information sought by the hon. Member cannot be obtained in view of the legal restrictions that I have mentioned.

**Madam Speaker:** Yes, hon. Bhagwan!

**Mr Bhagwan:** Can I know from the hon. Minister whether he has taken cognizance of the last speech made by the Leader of the Opposition at the Lok Sabha? While intervening on Lalit Modi's case, he made mention of one company, Wilton Associates, situated at Ebène Skies Building where millions of black money was being transferred to that company. I would like to know whether he is aware of that speech, whether he has taken cognizance of that and what action is being taken.

**Mr Bhadain:** Yes, Madam Speaker, I have taken cognizance of the speech in the Lok Sabha by the Leader of the Opposition and I refer the hon. Member to the answer that I have given before. Unfortunately, because of the legal restrictions, none of these issues can be disclosed.

**Mr Bhagwan:** I have two supplementary questions being given the importance. Can I ask the hon. Minister whether he has inquired into the Lalit Modi's scandal, that somebody who has been involved, in one way or another, in the companies which have been mentioned, has been appointed as Member or Chairperson in one of the Government-owned companies?

**Mr Bhadain:** The investigation is being conducted and because of legal restrictions, we cannot get into that. But I am not aware of the issue which has been raised by the hon. Member.

**Mr Bhagwan:** Can the hon. Minister inquire whether one of the persons is involved in all these transactions which are associated with this company, Wilton Associates or another company situated at Ébène? If it is found true, immediately that person must be sacked as Chairperson of that very important banking institution with regard to our reputation.

**Mr Bhadain:** Madam Speaker, Mauritius is *un État de droit*. I don't know whether there are any persons who are involved in banking institutions, who are the subject matter of the case that the hon. Member is mentioning, but, as I stated, inquiries are being conducted and because of legal restrictions - I wish I could explain more to the hon. Member, but I can't.

*(Interruptions)*

**Madam Speaker:** Please, don't use unparliamentary expressions! Next question! Hon. Uteem, you have a question?

*(Interruptions)*

Hon. Bhagwan, please!

*(Interruptions)*

Order, please! Can you allow hon. Uteem to ask his question?

*(Interruptions)*

Hon. Uteem, please, carry on!

**Mr Uteem:** Thank you, Madam Speaker. I note that there is a change in the attitude of Members of this House answering questions on offshore companies because previously, before this very House, at the beginning of the year, the hon. Leader of the Opposition asked a question about Belvédère which is a global business company and, at that time, the hon. Minister concerned did not have any problem answering on this matter. There was no issue of confidentiality. Being given that last week, in this very House, the hon. Minister of Finance and Economic Development referred to Mauritius as being a land where crooks put their money, being given that the hon. Minister of Finance and Economic Development went on radio and one of these newspapers and talked about the time of Mauritius being a tax haven is over.



**Madam Speaker:** The hon. Member must ask his question.

**Mr Uteem:** Would the hon. Minister give the assurance to the House that the FSC and the regulatory authorities would be ruthless against all Directors and Management Companies involved in all these scandals?

**Mr Bhadain:** Madam Speaker, as a lawyer, the hon. Member should know that the case of Belvédère was not subject to section 20 of the Mutual Assistance in Criminal and Related Matters Act 2003. We are talking about different things. Now, with regard to what he has said about the offshore sector, I think the hon. Member should know by now that this Government is all about transparency and good governance and we are cleaning up the mess which has been left behind and the offshore sector is one sector where we are inculcating a new vision of substance, of transparency, of good governance which is going to take this country forward.

*(Interruptions)*

**Madam Speaker:** Next question, hon. Ameer Meea!

#### **CATTLE (LIVE) - EID-UL-ADHA FESTIVAL - IMPORTATION**

**(No. B/434) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to live cattle, beef, goats and muttons, he will, for the benefit of the House, obtain information as to the number thereof imported since January 2015 to date, indicating the –

- (a) names of the -
  - (i) importers
  - (ii) sellers, and
  - (iii) resellers thereof;
- (b) number of complaints received at the Consumer Protection Unit in relation thereto;

- (c) number of contraventions established in relation to the importation thereof in anticipation of the forthcoming *Eid-Ul-Adha* festival, indicating the -
  - (i) price per kilogram thereof of each, indicating if same is fixed, and
  - (ii) countries of origin thereof, and
- (d) if Government is proposing to acquire a cattle carrier therefor and, if so, where matters stand.

**Mr Gungah:** Madam Speaker, with your permission, I propose to reply to PQ Nos B/434 and B/459 together as they relate to the same matter.

Madam Speaker, in my reply to PQ B/162 in March 2015, I informed the House that the importation of live cattle, beef, goats and muttons has been liberalised and subject to an import permit from the Veterinary Services of the Ministry of Agro-Industry and Food Security, any person may import live cattle for the purpose of *Eid-Ul-Adha* Festival and any other purposes.

I am informed by the MRA that the number of live cattle, goats and sheep imported from January 2015 to 31 August 2015 is as follows -

Cattle: 9,689;  
 Goats: 631, and  
 Sheep: 352.

As regards part (a) (i) of question B/434, the importers are Bosmara Cattle Breeders Co. Ltd, Sains Product Ltd and Socovia Belle Vue Ltée. However, for the forthcoming *Eid-Ul-Adha* festival, I am informed by the Veterinary Services of the Ministry of Agro-Industry and Food Security that only Socovia Belle Vue Ltée has imported 4,696 cattle and 983 goats and sheep.

As regards part (a) (ii), I am informed that there are some 18 resellers. With your permission, Madam Speaker, I am tabling a list thereof.

Madam Speaker, concerning part (b) of the question, 22 complaints, including five anonymous ones have been received at the Consumer Affairs Unit of my Ministry, out of

which 21 refer to the sale of cattle at prices higher than the fixed price of Rs125/Kg, and one on the age of the cattle being less than two years old.

As regards part (c), no contravention has been established as none of the complainants produced documentary evidence to support the complaints in respect of higher prices being charged.

In August this year, the Consumer Protection (Control of Sale of Imported Live Animals for Home Slaughter) (Amendment) Regulations 2015 was gazetted to fix the retail selling price of live cattle imported from South Africa for the forthcoming *Eid-Ul-Adha* festival at Rs125 per kilogram.

In the beginning, after the gazetting of these regulations, some confusion arose on the type and grade of cattle being put on sale.

In order to remove this confusion, last Friday, Government took the decision to the effect that only one price of Rs125/Kg shall be charged in respect of live cattle imported from South Africa for slaughtering on the occasion of the forthcoming *Eid-Ul-Adha* festival, irrespective of their type and grade. Purchasers of live cattle who have already been charged a higher price will be reimbursed the difference.

Regarding the complaint that the cattle might be less than two years old, as prescribed, officers of my Ministry accompanied by Veterinary Officers of the Ministry of Agro-Industry and Food Security carried out a verification exercise through random sampling. The Veterinary Officers checked the teeth of the cattle. I was informed that they were all above two years old.

The Veterinary Officers are also effecting spot checks regularly to verify that the cattle offered for sale in relation to *Eid-Ul-Adha* festival 2015 are above two years old. The Veterinary Officers will also be posted to attend to any complaint regarding the age of the cattle on the scheduled dates of sale of cattle as from 17 September. Furthermore, officers of the Legal Metrology Services of my Ministry are also ensuring that duly assized weighing instruments will be used for weighing of cattle for the forthcoming *Eid-Ul-Adha* festival. I wish also to inform Members of the House that a constant presence of the Police on the farms will be ensured during that period.

4,839 live cattle, 352 live sheep and 631 live goats have been imported from South Africa. The other countries of origin are Australia and Kenya from where 1,903 and 2,947 live cattle have been imported respectively.

Madam Speaker, the possibilities of affreighting a cattle carrier for the transport of live cattle for Eid-UI-Adha festival has been examined and has not been found to be viable, as I explained in my reply to PQ B/162 in March 2015. Regarding the acquisition of a cattle carrier, the Governmental institutions concerned will look into the feasibility of such a project.

**Mr Ameer Meea:** Madam Speaker, there has been so much confusion regarding the prices of live cattle recently and one of the reasons was that the main importer, Mr Peerbux from Socovia Ltd. has stated that he had an agreement with the Ministry concerning the prices and that prices would be Rs125 and for different types of cattle, that is, the charolais would be sold at Rs140. Can the hon. Minister confirm the existence of this agreement and make it public?

**Mr Gungah:** Madam Speaker, there has been no agreement between Socovia Ltd. and the Ministry concerning prices. In fact, when negotiations were carried out together with the hon. Vice-Prime Minister, it was decided to fix the price at Rs125 per kilo for all cattle that are imported from South Africa and that is in the regulation.

**Mr Ameer Meea:** Madam Speaker, now that it is clear that there would be only one price for all the cattle, may I ask the hon. Minister how the reimbursement will be done for those who have already paid for the higher prices?

**Mr Gungah:** Madam Speaker, those, who have already reserved, have been issued an invoice. They have to present their invoice at the counter and they will be refunded the amount.

**Mr Ameer Meea:** Referring to the past PQ that the hon. Minister just stated was asked by myself in March this year, I will quote part of the reply of the hon. Minister –

“However, I am informed by the Mauritius Meat Authority that it intends to import live cattle, goats and sheep to regulate the market to control unfair practices.”

May I ask the hon. Minister where matters stand regarding the Mauritius Meat Authority importing live cattle?

**Mr Gungah:** As I said, Madam Speaker, in the beginning, the possibilities of affreighting a cattle carrier was found not to be viable and concerning the acquisition of cattle carrier, the governmental institutions, concerned with it, are going to look into the feasibility of the project.

**Mr Mahomed:** I understand from the hon. Minister that a sampling has been done as regards the age of the cattle and they are found to be okay. I also understand that, as from 17 September, an officer of the Veterinary Division will be full-time present on site. Will he ensure that each and every cattle that is being sold pass the age of two years at the material time?

**Mr Gungah:** Madam Speaker, I do not know the procedures that take place normally because I never assisted such a procedure, but I think it is a well-established protocol. I am sure the veterinarians of the Agro-Industry will do their work as they have already done it in the past and it should be fine according to me.

**Mr Uteem:** I thank the Government for clarifying the situation on the Rs125 kilo. The regulations apply to cattle. Would consideration be given, maybe not for this year, but in coming years, to also fix the price of sheep and goat so that there is no exploitation during Eid-UI-Adha?

**Mr Gungah:** Madam Speaker, the Committee that was set up under the presidentship of the Vice-Prime Minister, myself and the Minister of Agro-Industry, is still working. I can inform the House that we are working with the aim to reduce the others, that is, goat, sheep, muttuns and we are trying to do it this year. Most probably, very soon, we will announce it to the public.

**Madam Speaker:** Next Question, hon. Ameer Meea!

#### **DOMAINE LES PAILLES LTD - LOSSES**

**(No. B/435) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Finance and Economic Development whether, in regard to the Domaine Les Pailles Ltd., he will, for the benefit of the House, obtain from the State Investment Corporation, information as to –

- (a) the amount of profit or loss thereof, as the case may be, since January 2014 to date;

- (b) the number of persons presently employed thereat;
- (c) if the assets thereof are being disposed of and, if so, give details thereof, and
- (d) if the sale thereof is being envisaged and, if so, give details thereof.

**Mr Lutchmeenaraidoo:** Madam Speaker, with regard to part (a) of the question, I am informed by the State Investment Corporation Ltd (SIC) that Domaine Les Pailles Ltd (DLP) has been making losses for years. In fact, the total losses of DLP as at 31 December 2014 stood at Rs422 m. For the period January 2015 until the cessation of operations in July 2015, the Domaine Les Pailles has incurred additional losses of Rs21 m., that is, an average of Rs3 m. monthly.

In relation to part (b) of the question, I wish to inform the House that the SIC gave DLP six months to turnaround this loss making company. However, DLP continued to accumulate losses due to its high overhead cost and its inability to generate additional revenue. Following consultations with the employees and the union, the 142 permanent employees of DLP have opted to voluntarily leave the company against payment of two months compensation per year of service. The total compensation paid to the employees amounted to Rs49 m. As at date, there are no permanent staff on the payroll of DLP.

Concerning part (c) of the question, I wish to inform the House that the tendering exercise was carried out in 2012 under the previous Government for an outright sale of the land and buildings belonging to DLP. Yihai International Investment Management Ltd, a Chinese Company, which offered Rs441 m., was selected. Accordingly, action was initiated for the sale of those assets.

Madam Speaker, after the 2014 General Election, Government decided not to sell the DLP land and buildings. Instead, SIC entered into a Joint Venture Agreement with Yihai International Investment Management Ltd to undertake a mixed infrastructural development project with Smart city components. SIC will contribute 30% of the equity of the Joint Venture in the form of land and buildings which were to be sold to Mr Yihai while the 70% will be held by Yihai International Investment Management Ltd.

Regarding part (d) of the question, I wish to reaffirm Government intention not to dispose of the land and buildings of DLP.

**Mr Ameer Meea:** From the figures that the hon. Minister of Finance just gave us, the SIC would contribute to 30% of the shareholding by bringing the land and the assets of the

company. Can I ask the hon. Minister how much the structure shareholding has been valued and how much this 30% represents and in parallel the 70% that Yihai would bring, how much does it amount?

**Mr Lutchmeenaraidoo:** The 30% of SIC equity is represented by the land that was going to be sold to Yihai which means that the 70% that will be paid by Yihai is equal to the value of those lands. It must be Rs441 m.

*(Interruptions)*

You are right.

And plus 18 Arpents which was valued at Rs57 m. by the Evaluator. There was an additional acreage of some 18 Arpents.

Following an evaluation exercise carried out by NP Jeetun Chartered Valuation Surveyors, the extra land was valued at Rs55.7 m. This amount was proposed to be high. However, Yihai International Investment Management Ltd. was prepared to pay only Rs1.8 m. This was in 2014.

The former management of SIC agreed to the price of Rs1.8 m., that is, each acre were being sold for Rs100,000. Naturally, this was well below the price. This amount also has been added to the Rs441 m. of the lands which were to be purchased by the company. Am I being right or is there any question?

**Madam Speaker:** Yes, hon. Leader of the Opposition!

**Mr Bérenger:** We have been informed that under the previous Government the tender exercise was carried out, but the new Government decided to cancel that tender exercise and we have been informed that discussions are on between SIC and, I take it that it is a company from China, Yihai International Investment Management Ltd. I would like to know whether Yihai International Investment Management Ltd. was amongst those companies who tendered in under the previous Government and, if not, who approached, who chose and who carried out discussions with that company?

**Mr Lutchmeenaraidoo:** There was a tendering exercise carried out by the former Government whereby this company won the tender to buy all the lands. In fact, when we took over we said that we would not sell those lands at any cost. That was the first decision not to sell lands to a foreigner. Then, it was clear that there were interventions, the former Secretary

General of the Labour Party was involved in it. So, it was for obvious reasons and for clarity also that we said we would not sell. Then, the buyer was to go to Court because he was the one who was selected. This is where I said: okay, let us go for a joint venture. The land would not be sold but it would go into a joint venture whereby Yihai International Investment Management Ltd. will invest more money. In fact, it is a huge project. This new project will total an investment of Rs11 billion and in the process of discussions, it is clear now that SIC will get two or three times more than the money agreed upon if the land was sold.

**Mr Bérenger:** Can I ask on a point of clarification, is the hon. Minister telling us that Yihai International Investment Management Ltd. won the tender under the previous Government and is now negotiating with SIC, the same company?

**Mr Lutchmeenaraidoo:** Well, it is the same company. In fact, the purchase was nearly completed. It was just that on the day of the election, one director of SIC was not present on the site. So, that was our chance that the land was not sold. It is the same company. In fact, the same company was going to prosecute Government because there was a legal commitment by SIC to sell.

**Madam Speaker:** Yes, hon. Ganoo!

**Mr Ganoo:** Do I take it from the hon. Minister, if I understood him properly, that the bidder offered the sum of Rs400 m. approximately during the last Government? The hon. Minister also said that the outstanding debt, now, left by Domaine Les Pailles Ltd. is more than Rs500 m. so that, in fact, Domaine Les Pailles Ltd. has become more or less a toxic asset because there are more debts than the value itself?

**Mr Lutchmeenaraidoo:** The hon. Member is right. In fact, the auditor's report came to conclusion that the debt of Domaine Les Pailles Ltd. was higher than its assets and that the company could no longer go on.

*(Interruptions)*

As usual!

*(Interruptions)*

**Madam Speaker:** Last question on this issue, hon. Ameer Meea!



**Mr Ameer Meea:** Yes. Thank you, Madam Speaker. I will come back to the figures because there is no quarrel that the Rs441 m. was not a good price that was signed by the previous Government. On this, there is no quarrel. But, according to Press statement *le Defi Quotidien* of 25 June 2015, it was stated that the present Government *est en train de renégocier à ce niveau et espère pouvoir obtenir plus de R800 millions pour céder les 70% de ses parts dans la compagnie gestionnaire du Domaine Les Pailles*. So, my question is, now that 70% has been given to this Chinese company, but at what price? Because we agree that the Rs441 m. was a much lesser price and not worth the value of the assets. What I want is a clear answer from the hon. Minister of Finance and Economic Development on what is the value.

**Mr Lutchmeenaraidoo:** Maybe I explained myself wrongly. The land that was supposed to be sold to this company was not sold. So, SIC used this land as equity which represents 30% of the company. The 70% is represented by all the investments that the new company will bring in. It is an Rs11 billion project. Therefore, the new company which is the Yihai International Investment Management Ltd. will bring in 70% of new assets or new equity.

**Madam Speaker:** Next question, hon. Ameer Meea!

*(Interruptions)*

**Mr Lutchmeenaraidoo:** I would ask the hon. Member to put question. We don't sit down and put question and say *cadeau*. Put your question!

**Madam Speaker:** Okay, hon. Ameer Meea, next question, please!

**Mr Lutchmeenaraidoo:** Madam Speaker, I don't understand this gentleman. He says 'free' and then he sits down! Stand up and put your question!

*(Interruptions)*

**Madam Speaker:** Please, don't make comments from a sitting position!

*(Interruptions)*

Hon. Minister of Finance and Economic Development, please sit down!

*(Interruptions)*

Hon. Minister of Finance and Economic Development, please sit down! I have already ordered the next question. Would you, please, allow hon. Ameer Meea to ask his question?

**Mr Ameer Meea:** Yes. But, Madam Speaker, it was a question of national importance and public funds. That was why I wanted to ask a last supplementary question on this issue because there has been so much confusion from the answer given by the hon. Minister.

**Madam Speaker:** Hon. Ameer Meea, I have asked you to ask the next question, please!

*(Interruptions)*

### **HAJJ MISSION - COMPOSITION**

**(No. B/436) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Arts and Culture whether, in regard to the forthcoming Hajj pilgrimage, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to –

- (a) the composition of the –
  - (i) pre-Hajj mission, and
  - (ii) Hajj mission, and
- (b) measures that have been or will be taken to avoid shortcomings in the organization thereof which arose in the previous pilgrimages.

**The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):** Madam Speaker, with your permission, I shall reply to this Parliamentary Question.

I am informed that the pre-Hajj mission was effected by Mr Abdool Gaffoor Kassim who is the Officer-in-charge of the Islamic Cultural Centre.

Regarding the Hajj mission, the delegation was made up of the following -

- (i) Mr Samiollah Lauthan - Chairman of ICC is the Head of

## Delegation

- |       |                             |   |   |
|-------|-----------------------------|---|---|
| (ii)  | Mr Fareed Jaunboccus        | - | Board Member of ICC                                       |
| (iii) | Mr Abdool Gaffoor Kassim    | - | Officer-in-charge of ICC                                  |
| (iv)  | Mr Ahmad Faizee Khodabaccus | - | Interpreter   |
| (v)   | Mr Twahair Budullah         | - | Hajj/Programme officer of ICC, and                        |
| (vi)  | Mr Aboo Bakar Manjoo        | - | as a person with long experience in<br><br>Hajj missions. |

There is no political agent. I would like to inform the House that all the 1040 visas provided for the benefit of Mauritian Hajjis have already been issued according to the Register of the ICC.

As for part (b) of the question, I have to inform that Hajj concerns about 3 million people from around the whole world. There is a constant effort on the part of Saudi authorities to improve the conditions in which Hajj is performed.

At our level there is still room for improvement, especially as regards expectations of Mauritian Hajjis and attitudes of Operators.

However, the following measures have been taken to improve the situation further -

1. greater stress on Hajj Awareness Programme organised by the ICC attended by the prospective Hajjis to take note on role and responsibilities of each Hajj stakeholder, viz ICC, Muassassah, Saudi authorities, Operators and Hajjis;
2. to ensure that accommodation is of required standard as laid down hereunder by the ICC, the Officer-in-Charge of the ICC was sent to Saudi Arabia to inspect buildings booked in Makkah and Madinah prior to finalisation of contracts by operators.

The standard which is required for accommodation requires that the hotels, duly approved by Saudi Ministry of Commerce and listed on the Saudi Electronic System, are 3 stars up. The amenities should include -

- single beds,

- air conditioner in each room,
- attached bathroom, table, wardrobe/hanger.

The hotels should also be provided with lifts and necessary fire escapes.

The number of pilgrims per room as per Tasreeh and not exceeding five in any case.

It is also required that the distance to Haram should be reasonable, that is 800 metres maximum.

Following complaints from the operators and pilgrims performing Hajj in 2014, accommodation in Makka will be in three buildings this year instead of two last year and accommodation in Madina will be in four buildings instead of three last year.

To avoid all misunderstanding and prevent undue expectations, all clauses in contract between Hadjis and Operators have been spelt out and explained clearly in details during meetings held at ICC prior to signature of contracts especially as regards components included in the package/s, location and type of accommodation and all other services offered in Saudi Arabia. In fact, the packages offered to pilgrims include all costs including air tickets and all charges in Saudi Arabia and exclude only qurbani and food.

Facilities provided during the five days of Hajj have already been upgraded to category B this year instead of C plus last year. This will hopefully give more comfort to our brothers, sisters and elderlies to performing hajj and also ensure provision of food and drinks during the five days of the pilgrimage.

I would also like to specify that food on flight will be served according to the wish of Mauritian Hajjis.

As for the selection of Operators, a notice was published in the local Press inviting all those interested to act as operators to register themselves with the ICC. More than 30 applications were received. ICC carried out a selection exercise by interview of all those who applied for a licence. Provisional licences were issued to 16 of them and pilgrims were free to choose an operator. After the latter exercise, a final list of 11 operators were given a final licence.

All operators have also submitted a performance bond of Rs275,000 and Rs500,000 depending on the number of pilgrims in their group to ensure they respect all the clauses in their agreement with the pilgrims.

With such arrangements, I am confident that Hajj 2015 will be performed in the best conditions.

**Mr Ameer Meea:** Thank you, Madam Speaker. Now, that the ICC has been transferred to the Ministry of Housing and Lands, can I ask the hon. Minister whether the number of visa compared to last year has increased or decreased and also the free tickets that will be issued either by the ICC or from free tickets received from the Saudi Authorities may he table a list of the beneficiaries?

**Mr Soodhun:** Thank you for this pertinent question and I will just like to inform my friend, hon. Uteem, who visited the Mecca Haram this year and he is aware that construction is going on and it is not possible to cater with the satisfaction of the whole world. This year 1040 visas will be issued and we hope '*insha allah*' next year will be more than that. Concerning the free tickets, there is no free ticket this year, it was only last year, but not this year. There is no free ticket.

**Mr Mahomed:** With regard to the number of Hajjis, my question is as follows – what is the backlog being given that not everybody could go this year? What is the back log that is left behind?

**Mr Soodhun:** Nearly 4000.

**Mr Uteem:** The hon. Minister mentioned that the accomodation will be according to criteria, mainly, it has to be hotel standard and within a radius of 800 metres. My information from the Hajj organisers who went there, is that, we were not going to get hotels, but dormitories with the basic amenities and it is not going to be within the 800 metres radius and the reason for that according to these organisers is the delay from the Mauritian mission to go there and to book these accomodation. May I ask the hon. Minister whether he has the same information as I had?

**Mr Soodhun:** No, it's different because what we have done is that we have sent an officer from our ICC department for the first time and at the same time when the organisers are looking for the buildings and so on. So, the officer has checked and confirmed on the spot and then he gave us all the information. According to my information, it is exactly what I have already mentioned in my statement.

**Mr Ameer Meea:** One of the recent numerous Press conferences made by the hon. Minister, he stated that he will do surprise check there. May we know what is he going to check there?

**Mr Soodhun:** If needed, why not!

**Madam Speaker:** The Table has been advised that PQ No. B/419 which was to be replied by the Deputy Prime Minister, Minister of Tourism and External Communication has been withdrawn. I think it is high time for lunch. I suspend the sitting for one and a half hours.

*At 1.17 p.m. the sitting was suspended.*

*On resuming at 2.53 p.m. with Madam Speaker in the Chair.*

**Madam Speaker:** Yes, hon. Ameer Meea!

#### **PORT LOUIS & ROCHE BOIS - FISHERMEN - MARINE POLLUTION**

**(No. B/437) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the fishermen of the Port Louis and Roche Bois regions, he will state if he has been informed of the inconveniences they are facing due to marine pollution being caused by the port development works and, if so, indicate if consideration will be given for the setting up of a ministerial committee to look thereinto with a view to finding solutions thereto and, if not, why not.

**Mr Koonjoo:** Madam Speaker, I am informed by the Mauritius Ports Authority (MPA) that it is fully complying with the EIA Licence for the extension and strengthening of the Mauritius Container Terminal Quay Project. Furthermore, MPA is not in the presence of any complaint lodged by any fisherman on any pollution caused to the environment by the port development activities.

However, during the execution of the port development project, the fishermen have made representations that their fishing activities are being affected. In this respect, discussions were held between the MPA and the fishermen and it was agreed that their representations would be referred to a mediation/arbitration process. The former Chief Justice Mr B. Sik Yuen was appointed as Mediator/Arbitrator and a Mediation/Arbitration

Agreement was duly signed between the parties on 07 July 2014. Mediation was not successful and it was therefore agreed to proceed for arbitration which was scheduled for November 2015.

However, around June 2015 some 220 fishermen out of the 278 registered fishermen who had signed the Mediation/Arbitration Agreement signified their intention to quit the arbitration process.

The fishermen contacted me. At their request, I chaired a meeting with the *Association des Pêcheurs* on 14 May 2015 in the presence of representatives of the MPA, Ministry of Tourism and External Communications and also the Ministry of Environment, Sustainable Development and Disaster and Beach Management.

In the light of discussions, I was informed by the *Association des Pêcheurs* about a petition signed by some 250 fishermen to withdraw from the arbitration.

My Ministry held a further meeting with the *Association des Pêcheurs* on 29 July 2015. During that meeting, the fishermen requested for a speedy settlement of the issues involved.

Further discussions were held with the representatives of the fishermen and an agreement was reached between the MPA and the fishermen. Discussions are still going on and I learned even today that they have almost arrived at a conclusion, at an agreement, and maybe in a couple of days they will be given a substantial compensation.

**Mr Ameer Meea:** Thank you, Madam Speaker. In my question, I asked the hon. Minister whether he is aware of the marine pollution caused by the port development and, whether consideration will be given for the setting up of a ministerial committee. I did not receive any answer through this specific question.

**Madam Speaker:** If the hon. Minister has answered...

*(Interruptions)*

He has answered.

**Mr Ameer Meea:** Madam Speaker, my question is specific to the issue of marine pollution. EIA is something different.

**Madam Speaker:** Hon. Minister, maybe you can repeat what you have just said about marine pollution.

**Mr Koonjoo:** Yes, Madam Speaker. For the information of the hon. Member - I repeat - I said that MPA is not in the presence of any complaint lodged by any fisherman on any pollution caused by the environment.

*(Interruptions)*

**Mr Ameer Meea:** The hon. Minister said that he received representations.

**Mr Koonjoo:** Yes, I met the fishermen. I discussed with them.

**Madam Speaker:** Hon. Baloomoody!

**Mr Baloomoody:** Can I ask the hon. Minister, the negotiations now are between only those who are registered fishermen. There are around 29 fishermen, people who are earning their living by fishing and they have produced certain evidence to show that they are fishermen but, unfortunately, they are not registered. The mediation did not take them on because the terms of reference of that mediation were only for those who were registered. Now that there is direct negotiation between the fishermen and the Ministry, can I ask the hon. Minister whether he is prepared to, at least, listen to these 29 people who were earning their living by fishing, but are not registered, so that they can have a compensation?

**Mr Koonjoo:** Madam Speaker, the negotiations have been going for more than one year.

Ultimately, the fishermen themselves have agreed on this agreement for a compensation. I said just now that they have already agreed and, maybe, in a couple of days they are getting the money. The hon. Member is asking me to see the persons who are not registered as fishermen; I don't have any problem to see them.

**Madam Speaker:** Yes, hon. Leader of the Opposition!

**Mr Bérenger:** Just on a point of clarification! I heard the hon. Minister refer to *l'Association des Pêcheurs* as representing the fishermen. Now, the organisation existing and claiming to represent them is *le Syndicat des Pêcheurs*. Are we talking about the same thing? Because, the official name is *Syndicat des Pêcheurs* and the hon. Minister has mentioned *l'Association des Pêcheurs*. Is it the same organisation and is the hon. Minister giving the wrong name?

**Mr Koonjoo:** I presume it is the same association, Madam Speaker.

**Mr Ameer Meea:** The hon. Minister stated that an agreement is being reached; may we know the quantum, the amount that would be paid to each fisherman?

**Mr Koonjoo:** To answer to the question of the hon. Member, there will be a substantial compensation.

**Madam Speaker:** Hon. Barbier!



**Mr Barbier:** The hon. Minister mentioned that 278 fishers are concerned with the problem. May I know from the hon. Minister whether it includes fishers from Tombeau Bay, Roche Bois, Les Salines, Sable Noir, Grande Rivière and Pointe aux Sables or only parts of these regions? Because all these regions are concerned with the port development actually. Furthermore, I have a question which I don't think we will have time...

**Madam Speaker:** Hon. Barbier...

**Mr Barbier:** May I ask the hon. Minister, at least, to clarify out of these 278, which regions are concerned with the compensation?

**Madam Speaker:** You will note that the question is in regard to fishermen of Port Louis and Roche Bois regions.

**Mr Koonjoo:** I need notice of this question, Madam Speaker.

**Madam Speaker:** Next question, hon. Uteem!

#### **BRAMER ASSET MANAGEMENT LTD – INVESTORS - REPAYMENT**

(No. B/438) **Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the investors who have invested into or through the Bramer Asset Management Ltd., he will, for the benefit of the House, obtain from the Financial Services Commission, information as to how the debentures to be issued thereto will be repaid.

**Mr Bhadain:** Madam Speaker, I am informed by the National Property Fund Ltd. that eligible claims from Bramer Asset Management Ltd. investors who have registered amounted to Rs3.08 billion. To date, the National Property Fund Ltd. has repaid a total of Rs240 m. to these investors and the remaining amount of Rs2.84 billion will be settled through debentures issued in five annual tranches as from 30 June 2016.

These debentures will be repaid through sale of immovable properties including, *inter alia* –

1. disposal of properties held by Bramer Property Fund, which is currently valued at Rs1.24 billion, and
2. disposal of the Apollo Bramwell Hospital property, which has been valued by the previous Special Administrators at Rs1.60 billion.

Madam Speaker, I will be making a statement later on today on the BAI Ponzi scheme, where matters have reached and the payment of debentures with respect to the victims of Super Cash Back Gold policyholders and investors of Bramer Asset Management Ltd.

**Mr Uteem:** Madam Speaker, in the application for debentures which investors in Bramer Asset Management Ltd. were requested to file, mention is made that they would be repaid only the aggregate principal amount invested, less 20%. So, they will get 20% less than what they have invested. May I know from the hon. Minister why this figure of 20% and whether the same principle applies to Super Cash Back Gold also?

**Mr Bhadain:** Madam Speaker, with regard to Bramer Asset Management Ltd. and the related funds, including the Bramer Property Fund and Discretionary Portfolio Management Fund, the special Administrators had informed us that they would be able to recover 27 cents in the rupee, but when we had representations from all the relevant people who had lost their money through this huge scam and they explained to us how their investment were no different to Super Cash Back Gold and how agents had come into their houses with the forms to say that this is Super Cash Back Gold, this is Bramer Property Fund products, there was no difference whatsoever. So, we had to make a special effort. Government and the Rt. hon. Prime Minister took the decision that we had to be compassionate with these people because they were going to be left out. So, after having worked out all the figures, we came to the conclusion that people who had invested less than Rs500,000 in Bramer Asset Management Ltd products, could be repaid 85%. So, 85 cents in the rupee instead of 27 cents in the rupee and there was a deduction of 15%, whereas people who had invested Rs500,000 or more, then the deduction would be 20%; hence, the 80% which is being reimbursed.

**Madam Speaker:** Yes.

**Mr Bhadain:** And just to say, Madam Speaker, it is not the same for Super Cash Back Gold.

**Mr Uteem:** Madam Speaker, on Friday, in an interview, the hon. Minister of Finance and Economic Development stated, and I quote -

*“Il est clair qu’actuellement l’argent dont on dispose ne suffira jamais à remplir nos engagements vis-à-vis de tous ceux qui se sont fait prendre par le jeu malsain de Bramer Property ou de Super Cash Back. Mais à l’heure qu’il est, les actifs ne suffisent pas pour que je puisse remplir mes engagements auprès de ceux qui ont joué à la loterie.”*

So, in the light of the statement made by the hon. Minister of Finance and Economic Development that the assets will not be sufficient to repay to all policyholders, may I know from the hon. Minister how Government intends to come up when the hon. Minister of Finance and Economic Development, himself, said that –

*“On ne dispose jamais suffisamment pour remplir nos engagements.”*

**Mr Bhadain:** Madam Speaker, the imperative word in that statement by my colleague, the hon. Minister of Finance and Economic Development is ‘*maintenant*’, meaning that at this present moment in time, it is true that we will not be able to fulfil all the commitments in relation to the huge fraud which has happened. However, we have a well-defined plan in terms of how we are going to meet those commitments and I am going to explain that today in the statement that I am going to make later.

**Madam Speaker:** Next question, hon. Uteem!

**Mr Uteem:** I have a last question on the debenture, Madam Speaker.

**Madam Speaker:** The hon. Minister will make a statement later on.

**Mr Uteem:** No, this is pertaining to the debenture holders.

*(Interruptions)*

**Madam Speaker:** I will allow you a last question.

**Mr Uteem:** Thank you, Madam Speaker. The conditions attached to the debentures state, at item 7, that the debentures shall not be transferrable. May I know from the hon. Minister, I know he made a statement himself to say that he would be handing out those debentures so that people could use the debentures as guarantee to get loans from various

banks. So, if the debentures are not transferrable, what use will those debentures be to the debenture holders?

**Mr Bhadain:** The purpose of the debentures, Madam Speaker, is for people to be repaid over a period of five years and they are at zero-coupon rate, no interest and it is redeemable over a period of five years, so 20% every year. Now, I don't have a copy of the form, but what is meant by transferrable, I believe, in the form is that you cannot transfer it to another person and by 'person' I mean, another individual. Now, the question as to whether they can be redeemed with a bank, MCB factors, for instance, which wants to do factoring, probably that is possible.

**Madam Speaker:** Next question, hon. Uteem!

#### **SMALL AND MEDIUM ENTERPRISE BANK – SETTING UP**

**(No. B/439) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Finance and Economic Development whether, in regard to the proposed creation of a Small and Medium Enterprise Bank, he will state where matters stand.

**Mr Lutmeenaraidoo:** Madam Speaker, as the House is aware, in my Budget Speech, I stated that the most ambitious goal of this Government is to make the SME sector the backbone of our economy.

In this respect, I announced the launching of the Small and Medium Enterprises Bank (SME Bank) to provide seed capital to entrepreneurs without need for personal guarantee. Accordingly, an amount of Rs10 billion would be made available to the Bank over the next five years.

Madam Speaker, after wide consultations, it was found that creating a new bank, a dedicated SME Bank, was not the right solution given that Government already owns the Mauritius Post and Cooperative Bank and the National Commercial Bank Ltd. with all the infrastructure and facilities to service the SME sector.

In this context, Government has found it more appropriate to merge these two banks under which there will be, among others, a dedicated SME Banking Department. This will

allow SME banking activities and services to be embedded in a stronger institution with much larger asset base, bigger market share and broader spectrum of products and services.

Accordingly, Government has incorporated a wholly owned company under the name of MauBank Holdings Ltd. on 03 September 2015. MauBank Holdings Ltd. will be the holding company of both the National Commercial Bank Ltd. and the Mauritius Post and Cooperative Bank Ltd.

The necessary procedures have already been initiated for the above merger exercise, which is expected to be completed by 01 January 2016.

SME Banking activities will in due course be delivered in all the branches of the new bank. In the meantime, both the National Commercial Bank Ltd. and the Mauritius Post and Cooperative Bank Ltd. will be providing financing for SME projects through their various branches.

I wish to inform the House that a Launching Ceremony will be held this Thursday.

Madam Speaker, in order to provide sustained support to young entrepreneurs and ensure that their projects are well-prepared, bankable and successful, an SME “One Stop Shop” has already been set up under the aegis of the Ministry of Business, Enterprise and Cooperatives to work with the new bank.

In fact, the “One Stop Shop” will be providing under one roof, all the support, financing and information as well as the delivery of all permits and licenses that SMEs require to start and grow their businesses.

The “One Stop Shop” will be located in Port Louis as it is more accessible and convenient.

**Mr Bérenger:** I want to understand that clearly. So, I take it that as far as branches are concerned, there will no longer be branches of the former Post Office Bank or the new bank, there will be only MauBank, and a new bank, there would be only officers of that MauBank across the country.

**Mr Lutchmeenaraidoo:** Yes, in a transition it opens on Thursday. In fact, all the branches of NCB and MPCB will change name to MauBank. Now, all the branches will be functional. There are, in fact, 35 branches which would be functional and 700 experienced employees. Then, the rationalisation of the merging process will take 3 months. In those 3

months, naturally we will ensure that the best merge is possible in the interest of MauBank. Anyway, we have injected money in the equity because the cash adequate ratio is too low for both banks and they could not survive. So, we will have to inject more capital in those banks to make them really viable.

**Mr Bérenger:** So, I take it that there is no longer talk of Special, Small and Medium Enterprise Bank, we are now talking of MauBank, the bank like any other with a department dedicated to Small and Medium Enterprises as in the State Bank of Mauritius and elsewhere.

**Mr Lutchmeenaraidoo:** This one is specialised. In fact, the new bank has a triple objective. One is to be a simple retail banker like all banks. The second aspect will be mostly in offshore, it will be an important component of the new bank, and number three, this bank will also specialise in SMEs. In fact, each branch will have one officer dedicated to meeting with potential small scale investors and help them in the process.

**Mr Bérenger:** Can I know from the hon. Minister, this new bank, being given that, from what we see, the Mauritius Post Office and Corporate Bank has billions of rupees of toxic loans. What is going to happen to those toxic loans? Does the new bank, as a result of the merger, inherit those toxic loans?

**Mr Lutchmeenaraidoo:** No. In fact, as with the National Commercial Bank, we helped to eliminate all the toxic assets from Bramer and NCB was, therefore, set up without the toxic assets; the same thing is with MPCB. The Rs1.7 billion, which have been lost through loans given to *petits copains*, will not be written off, it is being transferred to a new agency which is not the DBM and which will ensure that money which have been borrowed, will have to be paid by law.

**Mr Léopold:** During the last Budget Speech given by the hon. Minister of Finance, he mentioned that Rodrigues will have a SME Bank. I just want to know where matters stand and whether he has already had consultations with the local authorities in Rodrigues?

**Mr Lutchmeenaraidoo:** In fact, Rodrigues will not only have a branch of a new bank, but will also have a One Stop Shop. Measures that we have taken up with Rodrigues will be fulfilled totally.

**Mr Uteem:** The NCB and MPCB are commercial banks with commercial objectives. Now, we are told by the hon. Minister of Finance and Economic Development that there would be a section dedicated to SMEs, and, in his own Budget Speech, he mentioned a dedicated bank because the objective is not to make profit, but to help SMEs. So, how would

that new bank reconcile the objective of making profit from commercial entities and helping small and medium enterprises?

**Mr Lutchmeenaraidoo:** I like this question because finally the commercial banking activities are commercial, the second bid is commercial. The mission of the bank as far as the SMEs are concerned, is within a channel to small investors, the Rs2 billion earmarked in the Budget each year. Therefore, this is a specialised bank. There is no doubt that the bank will not be able to sustain losses that can come out of the management of their services, but then it is public funds that should go and finance them.

**Mr Uteem:** May I know from the hon. Minister, following the merger of these two banks, whether there would be any loss of employment?

**Mr Lutchmeenaraidoo:** In fact, from the 01 of January, we would have been completing the merging process at the level of the information system to ensure that all bank accounts are working. Number two, we have also considered the question of employment. In fact, employment will stay the same or there will be an increase in view of the new mission of the bank itself.

**Madam Speaker:** Next question!

#### **MINISTRY OF FINANCIAL SERVICES, GOOD GOVERNANCE AND INSTITUTIONAL REFORM – ADVISERS & CONSULTANTS**

**(No. B/440) Mr R. Uteem (First Member for Port Louis South and Port Louis Central)** asked the Minister of Financial Services, Good Governance and Institutional Reform, Minister of Technology, Communication and Innovation whether, in regard to the advisers and Consultants whose services have been retained in connection with the various investigations carried out under the aegis of his Ministry, since January 2015 to date, he will state, in each case, the –

- (a) names and qualifications thereof;
- (b) terms and conditions of appointment thereof;
- (c) amount of fees/allowances paid out thereto, and
- (d) criteria used for the selection thereof.

**Mr Bhadain:** Madam Speaker, reviews and investigations are connected by the staff of the Office for Public Sector Governance (OPSG) which was previously set up under the Prime Minister's Office by the previous Government and also the newly created Public Sector Efficiency Bureau which is headed by the former Director of Audit, Mr Rajun Jugurnath. These two departments are now integral part of my Ministry. The services of advisers or Consultants have not been retained for the conduct of any specific investigation.

**Mr Uteem:** Being given that he has just mentioned that no special advisers have been retained for specific investigation, would the hon. Minister be prepared to table a list of all advisers and Consultants within these two Public Sector Bureaux and the other bureau that works permanently to carry out these investigations?

**Mr Bhadain:** In those two offices, there are no advisers or Consultants, they are all staff who were there under the OPSG and also staff who have been transferred from the Ministry of Finance - auditors and Internal Control staff, who are now operating under Mr Rajun Jugurnath, the former Director of Audit..

With regard to the structure of the Ministry, Madam Speaker, because it is a new Ministry, it did not exist before Financial Services, Good Governance and Institutional Reforms, we had to take people on contract to resource ourselves and these people have been taken on contract because in the public sector, it is either the PSC or in an advisory capacity, so it is in an advisory capacity. Now these people do not work on investigations. They are people who work with me, in my Ministry. However, as from, I believe, next month, the proper structure is being sent to the PSC now for recruitment on a permanent pensionable basis as in any other Ministry.

**Mr Bérenger:** If they work with the Minister, they are paid out of public funds, will the Minister lay a copy of all those advisers by whatever name called who have been recruited, who are working - as requested in the question - a complete list of all these people and the conditions attached to their employment.

**Mr Bhadain:** Madam Speaker, I am a bit confused. Are we talking only of people who are working on investigations as the question originally was or are we talking about the full Ministry? If it is the full Ministry, there is no problem. I will send a list of everybody who works in the whole Ministry.



**MAURITIUS POST AND COOPERATIVE BANK LTD - LOANS**

**(No. B/441) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien)** asked the Minister of Finance and Economic Development whether, in regard to the allegation of various cases of approval of loans without proper prior investigations having been carried out by the Mauritius Post and Cooperative Bank Ltd., he will state and obtain information as to the measures that have been or will be taken to prevent the recurrence thereof.

**Mr Lutchmeenaraidoo:** Madam Speaker, I wish to inform the House that upon the appointment of the new Board of the MPCB Ltd, it was found that the financial situation of the bank was in a precarious state. As a result, the new Board retained the services of Ernst & Young Mauritius (EY) to carry out a Strategic Review of the loan portfolio of the MPCB Ltd, with special focus on its non-performing loans.

The findings of the Review confirmed that the problems of non-performing loans have arisen due to reckless lending decisions by the previous management of the MPCB Ltd. In fact, an amount of around Rs1.7 billion, which is a significant share of the loan portfolio, has been made without proper assessment and without sufficient collaterals.

Madam Speaker, despite the disastrous financial situation of the Bank, Government decided to protect the 345,000 customers, including depositors as well as some 330 employees of the MPCB Ltd. In this regard, Government injected Rs500 m. as fresh capital in a bid to redress the financial situation of the bank and to preserve employment. As I have mentioned earlier, Government is now proceeding with the merger of the MPCB and NCB which would result in a more robust and financially sustainable bank.

As at date, I am informed that four suspected cases have been referred to the Police for enquiry.

In addition, the bank has taken several measures to prevent recurrence of past reckless banking practices. These measures are being tabled for the benefit of the House.

**Mr Jhugroo:** Is the hon. Minister of Finance and Economic Development aware that one Mr Prameshwar Gooljaury had been granted several loans since year 2010 to 2012 amounting to Rs200 m. and it is only in March 2015 that the same loan was duly registered?

**Mr Lutchmeenaraidoo:** Yes, Madam Speaker, I will have to clear that questions concerning clients of banks cannot be divulged. I am held by the banking law and will never release. I am trying just to cooperate the maximum. This will also, for the SIC I wanted to make things clear but, naturally, I don't master all the figures there. It is very far from the Ministry of Finance and Economic Development but we are, therefore, trying to give information which might *éclaircir* the House. But, I cannot reveal information which cannot be revealed under the Banking Act.

**Mr Jhugroo:** Can the hon. Minister of Finance and Economic Development state whether it is a practice of the banking law that a loan which is taken in year 2010 be registered several years after?

**Mr Lutchmeenaraidoo:** I would need notice of this question.

**Mr Jhugroo:** Can we know whether interest has been paid for the loan taken since year 2010 and, if so, can we know what amount and, if not, why not?

**Mr Lutchmeenaraidoo:** I am being hard pressed but I have to reply that those information cannot be released. What we have said is that there has been Rs1.7 billion of toxic assets. Those toxic assets have been removed from the balance sheet of the bank. But, naturally, it implies that there are people inside who have misused their management powers to give loans to those who should not have been given. But, I cannot release. Other questions are coming that will hit to customers, but I will not be able to answer.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Concerning this Mr R.G. and Co. Ltd., can the hon. Minister give the guarantee to the House, the country and the nation that all these toxic loans that have been transferred to the DBM Ltd. and henceforth for recovery, that not a single cent will be written off and he will make sure to submit a return to the National Assembly regularly?

**Mr Lutchmeenaraidoo:** The principle is simple. In fact, when we decided to remove the toxic assets from the bank I said that we will chase those who owe this money until they refund it totally. Secondly, DBM Ltd. also has got a lot of toxic assets as you know. So, I can't ask DBM Ltd. to claim other toxic assets. We are setting up a new institution. I will be coming to the House for a new institution that will be specialised in debt collection for Government.

**Mr Bérenger:** Can I ask the hon. Minister, what entity are we talking about? When will it be set up and under what name to recover those loans?

**Mr Lutchmeenaraidoo:** Well, we need some patience because we are working it with the Bank of Mauritius. In fact, we are working on two projects. One is to have only one Central Government Agency that will be responsible for debt collection, whether it be from the MRA or any other institution. Secondly, we are also working on a Bill that will guarantee depositors in banks. Both Bills are being prepared together and it will come to the National Assembly.

**Mr Jhugroo:** Can the hon. Minister confirm whether there are three loans taken by the former Executive Chairman, Mr Rajiv Kumar Beeharry; for year 2006 an amount of Rs2.4 m.; in year 2008 it was Rs12 m.; in year 2010 Rs1.2 m.? Can the hon. Minister tell us whether all these loans are toxic loans taken by Mr Rajiv Kumar Beeharry?

**Mr Lutchmeenaraidoo:** I see that my friend is very well informed. I won't know.

*(Interruptions)*

**Madam Speaker:** I have allowed. Okay, hon. Mohamed!

*(Interruptions)*

Hon. Mohamed, I am here to rule! If there is anything wrong I will rule out. Hon. Mohamed! I think you have to respect the Chair at least!

*(Interruptions)*

If you are talking about the Standing Orders, Standing Orders are for me to apply!

*(Interruptions)*

Hon. Rughoobur!

## **MELVILLE - KOKI BAY PROJECT - PROMOTERS**

**(No. B/442) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Environment, Sustainable Development and Disaster and Beach

Management whether, in regard to the Koki Bay Project in Melville, in Grand Gaube, he will

—

- (a) state the;
  - (i) name of the promoters thereof, and
  - (ii) date on which the State land was allocated therefor, indicating the conditions of the renewal thereof, if any, and
- (b) table copy of the Environment Impact Assessment license in relation thereto.

**Mr Dayal:** Madam Speaker, with regard to part (a) (i) of the question, I wish to inform the House that an Environment Impact Assessment (EIA) application was received at my Ministry on 13 October 2006 for a proposed hotel project at Pointe Oscome, Grand Gaube. The promoter of the project was BR Property Ltd which was represented by Mr B. Ramloll, Managing Director.

With regard to part (a) (ii), I am informed by the Ministry of Housing & Lands that BR Property Ltd was granted an Industrial Site Lease for a Hotel Development Project over three portions of State land of a total extent of 4ha7172m<sup>2</sup> being part of *Pas Géométriques* at Melville for period starting 9.01.08 to 30.06.27.

In line with the then Government policy, BR Property Ltd opted to enter into a new Industrial Site Lease. Accordingly, the lease mentioned above was cancelled as from 30.09.2009 and the company was granted a new 60 years Industrial Site Lease at Melville for period starting 01 October 2009 to expire on 30 September 2069.

With regard to part (b) of the question, I am tabling a copy of the EIA licence issued to BR Property Ltd on 31 January 2007 for the construction of a four-star hotel comprising of 174 bedrooms. Thank you, Madam Speaker.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Thank you, Madam Speaker. I have two questions for the hon. Minister. I would like, first of all, that the hon. Minister assures the House that the conditions of the Environment Impact Assessment (EIA) are strictly complied with the project. Will the hon. Minister conduct a sort of a communication exercise with the fishermen and the people of the region - because they are very sceptical about the project, I must tell you that most of

them are against the project - to assure them that the access to the beach would not be a problem because I am made to understand that there is a diversion there? Will the hon. Minister, please, look into these two issues?

**Mr Dayal:** Madam Speaker, for the first part of the question, all the conditions are to be applied *in toto* and I see to it that all the projects done are in the national interest.

Concerning the second part of the question, I come from a Government known as *L'alliance Lepep*. We are close to the community and all our projects are community based. We work for the high interest of the people. Therefore, I will be very happy to meet anybody, any society, any group wishing to meet me, but then I want to reassure my colleague that, in that particular project, I make it a point like I do for other projects to have a site visit with all my technical staff and to see to it that everything is being done as per track. Thank you very much.

**Mr Bérenger:** May I ask the hon. Minister, since he made a site visit, what stage has this project reached? Is it being built? Are construction works on within delay provided for in the lease?

**Mr Dayal:** During my site visit, I made a *constat de visu* of the works in progress, Madam Speaker.

*(Interruptions)*

## **DISTRICT COUNCILS – FUNDS**

**(No. B/443) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Minister of Local Government whether, in regard to the district councils, he will state if he is in presence of representations therefrom to the effect that funds are lacking to meet the demands for the carrying out of infrastructural works and for the organisation of welfare activities thereat and, if so, indicate if remedial measures will be taken in relation thereto.

*(Withdrawn)*

**VERDUN TERRE ROUGE HIGHWAY LINK ROAD – REPAIRS**

(No. B/444) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Verdun Terre Rouge Highway Link Road, he will, for the benefit of the House, obtain from the Road Development Authority, information as to -

- (a) the number of engineers thereof having been suspended, indicating why and if the grant thereto of six vehicles is being investigated into, and if so, indicate where matters stand;
- (b) the cost of repairs of the fissures following the landslide between Ripailles and Valton;
- (c) if geological studies had been carried out prior to the construction thereof and, if so, indicate by whom and table copy of the report thereof, and
- (d) the findings of the preliminary technical reports undertaken by the South African and Réunion Island Consultants and table copy thereof, indicating the quantum of fees paid out thereto.

**Mr Bodha:** Madam Speaker, with regard to part (a) of the question, I refer to the reply I made to a Private Notice Question at our sitting on 20 February last, when I informed the House that following the embankment failure observed on 18 January 2015, Government had decided to request the Ministry of Financial Services, Good Governance and Institutional Reforms to carry out a technical and financial audit into all the contracts awarded by the Road Development Authority since 2010. I had also informed the House that the RDA Board had decided to suspend two Officers who were directly involved in the implementation and monitoring of the project and to set up an enquiry under the chairmanship of Me Ravin Chetty to investigate and to situate responsibilities of the officers of the RDA.

I am informed, Madam Speaker, that the Investigative Committee under the chairmanship of Me Ravin Chetty submitted its report on 19 March 2015 wherein it concluded the two officers of the RDA had indeed committed acts of negligence and that disciplinary proceedings should be instituted against them.

Subsequently, the RDA Board proffered two charges against the two officers and set up a Disciplinary Committee to investigate further into the matter and to establish the responsibilities of the officers of the RDA.

Madam Speaker, the Disciplinary Committee held eight hearings where several officers of the RDA were called upon to depone and to produce records and documents. The two suspended officers were also given the opportunity to defend themselves. The Committee submitted its report on 15 July 2015 and it concluded that the two charges proffered against the two officers were proved and they were found guilty of serious acts of negligence in the performance of their duties.

In the light of the findings of the Disciplinary Committee, the RDA Board, at its meeting on 16 July 2015, decided to dismiss the two officers with immediate effect.

Madam Speaker, I am also informed that, in its report, the Disciplinary Committee highlighted the responsibility of what it called the 'collective failure' of the management of the RDA in the matter. Consequently, the RDA Board, at its meeting on 10 August 2015, decided to suspend the General Manager and the Deputy General Manager and to set up an Investigative Committee to investigate into the various major road infrastructural projects contracted by the RDA since 01 January 2010 to date. The terms of reference of the Investigative Committee have already been prepared by the Attorney General's Office and the Committee is being set up very soon.

Regarding the issue of grant of six vehicles to the officers of the RDA by the Contractor, I am informed that this was within the terms and conditions of the contract. However, we consider this issue as an abusive facility and the Investigative Committee will also look into this aspect.

Madam Speaker, as regards part (b) of the question, I am informed that the Consultant ARQ Consulting Engineers from South Africa, appointed by the RDA to undertake a geotechnical investigation to determine the causes of the failure of the embankment and to recommend remedial measures has not yet submitted its final report. However, a preliminary report has been submitted on 03 July 2015 and the final report, including cost estimates and options for the repair works will be submitted by next week.

Madam Speaker, concerning part (c) of the question, I am informed that Consultant Egis BCEOM carried out geological/geotechnical studies prior to the design of the Terre Rouge-Verdun Link road. I am tabling a copy of the report submitted by the Consultant.

It is clear, Madam Speaker, that the tests which were carried out as part of the study, particularly, at that site which is sloppy, complex and very wet were totally inappropriate and inadequate. This was confirmed by the first signs of instabilities in 2010 and the first cracks in 2013.

Madam Speaker, with regard to part (d) of the question, I am informed that the RDA Board has appointed only one Consultant, that is, ARQ Consulting Engineers from South Africa to undertake the geotechnical investigation to determine the causes of the failure and to recommend remedial measures. As mentioned earlier, the Consultant has submitted its preliminary report. The report indicates the presence of a soft layer underlying the embankment at the place of the cracks. This soft layer does not possess adequate bearing capacity for the road. I am tabling a copy of the report.

I am also informed that, as to date, 50% of the fees, that is, Rands 265,364 have been paid to the Consultant.

**Dr. Sorefan:** Madam Speaker, the hon. Minister in a question B/49 answered about the same issue and he said –

‘I am tabling a copy of each of the report’.

But up to now I have never got the report. May we know from the hon. Minister, like he said he is going to table it, that this time I get the report?

**Mr Bodha:** Madam Speaker, the reports are here, in fact, we had some problem to recover them at the Road Development Authority.

**Mr Jhugroo:** Can the hon. Minister confirm whether the former Minister of Public Infrastructure and Land Transport was chairing a Committee to look after the project of Terre Rouge-Verdun Road and, if so, can we know whether he was made aware of the cracks on this particular road and, if so, when and what action has been taken?

**Mr Bodha:** I can't answer this question, Madam Speaker.



**Mr Mohamed:** Madam Speaker, I thank the hon. Minister for his very clear answers and to have found the report. All along, we hear issues about Engineers, could I ask, Madam Speaker, that we know who was the Consultant responsible for this whole work because it seems as though we have Civil Servants or Engineers who are made to pay consequences of what happened, may wrongly pay the consequences, but we don't hear at all about the responsibilities of the Consultants. Is it that one is being made to pay for a situation whereas the others are being forgotten altogether? Why is it that we don't hear about the Consultants?

**Mr Bodha:** Not at all, Madam Speaker. Egis and BCEOM were the Consultants who did the test and designed the roads and supervised the works together with the RDA. Now, we are going to have the final reports on the embankment failure which occurred at Valton and we are now going to proceed to claim damages for all that has happened to the embankment, Madam Speaker. The works, first of all, started at Rs2.1 billion ended up at Rs3 billion and at Rs4 billion. Now, we don't know how much it is going to cost us to repair the embankment which is 18 metres on 250 metres. So, once we have this final report as regards the cost of repairs and the technology which we are going to use for the repair, we are going to put up a case to claim damages to the Consultants and the company which was Colas which, in fact, undertook the works.

**Madam Speaker:** Hon. Leader of the Opposition!

**Mr Bérenger:** We have been told that the Head of the RDA - can we have the names of those at the Head of the RDA now?

**Mr Bodha:** We have the Officer-in-Charge, Mr N. Veerapa.

*(Interruptions)*

No, he was on the list of the Engineers, he was No. 3. We have Ms J. Alimohamed who was No. 4. So, they are in charge of the RDA at present.

**Madam Speaker:** Hon. Lesjongard!

**Mr Lesjongard:** Thank you, Madam Speaker. I heard the hon. Minister state that this was a turnkey project based on design and build. May we know who had the responsibility to check the design of the project and also the construction phase of the project?

**Mr Bodha:** No. it was not a design and build. The test and the design were done by Egis BCEOM. The construction was done by Colas and the supervision was done by and Egis BCEOM and the RDA.

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** Can we know whether tender procedures had been used to choose for the Consultant and, if so, can we know what amount had been earmarked to pay the Consultant and what amount has been paid so far?

**Mr Bodha:** May I ask which Consultant?

*(Interruptions)*

Well, what has been surprising, and I have always said so in Parliament, Madam Speaker, the geotechnical tests of a project which cost Rs2.1 billion was 12,000 euros. That is where we failed from the very start.

*(Interruptions)*

Yes!

**Madam Speaker:** Hon. Dr. Sorefan! Last question on this issue!

**Dr. Sorefan:** May we know from the hon. Minister, now that we have paid loads and loads of money to the Consultant, geotechnical, etc., whether he will give the guarantee to this House that there would not be any landslide in the near future?

*(Interruptions)*

**Mr Bodha:** Well, Madam Speaker, this is a guarantee that is not easy to give, but what I can say is that the works which are being done now at Terre Rouge/Verdun at that spot, which is a very complex one, we are taking all the precautions, and I am convinced that the permanent works are going to be adequate.

**Madam Speaker:** Next question, hon. Dr. Sorefan!

### **M1 HIGHWAY - LIGHTING**

**(No. B/445) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the M1

Highway, he will, for the benefit of the House, obtain information as to if it has been reported that the lamps found along same, heading south, have been intermittently out of order over the past three years and, if so, indicate -

- (a) the reasons therefor, and
- (b) if consideration will be given for the introduction of legislation for the setting up of a Road Lighting Authority.

**Mr Bodha:** Madam Speaker, with regard to part (a) of the question, I am informed that, at present, the role of the Road Development Authority (RDA) is limited to the commissioning and installation of the street lighting network on classified roads, that is, on motorways and main roads which the RDA subsequently hands over to the Local Authority concerned for maintenance and for the payment of the related electricity bills. The street lighting network along rural and urban roads is put up and is maintained by the Local Authority concerned which also has the responsibility to make payment to the CEB for the electricity consumption.

I am further informed that the problems of lamps being intermittently out of order along different segments of the motorway M1 have been reported to the Local Authority concerned. The main reasons for such problems being –

- loss of underground electric cables by theft;
- blackouts due to solar switch because of faults on the networks, heavy rainfall, wear and tear of wires, loose connections, amongst others, and
- in some cases, where loss of underground electric cables have been reported, they have been replaced by overhead cables.

Madam Speaker, I have to inform the House that in view of repeated criticisms received from various quarters in regard to the defective lighting system along roads, and to ensure more homogeneity in the maintenance of the street lighting network, my Ministry is proposing to take over all the responsibility of a new entity to be set up under the Road Development Authority.

Hon. Members of the House will agree that an effective street lighting system is not only one of the prime conditions for road safety, but is also a major requirement for a modern, reliable and safe land transport system. In this connection, I have already initiated discussions with stakeholders on the most effective and efficient legislative and institutional framework to be set up for the commissioning, installation, maintenance and payment of the appropriate bills in relation to the street lighting system.

In fact, the Attorney General's Office has already worked out a draft Road Development Authority (Amendment) Bill by amending section 4 of the Act to provide for the RDA to be responsible for the lighting of all the motorways.

My Ministry, however, considers that it will be more appropriate that the new entity under the RDA takes over the responsibility of street lighting for the entire road network over the island, including rural and urban roads and to use the solar system.

**Dr. Sorefan:** Madam Speaker, I heard the hon. Minister say that RDA will take over the lighting.

*(Interruptions)*

New entity! We would like to know from the hon. Minister whether this is in the pipeline and the time frame that he will come to it, because this has been going on for the last three years and we are suffering on the tourist level and when we go to the north or to the south it is the same thing - blackout.

Well, let's hope that blackout does not start today because it is a must. The Road Authority is doing the road, but the lighting is really creating havoc.

**Mr Bodha:** I totally agree with the hon. Member, Madam Speaker. This is an urgent matter and we have whole segments of the motorway and classified roads which are out of power and they can be a cause for concern for road safety, for road traffic and we are going to give it all the urgent attention it needs.

**Madam Speaker:** Hon. Osman Mahomed

**Mr Mahomed:** Thank you, Madam Speaker. With regard to cable theft; will it not be more appropriate to have the street lighting replaced by solar powered ones, therefore discarding the need of having cables?

**Mr Bodha:** Madam Speaker, the hon. Member is right. We have now solar system where the battery, in fact, is put in a cement case underground. So, we are moving towards this.

**Madam Speaker:** Hon. Shakeel Mohamed!

**Mr Mohamed:** Madam Speaker, thank you very much. I have, in relation to the issue of whether lights should be used or not, since the issue is about wires disappearing, bad

connections and what not. I have driven over many roads, be it in France, be it in United Kingdom or Germany and there are many long, hundreds of kilometres of sections where there are no lights on highways. It has no lights there and it is the trend, because at night people drive over those highways and have headlights. So, what is the point of having headlights and lights at the same time? So, it is only at intersections, residential agglomerations that there are lights. Could the hon. Minister consider the possibility of reducing wastage by not necessarily having to have lights at areas where there are no residential agglomerations and one can very well see very clearly using headlights because since this is the practice in Europe, since this is the practice in countries that are developed why, therefore, do we, as an island, have to be a country...

*(Interruptions)*

**Madam Speaker:** Order, please!

**Mr Mohamed:** ...where proportionately to the number of kilometres and lights thereto, we are paying much more than in European countries?

**Mr Bodha:** We will see to it that we have a system which is efficient. There are many accident-prone segments on the road. So, we will have to see in such a manner that the funds are spent judiciously and we have an effective system.

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** With regard to the loss of electrical cables in motorway M1, may we know whether these cases have been reported to the Police by RDA and what amount has been involved so far, and what measures are envisaged by RDA to prevent this from happening in the future?

**Mr Bodha:** What I said, Madam Speaker, is that the installation and the commissioning was the responsibility of the RDA. The maintenance and the payment of the bills are under the responsibility of the local authority. That's why we say that we have to coordinate the whole thing and I am sure that the theft has not been reported. So, this is where we have to find a solution to see to it that we have an effective system.

**Madam Speaker:** Next question, hon. Dr. Sorefan!

### **RING ROAD PHASE I – REPAIR WORKS**

(No. B/446) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Ring Road Phase I, he will, for the benefit of the House, obtain from the Road Development Authority, information as to -

- (a) the reasons why the services of an Expert Consultant from Reunion Island to confirm the viability thereof is being sought, and
- (b) who is supervising the repair works undertaken by the contractor therefor, indicating if -
  - (i) the Arab consulting company is involved therein, and
  - (ii) who prepared the scope of works therefor and if copy thereof will be tabled.

**Mr Bodha:** Madam Speaker, with regard to part (a) of the question, I am informed by the Road Development Authority that it has not appointed any Consultant from Reunion Island for the Port Louis Ring Road Phase I.

As regards part (b) of the question, I am informed that the repair works undertaken by the contractor Rehm Grinaker-Colas are on a “design and build” basis. The Consultant for the contractor is ARQ (Pty) Ltd. from South Africa and Arab Consulting Engineers (ACE) is supervising the works on behalf of the RDA.

The House would also like to note that when the first defects occurred in January 2014, the whole road infrastructure was still within the defects liability period of one year. In fact, the project was completed on 31 January 2013 and the defects liability period was up to 31 January 2014. Consequently, the contractor was made to remedy the defects at his own costs.

With regard to part (b) (i) of the question, I am informed that ACE is still providing consultancy services and its involvement will continue up to the completion of the repair works which are scheduled now for February 2016. The fees for ACE are being met from the balance of contract amount which is still in the custody of the RDA.

As regards part (b) (ii), the design and scope for the reconstruction of the works have been prepared by ARQ Consulting Engineers (Pty) Ltd. and I have no objection in tabling a copy thereof.

Madam Speaker, I would also like to inform the House that on 29 January 2015, Government appointed Dr. J. P. Lourens, an independent Geotechnical Expert from South Africa to assess the adequacy of the remedial measures proposed by the contractor, that is, Rehm Grinaker-Colas. In his report, which he submitted in March 2015, Dr. Lourens concurred with the assessment made by ARQ (Pty) Ltd. in regard to the reasons for the failure of the Ring Road and its inference that the original design was inadequate. He also concluded that the reconstruction design submitted by ARQ (Pty) Ltd. was adequate.

**Madam Speaker:** Hon. Dr. Sorefan!

**Dr. Sorefan:** Madam Speaker, the hon. Minister, in a recent site visit, said that he is going to recruit a Consultant from Reunion Island to see the viability of that road. That's why I came with that question. Will the hon. Minister confirm whether he said that in the recent site visit he did and that was reported on the MBC?

**Mr Bodha:** This is not what I said. In fact, I had gone to visit the site after a visit I had made to Reunion Island where they are doing - *ce qu'on appelle* the new coastal road which is going to be one of the most expensive infrastructural roads in the world. And I said that we will send somebody from our team to go and visit Reunion Island and not *vice versa*.

**Madam Speaker:** Hon. Mahomed!

**Mr Mahomed:** Yes. In an earlier question in Parliament with regards to the next stretch of the Ring Road, the hon. Minister mentioned that possibilities were being looked into to have an elevated platform along Boulevard Victoria in Port Louis. Is this proposition still on?

**Mr Bodha:** Yes, but this has nothing to do with the Ring Road Phase I.

**Madam Speaker:** The question relates to Ring Road Phase I. So, the hon. Member must come with a specific question, next time.

*(Interruptions)*

Hon. Jhugroo!

**Mr Jhugroo:** Can the hon. Minister inform the House whether RDA has got a geotechnical Consultant, and, if not, would RDA consider to employ one?

**Mr Bodha:** No, the RDA does not have a Geotechnical Consultant. But what we are doing now, in view of the new projects, the projects which are coming, we are training some of our staff. We are doing this capacity building to be able to provide consultancy for geotechnical tests for tunnels, for viaducts and for all the coming projects.

**Madam Speaker:** Yes, hon. Dr. Sorefan!

**Dr. Sorefan:** May we know from the hon. Minister whether the damaged part on the other side is also being taken into consideration for repair because adjacent to the damaged side, the lane going towards the mountain and the one coming from the mountain is next to the damaged side? Has there been any study to know whether this part also has not been cracked underneath?

**Mr Bodha:** Madam Speaker, we had the collapse at one point, but we have to see to it that the whole segment of the road is roadworthy. In fact, there are cracks at the end of Ring Road I. That is going to be another phase.

**Madam Speaker:** Next question, hon. Dr. Sorefan!

#### **QUATRE BORNES - WASTEWATER SEWERAGE NETWORK PROJECT**

(No. B/447) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Wastewater Sewerage Network Project in Old Quatre Bornes, he will, for the benefit of the House, obtain from the Wastewater Management Authority, information as to where matters stand as to the implementation thereof, indicating -

- (a) if all the households have been connected to the network and, if not, why not, and
- (b) the amount of money paid to the contractor for the variation works, as at to date.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, the Wastewater Management Authority informs me that part of Old Quatre Bornes has already been sewered under the Plaine Wilhems Sewerage Project Lot 2 which was completed in March 2015.



The number of connections which have been carried out amount to some - I lay stress on the approximation – 2,620 house connections. The remaining part of Old Quatre Bornes is being sewered under the ongoing contract Lot 1A. Some 536 approximately house connections have been completed and the remaining approximately 616 connections will be completed by November 2016.

With regard to part (b) of the question, I am informed by the Authority that the original contract price for sewerage project Lot 2 was Rs2.49 billion for a total of 12,200 connections. This was increased to Rs2.86 billion at the end of the project.

The Lot 1A contract was awarded in October 2009 for the sum of Rs2.84 billion comprising 11,600 connections. In view of the significant increase in the cost of the project from Rs2.86 billion to Rs3.92 billion, this Government, after having looked into it, decided to complete only Lot 1A North and to close/secure Lot 1A South. The contract value will be Rs3.15 billion, that is, an increase of around Rs330 m. over the original one.

**Madam Speaker:** Yes, hon. Dr. Sorefan!

**Dr. Sorefan:** Madam Speaker, I have asked for a specific site at Rue Anthelme where all the households, except one part, that has not been connected and it seems that everything is in order there. When I phoned them, they were lost. They came and you know – I will say it in the House – it happens to be my residence and my household and...

*(Interruptions)*

As if everything has been done except at my place.

**Madam Speaker:** The hon. Member is declaring interest!

*(Interruptions)*

**Dr. Sorefan:** If the hon. Minister could intervene to see that this is done.

*(Interruptions)*

**Madam Speaker:** Order!

**Mr Collendavelloo:** I am sure ...

*(Interruptions)*

**Madam Speaker:** Order, please!

**Mr Collendavelloo:** ...the hon. Member knows that he should not further his very cause in Parliament. I will look into it, of course, but if he sees me privately, I will certainly look into it and deal with him directly.

*(Interruptions)*

**Madam Speaker:** Hon. Ramano!

*(Interruptions)*

Order, please, hon. Jhugroo!

**Mr Ramano:** Est-ce que je peux savoir du ministre pourquoi malgré le fait que les travaux sont partiellement terminés, est-ce que les travaux d'asphaltage sont concernés dans le *scheme of work* du contracteur?

**Mr Collendavelloo:** Yes, they should be and in all the contracts, it is a condition that the road should be re-instated, but I will look into it if there are any particular areas. I know and I have seen that there are many places where this was not done. I personally intervened normally to get this done very quickly

**Madam Speaker:** Yes.

**Mr Ramano:** C'est vrai de savoir que malgré le fait que les travaux sont terminés depuis maintenant plusieurs mois, les travaux d'asphaltage n'ont pas été faits.

**Mr Collendavelloo:** I take note.

**Madam Speaker:** Next question, hon. Lesjongard!

#### MINISTRY OF ARTS AND CULTURE – ADVISERS

(No. B/448) **Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Minister of Arts and Culture whether, in regard to the advisers attached to his Ministry, he will state the number thereof, indicating in each case the –

- (a) names and qualifications thereof;
- (b) post held, and

(c) monthly salaries and allowances drawn.

**Mr Baboo:** Madam Speaker, two advisers are attached to my Ministry and one adviser is attached to the “*Centre de Lecture Publique et d’Animation Culturelle*”, which is a unit of my Ministry, operating under an agreement signed with the “*Organisation Internationale de la Francophonie*”.

All the advisers are employed on a contract of one year.

With regard to parts (a), (b) and (c) of the question, I am tabling the information regarding the names, respective qualifications, monthly salaries and allowances drawn.

### **CEB - CONSULTANT MOTT MAC DONALD COMPANY – CONTRACTS**

**(No. B/449) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Consultant Mott Mac Donald Company, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the number of contracts awarded thereto, since 2005 to date, indicating -

- (a) the amount of money paid out thereto in respect of each contract, and
- (b) if all of them were awarded thereto following a bid exercise and, if not, indicate the reasons therefor.

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** First of all, with regard to part (a) of the question, Madam Speaker, the CEB tells me that since 2005, it has awarded 7 contracts to Mott Mac Donald Company. I am tabling the information on the amount paid under each contract.

With regard to part (b) of the question, according to the information from the CEB, 5 contracts were awarded. Following the restricted bidding, one contract was awarded directly on the basis of continuity of service for Fort Victoria Phase II Project, that is, after Phase I and one contract was awarded following an expression of interest and a request for proposals.

**Mr Lesjongard:** Regarding the contract that was awarded on the basis of continuity, may we know whether this was for the technical assistance for the implementation of the Fort Victoria Power Station redevelopment?

**Mr Collendavelloo:** Actually, it was.

**Mr Lesjongard:** Is it normal that this was done the way it was done or should the CEB have gone through a tendering procedure?

**Mr Collendavelloo:** I also asked that question. I was told that it is a normal procedure that, for continuity of service, they sometimes award a contract to the same Consultant. I would not be able to say more, so please, do not ask me supplementary questions.

#### **RIGHTS MANAGEMENT SOCIETY – BOARD MEMBERS – ELECTION**

**(No. B/450) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Arts and Culture whether, in regard to the Rights Management Society, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) if the election of three artists to represent the interests of the artists on the Board thereof has been carried out and, if so, indicate when and, if not, why not;
- (b) the qualifications and experience in copyright, related rights and intellectual property in general of the two Board Members appointed by the hon. Minister;
- (c) the subcommittees to which the above mentioned Board members have been appointed, and
- (d) the total amount of money paid thereto as at to date in terms of –
  - (i) Board Member fee, and
  - (ii) Committee Member fee.

**Mr Baboo:** Madam Speaker, the Copyright Act 2014, which provides for the establishment of the Rights Management Society was passed in the National Assembly in April 2014 and proclaimed in July 2014. However, the Board of the RMS was constituted only on 06 March 2015.

In regard to part (a) of the question, I am informed that the Society initiated procedures for the holding of elections for the three representatives of artists to form part of the Board in accordance with section 43(4)(h) of the Copyright Act 2014.

The election of the three members of the RMS to the Board was fixed on 12 July 2015.

In the meantime, a Court case was entered by a member regarding payment of membership fees to be eligible to stand as candidate of the RMS. During the hearing of the Court case, it was found that there was no legal basis for the levy of Membership fees in the Copyright Act 2014. Hence, the election was postponed.

Madam Speaker, in line with Government 2015-2019 to review the Act for better representation of the rights holders, my Ministry is in the process of amending the Copyright Act 2014, in collaboration with the World Intellectual Property Organisation (WIPO).

The amended Act will include a section for the levying of membership fees. The election of the three representatives of the members of the Society will be held thereafter. I can assure the House that the current Board of the RMS has the required quorum to make decisions for the smooth running of the institution.

Madam Speaker, with regard to part (b), section 43(4) (g) of the Copyright Act 2014 empowers me to appoint two members having knowledge and experience in the field of copyright and related rights. Accordingly, two members were appointed.

Both appointed Board members have been for more than ten years, members of the then MASA, now RMS. Moreover, one Mr A.C. was an elected member of the Board from 2011 to 2014. The other member, Mr A.R., was member of the Musical Works and Membership Committee, that is, a sub-Committee of the then MASA during period 2013 to 2014. Hence, both Members have ample knowledge and experience to serve the Board.

In regard to part (c) of the question, I am informed by the RMS that Mr A.C. has been member of the Human Resource Committee for period March to June 2015, whereas Mr A.R. is member of the Finance Committee since 13 August 2015 to safeguard the interest of the artists. Both are also members of an *ad hoc* committee set up on 14 May 2015, to look into the day to day running of the Society in the absence of the Director who was interdicted on 30 June 2011.

The information requested to part (d) of the question, I will table it.

**Mr Quirin:** Madame la présidente, peut-on savoir si le ministre des arts et de la culture trouve normal que le Board Rights Management Society fonctionne sans les représentants des artistes?

**Mr Baboo:** We have nominated, as I just mentioned, the two members who came from the artist representatives.

**Mr Quirin:** Madame la présidente, les deux personnes qui ont été nommées pour siéger au Board du Rights Management Society sont des nominés politiques choisis par le ministre lui-même et qui ne représentent pas les artistes. Ils représentent les intérêts du ministre, de son ministère d'après le Copyright Act. Donc, là on comprend et le ministre vient de nous informer qu'il va amender la loi, c'est à dire, le Copyright Act et par la suite il reviendra avec la tenue des élections en ce qui concerne les représentants des artistes et des créateurs. Je trouve cela une aberration, Madame la présidente. On aimerait savoir quand il compte amender le Copyright Act, combien de temps cela va prendre, parce que le Board du Right Management Society ne peut pas fonctionner sans les représentants des artistes?

**Mr Baboo:** Well, as I said, we are working together with WIPO on that Act and it is coming very soon. But the Board is on, as they already have a quorum and they are working.

**Mr Bérenger:** I heard the hon. Minister say that the Director has been suspended. Can I know since when and why? Who is replacing the suspended Director and what is going to happen next?

**Mr Baboo:** Well, he has been interdicted on 30 June 2011 and Court proceeding is still going on.

**Mr Barbier:** Since the hon. Minister is envisaging amending the law, would he consider the possibility, the advice, as artists always claim that they need to have, as it was in the MASA, more representatives, which number was 7 under the past legislation and which is now 3. So, will the hon. Minister consider also while amending the law to increase the number of artists to be elected by the artists on the Board of the RMS.

**Mr Baboo:** Well, I will take the hon. Member's advice into consideration, but let me tell the hon. Member that the law will be in favour of the artists and for the artists.

**Mr Bérenger:** Madam Speaker, I have a second question. We heard the Minister say that elections were going to take place and the Ministry was advised that it is illegal to claim membership fees, and therefore, the whole thing was cancelled. Can I know whether this legal advice or advice was received from the State Law Office and whether - I am not asking for the legal opinion, I am saying that legal advice which the Minister referred to, was it from the State Law Office and can it be laid on the Table of the Assembly?

**Mr Baboo:** Well, it was from the State Law Office and I will table it.

**Madam Speaker:** Next question, hon. Teeluckdharry!

### STRAY DOGS & CATS

**(No. B/451) Mr K. Teeluckdharry (Second Member for Pamplemousses & Triolet)** asked the Minister of Agro-Industry and Food Security whether, in regard to the stray dogs and cats, he will, for the benefit of the House, obtain information as to the number thereof which have been exterminated by the former Mauritius Society for Prevention of Cruelty of Animals and the Mauritius Society for Animal Welfare (MSAW) respectively, since 2005 to date, indicating if consideration will be given for the –

- (a) introduction of legislation to do away with the practice of catching and killing same, and
- (b) closing down of the MSAW and the setting up of another institution in replacement thereof with one of the objectives being to adopt a humane and empathic approach to solve the problem thereof in Mauritius.

*(Withdrawn)*

### BIOMETRIC IDENTITY CARDS PROJECT - DATABASE

**(No. B/452) Mr K. Teeluckdharry (Second Member for Pamplemousses & Triolet)** asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Biometric Identity Cards Project, he will state –

- (a) the cost incurred for the implementation, setting up and maintenance of databases therefor, and
- (b) if Government proposes to do away with the –
  - (i) practice of compulsorily requiring Mauritian citizens to give their fingerprints and other biometric data for the purpose of obtaining a national identity card, and
  - (ii) features contained in the biometric card, namely, the contactless integrated micro-chip and the integrated Radio Frequency Identification Device (RFID).

*(Withdrawn)*

### **ADDITIONAL STIMULUS PACKAGE SCHEME – BENEFICIARIES**

**(No. B/453) Mr K. Teeluckdharry (Second Member for Pamplémousses & Triolet)** asked the Minister of Finance and Economic Development whether, in regard to the Additional Stimulus Package Scheme, he will state the –

- (a) names of the direct and indirect beneficiaries thereof since the implementation thereof to date, and
- (b) amount of public expenditure incurred in relation thereto since 2005 to December 2014.

**Mr Lutchmeenaraidoo:** Madam Speaker, as the House is aware, in December 2008, the then Government introduced the Additional Stimulus Package Scheme to assist manufacturing enterprises which were affected by the 2008 global economic crisis.

As at December 2014, 69 companies have benefitted from direct support for a total amount of Rs2.86 billion and 5,608 enterprises were assisted through indirect support for a total amount of Rs4.16 billion. Details are being tabled.

Madam Speaker, I wish to inform the House that following an assessment of the direct and indirect support under the stimulus package, it was found that certain companies have been making abuse of the scheme. In spite of the support provided, these companies failed to recover and hence had to close down, resulting in significant job losses and financial losses.

**Mr Bérenger:** Can we have the names and the identity of those firms which had abused the scheme?

**Mr Lutchmeenaraidoo:** Well, I am circulating a list of those who have benefited from those loans. I don't think the amount has been given. But, the hon. Leader of the Opposition is very well aware that there are two notorious cases; one is RS Denim and RS Fashion where we lost more than Rs349 m. in the process as well as the other notorious case of Jean Suzanne.

**Madam Speaker:** Hon. Jhugroo!

**Mr Jhugroo:** Can I ask the hon. Minister of Finance and Economic Development whether in the list of names of the companies just tabled there is a former Member of the National Assembly who is the Director of a company and can we know what is the amount of the stimulus package involved and whether this amount of money has been refunded?



**Mr Lutchmeenaraidoo:** The former Member of Parliament was involved in RS Denim and RS Fashion and those are the two companies where we have directly lost Rs349 m. outside losses made by DBM Ltd. also, through other loans given to him.

**Madam Speaker:** Last question, hon. Rughoobur!

**Mr Rughoobur:** The hon. Minister mentioned more than Rs350 m. that were public funds. Can I know from the hon. Minister whether there is no possibility of recuperating those funds or bringing those people and companies to the Court to recuperate the funds?

**Mr Lutchmeenaraidoo:** Yes, there are ongoing procedures to recoup those lost funds.

#### **REGISTRAR OF ASSOCIATION - SPORT FEDERATION – OPERATION**

**(No. B/454) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether he will state if he has received a correspondence from the Registrar of Association concerning a sport federation which -

- (a) is operating outside the legal framework prescribed therefor, and
- (b) has not participated in the Indian Ocean Islands Games, since 2003 to date.

*(Withdrawn)*

#### **SPORTS COMPLEXES – RENTAL**

**(No. B/455) Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the sports complexes of the Ministry of Youth and Sports, he will –

- (a) for the benefit of the House, obtain from the Mauritius Sports Council, information as to the reasons why the quantum of the rental thereof has been increased, and
- (b) state if he is aware of the prejudices that the increase of the quantum of rental thereof are causing to the sports practitioners who use these facilities and, if so, indicate if he proposes to take any action in relation thereto.

*(Withdrawn)*

**Madam Speaker:** The Table has been advised that Parliamentary Question No. B/469 has been withdrawn. Time is over!

## STATEMENTS BY MINISTERS

(4.15 p.m.)

### MADAGASCAR – PLAGUE - OUTBREAK

**The Minister of Health and Quality of Life (Mr A. Gayan):** Madam Speaker, I wish to inform the House that on 26 August 2015, WHO was notified by the Ministry of Health of Madagascar of an outbreak of plague. As at 30 August 2015, 14 cases have been reported in Madagascar with 10 deaths.

All necessary measures, as recommended in the National Action Plan for the Prevention and Containment of Plague in Mauritius and in Rodrigues, are already being implemented. Increased surveillance of incoming passengers from Madagascar is in place at all entry points both in Mauritius and Rodrigues namely, the air force and the sea force.

As at present, WHO does not recommend any travel or trade restrictions based on the information available.

**Madam Speaker:** Next statement!

(4.16 p.m.)

### STATE TRADING CORPORATION - PETROLEUM PRODUCTS - TRANSPORTATION

**The Minister of Industry, Commerce and Consumer Protection (Mr A. Gungah):** Madam Speaker, with your permission, I propose to make a statement on the transportation of petroleum products for the State Trading Corporation (STC) as from May 2011.

In November 2009, the STC signed a Contract of Affreightment (COA) with Betamax Ltd for the transportation of petroleum products over a period of 15 years at an estimated minimum cost of Rs10 billion which do not include the cost of bunker fuel, demurrage fees, port dues, and the element of escalation rate. The COA was effective as from May 2011.

I have been informed by the STC that our annual requirements of petroleum products arrive at some 1.2 million metric tons while the Red Eagle, vessel of Betamax Ltd, could transport only around 992,000 tons by effecting 16 trips annually. For the balance of some 200,000 tons, Betamax Ltd had recourse to additional tankers, whose costs, according to the COA, had to be borne by the STC.

Since the start of the COA in May 2011 up to January 2015, Betamax Ltd had transported 4,067,703 tons of petroleum products for the STC for which the STC had paid the sum of 125,244,128 USD to Betamax Ltd, that is, an average of 30.79 USD per ton.

From February to August 2015, STC has imported 608,529 tons of petroleum products through spot charters and has paid 16,197,269 USD for that purpose, i.e. an average of 26.62 USD per ton.

Thus, since the STC has stopped having recourse to the services of Betamax Ltd, the STC has been paying an average of 4.17 USD less per metric ton for the transport of petroleum products. Over a period of one year, that would represent a sum of some USD5 m.

If the STC would have continued with the Contract of Affreightment with Betamax Ltd up to 2026, the country would have incurred a loss of not less than Rs2 billion.

I also wish to inform the House that the STC has initiated procedures for the allocation of a Contract of Affreightment to cover the period up to the end of the current contract of supply of petroleum products between the STC and the MRPL. It is assumed that, for such a contract, the cost would be lesser than the cost of spot charter.

Madam Speaker, I thank you.

**Madam Speaker:** Next statement!

(4.19 p.m.)

### **BAI – FINANCIAL SCANDAL**

**The Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation (Mr S. Bhadain):** Madam Speaker, I shall make a statement on the BAI affair to explain how this Government has brought finality to this financial scandal which could have seriously jeopardised the financial soundness and social stability of our country.

Madam Speaker, I must, at the very outset, state that the hon. Leader of the Opposition raised the alarm bells during his PNQ dated 21 November 2013, on the concerns repeatedly expressed by the International Monetary Fund in relation to an insurance company which was operating with a substantial proportion of its assets invested in its related companies. The hon. Leader of the Opposition quoted paragraph 55 of the report and he stated and I quote -

“(...) it suggested that the Bank of Mauritius and the FSC should carry out what it called ‘war games’ in a prevision of a possible financial crisis.”

The hon. Leader of the Opposition also referred to and I quote –

“*a Ponzi Pyramid scheme*” [End quote].

Unfortunately, Madam Speaker, the then Government did not react to those red flags and during the following year, in 2014, billions of rupees were continuously taken from insurance

policyholders through ‘Super Cash Back Gold’ and other people who invested in other products of ‘Bramer Asset Management Ltd’ and its related funds.

The position of the then Government was that BAI is a group that is regulated by the Financial Services Commission and has regulators.

Madam Speaker, last week, I tabled a copy of the report of KPMG, the auditors of the BAI Group, which was presented to its Audit Committee and several of its directors, as far back as 29 March 2011. KPMG showed that the insurance company ...

*(Interruptions)*

**Madam Speaker:** Hon. Members are reminded that they can’t bring their mobile phones in the House.

*(Interruptions)*

**Mr Bhadain:** Madam Speaker, KPMG showed that the insurance company had collapsed in 2009 and explained the Super Cash Back Gold deficits and also and I quote ‘*round tripping transactions*’ effected as book entries and creative accounting.

In April 2015, the Bank of Mauritius identified that the conditions prevailing at the Bramer Banking Corporation posed serious risks to the domestic financial system, and revoked its banking licence, thereafter the Ponzi scheme being operated through the BAI Co. (Mtius) Ltd and its related companies came to light. Similar to what happened in the case of Lehman Brothers and AIG insurance in 2008, it is a known fact that the malpractices of Lehman Brothers brought the downfall of AIG, an associated insurance company, much in the same way.

The Financial Services Commission, the regulator of the insurance sector and the stock exchange, promptly appointed ‘Conservators’ under section 106 of the Insurance Act and their final report showed the state of specific assets and liabilities of BAI Co. (Mtius) Ltd and its related subsidiaries, as at 30 April 2015.

Madam Speaker, following the PNQ of the hon. Leader of the Opposition addressed to me on Tuesday 01 September 2015, I forwarded a copy of the final report of the Conservators to him, on Thursday 03 September 2015. The hon. Leader of the Opposition then commented on the Conservators’ report, which I had provided to him.

Madam Speaker, the Conservators did not attribute a value to the then insurance company, BAI Co. (Mtius) Ltd and the then Bramer bank, as it was operating a Ponzi scheme, with Rs13 billion excess liabilities over assets at the time the crisis was identified, which could not be valued in April 2015.

Madam Speaker, this Government straightaway took bold decisions as follows -

- (i) to protect regular premiums policyholders, who had invested 135,283 policies with maturity dates unfolding over the next 20 years. These policies have been transferred to a new insurance company, National Insurance Co. Ltd and a new company NIC General Insurance Co. Ltd was also created by Government. These cleansed companies are currently operating without any unnecessary expenditure or liabilities; they have been licensed by the Financial Services Commission after rigorous and appropriate due diligence; they are operating over 135,000 clean policies which represent 30% of the life insurance market in Mauritius and carry substantial value;
- (ii) with regard to the toxic single premiums Super Cash Back Gold, the liabilities of the 24,690 policies have been extracted and to prevent the undue suffering of these policyholders, Government has taken the commitment to repay them their capital amounting to Rs19.2 billion, without the abnormal interest rate of 10%, 12%, 14% which was promised to them by the BAI group, and
- (iii) with regard to Bramer Asset Management Ltd and its related funds, in order to provide relief to 6,362 investors who had been induced to enter into these investments, Government has taken the commitment to repay them also, after a net deduction at source of 15% for those who invested less than Rs500,000 and 20% for those who invested Rs500,000 or more. The total amount payable to those who have registered with the National Property Fund Ltd is Rs3.08 billion.

Madam Speaker, Government has undertaken to repay a massive amount of Rs19.2 billion regarding Super Cash Back Gold and Rs3.08 billion regarding investors of Bramer Asset Management Ltd. In total this amounts to Rs22.3 billion, indeed a huge commitment taken to alleviate the suffering of these people.

To date, Rs6 billion has already been repaid to Super Cash Back Gold policyholders and Bramer Asset investors. These repayments have been made from the realisation of Rs2.5 billion worth of liquid assets by the Special Administrators and a line of credit of Rs3.5 billion which has been granted for a period of one year by the Bank of Mauritius on the back of shares held in Britam Kenya, which has not yet been realised.

The total maximum amount of Rs16.3 billion, which remains to be paid to Super Cash Back Gold policyholders and Bramer Asset investors, will be effected as from 30 June 2016,

through zero coupon debentures redeemable in five equal instalments of Rs3.26 billion ending on 30 June 2020.

It is important to note, Madam Speaker, that the current realisable values of the insurance company, i.e. NIC Life Insurance and NIC General Insurance, the value of the National Commercial Bank and the value of the land and buildings of Bramer House and other properties of Bramer Property Fund, were not the subject matter and were therefore not included in the final report of the Conservators, Messrs Mustaq Oosman and Andre Bonieux.

Madam Speaker, I am informed by the Special Administrator, Mr Yacoob Ramtoola of BDO, that Rs13.6 billion is recoverable from the above-mentioned assets and other recoveries to be made.

Madam Speaker, I am also informed that several parties have expressed interests to participate in the equity of the National Insurance Company Ltd, including two local insurance companies; a major UK based insurance company and a leading local bank, which is expanding in banking insurance as a platform to its future investments in Africa.

I am further informed that the interested parties have identified equity participation in NIC for the following main reasons –

1. the NIC provides an excellent opportunity through its portfolio of 135,000 policies to either enter the domestic market or consolidate existing market share;
2. NIC is currently generating a premium income of Rs100 m. monthly, i.e. over a billion rupees annually, which will contribute to dividend income of any strategic partner;
3. NIC also provides opportunity to build a platform for offerings of wealth management services and also general insurance;
4. strategic partners will be able to exercise significant influence on the Board of NIC and develop a common and aligned expansion strategy; NIC generates the premium income of Rs100 m. monthly which will contribute to dividend income, as I have stated;
5. NIC is also the only insurance company in Mauritius which has 14 branches and is planning to expand to 22 branches. This network coverage will facilitate any strategic partner to benefit from greater market penetration, and

6. NIC has a general insurance licence which is yet to be exploited and a business plan which gives a value to the whole industry and creates synergy of cross selling with an international outlook.

Madam Speaker, Government intention has always been to safeguard the interest and alleviate the sufferings of the distressed policyholders and investors but not to run this insurance company in the long run.

Madam Speaker, I am informed that there are already two firm offers which have been received by NIC Ltd. for participation in its equity. The first offer is for around 33% equity and the second offer is for an initial minority stake of 20% with an option to subsequently increase to a majority shareholding, subject, of course, to appropriate due diligence and the FSC giving approval. I am also informed that the UK based insurance company will be conducting a due diligence exercise in a few days prior to submitting its proposal.

Madam Speaker, the current Special Administrators and BDO have identified a possible total amount of Rs13.8 billion which is recoverable over the next four years for the payment of debentures from the sale of the National Insurance Company Ltd. (Life and General), immovable properties, including Bramer Property Fund, land and buildings of Apollo Bramwell Hospital, 17 apartments and 17 parking lots of the Diplomat Garden properties, recovery of specific assets at Pailles, Plaine Lauzun, Phoenix Les Halles and Montebello, amongst others. This will contribute Rs13.8 billion towards repayment of the debentures, which will then leave a net shortfall of Rs2.5 billion.

Madam Speaker, Government's vision is to streamline investment holdings through a consolidation to allow economies of scale, efficiencies, access to market and enhance product offerings in the market place. It is in this perspective that the Ministry of Finance and Economic Development announced the merger before today of the NCB, MPCB and the proposed SME Bank.

The transaction will inculcate a greater sense of competition, which will boost the financial sector and will be beneficial to the end consumers. Government expects a partial disposal throughout a private equity, a strategic partner or a listing in four years to recoup the remaining Rs2.5 billion, which will be contributed to finance the last payment of debentures in June 2020.

Madam Speaker, I am informed by the Special Administrator that further amounts will be recovered as follows -

- (i) personal assets seizure of all those who had knowledge and were involved in the fraud;
- (ii) professional indemnity insurance for specific policies taken by directors of BAI; in fact it was discovered by the Administrators that all these directors had taken specific insurance policies to protect themselves - professional indemnity insurance for a total amount of Rs2 billion, Madam Speaker, so they knew what they were doing, and
- (iii) fines and compensations to be obtained by professional service providers who have contributed directly or indirectly to the fraud and that includes KPMG as auditors.

Madam Speaker, the debentures issued to Super Cash Back Gold policyholders who have not disclosed their source of funds in their respective forms which were submitted, will be subject to a net deduction of 15% of the amount of debentures. This potential recovery will be quantified by BDO when the debentures are issued and this will reduce the amount payable.

Madam Speaker, under the leadership of the Rt. hon. Prime Minister, this Government has done its best, the best it could in the last five months to protect our fellow citizens and prevent a social and financial crisis in our beloved country.

Thank you, Madam Speaker.

## **PUBLIC BILL**

*Second Reading*

### **THE MAURITIUS RENEWABLE ENERGY AGENCY BILL**

**(No. XI of 2015)**

*Order for Second Reading read.*

(4.34 p.m.)

**The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo):** Madam Speaker, I move that the Mauritius Renewable Energy Agency (MARENA) Bill (No. XI of 2015) be read a second time.

The main object of this Bill is to create an agency to promote renewable energy.



Madam Speaker, such institutions have been established in several countries. A few examples are the Indian Renewable Development Agency in India set up as far back as 1987, the Australian Renewable Energy Agency, the Danish Organisation for Renewable Agency and the New & Renewable Energy Authority in Egypt. We have been inspired by these models while drafting the Bill being presented today.

At the international level, in 2009, the International Renewable Energy Agency was created to promote widespread and increased adoption of renewable energy. Today, IRENA - that international agency - has 143 members and is a leading voice on renewable energy. It has to its credit, significant achievements in developing renewable energy data and statistics; providing advice on best practices, policy development and insights on financial mechanisms and technological expertise and supporting capacity building programmes. In preparing this Bill, we have been guided by the broad guidelines offered by IRENA. Indeed, the definition of “renewable energy” in the Bill is based on the definition found in the IRENA Statutes.

Another collective institutional mechanism is the SIDS Dock set up by Small Island Developing States which is assisting small islands to transform their national energy sectors into a catalyst for sustainable economic development and help create financial resources to address adaptation to climate change. It is worth noting that SIDS Dock is now being formally provided with headquarters in Samoa - that country where we did not attend the SIDS Conference unfortunately.

Madam Speaker, IRENA has underlined that renewable energy has moved from the margins to the majority in both investment and new capacity additions and is growing at an unprecedented scale. It has pointed out that there is the need to *rethink energy* and move away from conventional thinking on energy.

I must state that though there has been a strategy for the energy sector with a target of 35% renewable energy set for the year 2025, our legislative framework has not been updated to cater for renewable energy.

Today we have three main institutions. First of all, the Ministry which is responsible for formulating policies and strategies in the sector. Second, the CEB which generates, transmits and distributes electricity and, thirdly, the EEMO, that is, the Energy Efficiency Management Office, which is developing and encouraging energy efficiency strategies. We all know that CEB finally is judge and party in this sector because it is at the same time generating, transmitting and distributing electricity whilst at the same time negotiating with all partners who want to invest in renewable energy.

The Utility Regulatory Authority Act enacted in 2004, has remained un-proclaimed, mainly because of the inaction of the previous Government. Mauritius is among the three countries in SADC which still does not have a regulatory body for utilities. I have to inform the House that I am taking the necessary steps to appoint the Board of the URA which should be operational early next year.

This leaves a missing link and a very important one as there is neither a regulatory framework nor an institutional structure to deal with renewable energy.

You will recall, Madam Speaker, that the National Energy Commission reported that there was currently a void in terms of formal institutional setup for “ensuring that renewable energy projects are recorded via a transparent process and undergo a multi-criteria sustainability assessment.” It, therefore, recommended the setting up of an independent body under the aegis of my Ministry.

This is the purpose of the Bill that is being introduced today.

The objective of the Mauritius Renewable Energy Agency (MARENA) Bill is mainly to create the enabling environment for renewable energy technology in Mauritius.

The new agency will have very complex challenges to address, namely elaborating every five years a renewable energy strategic plan; establishing the necessary mechanism and framework to increase the use of renewable energy; assessing the feasibility and competitiveness of renewable energy projects; encouraging research on the renewable energy technologies; compiling and analysing data on use and benefits of renewable energy; devising incentive mechanisms, including subsidisation mechanisms based on principles of competitiveness and specific technologies and lastly, defining a funding strategy for renewable energy projects.

In fact, Madam Speaker, the recent expressions of interest carried out by the CEB has been immensely successful. It has shown that there is considerable interest. CEB has received 260 proposals, received for a total of more than 1,500 MW and a wide diversity of technologies. British renewable energy companies who visited Mauritius last week on the invitation of the British High Commission have expressed the view that the Mauritian renewable energy market offers appealing opportunities. They stressed to me their appreciation of the clean-up of our financial sector and expressed keen interest in the setting up of their regional headquarters here. I hope that with MARENA, this will soon become a

reality. I have told the Minister of Financial Services and Good Governance that this sector was highly dependent on the existence of a clean, modern financial services centre. Investors have welcomed the statements made by the Minister of Finance as well as the Minister of Financial Services in that connection without forgetting the statement made by the Rt. hon. Prime Minister at his last communication.

This further justifies the need for an organised approach and right institutional, technical and financial mechanisms.

Madam Speaker, the proposed agency will be called upon to address the barriers to the development of renewable energy in terms of administrative procedures and financial mechanisms. The Bill makes explicit provision for regulations to be made for the setting of standards and guidelines relating to renewable energy technologies and accreditation mechanisms in respect of operators in the sector of renewable energy.

It is good to add at this stage, Madam Speaker, that my Ministry is currently engaged in the revision of the existing legislation namely the CEB Act, the Electricity Act to address the developments in the electricity sector and the new sustainable energy objectives and to review the procedures for applications to produce electricity from renewable sources.

Madam Speaker, allow me now to delve into the model of the structure I am proposing for the proposed agency.

As I said earlier, the EEMO has encouraged a networking with the private sector and other institutions to promote energy efficiency. One example is the '*Programme National d'Efficacité Énergétique*' (PNEE) implemented in collaboration with the Joint Economic Council and the *Agence Française de Développement*, with a potential of reducing some 40 MW in electricity demand, and reducing our import bill by about Rs1.2 billion. This project will be replicated for public buildings.

I expect that MARENA will create a public/private sector – NGO synergy in a structured manner. That is why I have taken care to move away from the conventional membership of boards of parastatal organisations to include people from diverse groups, including the private sector, NGOs and even two representatives of this House which I hope will be one Member of the Opposition and one Member of Government to be appointed by yourself, Madam Speaker. I have taken note of some representations made privately to me and publicly in the press. In spite of the outrageous tone adopted by some people who like

being “*intéressant*”, I have taken some of their suggestions on board as notwithstanding the tone in which they were made, some of them were quite serious suggestions and I will, at Committee Stage, come with some amendments regarding the composition of the Board. I will move, for instance, that two Members from Rodrigues be included on the Board. But I do not wish this Board to be an accordion Board with so many people that it becomes unmanageable.

While this is an innovative approach, I believe that we need to be daring to bring changes to the way we work, as things have greatly evolved in our new globalised world. We should not be fixated with old institutional models, some dating back to colonial times. Let us together do things differently, with, of course, better and improved governance standards.

I am sure that the two Members to be appointed by the Speaker as well as the two Members from Rodrigues will bring valuable contributions to MARENA. Let us give this new model a chance to work. I am sure institutions in other spheres can follow the example, as we build our experience with the MARENA.

Let me, at this stage, bring some clarifications on the inclusion of Liquefied Natural Gas (LNG) in the mandate of the new agency. This has purged some comments in the press and amongst my friends and colleagues. I have here to refer to the resolutions of the International Rio + 20 Conference held in 2012 on sustainable development.

The relevant part of Paragraph 127 of the report on the resolutions reads as follows, I quote -

“We reaffirm support for the implementation of national and subnational policies and strategies, based on individual national circumstances and development aspirations, using an appropriate energy mix to meet developmental needs, including through increased use of renewable energy sources and other low-emission technologies, the more efficient use of energy, greater reliance on advanced energy technologies - and may I stress - including cleaner fossil fuel technologies, and the sustainable use of traditional energy resources.”

It would have been an abuse to try and create an agency just for LNG. This is why there is a specific provision for LNG in this Bill although it is not renewable energy. It is fossil fuel energy, but although it is not, strictly speaking, renewable energy by way of exception - those who are used to parliamentary drafting will understand what I mean – it is put in the

MARENA and this is a matter of policy which has been decided and which is the safest course to adopt.

It is clear from this resolution that Member States, including Mauritius, have agreed to have greater reliance on advanced energy technologies, including cleaner technologies.

The US National Renewable Energy Laboratory has highlighted that many opportunities exist for Renewable Energy technologies and LNG to be integrated at multiple levels, such as hybrid Concentrating Solar Power (CSP) and natural gas-fired power generation systems; biogas and natural gas co-fired combined cycle gas turbines; systems integration through co-optimised system integration. Opportunities for natural gas and renewable energy technologies to support the other's role should be examined by the agency as part of our long-term strategy to gradually shift to increased use of clean and/or renewable energy sources.

Madam Speaker, I do reckon that LNG introduction will pose some challenges which are, however, not insurmountable, particularly if we get the assistance of our international partners. MARENA will focus also on how to address these challenges effectively and advise on the expeditious introduction of this clean source of fuel in our energy portfolio.

Madam Speaker, let me conclude by drawing attention to the fact that we are already late in developing the required institutional structure for renewable energy. We need to move faster and once we have a properly constituted agency, it should be the focal point to deal with IRENA and other similar organisations and for the sustainable energy agenda. In fact, I have to inform the House that we have already put up a project proposal under the Green Climate Fund to support the operationalisation of the Mauritius Renewable Energy Agency.

Since 2009, the target of 35% renewable energy has been set for the year 2025. We still have a long way to go. This is probably due to the unstructured and the *ad hoc* approach adopted since 2009 favouring unsolicited bids and opaqueness. The new agency will no doubt bring a systematic and coordinated methodology in dealing with renewable energy and most importantly more transparency and clarity. Actually, as a precursor of this Bill, we are already working on the renewable energy road map with the support of the *Agence Française de Développement*.

Madam Speaker, I am personally proud to contribute to the establishment of a comprehensive framework for the development of renewable energy and I have no doubt that

both the private sector and the NGOs will give their full support to this agency. I shall be eagerly awaiting the contributions which my colleagues in the House may wish to bring for the betterment of this Bill.

With these words, I commend the Bill to the House.

**Mr Bodha rose and seconded.**

**Mr Berenger:** In view of the Père Laval pilgrimage, I think we will end early, therefore I move that the debates be now adjourned.

**Mr Uteem rose and seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

*Second Reading*

**THE ROADS (AMENDMENT) BILL**

**(NO. XII OF 2015)**

The hon. Minister of Public Infrastructure and Land Transport (Mr N. Bodha) gave notice of his intention not to proceed with the second reading of the Roads (Amendment) Bill (No. XII of 2015) today.

**THE PHARMACY COUNCIL BILL**

**(NO. XIII OF 2015)**

The hon. Minister of Health and Quality of Life (Mr A. Gayan) gave notice of his intention not to proceed with the second reading of the Pharmacy Council Bill (No. XIII of 2015) today.

**ADJOURNMENT**

**The Prime Minister:** Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 15 September 2015 at 11.30 a.m.

**The Deputy Prime Minister rose and seconded.**

*Question put and agreed to.*

**Madam Speaker:** The House stands adjourned.

*At 5.00 p.m., the Assembly was, on its rising, adjourned to Tuesday 15 September, 2015 at 11.30 a.m.*

## WRITTEN ANSWERS TO QUESTIONS

### AIR MAURITIUS LTD – TURNOVER

**(No. B/421) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Air Mauritius Ltd., he will, for the benefit of the House, obtain therefrom, information as to the total turnover generated on its cargo operations over the past two years ending 31 March 2014 and 2015 respectively, indicating in each case, the -

- (a) amount of profit and loss realised in relation thereto, and
- (b) impact thereof on the overall performance of the company.

**Reply:** Since the information sought relates to commercial matters of Air Mauritius Limited, it could be prejudicial to the interest of the airline for such information to be released.

### CAMP CAROL, GRAND’BAIE & PEREYBERE – DRAINS – CONSTRUCTION

**(No. B/422) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the construction of drains at Camp Carol, Grand’Baie and Pereybère respectively, he will, for the benefit of the House, obtain from the National Development Unit, information as to –

- (a) if a Consultant has been appointed therefor and, if not, why not, and
- (b) in each case, the –
  - (i) expected start and completion dates thereof;
  - (ii) name of the contractor therefor, and
  - (iii) project value thereof.

**Reply:** I am informed by the National Development Unit (NDU) that the construction of drains and ancillary works at Camp Carol, Grand'Baie and Pereybère are in the list of projects to be implemented during this Financial Year for Constituency No. 6.

These areas were considered as prominent flood prone areas in a study carried out by a Greek consultancy firm and which was funded by the World Bank.

The detailed designs reports and cost estimates in respect of these 2 projects are ready and are being sent to the Project Plan Committee (PPC) for approval, following which NDU will be launching the tenders through an Open Bidding Exercise.

**BETAMAX SHIPPING LTD & THE STATE TRADING CORPORATION –  
PETROLEUM PRODUCTS – CONTRACT**

(No. B/423) Mr G. Lesjongard (Second Member for Savanne & Black River) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the contract between the Betamax Shipping Ltd. and the State Trading Corporation for the transportation of petroleum products from India to Mauritius, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, in the course of the inquiry being carried out thereinto, all the –

- (a) persons allegedly involved therein have given statements in relation thereto and, if not, why not, and
- (b) documents related thereto have been secured, indicating the expected date of completion of the inquiry.

**Reply:** I am informed by the Commissioner of Police that an enquiry has been instituted by the Central CID following receipt of a letter dated 12 February 2015, from the Ministry of Industry, Commerce and Consumer Protection regarding malpractice in the allocation of the contract of affreightment between the State Trading Corporation and Betamax Shipping Ltd.

In regard to part (a) of the question, I am informed by the Commissioner of Police that 34 persons have so far given statements to the Police in connection with this case. Police will convene other persons, if need be, for their statements in due course.



In regard to part (b) of the question, I am informed by the Commissioner of Police that various documents from the State Trading Corporation and correspondence exchanged between different Government bodies which are related to the enquiry, have been secured by the Police.

This case will require in-depth and protracted examination of numerous confidential documents and interview of various persons allegedly involved or incriminated therein.

It is, therefore, inappropriate at this stage to give an indicative date of completion of the enquiry.

### **BEAU BASSIN & PETITE RIVIERE – SYNTHETIC DRUGS**

**(No. B/424) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Constituency No. 20, Beau Bassin and Petite Rivière, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an alarming and rapid proliferation of synthetic drugs has been reported thereat and if so, indicate if he has recently received a letter addressed to him by the *Coalition des Acteurs Sociaux de Barkly* and, if so, indicate the actions taken in relation thereto, if any.

**Reply:** I am informed by the Commissioner of Police that two cases of synthetic drugs have been detected by the Police in the Constituency No. 20 from 2013 to 04 September 2015. Although the Police does not consider this figure as alarming, the situation is being closely followed with a view to preventing the proliferation of synthetic drugs not only in that region but throughout the island.

I am also informed by the Commissioner of Police that he did receive a copy of the letter from the *Coalition des Acteurs Sociaux de Barkly*, addressed to me, on 13 August 2015, in which the following priority issues related to the proliferation of synthetic drugs among the youth in the locality, were listed –

- Lack of Police Officers at the Barkly Police Station;
- The review of the Dangerous Drugs Act;
- Prevention campaigns in Barkly, and

- The setting of a Day Care Centre for the Youth.

With regard to the first issue, I am informed by the Commissioner of Police that the Barkly Police Station covers the region of Cité Barkly, La Confiance and Mont Roches and although it is adequately staffed, it has been reinforced. The Police Station is also supported by the Emergency Response Service, the Divisional Support Unit; the Divisional Traffic Police, the Field Intelligence Officers, the Anti-Drug and Smuggling Unit and other divisions of the Police Force.

With regard to the Dangerous Drugs Act, I wish to refer the hon. Member to the reply I made to Parliamentary Questions B/359 and B/372 on 01 September 2015, wherein I announced that necessary measures would be taken to amend the Act so as to criminalise the consumption of and dealing in the new synthetic drugs which have appeared on the market. The relevant Regulations to the Act have already been drafted by the Attorney General's Office and will soon be made operational by the Ministry of Health and Quality of Life.

Regarding the prevention campaigns in Barkly, Police Officers of the Barkly Police Station trained in community policing, have conducted several sensitisation campaigns and engage in door-to-door contact with inhabitants of the locality, more specifically the parents, with a view to combating the proliferation of synthetic drugs. Regular Community Policing meetings to address drug related issues are also being held.

I am informed that one such meeting was held on 22 July 2015 and was attended by the Members of the National Assembly of that constituency, and also by certain Municipal Councillors, among others.

The ADSU also have been carrying out sensitisation campaigns in educational institutions, including those in the region.

Moreover, regular sensitisation programmes are being conducted in the locality by the National Agency for the Treatment and Rehabilitation of Substance Abusers (NATReSA), targeting more particularly the youth. From January 2015, such activities have been conducted by the NATReSA in 7 educational institutions and 6 other organisations in the constituency.

Concerning the setting-up of a Day Care Centre for the youth, I have referred the proposal to the concerned Ministries for consideration and appropriate action.

### **SMF & SSU – PATROLS**

(No. B/425) **Mr K. Teeluckdharry (Second Member for Pamplemousses & Triolet)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Special Mobile Force and the Special Supporting Unit, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the Officers thereof will be deployed to effect regular patrols and organise check points in sensitive zones with high crime rates.

**Reply:** In regard to the Special Mobile Force and the Special Support Unit, these two units have distinct and highly specialised responsibilities as compared to the regular Police.

The Special Mobile Force is the only paramilitary unit which ensures the safety of mainland Mauritius, Rodrigues and the Outer Islands from outside threats.

The Special Support Unit is responsible for public order policing in the local context.

I am informed by the Commissioner of Police that, over and above their normal duties, the personnel of the Special Mobile Force and the Special Support Unit are being deployed on a daily basis on patrol duties in support of the regular Divisional Police. They carry out vehicles check operations throughout the island in a targeted manner, particularly in crime prone areas.

Furthermore, the Special Mobile Force conducts nocturnal patrols as well as vehicle checks and road blocks everyday in the southern part of the island.

As regards the Special Support Unit, several of its teams carry out patrols in the northern part of the island on a daily basis.

Since January up to 04 September this year, 1,590 and 987 stop and search operations have been carried out by the personnel of the Special Mobile Force and the Special Support Unit respectively together with the regular Police whereby a total of 31,586 vehicles were checked. A total of 1,821 contraventions were established.

### **POLICE FORCE – SYNDICATE – SETTING UP**

(No. B/426) **Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for

Rodrigues and National Development Unit whether, in regard to the Mauritius Police Force, he will state if Government is considering authorising the setting up of a syndicate therefor and, if so, indicate the proposed –

- (a) legal framework to be established to govern same, and
- (b) date of coming into operation thereof.

**Reply:** I wish to refer the hon. Member to my reply to Parliamentary Question B/157 at the sitting of the National Assembly of 10 March 2015 wherein I mentioned that preliminary consultations had started with a view to formulating a proper framework within which the Police Officers would be allowed to syndicate, as announced in the Government Programme 2015-2019.

In regard to part (a) of the question, amendments will be brought to the Police Act and the Employment Relations Act to enable the setting-up of a syndicate for Police Officers.

As for part (b) of the question, I wish to inform the House that the consultation process with all stakeholders has been completed, and the Attorney General's Office is presently working on the draft Bill. Some minor issues have yet to be sorted out, and as soon as these are cleared, the draft Bill will be finalised. It is expected that the Bill will be introduced in the present session of the National Assembly.

### **TRANQUEBAR – FOOTBALL PITCH – CONSTRUCTION**

**(No. B/427) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the football pitch at Tranquebar, he will, for the benefit of the House, obtain from the National Development Unit, information as to the –

- (a) start and completion dates of the construction works thereof;
- (b) contract value thereof, and
- (c) when activities in relation to football will be held thereat.

**Reply:** I am informed by the NDU that the football pitch at Tranquebar is a project consisting of three phases namely –

- (i) earth works, masonry walls, construction of French drains, levelling and turfing;
- (ii) fencing and fixing of gates, and
- (iii) lighting of football ground.

The contract for Phase I was awarded to the contractor, Modern Jurassic Building and Construction Ltd on 07 November 2012 for the sum of Rs3,957,328 (VAT inclusive). The starting date was scheduled for 10 January 2013 with a completion date of 10 June 2013.

However, I am given to understand that the contract was terminated on 30 July 2014 due to delays and non-performance on the part of the contractor. As a result, the levelling and turfing of the football ground remained outstanding.

On 01 August 2014, the NDU awarded a contract for Phase II of the project to Safety Construction Co. Ltd. for the sum of Rs7,095,688.60 (VAT inclusive), without including the outstanding works in Phase I, namely the levelling and turfing of the football ground. Phase II of the project started on 01 September 2014 and was completed on 27 February 2015.

A tentative handing over exercise of the site was effected on 14 April 2015 by the relevant Project Manager with the Ministry of Youth and Sports. However, given that the ground was not properly levelled and the turfing was not to standards, the exercise could not take place.

The NDU has included the outstanding works in its list of projects to be implemented during this Financial Year. The football ground is expected to be completed by December 2015.

### **POLICE FORCE – LAM PO TANG & LEGEND CASES**

**(No. B/428) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether he will state if he is aware that criticisms have been levelled against the Mauritius Police Force in the aftermath of the Lam Po Tang and Legend cases and, if so, will he state if consideration will be given for the –

- (a) modernisation and upgrading thereof, and

- (b) setting up of a High Powered Commission to be presided by a former Judge to inquire thereinto and propose the necessary reforms to enhance the efficiency and credibility of the Mauritius Police Force.

**Reply:** I have not been officially made aware of any criticism levelled against the Police in the aftermath of the Legend and Lam Po Tang cases. However, it has come to my knowledge that in the wake of the verdicts in those two cases in July 2012 and July 2015, respectively, criticisms were made especially in the Press against the Police, particularly in regard to the manner in which investigation had been carried out in those cases. Given that the two cases have each been heard before a Judge sitting with a Jury panel, it would be inappropriate for me to comment on the different criticisms raised after the two trials.

Nevertheless, I wish to highlight that it is Government's responsibility to ensure that necessary measures are taken to enable all institutions, including the Police Force, to discharge their duties in an effective and efficient manner.

In regard to part (a) of the question, the Government Programme 2015-2019 contains several measures aiming at modernising and upgrading the Police Force. These include –

- (i) the introduction of the Police and Criminal Evidence Bill which will, *inter alia*, regulate all issues pertaining to confessions and their admissibility in Court;
- (ii) the setting-up of an online central criminal database for offenders;
- (iii) the installation of CCTV cameras and audio recording systems in all Police stations, and
- (iv) the setting-up of an Independent Police Complaints Commission.

Action has already been initiated for the implementation of all these measures.

In addition, I am informed by the Commissioner of Police that in March 2015, a Strategic Policing Plan has been launched, and emphasis has been put therein on the use of analytical techniques to support investigations and the importance of upgrading skills of Police Officers in detection and management of scene of crimes.

In regard to part (b) of the question, in view of the extensive reforms in which Government has already embarked in regard to the modernisation of the Police Force, the need for the setting-up of a High Powered Commission presided by a former Judge to enquire into criticisms levelled against the Police, does not arise. I wish to highlight that in the

context of the forthcoming introduction of the Police and Criminal Evidence Bill, the Attorney General's Office will soon carry out public consultations to provide ample opportunity to all stakeholders to set out their views in relation to the enhancement of the efficiency and credibility of the Mauritius Police Force.

#### **H.E. THE VICE-PRESIDENT – PREMISES – RENT**

**(No. B/429) Mr M. Hurreeram (First Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the premises rented to serve as official residence for H.E. the Vice-President of the Republic of Mauritius, he will, for the benefit of the House, obtain information as to if tender procedures have been followed for the renting thereof and, if so, indicate the –

- (a) date the bid therefor was launched;
- (b) name of the bidders therefor, indicating the name of the successful bidder;
- (c) extent thereof, and
- (d) monthly rental thereof.

*(Withdrawn)*

#### **ALLEGED ARM TRAFFICKING – INQUIRY**

**(No. B/430) Mr M. Hurreeram (First Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the recent request made to the Government of Mauritius by Mrs K. L. A., Director of the Conflict Awareness Project, to re-open the inquiry concerning the alleged arm trafficking network in Mauritius, he will state if he will consider acceding thereto.

*(Withdrawn)*

#### **INDEPENDENT POLICE COMPLAINTS COMMISSION – SETTING UP**

**(No. B/431) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the proposed setting up of an

Independent Police Complaints Commission, as mentioned in the Presidential Address, he will state where matters stand.

*(Withdrawn)*

### **MELROSE PRISON – CONSTRUCTION – CONTRACT**

**(No. B/432) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the construction of the Melrose Prison, he will, for the benefit of the House, obtain from the Commissioner of Prisons/Police, information as to the –

- (a) name of the contractor thereof;
- (b) contract value thereof, and
- (c) delay in the completion thereof, if any.

*(Withdrawn)*

### **SCHOOLS – SYNTHETIC DRUGS**

**(No. B/456) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the resurgence of synthetic drugs, she will state if consideration will be given for the advisability of introducing a Drug Education and Intervention Programme at the level of all the secondary and tertiary institutions.

**Reply:** The emergence of synthetic drugs is a major cause of concern and no stone is being left unturned to deal vigorously with this issue.

At the level of my Ministry, bold steps have been initiated to contain this problem/plague. A Sensitisation Coordination Team for Actions against Drugs has already been set up. Anti-drug sensitisation and other actions are being taken.

The Ministry had issued a circular to instruct schools on sensitisation of students about the risk associated with drugs in particular synthetic drug and to ensure vigilance. Such sensitisation is being done through various platforms, including -

1. Morning assembly



## 2. Talks on drugs

Students are also made aware of the adverse impact of drug consumption on their health and well-being.

Educators are encouraged to be alive to the issue

Any case of suspicion is reported to the Rector, and suspected students are monitored and followed. A protocol has moreover been established to handle cases of drug at schools.

As part of preventive measures, Rectors of schools and educational institutions are called upon to inform students not only on the risk of using the drugs, but also on the fact that drug-trafficking is a criminal offence. Moreover, they have been informed that the penalty associated with the consumption and possession of drugs is very severe. It is to be noted that a component of drug education is already included in the secondary school science curriculum at “O” level.

However, due to the emergence of these new types of drugs, namely synthetic ones, I have instructed that the programme be revisited and beefed up and also to adopt a more structured approach for proper dissemination of information on drugs.

In line with the national commitment to prevent illegal drug proliferation, my Ministry is also working in close collaboration with the Police Department which has adopted a series of proactive measures which includes -

- (a) Sensitisation of its personnel on the New Psychoactive Drugs and the negative effects;
- (b) Involvement of ADSU personnel to create awareness among the vulnerable groups including youngsters, students and aged persons about the advent of such New Psychoactive drugs and the serious threat they may pose to health;
- (c) Enhanced focus by the ADSU on the new emerging drugs and their actual trend, as part of the intelligence network island wide, and
- (d) Conduct of regular police patrols in the vicinity of the University campuses and schools.

The Ministry also works in very close collaboration with the *Brigade pour la Protection des Mineurs*, the Anti-Drug and Smuggling Unit, the Ministry of Health and Quality of Life as well as NATReSA in so far as sensitising students on substance abuse including synthetic drugs is concerned.

The fight against proliferation of synthetic drugs is the concern of one and all. Our Heads of schools are already exercising tight control, but it is the duty of all stakeholders and society as well to see to it that our youngsters do not fall prey of unscrupulous drug dealers.

### **CEB - PETROLEUM PRODUCTS - PURCHASE**

**(No. B/457) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to coal, heavy fuel oil, diesel and other petroleum products, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to –

- (a) the actual prices at which the Board is purchasing same, indicating the percentage of decrease in these prices as compared to the highest levels at which these products have ever been purchased, and
- (b) if, following the fall in the prices of fossil fuels worldwide, the electricity tariffs on the local market will be revised downwards.

**Reply:** I am informed by the Central Electricity Board that -

- (i) the CIF price for coal was USD 64.65 Metric ton for the latest consignment received in July 2015. The highest level paid was USD 141.16 Metric ton on 02 March 2011. Based on this price, the percentage decrease is 54.2%.
- (ii) for 380 CST heavy fuel oil the price was USD 358.13 metric ton in July 2015. The highest price paid was USD 768.94 in March 2012.
- (iii) for 180 CST, the price was USD 363.50 metric ton in July 2015. The highest price reached was USD 781.42 metric ton in March 2012.

The percentage decrease is around 53%.

With regard to part (b) of the question, the electricity tariffs were last increased by an average of 10% in 2010 and have been maintained for the past five years at the same level, despite the relatively higher prices of heavy fuel oil between 2010 and 2013, significant investment in the extension and upgrading of the electricity infrastructure and debts of Rs2.6 billion, as highlighted in the Director of Audit's report.

Any tariff review will have to be considered in a holistic manner, based on sound financial principles taking into account, not only prices of fuel oil and coal, but also other factors such as revenue stability, debt servicing, short to medium term capital investment, integration of renewable energy in the generation mix, and discouraging wasteful use of electricity.

### **VACOAS MULTIPURPOSE COOPERATIVE SOCIETY - INQUIRY**

**(No. B/458) Mr A. Aliphon (Third Member for Beau Bassin & Petite Rivière)** asked the Minister of Business, Enterprise and Co-operatives whether, in regard to the Vacoas Multipurpose Cooperative Society, he will state the measures being taken by his Ministry to help the Board thereof redress the situation thereat.

**Reply:** Following an inquiry undertaken by my Ministry into the affairs of the Vacoas Popular Multi-purpose Co-operative Society Ltd, serious malpractices and mismanagement issues were revealed.

The existing Board of the society was removed and a new Board was appointed on 12 January 2015.

The following measures have been taken by my Ministry to help the Board redress the situation -

- (i) In line with the provisions of the Cooperatives Act 2005 (as amended), the Society has been put under stricter control, that is, the payments effected by the Society are being vetted by two Senior Officers of my Ministry;
- (ii) As the top management of the Society has either resigned or been dismissed, the Board has, in consultation with my Ministry, appointed Ernst & Young, a professional accounting firm to manage the affairs of the Society;
- (iii) A special working group, comprising of a Lead Analyst from the Financial Services Commission (FSC) and Senior Officials of my Ministry, has been set up to closely monitor the situation;
- (iv) Directives have been issued to the Board to enlist the collaboration of institutions such as Independent Commission Against Corruption (ICAC), Financial Reporting Council (FRC), FSC, CCID and the Bank of Mauritius to assist the new Board in addressing alleged cases of gross financial irregularities;
- (v) A help line desk has been set up at the level of my Ministry, as well as at the

- seat of the Society to help the Board in handling queries and complaints;
- (vi) Following the Board's submissions of Ernst & Young Report regarding the solvency of the Society, my Ministry directed the Board to convene a Special General meeting to consider the insolvency issue;
  - (vii) My Ministry also assisted the Board to hold the Society's Annual General Meeting to apprise members, *inter alia*, of the financial situation of the Society;
  - (viii) The Board apprised the Ministry of several pertinent issues which emerged from the Special General Meeting and the Annual General Meeting. My Ministry sought legal advice from the State Law Office and informed the Board accordingly, and
  - (ix) I am informed that the Board has received as at to date three Rescue Plans from the members of the Vacoas Popular Multi-purpose Co-operative Society Ltd. However, they have asked for an extension until 15 September 2015 in order to submit a revised Rescue Plan. My Ministry has already acceded to their request.

#### ***EID-UL-ADHA – LIVE CATTLE***

**(No. B/459) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the live cattle being made available on the local market for the Eid-ul-Adha festival, he will state if he is aware that, currently, there are uncertainties surrounding the age thereof and, if so, indicate the measures being taken by his Ministry to guarantee that the age thereof is as per the prescribed norms.

*(Vide reply to PQ No. B/434)*

#### **EMPLOYEES – LAID OFF**

**(No. B/460) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to the employees laid off over the period 01 January 2015 to date, he will state the number thereof who were employed in the –

- (a) private sector

- (b) parastatal/statutory bodies, partly or wholly government funded companies or local government authorities, and
- (c) British American Insurance or other related companies.

**Reply:** The number of employees laid off for the period January 2015 to date in the Private Sector including the British American Insurance or other related companies is 1776. For the information of the House, this figure when compared to previous years, it is found that the trend of laid off workers is more or less the same specially in comparison to figures of 2013 which stands at around 2250.

With regard to part (b) of the question, the services of around 450 employees of parastatal and statutory bodies, have been terminated following Government decision taken in March 2015 to the effect that all recruitments/enlistments made after 01 July 2014 in parastatal bodies and Government-owned companies be terminated according to Law.

As regards part (c) of the question, I would refer the hon. Member to reply made to the PNQ of 01 September 2015.

#### **CERTIFICATE OF CHARACTER ACT - AMENDMENTS**

**(No. B/461)Mr A. Ganoo (First Member for Savanne & Black River)** asked the Attorney General whether, in regard to the Certificate of Character Act, he will state if Government is considering bringing amendments thereto and, if so, indicate –

- (a) When, and
- (b) the nature thereof.

**Reply:** Paragraph 38 of the Government Programme 2015-2019 is specifically in relation to Certificate of Character and it provides as follows -

“38. In order to increase the employability of people convicted of minor crimes and misdemeanors, such records will cease to appear on their ‘certificates of character’ after a period of one year.”

With a view to implementing paragraph 38 of the Government Programme, my Office has started consultations with relevant stakeholders in relation to the amendments to be brought to the Certificate of Character Act. My Office is still awaiting inputs from various stakeholders.

I have to inform the House that the consultation process is ongoing and as soon as it is over, I will seek Cabinet approval to make the required amendments to the Certificate of Character Act and will bring the Bill before the National Assembly.

At this stage, given that consultations are still ongoing and that Cabinet approval has yet to be sought or obtained in relation to the amendments to be brought to the Certificate of Character Act, it would not be appropriate for me to give any further details on those amendments.

### **PENSION SYSTEM - REFORMS**

**(No.B/462) Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the Pension System, she will state the actions, if any, that will be taken in relation thereto, following the recent recommendations for pension reforms proposed in the Working Paper of the International Monetary Fund.

**Reply:** A Ministerial Committee has been set up to look into the mechanism of the pension system.

The Committee will comprise the following -

- (a) The Vice-Prime Minister, Minister of Energy and Public Utilities
- (b) The Minister of Finance and Economic Development
- (c) The Minister of Social Security, National Solidarity and Reform Institutions
- (d) The Minister of Civil Service and Administrative Reforms
- (e) The Minister of Labour, Industrial Relations, Employment and Training

The Committee will be chaired by the Vice-Prime Minister, Minister of Housing and Lands.

### **D.Y. PATIL MEDICAL COLLEGE - COURSES**

**(No. B/463) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to the courses run at the D.Y. Patil Medical College, he will, for the benefit of the House, obtain from the -

- (a) Medical Council of Mauritius, information as to where matters stand regarding the recognition and registration of the postgraduates thereof, and
- (b) Tertiary Education Commission, information as to if it will be allowed to enroll under-graduate and post-graduate students in the future.

**Reply:** I am informed by the Medical Council that no action has yet been taken in respect of -

- (a) the recognition of the University of Technology, Mauritius (UTM) as a medical institution as defined in the Medical Council Act, and

(b) the registration of Post-graduate students of the D.Y Patil institute.

I am further informed that a team from the Imperial College comprising eight medical Specialists will be in Mauritius in November, 2015 to reassess the clinical competency of the students of the D.Y Patil Institute. The team from Imperial College will be assisted by a local team of Specialists who will be chosen on the basis that they have not been involved in the Postgraduate training of the D.Y. Patil students.

### **INFANT MORTALITY**

**(No. B/464) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Health and Quality of Life whether, in regard to infant mortality, he will state the latest figures thereof, indicating if there has been an increase thereof and, if so, indicate the -

- (a) identified causes thereof, and
- (b) measures that are being taken for the prevention thereof.

**Reply:** Infant Mortality is defined as the death of a child less than one year of age. The Infant Mortality Rate (IMR) is the number of deaths of children under one year of age per 1000 live births.

According to available data, the Infant Mortality Rate (IMR) for the island of Mauritius from 1990 to 2015 has shown a general decline from 19.9 to 13.2 (up to June 2015). The forecast for 2015 will be 12.6. As regards Rodrigues, the IMR from 1990 to 2015 has shown a good decreasing trend from 34.9 to 17.0. The forecast for 2015 is 14.3.

Therefore, parts (a) and (b) of the question do not arise.

### **NATIONAL AIDS COMMITTEE - COMPOSITION**

**(No. B/465) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Minister of Health and Quality of Life whether, in regard to the National Aids Committee, he will, for the benefit of the House, obtain therefrom, information as to -

- (a) the composition thereof;
- (b) when the Committee last met, and
- (c) if the proposed discontinuation of the Methadone Substitution Therapy Programme was discussed at the level thereof and, if so, table copy of the proceedings thereof in relation thereto.

*(Withdrawn)*

## **NINE YEAR CONTINUOUS BASIC EDUCATION PROJECT - IMPLEMENTATION**

**(No. B/466) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the proposed implementation of the Nine Year Continuous Basic Education Project, she will state how her Ministry is proposing to respond to the public concerns that -

- (a) it will lead to the introduction of an additional competitive high stake examination at the end of Year 9, and
- (b) the introduction of mixed schooling in existing single sex schools, to be renamed *Academies*, in Year 10, may result in serious management issues.

*(Withdrawn)*

## **SUPREME COURT - MEDIATION DIVISION - CASES**

**(No. B/467) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Attorney General whether, in regard to the Mediation Division of the Supreme Court of Mauritius, he will, for the benefit of the House, obtain from the Master and Registrar, information as to -

- (a) the number of cases referred thereto, since the coming into operation thereof to date, indicating the number thereof that have been resolved and settled, and
- (b) if consideration will be given for the advisability of extending mediation services to the lower Courts with a view to allowing disputes to be expeditiously resolved and settled at the level thereof.

**Reply:** With regard to part (a) of the question, the Deputy Master and Registrar has informed my Office since 2011 to-date, that the number of cases referred to mediation stands at 1949.

The number of cases which have been resolved and settled for that period is 825.

With regard to part (b) of the question, I am informed by the Deputy Master and Registrar that it is not proposed to extend mediation services to lower Courts having regard to the lack of Court personnel and proper infrastructure.

I personally think that mediation can meaningfully help to reduce workload in our judicial system and help litigants resolve dispute. I intend to take this matter with the Chief Justice to see what can be done at District and Intermediate Court level.



You may wish to note that as at the year 2000, the District and Intermediate Courts (Civil Jurisdiction) Act in part II A, contains a provision for the prompt disposal of small claims not exceeding Rs25,000.

Proceedings are commenced with the lodging of the claim with the District Clerk and not later than one month from the date on which the reply of the defendant (if any) is received, the Magistrate convenes the parties in Chambers with a view to reaching a settlement acceptable to all.

If no settlement is possible, the matter is heard without delay. The hearing is informal and the Court determines the issues as soon as possible after the conclusion of the hearing.

### **FREE TRANSPORT TO THE ELDERLY AND TO THE STUDENTS SCHEME - SUBSIDIES**

**(No. B/468) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the allocation of subsidies to the bus owners in relation to the Free Transport to the Elderly and to the Students Scheme, he will state if his Ministry is considering revising its policy in relation thereto and, if so, give details thereof.

**Reply:** I am not envisaging any fundamental change in the policy of the Free Transport to the Elderly and to the Students Scheme. However, there is need to revise the modalities thereof.

The present system represents a number of flaws and there is need to make it more efficient, cost effective, transparent and accountable.

The main problems relating to the present system are as follows -

- (a) complaints from parents and head of schools about unavailability of school bus services;
- (b) buses failing to pick up students and old-age pensioners;
- (c) excessive lateness of students at school;

- (d) students can travel only on the itinerary from their residence to their schools and back;
- (e) misbehaviour of bus crew towards students and old-age pensioners, and
- (f) calculation of compensation is based on assumptions and projections and not on specific figures and therefore very difficult to be audited.

I am further informed that over the years the amount disbursed under the scheme has increased considerably from Rs570 m. in 2005 to reach Rs1.233 billion in 2014 and Rs616.48 m. for period January to June 2015.

In view of the massive amount of public funds used, I consider that there is need to make an assessment of the impact of the free travel scheme and to determine as to whether the target population is getting value from the budgetary resources injected in the scheme.

I have therefore decided that a study be carried out to re-engineer the transport industry which would include an assessment of the free bus travel scheme and recommendations for a more transparent, efficient and cost effective management of the free transport payment mechanism effected by Government to bus operators.

Expressions of Interest will be issued by mid-September 2015, and the assignment will have to be completed within a period of six months from the award of the contract.

### **PORT AREA - LIQUEFIED PETROLEUM GAS - STORAGE FACILITIES**

**(No. B/469) Mr S. Rutnah (Third Member for Piton & Rivière du Rempart)** asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the Port area, he will, for the benefit of the House, obtain from the Mauritius Ports Authority, information as to if new storage facilities for Liquefied Petroleum Gas have been constructed and commissioned thereat, since 2011 to date and, if so, indicate –

- (a) the name/s of the promoter/s thereof, and
- (b) if same have been constructed on freehold land or on land belonging to the Authority and, if in the latter case, further indicate the -
  - (i) extent and location thereof;

- (ii) procedures followed and terms and conditions thereof, and
- (iii) shareholding of the company/ies at the time of application therefor and subsequent thereto.

*(Withdrawn)*

### **FISHERMEN – OFF LAGOON FISHING**

**(No. B/470) Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West)** asked the Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the developments in the port, he will state the medium and long term policies Government proposes to adopt to support the fishers of the regions of Tombeau Bay, Roche Bois, Les Salines, Bain des Dames, Sables Noir, Grand River North West and Pointe aux Sables, indicating if he will consider the possibility of giving a substantial compensation to those who would opt to quit the business.

**Reply:** It is the policy of my Ministry to encourage and empower fishermen to operate off lagoon. In this context, my Ministry has embarked on a programme to assist fishermen to take advantage of a scheme whereby 50% grant up to a maximum of Rs200,000 is given to fishermen for the purchase of canotte (fishing boat) which would allow them to go fishing off lagoon.

Furthermore, my Ministry has set seven Fish Aggregating Devices (FADs) in the regions between Trou aux Biches and Albion to enable fishermen to increase their catch.

Most of the Fishermen from Baie du Tombeau to Pointe aux Sables have been trained in new fishing techniques to enable them to engage in off lagoon fishing.

With regard to compensation to those who would opt to quit the business, there is no scheme to compensate fishermen who opt to relinquish their fishermen cards, except for net fishers.

I wish to inform the House that since 2006 to date, some 510 fishermen have surrendered their fishermen cards without any compensation.

**CEB - ST. LOUIS PROJECT - TENDER EXERCISE**

**(No. B/471) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the last tender exercise for the St. Louis Project – CEB Tender CPB-22-2014 for the Redevelopment of St. Louis Power Station – Design, Supply, Installation and Commissioning of 4x15MW Diesel Generating Sets, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the -

- (a) name/s of the bidder/s thereof, and
- (b) reasons why the bid exercise was cancelled.

*(Withdrawn)*

**TRAFFIC LIGHT CONTROL SYSTEM - CONTRACT**

**(No. B/472) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Traffic Light Control System, he will, for the benefit of the House, obtain information as to the -

- (a) terms and conditions of the maintenance contracts awarded in relation thereto, and
- (b) name/s of the contractor/s therefor.

*(Withdrawn)*