



SIXTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

TUESDAY 13 OCTOBER 2015

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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

PRINCIPAL OFFICERS AND OFFICIALS

Madam Speaker	Hanoomanjee, Hon. Mrs Santi Bai, GCSK
Deputy Speaker	Duval, Hon. Adrien Charles
Deputy Chairperson of Committees	Hurreeram, Hon. Mahendranuth Sharma
Clerk of the National Assembly	Lotun, Mrs Bibi Safeena
Deputy Clerk	Ramchurn, Ms Urmeelah Devi
Clerk Assistant	Gopall, Mr Navin (Temporary Transfer to RRA)
Hansard Editor	Jankee, Mrs Chitra
Serjeant-at-Arms	Pannoo, Mr Vinod

MAURITIUS

Sixth National Assembly

FIRST SESSION

Debate No. 34 of 2015

Sitting of 13 October 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)

ANNOUNCEMENTS

NATIONAL ASSEMBLY - PROCEEDINGS - MEDIA REPORT

Madam Speaker: Hon. Members, I have to make an announcement regarding the reporting by the media of the suspension of the sitting of Tuesday 06 October 2015.

First of all, I wish to make it clear that it is only hon. Members who can effect a walkout. The Speaker presides over the proceedings of the House within the parameters of the Standing Orders and Rules of the National Assembly and practices and conventions of the House and is empowered to suspend the sitting in instances where the House becomes unruly, thereby making it impossible to continue with the business of the House.

On Tuesday 06 October 2015, when the House became unruly following interruptions from both sides of the House, I appealed to hon. Members to calm down. I even warned hon. Members that I would suspend the sitting in case that situation would continue to prevail. Unfortunately, hon. Members chose to disregard the authority of the Chair which compelled me to suspend the sitting. I did announce that I was suspending the sitting, but it appears that due to the disorderly situation prevailing in the House some may not have heard me saying so.

Members of the media are allowed in the House to give a fair and accurate report of the proceedings of the Assembly. They are expected to verify the authenticity of whatever they report and not to misrepresent anything that has been said or that has happened in the Assembly. It is, therefore, expected that henceforth everyone assumes the responsibility of the facts being reported. Thank you.

NATIONAL ASSEMBLY - PQ NO. B/640 - RULING

Madam Speaker: Hon. Members, at the sitting of Tuesday 06 October 2015, at the end of Question Time, the hon. Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation rose on a point of order to the effect that hon. Bhagwan had used the word ‘manipulated’ during the course of Question Time while he was replying to Parliamentary Question No. B/640 and to the supplementary questions thereon put by hon. Bhagwan. He stated that by uttering the word ‘manipulated’, hon. Bhagwan had imputed motives and inferences that he had been manipulating the programmes of the MBC which is a very serious allegation. I stated...

(Interruptions)

Can I continue? I stated that I had taken note of the point of order and that I will consult the recording and come back with the ruling.

Hon. Members, I have to inform the House that the transcript of the proceedings of the House of the sitting of Tuesday 06 October 2015, in fact, revealed that hon. Bhagwan had stated the following, and I quote -

“(...) let it be known to the public through this National Assembly that we are not going to participate in any manipulated programme under the Bhadain Broadcasting Corporation.”

Hon. Members, I am of the view that the above statement does impute improper motives and inferences against the hon. Minister and amounts to an allegation that the hon. Minister had been manipulating the programmes of the MBC. I, therefore, request hon. Bhagwan to kindly withdraw the word ‘manipulated’.

Mr Bérenger: Can I take a point of order?

Madam Speaker: Yes.

Mr Bérenger: Are you ruling, Madam Speaker, that these words are unparliamentary in any way because I am saying also, Madam Speaker, that the MBC has become the Mauritius Bhadain Corporation and that the MBC has never been manipulated like it is these days.

Madam Speaker: Hon. Leader of the Opposition the word ‘manipulated’ is defined in the Oxford dictionary as follows -

“Control or influence cleverly or unscrupulously”, which means that the hon. Minister is in total control of the MBC which is being managed at his whims and caprices. So, hon. Bhagwan, I am addressing myself to you, you are a seasoned politician, you know very well what the Standing Orders say, I have given my ruling. Now, it is up to you to withdraw.

(Interruptions)

Mr Bérenger: Madam Speaker, I have taken a point of order to which you have not answered. I repeat, as Leader of the Opposition, yes, the MBC has become the Mauritius Bhadain Corporation. Yes, it is manipulated as per the Oxford dictionary.

Madam Speaker: Can I understand then that hon. Bhagwan is not withdrawing this word?

(Interruptions)

Mr Bérenger: I am repeating what he said.

Madam Speaker: Hon. Bhagwan, I am addressing myself to you!

Mr Bhagwan: Madam Speaker, how can I withdraw something which is happening, which is being manipulated. No way! No way am I withdrawing any word!

Mr Bérenger: And I have repeated twice, I want to hear, am I also making allegations or using unparliamentary words?

(Interruptions)

Madam Speaker: Then, let me tell you that if you feel that this is a true statement...

(Interruptions)

Allow me to finish, hon. Mohamed! I am on my feet!

Now, let me tell you that if you feel that this is so, then, please, come with a motion to this National Assembly.

Mr Bérenger: Madam, on the same point of order, do I take it, therefore, that those words, in the mouth of the hon. Member are unacceptable, are ruled out and so on, and the same words repeated twice in the mouth of the hon. Leader of the Opposition is parliamentary, is totally acceptable? Is that your ruling?

Madam Speaker: Yes. This is my ruling, hon. Leader of the Opposition!

(Interruptions)

This is my ruling. I am insisting that hon. Bhagwan withdraws his word and whatever you have said, hon. Leader of the Opposition, I have taken note and I have told you that if this is true, then you may come with a motion.

(Interruptions)

Mr Mohamed: I have got a point of order, Madam Speaker. May I?

Madam Speaker: Yes.

Mr Mohamed: Thank you. Having listened to this exchange and having listened to Madam Speaker's ruling, I am happy, Madam Speaker, that you listened to what was said. However, it surprises me that you failed to listen when the hon. Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation in this august Assembly when answering a question with regard to the Mauritius Broadcasting Corporation, in a standing position, said to me -

'Mo pas pou invite toi!'

In other words, that he would not invite at the MBC. If this is not manipulation, what is it!

Madam Speaker: Now, okay. I understand then...

(Interruptions)

I understand that hon. Bhagwan is not withdrawing in spite of my ruling.

(Interruptions)

Please, sit down! Please, sit down!

Mr Bhagwan: I am maintaining and repeating ...

Madam Speaker: You are maintaining. Then, hon. Bhagwan, I have said and I am asking the hon. Leader of the Opposition whether he is coming with a motion against the hon. Minister.

(Interruptions)

Are you coming...

(Interruptions)

Then, I order you out! Hon. Bhagwan, I order you out for the day, because...

(Interruptions)

So, you are challenging my authority! Hon. Leader of the Opposition, you are challenging my authority! Are you challenging my authority?

(Interruptions)

Are you challenging my authority? I have given my ruling and I think it is fair.

(Interruptions)

If you feel that the hon. Member is manipulating, please come with a proper motion to this House.

(Interruptions)

Come with a proper motion to this House!

(Interruptions)

Are you saying: "Shame on me", hon. Leader of the Opposition?

(Interruptions)

Now, order please!

(Interruptions)

Order! Hon. Leader of the Opposition, are you saying: “Shame on me”? Because you looked at me and you said: “Shame on you!”

(Interruptions)

Mr Bérenger: Yes!

Madam Speaker: Are you saying: “Shame on me”?

Mr Bérenger: Yes, Madam Speaker, because you...

Madam Speaker: Yes! If the hon. Leader of the Opposition is saying “Shame on me”, then I order everybody out!

(Interruptions)

Everybody! I mean the hon. Leader of the Opposition and hon. Bhagwan. I order you out for today!

(Interruptions)

I order you out!

(Interruptions)

I have ordered the hon. Leader of the Opposition and hon. Bhagwan out for the day!

Mr Mohamed: Could Madam Speaker tell me what about my point of view? I asked you to listen to all parts, not only to what you want to, but...

Madam Speaker: I have taken note. Please, sit down! I have taken note of what the hon. Member said and I will come with a statement later on what he said. Now, hon. Leader of the Opposition and hon. Bhagwan, I order you out! I am saying this for the third time.

Mr Baloomoody: On a point of clarification, Madam Speaker.

(Interruptions)

Madam Speaker, you just mentioned: “Everybody out!” May I be clarified what you mean by ‘everybody’?

Madam Speaker: I have just said that I am ordering the hon. Leader of the Opposition and hon. Bhagwan out for the day.

(Interruptions)

Out, I said!

(Interruptions)

(At this stage Members of the MMM & the Labour Party Opposition left the Chamber)

PAPERS LAID

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

A. Speaker's Office

The First Report of the Public Accounts Committee of the First Session of the Sixth National Assembly.

B. Prime Minister's Office –

Certificate of Urgency in respect of the Native Terrestrial Biodiversity and National Parks Bill (No. XVI of 2015). (In Original)

C. Ministry of Finance and Economic Development –

The Investment Promotion (Mauritian Diaspora Scheme) Regulations 2015. (Government Notice No. 196 of 2015)

D. Ministry of Local Government –

The Municipal Council of Quatre Bornes (Markets) (Amendment) Regulations 2015. (Government Notice No. 194 of 2015)

- (a) The District Council of Pamplemousses (fees for Classified Trades (Amendment) Regulations 2015. (Government Notice No. 195 of 2015)

E. Ministry of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands –

The Fisheries and Marine Resources (Extension of Net Fishing Season) Regulations 2015. (Government Notice No. 193 of 2015)

ORAL ANSWERS TO QUESTIONS

Madam Speaker: I have to inform the House that PQ No. B/657 will be replied by the Minister of Civil Service and Administrative Reforms. Hon. Jhugroo!

(P.Q. No. B/657 – See after P.Q. No. B/705)

AIR MAURITIUS LIMITED – PILOTS - RECRUITMENT

(No. B/659) 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 Air Mauritius Limited, he will, for the benefit of the House, obtain from the company, information as to the number of -

- (a) aircrafts owned by the Company;
- (b) pilots presently employed thereat, indicating the number thereof who are -
 - (i) Mauritian nationals, and
 - (ii) foreign nationals, and
- (c) pilots recruited during the last recruitment exercise, indicating the number thereof who are -
 - (i) Mauritian nationals, and
 - (ii) foreign nationals.

The Deputy Prime Minister: Madam Speaker, as already indicated in replies to previous Parliamentary Questions, Air Mauritius Ltd is a Company listed on the Stock Exchange of Mauritius and is governed by the Memorandum and Articles of Association and the Companies Act.

It would, therefore, not be appropriate to provide the information asked for by the hon. Member.

MR T. F. G – FACILITIES - GRANT

(No. B/660) 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 T. F. G., he will state the capacity in which the services thereof have been retained over the period July 2005 to December 2014, indicating if he was appointed –

(a) adviser to the former Prime Minister, and

(b) Board Member of -

- (i) Airports of Mauritius Ltd.
- (ii) Mauritius Duty Free Paradise Ltd.
- (iii) Air Mauritius Ltd. and others, indicating in each case the terms and conditions of appointment and facilities extended thereto.

The Deputy Prime Minister: Madam Speaker, in regard to part (a) of the question, no contract of employment has been offered to Mr T. F. G. as Adviser to the former Prime Minister. However, according to information retrieved, he had been provided Government hospitality in terms of hotel accommodation on three occasions as follows -

- (i) from 17 to 19 February 2006;
- (ii) 15 and 16 June 2006, and
- (iii) from 10 to 12 February 2014.

Additionally, he was provided the following facilities -

- (i) chauffeur-driven car for his visit from 17 to 19 February 2006, and
- (ii) air tickets for himself and his spouse costing Rs135,426 for their visit from 10 to 12 February 2014.

In regard to part (b) of the question, Mr T. F. G. did not serve as Board Member of Airports of Mauritius Ltd, Mauritius Duty Free Paradise Ltd and Air Mauritius Ltd. Furthermore, these companies had not retained his services in any other capacity. However, Air Mauritius Ltd had provided him five free Business Class air tickets and hotel accommodation for his trips to Mauritius during the following periods -

- (i) from 21 to 23 August 2011;
- (ii) from 23 to 28 January 2012;
- (iii) from 24 to 26 June 2012;
- (iv) from 07 to 11 November 2013, and
- (v) from 09 to 10 July 2014.

These facilities were provided and the relevant expenditures for hotel accommodation were paid by Air Mauritius Ltd upon the authority of the then Chief Executive Officer of the company

Mr Jhugroo: Can the hon. Ag. Prime Minister confirm whether Mr T. F. G. has participated in all Board meetings of Air Mauritius in relation to the purchase of aircrafts at the request of the former Prime Minister?

The Deputy Prime Minister: Madam Speaker, as the Rt. hon. Prime Minister has stated some time ago, we are not responding with regard to the internal affairs of Air Mauritius Limited, being a listed company. Therefore, I am not able to respond to the holding of its Board meetings.

Mr Jhugroo: Can the hon. Ag. Prime Minister inform the House on what ground free accommodation at Trou-aux-Biches Hotel plus free chauffeur-driven car from the Police car pool were provided to him?

The Deputy Prime Minister: There is no information on file, Madam Speaker.

Mr Jhugroo: Can the Ag. Prime Minister inform the House whether he is aware that Mr T. F. G. has acted as an intermediate for the purchase of aircrafts and also for duty-free products?

The Deputy Prime Minister: Madam Speaker, there have been statements made that this is the case. Madam Speaker, the House may note that, as far as the duty-free matter is concerned, this is in the hands of the Central CID. As far as the purchase of airbuses is concerned, the whole file has been sent by me at the beginning of the year to the Ministry of Financial Services, Good Governance and Institutional Reforms and it is now being reviewed by that Ministry.

Mr Jhugroo: Is the Ag. Prime Minister aware that, on 12 May 2011, the former Prime Minister requested Mr André Viljoen to liaise with Mr Laurent Obadia to arrange a meeting with Mr F. G?

The Deputy Prime Minister: Who is Mr F. G?

Mr Jhugroo: Frank Gleeson.

The Deputy Prime Minister: Madam Speaker, I don't have this information. This is a matter for either the Ministry of Financial Services, Good Governance and Institutional Reforms, which is reviewing the file, or the Central CID.

Mr Jhugroo: Is the hon. Ag. Prime Minister aware that Mr André Viljoen has provided free Business Class air tickets and free hotel accommodation to him and his wife, amounting Rs217,000, on five occasions?

The Deputy Prime Minister: Madam Speaker, I gave full information in the reply as to the hotel accommodation provided at Trou aux Biches, the air tickets paid - for one visit I have here. I have given that information, Madam Speaker.

Mr Hurreeram: Are you aware hon. Ag. Prime Minister that the former Prime Minister gave instruction to Mr André Viljoen that Mr Gleeson had to be kept updated about all the affairs?

Madam Speaker: The hon. Ag. Prime Minister cannot reply to a question to which the hon. Member is referring to another Minister.

The Deputy Prime Minister: I cannot be aware of this

Madam Speaker: The Table has been advised that PQ B/661 has been withdrawn. Next question, hon. Ramano!

HUMAN RIGHTS COMMISSION – LEGISLATION - AMENDMENT

(No. B/661) 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 Human Rights Commission, he will state if consideration will be given for the law in relation thereto to be amended to increase the powers thereof to investigate into alleged cases of miscarriage of justice.

(Withdrawn)

HORSE RACING – COMMISSION OF INQUIRY — REPORT

(No. B/662) 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 he will state if he has inquired from the Secretary for Home Affairs if he has officially received copy of the Interim Report of the Commission of Inquiry on Horse Racing submitted to him by the former President of the Republic and, if so, indicate the reasons why no action has been taken in regard to the recommendations made by the Commissioner and, if not, will he consider ordering an inquiry to be carried out to trace out the report at the Prime Minister's Office.

(Withdrawn)

QUATRE BORNES – LARCENY CASES

(No. B/666) 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 Quatre Bornes, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of –

- (a) theft, and
- (b) possession of stolen property, having been committed thereat, since January 2015 to date.

The Deputy Prime Minister: Madam Speaker, I am informed by the Commissioner of Police that from January to 08 October 2015, 569 cases of “larceny” and 5 cases of “possession of stolen property” have been reported to the two Police Stations situated in Quatre Bornes, that is, Quatre Bornes Police Station and Sodnac Police Station.

Out of the 574 reported cases, enquiry has been completed in 177 cases and the outcomes are as follows -

- The accused have been fined in 33 cases;
- 1 case has been dismissed by Court;
- 10 cases are awaiting Court action;
- In 3 cases the advice of the DPP is awaited;
- In 5 cases the accused have been conditionally discharged, and
- In 125 cases, these have been filed as the accused are unknown.

In the remaining 397 cases, enquiry is still ongoing.

Madam Speaker, I am further informed that the Police are doing its utmost to curb down the problem of larceny and possession of stolen property in the region of Quatre Bornes through, among others, the following measures -

- An Anti-Burglary Squad has been set up in the Western Division. The main task of the Squad, which comprises 8 Police Officers is to track down offenders on a 24/7 basis in that region;
- Aggressive stop and search operations targeting suspicious vehicles and persons loitering in the region;
- Directed preventive mobile patrols by Police Stations, the Criminal Investigation Division, the Emergency Response Service, the Special Support Unit, Bike Patrol and other Police Units, and
- Setting up of Neighbourhood Watch Schemes and sensitisation of residents on home securities, target hardening, elimination of opportunity factors and reporting of suspicious characters and suspicious activities through Hotline Crime Stoppers.

I am also informed, Madam Speaker, by the Commissioner of Police that he will beef up the human resources in terms of Police Officers at these two Police Stations.

Mr Ramano: Madame la présidente, est-ce que le Premier ministre par intérim est en mesure de nous confirmer qu'il existe seulement 12 officiers du *CID* pour une population de plus de 80,000 habitants ?

The Deputy Prime Minister: Madam Speaker, the information I have here in terms of CID Officers, we have in total 20 CID Officers, but I agree with the hon. Member that we have a problem that the number of reported cases has increased recently and this has been brought to the attention of the Commissioner of Police, and he has promised to do the necessary in terms of what I have stated, in terms of human resources.

Mr Ramano: Madame la présidente, peut-être que la question se pose quant à l'efficacité des *CCTV cameras* dans la ville de Quatre Bornes, que ce soit pour le centre-ville, et aussi peut-être, envisager la possibilité d'installer d'autres *CCTV cameras* dans d'autres régions de la ville de Quatre Bornes.

The Deputy Prime Minister: Madam Speaker, I had myself from the Tourism Fund installed the cameras, I think 39 cameras at Quatre Bornes. There are not enough cameras. We ought to have more cameras and the Police are aware of that and so is the Prime Minister's Office, but there are various procurement issues which have come in the meantime and there is delay in the installation of these cameras.

Mr Ganoo: Madam Speaker, the Ag. Prime Minister himself acknowledged that the problem might be one of human resources. In view of the vast catchment area that Quatre Bornes Police Station has to monitor - Quatre Bornes, Belle Rose, La Source, Bassin, Palma - there have been in the past suggestions made by different organisations that the region of Bassin itself should be serviced with a separate Police Station or Police Post. Can I, therefore, ask the hon. Ag. Prime Minister to liaise with the Commissioner of Police, to consider this proposal to see whether it would be advisable to give the region of Bassin, which is huge area, a Police Station?

The Deputy Prime Minister: Madam Speaker, the Police are already planning a Police Post in Ebene on this site and I will certainly raise that with the Commissioner of Police.

Mr Jhugroo: Being given that we have started putting CCTV cameras everywhere in the country, can we know from the Ag. Prime Minister whether Police Officers have got a proper

training with regard to the monitoring of these CCTV cameras, and secondly, if we have got officers on a 24-hour basis monitoring the CCTV cameras everywhere in the country?

The Deputy Prime Minister: Madam Speaker, I will be happy to reply to a substantive question on that issue.

Dr. Sorefan: Madam Speaker, may we know from the Ag. Prime Minister....

(Interruptions)

Last week, I came with this issue of CCTV camera not functioning on the main road of St. Jean. Up to now, it is still the same. Is the hon. Ag. Prime Minister aware that we do not have a full technician maintenance for these cameras?

The Deputy Prime Minister: Madam Speaker, I am not aware of the functioning of the CCTV cameras. We need substantive questions so that this can be replied to.

Madam Speaker: Parliamentary Question No. B/667, in regard to the enlargement of the coastal road at Pointe aux Sables, will now be replied by the hon. Minister of Public Infrastructure and Land Transport. Questions to Ministers! Yes, hon. Dr. Sorefan!

(P.Q. No. B/667 – See after P.Q. No. B/657)

ROADS – RE-ASPHALTING

(No. B/668) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the roads, he will, for the benefit of the House, obtain from the Road Development Authority, information as to if consideration will be given for the inclusion of the scrapping of the old asphalt in the bid specifications for the re-asphalting thereof to avoid increasing the thickness of the asphalt thereof.

Mr Bodha: Madam Speaker, I am informed by the Road Development Authority that the actual practice in the process of re-asphalting of roads is to scrap and remove a layer of around 5 cm of the old asphalt before the laying of a fresh new layer. This process of removing the old asphalt is called milling and is undertaken with the specific objective of avoiding an increase in the thickness of the asphalt.

In some places, Madam Speaker, resurfacing is done without milling depending on the height of the footpath and the pavements.

As regards bid specifications, I am informed that the scrapping of the old asphalt is already included in the bids specifications for the Framework Agreement for Maintenance and Minor Works Contract (2014-2016).

Dr. Sorefan: Madam Speaker, regarding scrapping - that was a pilot study - they do not do it and it is not in the specification and wherever we go all around Mauritius, the asphalts are higher than the residence, so when we come and say that we are removing the asphalt, or say recycling, this is not true.

Madam Speaker: Ask your question, hon. Dr. Sorefan!

Dr. Sorefan: Will the hon. Minister see to it that this is adhered to because it is causing a lot of problems to the drains and to the inhabitants all around?

Mr Bodha: I thank the hon. Member for the question. In fact, he has made an interesting remark. The milling, in fact, has been imposed as from 2014, and before 2014 all resurfacing works were done as an additional layer which creates all the problems that he has mentioned. What we are trying to do, Madam Speaker, is to consider the possibility of recycling the old asphalt as it is being done in South Africa and Malaysia. We will consider the possibility of milling and scrapping, milling and resurfacing so that we do not have an additional thickness with a new layer.

Dr. Sorefan: May we know from the hon. Minister what grade of asphalt we are using because, very recently, on the main road M1 coming to the North at about Bagatelle, near the bridge, the asphalt that is being used makes a lot of noise. I get the impression - with the experience that I have on asphalt - that the grade of asphalt is being lowered down with a higher percentage of binder in it and I am sure this will cause a lot of problems later on.

Madam Speaker: Hon. Dr. Sorefan, this is another question that you are asking which is not within your original question! You had a question on this, hon. Ramano?

Mr Ramano: C'est tout simplement pour savoir si une étude a été faite pour connaître la qualité de l'asphalte surtout est-ce que cela permet le recyclage de l'asphalte et aussi de savoir est-ce qu'il n'y a pas lieu de préciser la durée de l'asphalte ?

Mr Bodha: Madam Speaker, from what I understand, it is that there was a consultancy which was launched sometime back, but, in fact, we did not go ahead because of unavailability of funds. But I think that it is a very interesting question and whatever we are going to build now should be value for money and we should have the best quality and this is what we are going to include in all the new tenders.

Madam Speaker: Parliamentary Question No. B/670 in regard to the inter-ministerial committee set up to look into the issue of tariff protection for sensitive local industries addressed to the hon. Minister of Industry, Commerce and Consumer Protection will now be replied by the hon. Minister of Business, Enterprise and Cooperatives. Parliamentary Question Nos. B/674, B/675, B/677, B/687 and B/696 have been withdrawn! Yes, hon. Dr. Sorefan, next question!

EMPLOYMENT RIGHTS ACT - SEVERANCE ALLOWANCE

(No. B/669) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to the Employment Rights Act, he will state if consideration will be given for proposed amendments to be introduced thereto to include the payment of severance allowance at normal rate as was the case in the repealed Labour Act, thereby catering for two regimes instead of one, as is presently the case.

Mr Callichurn: Madam Speaker, as the House is aware, Government has, in its Programme for 2015-2019, announced that amendments would be brought to the labour legislation to better protect workers.

In this regard, I have set up a Technical Committee at the level of my Ministry under the Chairmanship of the Director of Labour and Industrial Relations to review the Employment Rights Act and the Employment Relations Act. All stakeholders have been invited to submit their proposals for amendments to the two pieces of legislation and the majority of them have already forwarded same.

The Technical Committee is currently reviewing the legal framework so as to ensure that it adapts and responds to the new challenges and is considering the proposals received from the stakeholders and would make appropriate recommendations to Government in due course.

Madam Speaker, I wish to inform the House that the Technical Committee has, so far, not received any representations from the trade union movement in regard to the reintroduction of the payment of severance allowance at normal rate.

However, on my own initiative, I have requested the Technical Committee, as part of the review exercise, to look into the question of the reintroduction of the payment of severance allowance at normal rate and its implications.

Dr. Sorefan: I would like to thank the hon. Minister for considering on his own self for this because this is the implication of it. Will the hon. Minister also consider going retroactive for those cases which have suffered this new law?

Mr Callichurn: Unfortunately, it will not be possible.

Madam Speaker: Yes, next question hon. Dr. Sorefan!

SMEs - INTER-MINISTERIAL COMMITTEE

(No. B/670) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to the manufacturing sector, he will state if the Inter-Ministerial Committee set up to look into the issue of tariff protection for sensitive local industries, especially against dumping practices, has submitted its report and, if so, indicate the findings thereof.

The Minister of Business, Enterprise and Cooperatives (Mr S. Bholah): Madam Speaker, an Inter-Ministerial Committee, under the chairmanship of the hon. Vice-Prime Minister, Minister of Housing and Lands, was set up by Government to look into barriers affecting the small and medium enterprises. The Inter-Ministerial Committee met in April, this year, and decided that a Technical Committee be set up, under my chairmanship, with the objective to examining the impact of the influx of imported products on the local market and to making appropriate recommendations for the protection and growth of the local industries.

The Technical Committee comprises officials from my Ministry, the Ministry of Foreign Affairs, Regional Integration and International Trade, the Ministry of Finance and Economic Development, the Ministry of Industry, Commerce and Consumer Protection, the Mauritius

Revenue Authority and representatives from the Mauritius Chamber of Commerce and Industry and the Board of Investment. A number of meetings were held, under my chairmanship, and we agreed that such an exercise would require a comprehensive understanding and study of all the problems within the local context. For example, we conducted a thorough analysis of the different trade agreements under the relevant framework of organisations such as the WTO, SADC and COMESA, amongst others, which are commitments by which we are bound. While creating an enabling environment for regional and international cooperation, these agreements, nonetheless, hinder the development and growth of our local industry notably due to rapid and abrupt increases in imports.

In parallel, we also collected data about the ecosystem pertaining to the manufacturing sector at an international level so as to come up with measures that are in line with the current worldwide standard. We came to the conclusion that this is not an easy task and it would require ample time for a proper research work, amongst others, that would set the basis for discussion at the level of the Committee.

Madam Speaker, therefore, in view of the complexity of the assignment and the specific technical issues particularly relating to SMEs, a dedicated working group, led by my Ministry and involving all stakeholders was constituted and entrusted with the responsibility to make a full and detailed assessment of all issues affecting the domestic industries, and to propose remedial actions for consideration by the Technical Committee and the Inter-Ministerial Committee.

The working group has had a number of working sessions and they discussed lengthily on the pertinent issues such as tariff protection, anti-dumping and countervailing measures, imposition of customs duty and others. Proposals made by the Working Group have been discussed at the level of the Technical Committee. The Preliminary Report of the Technical Committee on Tariff Protection for sensitive industries has now been finalised and will be submitted to the Inter-Ministerial Committee in due course.

Madam Speaker, therefore, I am not in a position at this stage, to reveal to the House the contents of the Preliminary Report that has not been discussed, finalised and agreed upon at the level of the Inter-Ministerial Committee.

Dr. Sorefan: Is the hon. Minister aware that we have some products which are typically of Mauritius, say, Dodo, that are done by the Mauritian SMEs, are copied in Asia and reimported to Mauritius and this is causing a lot of problems to these people. Will the hon. Minister see to it that those specific products pertaining to Mauritius are not allowed to be copied and enter Mauritius?

Mr Bholah: This has been taken into account and this is very important and we want to protect all those SMEs which are involved in the manufacture of these products. This has been addressed as well.

Mr Barbier: Madam Speaker, may I ask the hon. Minister about the tariff? I heard the hon. Minister say that we are bound by convention or whatever rules of the World Trade Organisation (WTO) to implement the tariff policy which is prevailing since some years back and this is causing so much harm to our local industries, especially the manufacturing sector. May I know, as the developing countries did, whether they are actually imposing a percentage of importation from some countries? Instead of having tariffs, they are now - I will not name the country I have in mind - importing like 7% of these importations from China to protect the local manufacturing. So, will Mauritius also go in that direction?

Mr Bholah: Well, I can't pre-empt at this moment what the inter-ministerial committee will decide, but I am aware that on the international scene the barriers have been phasing out. I also understand that countries like Indonesia are re-introducing custom duties just to give a boost to their local industries. But we will take into account whatever you have said and we will see at the inter-ministerial committee what it comes to.

MBC - MR A. M - SUSPENSION

(No. B/671) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to Mr A. M., he will –

- (a) for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to since when and why he was suspended, indicating;
 - (i) where matters stand as to the inquiry carried out thereinto, and

(ii) if salaries and/or allowances, if any, have been paid out thereto and, if so, indicate the quantum thereof, and

(b) state if he has been reemployed in any Government institution and, if so, give details thereof.

Mr Bhadain: Madam Speaker, I am informed by the Mauritius Broadcasting Corporation that Mr A.M., Desk Coordinator (formerly Chief News Editor) has been interdicted from his duties with effect from 23 July 2009, in view of the shortcomings and mismanagement in the organisation of the 'Pepsi Sega Hungama' programme.

The MBC Board had, at its meeting of 12 November 2010, referred the case of Mr A.M. to the Disciplinary Committee. I am informed that the meetings of the Disciplinary Committee were postponed for various reasons put forward by the Counsel of Mr A. M.

I am also informed by the MBC that Mr A. M. is still under interdiction and is being paid his monthly basic salary of Rs50,000 plus salary compensation at approved rates. The new management team of the MBC will certainly look into the matter, once the new Director-General is appointed.

Madam Speaker, as regards part (b) of the question, I am informed that as per available records, MBC is not aware whether Mr A.M. has been re-employed in any other Government institution.

Mr Jhugroo: Will the hon. Minister agree with me that dilatory tactics have been used by the lawyer to protract matters unnecessarily?

Mr Bhadain: Well, it certainly appears that it has taken a long time, Madam Speaker, and this is certainly not acceptable. The new management of the MBC will certainly look into this.

MBC - SECURITY GUARDS - RECRUITMENT

(No. B/672) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, a list of the security guards recruited thereat, since July 2005 to December 2014, indicating in each case the –

(a) residential address thereof;

- (b) reasons for recruitment;
- (c) mode of recruitment thereof, and
- (d) salaries and allowances drawn.

Mr Bhadain: Madam Speaker, I am informed by the Mauritius Broadcasting Corporation that since July 2005 to December 2014, 26 Security Guards were recruited.

I am tabling the information regarding the Security Guards, including their residential addresses, salaries drawn, date they joined and other details.

As regards parts (b) and (c) of the question, I am informed that, when the former management under the directorship of Mr D. Callikan took office in 2009, the contract for security services from Brinks Company was terminated with effect from 24 October 2009. At its meeting of 09 December 2009, the Board approved the recruitment of four ex-employees of Brinks and three additional persons from applications which were received at the MBC, on a freelance basis, for a proper roster system to be put in place.

From December 2009 to May 2012, the Board approved the recruitment of 19 more security officers from applications received at the MBC.

Following an internal advertisement in December 2012, 21 security officers who were still in service were offered employment on a permanent and pensionable basis with effect from 01 March 2013.

Madam Speaker, from a recent needs assessment conducted in September 2015, it has come to light that only 13 security guards are, in fact, needed. The remaining have been redeployed in other departments as handyworker/driver. For this one particular category, the roll went up to 26, meaning a 100% rate of overstaffing. This was all done by the previous regime, Madam Speaker.

Mr Jhugroo: Can the hon. Minister inform the House for what reason the MBC has to recruit security officers when we have the presence of Police Officers, SMF officers and CCTV cameras installed in each and every corner of the new building of the MBC as well as the coded magnetic door lock placed everywhere?

Mr Bhadain: Well, Madam Speaker, I certainly agree with the hon. Member that this was an abusive practice. I have recently answered to another PQ saying that since January 2015 until today nobody has been recruited at the MBC except for the former Director-General who has had his services terminated as well.

Mr Jhugroo: Can the hon. Minister confirm whether from the list of security officers just tabled, most of them come from Constituency No. 5?

Mr Bhadain: Well, yes. According to the list - I am not going to count the number of people, Madam Speaker - a lot of them do come from Constituency No.5.

Mr Jhugroo: Is the hon. Minister aware that out of the 20 security officers recruited at that particular time, two had been sacked because they were involved in the theft of powdered milk and one accused of theft of a mobile phone?

Mr Bhadain: Well, I am not specifically aware of theft of powdered milk or phones, but if that is the case, then that is the case.

Mr Jhugroo: Would the hon. Minister agree with me that the recruitment of these security officers was motivated by political consideration and is now proving to be a waste of public funds, rendering MBC to be in red?

Mr Bhadain: Well, I stated, Madam Speaker, that it is an abusive practice and this is certainly going to be looked into as well when the new management of MBC takes office.

PLAINE VERTE - NEW GYMNASIUM & MULTIPURPOSE COMPLEX - CONSTRUCTION

(No. B/673) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Local Government whether, in regard to the proposed construction of infrastructures in Plaine Verte, Port Louis, he will state –

- (a) where matters stand in relation to the proposed construction of a new Gymnasium on the premises of the Concorde Garden, Plaine Verte, and
- (b) for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to where matters stand in relation to the construction of a new Multipurpose Complex at Renaissance, Plaine Verte, indicating -
 - (i) the amount of money earmarked therefor, and
 - (ii) if fresh tenders have been launched therefor and, if not, why not.

(Withdrawn)

FLEET MASTER LTD - FINANCE & STAFF

(No. B/674) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to Fleet Master Ltd., a

subsidiary of Iframac Ltd., he will, for the benefit of the House, obtain information as to the financial and staffing situations thereof.

(Withdrawn)

LE MORNE VILLAGE & LA PRAIRIE PUBLIC BEACH - EROSION

(No. B/675) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the coastal region between Le Morne Village and the La Prairie public beach, he will state the measures, if any, that have been taken to prevent the erosion thereof and the risk of the coastal road thereat collapsing.

(Withdrawn)

CENTRAL PROCUREMENT BOARD – BIDS EVALUATION

(No. B/676) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or) asked the Minister of Finance and Economic Development whether, in regard to bids evaluation, he will, for the benefit of the House, obtain from the Central Procurement Board, information as to –

- (a) the criteria used when selecting the chairperson and the members of the evaluation panels thereof;
- (b) the number of training organised by the Board over the past three years in relation thereto, indicating in each case the -
 - (i) names of the trainers, and
 - (ii) costs thereof and, if not, why not, and
- (c) if the Board has assessed the reasons why the Independent Review Panel has allowed challenges on award of contracts during the recent months, and if so, indicate the remedial measures taken in relation thereto, if any.

Mr Lutchmeenaraidoo: Madam Speaker, with regard to part (a) of the question, I am informed by the Central Procurement Board (CPB) that the criteria used for selecting the chairperson and members of evaluation panels are competency, expertise in public procurement and knowledge about the item being procured.

All members including Chairperson and Vice-Chairperson of the CPB as well as the IRP and PPO are appointed by the President in accordance with advice tendered by the Prime Minister after consultation with the Leader of the Opposition.

Concerning part (b) of the question, training sessions on bid evaluation are organised by the Procurement Policy Office pursuant to section (7)(f) of the Public Procurement Act. I am informed that over the past three years, 14 training sessions were organised for the benefit of evaluators. In this respect, the names of the trainers are being tabled and I am informed that no fees were paid to them.

Madam Speaker, regarding part (c) of the question, I am informed by the CPB that during recent months, there was only one case where the determination of the Independent Review Panel (IRP) was not aligned to the recommendation of the Board. The IRP has referred the case to the CPB for re-evaluation and same is in progress.

Mr Rughoobur: Thank you, Madam Speaker. With regard to the issue of training, I understand it is the PPO which is in charge. The fact that the CPB is not only responsible for the evaluation of bids, but also responsible for the vetting of those bids prior to floating, will the hon. Minister look into the issue of ensuring that the CPB, along with the PPO, conducts appropriate training to ensure that we don't come across issues that we get with bids that require complex specification because they have this responsibility to vet? So the training issue becomes important, whether at evaluation or at the vetting stage.

Mr Lutchmeenaraidoo: Madam Speaker, I agree. I think that we need to increase on the training side for those who are doing evaluation of tenders. So, I'll transmit to the CPB the proposal of the hon. Member.

Mr Rughoobur: Well, I am going to table a very interesting report from the PPO on sustainable public procurement which was prepared in July 2011. May I request the hon. Minister as well to ensure that the recommendations are implemented because as per what you have in the report here, an evaluation was made recently and it was found that most of those recommendations in that very interesting document prepared by the PPO have not been implemented? So, will the hon. Minister ensure that this is done?

Mr Lutchmeenaraidoo: Yes, Madam Speaker.

Mr Rughoobur: A final supplementary question, Madam Speaker.

Madam Speaker: Yes.

Mr Rughoobur: Thank you. The fact that we are speaking about e-procurement, will the hon. Minister ensure that the website of the Central Procurement Board is updated because, if you have a look, you will see that the former Chairman and Members are still there. If you could, please, look into this issue?

Mr Lutchmeenaraidoo: Thank you for the question. I will request the CPB to update its website.

Madam Speaker: Next question, hon. Rughoobur!

Mr Rughoobur: PQ No. B/677, Madam Speaker.

Madam Speaker: No. I am sorry, you have withdrawn PQ No. B/677. It is PQ No. B/678.

Mr Rughoobur: Yes. Sorry, Madam Speaker, PQ No. B/678.

STATE LAND DEVELOPMENT COMPANY - UNIVERSITIES - CONSTRUCTION

(No. B/677) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Finance and Economic Development whether, in regard to the project for the construction of universities, he will, for the benefit of the House, obtain from the State Land Development Company Ltd., information as to -

- (a) the amount of funds invested therein as at to date, indicating the -
 - (i) names of the consultants and of the selected contractors therefor, and
 - (ii) expected completion dates thereof, and
- (b) if the Company is exempted from the application of the provisions of the Public Procurement Act.

(Withdrawn)

HUMAN RESOURCES DEVELOPMENT COUNCIL - MEMBERSHIP

(No. B/678) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Education and Human Resources, Tertiary Education and Scientific

Research whether, in regard to the Human Resources Development Council, she will, for the benefit of the House, obtain therefrom, information as to -

- (a) if the Board thereof has been constituted and, if not, why not;
- (b) the initiatives undertaken to ensure that Mauritius has the required trained human resources to develop the Information Communications Technology, financial services and tourism sectors;
- (c) if any action plan is/will be implemented therefor and if so, give details thereof, and
- (d) if a strategic partner has been appointed therefor and, if so, give details of the partnership and, if not, why not.

Mrs Dookun-Luchoomun: Madam Speaker, at the very outset, I wish to inform the House that in the context of the Budget 2015-2016, amendments were brought to the Human Resource Development Act by way of section 22 of the Finance Act 2015 to provide for the Human Resource Development Council's membership to be reduced from 26 to 11 members and for the repeal of the provisions relating to its Executive Committee which comprised eight members. The rationale behind this review is to make provision for an efficient-sized Council that will enable better performance and quick decision-making at the HRDC.

While keeping in view the above objective and given that the former Council and Executive Committee have been repealed and lapsed, consultations are being held with stakeholders for the constitutions of the new Council which will be set up shortly.

Madam Speaker, as regards part (b) of the question, the HRDC by virtue of its mandate should provide the necessary human resource thrust for the successful transformation of Mauritian economy and has recently undertaken a number of initiatives to ensure that Mauritius has the required trained human resources to develop the Information Communications Technology, Financial services and Tourism sectors which have been mentioned in the Economic Mission Statement (Vision 2030) of the Rt. hon. Prime Minister as having the potential to generate growth, value and employment.

As part of such initiatives to determine the skills gap, the HRDC has, amongst others, conducted labour shortage surveys in ICT, Finance, Tourism and the skills surveys each involved some 100 companies. The outcome of the survey revealed that there was a need to improve skills across a number of these occupational groups.

An important initiative which goes in the direction to endow the country with the pool of trained human resources relates to the HRDC being the coordinating agency for the implementation of the Graduate Training for Employment Scheme and also acting as facilitator for the execution of the Youth Employment Programme (YEP), the Dual Training Programme, amongst others. The YEP is targeting unemployed youth whereas the Dual Training Programme is focusing on Programme for both unemployed and existing youths.

The HRDC is working closely with the industry associations of the respective sectors and has during year 2014 financed a refund of some Rs75 m. for the training of about 15,400 employees for these three sectors. In addition, the HRDC is also partnering at the level of the consultative meetings which the University of Mauritius is having with the private sector for the mounting of demand-driven training programmes.

As regards the ICT/BPO sector, the findings of the labour shortage survey which was complemented by response from industry associations has provided inputs regarding occupational and skill needs in respect of job creation in the sector. In addition, the HRDC, in collaboration with major IT operators, also developed *Nomenclature des Métiers* for the ICT/BPO sector that gives a description of job profiles for the said sector and a guide for a decent career path to future entrants in this industry. Moreover, a Career Development Stairway has been developed and published specifically for the ICT/BPO sector to provide information on various employment and career opportunities through a web portal.

As mentioned above, it is also assisting in the implementation of a Graduate Training for Employment Scheme to provide sponsorship for training of unemployed graduates. Under this initiative, a postgraduate training in ICT is being mounted in collaboration with the industry operators. The YEP database would be used for the scheme. Some 1,900 employees were trained in ICT sector and involved some Rs11.3 m. for the ICT/BPO sector.

As for the financial sector, the HRDC survey identified priority skills in terms of training programmes for Financial and Investment Analysts, Tax Compliance Specialists, Anti-money Laundering Specialists, Insurance Underwriters, Auditors and Financial Consultants. The HRDC sponsored training for up to Rs47 m. for some 7,275 employees in the financial sector. The HRDC is also collaborating with professional associations for provision of a specific training

programme such as the Professional Banker's Certificate and the mounting of a conversion courses for unemployed graduates in the field of Finance/Accounting.

In the tourism sector, the HRDC is working in collaboration with *l'Association des Hôteliers de l'île Maurice (AHRIM)*, *l'Ecole Hôtelière Sir Gaëtan Duval* and participating hotels, to facilitate training in the field of tourism and hospitality. The HRDC is facilitating the implementation of a Skills Development Project for unemployed in the tourism sector. Salient examples include training in Hazards Analysis and Critical Control Points, (HACCP) implementation, luxury pastry production, basic food hygiene training, handling customer complaints, service procedures, among others. The HRDC has refunded around Rs17 m. for some 6,200 persons last year.

In addition, the HRDC is sponsoring the dual mode of Apprenticeship Scheme which is being implemented by the MITD, especially for the hospitality sector. Under this Apprenticeship Scheme, some 300 persons benefited under the HRDC sponsored scheme for the hospitality sector.

Madam Speaker, as for part (c) of the question, all the initiatives mentioned earlier will be complemented by the formulation of a new National Skills Development Strategic Plan for Mauritius. The HRDC Action Plan includes the conduct of national skills studies for 10 sectors of the economy, covering some 1,500 enterprises.

As for part (d) of the question, Madam Speaker, no strategic partnership has been established at the HRDC. The HRDC is not a training organisation *per se*. However, we have received technical assistance from Singapore under the World Bank sponsorship to undertake a scoping mission for the HRD sector, this in view of setting up the polytechnics which will be covering the ICT, tourism and paramedical fields. Recommendations are being finalised.

Mr Rughoobur: The hon. Minister has been speaking about the National Human Resource Development Plan. Actually, the plan was prepared in 2009, I think, and I wanted to know from the hon. Minister whether there has been any evaluation of the recommendation to date and what has been the outcome because we note that there is actually HR deficit in the services sector, that's why I mentioned the three sectors?

Mrs Dookun-Luchoomun: In fact, Madam Speaker, we have heard a lot about mismatch between the training people are getting in Mauritius and the world of work and this is why we have been reviewing the whole sector and we are coming up with new surveys and new training programmes.

Madam Speaker: Yes, hon. Rughoobur!

Mr Rughoobur: Speaking about the Grant Scheme, it is true that we speak of big sums that are being spent, but probably if the hon. Minister can look into the funds that are really being used by those employers in sectors where we really need training, that is, we encourage employers in the services sector, for example, to use those schemes, those grants because even in this Human Resource Development Plan we have issues, recommendations where employers have to be encouraged to use the Grant Scheme which is not being used adequately.

Mrs Dookun-Luchoomun: Madam Speaker, employers are refunded up to 60% of this amount spent and the projects that are being carried out right now involve consultations between the training centres, the university and the private sector. I feel that the private sector has plenty of encouragement being given to it through the HRDC, and the other institutions are working in collaboration with it, so as to ensure that training provided will suit the world of work.

Madam Speaker: Hon. Fowdar!

Mr Fowdar: Thank you, Madam Speaker. I heard the hon. Minister saying that the number of Board members was reduced to eight. Does it mean that some sectors of the economy represented in the HRDC are no more there now?

Mrs Dookun-Luchoomun: Madam Speaker, the number has been reduced from 26 to 11 and we feel that this will be more efficient and less cumbersome.

Madam Speaker: Next question, hon. Rughoobur!

CWA - PAILLES - TREATMENT PLANT PROJECT

(No. B/679) Mr R. Uteem (First Member for Port Louis South & Port Louis Central) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the

Treatment Plant Project at Pailles, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the -

- (a) costs thereof, indicating the amount of variation costs;
- (b) date on which it will become operational, and
- (c) if an inquiry has been carried out thereinto and, if so, indicate the outcome thereof.

(Withdrawn)

APOLLO BRAMWELL HOSPITAL - ACQUISITION

(No. B/680) 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 Apollo Bramwell Hospital, he will, for the benefit of the House, obtain information as to the -

- (a) funds that have been used for the acquisition thereof;
- (b) procedures that have been followed for the acquisition thereof ;
- (c) monthly income and expenditure thereof since the acquisition thereof to date, and
- (d) intended use thereof.

(Withdrawn)

BOARD OF INVESTMENT - RESTRUCTURING EXERCISE

(No. B/686) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or) asked the Minister of Finance and Economic Development whether, in regard to the Board of Investment, he will, for the benefit of the House, obtain therefrom, information as to -

- (a) if a full restructuring exercise is being or will be undertaken thereat to enable the Board to respond to the increasing need of the Mauritian economy to attract adequate Foreign Direct Investments;
- (b) the amount of Foreign Direct Investments;

- (i) generated, excluding real properties, through promotional activities during the year ending 31 December 2014, and
- (ii) expected for the year ending 31 December 2015, and
- (c) give details as to the share representing the manufacturing sector and the services sector, respectively.

Mr Lutchmeenaraidoo: Madam Speaker, since my coming into office and the reconstitution of the new Board in March 2015, I requested that the organisation be restructured for greater effectiveness and to be fully aligned with the Government vision.

The restructuring exercise of the Board of Investment was completed in August 2015. The BOI is now structured, with a new vision and mission, along both market and sectoral clusters with special focus on attracting sustainable and productive investments. It is also making greater promotional efforts in emerging markets. To this end, the Board of Investment has opened an office in France and seven more are being set up in South Africa, India, UK, China, Switzerland, USA and Russia.

Madam Speaker, we are constrained by the high level of public sector debt and our commitment to reduce that debt to 50% of GDP by 2018. As such, the economy relies strongly on private sector investment and FDI.

The investment needs associated with the development of the port, the Highlands Administrative City, the Riche Terre logistics zone and other smart cities rely a lot on private sector and FDI.

Madam Speaker, with regard to part (b) (i) of the question, the total FDI, excluding real estate activities and hotel acquisition, amounted to some Rs4.5 billion for the year ended 31 December 2014. As regards part (b) (ii) of the question, based on projects which are in the pipeline at the BOI, Foreign Direct Investment is expected to be between Rs11 to Rs12 billion for the year 31 December 2015.

I wish to highlight that several major projects related to the manufacturing sector that we have in the pipeline will trigger, sooner or later, new FDI flows and export earnings. Most of

these investments take the form of green-field investments, that is, investment that directly creates or expands production facilities.

As far as part (c) of the question is concerned, in 2014 the share of FDI attributable to manufacturing was around Rs76 m. while that of the services sector, excluding hotel acquisition, amounted to some Rs4 billion.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: Referring to the restructuring of the BOI, will the hon. Minister please look into the issue of the creation of a separate unit for looking into the whole issue of investment in Africa? Will the hon. Minister please look into the creation of an African desk, if I may say so?

Mr Lutchmeenaraidoo: Madam Speaker, in fact, the BOI has set up an African desk to ensure the channelling of all the investments that are now going in Africa through Mauritius.

Madam Speaker: Hon. Barbier!

Mr Barbier: Thank you, Madam Speaker. I learnt that, with respect to the PDS and the RES, actually the investors are complaining having some difficulties to comply with the Project Development Scheme compared to the RES, which was more flexible. I would like to know whether the hon. Minister did get any complaint or any remark in that respect and whether he proposes to remedy the situation.

Mr Lutchmeenaraidoo: Yes, Madam Speaker. In fact, we moved away from the IRS because of its gated community concept where foreigners all live together. So, this was abolished and we moved towards the Property Development Scheme (PDS) and one of the conditions of the scheme is that 25% of apartments or homes should be sold to Mauritians or non-resident Mauritians. This is fundamental to ensure that those communities represent the country and also foreigners. Now, there have been some suggestions that we should remove it. I must say that I would stand against it because before that the IRS system encouraged a way of living in Mauritius where the rich were enclosed in their own programme. So, I think, we will stick to the 25%. Anyway, the point that was put was this. The Mauritians would not be in a position to buy those apartments at the price foreigners are prepared to pay. But, in that case,

they have to do some cross-subsidisation, that is, they sell higher price for foreigners and then at a cheaper price for Mauritians.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: We are putting a lot of emphasis on new sectors like ocean economy. Will the hon. Minister please ensure that, while the BOI is putting so much emphasis on the new sectors, that there is also emphasis put on consolidation of existing sectors like ICT/BPO, financial services and the manufacturing sector as well?

Mr Lutchmeenaraidoo: Well, the allocation of resources for the new sectors does not exclude allocation of resources for the existing sectors. So, I think both are given equal treatment.

Madam Speaker: Next question!

Mr Ganoo: Can I ask one question, please?

Madam Speaker: Yes.

Mr Ganoo: I wish to come back on the answer that the hon. Minister of Finance and Economic Development just gave concerning the change in the scheme of the PDS, the IRS and the RES. He suggested that the solution would be to cross-subsidise, and if I understand him properly, impose on the operators the necessity to sell to Mauritian buyers at a reduced price. But, of course, this has constitutional implications in terms of property rights. How will that work in practice?

Mr Lutchmeenaraidoo: Well, this is a proposal which I am making, Madam Speaker. It is for the promoters to ensure that their project is viable. We insist, as a nation, that gated communities should disappear in this country.

Mr Ganoo: Can the hon. Minister, if you will allow me, Madam Speaker...

Madam Speaker: Last question!

Mr Ganoo: Regarding the manufacturing sector, doesn't the hon. Minister of Finance and Economic Development agree that this sector has slowed down considerably during these past years, and what are the measures and remedies he intends to come up with?

Mr Lutchmeenaraidoo: We have to, in fact, agree that foreign investment, especially in the manufacturing sector, has gone down substantially. I have asked the BOI to ensure, therefore, that while we are promoting those new sub-sectors of the economy, we don't forget that manufacturing is basically substance in terms of value added.

Madam Speaker: Next question, hon. Ganoo!

POVERTY - MARSHALL PLAN

(No. B/687) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Minister of Social Integration and Economic Empowerment whether, in regard to the Marshall Plan against poverty, he will state the -

- (a) overall costs and time frame set for the elaboration thereof;
- (b) expected number of families who will be concerned therewith;
- (c) financing aspect thereof, taking into consideration eventual input of funds from the Corporate Social Responsibility, and
- (d) complementary aspect thereof with the Love Bridge Project.

(Withdrawn)

DBM – EMPLOYEES & RESTRUCTURATION

(No. B/688) 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 Development Bank of Mauritius Ltd., he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the number of employees thereof

- (i) whose employment have been terminated over the period January 2015 to date, and
 - (ii) in post as at to date, and
- (b) where matters stand in relation to the proposed restructuring thereof.

(Withdrawn)

CSR - POCHEs DE PAUVRETÉ - SPONSORING

(No. B/689) 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 Corporate Social Responsibility, he will, for the benefit of the House, obtain a list of the thirty-eight companies which are sponsoring *poches de pauvreté*, indicating in each case, the *poches de pauvreté* which are being sponsored.

(Withdrawn)

CWA - STRATEGIC PARTNER

(No. B/690) Mr A. Ganoo (First Member for Savanne & Black River) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Central Water Authority, he will, for the benefit of the House, obtain therefrom, information as to if any decision has been taken to seek a strategic partner therefor and if so, indicate -

- (a) when the decision therefor was taken;
- (b) the reasons therefor, and
- (c) if studies had ever been carried out in relation thereto and if so, indicate the findings thereof.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): Madam Speaker, with you permission, I shall reply to PQ B/690 and B/700 together. As soon as I took office, I took stock of the various attempts by successive Governments to reform the water sector. All these attempts have failed.

I also met with the senior management team as well as the trade union of the CWA.

I was struck by the quality and competence of all those I met in the course of these meetings. However, the CWA is besotted by a series of financial and administrative incapacities, and we will not be able to provide to the population good quality water on a 24-hour basis, seven days a week, unless we take bold reforms.

I have reached the conclusion that the daunting challenges of the CWA cannot be addressed within the existing institutional structures.

However, I will use extreme prudence before presenting a plan for reform. Of course, all stakeholders would be informed as and when it is felt appropriate.

Several options are now being examined and it would be premature to discuss them at this point in time.

Mr Ganoo: I can understand fully well the strategy, but can the hon. Vice-Prime Minister tell us whether a committee has already been set up to think about the options to strategise?

Mr Collendavelloo: Well, we have met - I think I can disclose this - with representatives of the *Banque Africaine de Développement (BAD)*. We are working internally on the options which are available to us. Essentially, there are three options: Management contracts, which have failed; the concept of *Affaire Mage*, which is an interesting one; thirdly, outright privatisation, which is not being excluded, but which will lead to more ripples than the first two contracts. The hon. Member has been Minister of Energy, he knows what it means to be in charge of the CWA. He lost his hair when he was Minister of Energy...

(Interruptions)

Mr Ganoo: Fortunately, there are other means to regain hair lost now! The hon. Vice-Prime Minister has himself made reference to past studies. There was one study which was made by the IFC when the MMM/MSM Government was in power and the IFC is part of the World Bank, as the hon. Minister knows, and this report took around three years. The enquiries were made for about three years and, finally, the report was submitted to the Government of this time, I remember that even hon. Sithanen, when he was Minister - and the MMM/MSM was in the Opposition - he paid tribute to that report. Therefore, may I ask the hon. Vice-Prime Minister whether his Ministry can revisit this IFC Report before taking any decision?

Mr Collendavelloo: Well, nothing came out of this Report. I think times have moved now. We just have to scrape the ground and start afresh. I do not think all these reports have failed. I see papers here, listing all that has been attempted since 1999. I mean, this is daunting. And, certainly, Mr Sithanen is not a reference to me.

Mr Ganoo: One last question!

(Interruptions)

Madam Speaker: Hon, Jhugroo, please!

Mr Ganoo: Madam Speaker, the IFC Report did not fail. In fact, when the MMM/MSM Government lost power, the Labour Government, which came afterwards, shelved the report. In fact, I have a summary of the recommendations of the report, Private sector participation in Mauritius Water and Sanitation and there are many recommendations which the IFC made ...

Madam Speaker: Ask your question, hon. Ganoo!

Mr Ganoo: ...including the option which the hon. Vice-Prime Minister just mentioned. May I, therefore, ask him - not only the IFC Report, but even, I think the Singaporeans came afterwards, a team of experts and they also made a study and I think submitted a report to the then Labour Government. I am just asking the hon. Vice-Prime Minister whether the committee which will look at the right strategy, the right option, and takes on board whatever good there are in these reports?

Mr Collendavelloo: Yes, I will consider this, although, personally, I do not have much faith on these fly-by-night experts, whether they come from high-flying institutions or otherwise. I will, on occasion arising, be happier to discuss the matter with the hon. Member than with all sorts of people who do not know about the Mauritian context.

Mr Barbier: The hon. Vice-Prime Minister mentioned that there have been many attempts to improve the water sector in Mauritius but, unfortunately, at no end. May I know from the hon. Vice-Prime Minister, being given that we are now on the right path and actually consumers are in big difficulty to pay the combined bills of water and sewerage together, what guarantee will he give to the House that there will be no increase in whatever option the Government choose in the tariff of water to the consumers?

Mr Collendavello: I cannot give that guarantee at all. The water tariffs are extremely low, that's all, but if you increase water tariffs now that you have not been able to give some relief to the population, people will legitimately be asking questions. But the water tariffs will need to be increased privatisation or no privatisation.

Mr Ganoo: Can the hon. Vice-Prime Minister, at least, give a guarantee as regards the workforce at the CWA, whether there will be any...

Mr Collendavello: No, I cannot give any guarantee, I am sorry. No guarantee is possible. If we start talking of workforce and we will see the scandals of contracts which are being awarded, you will understand that I am not going to give any guarantee at all.

Madam Speaker: Next question, hon. Ganoo!

PUBLIC PARKS, GREEN SPACES & ROADS - TREES – SECURITY HAZARDS

(No. B/691) Mr A. Ganoo (First Member for Savanne & Black River) asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the public parks, green spaces and roads, he will state the measures that his Ministry proposes to take to avert the risk of accidents caused by the potential danger represented by trees, following the fatal accident which was caused by the fall of a tree on a car parked near the London Supermarket, in Vacoas, on 21 September 2015.

Mr Dayal: Madam Speaker, I shall, with your permission, reply to the Parliamentary Question in my capacity as Acting Minister of Agro-Industry and Food Security.

First of all, I wish again to express my deepest sympathy to the family of the person who passed away in the tragic accident caused by the fall of a tree in the parking of the London Supermarket in Vacoas on 21 September last.

In fact, following the accident, a survey of the area was carried out by the Conservator of Forests at the request of the Sub-Division of Commander of the Vacoas Police Station. The Conservator of Forests has reported that the fallen tree was a mature 'Araucaria' tree of 62 cm diameter growing along a privately-owned lane. The tree was severely attacked by termites at the base on a length of one metre from the ground. There were also some 60 palm trees about 15 to 20 metres high along the same private lane and four other rotten 'Araucaria' trees on the parking area of the food court which represented security hazards. The Police was requested to inform

the owners to take immediate actions to remove these trees. I am informed that these trees have been removed safely.

The Police enquiry on the accident case is ongoing.

Madam Speaker, let me now clarify the roles and responsibilities of each authority regarding the felling and maintenance of trees growing all over the country. The present legislation, namely the Forests and Reserves Act 1983 provides for the Forestry Service of the Ministry of Agro-Industry and Food Security to exercise control over these trees on all State lands. These include State forest lands, public parks, public beaches, offshore islets, Government-owned premises such as educational institutions and hospitals. The Forestry Service also has jurisdiction over road and river reserves and mountain reserves which are owned by both the State and private owners. The prior authorisation of the Conservator of Forests is required for the felling of trees or the lopping of branches on all these specified lands.

As per existing policy, all requests for felling of trees or lopping of branches on State lands are channelled to the Forestry Service which makes appropriate recommendation for approval by the Ministry.

However, the Special Mobile Force has the responsibility to attend to the felling of trees in emergency cases constituting danger to life and property and in time of natural and human induced disasters.

The felling of trees along classified roads is undertaken by the Road Development Authority whereas the District and Municipal Councils undertake felling of trees along non-classified roads. The Mauritius Telecom and the Central Electricity Board attend to cases affecting telephone and power lines respectively.

The felling of trees on private premises is undertaken by the private land owners who do not require any prior authorisation from the Forestry Service.

Madam Speaker, as regards the measures proposed to avert the risks of accidents by trees, the Forestry Service, in collaboration with the Road Development Authority and the Local Authorities has, since the beginning of the year, started a survey on a region wise basis to assess the status and general conditions of trees in all public places and to take remedial actions accordingly. The Forestry Service has for this purpose acquired a lorry equipped with a lift and

has undertaken felling and trimming of trees as well as lopping of branches along roads in the following regions: Plaine Magnien, L'Escalier, Mare Chicose, St Hubert, Ville Noire, Anse Jonchée, Coromandel, Chebel, Rose Hill, Vallée des Prêtres, Port Louis, Belle Mare, and Bel Air. This exercise is ongoing in other regions and will be intensified in view of the cyclonic period.

As regards private land owners, they will be sensitised on the need to regularly make assessment on the state of trees found on their premises and to fell decaying trees representing security hazards. In the event of the general conditions of the trees representing potential danger to life and property, the Rt. hon. Prime Minister has agreed that the Special Mobile Force, in consultation with the National Disaster Risk Reduction and Management Centre and the Forestry Service, will entertain specific requests on a case to case basis. The collaboration of all relevant authorities will be enlisted for the awareness campaign and assistance will be provided accordingly. Such requests are to be channelled through my Ministry.

Mr Ganoo: I thank the hon. Minister for his answer, Madam Speaker. The point of this question was precisely to sensitise the authorities and the population. Therefore, may I ask the hon. Minister whether as one of the first steps - I think he has answered that in the question, but I want to make double sure that this forms part of his answer - that his Ministry should coordinate at least with the Local Authorities and give the Local Authorities the necessary tools in order to see to it that the fall of trees do not become a hazard or a danger to members of the public as, unfortunately, the accident that took place in September of this year?

Mr Dayal: Madam Speaker, I thank the hon. Member for this question. This morning itself - because today is 13 October, the United Nations has it as the International Day for Disaster Reduction - I had a work session with all first responders. I must say, we are seriously planning to have next Monday a very specialised workshop as far as all types of risks and vulnerabilities that we have in the country in the wake of the cyclonic period, that they be attended to in a systematic manner with all stakeholders concerned. My Ministry will be supervising the whole operation.

Madam Speaker: Hon. Jhugroo!

Mr Jhugroo: Can the hon. Minister inform the House whether his Ministry has set up a mechanism to verify that all trees and branches found in public areas like primary and secondary schools or the major roads are safe and not a threat?

Mr Dayal: Thank you for this question, hon. Jhugroo. The Disaster Management Centre is making a thorough survey regarding the trees that represent a potential threat to life and property all throughout Mauritius. Directives will be issued to all stakeholders as and when required.

Madam Speaker: Next question, hon. Ganoo!

RIVIÈRE DES GALETS – INHABITANTS - RELOCATION

(No. B/692) Mr A. Ganoo (First Member for Savanne & Black River) asked the Minister of Environment, Sustainable Development and Disaster and Beach Management whether, in regard to the inhabitants of the EDC at Rivière des Galets who are at risk during bad weather conditions, he will state if any decision has been taken in regard to the relocation thereof.

Mr Dayal: Madam Speaker, I wish to inform the House that the risk to which the inhabitants facing the sea frontage at Rivière des Galets are subject to is a long-standing issue as their residential zone is exposed to incoming waves and swells due to lack of protective natural structures such as coral reefs.

Measures to address the problem of the vulnerable community may be classified under short-term, medium-term and long-term. Relocation is a long-term measure. Short-term measures as a first line of defence were undertaken by my Ministry to protect the vulnerable community as follows –

- (i) in 1995/96, coastal protection works had been carried out at Rivière des Galets, using semi-hard structures in the form of walls and groynes made of gabions. Gabions were placed over a stretch of 800 m to protect the coast from high waves;
- (ii) in 2003, 215 m of gabions were removed and replaced as they were damaged;

- (iii) following damage caused by storm surges in 2006, damaged gabions were replaced in 2007 over 450 m from the river towards the cemetery;
- (iv) in 2011, 104 m of the gabions installed in 2003 were removed and replaced, and
- (v) during the years 2012-2013, a total length of 130 m of gabions which were partly installed in 2003 and partly in 2008 were replaced.

As a medium-term measure, a second line of defence to protect the inhabitants was provided in 2007 through the construction of a retaining wall over some 450 m in front of the residential areas. Furthermore, my Ministry has earmarked funds to the tune of Rs90 m. under the “Climate Change Adaptation Programme in the coastal zone of Mauritius” project funded by the Adaptation Fund Board to help increase the climate resilience of the exposed community at Rivière des Galets.

An international consultancy firm, Indufor Oy from Finland, was appointed in September 2014 to undertake the feasibility study and cost benefit analysis for coastal adaptation measures at Rivière des Galets. The consultant submitted in its reports in August 2015. According to the consultant, the option of relocation is technically unfeasible under the Adaptation Fund Project due to the non-availability of budget and the timeline for the project, which should end in 2018.

On strength of the technical assessment and feasibility reports including Cost Benefit Analysis, the consultant has recommended the construction of improved sea defence structures along the entire sea front of the residential zone.

The scope of works includes the following –

- (a) construction of rock revetment of a stretch of 450 m;
- (b) implementation of a curved sea wall to reflect the incoming waves;
- (c) construction of water drainage system for evacuation of flood water along the exposed area.

The proposed structures will be designed to enable to withstand the extremely high waves that affect the site as well as reducing the overtopping. The design will also consider the impact of climate change including sea level rise.

The design report is expected in November 2015 and works are scheduled to start by April 2016.

However, the managed retreat, that is, relocation of the community was also considered. A willingness to relocate survey was conducted among the residents of *Rivière des Galets* and I wish to inform the House that most of the inhabitants were favourable to the option. Following a site visit and my personal intervention, all accepted the relocation option in the area nearby where they reside.

My Ministry held consultation with the St. Félix Sugar Estate to identify an alternative site for the relocation of the vulnerable communities not too far from their present residence. A plot of five acres of land was identified in consultation with the St. Félix Sugar Estate and the community. Procedural actions have been initiated through the Ministry of Housing and Lands for the acquisition and vesting of the land. Other aspects, including financial costs are being looked into with a view to implementing this long-term measure because we are attentive to the plight of people.

Madam Speaker: Hon. Dayal, your answer is long and I think it is better to circulate it. You've got a supplementary question, hon. Ganoo?

Mr Ganoo: I have only one question. Does the hon. Minister have an idea how long it will take for the relocation of the inhabitants?

Mr Dayal: I must say that St. Félix Sugar Estate is willing to give the land. It is a question of fine-tuning procedures at the level of the Ministry of Housing and Lands and also my Ministry. The three parties definitely are willing to find a solution. Therefore, I think we are going to address the problem in a very systematic manner taking all factors into consideration.

Mr Ganoo: Can I take it from the hon. Minister, therefore, that Government is also taking the responsibility of building new houses for the occupants of the *Rivière des Galets* estate?

Mr Dayal: All salient factors will be taken into consideration based on whatever options will be decided by all parties concerned.

Madam Speaker: I suspend the sitting for one and a half hours.

At 1.07 p.m. the sitting was suspended.

On resuming at 2.43 p.m. with Madam Speaker in the Chair.

Madam Speaker: Hon. Ganoo!

RIAMBEL - RECREATIONAL CENTRE FOR SENIOR CITIZENS – CONSTRUCTION

(No. B/693) 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 project for the construction of a recreational centre for senior citizens at Pomponette, in Riambel, she will state -

- (a) if bids have been launched therefor, and
- (b) the costs thereof.

Mrs Jeewa-Daureeawoo: Madam Speaker, tenders were launched by the Central Procurement Board for the construction of a new recreation centre for elderly and disabled at Riambel on a design, build and turnkey basis on 19 June 2014 with closing date of 21 August 2014. As at closing date, nine bids were received and the bidders were: Ramloll Bhooshan Renovation & Building Ltd, Tayelamay and Sons Enterprise Ltd., Nundun Gopee Building and Civil Engineering Contractors, Rehm Grinaker Constructions Company Ltd, General Constructions Company Ltd, Beijing Zhuzong Group Company Ltd Mauritius Branch, Phil Alain Didier Company Limited, Laxmanbhai and Company Ltd and Beijing Construction Engineering Group.

Their bids were evaluated by the Central Procurement Board on 03 March 2015. The Central Procurement Board approved the award of contract to Beijing Zhuzong Group Company Ltd Mauritius Branch for the sum of Rs202,352,417.28 inclusive of a contingency sum of Rs7 m. and VAT.

Subsequently, the Letter of Intent was issued to the successful bidder and notification letters were issued to the unsuccessful bidders as per the Public Procurement Act. Two successful bidders, namely, Ramloll Bhooshan Renovation & Building Ltd and Rehm Grinaker Constructions Company Ltd challenged the decision of the Ministry. Both bidders were informed

of the grounds of non-selection by the Ministry based on information made available by the Central Procurement Board. Not being satisfied with the reasons given, Ramloll Bhooshan Renovation & Building Ltd filed an appeal to the Independent Review Panel on 02 June 2015 to review the Ministry's decision of intent to award the contract to Beijing Zhuzong Group Company Ltd Mauritius Branch. The matter is still at the level of the Independent Review Panel.

As regards part (b) of the question, I am informed that the cost estimate of the project as worked out by the Ministry of Public Infrastructure, NDU, Land Transport and Shipping in September 2011 was Rs204 m.

Mr Ganoo: Can I ask the hon. Minister if the successful bidder was the lowest one?

Mrs Jeewa-Daureeawoo: Yes, lowest responsive bidder.

Mr Ganoo: I know that now that there is a challenge before the IRP, Madam Speaker, *la balle n'est plus dans le camp du ministre et du ministère*. May I just ask the hon. Minister - as soon as the challenge issue is cleared - to see to it that things are expedited because the predecessor of the hon. Minister - I am sure you will know, Madam Speaker - launched the foundation stone in 2006. We are now in 2015 and, in the meantime, the previous Government had constructed recreational centre for senior citizens in Triolet, in Flacq, and I think in Belle Mare, taking precedence over this project. So, may I appeal to the hon. Minister, once this issue is cleared, to see to it that this centre is set up once for all.

Mrs Jeewa-Daureeawoo: Well, this is a vivid example how things were being done by the previous Government. We are different. We are doing things differently and one of the top priorities of this Government is to promote the quality of life of all our elderly people irrespective of which constituencies they come from. So, rest assured we are following the matter closely and things will be done as per the law.

Madam Speaker: Next question, hon. Sesungkur!

SMEs – CREDIT FACILITIES

(No. B/694) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE) asked the Minister of Finance and Economic Development whether, in regard to the Banking Act, he

will state if proposed amendments will be introduced thereto to correct the imbalances and inefficiencies caused by the banks distributing credits over the last decade to finance construction, housing, hotels and real estate projects at the expense of such productive sectors as manufacturing/production, Information and Communications Technology, leisure, entertainment, agriculture, small and medium enterprises and to ensure that financial resources are also channelled thereto to support Government's strategy for a sustainable growth and to favour the long-term interests of the country.

Mr Lutchmeenaraidoo: Madam Speaker, there is no provision in the Banking Act with regard to the regulation of sectoral distribution of credit.

However, the Bank of Mauritius has the power to issue guidelines and instructions regarding the extension of credit by banks. It may be highlighted that in October 2013, the Bank of Mauritius had concerns about the growing level of credit risk in certain sectors of the economy, which could potentially be a source of vulnerability for the financial system. Accordingly, the Bank issued macro-prudential measures for implementation by all banks and these included sectoral limits on the construction, tourism and personal sectors as from 01 July 2014. The sectoral limits were eventually removed in January 2015 so as to allow banks to lend to viable projects in these sectors.

However, though credit to the construction (including housing), hotels and real estate sectors, have increased significantly over the past decade, it has not been to the detriment of other productive sectors. For several years in the past decade, especially in the past five years, there has been considerable excess liquidity in the banking system. In fact, as at October 2015, the excess liquidity stood at around Rs6.6 billion. There is, thus sufficient funds on the market to provide adequate credit to all sectors of the economy.

Mr Sesungkur: Will the hon. Minister agree that the practices of the banking sector have caused that many of our productive sectors have gradually been neglected and there has been more a tendency of banks to remain in the comfort zone, lending to real estate companies, and he will see to it as far as possible from the Bank of Mauritius' perspective if some guidelines, some guidance may be given to the banks to concentrate on productive sectors and on new emerging sectors like leisure and entertainment?

Mr Lutchmeenaraidoo: Yes, Madam Speaker. It is true that the commercial banks try to survive in comfort zones. So, massive investments have been done in the construction and

tourism sector and also in consumption, consumer credit. So, we tried to convince them or encourage them to move to other sectors. It does not work all the time. This is one of the reasons why we have set up the SME scheme. The Rs10 billion will be used to channel, in fact, funds to those sectors which have been *délaissés* by banks. So, I hope that this will partially correct your issue.

Madam Speaker: Hon. Jhugroo!

Mr Jhugroo: With regard to the Banking Act, will the hon. Minister of Finance and Economic Development consider whether there is a possibility to ask the Bank of Mauritius to review the charges on credit cards, being given that many banks charge above 2.5% to 3% on every transaction? So, will the hon. Minister consider asking the Bank of Mauritius to review the percentage charged on credit cards so as to make it possible for persons using their credit cards to purchase commodities everywhere, even from fuel pump stations?

Madam Speaker: This question is not within the ambit of the question which has been asked, but if the hon. Minister of Finance and Economic Development wishes to reply, he can do so.

Mr Lutchmeenaraidoo: Thank you. I will do it. In fact, there are sectors, subsectors or subsections in the business of banks which are creating problems since a long time. The one is the exchange rate on the cross, when you buy and you sell forex, the margin can be 3% to 5%. That can be huge.

(Interruptions)

If you don't mind, I have a problem. Madam Speaker, excuse me. So, the cross rate, exchange rate has been an area where banks overcharge.

In other countries, the difference between buying and selling is normally less than 1%. Here, it extends to 5%. Credit card charges are much higher in all countries because consumers just consume and don't know that they pay a lot of interest. So, the Bank of Mauritius has carried out an extensive review of all those charges and the bank is looking into it for changes. This is being done presently.

Madam Speaker: Hon. Sesungkur!

Mr Sesungkur: Thank you, Madam Speaker. Will the hon. Minister consider or is he contemplating a dose of reform after so many criticisms, like hon. Mahen Jhugroo just

mentioned, on the fees and charges, but also on the sector-wise distribution of credit, how capital is being distributed, and the overall impact and the inefficiencies which the current practices of banks are causing to the overall economy of the country?

Mr Lutchmeenaraidoo: We all know about it. In fact, in the last Budget, we spelt out this huge problem, especially those offering credit facilities for purchase. They have been charging 19% interest rate - higher purchase. Therefore, in the Budget it was reduced to a maximum of 12%. So, this has been done. The question is: "can we?" Yes, thank you.

(Interruptions)

Madam Speaker: Please!

Mr Lutchmeenaraidoo: The hon. Member is right. In fact, when we reduced the rate from 19% to 12%, they have found a means of bypassing this criterion. They still charge about 16%. So, it is a difficult sector. You are intelligent, you try to put order, and they are not that bad also. So, the Central Bank is, I think, trying to implement measures to correct those anomalies.

COMMERCIAL BANKS - ACCOUNT OPENING – PROCEDURES

(No. B/695) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE) asked the Minister of Finance and Economic Development whether he will state if he is aware that the establishment of lengthy, complex and cumbersome procedures by some commercial banks for the opening of bank accounts is proving difficult for corporate entities and individuals and, if so, indicate if he will consider requesting the Bank of Mauritius to inquire thereinto and to propose appropriate reforms of the banking sector to correct certain imperfections and/or abuses.

Mr Lutchmeenaraidoo: Madam Speaker, when opening an account with a commercial bank, certain legal procedures have to be followed to identify the customer, known as the 'Know Your Customer' principle. Yet, the requirements should not be such that it becomes an obstacle to open a bank account.

From the international standard setters, namely the Financial Action Task Force (FATF) and the Basel Committee on Banking Supervision recognise that Anti-Money Laundering and

Combating the Financing of Terrorism (AML/CFT) measures have to be so designed to meet the national goal of financial inclusion, without compromising the measures that exist for the purpose of combating crime. Applying stringent AML/CFT requirements can have the unintended consequence of excluding legitimate businesses and consumers from the formal financial system, hence causing financial exclusion. This factor is taken into consideration in the new FATF Recommendation of 2012 and a Guidance Paper in respect of financial inclusion has also been issued by FATF.

The FinScope Consumer Survey carried out in 2014 showed that 85% of our adults are banked, i.e, uses the financial products and services offered by a bank. Mauritius tops the list of SADC countries and other African countries in terms of financial inclusion.

Indeed, it is not reasonable for banks to take an unduly long time to process and open a bank account. I have raised the matter with the Governor of the Central Bank who will address the issue and come up with remedial actions.

Mr Sesungkur: Madam Speaker, will the hon. Minister agree that, in this modern world, access to bank and banking facilities is a fundamental right, and that he will ensure, through the Central Bank, that such rights are not denied to our citizens, be it individual or corporate?

Mr Lutchmeenaraidoo: MauBank will be there to do the job.

Dr. Sorefan: Madam Speaker, may I know from the hon. Minister whether the bank can order an individual to deposit his statement of account to the MRA for opening an account?

Mr Lutchmeenaraidoo: I don't have the reply, but if the hon. Member comes with a substantive question, I will reply to it.

Mr Ramano: Dans le dernier budget, l'honorable ministre a annoncé la création d'un *Ombudsperson for financial institutions*. Est-ce que je peux savoir le *scheme of duty* de cet *Ombudsperson*, et en quoi sa mission sera différente de celle de la Banque de Maurice ?

Mr Lutchmeenaraidoo: Well, again, the question is outside the premise of this question. So, if the hon. Member comes with a substantive question, I will reply to it.

Madam Speaker: Next question, hon. Sesungkur!

PROCUREMENT DISPUTES – COST

(No. B/696) Mr D. Sesungkur (First Member for Montagne Blanche & G.R.S.E) asked the Minister of Finance and Economic Development whether, in regard to the procurement disputes and other contingent liabilities, he will state the costs incurred by Government in relation thereto and expected costs to be incurred in relation to the pending cases for each of the years, 2005 to 2014.

(Withdrawn)

PUBLIC SECTOR DEBT

(No. B/697) Mr D. Sesungkur (First Member for Montagne Blanche & GRSE) asked the Minister of Finance and Economic Development whether, in regard to the national debt, he will state the –

- (a) mode of calculation thereof;
- (b) magnitude of increase thereof over the period 2005 to December 2014, indicating the average amount of funds applied annually towards the servicing thereof, and
- (c) strategy developed by Government to manage the level thereof in future and to ensure that we do not live beyond our means.

Mr Lutchmeenaraidoo: Madam Speaker, with regard to part (a) of the question, the national debt is the amount that the public sector, including the Central Government, local authorities, Rodrigues Regional Assembly and the public enterprises have borrowed over the years and is outstanding. This is referred to as the public sector debt, as defined by the IMF. This is the gross debt of the public sector. However, the Public Debt Management Act 2008 defines the net public sector debt for the purpose of debt ceiling. I will come to that in my answer to part (c) of the question.

And, indeed, Madam Speaker, the public sector debt according to both definitions has grown into a major issue that this Government is committed to address because if it gets out of control it can severely undermine the economic stability of the country. In fact, the public sector

debt has become very high and is, therefore, a serious constraint on the public sector's borrowing capacity.

At a time when private sector investment is falling, the public sector should normally respond with an increase in its investments so that GDP can grow at a faster pace with rapid job creation. But the public sector debt serious situation does not allow for such a response. It is in this perspective that Government is encouraging a greater participation of the private sector in public sector projects.

Regarding part (b) of the question, the public sector debt has increased from Rs129.2 billion in 2005 to Rs237.7 billion by the end of December 2014, that is, an increase of Rs108.5 billion. This is a huge increase of 84 per cent. This is equivalent, in fact, to 61.5 of GDP – a level which is far too high for comfort and which, unfortunately, this Government has inherited.

On average, every year, since 2010, some Rs38.4 billion have gone in the servicing of public sector debt, of which Rs10.2 billion of interest and Rs28.2 billion of capital repayments.

As regards part (c) of the question, Government is committed to bring the net public sector debt to 50 per cent of GDP by 2018, as required by law. I should, here, stress that, for the purpose of the Public Debt Management Act, the public sector debt excludes -

- (i) IMF SDR allocations;
- (ii) outstanding amount of Government securities issued for mopping up of excess liquidity, and
- (iii) Government cash and cash equivalents.

In addition, the debts of some public enterprises are discounted according to the risk they represent to public finance. The criteria for such discounting are laid down in the Act. According to this definition, the public sector debt amounted to Rs209 billion at end 2014, that is 54.1% per cent of GDP.

Our strategy for managing the debt is, first of all, to keep the budget deficit at a low and sustainable level, by staying within the 3 per cent benchmark. Secondly, our policies to spur growth and development will expand our GDP at a faster pace than in the past and improve the

sustainability of the debt. Thirdly, our strategy is focusing on reducing the share of external debt in total debt. This is aimed at reducing the external debt service ratio and making public finances less vulnerable to foreign currency shocks. This will also help to ease the problem of excess liquidity in our banking system, as we will be borrowing more on the domestic market. Fourth, we are lengthening the maturity of our debt with more long term issues and thus reducing the roll over risk. Fifth, to reduce the burden of debt on Government, we are encouraging greater private sector participation in public sector infrastructure and other projects. And sixth, Madam Speaker, we are addressing inefficiencies and improving governance structures in public enterprises. This should be a significant impact on improving their finances.

Madam Speaker: Hon. Sesungkur!

Mr Sesungkur: Thank you, Madam Speaker. Given that the hon. Minister said that the *marge de manœuvre* for borrowing is very limited and that we need financial resources in future to finance our projects, how is he envisaging to look for alternative ways of financing to realise those projects?

Mr Lutchmeenaraidoo: I have just replied part of this question. In fact, the debt level is such that the public sector cannot generate more debt. In fact, we have to reduce the debt to 50% of GDP, we are 54.1% presently. So, the question is very simple: how do we encourage growth when the public sector, which should have investment, cannot have released funds for it or cannot take new debt? This is a fundamental issue we have. This is why the Government, since the very beginning, we have been trying to encourage private sector investment more and more and also get into more FDI. To go further still, projects infrastructure like those of my colleague, the hon. Vice-Prime Minister, Minister of Energy and Public Utilities and my colleague, the hon. Minister of Public Infrastructure and Land Transport, many of these projects now will be carried out probably on the basis of G to G or BOT. we are working on this, just to ensure that we can release the funds necessary because the project - my friend is right - is massive, for water especially, and for road it is Rs15 billion on four years. So, we have to reinvent financing methods to get through.

Mr Barbier: If I heard the hon. Minister well, it seems that we are not allowed to go over a certain percentage of GDP to our consolidation about public debt and it seems we have already reached over that percentage, and the Minister stated that by law we cannot go over that. So, it

means that we have had a situation where we have people who are outlaws today. So, may I know from the Minister who are those responsible or are these people, who are outlaws who have not respected the law concerning public debt?

Mr Lutchmeenaraidoo: We are constrained by the law to reduce the debt to 50% of GDP in 2018. So, we still have some time.

Mr Mahomed: May I then ask the hon. Minister what is the current ceiling not to be exceeded at this point in time?

Mr Lutchmeenaraidoo: Sorry?

Mr Mahomed: I understand that in 2018 it is going to be 50% but, as at now, what does the law provide for?

Mr Lutchmeenaraidoo: I think I need to give one precision. We use two types of figures. One, calculation of public debt as a percentage of GDP as defined by IMF, this is 64% or 60.1% – I will have to check it. And the second one is the calculation of the debt in function of the commitment we have taken by law and this is at 54.1%, it will have to be brought down to 50% by 2018.

Madam Speaker: Next question, hon. Barbier!

CUSTOMS DEPARTMENT – DIRECTOR - POST

(No. B/703) Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West) asked the Minister of Finance and Economic Development whether, in regard to the Customs Department, he will, for the benefit of the House, obtain from the Mauritius Revenue Authority, information as to if the post of the Director thereof is vacant and, if so, since when, indicating when it will be filled.

Mr Lutchmeenaraidoo: Madam Speaker, I am informed by the Mauritius Revenue Authority (MRA) that, following the expiry of the contract of the former Director of Customs, Mr Lenaghan, on 21 May 2015, the post of Director of Customs is vacant.

As per the MRA HR Management Manual, all vacancies should first be advertised within the organisation. In case there is no suitable candidate, application for the post is then opened to candidates outside the Authority.

I am informed that the post of Director of Customs was advertised internally and the selection exercise is under way.

Mr Barbier: May I know from the hon. Minister whether there is any reason why the post has not been advertised internationally?

Mr Lutchmeenaraidoo: The question was answered. I said here –

“As per the MRA HR Management Manual, all vacancies should be first advertised within the organisation.”

This is what has been done; there have been applications and the MRA is now processing those applications.

Mr Jhugroo: May I ask the hon. Minister why he should advertise internationally when we have got people qualified, unemployed and seeking for jobs elsewhere? Because when we see what happens at Air Mauritius...

Madam Speaker: Hon. Jhugroo, I think we have understood your question.

(Interruptions)

Please!

Mr Lutchmeenaraidoo: My colleague is right. As far as possible, we have to give preference to Mauritians, so much so that we have now more and more professionals, Mauritians coming and the Diaspora Scheme announced in the Budget is encouraging, in fact, Mauritians to return back.

(Interruptions)

You are right!

Mr Barbier: May I know from the hon. Minister who is the Acting Director actually?

Mr Lutchmeenaraidoo: I don't know.

Madam Speaker: Next question, hon. Barbier!

FISHERS - COMPENSATION

(No. B/704) 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 fishers of Baie du Tombeau, Roche Bois, Bain des Dames, Sables Noir, Grand River North West and Pointe aux Sables affected by the developments in the Port Louis Harbour, he will give a list of those who are eligible for compensation, indicating –

- (a) the sum payable to each one of them;
- (b) those in respect of whom the payment thereof has already been effected, and
- (c) whether, as was the case in the north, those who are regular and active but not possessing the fisherman professional card will also be taken into consideration for the payment thereof.

The Deputy Prime Minister: Madam Speaker, with your permission, I shall reply to this question.

With regard to parts (a) and (b) of the question, I am tabling the information requested by the hon. Member.

Madam Speaker, as regards part (c) of the question, I am informed by the Permanent Secretary, Ministry of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands that the case in the north relates to a particular incident whereby vessel MV Angel was grounded off at Poudre d'Or on 08 August 2011. The insurance company of the vessel, Skuld Insurance Company, paid the relevant compensation.

I am informed by the Director General, Mauritius Ports Authority that the only fishermen have made representations in connection with the MCT Extension Works. A Joint Technical Committee comprising representatives of the MPA, the Ministry of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands and the legal representative of the fisher-people has had several meetings since October 2013. The Committee has agreed that only registered fishermen shall be considered in the dispute between MPA and the fisher-people.

Subsequently, the MPA and the fisher-people have agreed that a mediator/ arbitrator be appointed to resolve the dispute.

Accordingly, on 07 July 2014, a mediation/arbitration Agreement was signed between the parties and the former Chief Justice.

However, as a mediation/arbitration process was not successful, the MPA and the fisher-people agreed to holding fresh negotiation. An agreement, in September 2014, was reached on the amount of compensation to be paid.

Madam Speaker, I would like to inform the House that when the MPA effected the dredging works of the English Channel in 2006, only the fisher-people were compensated. The same principle has again been adopted.

Mr Barbier: This is why I am making a plea in favour of those fishers who do not have their professional cards and they are in waiting for years, but they are doing their job, they are having their living out of fishing. Unfortunately, they are not considered for compensation when all these mediations and discussions have been going on. So, may I ask the hon. Ag. Prime Minister - now we have a new Government, we have a Minister today who understands the problem of the fishers – whether he will consider the possibility of considering the *grievs* of these fishermen not having professional card also for compensation?

The Deputy Prime Minister: Madam Speaker, this matter has already been dealt with. Some 270 people have been paid about Rs40 m. - quite a high number. I must say that nearly all of them obtained a sum of Rs150,000 each, which is much more than the amount that was paid in 2006, as I am sure the hon. Member knows. Now, this has been finalised; but I know also that there are 80 fishermen who are being assessed at the moment with a view to receiving their professional fisherman card. If they do receive this card, obviously then, for any other future compensation for further works or whatever else is done with the development in the Port, they will be included.

Mr Barbier: The Ag. Prime Minister is talking about ‘further’ compensation, not the ongoing one. My plea is for the ongoing one. So, may I have a clear-cut answer, whether they are going to be considered or not?

The Deputy Prime Minister: In fact, there is no ongoing one. The previous fishermen have just been paid, it is being finalised. Payments have been made to 270 or so fishermen. Only about 10 or 15 have not accepted the amount of money, but that has been paid and it is quite a high sum, Madam Speaker. What I am saying is, this is finished, let us look, now, to the future and any further work that will be done and on how all the people can be compensated, if need be.

Madam Speaker: Next question, hon. Barbier !

POINTE AUX SABLES – SQUATTERS - SOCIAL HOUSES

(No. B/705) **Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the social houses constructed at Pointe aux Sables for the squatters who actually reside on the alignment of the forthcoming Ring Road at Tranquebar, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to where matters stand.

The Minister of Public Infrastructure and Land Transport (Mr N. Bodha): Madam Speaker, with your permission, I will reply to this question.

I am informed that 82 housing units have already been put up at Pointe aux Sables by the State Land Development Co. Ltd. in favour of the National Empowerment Foundation. This housing project did not involve at all the National Housing Development Company Limited.

In fact, a couple of years ago, at the request of the Ministry of Public Infrastructure and Land Transport and Shipping, the Ministry of Housing and Lands initiated acquisition procedures in connection with the Ring Road Project Phase II and part of the alignment running in Tranquebar was squatted upon by some 70 families. Suitable sites which could be used for the purpose of relocating the families, subject to them satisfying the eligibility criteria had to be identified.

Madam Speaker, as no suitable State land was available, an extent of 20A of private land from State Land Development Co. Ltd. at Pointe aux Sables/Petit Verger was acquired in exchange of land obtained at Camp Ithier by the Ministry under the 2000A Mauritius Sugar Producers Association/Government deal.

An extent of 6A out of the 20A at Pointe aux Sables was vested in the Ministry of Social Integration, which Ministry was entrusted with the responsibility of relocating the squatters concerned.

In the meantime, the number of squatters increased from 70 to 82. Accordingly, tenders for the construction of 82 houses were launched and the State Land Development Co. Ltd. proceeded with the award of the contract.

As the housing units are State-owned and belong to the National Empowerment Foundation, it has been decided that the latter would proceed with the sale of these housing units on the understanding that the Mauritius Housing Company Ltd. would be responsible for the management of the sale contract as was the case for the squatters of Dubreuil.

My Ministry will finalise in due course the lease agreement in respect of each beneficiary.

Madam Speaker, it has also been decided that the National Empowerment Foundation, with the help of its social workers, who are familiar with the region of Tranquebar, would carry out a Public Relation (PR) exercise to ensure the successful implementation of the project relocation.

The National Empowerment Foundation would also initiate the drawing of lots for allocation of the housing units.

This exercise has been planned with an indicative time frame and it is expected that the formalities would be initiated in the coming weeks.

Madam Speaker: Hon. Barbier!

Mr Barbier: As regards the last part of the answer, do we have any precision concerning the time frame? When does the hon. Minister think the allocation will be completed?

Mr Bodha: Well, from the answer that I have, Madam Speaker, it is in the coming weeks. So, it is a question of weeks. I will see whether I can give a precise date later.

Madam Speaker: Hon. Dr. Sorefan, next question!

Dr. Sorefan: Thank you, Madam Speaker. The first question that was on the agenda, No. B/657 that is being answered as per the rule of this House, last!

POLICE OFFICERS – INTERDICTION

(No. B/657) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Police Officers, he will, for the benefit of

the House, obtain from the Commissioner of Police, information as to the number thereof who have been interdicted, since 2009 to date, indicating the number of cases thereof which -

(a) have been determined and the outcome thereof, and

(b) are pending, indicating if any mechanism is being envisaged to speed up the process.

The Minister of Civil Service and Administrative Reforms (Mr A. Wong Yen Cheong): Madam Speaker, with your permission, I shall reply to Parliamentary Question No. B/657.

I am informed by the Commissioner of Police that since January 2009 to 09 October 2015, 280 Police Officers were on interdiction from duty.

In regard to part (a) of the question, I am informed that 106 cases out of the 280 have already been determined. The outcome is as follows –

- 94 Police Officers have been reinstated;
- 6 have retired, and
- 6 have been dismissed.

Madam Speaker, in regard to part (b) of the question, 170 cases are still pending. I am informed by the Commissioner of Police that all efforts are being made to speed up the completion of Police enquiries on cases involving interdicted Police Officers.

On 02 July 2015, the Commissioner of Police issued a circular to all Divisional Commanders reiterating the request for early completion of enquiries involving Police Officers and, at the same time, to submit a monthly return of these enquiries to the Police Headquarters for close monitoring.

I am also told that, the Master and Registrar has informed the Commissioner of Police that at their level also they are closely monitoring the disposal of such cases lodged before the various Courts and that they have issued appropriate instructions to all the Magistrates. Thank you.

Dr. Sorefan: Madam Speaker, I thank the hon. Minister for answering that part of the cases having been settled down. But is the hon. Minister aware that salaries paid to those interdicted officers as up-to-date amount to around Rs160 m., without forgetting the inclusive monthly rent allowance? Will the hon. Minister see to it that the fast track - that seems to be now going on from what the Minister has said - mechanism which was set up in 2008, it is only now, after seven years, that I think we are adhering to - really be a fast track?

Mr Wong Yen Cheong: I thank the hon. Member for this question. We are definitely making sure and that is why my Ministry has already come with some measures. We are speeding the matter and we are following the case very closely.

Dr. Sorefan: Madam Speaker, regarding cases at the Supreme Court, will the hon. Minister see to it that cases are attended to as quickly as possible because we have 11 cases awaiting judgement for over 10 years. There are interdiction cases that are waiting for 10 years to be taken by the Supreme Court and we have 30 cases between 5 and 10 years. Will the hon. Minister - I don't know to what level - intervene so that all the cases are dealt with urgently?

Mr Wong Yen Cheong: In fact, in March 2015 my Ministry made proposals to an alternative to interdictions to the Attorney General's Office. It was proposed to redeploy officers to other Ministries/Departments instead of interdictions and this is one of the measures. Also we have gone to the Attorney General to see how we can speed up the matter so that we can come as fast as possible. We are indeed very concerned with the amount of money that the Government is spending on these issues.

Madam Speaker: Hon. Fowdar!

Mr Fowdar: I would like to ask the hon. Minister whether he is aware that some of the officers were dismissed using section 37 of the DFSC Regulations, unfair dismissal? Whether he will consider looking at these cases and reintegrating those officers who have been unfairly dismissed during the past regime?

Mr Wong Yen Cheong: Thank you. My Ministry has come in March for these redeployments. We are studying the matter and I have already proposed like in cases of redeployment when we have people who have embezzlement and they are from Finance, we can

send them to registry which has nothing to do with embezzlement. They don't have any contact with money. We had a case with computer misuse which was in an office and they have been sent to outstations where no IT system is available and there are many other issues where we can redeploy the officers. We will make sure that they are doing work for the money they are earning instead of staying home. Thank you.

Madam Speaker: Hon. Ganoo!

Mr Ganoo: May I draw the hon. Minister's attention to the Director of Audit's Report, year in and year out, the question of interdicted Police Officers or public officers is always high on the agenda of the Director of Audit. For example, in last year's report which was tabled a few weeks ago, the Director of Audit says –

“A sum of Rs211.8 m. was paid to interdicted officers over the past five years. These officers were paid salary for services not rendered. The cost of interdiction is significant and is on the increase.”

May I also ask the hon. Minister that one of the reasons that there are so many interdicted officers is not only because the Courts have not disposed of the matter. In some cases, even if the officers have been found guilty or not guilty, the administration is still hesitating to take whatever decision and the officers still remain interdicted although the cases are being disposed of by Courts of Law? Can I ask the hon. Minister to see to it also that the administration, concerning the Police Force or the Public Service sometimes shies away from taking the decision even after the cases are being disposed of by Courts of Law?

Mr Wong Yen Cheong: That is why I already said when I reached my Ministry I have taken these issues on board because I find it incredible that we are spending so much money. We are coming through it, we are seeing to it.

Mr Fowdar: Madam Speaker, what I was referring to the hon. Minister was section 37, which is dismissing a public officer under the ground of public interest, which is vague. There is no embezzlement, there is no solid reason for that. I am asking again whether the hon. Minister will consider those who were dismissed using section 37 of the DFSC Regulation and whether they would be reconsidered for reintegration based on a sort of fairness to see to it that people are given their chance again?

Mr Wong Yen Cheong: I will look into the matter.

Mr Jhugroo: Madam Speaker, being given that we have got several Police Officers who are suspended for so long and we also have many Public officers in the same situation, will the hon. Minister consider asking the department concerned if we can have a special Court to look after all these issues?

Mr Wong Yen Cheong: In fact, we can't make a policy of *deux poids deux mesures*. If we do it, we have to do it all across for the public also. That is why we can't take on board only for the public servants, but we will look how we can make it a fast track for everyone. This is why I've gone to the Attorney General's office for.

POINTE AUX SABLES - COASTAL ROAD - UPGRADING

(No. B/667) **Mr J. C. Barbier (Fifth 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 project for the enlargement of the coastal road at Pointe aux Sables by the National Development Unit, he will state if the implementation thereof will be carried out during this financial year and, if not, why not.

The Minister of Public Infrastructure and Land Transport (Mr N. Bodha): Madam Speaker, with your permission I will reply to this PQ.

I am informed by the RDA as follows –

- (a) the Pointe aux Sables road is a main road which stretches over a length of 8.5 km and starts at junction with A1 Road, that is, Curepipe to Port Louis at Grand Rivière North West and passes over an approximate distance of 4 km along the coast through Pointe aux Sables and Petit Verger and continues inland to end at junction with Albion road at Petite Rivière;
- (b) the road under reference forms part of an overall network of roads in Mauritius which has been built long time ago and whose construction was not subject to any study nor engineering design. Such roads were not designed for today's heavy traffic;

(c) a survey is currently being carried out by the RDA to consider the possibility of upgrading the coastal road, and

(d) the survey includes evaluation of the structural's integrity of the existing road and

identification of availability of land for any enlargement. This project may entail acquisition of land and availability of funds. Consideration will therefore be given for this particular project as soon as land acquisition and financial issues have been settled. Other similar projects in other regions will also be given due consideration.

Mr Barbier: Madam Speaker, I am happy to hear that the project is under consideration. I have been putting the same question since the last 20 years now and I heard the project is coming, will come, is under consideration and, now, under study! May I have a time frame? Now, it is high time! As the House may be aware, this is a road where we have had so many accidents these past years and some fatal ones. So, I think there is urgency. May I have a sort of engagement, a promise from this actual Minister who seems to be doing his work very well?

(Interruptions)

Will he, now, give me a time frame for the implementation of this project, Madam Speaker?

Mr Bodha: Madam Speaker, I had a conversation with the hon. Member. He said he has been asking this question for the last 20 years and when he first asked the question, the cost of it was Rs20 m. Today, it is Rs140 m. So, a lot will depend on the hon. Minister of Finance and Economic Development, but I can promise that I will put up a strong case for him.

MOTION

SUSPENSION OF S.O. 10 (2)

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

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo) rose and seconded.

Question put and agreed to.

STATEMENT BY MINISTER**NEEDLE EXCHANGE PROGRAMME & METHADONE MAINTENANCE
THERAPY**

The Minister of Health and Quality of Life (Mr A. Gayan): Madam Speaker, I wish to make a statement on the evaluation of the Needle Exchange Programme and the Methadone Maintenance Therapy. During my mission to Cape Town last week, I had the opportunity to discuss with Mr Michel Sidibé, the Executive Director of UNAIDS (ONUSIDA), regarding the Harm Reduction Programmes being implemented by my Ministry in collaboration with the NGOs with regard to substance abuse, namely the Needle Exchange Programme and the Methadone Maintenance Therapy. Originally, the latter programme was meant to last for only two years.

Taking into consideration that the two programmes were initiated since 2006, I am proposing to invite UNAIDS to carry out a full and comprehensive evaluation to assess the relevance, effectiveness, efficiency and sustainability of the two programmes since the inception and to come up with appropriate conclusions and recommendations.

The purpose of such evaluation would be to assess -

- (i) the objectives set initially, the outcome and impact thereof;
- (ii) the methodologies of the two programmes;
- (iii) the success or otherwise of the programmes;
- (iv) the institutional collaboration between Government and the NGOs especially with regard to follow-up by the latter for the rehabilitation of beneficiaries of the programmes, etc;
- (v) the cost effectiveness of the programmes funded partly by Government and international organisations;
- (vi) the role played by the NGOs in the reintegration of beneficiaries in the mainstream society, and
- (vii) the cost-benefit analysis of all amounts spent so far by Government and other funding agencies, both local and international.

I hope that this SWOT (Strengths, Weaknesses, Opportunities and Treats) assessment will be helpful in our strategy to obtain tangible results in the national interest.

PUBLIC BILLS

First Reading

On motion made and seconded, the Native Terrestrial Biodiversity and National Parks Bill (No. XVI of 2015) was read a first time.

Second Reading

THE ROADS (AMENDMENT) BILL

(No. XII of 2015)

Order read for resuming adjourned debate on the Second Reading of the Roads (Amendment) Bill (No. XII of 2015).

Question again proposed.

(3.32 p.m.)

The Minister of Environment, Sustainable Development and Disaster and Beach Management (Mr R. Dayal): Madam Speaker, the Roads (Amendment) Bill, I must straightaway commend my colleague, the hon. Minister Bodha, as it comes in a timely manner with the provision of a legal framework to manage the impact of rain and surface water on our roads which is a cause of multifarious problems. Mauritian history has it that Mr David Oakley, a UNDP expert in 1977, came up with recommendations for sustainable urbanisation which was not implemented fully. It is to be noted that the improper management of rain surface water has direct impact on our roads in the wake of flash floods and torrential rain. Government took a laudable initiative to provide an institutional framework with the creation of a land drainage agency. Also in the same spirit, this Government came up with a concept of smart cities to deal with a multitude of problems associated with urbanisation and to make the whole of Mauritius a smart city and taking on board proper management of rain and surface water thus ensuring the physical development of our land mass and meeting holistically the urgency of climate change to

ensure sustainable development. Moreso, with the advent of the force El Nino and La Nina, meteorological phenomenon is already forecasting torrential rain in our region for this cyclonic period.

The concept of this Bill is aimed at taking bold and pragmatic measures, amongst others, to harness the problem associated with rain and surface water at all levels for preventing negative impacts on our roads during adverse meteorological conditions to protect life and property.

The proactive principle of disaster management mandatorily imposes proper management of rain and surface water which has been neglected for years and this has exacerbated the condition of excessive water pouring into public and road infrastructure with fatal consequences. This was evidenced by flash floods experienced at Mon Gout and Port Louis which took a heavy toll of 13 human lives.

Allow me also to take the hon. Members of the House, members of the press and the public in general to the adverse atmospheric conditions that prevail in Mauritius from the end of December 2014 to April 2015 where we witnessed rainwater from sugarcane fields coming on to public roads as well as from private property because of mismanagement of drains. This could have been avoided to a great extent through the management of drains throughout the island more precisely where such drains impact on road users. Bold measures had to be taken to avoid distress to our inhabitants including tourists. Therefore, I have to congratulate my colleague, the hon. Minister of Public Infrastructure and Land Transport for introducing the Roads (Amendment) Bill that gives greater powers to a highway authority to prevent the illegal discharge of water, soil or refuse from any private property on a road or into a road drain. Equally, the provision of an amendment whereby instead of going to the Supreme Court, the Judge in Chambers, the provision is made for looking into, giving those powers to Courts for expedient responses and expediency of the law enforcement.

I am convinced that this long-awaited amendment to the Roads Act will undoubtedly help to achieve better cleanliness and prevent clogging of drains thus preventing flooding and enhancing public and road safety.

Madam Speaker, my Ministry receives many complaints regarding discharge of storm water and wastewater from private, commercial and industrial properties into road drains. There

are also many cases of stockpiling of construction materials or debris on roadsides and drains. Moreover, drains are sometimes filled in to allow access of vehicles into private property particularly during construction stage. These drains remain obstructed even after the construction is completed. Another common problem is a tendency for mechanics to operate vehicles' repairs on the road, thus, spilling used oil on roads and drains. What is worse still, is that all types of vehicles are parked on drains, this is further complicated by the haphazard dumping of wastes into the environment including roads and drains.

One of the main amendments proposed in the present Bill relates to the dumping of refuse on the road with severe environmental consequences. Solid waste is one of the greatest problems the world is facing today. First, there are high cost associated to solid waste disposal and management and also, it causes severe environmental damage if not disposed properly such as odour, nuisance, risks of contamination of water courses and blockage of drains. Indeed, in addition to the country's inherent vulnerability with rapid development taking place over the past two decades, lifestyles and consumption patterns have changed significantly leading to irresponsible throwaway culture. We have a responsibility to inculcate a culture of environmental behaviours. Although Mauritians are aware of the benefits of environmental protection, many of them do not always adopt an environment friendly attitude.

Madam Speaker, Government is very much concerned with accidents occurring because of slippery roads which have resulted in serious injuries and loss of lives following overflow of water on roads due to blocked drains.

Safety of road users is of paramount importance for this Government and the new road safety measures being taken by hon. Nandcoomar Bodha is an urgent appeal to all of us to adopt a responsible driving culture. Government will play its role fully to curb down risk on the roads provided there is a wake-up call on do's and don'ts. There will be more signage to indicate black spots along dangerous roads, strengthening of road safety legislations and enhancing protection of the most vulnerable road users, amongst others. On the other hand, drivers will have to strictly abide by the laws and regulations in force.

Madam Speaker, my Ministry is taking a number of initiatives to complement this laudable initiative taken by my colleague the hon. Minister of Public Infrastructure and Land Transport. Allow me to enumerate a few.

- It has been observed that external factors like muddy roads impact on eco-driving and is a serious cause for road accidents. Although a lot of emphasis is being put on eco-driving, because of irresponsible behaviour of third parties, road users have to bear the brunt. My Ministry is embarking on an aggressive awareness campaign on eco-driving that incorporates safe driving.
- The invasion of beaches by plastics and the sea is causing serious concerns among scientists. Recently, the Race for Water Odyssey that landed in Rodrigues last week to find out the level of pollution of oceans by plastic highlighted that the sea has become a floating garbage of billions of trash that get accumulated to the seabed because of ocean currents. The Oceanographer came, Kim Van Arkel, one of those responsible for, I quote -

« sur le macro-fragment les résultats sont même affolants. »

The beach of Gravier in Rodrigues is *particulièrement touché*. The île Gombrani which is near Pont Sud Est in Rodrigues has a sad record. I quote -

« C'est le site le plus pollué parmi la trentaine des plages à travers le monde que nous avons passés au crible depuis le début de l'expédition. »

Some 66 kg of plastic wastes were collected only on a small portion of the beach and all these came from drains. This emanates from an article published in *l'Express* dated 12 October 2015.

Hence, our initiative to ban plastic bags was laudable because plastic carrier bags have been found to cause obstruction of drains as well as having detrimental consequences on the environment.

My Ministry has promulgated, on 06 August 2015, the Environment Protection (Banning of Plastic Bags) Regulations, 2015 which will become effective as from 01 January 2016.

My Ministry has reinforced the law on illegal dumping by making provision for more severe penalties for defaulters.

Sensitisation campaigns are continuously being carried out to raise awareness of the promulgation on the consequences of dumping and littering which irremediably has far-reaching implications of our ecosystem. Therefore, I can only congratulate my colleague, hon. Nandcoomar Bodha, for this amendment.

Madam Speaker, once again, I would like to thank my colleague for coming up with these long-awaited amendments to the Roads Act which will surely enhance cleanliness of our roads and safety of road users.

And lastly, I would like to propose an amendment to the Bill to consolidate legal measures after consultation with the Attorney General's Office on amendment and that amendment is basically for making the law enforcement more expedient at the level of our Courts which is already taken on board.

Thank you very much.

(Interruptions)

Madam Speaker: Hon. Dr. Sorefan!

Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix): Thank you, Madam Speaker. I would like to thank the hon. Minister for coming with this amendment to this Bill and from the outset, let me say that we are not against this amendment.

Madam Speaker, before I move my exposé on this amendment, I would like to define the word 'authority' because highway authority is mentioned in this Bill. 'Authority' is defined as an institutionalised and legal power, inherent in a particular function, that is meant to enable its holder to successfully carry out its responsibilities. Now, we are giving greater powers to a highway authority. Why? Because the previous law was weak, not powerful. Now, we are trying to make it, as the first sentence reads –

“(...) greater powers to a highway authority(...).”

Having defined the word ‘authority’, Madam Speaker, rest assured that, after what we witnessed this morning, we, from this side of the House, will never challenge your authority, as defined in this august Assembly.

(Interruptions)

We show due respect to an august Assembly and it is going to be like this from this side of the House.

Madam Speaker, this amendment has been drafted by officers of the MPI, then sent to SLO, back to MPI, to Cabinet, and then to this august Assembly by the Rt. hon. Prime Minister on a Certificate of Urgency under Standing Order 65. How come that such an amendment carries some unexcusable errors, which hon. Eddy Boissézon qualified as ‘probably a typing error’? Hon. Shakeel Mohamed also qualified it as a ‘typing error’. Madam Speaker, I honestly disagree. Officers from the Ministry and the SLO have failed in their duty. They took it too lightly.

Madam Speaker: No, hon. Member, please, you have to withdraw this, because you can’t say that officers of the SLO have failed in their duty. Please, withdraw it!

Dr. Sorefan: Okay, if I have to withdraw that section, let it be recorded that I withdraw. But, Madam Speaker, in the amendment that has been circulated, as hon. Eddy Boissézon mentioned, in the main Act, section 27 reads ‘occupier’ and not ‘non-occupier’. So, I can’t see how such an amendment coming in such an august Assembly has failed - from whoever drafted it to come to this august Assembly. How come they have written to amend something that is not there? They should have said: “amend ‘occupier’ in section 27(1) (a)...”

Madam Speaker: Hon. Member, please make your suggestions. But, please, avoid mentioning officers or those who drafted or whoever. You have the leisure of proposing your own amendments.

Dr. Sorefan: Madam Speaker, what I was getting at is that when a Bill comes to the House, it should be well drafted because we are talking in an august Assembly. That is my point. I did mention that to the hon. Minister when I met him after this Bill was circulated with another draft mentioning what will be amended from the original Bill. I was expecting the hon. Minister, in his first reading, to rectify it, but this was not so. Anyway!

Madam Speaker, let me come to the section of the amendment where there are - hon. Shakeel Mohamed said it very well - two negatives. If we read it as it has been amended, it is said –

“No occupier shall not (...)”

When amending it, they should have read it. The words ‘shall not’ should read only ‘shall’. But here also, we see such a sentence coming in this august Assembly.

My second issue, Madam Speaker, is section 27 (2), which reads –

“Any person aggrieved by a refusal of permission under subsection (1) may appeal to the Minister, whose decision shall be final”.

This has not been taken care of. This, in my humble opinion, should have been deleted, because in the amendment which has been circulated today - to be amended as ‘Courts’ with its definition - we see that the powers go to the Court, to the Judge in Chambers,. So, we can’t have two kinds of power; one given to the Minister, as per the original Bill, and then, in the amendment, we give it to the Judge, the Court to inflict, or to give power to the highway authority to do the needful. So, I personally think that this section should have been taken care of and moved for this amendment to be deleted.

Madam Speaker, regarding the words ‘Judge in Chambers’ which have been amended to ‘Courts’ - amendment which has been circulated today - this is quite acceptable, because if it was to leave the Judge in Chambers to decide, it would have caused a lot of hardship to those who live far away, say in Mahebourg, who have to come to Port Louis. But, now, the hon. Minister has proposed amendments that the ‘Judge in Chambers’ should be deleted and replaced by ‘Courts’, which is quite acceptable because people can go to their own Courts in their region and have things sorted out.

Madam Speaker, when the contravenant goes to Court and the Court decides to let the highway authority go and intervene on private land to put an end to the contravention, I ask myself the question. I have been a Councillor of the Municipal Council of Quatre Bornes and the Mayor and, if I am not wrong, it does not form part of the scheme of duties of local employees to go and do work on private land. And, if they do so, as per the amendment, the

highway authority can claim money from the occupier or owner. This, I think, is very subjective. How the authority can decide - on what ground - the amount that the occupier should pay for the work done by the highway authority? I find this very subjective, which will cause a lot of problems.

The hon. Minister in his speech said that illegal discharge of water from private developments into the road surface and drains has been identified as one of the main causes of floods, but the hon. Minister dares not mention the poor maintenance of drains where they do exist. Are the covered drains well designed? We see that in Quatre Bornes, in Candos, where the main drain, the covering slab is more or less difficult to uplift to go for cleaning, and if they do so, they damage the slab. So, they are not designed for proper maintenance, Madam Speaker.

How many cases of illegal discharge of water on the roads have been recorded? Do we have a figure? Do we have a survey of how many people are contravened where water goes on the road? Hon. Boissezon said that if one walks on a road in any town or village, one will see that a large majority of occupiers/premises dispose of their stormwater on the road and drains. Madam Speaker, so easily said, but the truth is only a very few! It is not that dramatic, as if all Mauritians do not abide by Mauritian laws, Madam Speaker. There are a few against whom we have to take action, Madam Speaker.

This morning, I put a question on the asphaltting of roads and I said that we have to uplift certain layers and then to re-asphalt. The objective of that question was to show that all the roads that are being asphalted go to a certain level, that is, going much higher. They are higher than the drains, higher than the pavements, higher than occupiers' land! Are we not responsible? Are the highway authorities not responsible? Instead of telling: "Owners don't let your water come on the road!" Can I, as an owner, tell the highway authority: "Please, don't let your water come in my land?" This is what is happening! In most of the places, when it is raining water goes in the residence. We have a law that if you contravene, you go to Court Chambers, to Magistrate or Judge, they put what need to be done. Because the water of the highway authority goes in our land, can we, as residents, go to Court? This is a big problem. This is why I came with the question of recycling and keeping the level of the road lower. That's the idea of that question and this is causing the highway authority responsible in some cases for flooding of the residence.

Madam Speaker, no matter how we design the drains, the roads, flooding will always happen. This happens in France, in UK even with a perfect draining system, just because of nature. We have flash floods, we cannot do much about it. There were much talk here today of flash floods. But, in Mauritius, when we have overflowing of water, we all know when we have three days' continuous raining, the land gets saturated and, on the fourth day, even with a very slight rain, the water starts to flow. Nobody can prevent water coming from the land of an occupier from going in the drain or if you do not have a drain it goes on the road. This is natural law of saturation of the land by the water. So, we put a law, but can we respect that law? Rain, you get saturation and then you get overflow, Madam Speaker.

Madam Speaker, what we need is a Master Plan for drainage system. A National Water Drainage Master Plan, not just local, because we cannot do drains piecemeal. Like I said in the Council - will you believe it? - they approved to have a drain in such a road, without taking into consideration where to connect that drain. The drain just ends up nowhere, because we don't have a Master Plan. We cannot do piecemeal. You can have a drain on a local road, but at the end of the day, you are creating problem down the stream. So, we have to come with a real Master Plan if we want to avoid flooding. But flash flooding is the act of God.

Madam Speaker, the biggest problem that we have today is we have two authorities - as rightly pointed out by my friend, hon Shakeel Mohamed - the highway authority and the local authorities. Like hon. Shakeel Mohamed said: sometimes no one wants to take the responsibility. No one wants to take the responsibility, it's true! We saw it in the municipality. The main road is taken care of by the highway authority, the RDA, and the other roads are taken care of by the local authorities. But the highway authority, do they do their job of maintaining those drains? Hardly! I live in Quatre Bornes and witness the kind of maintenance that is being done.

Let me inform this House that when there are heavy rains in Candos lane, it is as if the water is afraid to go down the drains and instead it goes on the road. Why? Because the drain is dirty, it is full of dirt! The water says: 'I don't want to go there. I want to go on the middle of the road.' And that's true! If the water could talk, it would have said to this House: "Please, keep your drain clean, maintain your drain and then I will follow you." *De l'eau suive canal!* In a way you have to keep your drain clean, because what happened, the drains were blocked, not because

of residents – it is a main road – it is just because, in Mauritius, we don't have the habit of sweeping the road mechanically, as they do abroad. Rightly so, it is expensive to do so.

There was an incident in St Jean Road where a lady was sweeping the road with her hat. She just looked left, right and centre, and threw whatever it is in the drain. That's what they do. So, it is not the resident, it is the authority. All the dirt goes there and the drain is poorly designed, cannot be maintained and when the rainwater comes, the rainwater is clean and it is as it says: "I don't want to be dirty with your drains."

Madam Speaker, it is a big problem when you have two authorities. Who takes the responsibility? What I propose to the hon. Minister - we do talk in the corridor and we exchange ideas – is to think about shifting all the responsibilities of the RDA Highway Authority to the Local Authorities. They have the means. Hon. Shakeel Mohamed mentioned to have...

(Interruptions)

...one authority to take care, but one authority...

(Interruptions)

Madam Speaker, one authority will be difficult...

(Interruptions)

Madam Speaker: Order, please!

Dr. Sorefan: ... to implement because of increased manpower which is very costly, whereas we already have the Local Authorities. Local Government covers the whole island. They have the manpower; they have the know-how. We just have to shift and give them the legal framework and authority for them to do the job and they are the ones who are going to be blamed if they don't do the job. They can't shift problems from RDA, *pas moi ça, li ça!*

Madam Speaker, there is another big problem.

(Interruptions)

Why I say it is a big problem, it is because we witness it as councillors. My friends, hon. Ramano and hon. Barbier who were Mayor and Lord Mayor know it. I will speak on Quatre

Bornes as I was the Mayor of Quatre Bornes. You have very poor people with a piece of land and a small house. What happens after the parents pass away? There is succession. Brothers and sisters apply to the Council to have a permit for vertical expansion of floors for residence because they are poor. On a very small piece of land, less than 50 *toises*, they go vertical which means more people living in there with a lot of grey water, a lot of rainwater but no land to absorb and no piece of land to do an absorption pit. So, on political grounds, I accept it because they are poor and they can't buy a piece of land. So, we gave them the permit to elevate for their residence. So, this, I don't know how the Court will tell the high authority: "you go there and do the job because there is no place to do the job." That is a big problem that we face in certain regions.

I will give a concrete example that we are facing, right now, in Highlands, in my Constituency near the Mosque where you see a small piece of land, three-storey residence, about 20 members of the family living there. They have one waste absorption pit. It could cater for one family. But as time went along, more families were living upstairs, the pit stayed the same. What do we see? Hon. Boissézon knows it very well; hon. Benydin knows it too; our good friend, hon. Minister Soodhun knows it very well. All the 25 people are using the same old pit which is 25 years old.

(Interruptions)

Madam Speaker: No cross talking, please!

Dr. Sorefan: Overflowing goes on the road. This is a typical case. When the President gives his assent to the amendment, I will invite the high authority to go and claim the job. It is impossible because they don't have the land to increase. So, those are individual cases which are impossible to implement as per this amendment.

Madam Speaker, I won't be long. To conclude, I would like to say...

(Interruptions)

...that I am not happy as to how this amendment came with so many errors. I would rather, like I said, come with a Master Plan, come with only one authority and this authority should be the Local Authority and, amongst other things that I have proposed, I would like to thank you,

Madam Speaker, and the hon. Minister. He can rely on me and my friends here for suggestions, like we always do to make this Government do its job in a proper way.

Thank you.

Madam Speaker: Yes, hon. Minister!

(4.10 p.m.)

Mr Bodha: *Madame la présidente, je ne crois pas qu'on a fait fausse route sur les définitions.* In fact, section 27 of the principal Act amended in the Roads Act (Act No. 29 of 1966) the wording in section 1(a) at section 23 clearly states –

“No occupier of premises (...).”

So, the amendment has been properly done. In fact, here, we have “no occupier” and now it is going to read, as the amendment proposes, “no owner or occupier”.

Madam Speaker, I would like to thank all my colleagues for participating in the debate. As I pointed out at the Second Reading of the amendment proposed, it is not an end in itself and I totally agree with hon. Dr. Sorefan that we still have to consult a number of other institutions because we are spending billions in waste management and for the sewerage so as to come with a holistic solution to address all the problems of land drainage in Mauritius because, as we are more and more aware, the environment is going to be one of the most important issues in our life today. In fact, we have the conference in Paris which is going to highlight this. For small islands like Mauritius, I think one of the precious assets that we have is the environment. After listening to the interventions of all my colleagues, I am still more convinced of the need for a holistic approach and a Master Plan and I must express my sincere thanks to all the orators who have expressed their support.

I am going to see some of the issues which have been raised. As rightly pointed out by hon. Boissézon, Government has invested billions of rupees for the construction of drains and storm rain drainage and will continue to do so in the future. Therefore, it is high time that we take appropriate action as a responsible Government to address these problems hands on and to

do away with *les dégâts*. This is why we are coming with these amendments dealing with two specific issues.

We are also addressing the issue of communication and enforcement which has been highlighted by hon. Bhagwan and, of course, we will take necessary measures to ensure proper control on rainfall management and we will provide the population with a sensitisation campaign on the importance of sustainable drainage system.

Madam Speaker, I concur with my colleague, hon. Dr. Husnoo, on the issue of pollution caused by water. In fact, water pollution often settles in waterways and the sea. Also, we have the problem of soil discharge from fields of construction sites which discharge into waterways can adversely affect the wildlife. If drains continue to be contaminated with waste and fluid which pollute the environment, we are bound to face major environmental issues. This is why we have to give the appropriate authorities - as we are doing - the powers required to discourage contraveners and to encourage all Mauritians to act in a very responsible manner because the law can remain the law or, otherwise, the law will remain on paper so as not to put our living environment at stake.

I would like to thank my colleague, the hon. Minister of Environment, Sustainable Development and Disaster and Beach Management for his vibrant speech and support and I am sure that we are going to work together. In fact, on Monday, we have a meeting to address another national issue which is about trees and all that can create a disaster on a national basis. Hon. Mohamed has raised an important issue about enforcement because while taking action to prevent any continuing harm being done by the occupiers, we still have to ensure that the highway authority has the necessary powers to take action against contraveners. He proposed a centralised authority and I think this has to be examined, but I think that in disaster management, provided that we have clear national guidelines, decentralisation can be more effective.

But still, I think it is a good suggestion just like we are having this national committee to consider the whole issue of trees along roads. Ultimately, what is more important, Madam Speaker, centralise or not, we are proposing quality and safety coupled with security on the roads and here, I must again put emphasis on the need of wide scale consultations as this will help us in situating responsibilities later.

We will also have a proper sensitisation campaign with all Ministries and local authorities involved, the Municipalities, local authorities and the Ministry of Environment to ensure that the public at large have the sensitisation that is needed because what is more important, in fact, Madam Speaker, is the priority will be urgency and efficacy.

Madam Speaker, after further discussions I have brought some minor amendments to the amendments proposed. Instead of having recourse to the Judge in Chambers, we are proposing that the contravener is taken to a Court in the region where the contravention was committed. I think this will help expediency. This major amendment will go a long way to help the implementation and this effective measure against those who violate the law. Having recourse to the District Court will no doubt be more practical, less costly and even if site visits are needed this can be organised easily.

Madam Speaker, with these words, I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed

COMMITTEE STAGE

(Madam Speaker in the Chair)

THE ROADS (AMENDMENT) BILL

(No. XII of 2015)

Clauses 1 to 2 ordered to stand part of the Bill.

Clause 3 (Section 27 of principal Act amended).

Motion made and question proposed: "that the clause stand part of the Bill."

Mr Bodha: I move for the following amendments in clause 3 –

“(a) in clause 3(b) –

(i) in the proposed new subsection (3) –

(A) in paragraph (b) –

(l) by deleting the words "to the Judge in Chambers"

- and replacing them by the words ", in such form as may be prescribed, to the Court";
- (II) in subparagraph (ii), by deleting the word "Judge" and replacing it by the word "Court";
- (B) in paragraph (c)(ii), by deleting the word "Judge" and replacing it by the word "Court";
- (ii) by adding, after the proposed new subsection (3), the following new subsection -
- (4) In this section -
"Court" means the District Court of the area where the contravention takes place."

Amendments agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4 (Section 42 of principal Act repealed and replaced).

Motion made and question proposed: "that the clause stand part of the Bill."

Mr Bodha: I move for the following amendments in clause 4 -

“(b) in clause 4, in the proposed section 42 -

- (iii) in subsection (3) -
- (A) by deleting the words "to the Judge in Chambers" and replacing them by the words ", in such form as may be prescribed, to the Court";
- (B) in paragraph (b), by deleting the word "Judge" and replacing it by the word "Court";
- (iv) in subsection (4)(b), by deleting the word "Judge" and replacing it by the word "Court";
- (v) by adding the following new subsection -
- (5) In this section -

"Court" means the District Court of the area where the contravention takes place."

Amendments agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

The title and enacting clause were agreed to.

The Bill, as amended, was agreed to.

On the Assembly resuming with Madam Speaker in the Chair, Madam Speaker reported accordingly.

Third Reading

On motion made and seconded, the Roads (Amendment) Bill (No. XII of 2015) was read the third time and passed.

Madam Speaker: I suspend the sitting for half an hour.

At 4.19 p.m. the sitting was suspended.

On resuming at 5.11 p.m. with Madam Speaker in the Chair.

Second Reading

THE PHARMACY COUNCIL BILL

(No. XIII of 2015)

Order for Second Reading read

The Minister of Health and Quality of Life (Mr A. Gayan): Madam Speaker, I beg to move that the Pharmacy Council Bill (No. XIII of 2015) be read a second time.

It is a privilege for me to bring this Bill to the House particularly as its gestation started as far back as 2003 and proved to be a difficult and complicated one. I intend to bring this Bill to fruition this evening.

Madam Speaker, at the very outset, I wish to seize this opportunity to congratulate the Rt. hon. Prime Minister, Sir Anerood Jugnauth, for his speech on the second economic miracle and vision 2030 on Saturday 22 August 2015. This statement was a defining moment in the history of

Mauritius as it sets the stage for a qualitative boost to the country at large. It confirms Government's commitment to fulfilling its electoral pledges and to addressing the challenges in all fields. No economic miracle is possible without strong institutions, leadership and rigorous regulatory frameworks for all sections of the economy, including the health sector.

Madam Speaker, advances in medicine and science are unstoppable. There are new sophisticated medical technologies, vaccines and drugs regularly reaching the market and these are very expensive to acquire. Despite the increasing cost of pharmaceutical products, my Ministry is spending an amount of Rs675 m. for the purchase of drugs which are in line with internationally recognised standard such as the Good Manufacturing Practice. This amount represents 6.9% of the budget of my Ministry. Per capita expenditure on drugs in the public sector is around Rs535.00.

The Health Sector is also facing a lot of other challenges both at the international and local levels. Health security around the globe is being repeatedly threatened by the emergence of new diseases and the resurgence of vector-borne diseases. No one could have predicted that Ebola, which killed over 8,000 people, including health workers, would dominate the global health agenda in 2014.

Another major challenge is the rising prevalence of non-communicable diseases which remain the world's biggest killer. Diabetes, cardiovascular diseases, cancer, chronic respiratory diseases and mental diseases, continue to be the leading causes of morbidity, mortality and disability in many countries of the world, including ours.

Madam Speaker, from the increasing cost of medication to the lack of adequate specialised manpower in areas of sophisticated and very advanced medicine, from the problems associated with an ageing population, such as dementia as a cause of great concern to health delivery and a myriad of other ailments, it is evident from this non-exhaustive list that we have a '*vaste chantier*' to tackle.

Madam Speaker, in order to address these challenges and, at the same time, to plan for our 2030 innovative strategy, my Ministry is revisiting its priorities to ensure that not only do we address the imminent ills of our present population, but we also initiate wellness programmes in line with the mandate of my Ministry to ensure the quality of life of our population.

These strategies will also pave the way for Mauritius to become a medical centre of excellence. In order to achieve these, my Ministry has to ensure that it has the required qualified and skilled men force and workforce to sustain existing and forthcoming new health initiatives.

Further, we require new modern infrastructure and we need to overhaul the existing infrastructure. We need to invest in medical equipment and high technology machines to provide the best affordable care for our people. We are constantly revisiting the health services in order to keep improving them as the expectations of patients keep rising.

In this context, my Ministry is reviewing and modernising all legislation pertaining to the health sector. This Bill, Madam Speaker, is the first in a series of other Bills that will be introduced shortly in the House. The Medical Council Act, the Dental Council Act, the Nursing Council Act, the Opticians Registration Act, the Ayurvedic and Other Traditional Medicines Act, the Public Health Act and the Mauritius Family Planning and Welfare Association Act are being reviewed as they no longer respond to the new landscape and exigencies of health professionals and patients. In addition, new legislation, namely the Health Professionals Council Bill will soon be introduced to cater for allied health professionals not covered so far by existing legislation. This Pharmacy Council Bill is a new piece of legislation to regulate the practice of pharmacists. This Bill enhances the overall regulatory framework as part of Vision 2030.

Madam Speaker, I will now elaborate on the rationale for the introduction of the Pharmacy Council Bill.

In all developed and most of the developing countries, the pharmacy trade and the pharmacist profession are regulated by separate bodies. For example, the General Pharmacy Council in the United Kingdom, "*L'Ordre des Pharmaciens*" in France and the South African Pharmacy Council in South Africa regulate the pharmacist profession whereas the trade aspect is under separate regulatory bodies such as the Medicine and Health Regulatory Authority (UK), *L'Agence Nationale de Sécurité du Médicament et des produits de santé* in France and the Medicines Control Agency in South Africa.

So far in Mauritius, the Pharmacy Act 1983 has been addressing both the pharmacy trade and the pharmacy profession. The environment of both the pharmacy trade and the pharmacy profession has evolved over time with corresponding challenges.

Madam Speaker, there are 342 retail pharmacies which operate in the private sector. Pharmacies are open for long hours and although the presence of a pharmacist is mandatory to

exercise control on the sale of Dangerous Drugs, Codeine products and other substances having propensity for abuse, we are aware that this is not the case in practice.

I will be addressing this particular issue when I come to the House to amend the Pharmacy Act to make it consonant with modern concepts and current international best pharmacy practices.

Madam Speaker, hon. Members are aware of the scourges of dangerous psychoactive substances, commonly known as synthetic drugs. Pharmacists have an important role to play in the monitoring of suspect behaviour on the part of customers. These synthetic drugs pose a serious threat to public health. Despite strong regulatory framework, the drug traffickers seem to be simply ahead in the manufacture and distribution of harmful substances. This is why, as a nation, we need to be extremely vigilant to prevent the introduction, distribution and sale of such substances in our country.

Amendments have also been made under the Dangerous Drugs Act 2000 to reinforce control over synthetic drugs and harmful psychoactive substances. We have also set up an Observatory on Drugs to collect and analyse all relevant information and we count on the nation at large to be part of the process to eliminate drugs and drug consumption.

Madam Speaker, as regards the pharmacy profession, the number of pharmacists has increased from 288 in 2005 to 500 in 2015. So far, the Pharmacy Board has been regulating the profession within the existing legal framework of the Pharmacy Act which provides limited control and regulation of the pharmacist profession. It has, therefore, become imperative for Government to modernise the regulatory framework of this profession through the introduction of this Bill.

The object of this Bill is, therefore, to repeal some sections of the Pharmacy Act in order to better regulate the profession of pharmacists by setting up a Pharmacy Council. The Pharmacy Council Bill will bring fundamental changes in the practice of Pharmacy. The Pharmacy Board will continue to operate in accordance with the provisions of the Pharmacy Act, but its activities will be limited to -

- (a) Issue licenses to operate pharmacies;
- (b) Register pharmaceutical products;
- (c) Inspect pharmacies, and

- (d) Withdraw medicines from the market following alerts from Regulatory Authorities around the world.

Madam Speaker, let me now, with your permission, highlight the salient features of this Bill. The Pharmacy Council is a statutory body which aims at regulating the profession and practice of pharmacy and to promote its advancement in the country. The main activities of the Council relate to the registration of pharmacists and to laying down the standards of education required for the profession. The Council will also be empowered to take disciplinary action against those who act in contravention of the law.

When the process for the preparation of the Pharmacy Council Bill started in 2003, there were consultations with the Government Pharmacist Association, the Pharmaceutical Association of Mauritius as well as other pharmacists in the public and private sector. The views of the Pharmacy Associations and the public at large were then sought on the Bill and their suggestions as well as the recent ones have been taken on board in the finalisation of the Bill.

Madam Speaker, I will now deal with some specific clauses of the Pharmacy Council Bill

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- (i) Clause 5 of the Bill relates to the functions of the Pharmacy Council, which are: to regulate and control the profession, exercise and maintain discipline in the profession, and ensure compliance with the Code of Practice that will be set by the Council. The Council will also be responsible for the registration of pharmacists, non-citizens as temporary registered pharmacists or visiting pharmacists and pre-registration trainees.
- (ii) Clause 7 of the Bill defines the composition of the Council, which shall, *inter alia*, consist of 8 pharmacists, 3 from the public sector and 5 from the private sector, each having not less than seven years' experience as pharmacist in Mauritius. These pharmacists will be elected in the manner specified in the Schedule. There will also be a representative of the Prime Minister's Office and a representative of the Attorney General's Office.

At Committee Stage, I will move to amend sub-clause 1 of clause 7 by -

- (a) Replacing "a representative of this Ministry" and "Director Pharmaceutical Services" by "a pharmacist posted at the Ministry of Health and Quality of Life";

- (b) Replacing a representative of the Department of Health Sciences at the University of Mauritius by a “representative of the tertiary education sector”;
- (c) Deleting “a representative of a Consumer Protection Organisation.”

These amendments are being brought to ensure some kind of parity or an equilibrium in the pharmacist profession and have been aligned with the provisions of the Medical and Dental Council Act. The representative of Consumer Protection Organisation is being removed, as the Council deals with the pharmacist profession but not with pharmacy trade.

The inclusion of a representative of the Consumer Protection Organisation will be considered in a new Pharmacy Act.

Clause 12, Madam Speaker, relates to the appointment of a Registrar of the Council.

At Committee Stage, I will move to amend sub-clauses (2) and (7) to increase the number of years of experience from 5 to 10 years. The Registrar should have more experience than members of the Council since he or she will have to manage all Council activities and participate in the deliberations of the meetings of the Council and may be called upon to advise the Council on technical matters.

According to clause 17 of the Bill, for a person to practice pharmacy, he or she should be registered as a pharmacist, a temporary registered pharmacist or a visiting pharmacist. Up to now, there are no specific legal provisions for the registration of non-citizens as pharmacists. This measure will, no doubt, Madam Speaker, enable us to attract foreign expertise in the fields of pharmacy, which expertise is not available in the country.

At Committee Stage, I will also move to delete paragraphs (a), (b) and (c) of sub-clause (2), for the following reasons -

- (a) there is a National Disaster Risk Reduction and Management Committee which has been set up to deal with cases of emergency and the Committee may liaise with voluntary organisations for the distribution of medicine and provide any other pharmaceutical assistance;
- (b) all activities pertaining to supply of medicines, dispensing of same and ascertaining the expiry date in Community Health Centres and Area Health Centres fall under the responsibility of a Government pharmacist.

Clause 24 lays down the conditions under which a non-citizen may be temporarily registered as a foreign pharmacist.

And, at Committee Stage, I will move to amend sub-paragraph (c) by providing that a foreign pharmacist will have to satisfy the same criteria set for the registration of a local pharmacist. Exemptions, however, will be made for those who have already acquired prior experience before registration in Mauritius.

Clause 18 further consolidates the requirements to maintain a high standard of the profession and the need to upgrade the pharmacy profession to produce a competent workforce to meet the growing demands of the industry and the community. Henceforth, any prospective candidate willing to pursue a career in pharmacy will have to satisfy the basic eligibility criteria of 21 points at Advanced level or its equivalent before embarking on pharmacy studies.

In addition, prior to registration as pharmacist, the applicant will have to undergo an examination, held at least once a year, to be approved by the Pharmacy Council. The Bill has, however, made provision to exempt those who have already embarked on such studies in order not to cause any prejudice to them. In order to be registered, a pharmacist will have to complete at least a four-year degree course in pharmacy on a full time basis, followed by one year practical training in a pharmacy, as defined in the Pharmacy Act, either in Mauritius or elsewhere.

Furthermore, he or she will have to pass an examination determined by the Council. The pharmacist will then have the required qualifications and knowledge in the practice of pharmacy.

According to sub-clause (2) (c), any person who has 3 years post qualification experience shall be exempted from passing the examination which I have just mentioned.

At Committee Stage, I will move to amend the functions of the Council to provide for the Council to approve the conduct of an appropriate examination by an independent international examining body before the registration of pharmacists. It is the first time that such an examination will be held. Presently, only one year training is required for the purpose of registration.

I will also move to delete sub-clause (2) (b) as provisions have already been made under sub-clause 1(c).

Madam Speaker, all these measures will help to have a qualified workforce to respond to the many challenges in the pharmaceutical field, the more so as Government is committed to developing our country into a bio-medical hub with sectors such as bio-informatics, pharmaceutical manufacturing, clinical research and drug discovery and research. Mauritius is in the process of establishing the appropriate regulatory frameworks for the pharmaceutical and biotech industry based on the best practices, including the United States Food and Drug Administration, the European Union Directives and Good Manufacturing Practice of the World Health Organisation.

Clause 22 provides for the registration of pre-registration trainee. The institution, where the training takes place, has to be a pharmacy, as defined in the Pharmacy Act.

At Committee Stage, I will move to amend sub-clause (1) (b) by replacing “pharmaceutical institution or undertaking” by “pharmacy” as pre-registration trainees can follow training on pharmacy practice only in a pharmacy.

Clause 23 makes it mandatory for a pharmacist to follow Continuing Professional Development (CPD) courses or training programmes as the Council may determine. Failure to follow CPD will result in deregistration of a pharmacist. Under sub-clause (2), the Council may excuse a person from following CPD on grounds which will have been prescribed.

Clause 26 deals with the interpretation of “pharmacist” for the purpose of discipline.

At Committee Stage, Madam Speaker, I will move to add a new sub-clause “(c) a visiting pharmacist” after sub-clause “(b) a foreign pharmacist”. A visiting pharmacist should also be subject to disciplinary action where appropriate.

Clause 27 provides that the Council may investigate any complaint related to professional misconduct, malpractice or negligence, fraud or dishonesty, or a breach of the Code of Practice.

The Council may summon and hear the pharmacist who shall be given an opportunity of being assisted by a legal representative of his choice and the pharmacist to be given all opportunities to make representations.

Clause 28 provides for disciplinary proceedings to be instituted against a pharmacist.

Where, after a preliminary investigation, the Council decides to prefer charges against a pharmacist, it shall forward to the pharmacist a statement of the charges and call upon him to

state in writing, before such date as the Council may specify, any ground on which he relies to exculpate himself.

Clause 29 defines the membership of the Medical Disciplinary Tribunal, set up under the Medical Council Act.

The Tribunal, which also caters for officers of the dental and nursing cadre as well as the medical cadre, will now consider cases referred to it by the Pharmacy Council.

Two persons who are pharmacists with not less than 10 years' experience will be appointed as members of the Tribunal.

At Committee Stage, I will move to amend the composition of the Tribunal by specifying that two pharmacists, one from the public sector and one from the private sector, be appointed as members of the Tribunal.

On occasion arising, Madam Speaker, I will be coming to the House for an amendment under the Medical Council Act regarding the Medical Tribunal, which is at present presided by a Judge. It is preferable that a person other than a sitting Judge presides over the Tribunal since there may be challenges to the decisions made by the Tribunal, and which challenges will inevitably come for adjudication before the Supreme Court.

The Council, however, has the power to either suspend or deregister a pharmacist or temporary registered pharmacist without any proceedings in case where the registered pharmacist has been convicted of an offence and is serving a sentence of imprisonment or penal servitude.

In case the name and other particulars of a registered pharmacist have been removed from the Register of Pharmacists, these can be restored only by order of the Council or the Supreme Court.

Madam Speaker, we consider that this Bill will go a long way to regulating the pharmacy profession and to enhance the quality of services provided by pharmacists.

Madam Speaker, at Committee Stage, I will be moving the amendments which have already been circulated, and I am sure that all hon. Members have taken note of the amendments.

Let me, in conclusion, express my thanks to all the Pharmacist Associations for their views and to all individuals, NGOs who have expressed their views and suggestions and made comments on the Bill.

Finally, I wish also to thank the Office of the Attorney General and the hon. Attorney General and his staff as well as my officers who have worked diligently in the preparation and finalisation of this Bill. I wish to extend my gratitude to hon. Members who have contacted me with suggestions about this Bill after the publication of this Bill.

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

The Deputy Prime Minister rose and seconded.

(5.34 p.m.)

Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien): Madam Speaker, being given that I am a pharmacist, I would declare my interest.

It is very sad to see that the left side of the House is empty. *C'est triste de voir ce qui s'est passé ce matin dans cette auguste Assemblée. C'est triste de voir quelqu'un, qui, avec une carrière politique, et dont je respectais, venir dire, ce matin - celui qui avait comploté avec l'ancien Premier ministre, je le dis bien, comploté avec l'ancien Premier ministre, ils ont fermé cette Assemblée nationale pendant une année - que j'ai comploté avec Madam Speaker...*

Madam Speaker: Hon. Jhugroo, I am sorry, you have to come back to the Bill. Because we are debating the Bill, you will take another time of the House if you want to make a statement.

(Interruptions)

Mr Jhugroo: Je n'ai pas de leçon à prendre avec celui qui a comploté avec l'ancien Premier ministre, parce que ce n'est pas dans l'habitude de la famille Jhugroo de comploter, comme c'est le cas pour lui. Je lui lance un défi, pour la deuxième fois, depuis que je suis dans cette Assemblée, s'il a le courage de venir prouver que, ce matin, Purmanund Jhugroo, le *Government Chief Whip*, a comploté avec la présidente de cette Assemblée.

Madam Speaker: Hon. Jhugroo, once again, if you are saying that they are not here when the Bill is being debated, this is something else, but come back proper to the Bill.

Mr Jhugroo: Because I was hurt this morning. For this reason, it is my feeling, Madam Speaker. Je lui lance un défi, s'il peut venir prouver que j'ai comploté, je peux démissionner comme *Chief Whip* et comme membre de cette Assemblée. Mais, si, lui, il ne peut pas le prouver, qu'il démissionne comme le *Leader* de l'Opposition et qu'il démissionne de cette Assemblée. Je lui lance un défi ! Malheureusement, il n'y a pas assez de journalistes dans cette Assemblée, ce soir, Madam Speaker.

Madam Speaker: Hon. Jhugroo, please, come back to the Bill.

Mr Jhugroo: I am coming to the Bill, Madam Speaker.

(Interruptions)

Madam Speaker, at the very outset, I wish to thank the hon. Minister of Health and Quality of Life for bringing this piece of legislation to the House. This goes with the vision of the Rt. hon. Prime Minister, Sir Anerood Jugnauth, to develop the pharmaceutical sector, as stated by him in the Economic Vision 2030 at Ebène, on 22 August of this year.

This Bill, Madam Speaker, is a long awaited one, housed all the pharmacists who are keen *pour mettre de l'ordre dans cette profession*. I wish to point out that when the MSM formed part of the Government in May 2010, the then Minister of Health said this issue is a priority one, and I personally witnessed her enthusiasm for the project. *Malheureusement, Madame la présidente, le Premier ministre d'alors avait d'autres priorités.*

I, therefore, thank and congratulate my very good friend, hon. Minister Anil Gayan, for bringing this piece of legislation only 8 months after his assumption of office. *Bravo*, hon. Minister Anil Gayan!

Madam Speaker, the profession of pharmacist has always been a noble one. Pharmacy is the art and science of preparing and dispensing medications to the general public and counseling about drug related issues. It is, therefore, with great astonishment that we note that the profession of pharmacist was not recognised with the same range as those of the medical profession, the legal profession as well as other professionals, such as engineers and accountants, to say the least. Even though, medicines are prescribed by Registered Medical Practitioners, the responsibility to double-check the exact dosage, the drug interaction and side effects rests on the pharmacist. The pharmacist acts as an uncommon between the prescription and the patient,

thereby acting as a guardian, adviser, mentor, the confidant and the counselor, to ensure that the health and safety of the patient is safeguarded.

Madame la présidente, je tiens à rendre hommage au *Pharmacy Board* qui, depuis son existence, a contribué énormément à l'enregistrement et à la formation des pharmaciens opérant à Maurice.

The Pharmaceutical Association of Mauritius also deserves our gratitude, since it has contributed enormously in the management of the pharmacy profession for the past decades. *L'Association des Pharmaciens de l'Ile Maurice, Madame la présidente, a, pour sa part, assuré la saine gestion de la profession durant ces dernières décennies.*

However, in an era where things are supposed to be met with broadband speed and intelligence, applying modern technology, the Pharmacy Board should revisit its criteria of record keeping with regard to the returns of controlled drugs made by pharmacists.

A Council is of utter importance to the degree that it would perform in a way that would revolutionise the entire profession to face the challenges that lay ahead of us in line with the extraordinary delivery of the Prime Minister in his vision statement.

Madam Speaker, in that context, I am making a plea to the hon. Minister so that the new Council be made to draw clear guidelines, in respect of the recognition of qualifications and institutions, so as to avoid the chaos which occurred in the past with regard to the D. Y. Patil Medical College, the Moras School of Dentistry and even the EIILM University which have been famous for granting tainted degrees and diplomas during the Labour regime.

I believe, Madam Speaker, that the Mauritius Qualification Authority and Tertiary Education Council need to submit to the new Council, on a regular basis, an updated list of the international universities and relevant qualifications that would enable prospective pharmacists to be recognised and registered in Mauritius.

Being given that many known pharmacists, who are pharmacy owners and who are involved in several malpractices, tarnishing the image of the pharmacy profession, in general, I suggest, in this august Assembly, that, henceforth, pharmacy licences should be granted to qualified and registered pharmacists only.

Madam Speaker, allow me, as a member of the Pharmaceutical Association, to acknowledge the honour and privilege it was to discuss with my very good friend, the hon. Minister of Health and Quality of Life and to express my gratefulness for bringing in several amendments to the original Bill as per the proposals made by the Pharmaceutical Association after its meeting held on 04 September this year.

Madame la présidente, permettez-moi de solliciter l'indulgence de mon ami, l'honorable ministre à l'égard de quelques remarques additionnelles sur le sujet.

Firstly, as regards the management of Council, I am of the opinion that 3 pharmacists from the Ministry of Health and Quality of Life who would be members of the Council should be elected from the Government Pharmacists having at least 7 years of experience in Mauritius.

Furthermore, I propose that the said election be carried out by the Electoral Supervisory Commission as it is the practice for the elections to the Medical Council and to the Dental Council. The Electoral Supervisory Commission should consequently also conduct the election of the 5 members from the private sector. I propose, therefore, that the relevant amendments be made to paragraph 5 (1) of the Schedule of this Bill.

Secondly, in line with the spirit of democracy purported by this Government, I strongly believe that the Council should vote for a Chairperson and a Vice-Chairperson only for those 8 Council members who have been elected to Council by their peers, that is, 3 from the Ministry and 5 from the private.

Thirdly, in relation to absence without leave of the Council, I suggest that two consecutive absences from meetings of the Council to warrant removal is unfair and unreasonable for a number of reasons which I do not propose to elaborate as there are a number of complex issues that may arise in construing this subsection, should a dispute arise in a Court of Law. It would assist and preserve the sanctity of democracy as set out in section 1 of the Constitution and, therefore, an amendment from 2 to 3 sittings would reflect fairness, justice and equity which is the very basis on which this Government was put into power by the people.

Madam Speaker, as I stated in my opening words, this Bill is a long awaited one. The Pharmaceutical Association *tel un syndicat défendant les intérêts de ses membres* has constantly innovated. The Pharmacy Board, however, has been limited in its action.

Il devenait primordial d'équiper la profession de pharmacien de son propre conseil d'ordre apte à défendre les intérêts. Un organisme professionnel de droit privé chargé par le législateur d'une mission de service public. Madame la présidente, avec ce projet de loi sur la table de l'Assemblée aujourd'hui, c'est une chose faite par ce gouvernement.

Merci.

Madam Speaker: Hon. Dr. Sorefan!

(5.47 p.m.)

Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix): Thank you, Madam Speaker. I would like to congratulate the hon. Minister of Health and Quality of Life to come with the Pharmacy Council Bill which has been long overdue.

The hon. Minister has mentioned the Medical, Dental and Nursing Council Bills. As a Dental Surgeon and being a member, in the past, of the Dental Council also, I would like to remind the hon. Minister that the Dental Council Act was passed in 1989 and amended all along till today. When I went through the proposed Pharmacy Council Bill for the first reading, I had the impression that the Bill was as if a replica of the Dental Council Bill of 1989. I had a tendency to come with a lot of amendments that the Minister himself has come with after having a lot of representations, personally or through the press, and we were presented with lots of minor amendments. To tell you frankly, when I was trying to read this to propose it in the main, I got lost because it was so difficult! I had a tendency to come to the House to propose to the Minister to withdraw and put everything in order with all the amendments so that we could follow it. But, as it is, it was very difficult to get ourselves.

When I heard hon. Jhugroo, he mentioned that he is proposing to the Minister to come with amendments. But these amendments have already been made as proposed. I am sure hon. Jhugroo got lost also because what he is proposing has already been mentioned by the Minister, for the election of members by the Electoral Commissioner; all those things have been amended and proposed to the Council.

Madam Speaker, the hon. Minister mentioned examination that will be taken once a year and he proposes to come with competent examining bodies. Very true! It is good because we had

the experience in the Dental Council. I, sometimes, as an examiner with an experience of 30 years, to tell you frankly, I am a clinician but not an examiner! The problem we had, knowing that he is my colleague, there was some leniency. Then the Council came with external bodies, especially from India, to go for examination of those Dental Surgeons and we saw what problem we had from representations of those who took the examinations. Because they are external bodies, they don't know the reality of Mauritius. They don't know how many, like in the Dental field, a lot of Dental Surgeons qualify from every corner of the world with different levels in the syllabus and the examining body was treating everyone on the same footing and there were lots of failures. I hope this does not happen that the Minister and his advisers will take that into consideration so as not to get representations on failures.

Madam Speaker, mention is made in the Bill about the A-level status and a number of points that one should have and it mentions 3 A-levels in one and the same sitting, 21 points. But at the level of the Medical Dental Institution we always queried that. We are just giving 3 A-levels, any 3 A-levels, and we all know like hon. Jhugroo said, it is a science.

Pharmacy is a science. Dental is a medical science and yet we don't include a science subject as a requirement. To go and study pharmacy and to get qualified as a pharmacist, for me it is mandatory that one should have an A level in chemistry. Pharmacy is nothing, but lots of chemistry. I don't say that those who are doing non-science subjects can't do it, but it will be difficult for that student to appreciate. It is not just studying and getting your degree in your hand, but appreciating the subject in which you are qualified so that when you deliver to the public you know what you are doing. It is very important.

I will just cite one case. Will you believe me? A student with a dental degree came in a panel, the dental Council in which I was. He did "O" level - I won't say in which country - and Urdu was a subject. He was admitted in a University to do dentistry without "A" level and the University was recognised in Mauritius. We interviewed that Dental Surgeon by certificate. I won't say what was the fate, but we could see that he did not appreciate the subject. He was a Dental Surgeon, but he did not appreciate what he was going to do because he did not have the science subject. It is very important that the hon. Minister considers this, be it for dental, medical or pharmacy. Like the hon. Minister said, he is going to update the Nursing Council with a proper Bill and that this issue, that is, they must have at least one science subject, be it chemistry, biology, physics or mathematics be mentioned.

Madam Speaker, now, there is a big problem which probably overlapped with the Pharmacy Board and the Council. I am sure the hon. Minister will reply to me later on that this is in the purview of the Medical Board. There's a big problem of Pharmacists working for eight hours and the pharmacy dispensing drugs, medicines without a pharmacist in the pharmacy. They work for eight hours, they go and the proprietor becomes the pharmacist. We have heard of so many *dégâts*, sale of pure addicted drugs by pharmacy. I would prefer that this falls under the purview of the Dental Council; that all pharmacies should have - as per the Pharmacy Act - a pharmacist at all times, from opening to closing. But this is not the case. On Sundays you don't see a pharmacist and yet we have about 450 pharmacists. So, this is a big drawback in this country. We are talking about all the addicted drugs, methadone and so on and so forth. I welcome the hon. Minister for coming with a statement this morning. Well done! But those who are dispensing it should be under the control. It is not that the proprietor will be sued. The pharmacist takes the responsibility, but if he is not there, how can he take the responsibility? I am sure members from the Pharmacy Board know what havoc is being done at Mesnil. When husband and wife quarrel and get divorced, next door each one opens a pharmacy. One of them is selling drugs with the help of a member of the Pharmacy Board. I won't name him, but I am sure the hon. Minister is aware of what we are talking and what is happening at Mesnil.

Madam Speaker, the hon. Minister mentioned that members will be in the Tribunal, one from the public and one from the Private, and the Tribunal will be the same as the medical and dental. We had problems with the Medical and the Dental Tribunal when we get cases from the public sector. When they are found guilty, hardly things can be done because they are governed by the PSC and as regards the private sector, action can be taken. We have to sort it out. This is a very big problem that we are having with medical and dental and I think it will be the same with the pharmacists.

Well, regarding all the amendments, it is in good line because the hon. Minister has managed to do the corrective works or else there would have been a lot of debates, a lot of proposals. Thank God it took some time to come to this House, for the Second Reading. The public and other people also have plenty of time to make representations. We are going in the right path and I wish the hon. Minister of Health and Quality of Life success.

Thank you very much, Madam Speaker.

(6.02 p.m.)

Mr J. Leopold (Second Member for Rodrigues): Thank you, Madam Speaker. I thank the hon. Minister of Health and Quality of Life for bringing this Bill into this august House. The only reason why I am intervening tonight is because I strongly believe in standards. The standard needs to be set so as to have high quality of health care in both the public sector and the private sector. This Bill, Madam Speaker, after it is passed to Law, that's the only time when the pharmacy practice or pharmacists will be considered as professionals with the knowledge, skills and attributes to take responsibility for the management and utilisation of medicines in order to optimise medicine-related outcomes.

The regulatory body will have the statutory authority to govern the practice of pharmacists. It is only at that time that standards will be set and monitored. It is the only time and it is now, well after the law is passed, that the principal code of ethics will capture the philosophical foundation of pharmacy practice to express the responsibilities and professional values that are fundamental and inherent to the pharmacy profession.

This Bill will allow the setting up of necessary frameworks to support development in the profession and will be based on patient-centred practice and take into consideration patients' rights and responsibilities. The Pharmacy Council must have, as its main role, to protect the health and well-being of the public, to set standards of education, training, conduct and performance so that pharmacists can deliver high quality healthcare consistently throughout their careers ensuring that pharmacists keep their knowledge up to date and to uphold the Council's standards; standards which reflect changes in healthcare and society. The law will allow the regulatory body to handle complaints as well about pharmacists and investigate allegation where appropriate so as to build trust among the public.

Although the primary role of Pharmacy Council is to protect the health, safety and well-being of the public, it has to be able to determine the scopes of practice to pharmacists keeping pace with the evolution of modern health services. Pharmacists need to be more and more involved in medication cost management strategies for hospital and health system because medication costs comprise the majority of the health system pharmacy budget and continue to increase further than other healthcare expenditure, drug cost is a constant target for cost containment initiatives. One of the primary factors which drive drugs in the overall expenditures

is utilisation of drugs. When this law is passed, pharmacists will be accountable for their actions. Therefore, they will have as responsibility to set up effective plan for medication utilisation management with a roadmap for continuous improvement in pharmaceutical management.

You know, Madam Speaker, if now I go to Port Louis Hospital with a headache, they give me medication for maybe seven days or six days, if I am still not feeling well after two days of consultation with a doctor without asking whether I still have medication given to me, another lot of the same medication is given to me by common practice. This is not safe and it is wastage. Pharmacists need to play an important role in preventing unsafe dosage of medication.

Another area where pharmacists need to be more involved - and I am sure in a way the regulatory body or the Pharmacy Council will address that - is the safe usage of prescribed drugs. Here, I am referring to the impact of pharmacy and ageing population. It is not a surprise that the Republic is shifting towards an increasing number of people over 65 years of age. Despite advancing age, an increased number of older adults continue to be very active and healthy, but we do have older patients with physiological and cognitive changes who are more likely to be on medication than younger adults. This means that the pharmacy technician, particularly in community pharmacy, has an important role in helping to meet the healthcare needs of seniors. There are other changes with ageing that must be of great concern to pharmacy, for example, visual changes. Therefore, pharmacists have a very important role in delivering medication safely to those people and that in many ways like preparing the medication as example in dosette box.

Another aspect of which I believe this piece of law will bring in the modern management of healthcare service is the innovative role of pharmacists in the management of chronic pain. In order to both optimise the treatment and prevent the unintended consequences of potent analgesic, this is an evolving area in pharmacists' role and I believe that the Bill will also give pharmacists an opportunity to offer their professional services to assist needy patients in managing their pain and to bring solace and comfort to them.

This Bill is coming in such a decisive moment with the upgrading of healthcare service and I am talking about e-health services where that will play a very important role in managing medication.

I thank you, Madam Speaker, for your attention.

(Interruptions)

Madam Speaker: Hon. Gobin!

(6.09 p.m.)

Mr M. Gobin (First Member for Rivière des Anguilles & Souillac): Thank you, Madam Speaker. I am pleased this evening to speak on this Bill and I wish to share part of the experience I have gathered during the days that I was at the Attorney General's Office, having sat for some time on the then, as it was then composed, the Nursing Council.

Before coming to the Pharmacy Council itself, I wish first of all, to commend the hon. Minister of Health and Quality of Life for having brought this Bill, a much awaited one. In fact tonight there are 500 or so pharmacists right now who are closely following the debates, finally, in this House, the Bill recognising the profession of pharmacists. It is a matter of regret that the profession of pharmacists has not been recognised as such and it is only now in 2015 that this Pharmacy Council Bill is coming to the House.

Why is it important to create such a Council? It is important, in my opinion, first of all, because *c'est pour la valorisation de la profession*. The best way to recognise this profession is for the profession to be judged, to be disciplined by a body composed of one's peers. I think this is the best way to recognise a professional so that when the Council is composed of pharmacists – of course, the Council will be composed of other persons, but the majority of the Council will be pharmacists such that a Council of peers will be deciding on issues pertaining to pharmacists and I think this is the best measure, most laudable which this Bill is bringing.

The second issue I wish to highlight about this Bill is that it is setting the standards very high. I am talking about the standards of qualifications and the standards for registration of pharmacists. It is important to understand the regulatory set up at this stage and what it will be after this Bill is passed. Right now, we have the students under the actual Pharmacy Act who are registered and then go on to pass a diploma and then become pharmacists. With this Bill, the standards are raised because we understand now, we have more and more qualified pharmacists with impressive degrees such that it has reached the stage where we need to recognise those

specific qualifications and it is laudable that the provisions of part four of the Bill have been included and the standards have been raised on the question of registration of a pharmacist.

The third point which is laudable about the Bill and which goes in the same line of recognition of the profession, concerns the question of discipline. The medical and allied professionals need to be disciplined, first of all, by their peers and, if need be, by a specialised Tribunal. Such will now be the case with the Disciplinary Tribunal under clause 29, and it is very interesting to note that the Chairperson of that Tribunal will be assisted by two pharmacists with not less than 10 years' experience. I welcome the proposal the hon. Minister made this evening that those two pharmacists will be both from the public and the private sector.

The next point I wish to highlight is that the Pharmacy Council is being set up to take over from the Pharmacy Board the question of registration of pharmacists; not only registration, but also the question of maintenance of discipline and to promote advancement in the field of pharmacy. Right now, the Pharmacy Board was bogged down with so much work. With this Bill, the registration of pharmacists, the discipline of the pharmacists will be taken over by the Pharmacy Council, while the Pharmacy Board will retain its jurisdiction over the trade, that is, licensing of pharmacy, importation of drugs and licensing for manufacturing, storage, inspections.

In fact, I seize this opportunity to mention the point raised by my colleague, hon. Dr. Sorefan, about the question of the presence of a pharmacist; that would still be with the Pharmacy Board. In my opinion, it should be like that. It should be for the Pharmacy Board to send their inspectors. If there are no inspectors on Sundays or at late hours, then that ought to be taken up by the hon. Minister and the Pharmacy Board, but it is not for the Pharmacy Council to inspect the pharmacist's on-site premises. I think that should remain with the Pharmacy Board. And, if need be, beef up the Pharmacy Board and beef it up with respect to its inspectors.

I have, lastly - and I had the opportunity of mentioning that to my colleague, the hon. Minister - a few suggestions regarding the Bill. My concern is, Madam Speaker - and I have seen this during some sittings of the then Nursing Council - that once the Council is set up, it should be set up with certainty in the law. Otherwise, you have a Council being bogged down with questions of interpretation, going back and forth to the Attorney General's Office for advice, when they ought to be focusing on the question of the advancement of the profession. This is

why I am expressing, tonight, my concern over a few aspects, which I wish to highlight for the attention of the hon. Minister as well as that of the hon. Ag. Attorney General. I understand that the substantive Attorney General is abroad.

First of all, on the question of the composition of the Council, I understand from the speech of the hon. Minister earlier that amendments will be brought during Committee Stage, but I wish to highlight clause 7 (1) (f), for instance -

“the representative of the Attorney General’s Office.”

If it is the intention to have a law officer from the Attorney General’s Office to be on the Council, of course, he will share his views as a law officer, then we ought to spell it out as such. Instead of a representative of the Attorney General’s Office, if such is the intention, to specify a law officer designated by the Attorney General.

Secondly, in paragraph (d), if the intention about the representative of the Ministry is to designate a representative other than a pharmacist, to bring in his expertise on the administrative side, then such should be specified: “a representative of the Ministry other than a pharmacist.” On this clause (7) again, I would propose to add a sub-section (5), that the composition of the Council, once it is constituted, should be published in the *Gazette* and specified as such.

Madam Speaker: This is the procedure, hon. Gobin. It has not to be specified.

Mr Gobin: Now, coming to the question of qualifications. To ensure consistency on the question of degrees, diplomas under paragraph 1 (c), my view is that, with regard to the university or other institution contained in clause 18 (1) (c), we specify whether the university or other institution be accredited by the Tertiary Education Commission.

Now, at clause 29, on the question of the Medical Tribunal, the definition of ‘Tribunal’ is as follows -

“‘Tribunal’ means the Medical Disciplinary Tribunal set up under the Medical Council Act”.

If I am not mistaken, Madam Speaker, it ought to be ‘Disciplinary Tribunal’ instead of ‘Medical Disciplinary Tribunal’. However, the second issue is about that Tribunal in clause 29, in which the opening words are –

“Notwithstanding section 15(2) (b) of the Medical Council Act (...)”

If I am not mistaken, I stand to be corrected, it ought to be –

“Notwithstanding section 15(1) (b) of the Medical Council Act (...)”

Now, on this issue of the Medical Disciplinary Tribunal, I welcome the comment of the hon. Minister that, for this Tribunal, the composition would be reviewed and the jurisdiction will be enlarged at a later stage with an amendment Bill such that it would, if I understand correctly, be a Medical and Allied Professional Disciplinary Tribunal and cover Medical, Dental, Pharmacists and other allied professionals. That would solve any issue which may arise about its jurisdiction. I have had the opportunity of sharing it with the hon. Minister, because the issue may arise that, this Tribunal is set up under the Medical Council Act and “under that law, the Tribunal is set up “for the purposes of this Act” and “this Act” being the Medical Council Act. So, unless we specify it, this may give rise to a challenge of jurisdiction and we do not want that because we want certainty in the law.

At clause 33, concerning the removal from the Register of the name and other particulars of a pharmacist, this has to be read in conjunction with the publication of the annual list under clause 20. We know that the annual list will be published not later than March.

I am contemplating, let us say that a removal is ordered in September or November of a year, this will be made public only at the publication in March. What happens in the meantime? It is the public which will be at risk. We do not want to take the risk. We want to inform the public of such removal as soon as possible. This will be the point on which I will end. I will join in the suggestion of my friend, hon. Jhugroo, concerning the procedure for elections. We want the Council to be as democratic as possible and we want the profession to be governed by a Council of Peers. I welcome and I join in the suggestion of hon. Jhugroo that elections be held under the independent supervision of the Electoral Commissioner and the Electoral Supervisory Commission.

I will also suggest that, concerning the schedule for the procedure for election that the notice of elections not only be published, I should say in the old fashion, in a newspaper, but we should add that the notice be published electronically, as wide as possible, whether be it on the website, whether be it on any electronic means, because a newspaper is not even, if we have to compare it with, let us say Public Procurement Act, a newspaper having wide circulation in Mauritius. This is why I want to highlight that publication can be done otherwise than “such newspaper as may be determined”.

Finally, I would suggest to the hon. Minister to avoid the confusion which may arise between the Registrar of the Pharmacy Council, which we are creating now, and the existing Registrar of the Pharmacy Board...

(Interruptions)

There would be two Registrars. I would suggest that the hon. Minister considers an amendment in the appellation of the Registrar of the Pharmacy Board. My suggestion is to review the title of the Registrar of Pharmacy Board, because he will no longer be maintaining any Register of Pharmacists. The Register will be maintained under this Act such that the Registrar of Pharmacy Board may be renamed in a more appropriate manner.

These would be my comments and suggestions. I thank you, Madam Speaker.

(6.27 p.m.)

Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien): Madam Speaker, on this side of the House, we welcome this Bill to the extent that it regulates and controls the profession of the pharmacists.

Now, true it is that under the Pharmacy Act, we do have the Pharmacy Board which, as the law stands, as the Pharmacy Act stands, has two main functions –

- (i) to regulate and control the operations of pharmacies, and
- (ii) the regulation and control of pharmacists, as explained by the hon. Minister of Health.

It is true that under the Pharmacy Act, the powers given to the Board for the control and regulation of pharmacists is not very clear. It is found in the function of the Board, we do not have any Tribunal, we do not have any procedure whenever a complaint is registered against a

pharmacist. This Bill comes to make it very clear that the Council will investigate and the Tribunal will decide whether or not a pharmacist has committed any breach or has been negligent. So, to that extent, we welcome the Bill, on this side of the House.

However, one more positive thing about this new Bill is that under the Pharmacy Act, the Board was only empowered to regulate and control the acts and doings of pharmacies working in the private sector, that is, retail pharmacists, and there were no such powers, no such control on the acts and doings of pharmacists who were employed in the Government service. This new Bill makes provision for the Council to have delegated powers from the PSC to be able to regulate the conduct of pharmacists who are employed in the Government service as well. This is a good thing.

There are, however, some points which I shall invite the hon. Minister to consider. Firstly, there is one major problem and it is about pharmacy technicians, pharmacy dispensers. Under the Pharmacy Act, as it stands, the Board also had the power to control and regulate the acts and doings of pharmacy technicians. The pharmacy technicians is defined as those dispensing medicines over the counter. We all know that in Mauritius whenever we go to the pharmacies, the first people with whom we deal are the dispensers, not the pharmacists.

I find it strange that, in this Bill, nowhere is it mentioned how those pharmacy technicians, those pharmacy dispensers are going to be regulated, whether the Council is going to supervise their acts and doings. There is a loophole somewhere in the Act and I will invite the hon. Minister to consider this issue. The hon. Minister talked about the Pharmacy Council Act in the UK, and there, because of numerous complaints that have been reported against those pharmacy technicians, the legislators have deemed it fit to empower the Council for the Council to regulate the acts and doings of the technicians, and this has been made a profession in itself. So, maybe, I will invite the hon. Minister to look into the matter and come with amendments, if need be.

I have some difficulty in understanding section 31 of the Bill. It deals with other disciplinary measures and it reads as follows -

- “(1) Without any of the proceedings provided for in sections 27, 28 and 30 being instituted, the Council shall, where a pharmacist has been convicted of an offence and is serving a sentence of imprisonment or penal servitude –

- (a) suspend him as a pharmacist or (...)
- (b) deregister him as a pharmacist (...)"

Sections 27, 28 and 30 deal with the need for a hearing. This section 31 provides that in cases where a pharmacist has been convicted of an offence, there is no need for any hearing, the Council can straightaway just deregister the pharmacist. I find this unfair.

Let us take the example of a pharmacist being sent to prison because he has been involved in a tragic road accident or he has been sent to prison because of a case of drink-driving or even if he has assaulted somebody. This has nothing to do with his duties. Is it justified that we just deregister that pharmacist without giving him the opportunity to, at least, show why he should be deregistered? I will invite the hon. Minister who is a respected lawyer and who happened to be my pupil master as well to have a look at this case. The recent 2015 case Rajabally v/s the Pharmacy Board where the Chief Justice himself delivered a judgement and where it was clearly mentioned that even when a pharmacist has been convicted of an offence, there is a need to give that pharmacist a hearing before you take any action against him. So, I will invite the hon. Minister to have a look at this judgement which is a judgement which has been delivered a few weeks back.

Section 28 (1) says that –

“Where, after a preliminary investigation, the Council considers it necessary to prefer charges against a pharmacist, it shall forward to the pharmacist a statement (...).”

In my humble opinion, this term “where the Council considers it necessary” is too vague. When we draw an analogy with the Medical Council under the Medical Council Act, there, we have mentioned some parameters in cases where the doctor has been negligent, in cases where the doctor has committed a breach of the code of practice, etc. My friend, hon. Gobin made mention of being tried by his own peers. It is a good thing! Good! But then it leaves the door open for complacency and favouritism as well. So, this is why I say we have to set some parameters and mention in which situations should the Council start an investigation against a pharmacist.

Section 32 provides the situation –

“Where the Council is satisfied, after having carried out a preliminary investigation against a pharmacist, other than a pharmacist in respect of whom the Council holds a delegated power, that he has committed an act or omission which, in its opinion, is not considered to be of a serious nature, it may inflict upon him a warning or severe warning.”

We have the Council which is the investigatory body and we are giving to that investigatory body the discretion to decide whether the complaint that has been reported is of a serious nature or not. Well, I find there is a lack of transparency there. We should leave it to the Tribunal. Let the Tribunal decide whether an act is of a serious nature or not, not the Council!

So, I have said that I will be very short; I have mentioned some points. We have received complaints from pharmacists. We see that under the Bill, we are opening the profession to foreign pharmacists. The hon. Minister mentioned himself that there are about 500 pharmacists. The profession, I understand, is saturated. Now, opening the doors to foreign pharmacists, there are some questions that are being raised. There is one argument that has been put forward, if we allow foreigners to come, why don't we have reciprocity? The hon. Minister may make use of his good office and make it possible for our pharmacists as well to go and practise in other countries. Apart from these few remarks, as I have said, we welcome the Bill on this side of the House.

Thank you, Madam Speaker.

Madam Speaker: Hon. Minister Gayan!

(6.39 p.m.)

Mr Gayan: Madam Speaker, let me, first of all, express my thanks to all the hon. Members who have made meaningful contributions to this Bill. I wish also to express my apologies because of the number of amendments which have been circulated but this is as a result of the various representations which have been made and we are open to meaningful and helpful suggestions and this is why we have such a number of amendments which have been circulated.

I have listened very carefully to all the points that have been made in the course of the debates and I take on board the remarks of hon. Ramful with regard to the automatic deregistration of somebody without giving that person a hearing. I have asked the State Law Office to prepare something about it. So, at Committee Stage, I will make the necessary amendment to that. I think it is a valid point.

Let me say, Madam Speaker, that listening to hon. Jhugroo, I wish to appease his qualms about the election of the members of the Council. In fact, amendments have been suggested in the Schedule so that all the elections of the members of the Council will be conducted according to the Electoral Commissioner and the members of the Council from the public sector will be elected by the members of the public sector and those from the private sector will be elected by the private sector. So, there is no difficulty with regard to that. So, that is something that we have considered and we have made the necessary amendments.

I also wish to say that the aim of this Pharmacy Council Bill is to give to the profession of the pharmacist the standing that it requires in a modern Mauritius. We are gone from the days when you had to go to a pharmacy and you used to see big jars and the pharmacist used to take all sorts of things to concoct a medicine. Today, most of the medications come in packages. But the role of the pharmacist, it is true, is a very important one because between the doctor and the patient stands the pharmacist. It is the pharmacist who can counsel and give the necessary advice to the patient and, in fact, be the mentor and people trust the pharmacist sometimes more than they trust the doctors. Anyway, we are looking at the profession of pharmacist in a manner which will give to the profession the status and the image that it requires and I am sure that this Pharmacy Council Bill will help a lot in enhancing the standing of all pharmacists in our country.

I have also listened to the suggestion of hon. Jhugroo with regard to the absences whether it is 2 or 3 if there are valid reasons, then that particular clause will not apply. So, I do not think that it will make much difference whether it is 2 or 3 as long as there is a valid ground for a member to be absent, that should not really be a difficulty in that member continuing to be a member of the Council.

The other points that have been raised by hon. Dr. Sorefan with regard to the science subject, there is no right answer to this. I have known my friends who were laureates in the classics and who have turned out to be great surgeons. So, it makes no difference.

Somebody who has the aptitude and the will to embark on the pharmacist profession whether he is qualified in science subjects or other subjects, he will have to go through the test and the motions and he will need to live up to the expectations of the profession. So, I do not think that is really an issue. In fact, you may have some hidden talents. Some people who are in the classics go on to become great chemists. Who knows! But we will see. We are beginning this new journey with a Pharmacy Council Bill and we shall see how it develops. The studies for the pharmacists are pretty long, so, anybody who wants to join the pharmacist profession will obviously and naturally be somebody inclined in the science subjects. Although I take the point, I do not think that it is such a major impediment in the manner in which this Bill has been drafted. In fact, it is consistent with the Medical Council Act and the Dental Council Act. What we are trying to do is to have as much consistency as possible in all those professions. The other point that was raised also was in respect of the pharmacy technicians and all this.

We have not included that particular part of the trade in this Bill because it deals only with pharmacists. What will happen, we are coming with an Allied Health Professions Bill. In that particular Bill, we are going to provide for all those allied health professionals so that there is a regulatory framework for anybody concerned in the health sector. You will be surprised, Madam Speaker, that even a professional psychologist is not covered by any particular regulatory authority today. Psychologists can just practise without any regulatory framework. So, we need to have a Bill that is going to cover all those allied health professionals so that we have a background of law for anybody practising in the medical field. So, these are some of the remarks from the hon. Member, Mr Ramful. I think he made a very valuable contribution. Let me also say, Madam Speaker, that the intention with regard to the Tribunal - I think that there were some remarks made about the Tribunal. In the definition section of the Bill, we have defined the Tribunal as the Medical Disciplinary Tribunal. So, ultimately, we need to have a Tribunal that looks after the whole health sector.

(Interruptions)

It will have to be like the Supreme Court, a kind of the Supreme Court that will deal with anything relating to the health sector. Right now, I think it has been a piecemeal approach. We have the Medical Council Act, the Dental Council Act, but we have to look at it comprehensively and the point will come when we have a wide ranging jurisdiction for the Medical Tribunal. I will come to the House with a comprehensive Bill with regard to the Tribunals and also the composition of the Tribunals so that we have an independent, impartial body that is going to look at all these disputes or whatever grievances that there may be, that can be addressed in a very professional way. So, the qualms that have been expressed can be assuaged by what I have just said.

I do not think that there are some other things that I need to mention with regard to preliminary enquiries and all these. I think this has been taken care of because the procedure is that no one should be condemned unheard. This is why I have taken on board the suggestions of hon. Ramful and we are going to look at his suggestions. There are some other things that have been mentioned in the course of the debate, but basically they do not go to the substance of the Pharmacy Council Bill and we will, of course, bear everything in mind when the code of practice and all the things will be worked out so that we have, within the pharmacy trade, things that will be done properly.

The point was raised about pharmacist being physically in control of a pharmacy. Yes, it is the normal practice that a pharmacist should be present at all times when the pharmacy is open, but we all know that that is not the case. This is why we will have to address that particular concern. When the Pharmacy Act comes to the House, we will need to see whether it has to be an owner pharmacist trade or one person can be the owner and then employ pharmacists, but whatever it is there must be some control. I am fully aware of the problems associated with pharmacists. Some pharmacies doing a great deal of business after dark, but we do not have the necessary inspectors to go and inspect all the pharmacies. This is why I make an appeal to all the pharmacists to be very careful about the dispensing of, specially cough syrup, in the evening because people tend to cough a lot in the evening! So, I think we need to be careful about these things.

Let me say also, Madam Speaker, that things have been mentioned about examinations. In countries like Malaysia, South Africa, India and Singapore, any person wishing to read for a

degree in pharmacy has to spend four years. The study is for four years. In the UK, a master degree in pharmacy is four years' studies plus one year preregistration training. In France, the degree course is of a six-year duration, including a minimum of one-year training after the fourth year and, basically, all countries offer a four-year, full-time degree course followed by preregistration training. Now, the point that I wish to make is that we want to have the highest standards for the pharmacist profession. For them to be able to reach that level, they will have to qualify in reputable Universities.

The Pharmacy Council will have to do like the Medical Council, to have a list of those Universities where people can go and study so that when they come back, they are prepared to sit for the exam in Mauritius and pass that exam. If they do not pass that exam, of course, they will not be entitled to practise. We are thinking of having an international body that will come to set the exam. I know that some people do not like it, but then we have to give credibility to the profession of the pharmacists. We have a look at various international examining bodies that conduct examinations; we are exploring, for example, the General Pharmacy Council of the UK, the South African Pharmacy Council, the Singapore Pharmacy Council and the Australian Pharmacy Council.

The reason for this high standard is that if somebody passes and qualifies from that kind of an examining body, the whole of Africa or wherever these people want to go, they will have the credibility and the standing to go and practise anywhere. This is important because we want to open up the Mauritian doctors, dentists whoever to the rest of Africa. I say it not only for the pharmacists but also for the doctors. We have lots of unemployed doctors in Mauritius and I hope that they will be open to the possibility of going to work in African countries as doctors. That is going to give us a great image in Africa, so that we have to look at the profession not only in terms of what Mauritius can do, but what also Mauritian doctors can do in Africa. I think we have to look at it in a much bigger perspective and this is not only for pharmacists but for doctors we need to have the maximum qualifications so that our people become marketable anywhere in the world.

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

Question put and agreed to.

Bill read a second time and committed

Madam Speaker: Hon. Members, the amendment which has been proposed by hon. Ramful has been agreed to by the hon. Minister of Health and Quality of Life and I understand that the amendments are being drafted right now. So, I suspend the session till the amendments have been drafted and we can proceed for Committee Stage.

At 6.55 p.m. the sitting was suspended

On resuming at 7.23 p.m. with Madam Speaker in the Chair.

COMMITTEE STAGE

(Madam Speaker in the Chair)

THE PHARMACY COUNCIL BILL

(No. XIII of 2015)

Clause 1 ordered to stand part of the Bill.

Clause 2 (Interpretation)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 2 be amended as follows -

“in clause 2, in the definition of “practice of pharmacy” -

- (i) in paragraph (a), by deleting the words “prescribing”;
- (ii) in paragraph (c), by deleting the words “and prescribing”;
- (iii) in paragraph (f), by deleting the words “of pharmaceutical products” and replacing them by the words “at each level of pharmacy operation”;
- (iv) by adding the following new paragraph -
 - (h) reporting adverse drug reactions (ADR) through the established mechanism of the pharmacovigilance unit of the Ministry;”

Amendment agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clauses 3 and 4 ordered to stand part of the Bill.

Clause 5 (Functions of Council)

Motion made and question proposed: "that the clause stand part of the Bill."

Mr Gayan: Madam Chairperson, I move that clause 5 be amended as follows -

"in clause 5, by deleting paragraph (h) and replacing it by the following paragraph -

- (h) approve the conduct of such examination before registering pharmacists;"

Amendment agreed to.

Clause 5, as amended, ordered to stand part of the Bill.

Clause 6 (Powers of Council)

Motion made and question proposed: "that the clause stand part of the Bill."

Mr Gayan: Madam Chairperson, I move that clause 6 be amended as follows -

"in clause 6 -

- (i) in paragraph (d) -
 - (A) by deleting the words "subject to section 36,";
 - (B) by inserting, after the words "from, a", the words "pharmacist or";
- (ii) in paragraph (e), by inserting, after the words "from a", the words "pharmacist or";"

Amendment agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clause 7 (Composition of Council)

Motion made and question proposed: "that the clause stand part of the Bill."

Mr Gayan: Madam Chairperson, I move that clause 7 be amended as follows -

"in clause 7 -

- (i) in sub-clause (1) -
 - (A) by deleting paragraph (a) and replacing it by the following paragraph -
 - (a) 3 pharmacists from the public sector, each having not less than 7 years' experience as pharmacist in Mauritius, to be elected in the manner specified in the Schedule;
 - (B) in paragraph (b), by inserting, after the words "5 pharmacists", the words "from the private sector";
 - (C) by deleting paragraph (c), paragraphs (d), (e), (f), (g) and (h) being relettered as paragraphs (c), (d), (e), (f) and (g), respectively;
 - (D) by deleting the newly relettered paragraph (c) and replacing it by the following paragraph -
 - (c) a pharmacist posted at the Ministry;
 - (E) in the newly relettered paragraph (f), by deleting the words "Department of Health Sciences of the University of Mauritius" and replacing them by the words "tertiary education sector, to be appointed by the Minister";
 - (F) in the newly relettered paragraph (g), by deleting the words "posted at the Ministry and a representative of a Consumer Protection Organisation" and replacing them by the words "from the public sector";
- (ii) in sub-clause (3), by deleting the words "to (f)" and replacing them by the words "to (e)";

Amendment agreed to.

Clause 7, as amended, ordered to stand part of the Bill.

Clause 8 (Vacancy in membership of Council)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 8 be amended as follows -

“in clause 8, in paragraphs (1) and (3), by deleting the words “to (f)” and replacing them by the words “to (e)”;

Amendment agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Clauses 9 to 11 ordered to stand part of the Bill.

Clause 12 (Registrar)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 12 be amended as follows -

“in clause 12 -

- (i) in sub-clause (2), by deleting the figure “5” and replacing it by the figure “10”;
- (ii) in sub-clause (7), by inserting, after the words “another pharmacist”, the words “having at least 10 years’ experience as a pharmacist in Mauritius”;

Amendment agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

Clauses 13 to 16 ordered to stand part of the Bill.

Clause 17 (Practice of pharmacy)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 17 be amended as follows -

“in clause 17(2) -

- (i) by deleting paragraph (a), paragraphs (b), (c) and (d) being relettered as paragraphs (a), (b) and (c), respectively;
- (ii) in the newly relettered paragraph (c), by deleting the words “, or Ayurvedic” and replacing them by the words “, Ayurvedic”;

Amendment agreed to.

Clause 17, as amended, ordered to stand part of the Bill.

Clause 18 (Registration of pharmacist)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 18 be amended as follows -

“in clause 18 -

- (i) in sub-clause (1), in paragraph (d), by deleting the words “subject to subsection (2)(b), ”;
- (ii) in sub-clause (2), by deleting paragraphs (b) and (c) and replacing them by the following paragraphs -

(b) An examination referred to in subsection (1)(e) shall be held at least once every year.

(c) Subsection 1(e) shall not apply to a person who satisfies the criteria in subsection 1(c), subject that he is registered as a pharmacist by the regulatory body of the country where he obtained his degree, diploma or equivalent qualification in the field of pharmacy and he has at least 3 years’ experience as a pharmacist.”

Amendment agreed to.

Clause 18, as amended, ordered to stand part of the Bill.

Clause 19 ordered to stand part of the Bill.

Clause 20 (Annual list)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 20 be amended as follows -
“in clause 20(2), by deleting the figure “1” and replacing it by the figure “15”;

Amendment agreed to.

Clause 20, as amended, ordered to stand part of the Bill.

Clause 21 ordered to stand part of the Bill.

Clause 22 (Registration of pre-registration trainee)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 22 be amended as follows -
“in clause 22 -

- (i) in sub-clause (1)(b), by deleting the words “pharmaceutical institution, or undertaking,” and replacing them by the word “pharmacy”;
- (ii) by adding the following new sub-clause -
 - (6) For the purpose of subsection (1)(b) -
“pharmacy” has the same meaning as in the Pharmacy Act.”

Amendment agreed to.

Clause 22, as amended, ordered to stand part of the Bill.

Clause 23 ordered to stand part of the Bill.

Clause 24 (Foreign pharmacist)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 24 be amended as follows -
“in clause 24 -

- (i) in sub-clause (1)(c), by deleting the words “and (c)” and replacing them by the words “, (c), (d) and (e)”;

- (ii) in sub-clause (5), by inserting, after the word “annually”, the words “subject to the payment of the annual fee and”;

Amendment agreed to.

Clause 24, as amended, ordered to stand part of the Bill.

Clause 25 ordered to stand part of the Bill.

Clause 26 (Interpretation of Part VI)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 26 be amended as follows -

“in clause 26, in the definition of “pharmacist”, by adding the following new paragraph, the word “and” at the end of paragraph (a) being deleted and the full stop at the end of paragraph (b) being deleted and replaced by the words “; and” –

(c) a visiting pharmacist.”

Amendment agreed to.

Clause 26, as amended, ordered to stand part of the Bill.

Clauses 27 and 28 ordered to stand part of the Bill.

Clause 29 (Membership of Tribunal)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 29 be amended as follows -

“in clause 29(1), by inserting, after the words “2 persons”, the words “, one from the public sector and one from the private sector,”;

Amendment agreed to.

Clause 29, as amended, ordered to stand part of the Bill.

Clause 30 ordered to stand part of the Bill.

Clause 31 (Other disciplinary measures)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 31 be amended as follows -

“in clause 31(1)(b), by deleting the words “deregister him” and replacing them by the words “give him an opportunity to show cause why he shall not be deregistered”.”

Amendment agreed to.

Clause 31, as amended, ordered to stand part of the Bill.

Clauses 32 to 45 ordered to stand part of the Bill.

Clause 46 (Consequential amendment)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 46 be amended as follows -

“in clause 46 -

- (i) in paragraph (a) -
 - (A) by deleting subparagraph (i) and replacing it by the following subparagraph -
 - (i) by deleting the definitions of “assistant pharmacist”, “Education Committee” and “student”;
 - (B) by inserting, after subparagraph (iii), the following new subparagraph -
 - (iiiA) in the definition of “pharmacy technician”, by deleting the words “or an assistant pharmacist”;
- (ii) in paragraph (b) -
 - (A) by deleting subparagraph (i) and replacing it by the following subparagraph -

- (i) in paragraph (a), by deleting the words “pharmacist, assistant pharmacist,” and “or student”;
- (B) by inserting, after subparagraph (i), the following new subparagraphs -
 - (iA) in paragraph (c), by deleting the words “pharmacist, assistant pharmacist,” and “or student”;
 - (iB) in paragraph (d), by deleting the words “pharmacist, assistant pharmacist,” and “or student”;
 - (iC) by repealing paragraph (f);
- (iii) by deleting paragraph (d) and replacing it by the following paragraph -
 - (d) in section 11(b), by deleting the words “separately the particulars relating to pharmacists, assistant pharmacists, pharmacy technicians and students” and replacing them by the words “the particulars of pharmacy technicians”;
- (iv) by deleting paragraph (e) and replacing it by the following paragraph -
 - (e) in section 12 -
 - (i) in subsection (1), by deleting the words “pharmacist, assistant pharmacist or”;
 - (ii) by repealing subsection (4);
 - (iii) in subsection (5) -
 - (A) in paragraph (a), by deleting the words “pharmacist, assistant pharmacist or”;
 - (B) in paragraph (b), by deleting the words “pharmacist, assistant pharmacist or”;

- (v) by adding the following new paragraph -
- (f) by repealing sections 13 to 16.”

Amendment agreed to.

Clause 46, as amended, ordered to stand part of the Bill.

Clause 47 (Savings and transitional provisions)

Motion made and question proposed: “that the clause stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that clause 47 be amended as follows -

“in clause 47(3), by deleting the words “referred to in the repealed sections 12 to 16 of that Act’ and replacing them by the words “which falls within the purview of the Council”;

Amendment agreed to.

Clause 47, as amended, ordered to stand part of the Bill.

Clause 48 ordered to stand part of the Bill

SCHEDULE

Motion made and question proposed: “that the Schedule stand part of the Bill.”

Mr Gayan: Madam Chairperson, I move that the Schedule be amended as follows -

“in the Schedule -

- (i) in item 1, by deleting the words “section 7(1)(b)” and replacing them by the words “section 7(1)(a) and (b)”;
- (ii) in item 5 -
 - (A) in paragraph (1), by deleting the words “under the supervision of the supervising officer or his representative, who shall submit to the Minister the results of the election forthwith” and replacing them by the words “by the Office of the Electoral Commissioner who shall communicate the results to the Registrar”;

(B) by inserting, after paragraph (1), the following new paragraph, paragraph (2) being renumbered as paragraph (3) -

(2) The Registrar shall submit to the Minister the results of the election forthwith.”

Amendment agreed to.

The Schedule, as amended, ordered to stand part of the Bill.

The title and enacting clause were agreed to.

The Bill, as amended, was agreed to.

On the Assembly resuming with Madam Speaker in the Chair, Madam Speaker reported accordingly.

Third Reading

On motion made and seconded, the Pharmacy Council Bill (No. XIII of 2015) was read the third time and passed.

ADJOURNMENT

The Deputy Prime Minister: Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 20 October 2015, at 11.30 a.m.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo) rose and seconded.

Question put and agreed to.

Madam Speaker: The House stands adjourned.

(7.34 p.m.)

MATTERS RAISED

Madam Speaker: Hon. Leopold!

MAURITIUS-RODRIGUES – PASSENGER VESSEL & AIR FLIGHTS

Mr J. Leopold (Second Member for Rodrigues): Madam Speaker, I would like to bring to the attention of this august House and the hon. Minister concerned that, since February 2014, the Mauritius Pride has ceased its operation liaising Mauritius to Rodrigues Island. As a consequence, there has been a drastic change in tourists' arrival, and this effect was immediate with a fall of 57% in the total number of arrival.

I am raising this concern because now the only passenger vessel that liaise Mauritius and Rodrigues is the Mauritius Trochetia. Mauritius Trochetia can only carry 106 passengers compared to Mauritius Pride which can carry 264 passengers at a go. Mauritian tourists prefer to travel by ship, so that when they come back they can bring along local products, and the carrying capacity by boat is bigger with two-container luggage of 22 kgs each and a cabin bag, as compared to travelling by air with a carrying bag restricted to 15 kgs and a head luggage.

Now, Mauritius Pride is no more in activity. Obtaining a seat on Mauritius Trochetia is more difficult, with longer waiting time. Groups of tourists and adventurers from Mauritius, notably scout groups and senior citizens, are not able to go to Rodrigues because they can no more afford it, as there are not enough seats on the ship. In consequence to that, so many people are obliged to travel by air despite the high demand of air tickets and they are unable to get a seat because no provision is made to increase air flights from Mauritius to Rodrigues. So, many people, every day travelling on either way, have to go to the airport to try their luck to obtain a seat. In so many cases, they cannot have a seat to travel and they have to travel back and forth to Port Louis and Plaisance several times in a day, in an attempt to have a seat. In so many cases, the amount of money they spend on taxi fares exceeds the airfare itself, and this is not proper.

Therefore, I am making an appeal to the hon. Minister concerned to look into the matter urgently, as we are entering into peak season, to solve such precarious situation so as not to deprive all the people concerned from travelling and have their holiday.

I thank you, Madam Speaker.

The Deputy Prime Minister: Madam Speaker, the Minister concerned for Shipping, hon. Bodha, is not here, but I will ensure that this matter be brought to his attention and also to the Rt. hon. Prime Minister concerning services by Air Mauritius.

Madam Speaker: Hon. Dr. Sorefan!

SOCIAL SECURITY OFFICES - WHEELCHAIRS

Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix): Thank you, Madam Speaker. I would like to raise an urgent matter in relation to wheelchairs addressed to the attention of the hon. Minister of Social Security, National Solidarity and Reform Institutions.

Madam Speaker, I have been informed that there is no wheelchair presently available in the Social Security Offices since February 2015. May I request the hon. Minister to look into the matter urgently, as there are hundreds of applicants who are desperately waiting for the wheelchairs while some cannot attend to their hospital appointments?

The hon. Minister can come with a statement on that issue at the next sitting if she does not have the details on that issue today.

The Minister of Social Security, National Solidarity and Reform Institutions (Mrs F. Jeewa-Daureeawoo): Madam Speaker, I will look into the matter and inform the House accordingly.

Madam Speaker: Hon. Ganoo!

POINTE AUX SABLES SHELTER - 10-YEAR OLD GIRL – SUICIDE ATTEMPT

Mr A. Ganoo (First Member for Savanne & Black River): Madam Speaker, I would like to raise a very sad matter for the attention of the hon. Minister responsible for Child Protection and Family Welfare. In fact, it is an incredible and shattering affair which has taken place a few days ago. It concerns the case of a young girl of 10 years old who attempted to commit suicide while she was being kept in a shelter at Pointe aux Sables.

From the information I have gathered, this girl has made allegations of regular ill-treatment and brutality on the part of one or certain caregivers or care providers of the shelter at Pointe aux Sables. According to the mother of the child who was working as a maid servant, the child was committed to this shelter on the grounds of mendacity and she has been in the shelter for quite some time and no longer wanted to stay in that shelter as she was being subjected to ill-treatment and violence on the part of the care providers. Then, unable to bear the treatment

meted out to her, she finally decided to commit *l'irréparable* and commit suicide by ingurgitating, drinking some detergent, *un produit de nettoyage* which was available in the shelter. The mother was informed, Madam Speaker, that the child was admitted at the hospital only when a neighbour informed her of that dreadful situation.

It would seem that the shelter did not even inform the mother of that attempted suicide. I understand that the Police are enquiring in the matter, but I am sure that the hon. Minister can enlighten the House on certain aspects of this sad incident, of this incredible situation, Madam Speaker. A shelter is a place of safety as we all know, according to our law, the Child Protection Act, and it is the previous Minister who designated that place as a shelter, which is a place of safety. How can, therefore, an inmate, especially this girl of 10 years, been subjected to so much violence, which forced her to commit that suicide? Especially, as we know, according to the guidelines for alternative care of children, at paragraph 12, this is what I can read –

“Children must be treated with dignity and respect at all times and must benefit from effective protection from abuse (...) whether on the part of care providers, peers or third parties, in whatever care setting they may find themselves.”

This is the guideline for the alternative care of children of the UN.

Madam Speaker, I am sure the hon. Minister must have been informed of what happened and inform the House also why the mother was not informed of this serious act of the girl, what is the level of experience of these care providers in this shelter, which I understand is also under the aegis of the Ministry, and how effectively does the Ministry monitor and control this shelter and the different shelters all over the country.

I am sure the hon. Minister would, for the enlightenment of the House and the country, react to that situation.

The Minister of Gender Equality, Child Development and Family Welfare (Mrs A. Perraud): I would like to inform the House and the hon. Member that Ms A. G., now aged 10, was first placed in a shelter after ill-treatment at home. Thereafter, the father obtained custody of the child. However, CDU lately had to bring the child back to a place of safety after she was found begging for money in the streets of Port Louis.

She was placed in a shelter at Pointe aux Sables and was followed by officers of my Ministry and by the psychologist assigned to the shelter. On 14 September, she swallowed what was identified as being diluted liquid soap. She was immediately seen by doctors at the Dr. A. G. Jeetoo Hospital. Her mother, taking cognizance of the act of her daughter, explained that she is willing to take responsibility of the child. At her discharge from hospital on 21 September 2015, the child was placed in another shelter in the lower Plaine Wilhems.

The Police is presently carrying out its enquiry following the allegations made by the child and her mother. An enquiry is also on at the level of the shelter at Pointe aux Sables concerning this allegation.

At this stage, I would like to state that there is a paradigm shift in the way I want the CDU to function. For too long, the CDU has been bringing children in shelters, without making appropriate follow-up with a view to rehabilitate them and reintegrate them within the family setting, as far as this can be possible. I have asked that all the files of the 556 children in shelters be screened so that the possibility of reintegration in the family setting or placement in foster families are studied seriously.

I feel that placement of a child in a shelter should be temporary and all forms of alternative care, be it family setting reintegration or placement in foster care, should, as far as possible, be the preferred option. I have had lengthy discussions with representatives of the Kolektif Drwa Zanfan Morisien - which groups more than 12 prominent associations working on child welfare - and they are looking in that same direction.

Thank you.

PLAINE LAUZUN - DISPENSARY

Mr J. C. Barbier (Fifth Member for GRNW & Port Louis East): Madame la présidente, je voudrais soulever un cas concernant le dispensaire de Plaine Lauzun, donc, concernant le ministre de la Santé.

Madame la présidente, ce dispensaire de Plaine Lauzun qui desservait les habitants de la Cité Vallijee, de Plaine Lauzun et de Camp Chapelon, malheureusement, est fermé depuis quelque temps, et je suppose que c'est à cause de l'état de délabrement du bâtiment. Donc, ce même bâtiment délabré, aujourd'hui, sert pour la distribution de la Méthadone. Donc, c'est

ouvert uniquement le matin pour une heure ou deux et puis c'est fermé et il n'y a pas d'autres services dans ce dispensaire.

Je comprends que le ministère était en quête d'un bâtiment ou d'un terrain pour la construction d'un nouveau dispensaire.

Je fais un pressant appel au ministre pour qu'un lieu pouvant desservir ces mêmes habitants, donc, de Camp Chapelon, de Plaine Lauzun et des résidences Vallijee, puisse être rapidement identifié et que ces services puissent être redonnés aux habitants de ces régions.

Merci, Madame la présidente.

The Minister of Health and Quality of Life (Mr A. Gayan): Madam Speaker, I will certainly look into the matter as urgently as possible.

At 7.47 p.m. the Assembly was, on its rising, adjourned to Tuesday 20 October 2015 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

MINISTRY OF FOREIGN AFFAIRS, REGIONAL INTEGRATION AND INTERNATIONAL TRADE – MINISTER/SUPERVISING OFFICER - RESPONSIBILITIES

(No. B/658) 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 he will state if he has taken cognizance of a report submitted to the Secretary to the Cabinet and Head of the Civil Service by a high ranking officer of the Ministry of Foreign Affairs, Regional Integration and International Trade in regard to the daily ministerial intervention in the day to day running of the Ministry and, if so, indicate if an inquiry has been carried out thereinto and the remedial measures taken, if any, in relation thereto.

Reply: I am informed that there is no such report addressed to the Secretary to Cabinet and Head of the Civil Service. The Secretary to Cabinet and Head of the Civil Service has, in fact, received a copy of a letter dated 24 July 2015, addressed to the Acting Secretary for Foreign Affairs, by a senior officer of the Administrative Cadre then posted at the Ministry of Foreign Affairs, Regional Integration and International Trade. In his letter, the officer expressed his concern over certain issues pertaining to the management of the Ministry.

I understand that the root cause of the problem was a dissention over the interpretation of the provisions of section 68 of the Constitution with regard to the respective roles and responsibilities of a Minister and a Supervising Officer.

As the House is aware, the roles and responsibilities of a Minister and Supervising Officer are couched in broad terms under sections 62 and 68 of the Constitution. These constitutional provisions do not tell us how the key relationships should work in practice. Besides, the report of the Standing Committee on the Reform of the Civil Service, commonly known as the Burrenchobay Report, released in 1999, questioned whether sections 62 and 68 of the Constitution are sufficiently explicit to help Ministers and Supervising Officers to honour their rather fuzzy mandate. When left to subjective interpretation, these provisions may occasionally lead to confusion, personal and institutional stress and possibly a breakdown of communication, which would be quite regrettable and should be avoided at all cost.

There is a need therefore to bring more clarity in the roles and responsibilities of the different actors within the Executive so that they can continue to work together constructively in the interest of the nation.

This is the reason why the Government has, in its 2015-2019 Programme, pledged to introduce a Public Service Bill, the main object of which is precisely to clarify and secure the boundaries between the office holders within the Executive, with a view to building and sustaining the relationships necessary for good government and reinforcing transparency, accountability and integrity.

I am informed that work on the drafting of the Public Service Bill has reached an advanced stage and the approval of Government will soon be sought for its introduction into the National Assembly, after appropriate consultations.

AIR ACCESS – AIRLINE COMPANIES

(No. B/663) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to air access, he will state the airline companies which –

- (a) are presently serving Mauritius, indicating in each case, their country of origin, and
- (b) will be serving Mauritius.

Reply: I am tabling the information requested by the hon. Member.

PORT LOUIS MARITIME & PORT LOUIS EAST – NDU PROJECTS

(No. B/664) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Constituency No. 3, Port Louis Maritime and Port Louis East, he will state the projects undertaken thereat by the National Development Unit, since December 2014 to date, indicating in each case the –

- (a) nature thereof, and
- (b) cost thereof.

Reply: I am informed by the National Development Unit that one project, namely the "Diversion of Existing Sewer Pipes and Drainage Water at Roche Bois" was awarded to Onix Co. Ltd. on 22 December 2014 for a project value of Rs2.8 m., inclusive of VAT. The project comprised diversion of sewer main lines, water pipeline, as well as the construction of 1.5 metre wide reinforced concrete culvert across Abattoir Road. Major works have been completed since 07 September 2015 and snagging is in progress.

I am also informed that a "*constat de lieu*" was effected in the first instance, given that the NDU had previously awarded contracts well beyond its budget and executing capacity. Moreover, the NDU had to clear the outstanding claims by contractors involved and funds were, therefore, not available for new projects.

For the current Financial Year, to circumvent problems encountered previously, the NDU, in consultation with the relevant Parliamentary Private Secretary has prepared a list of projects to be implemented in Constituency No. 3. The full list of projects is being tabled.

EBENE – POLICE STATION

(No. B/665) 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 Ebene, he will state if he will consider requesting the Commissioner of Police to look into the advisability of providing for a Police Station thereat for enhanced security services.

Reply: I am informed by the Commissioner of Police that the need for the setting up of a Police Station in a specific locality is determined by a number of factors, including the population density of the region; the prevailing crime rate; the extent of socio-economic and

commercial activities; industrial development and assets, and the geographical area being covered by the nearest Police Stations.

I am further informed that the region of Ebène falls under the policing jurisdiction of Rose Hill Police Station. Ebène has a resident population of 2,000; however, around 15,000 persons call at Ebène for work on a daily basis. In view thereof, the region does not meet the criteria for a full-fledged Police Station.

According to the Police, the majority of offences recorded for the region relate to road traffic contraventions, namely speeding and illegal parking. In this respect, Police have intensified their operations targeting drivers contravening the Road Traffic Act.

In addition, the region is policed by the Emergency Response Unit, Divisional CID, Divisional Support Unit, Divisional Traffic Unit, Police Bike Patrol, *Police de L'Environnement* and Anti-Drug and Smuggling Unit. As such, Police do not envisage the setting up of a full-fledged Police Station at Ebène for the time being.

Nevertheless, a Police post rather than a full-fledged Police Station will be set up in Ebène to reinforce the existing measures being implemented to curtail offences and enhance security. Existing space in the Cybertower 1 has been reallocated by the Business Parks of Mauritius Ltd. in order to accommodate the new Police Post which is expected to become operational early next year.

CEB - CHAIRPERSON - APPOINTMENT

(No. B/681) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Chairperson of the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to the -

- (a) name of the incumbent thereof;
- (b) date of appointment thereof, and
- (c) terms and conditions of contract of employment thereof.

Reply: Section 5 (1) (b) of the Central Electricity Board Act provides that the Chairman of the Central Electricity Board shall be appointed by the Minister, shall hold office for a term of three years and shall be eligible for re-appointment.

Section 5 (11) (b) further provides that the Chairman shall receive such remuneration as the Minister may determine. Consequently, the matter is not a matter falling within the purview of the Board but falls solely under my responsibility.

In answer to parts (a) and (b) of the question, in virtue of the powers vested in me under section 5 (1) (b), I appointed Mr. Mootoosamy Naidoo to be the Chairman of the Central Electricity Board. This was on 09 April 2015.

In answer to part (c) of the question, the Chairman of the Board is not an employee of the Board so that the question of a contract of employment does not arise. He is in receipt of remuneration amounting to Rs108,000. He also receives a petrol allowance of Rs19,350.

The CEB also puts at his disposal a car make Mercedes Benz Model E 250 registered in 2012. The car has an engine capacity of 1796 cc. This remuneration package was fixed by me under the relevant provisions of the law.

The House may wish to note that the remuneration and benefits of Mr. Naidoo are the same as those of his predecessor and are in line with the recommendations contained in the Review of Salaries and Conditions of Service exercise effective as from 01 July 2013.

OVERSEAS MISSIONS - MINISTERS & DELEGATION

(No. B/682) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Finance and Economic Development whether, in regard to the overseas missions effected by the hon. Ministers, since January 2015 to date, he will give a list thereof, indicating in each case the -

- (a) duration thereof and countries visited;
- (b) composition of the accompanying delegation thereof, and
- (c) amount of money paid out in terms of air tickets, *per diem* and other allowances.

Reply: The information requested is being compiled and same will be tabled at the earliest.

MARITIME LABOUR CONVENTION 2006 - RATIFICATION

(No. B/683) Mr S. Mohamed (First 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 Maritime Labour Convention 2006 which was ratified by the Republic of Mauritius on 30 May 2014, he will state where matters stand as to the implementation thereof.

Reply: I am informed that a gap analysis covering the requirements under the Maritime Labour Convention 2006 had been prepared and finalised in April 2014.

On 16 April 2014, Mr G. Seegobin, former Superintendent of Shipping, was appointed Consultant to draft the Maritime Labour Convention Bill.

Subsequently, a National Tripartite Workshop on the ratification of the Maritime Labour Convention 2006 was organised with the International Labour organisation from 12-14 May 2014.

Furthermore, during the period of April to June 2014, seven meetings were held with representatives of relevant Ministries and the Consultant to discuss the first draft.

A second draft was submitted by the Consultant on 14 January 2015 which was examined by my Ministry and circulated to relevant Ministries for their views and comments.

A meeting was held on 05 April 2015 between officers of my Ministry and the Occupational Safety and Health Inspectorate of the Ministry of Labour, Industrial Relations Employment and Training to discuss issues related to the Occupational Safety and Health and Accident Prevention which had been included in the draft Bill.

The Consultant submitted a third draft on 23 September 2015 and a meeting under the aegis of my Ministry with Consultant and Ministry of Social Security, National Solidarity and Institutional Reforms was conducted on 28 September 2015 to finalise the section relating to Social Security.

Technicians of my Ministry attended two meetings of the Advisory Council for Occupational Safety and Health at the Ministry of Labour, Industrial Relations Employment and Training on 20 April and 05 October 2015. The objective of the meetings were to discuss and give clarifications to members on the occupational safety and health part of the proposed legislation.

Once the third draft has been thoroughly examined by all the relevant stakeholders, it will be submitted to the State Law Office for final vetting before the end of the year.

MARITIME TRAINING ACADEMY - TRAINERS/INSTRUCTORS

(No. B/684) Mr S. Mohamed (First 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 Maritime Training Academy of Mauritius, he will, for the benefit of the House, obtain therefrom, information as to the number of –

- (a) trainers/instructors posted thereat;
- (b) persons trained thereat in 2015 in the field of safety, and
- (c) persons trained to work on cruise ships, over the period January 2015 to date.

Reply: The Economic Mission Statement of the Rt. hon. Prime Minister has highlighted the creation of 25, 000 jobs in the Ocean Economy over the next 5 years, out of which, it is estimated that some 20,000 jobs will come from the Maritime Sector.

The Maritime Sector is very promising in terms of job creation. According to information gathered from stakeholders, there is a potential yearly demand for some 5,000 job seekers to work onboard fishing vessels, cargo vessels, tankers and cruise/passenger vessels.

In the course of my intervention on Budget 2015-2016, I announced two major policy decisions in order to maximise employment opportunities in the Maritime Sector, namely -

- a. the training capacity of the Mauritius Maritime Training Academy, presently the sole provider of training of seafarers, will be increased from 200 to 2000 yearly, that is, by ten-fold, and
- b. opening up the market of training of seafarers to allow private institutions to dispense approved courses so as to fill the training gap of 3,000 trainees yearly.

Regarding part (a) of the question, I am informed that the number of trainers dispensing courses at the MMTA stands at 19 as at date, compared to 11 in 2014, that is, an increase of 72 percent.

Regarding part (b) and part (c) of the question, I would like to clarify for the benefit of the House that any person who would like to work on board cruise/passenger vessels would have to follow these courses -

- (a) Basic Safety Training;
- (b) Crowd Management;
- (c) Crisis Management and Human Behaviour Training, and
- (d) Proficiency in Security Awareness.

The MMTA has, from January 2015 to date trained 524 persons in these courses, which includes 426 in Basic Safety.

The 426 persons who have followed the Basic Safety Training have also completed the other three courses, which now make them eligible to serve on cruise/passenger vessels.

MINISTRIES/GOVERNMENT INSTITUTIONS - RECRUITMENT

(No. B/685) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to the unemployed registered with his Ministry, he will state –

- (a) the number thereof, and
- (b) the number of requests for the employment thereof received from other

Ministries and Government institutions in respect of vacancies existing thereat since December 2014 to date, indicating the;

- (i) number of vacancies concerned therewith, and
- (ii) number thereof who have been employed in each Ministry or Government institutions as a result thereof.

Reply: In regard to part (a) of the question, I am informed that, according to statistics available at the Employment Service of my Ministry, the total number of registered jobseekers at the end of August 2015 stood at 48,737.

However, I wish to point out that registered jobseekers are classified by the Employment Service in two categories, namely the unemployed jobseekers who are not in gainful employment, and those who, though already in employment, are registered in search of a better job.

Therefore, at the end of August this year, the figures for registered unemployed were 25,588 and for those in search of a better job were 23,149.

In regard to part (b) of the question, I am informed that since December last year, my Ministry has received 17 requests from Ministries and other Government Bodies for list of candidates for filling of 684 vacancies on their establishment.

As the hon. Member is fully aware, it is only after the selection exercise has been completed by the organisations concerned that the outcome of the selection process are

communicated to the Employment Service of my Ministry. I am given to understand that the selection process is underway.

NATIONAL INSURANCE COMPANY - POLICY HOLDERS - PAYMENT

(No. B/698) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Financial Services, Good Governance and Institutional Reforms, Minister of Technology, Communication and Innovation whether, in regard to the former British American Insurance Co. (Mtius) Ltd., he will, for the benefit of the House, obtain from the National Insurance Company, information as to the number of life insurance policyholders thereof who have been paid by the Company following the maturity of their respective policy.

Reply: The National Insurance Co. Ltd (NIC) started operations on 07 August 2015 with the transfer of undertaking from BAI Co. (Mtius) Ltd to NIC. Since then, a total of 407 regular premium life insurance policies fell due for maturity payments for a total amount of Rs49.6 m.

I am informed by the National Insurance Co. Ltd that as at date, a total of Rs49.1 m. has been paid representing 395 policies. Therefore, the payout rate is 98%.

I am further informed that the remaining 12 policies could not be paid, as a result of missing documentation from the policyholders (relating to bank account number not specified and missing signature from policyholders on the maturity forms).

Payments to the 12 policies having reached maturity will be effected immediately upon receipts of the outstanding documentation.

NINE YEAR SCHOOLING PROJECT - IMPLEMENTATION

(No. B/699) 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 Nine Year Schooling Project, she will state –

- (a) if the present standards of the infrastructure at the primary and secondary levels meet the requirements thereof, and
- (b) the total costs of implementation thereof.

Reply: I wish to inform the House that the implementation of the nine year basic continuous schooling project will necessitate the adaptation and upgrading of the existing infrastructure as well as the provision of additional facilities such that the teaching and learning takes place in a more conducive environment.

Necessary action is being initiated to ensure that the infrastructure is well adapted for the new integrated curricular activities to take place in the best possible conditions in line with the new pedagogical approaches as spelt out in the NYS framework. We have to reckon with the fact that the NYS Project provides, *inter alia*, for the setting up of Academies where teaching and learning would take place in a co-ed environment and also for new technical and vocational pathways.

We are conscious of the fact that the school infrastructure would require investment at three levels, namely -

- (i) improvement to existing school buildings;
- (ii) adaptation of physical infrastructure as per the needs for a co-ed environment; and
- (iii) development of a proper ICT Infrastructure (upgrading and procurement).

In the context of the implementation of this project, my Ministry has set up eight working groups to deal with key areas of intervention, one of which is specifically addressing the issue of ICT and Infrastructure. In fact, this working group is elaborating an implementation plan which will come forward with immediate, short-term and long-term measures while keeping in view of the fact that -

- (i) the first cohort of pupils that will sit for the Primary School Achievement Certificate (PSAC) at the end of Grade 6 in 2017 will transit to Grade 7 in Regional Schools as from January 2018;
- (ii) and this same cohort will take the National Certificate of Education at end of Grade 9 in 2020 prior to moving to Grade 10 in 2021.

With regard to the Primary level, I wish to point out that there is a Primary School Renewal Project wherein every year, primary schools infrastructures requiring upgrading works and reconstruction of new building blocks are undertaken on a priority needs basis.

As far as the Secondary sector is concerned, there is already provision under the Ministry's budget for regular upgrading, extension and construction of schools. I must point out that the last phase of infrastructural works pertaining to construction of gymnasium and playfields in the secondary schools are nearing completion.

In addition, for the Private Secondary Schools, a Technical Working Group is currently reviewing the current comprehensive grant formula which includes provision of grants for use of infrastructure in private schools. I wish also to stress that in the NYS Project, infrastructural

improvement and development will also cover ZEP schools as well as Integrated Units with Special Education Needs (SEN) children.

All infrastructural adjustments/improvements will be primarily effected in a phased manner, without affecting the prevailing learning conditions in schools.

As regards part (b), the total cost implications are being worked out not only for the infrastructure but also for the whole NYS Project and as soon as the project costs would be finalized, I would keep the House informed of the provisions to be made for the project.

I wish to reassure the House that with the investment planning which is under way and the current appropriation under the Primary School Renewal Project (PSRP) and Public Sector Investment Programme (PSIP), which may be supplemented, the implementation of this infrastructure component of the NYS will be on target.

CWA- PRIVATISATION

(No. B/700) Mr V. Baloomoody (Third Member for G.R.N.W & Port Louis West) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Central Water Authority, he will state if Government is proposing the privatization thereof and, if so, indicate if consultations have been held with all the stakeholders concerned therewith.

(Vide Reply to PQ No. B/690)

PUBLIC HOSPITALS & PRIVATE CLINICS – CHILDBIRTH - DELIVERIES

(No. B/701) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac) asked the Minister of Health and Quality of Life whether, in regard to childbirth, he will state the number thereof, which have taken place in public hospitals, since January 2014 to December 2014, through –

- (a) normal delivery, and
- (b) delivery by caesarean section.

Reply: I would like to reply to Parliamentary Questions B/701 and B/702 together as they relate to the same subject matter.

For the year 2014 there has been a total of 9,304 deliveries in public hospitals. The number of normal delivery is 4,980 and delivery by Caesarean Section is 4,324, thus representing of 46.5% of Caesarean Section on total deliveries.

For private clinics the total number of deliveries is 3,446. The number of normal delivery is 1,496 and delivery by Caesarean Section is 1,950, thus representing of 56.6% of Caesarean Section on total deliveries.

PRIVATE CLINICS – CHILDBIRTH - DELIVERIES

(No. B/702) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac) asked the Minister of Health and Quality of Life whether, in regard to childbirth, he will, for the benefit of the House, obtain information as to the number thereof, which have taken place in private clinics, since January 2014 to December 2014, through –

- (a) normal delivery, and
- (b) delivery by ceasarean section.

(Vide reply to PQ No. B/701)