



SIXTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

TUESDAY 14 JUNE 2016

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(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, SC	Vice-Prime Minister, Minister of Energy and Public Utilities
Hon. Pravind Kumar Jugnauth	Minister of Finance and Economic Development
Hon. Seetanah Lutchmeenaraidoo, GCSK	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Yogida Sawmynaden	Minister of Youth and Sports
Hon. Nandcoomar Bodha, GCSK	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, SC	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 Technology, Communication and Innovation
Hon. Ravi Yerrigadoo	Attorney General
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Hon. Santaram Baboo	Minister of Arts and Culture
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Hon. Premdut Koonjoo	Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands
Hon. Marie Roland Alain Wong Yen Cheong, MSK	Minister of Civil Service and Administrative Reforms, Minister of Environment, Sustainable Development and Disaster and Beach Management
Hon. Soodesh Satkam Callichurn	Minister of Labour, Industrial Relations, Employment and Training

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MAURITIUS

Sixth National Assembly

FIRST SESSION

Debate No. 12 of 2016

Sitting of 14 June 2016

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

The National Anthem was played

(Madam Speaker in the Chair)

PAPERS LAID

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

A. **Ministry of Education and Human Resources, Tertiary Education and Scientific Research** –

- (a) The Annual Report 2013 of the Mauritius Qualifications Authority.
- (b) The Annual Report 2013 of the Mahatma Gandhi Institute.

B. **Ministry of Local Government** –

The Municipal Town Council of Quatre Bornes (Fees for Classified Trade) Regulations 2016. (Government Notice No.119 of 2016)

ORAL ANSWERS TO QUESTIONS

UNITED KINGDOM – EU MEMBERSHIP

The Leader of the Opposition (Mr P. Bérenger) (*by Private Notice*) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the diplomatic, commercial and economic fall-outs of a United Kingdom exit from the European Union, he will state -

- (a) if he has chaired any inter-ministerial committee in relation thereto and indicate what Government-Private Sector consultations there have been;
- (b) the eventual impact thereof on our -
 - (i) exports of sugar, textile products, canned tuna and fruits, and
 - (ii) tourism sector;
- (c) if Mauritius has discussed same with our African, Caribbean and Pacific Group of States (ACP) partners, and
- (d) who represented Mauritius at the -
 - (i) 8th ACP Summit of Heads of State and Heads of Government held in June 2016, and
 - (ii) ACP 40th Anniversary Symposium held in June 2015.

The Prime Minister: Madam Speaker, first of all, I should like to make a remark that all this is still premature because UK is not out of the European Union.

Let me, at the outset, recall the long standing and friendly relations that bind Mauritius to the UK. We have, since the time of our independence, had strong diplomatic and trade relations with the UK, even prior to the UK acceding to the European Community. Our exports to the UK stood at MUR 11 billion and imports at MUR 4 billion in 2015. Our total sugar exports to the UK for the 2015 crop amounted to 52,000 tons. Textile and clothing exports stood at MRU 6 billion, while processed tuna exports amounted to MRU 2.8 billion. Some 130,000 tourists visited Mauritius last year from the UK and the UK stands third in term of tourist arrivals.

Our cooperation also extends to the fields of education, health and various other sectors. I am confident that our relations with the UK will stand the test of time beyond any eventual BREXIT.

Madam Speaker, an exit of the UK from the EU will surely have consequences, not only for Mauritius, but for the whole world, especially those countries which have direct cooperation arrangements with the EU including UK.

Madam Speaker, let me now address the specific questions raised with regard to part (a) of the question, no formal inter-ministerial committee has been established on the issue of BREXIT. However, informal consultations have been held with the private sector on the possible fall-out of BREXIT. These discussions are still ongoing and this issue is on the agenda of the next Joint Public-Private Sector Steering Committee which I chair.

Regarding part (b) (i), I am informed that our exports on the UK Market may be affected if the benefits of the Interim Economic Partnership Agreement which provides duty and quota free market access to Mauritius on the UK Market, by virtue of its membership in the EU, are removed.

However, we do not believe that this is likely to happen, given that even if the UK were to exit the EU, there would be a transitional period of two years during which the UK would be expected to respect its obligations. During that transitional period, we would seek to transpose the commitments of the UK under the Interim Economic Partnership Agreement into a new arrangement.

Madam Speaker, regarding part (b)(ii) of the question, insofar as tourism is concerned, we are now targeting new markets in tourism through the new Air Corridor and expanding existing markets, mainly in Asia. This will offset any shortfall in the arrival of European tourists which has already dropped from 67% of tourist arrival in the year 2000 to 54% last year, while at the same time, total tourists arrival has increased significantly from 657,000 in year 2000 to 1.15 million in 2015.

This is tangible proof that Mauritius is proactively diversifying its tourism industry. In fact, we are expecting around 55,000 new tourist arrivals from Asia during this calendar year, thanks to the Africa-Mauritius-Singapore-Asia Air Corridor and other measures initiated in this context.

However, we will be proactively monitoring any impact that a potential devaluation of the Euro or potential strengthening of the Pound Sterling may have thereon.

Regarding paragraph (c), Mauritius will raise this matter at the joint ACP - EU Parliamentary Assembly currently being held in Windhoek. Informal discussions have taken place between the ACP Group in Brussels and the EU and will continue.

Madam Speaker, with regard to part (d) of the question, I wish to inform the House that -

- (i) the hon. Mahen Seeruttun, Minister of Agro-Industry and Food Security led the Mauritius delegation which comprised Ambassador H. Dillum and Mr V. Gondeea, Permanent Secretary to the 8th ACP Summit of Heads of State and Heads of Government held in June 2016 in Papua New Guinea, and
- (ii) Mauritius was represented by Ambassador J. Koonjul and the staff of the Mauritius Embassy in Brussels at the ACP 40th Anniversary Symposium which was held at the ACP House in Brussels in June 2015. The ACP countries were largely represented at Ambassadorial or Chargé d'Affaires level at the symposium.

Madam Speaker, there is no clarity on the exact economic impact of BREXIT and views vary as to whether there would, for instance, be a permanent loss for the UK economy with a potential reduction of the UK GDP by 2.25% or whether this could lead to a more prosperous Britain.

Should there be an exit of the UK, the latter would have not only to renegotiate all its obligations undertaken as a member of the European Union but it would also in all likelihood have to establish a new partnership with other WTO Member States. However, this is a complex procedure and will entail multiple negotiations. Article 50 of the treaty of the European Union stipulates and I quote -

“The Treaties shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification, unless the European Council in agreement with the member state concerned, unanimously decides to extend this period”.

Since the issue raised today by the Leader of the Opposition is of national interest, we all need to come up with constructive proposals on the way forward to safeguard the interests of Mauritius and chart a new strategy for our future economic relationships with the United Kingdom. To be precise, as at now the UK cannot enter into any bilateral agreement with Mauritius without the approval of the European Union. Upon BREXIT, the UK would be able to straightaway enter into such bilateral agreements. We need to capitalise on such possibilities and this is where the contributions of one and all will be essential.

Mr Bérenger: Madam Speaker, I heard the Rt. hon. Prime Minister say that supposedly that question is premature. Now, that the risk of BREXIT of UK opting out of the European Union has become unfortunately very real and being given that, in nine days' time, the referendum will take place on BREXIT in the UK, the Rt. hon. Prime Minister will understand that I am quite surprised that there has been no formal Inter-Ministerial Committee chaired by him and that there have been only informal consultations with the private sector. Now that we have reached this point in time, does the Rt. hon. Prime Minister not feel that this is required, a formal Inter-Ministerial Committee, to look at all these points and those which I am going to raise now and to consult on a formal manner with the private sector?

The Prime Minister: Well, we don't know what is going to happen really. For the time being, it looks like that, but we cannot have funeral before death.

(Interruptions)

Mr Bérenger: There is something which says '*gouverner c'est prévoir*', now we have reached nine days from the referendum and we have this kind of attitude! Now, the Rt. hon. Prime Minister has made reference to Article 50 of the European Union Treaty where if there is a BREXIT vote in the forthcoming referendum, the UK would have formally to give notification of its wishing to exit the European Union. But the Rt. hon. Prime Minister said that there would be a period of two years, is he aware that that period of two years is a maximum, it can be extended if all the Members of the European Union agree, but the period of two years is not a minimum, it is a maximum, anything can happen during that period of two years? Is he aware of that?

The Prime Minister: Well, there is a transitional period of two years, whether it is a minimum or a maximum, that it is there is a fact. So, we can have so many negotiations during two years.

Mr Bérenger: I am quite surprised that there has been no formal Inter-Ministerial Committee to look into all the different possibilities because '*gouverner c'est prévoir*'. Has the Rt. hon. Prime Minister or Government as a whole looked at the alternatives should the UK leave the European Union? What are the alternatives especially the one that UK seems to have in mind, that is, following the Norway route to become a Member of the Free Trade Area?

The Prime Minister: We will have to negotiate with UK definitely and this does not bar us from negotiating with other European countries that will continue to form part of EU.

Mr Bérenger: As I just said, if the UK opts out of the European Union as such the intention apparently is for them to join the Free Trade Area which already has as Members Iceland, Liechtenstein and Norway mainly. Is the Rt. hon. Prime Minister aware that, if that takes place, then there will be impact on our exports because the rules of origin in that organisation are not at all the same as the rules of origin between the European Union and the ACP countries?

The Prime Minister: Well, since the Euro Crisis in 2011, we have initiated actions to diversify our market. We have a meeting with the EFTA on this matter and where this matter will be raised.

(Interruptions)

I see EFTA here!

Mr Bérenger: Well, if the UK opts out of the European Union, as I said, their first choice would be, it is clear, to join the Free Trade Area which would raise rules of origin problems, another problem for Mauritius. Now, if that does not work out then, probably, it will be purely Free Trade Area without all the rest. Again, will the Rt. hon. Prime Minister agree with me that it is the duty of Government - it is not premature - to prepare for alternatives and how each of these alternatives would impact on our export and on our tourism sector?

The Prime Minister: Well, we will have also not to forget that we will be turning towards other countries like Middle East, Africa, Asia, trade and investment and all that, we will have to find alternatives.

Mr Bérenger: Madam Speaker, indeed, the top destination for our export of textiles, fish, sugar, and the second largest source in terms of earnings as far as tourism is concerned, is the UK after France; can I know whether, at least, Government has sought the opinion of the private sector on what an eventual BREXIT would mean for those sectors of the economy?

The Prime Minister: Well, we have had some discussions on this, but we cannot take definite decisions until the thing happens. I have just been told also that we will have the option to negotiate a free-trade agreement with the UK and rules of origin will be looked into.

Mr Bérenger: Madam Speaker, if I can move on to the next part of my question. I heard the Rt. hon. Prime Minister make a comment on the eventual impact of BREXIT on the economic partnership agreements, full or partial, as signed between ACP countries and the European Union. Can I know whether that has been discussed with hon. Seeruttun who represented Mauritius in a recent Summit - only a few days ago - of ACP countries? Has there been any consultation at the level of the ACP Heads of State or Government on what would happen to the economic partnership agreements if there is BREXIT?

The Prime Minister: I don't know whether they discussed this matter fully but, as I say, right now it is premature for us to take any definite stand.

Mr Bérenger: *Au-delà de* the European Union and ACP relationship and how it would be affected by an eventual BREXIT, is the Rt. hon. Prime Minister aware that to complete matters further, the Cotonou Agreement itself is coming to an end in 2020, that is, four short years from where we stand now? How this – if there is BREXIT again - would impact on the European Union and ACP relationship and how it would impact on the Cotonou Agreement which, I am reminding the Rt. hon. Prime Minister, is ending in 2020? That is *derrière la porte!* Has this been discussed at the level of the ACP Heads of State and Government?

The Prime Minister: Well, this question should have been put to the Minister concerned. But then, if Cotonou Agreement is coming to an end, we will have to re-negotiate. What other solution is there?

Mr Bérenger: But, of course, the question cannot be put to any individual Minister. The Minister of Agro-Industry is for agriculture, the Minister of Commerce is for commerce and so on. That is why I insisted that there should have been – *gouverner c'est prévoir* – an Inter-Ministerial Committee chaired by the Rt. hon. Prime Minister to look at all this and put heads together, Madam Speaker.

Can I move to the next question? We have been informed that the Minister of Agro-Industry and Food Security represented Mauritius at the recent Summit. I am given to understand that, reports from the ACP Council of Ministers and from an eminent person's group chaired by Former President of Nigeria, Obasanjo, and those two reports were received on the future perspectives of the ACP group. I am sure the possibility of BREXIT also must have been taken into consideration. Now, can I put the request that these two reports be tabled?

The Prime Minister: Well, these are questions that should be asked to the Minister concerned. The hon. Leader of the Opposition is so *prévoyant* - he is talking 'gouverner c'est prévoir' - that he is sitting on that side today.

(Interruptions)

Madam Speaker: Okay, no other questions!

(Interruptions)

We move on to the next question, hon. Osman Mahomed!

ICTA - EXECUTIVE DIRECTOR – APPOINTMENT

(No. B/563) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the recent appointment of Dr. S. S. 1 as Executive Director of the Information Communications Technology Authority, he will, for the benefit of the House, obtain from the Authority, information as to if it is in presence of any complaint in relation thereto and, if so, indicate the nature thereof.

The Prime Minister: Madam Speaker, I am informed by the Information and Communication Technologies Authority that it is not in presence of any complaint in relation to the recent appointment of Dr. S. S. as Executive Director of the Authority.

Madam Speaker: Hon. Osman Mahomed, do you have any supplementary question? You don't have! Next question, hon. Uteem!

COURTS - PROVISIONAL CHARGES

(No. B/564) 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 provisional charges, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof which have been lodged since January 2015 to date, indicating the number thereof which have been set aside by the Courts.

The Prime Minister: Madam Speaker, I am informed by the Commissioner of Police that since January 2015 to date, 14,728 provisional charges have been lodged before the different Courts.

In 9,511 cases, Police have lodged the main charges and consequently moved to strike out the provisional charges.

In 5,217 cases, the provisional charges were set aside by Courts and the cases were referred to Police. After completion of enquiry, Police have directly lodged the main charges in 4,241 cases.

Madam Speaker, the remaining 976 provisional charges have been set aside as follows -

- (i) in 334 cases, the DPP has advised no further action;
- (ii) in 22 cases, the accused have passed away;
- (iii) in 16 cases, provisional charges have been lodged before other Courts due to change in the venue of the offence;
- (iv) in 104 cases, the accused being foreigners who have overstayed in the country, have been repatriated, and
- (v) in 500 cases, the main charges have not been lodged within a reasonable delay.

Mr Uteem: Madam Speaker, from what I hear from the Rt. hon. Prime Minister there is around 334 cases where the DPP recommended no further action. Earlier in a PNQ, the Rt. hon. Prime Minister said that he, himself, directed the Commissioner of Police to seek the advice of DPP before lodging charges. So, may I know from the Rt. hon. Prime Minister whether this practice is applicable to all criminals or is this reserved to only Members of his Government?

The Prime Minister: Well, it depends on the nature of the case. It depends on the evidence that is the available. The Commissioner of Police cannot just let go any criminal, then the Police will be criticised. So, he has the discretion.

Mr Uteem: There is a lot of stigma approach to arrest and provisional charges which were politically motivated and I am talking from both sides of the House because even hon. Members from this side have suffered also from previous regime. In these circumstances,

may I ask the Rt. hon. Prime Minister whether he would consider toughening the laws in relation to those members of public who go and make false and malicious denunciations in writing which eventually, when the charges are lodged, have to be struck out for lack of evidence?

The Prime Minister: The Police will have to use its discretion weighing the nature of the case, the evidence available and they must act accordingly. We can't make rigid and fast rules on this. Appropriate safeguards will be introduced in the PACE Bill. These would include prescribing the circumstances in which Police officers may without warrant arrest persons as well as prohibiting Police officers from arresting a third party unless they have carried out the necessary investigations and are satisfied that the prescribed grounds for arresting a person without warrant are met. The issue of alleged arbitrary detention by Police would also be addressed through the enactment of custody time limits in the PACE Bill.

Madam Speaker: Hon. Leader of the Opposition!

Mr Bérenger: Can I pick up where hon. Uteem left? The fact that if somebody is arrested and there is a provisional charge, it is perceived in the public in a very negative way and in a way the person concerned is already found guilty. We know that there has been an abuse by the Police of this provisional charge in the recent past and I believe it is improving, pending the law. Does not the Rt. hon. Prime Minister think that he should talk to the Commissioner of Police on abuse of handcuffs also? This is a way to humiliate suspects, detainees and so on. Will he agree with me that he should discuss with the Commissioner of Police that handcuffs when necessary should be used, but only when necessary and not to humiliate suspects?

The Prime Minister: Well, I fully agree with the hon. Leader of the Opposition, but then, it is for the Police to decide with what type of persons they are dealing with.

Mr Ramful: Being given that the Rt. hon. Prime Minister stated that there are quite a lot of provisional charges that have been struck out by the Court due to unreasonable delay and being given also that there has been a number of abuses by the Police, as far as provisional charges are concerned, would the Rt. hon. Prime Minister consider, when coming up with the Bill, to introduce provisions so that there is, at least, a time limit for people to be held on provisional charges?

The Prime Minister: Well, provisional charge, depending on the nature of the crime committed and how long the investigation takes before the Police can come to a conclusion.

This provisional charge has not been invented by us yesterday. It has been there for years and the Labour Party was in power. They should have corrected all these injustices of which they are talking about today.

Madam Speaker: Last question on this, hon. Uteem!

Mr Uteem: Madam Speaker, the Rt. hon. Prime Minister has spoken about measures which PACE will introduce to control the Police. My point was not about the Police. My point was about all those people, for whatever motives, come forward and make false declaration to the Police and the Police have no alternative than to arrest and lodge a provisional case based on the false denunciation. So, my question was to the Rt. hon. Prime Minister whether he could look into to amend the law, to make the punishment tougher for those who make malicious and false denunciations to the Police?

The Prime Minister: Well, I will discuss it with the Commissioner of Police.

Madam Speaker: Next question, hon. Mrs Selvon!

FLYOVER BRIDGES – SECURITY

(No. B/565) Mrs D. Selvon (Second 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 flyover bridges, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) if one V. T. has reported having been assaulted and robbed of his jewelries in the flyover located over the M1 Motorway at the level of Pailles on Saturday 28 May 2016, indicating –
 - (i) the number of reported cases of similar incidents in 2015 and 2016 respectively in or in the vicinity thereof, and
 - (ii) if consideration will be given for the provision of additional pedestrian crossings and traffic lights along the said motorway, and
- (b) the measures taken to ensure the safety and security of the pedestrians when using same.

The Prime Minister: Madam Speaker, in regard to part (a) of the question, I am informed by the Commissioner of Police that on 28 May 2016, one Mr V.T. reported that he

was assaulted by two persons at the flyover bridge, New Trunk Road near Royal College, Port Louis. He was threatened with a knife and his personal belongings which included his purse, Identity Card, five keys, a mobile phone and two golden chains were stolen.

On 08 June 2016, one suspect was arrested and provisionally charged for the offence of “larceny with violence.” Police has objected to his release on bail. He has been remanded to Police cell until 16 June 2016. The other suspect is still at large and Police is pursuing its enquiry in the case.

In regard to part (a) (i) of the question, I am informed by the Commissioner of Police that four similar cases of larceny have been reported to Police in 2015 and one case in 2016, in the vicinity of the flyover bridge at Pailles.

Madam Speaker, in regard to part (a) (ii) of the question, provision of pedestrian crossings and traffic lights at a particular location on the motorway is determined by several factors including the traffic flow and the number of inhabitants in the vicinity. I am informed by the Commissioner of Police that there are already four flyovers in the region of Pailles and its vicinity. Any further pedestrian crossing or traffic light might have a negative impact on the traffic flow leading to traffic jam in the southern part of Port Louis and may lead to road accidents on the motorway.

Madam Speaker, in regard to part (b) of the question, I am informed by the Commissioner of Police that in a bid to ensuring the safety and security of pedestrians whilst crossing the road along motorways, the following measures have been put in place –

- (a) Any person crossing the motorway outside Pedestrian Crossings is contravened under the Road Traffic (Pedestrian Crossing) Regulations 1990 and the Road Traffic (Traffic Signs) Regulations 2002;
- (b) During peak hours, from 07.00 a.m. to 10.00 hours in the morning and 15.00 hours to 18.00 hours in the afternoon, Police Officers are deployed to help pedestrians cross the motorway at specific places;
- (c) The community is being regularly sensitised on road safety issues during community policing fora at Divisional levels as well as by the Crime Prevention Unit, and
- (d) Daily advice is being given through *Info Route* on radio every weekday and a sensitisation campaign on road safety is broadcast on TV during prime time on

every Thursday. Besides, the Road Safety Unit of the Traffic Branch conducts awareness programmes throughout the country.

Mr Baloomoody: Apart from cases of larceny on these flyovers, there are many cases of assault and sometimes harassment, sexual assaults on ladies. Will the Rt. hon. Prime Minister consider having CCTV camera on these flyovers?

The Prime Minister: Well, we will have to do a survey, find out the cost and get the right cameras, not cameras that have been placed before, which are worthless and most of them not functioning. So, definitely, I would like to see as many cameras, but the right ones be placed in all places where necessary so that culprits are found out and they don't get away without punishment.

Mr Barbier: The Rt. hon. Prime Minister may be aware that very often motorcycles use these flyovers to cross the roads. So, will the Rt. hon. Prime Minister see to it that necessary structures be set so that motorcycles cannot ride over these flyovers?

The Prime Minister: Well, I don't know whether it is an offence, but if there is no regulation, I think it should be made an offence that they can't ride there.

INDUSTRIAL CANNABIS - IMPORTATION

(No. B/566) **Mrs D. Selvon (Second 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 importation of products such as *haute couture* fibres for textile industries and pet food which contain byproducts of cannabis, also called industrial cannabis, hemp or '*chanvre*', which are currently prohibited under the Dangerous Drugs Act, he will state if consideration will be given for amendments to be introduced to the Dangerous Drugs Act to exempt industrial cannabis redefined as cannabis/hemp with low THC content, to address the problem of importers thereof being liable to prosecution.

The Prime Minister: Madam Speaker, I am informed by the Ministry of Health and Quality of Life that cannabis also known as '*gandia*' in Mauritius, contains a substance called Tetra Hydro Cannabinol (THC) which has psychoactive effects when consumed.

I am also informed that, internationally, there are controversial views on the acceptable level of THC content in the industrial cannabis. Moreover, the risk that the seeds

or powder of this type of cannabis can be manipulated to enhance the psychoactive effects of THC if the THC is high.

In light thereof, it is not proposed to amend the Dangerous Drugs Act to allow the importation of industrial cannabis.

Mrs Selvon: L'honorable Premier ministre est-il au courant que le cannabis sativa pour le secteur agro-industriel est défini comme le cannabis sativa par les douanes européennes et mauriciennes et sa teneur en THC limité selon la fédération des cultivateurs de chanvre en France a pas plus de 0,2% de THC et pas plus de 0,3% en Amérique, de 0,1% en Jamaïque selon un amendement de la *Dangerous Drugs Act* en 2015, et que nous devons en tenir compte dans l'intérêt du miracle économique parce que la FAO prédit un brillant avenir pour les fibres naturelles, et proclamait 2009 comme l'année internationale des fibres naturelles dont le marché post Cop21 est en hausse ?

The Prime Minister: Well, I am not aware. I will advise the hon. Member to give lectures all over the country.

Mrs Selvon: I will, if the Rt. hon. Prime Minister wants to give lectures, I think we need to give it.

Madam Speaker: Hon. Member, please ask your question! Yes, hon. Dr. Joomaye!

Dr. Joomaye: I would like to ask the Rt. hon. Prime Minister if he is aware that, as at now, state-of-the-art medicine and evidence-based medicine do not consider cannabis as a drug and as a medication. So, I would ask him if he is considering amending the Dangerous Drugs Act. As he said no, I think it is a good thing.

The Prime Minister: I said we are not prepared to do that.

PRISON SERVICES - RECRUITS - CERTIFICATE OF CHARACTER

(No. B/567) **Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the Mauritius Prison Services, he will, for the benefit of the House, obtain therefrom, since January 2015 to date, information as to the number of –

- (a) recruits who do not possess a clean Certificate of Character, if any, and

- (b) officers thereof who are suspected of being involved in illegal transactions at the prisons, if any, and if so, indicate in each case the actions taken in relation thereto.

The Prime Minister: Madam Speaker, I am informed by the Acting Commissioner of Prisons that since January 2015 to date, 45 Prisons Officers have been recruited. However, character clearance in respect of the new recruits is undertaken by the Disciplined Forces Service Commission as part of the recruitment exercise. Consequently, the Mauritius Prison Service does not have any information relating to the Certificate of Character of the new recruits.

As regards part (b) of the question, I am informed that it is the practice to thoroughly search any Prison Officer, irrespective of his/her rank, when the latter enters the Prison.

I am further informed that when an Officer is suspected to be in possession of prohibited articles for the purpose of trafficking with detainees inside Penal institutions, he is subject to strip-search, which is carried out in the presence of Senior Officers not below the rank of Assistant Superintendent of Prisons. If any illicit item is found to be in possession of the Officer, the matter is immediately reported to the Officer-in-Charge of the institution and the case is referred to Police, accordingly.

In addition, the conduct and interaction of the officers with the detainees inside and outside the prisons premises is strictly monitored to guard against any connivance for illegal transactions.

According to the Acting Commissioner of Prisons, one Trainee Prisons Officer was, on 16 May 2016, found in possession of a substance suspected of being cannabis. On 30 May 2016, he appeared before the Rose Hill District Court under the charge of "*possession of cannabis with aggravating circumstances*". An investigation is currently being carried out and a report is awaited for further action to be taken by the authorities.

Mr Baloomoody: Answering to PQ B/462 with regard to Melrose Prison, the Rt. hon. Prime Minister gave a list of articles which were secured there. Had there been any specific inquiry in these particular cases regarding Prison Officers?

The Prime Minister: Well, Prison Officers have to take their responsibilities. They should see to it that nothing illegal takes place within the prison premises. But, of course, in all sectors, everywhere, you have some people who are culprits, but I hope such persons are caught and action taken against them.

RODRIGUES - HUMAN RIGHTS COMMISSION

- COMPLAINTS AGAINST POLICE

(No. B/568) **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 Rodrigues, he will, for the benefit of the House, obtain from the Human Rights Commission, information as to if it has an office thereat and, if so, indicate the number of reported cases of Police brutality having occurred thereat over the past two years, indicating the number thereof which have been prosecuted and, if not, indicate to whom cases of Police brutality are reported and how are they dealt with.

The Prime Minister: Madam Speaker, I am informed by the National Human Rights Commission that currently it does not have an office in Rodrigues. However, the National Human Rights Commission is in consultation with the Rodrigues Regional Assembly on the advisability of setting up an office there.

Madam Speaker, the National Human Rights Commission has informed that 10 cases of complaints against Police in Rodrigues have been reported to the Commission. Out of these, 7 cases have already been disposed of after investigation and they were not substantiated, that is, there were no grounds for further action. The remaining 3 cases are still being investigated. Thus, there has been no prosecution so far in respect of reported cases of complaints against Police.

Madam Speaker, cases of complaints against Police are reported either to the National Human Rights Commission in Mauritius or to the Police in Rodrigues. In case the complaint is reported at any Police Station, the officer-in-charge of the Police Station has to forward the complaint to the Commissioner of Police, who in turn refers same to the Police Complaints Division of the National Human Rights Commission for consideration and investigation as the case may be in accordance with Section 8 (2) (c) of the Police Complaints Act.

Mr Baloomoody: Can I ask the Rt. hon. Prime Minister when, in fact, the Human Rights Commission intends to have an office in Rodrigues? It is urgent because there are many Police Officers who are refusing to register complaints against their own colleagues. In Rodrigues, this is a serious situation. So, it is urgent that there should be a Complaints Office

in Rodrigues as well. So, can I ask the Rt. hon. Prime Minister to look urgently into that matter?

The Prime Minister: Okay, we will look into that.

ROADS - CLOSED CIRCUIT TELEVISION CAMERA SURVEILLANCE SYSTEMS

(No. B/569) **Mr J. C. Barbier (Fourth 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 roads, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if the monitoring thereof through the Closed Circuit Television Camera Surveillance Systems is yielding satisfactory results and, if not, if consideration will be given for the improvement thereof.

The Prime Minister: Madam Speaker, I am informed by the Commissioner of Police that since 2009, 461 CCTV cameras have been installed for the purpose of street surveillance in the regions of Flic en Flac, Port Louis, Grand Bay and part of Quatre Bornes. According to the Commissioner of Police, all the cameras are operational on a 24/7 basis. Since the installation of the CCTV cameras in those regions, a total of 297 offences have been detected through the CCTV Surveillance System.

I am further informed that with a view to improving the quality of CCTV footages for a more efficient monitoring thereof, the Police has taken the following measures -

- (i) the replacement of 159 Standard Definition cameras by Full Definition ones, 33 in Flic en Flac, 20 in Quatre Bornes, 85 in Port Louis and 42 in Grand Bay;
- (ii) the installation of 50 infra-red illuminations to 31 cameras in Grand Bay and 19 in Port Louis;
- (iii) the replacement of copper wire cables by fibre optics cables in all the regions covered by the CCTV surveillance system, and
- (iv) ensuring, in collaboration with local authorities, the regular cutting and trimming of trees and branches which may obstruct the clear vision of the cameras.

Madam Speaker, as I stated in my reply to Parliamentary Question B/216 on 19 April 2016, it is a fact that CCTV surveillance system is an effective deterrent against crime.

However, with the rapid evolution of technology in that field, and new modus operandi being adopted by offenders, Police has decided to review the whole concept of CCTV surveillance system. A new project will thereafter be implemented in a phased manner throughout the whole island.

Mr Barbier: The Rt. hon. Prime Minister would agree that improvement and replacement for those that are already out-dated is very urgent. May I know from the Rt. hon. Prime Minister whether the Commissioner of Police has already established a time frame for these works and whether funds are available for same?

The Prime Minister: Well, whether there has been a time frame, I do not know, but I know that this project is going to be implemented.

Mr Uteem: I heard from the Rt. hon. Prime Minister that there is only going to be 50 infrared cameras that are scheduled to be implemented and most of the offences that happened at night require infrared cameras. So, may I ask the Rt. hon. Prime Minister, at least, with regard to sensitive areas especially after what happened to the French Embassy, whether this infrared good quality CCTV camera can be implemented as soon as possible?

The Prime Minister: Well, I will convey that to the Commissioner of Police, but, insofar as the shooting that took place at the French Embassy their camera got the photos of those who were there but, of course, they had covered their face and now, if possible, there is technology, especially in the United States where they can uncover and recognise the face. So, we are trying to have access to that technology.

Madam Speaker: Next question, hon. Mrs Monty!

SAINTE CROIX POLICE STATION - POLICE OFFICERS - TRANSFER

(No. B/570) Mrs M. C. Monty (Third Member for Port Louis North & Montagne Longue) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to Sainte Croix Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of Police Officers posted thereat who have been transferred in 2014, indicating if they have been replaced equally and, if not, why not.

The Prime Minister: Madam Speaker, I am informed by the Commissioner of Police that there is no Sainte Croix Police Station as such.

The region of Sainte Croix falls under the jurisdiction of Abercrombie Police Station. In 2014, 56 Police Officers were posted to that station.

During 2014, in the wake of transfer exercises carried out within the Police Force, 18 officers were transferred from that station and 19 other officers were posted thereat. The strength has since been increased and presently 68 Police Officers are posted thereat.

I wish to inform the House that transfers and postings in the Police Force are routine exercises that are carried out in the interest and exigencies of the service to ensure operational effectiveness and quality of service delivery.

Mrs Monty: Given that this specific part of Constituency No. 4 is considered to be a very hot region, could the Rt. hon. Prime Minister consider with the Commissioner of Police the possibility of increasing the number of Policemen thereat, Abercrombie Police Station?

The Prime Minister: Well, I will convey that to the Commissioner of Police.

Madam Speaker: No more questions! Time is over! The Table has been advised that PQ No. B/594 in regard to the leases granted in the region of Les Salines Pilot Rivière Noire for the implementation of hotel projects will now be replied by the hon. Vice Prime Minister and Minister of Housing and Lands. PQ No. B/585 has been withdrawn. Hon. Ameer Meea!

BUSINESS PARKS OF MAURITIUS LIMITED - REVIEW

(No. B/571) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to the Business Parks of Mauritius Limited, he will state if a review of the activities and of the management thereof since 2010 to date has been carried out and, if so, indicate the outcome thereof.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun): Madam Speaker, with your permission I am going to answer this question. I am informed that the review of the activities and the management of the Business Park of Mauritius Limited from 2010 to present are ongoing. The review has, so far, revealed significant malpractices and irregularities. However, as the review is still ongoing, it will be premature, at this stage, to disclose findings and recommendations.

Mr Ameer Meea: Yes, Madam Speaker, the review is on-going since one and a half year. May we know when the hon. Minister is expected to finish the review and then table the report?

Mr Soodhun: As I had mentioned, it is still on-going. I don't know when it is going to finish but I am going to convey it to my colleague.

Madam Speaker: Next question, hon. Uteem!

INTEGRITY REPORTING AGENCY – DIRECTOR - APPOINTMENT

(No. B/572) Mr R. Uteem (First Member for Port Louis South & Port Louis Central) asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to the post of Director of the Integrity Reporting Agency, he will, for the benefit of the House, obtain from the Agency, information as to if it has been filled and, if so, indicate the -

- (a) name of the incumbent thereof;
- (b) qualifications thereof, and
- (c) terms and conditions of appointment thereof.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun): Madam Speaker, the post of the Director of Integrity Reporting Services Agency has been filled. The name of the incumbent is Mr Barrie Paul Keyton, a British National.

With regard to part (b) of the question, Mr Keyton is a qualified Chartered Accountant from the Institute of Chartered Accountants in England and Wales. He also holds a degree of Bachelor of Science from the Imperial College of Science and Technology, London.

Madam Speaker, with regard to part (c) of the question, I am advised that the Director of the Agency has been appointed in accordance with Section 4(5) of the Good Governance and Integrity Reporting Act 2015 which provides that the appointment is on such terms and conditions as the President of the Republic may determine. The information sought would be available from the office of the President.

Mr Uteem: Thank you, Madam Speaker. May I know from the Vice-Prime Minister whether there has been an international call for candidature to fill that post?

Mr Soodhun: I am not aware of the answer.

STATE INVESTMENT CORPORATION – MANAGING DIRECTOR - POST

(No. B/573) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Finance and Economic Development whether, in regard to the State Investment Corporation, he will, for the benefit of the House, obtain therefrom, information as to if the Chief Executive Officer thereof has been appointed and, if so, indicate the name thereof and the terms and conditions of contract employment thereof and, if not, why not, indicating the name of the Acting Chief Executive Officer or Officer-in-Charge thereof, indicating the terms and conditions of employment thereof.

Mr Jugnauth: Madam Speaker, I am informed that the post of Managing Director of SIC was advertised in December 2014 with closing date in January 2015. However, it was subsequently decided not to proceed with the filling of the vacancy. Instead, following a tender exercise, a firm of consultants Deloitte was appointed in April 2016 to carry out an organizational review exercise and identify senior position profiles to direct the Corporation.

Mrs Banoomatee Veerasamy, Group Corporate Secretarial Manager, has been acting as Managing Director following the departure of the previous Managing Director in December 2014.

With regard to the terms and conditions of her assignment, I am informed that Mrs Veerasamy is being paid, with effect from October 2015, a monthly acting allowance of Rs55,000 in addition to her salary as Group Corporate Secretarial Manager.

Mr Bhagwan: Can the hon. Minister of Finance inform the House, in how many Boards does this lady represent the SIC?

Mr Jugnauth: Well, I know that when she was the Group Corporate Secretarial Manager, she was sitting on companies like Prime Partners Limited, Prime Securities Limited and EREIT Management Limited, but, in her substantive capacity, she was drawing remuneration of Rs44,459 which has been cancelled when she has been nominated to act as a Managing Director.

Mr Bhagwan: Can the hon. Minister of Finance inform the House whether this lady is still being responsible for the running of the casinos?

Mr Jugnauth: Well, I don't know about casinos but the question pertains to SIC. So, I am informed about SIC. I can answer with regard to another question on casino.

Madam Speaker: Hon. Uteem!

Mr Uteem: Thank you, Madam Speaker. I heard the hon. Minister of Finance and Economic Development state that the exercise of recruitment had been cancelled. May we know for what reason it has been cancelled and secondly, with respect to Deloitte, when are they going to submit their report on the restructuring?

Mr Jugnauth: Well, I have replied that the exercise was cancelled because there was a need to carry out an organisational review exercise. Now, the SIC has been in existence since 30 years now and decision was taken to review the structure. Therefore, a tender exercise was done in order to recruit Deloitte and I understand that - if my memory serves me right - the report is expected sometime next month. So, in the light of that, we will see what next.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: The Casinos are being managed by the SIC, not owned. Can the hon. Minister, at least, later on see if he can provide the House information as to when the contract of the lady responsible for the Casinos expires and how much she is earning as Head of the Casinos?

Mr Jugnauth: Well, if there is a question on the Casino, of course, I will furnish all the details to the House.

Madam Speaker: Hon. Osman Mahomed!

Mr Mahomed: Can the hon. Minister enlighten the House on what basis was she appointed Acting CEO? Is it on seniority or on qualifications? If it is on qualifications, may we have an idea of the kind of qualifications that she holds?

Mr Jugnauth: Well, I am informed that she has been on the permanent establishment of the Corporation since 1985 and has served in various capacities including as Acting Managing Director in the past and she is the senior most person amongst the senior staff.

Madam Speaker: The Table has been advised that the following PQs have been withdrawn: PQ Nos B/579, B/580, B/581, B/601 and B/602. Next question, hon. Bhagwan!

FOOD PRODUCTION – BIO FARMING

(No. B/574) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Agro-Industry and Food Security whether, in regard to bio food products, he will state -

- (a) if a Strategic Plan has been prepared for the production of not less than fifty per cent of our total local food production according to bio norms in five years, as announced in the Budget Speech 2015-2016 and, if so, give details thereof, including where matters stand as to the implementation thereof;
- (b) if the question of the ultimate selling prices thereof to consumers has been fully investigated into and, if so, give details thereof, and
- (c) the measures that are currently being taken to ensure that non bio food products on sale in the municipal markets do not contain pesticides in excess of the permissible levels thereof.

Mr Seeruttun: Madam Speaker, the agricultural production system in Mauritius had rapidly intensified over the last decades with heavy dependence on the use of agro-chemicals, in particular, mineral fertilisers and pesticides. This intensive agricultural production system has over time contributed to soil degradation, reduced soil fertility and consequently lower productivity. Farmers were thus forced to have more recourse to agro-chemical inputs to stabilize and maintain the production level.

It is a fact that heavy use of agro chemicals has had adverse impacts on the environment, biodiversity, food safety and consumer health. There is also an increasing perception that high incidence of cancer and other diseases are closely associated with abusive use of pesticides. There was thus an urgent need for the Government to review its policy on the food production strategy to address these challenges and at the same time produce food in a sustainable manner that safeguards food and nutrition security, the environment and the welfare of one and all. To address this issue, the Government has in its programme 2015-2019 emphasised the need to promote food production systems according to bio norms.

The concept of bio farming is, however, new to most of the traditional farmers. The shift will therefore not happen overnight. It will be a gradual process to change from heavy use of agro chemicals to bio farming practices. However, in spite of this, there are some farmers who are gradually replacing chemical fertilisers and pesticides by bio fertilizers and

bio pesticides which have been recommended by ECOCERT, an International Certification Body for Europe.

In addition to this, and to achieve the target set for the production of bio foods, my Ministry has prepared a Strategic Plan for the food crop, livestock and forestry sectors for period 2016-2020, whereby emphasis has been laid on sustainable food production practices including food safety and quality management systems.

To promote bio farming, my Ministry is offering the following incentives. These are -

- (a) The introduction of the Bio Farming Promotion Scheme in May 2016 whereby farmers satisfying the eligibility criteria laid down under the Scheme benefit from fiscal and financial incentives such as VAT exemption on agricultural equipment and inputs, income tax holiday for the first eight years of operation and loan facilities at an annual interest rate currently at 3.4% over a period of 10 years for a maximum of 90% project financing under the MauBank SME Financing Scheme;
- (b) The implementation of a Compost Subsidy Scheme to encourage planters to shift from the use of chemical inputs to organic ones. As at date, some 3300 planters have taken advantage of the scheme;
- (c) The implementation of a Sheltered Farming Scheme to encourage planters to undertake crop production under protected structures. With the phenomenon of climate change, it is a fact that our crop production systems are vulnerable to higher risks of natural calamities including outbreak of pests and diseases. Protected structures indeed help producers to mitigate the effects of these risks and ultimately lead to lower dependence on agro chemicals. As at date, some 68 planters have taken advantage of this Scheme;
- (d) The release of a plot of land of an extent of 66 *arpents* on State Land at Britannia for the exclusive use of bio farming projects. This plot of land will be equipped with all production infrastructure including land preparation works, irrigation facilities and other infrastructural facilities and will be made available to potential promoters of bio farming food production systems.

In addition to these incentives, my Ministry has also initiated the following actions –

- (a) The setting up of a proper Organizational Structure at both the Ministry and FAREI for provision of technical assistance and facilitate access of farmers to the Scheme;
- (b) The development of a five module training package by FAREI on the MauriGap Level 1 Standard which is the basic standard for bio farming. Some 240 planters have so far submitted requests to follow this training programme and the training will start as from this month itself;
- (c) The establishment of a demonstration plot over an area of 1 *arpent* on State Land at Bois Marchand to showcase zero budget natural farming practices developed by Dr. S. Palekar, an Indian Expert. As at date, some 2000 farmers have already been trained and sensitised on this natural farming technique;
- (d) The implementation of the project SMART Agriculture over a period of three years with the collaboration of the Mauritius Chamber of Agriculture. As per this project, planters will be encouraged to reduce their reliance on agro chemicals in food crop production through a system of monitoring. This project will be implemented by the Mauritius Chamber of Agriculture and FAREI on a pilot basis island wide with 10 small growers and 10 large scale growers;
- (e) The setting up of a Certification Body under the aegis of my Ministry for the certification of food crops production complying with MauriGap Level 1 Standard, the basic standard for bio farming. This Certification Body will be operational shortly;
- (f) The implementation of a Technical Assistance Programme funded by the FAO to support the development of Organic Farming and Institutional Capacity Building in Mauritius over a period of two years. As per this project, the FAO will, *inter alia*, assist my Ministry in drafting a national legislation on Organic Agriculture and develop a Strategy on the marketing of Organic products. This project is in the implementation phase at the moment;
- (g) The preparation of Regulations under the Dangerous Chemicals Control Act for the proper and safe use of pesticides by farmers and pesticides residues on vegetables, fruits and any other agricultural materials. These Regulations are currently being prepared and expected to be finalised by the end of December 2016, and

- (h) The preparation of a legislation which will make provisions for the standards for bio-fertilisers, bio pesticides and other bio inputs supplied on the domestic market. Preliminary works on the preparation of this legislation have already started with the technical assistance of FAO.

Madam Speaker, with regard to part (b), my Ministry has started preliminary ground works with the assistance of FAO to investigate the pricing of bio food products to ultimate consumers. The pricing policy will go hand in hand with the development of a certification process and appropriate labelling for the proper recognition of bio foods.

I am, however, aware that there are certain companies in Mauritius which are selling food products in hyper/supermarkets under the label "bio". There is no doubt that there is a market for bio foods in Mauritius. In fact, the present trend clearly indicates an ever increasing demand for bio food products, most of which are imported. These products are often sold at higher prices, sometimes twice or three times the price of conventional food products. Once the pricing strategy will have been developed and more and more bio foods are produced and certified, it is expected that the prices of these bio foods will decrease on the local market.

Madam Speaker, with regard to part (c), to ensure that the vegetables and fruits supplied to consumers do not contain pesticides residues above the permissible level, FAREI collects samples thereof on a weekly basis at farm gate level. There is a particular reason for this. In fact, collection of samples at field level facilitates traceability and immediate response, if needs be, towards the planters. Traceability, however, is extremely difficult when samples are taken at market level.

At present, if ever the samples of fruits and vegetables are found to contain pesticides above the permissible level, the FAREI sensitizes the planter concerned and monitors the process so that there is no recurrence of any abusive usage or misuse of pesticides.

For the time being, I am informed that the Ministry of Health and Quality of Life is empowered to take food samples in the market to control the level of pesticides residues. The samples are analysed by the Government Analyst Division. However, this process does not provide any mechanism to trace back the defaulters.

Madam, Speaker, with all these initiatives and package of incentives that we are giving to the farming community, I am confident that we are on the right track to encourage planters to adopt sustainable agricultural practices for the gradual production of food

according to bio/organic norms and ensure at the same time that foods supplied to the consumers are of high quality and safe.

Mr Bhagwan: I thank the hon. Minister for his reply. Can the hon. Minister give us an idea in terms of quantity of vegetables of bio which is put in the market on a daily basis?

Mr Seeruttun: Madam Speaker, as I said, those products that are being sold to consumers with bio norms are eco certified, that is, they have to be compliant with standards that are set by the international body, Ecocert. We have, at our level, come up with a new standard which is the MauriGAP level I standard. This is the standard that we have set and this is why we are encouraging those who are going to embark into that kind of agricultural practices to adhere to those standards.

Mr Bhagwan: My question was in terms of quantity. Has a survey been made in terms of quantity of bio vegetables which are especially put on the market on a daily basis?

Mr Seeruttun: With regard to the quantity, we have not, at this stage, carry out a survey, but we have a few small growers who are actually producing vegetables according to those bio norms, but at this very moment it is very limited. As I said, most of them are imported products.

Madam Speaker: Hon. Jhuboo!

Mr Jhuboo: Thank you, Madam Speaker! The hon. Minister just mentioned that he is promoting *l'agriculture bio* through the various certifications namely MauriGAP I, MauriGAP II and MauriGAP III. Now, according to a press article which I am tabling '*Le Journal des Initiatives positives*' mention is made that the MauriGAP I is not a label *de l'agriculture biologique*. The difference being that...

Madam Speaker: Ask your question!

Mr Jhuboo: I am almost there, Madam Speaker. *L'agriculture biologique n'utilise aucun pesticide alors que l'agriculture raisonnée permet une utilisation judicieuse des pesticides*. So, could the hon. Minister enlighten the House as to whether we are going to agriculture bio or *l'agriculture raisonnée*?

Mr Seeruttun: Madam Speaker, I have just, in my reply, stated that this process is going to be gradual. We can't overnight move from conventional agricultural practices to a complete organic or bio system. It has to go through, at the very beginning, a blend of agro-chemicals and bio fertilisers to eventually reach the full bio-norms. To start with the soil

itself contains those agro-chemical residues. So, we can't overnight, as I said, move to that level. It is a long process and that is why when we talk about the MauriGAP level I, it allows for the use of agro-chemicals as well as moving towards the bio fertilisers. Then, we will be going to move to level II and level III. That is when we are going to reach the norm where we are fully bio certified.

Madam Speaker: Hon. Osman Mahomed!

Mr Mahomed: Thank you, Madam Speaker. The hon. Minister mentioned that the change won't occur overnight and perhaps rightly so. Is the plan which the hon. Minister is putting forward tackling the whole spectrum of vegetables or the ones that are the most contaminated at the moment?

Mr Seeruttun: Madam Speaker, we must also be aware that we are living in a tropical island. We are exposed to so many diseases and pests as well. So, we can't tackle all the different types of vegetables that we cultivate here. Some are resistant to certain kinds of diseases and pests, some are not. We are identifying those that are commonly consumed at a greater extent and we are trying to encourage those farmers to adopt these new types of agricultural practices.

Dr. Joomaye: Madam Speaker, I would like to know from the hon. Minister which specific laboratory means does the Ministry have to control the residual level of pesticides in fruits and vegetables on the local market?

Mr Seeruttun: We have the Food Tech Lab of the Ministry which carries out all the tests. We have also contracted an agreement with a private lab so as we can increase the number of tests that we can carry out over time.

Mr Bhagwan: One last question, Madam Speaker! C'est connu qu'il y a un grand écart de prix entre les produits bio pour les légumes pour les consommateurs, peut-être 150% de différence. Est-ce que l'honorable ministre étudie dans quelle mesure, à l'approche du budget, peut-on avoir plus de subventions pour les petits planteurs afin qu'elles puissent aussi profiter aux consommateurs?

Mr Seeruttun: Madame la présidente, il est vrai que bien souvent ce sont les planteurs qui prennent tous les risques et bien souvent, en termes de prix qui sont affichés sur le marché, ils n'arrivent pas à avoir la marge qu'il faut. C'est la raison pour laquelle aujourd'hui on est en train de proposer de venir avec un marché central, moderne qui va essayer de pallier ce problème où le prix que les planteurs vendent à des encanteurs qui

éventuellement vendent aux consommateurs soient connus. Il y aura toute une transparence dans cet exercice pour que justement chacun se retrouve et qu'il y ait un meilleur partage de revenus surtout pour ceux qui prennent plus de risques, c'est-à-dire, les planteurs.

LE VAL NATURE PARK - UPGRADING

(No. B/575) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the hon. Minister of Finance and Economic Development whether, in regard to the Le Val Nature Park, he will, for the benefit of the House, obtain from the State Investment Corporation, information as to –

- (a) the name of the manager thereof;
- (b) the extent of land vested therein;
- (c) if there is any project for the -
 - (i) upgrading thereof, and
 - (ii) contracting out of the management thereof, and
- (d) if any compensation has now been paid to the previous lessee thereof.

Mr Jugnauth: Madam Speaker, Le Val Nature Park is owned by Le Val Development Ltd., with the SIC and Rose Belle Sugar Estate as shareholders.

As regards part (a) of the question, SIC has designated Mr Kevin Dukhira to manage the Park.

Concerning part (b), I am informed that 100 *Arpents* of land were acquired from Rose Belle Sugar Estate in 1987 for a sum of Rs6.2 m. However, a land survey carried out in 1999 showed that the land area was actually 83 *Arpents* and 30 *Perches*.

Regarding part (c) of the question, I am informed that concerning the upgrading of the Park, the Company had already invested some Rs7.5 m. in 2013 for the refurbishment of its restaurant, wedding hall and other facilities. The business model is being reviewed, I am informed, including also the possibility of contracting out the management of the Park.

As regards part (d), I am informed that no compensation has been paid to the previous lessee.

Mr Bhagwan: Can the hon. Minister confirm to the House whether a claim of Rs50 m. has been claimed to the SIC as compensation and that is being discussed actually?

Mr Jugnauth: I am informed that there is a case of the Nature Park Development Ltd. against Le Val Development Ltd., a claim of damages of Rs50 m. and declaring also to be as protected tenant under the Landlord and Tenant Act. That is still ongoing.

Mr Bhagwan: Can we have an idea where matters stand with regard to that particular case?

Mr Jugnauth: Well, in January 2011, the case was lodged against Le Val Development Ltd. and the case has been scheduled for hearing on 24 January 2017.

Mr Bhagwan: Being given that this area is a protected area, one of the most *trésor de l'île Maurice*, can the hon. Minister, at least, have another assessment be made on the state of affairs within Le Val Nature Park, how it is managed and the way it is *laissé à l'abandon* despite what we are being told?

Mr Jugnauth: Well, I will request the company to have a look at the state of affairs and to report to the Ministry.

Madam Speaker: Next question, hon. Bhagwan!

VERGER BISSAMBAR, MONT ROCHES – SEWERAGE PROJECT

(No. B/576) 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 Sewerage Project at Verger Bissambar, Mont Roches, he will, for the benefit of the House, obtain from the Waste Water Management Authority, information as to if it has now been completed and, if not, indicate –

- (a) the reasons therefor;
- (b) the number of household already connected thereto, and
- (c) if all the roads and drains would be fully reinstated after the completion of the works.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): Madam Speaker, I am informed by the Wastewater Management Authority

that sewerage works at Verger Bissambar started on 01 December 2014 and were completed on 31 May 2016.

183 houses have been connected to the sewer network. 4 houses have not yet been connected following requests from the owners to carry out the house connections later.

I am further informed that temporary reinstatement of roads has already been carried out. The final reinstatement would be carried out by mid July 2016.

The existing drains have also been reinstated. Any other remedial works identified during the survey of snags would be made good by the contractor.

Mr Bhagwan: Can I know from the hon. Vice-Prime Minister whether he has asked for a real survey to be made by independent engineers, the way the works have been carried out by the present contractor and the state of affairs which is prevailing within the region of Verger Bissambar, especially we are in winter and there is a lot of rain?

Mr Collendavelloo: I have not, but I will certainly convey that concern to the Authority.

VEHICLES – CERTIFICATE OF FITNESS

(No. B/577) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Certificate of Fitness, he will state if consideration will be given for the existing legislation to be amended to provide for the requirement of the issue thereof to vehicles above ten years old instead of seven years old with a view to alleviating the pressures on the examiners of the fitness centres.

Mr Bodha: Madam Speaker, the motor vehicle fitness control aims at assessing the general condition of a motor vehicle, encouraging its owner to make regular servicing and repairs thereto with a view to maintaining it in a good and satisfactory running condition. This particularly concerns the main parts (tyres, brakes, signalling devices, shock absorbers, suspension system, etc.) which should be checked and tested to ensure the personal safety of the vehicle user as well as other road users.

The Road Traffic Regulations pertaining to motor vehicle fitness dates as far back as 1954 and provide, *inter alia*, for a motor vehicle licence to be issued in respect of a motor vehicle which is more than seven years from the date on which it was first registered, subject

to the vehicle having been examined and found to be road worthy. Presently, Madam Speaker, the vehicle road worthiness inspection is done in a lenient manner by visual tests only. Thus, the system has serious shortcomings, such as, lack of adequate modern technical means, vehicle owners obtaining fitness certificate for their vehicles without attending the fitness test in a highly corruptible manner.

With the privatisation of the vehicle examination centres in August 2016, the three private operators will provide such services at Plaine Lauzun, Forest Side and Laventure using state-of-the-art technology, whereby, the test will be carried out in a scientific manner using automated systems. With this modern technology, conditions will be tightened for the safety of the driver and other road users. These centres will operate over longer hours daily (from 8 o'clock in the morning to 5 o'clock in the afternoon) and will also be open on Saturdays, thereby reducing considerably the queuing and the waiting time of vehicle owners.

Madam Speaker, I am informed that the age of motor vehicles, especially vehicles more than 10 years, impact adversely on the state of the fleet of motor vehicles in Mauritius. Though the age of a vehicle may not be associated with its road worthiness, a large number of them have to undergo more or less heavy repairs given the exigencies of safe vehicle requirements.

Based on the current road accidents analysis carried out in advanced countries, it has been found out that poor condition and poor maintenance of vehicles, on an average, contribute to about 25% of the serious injury accidents. Given the socio-economic context and the condition of the fleet of motor vehicles in Mauritius, that rate could be even higher.

Madam Speaker, I wish to inform the House that vehicle roadworthiness is a matter which relates directly to road safety and no compromise can be made on this issue. The prevention of road accidents requires actions on each element of the road traffic system which consists of the road users, the road infrastructure and the roadworthiness of the vehicle. As regards vehicles, regular monitoring of roadworthiness is a key element of this system.

Madam Speaker, in Europe the number of years to effect a roadworthiness test has been reduced. Countries like Belgium and Austria are carrying out annual inspection of road vehicles. In the UK, the MOT test is a mandatory annual test of safety, roadworthiness and exhaust emissions for vehicles over three years old and while in France, the fitness test is effected after four years from the first date of its registration. In line with international norms and with a view to reducing road accidents and ensuring that only safe vehicles are allowed

on the road, consideration is, therefore, being given to further reducing the age for fitness with vehicle requirement as one of the series of measures taken by my Ministry to improve road safety.

Madam Speaker, with the privatisation, the fitness test will be carried out in a transparent, effective, efficient and professional manner with minimal human interference.

Dr. Sorefan: The hon. Minister mentioned about the private sector. Will he give a guarantee to the House that the fitness years will not go down to five years, as it has been reported in a press in order to create an influx and bring more money to the private sector? Will he give a guarantee that this will not be so?

Mr Bodha: No, on the contrary. We have decided to reduce it from 7 to 5, over years, it will take time. It will be reduced.

Dr. Sorefan: As I can see, this Government policy is to favour the private sector giving them more influx of cars...

Madam Speaker: Hon. Dr. Sorefan, ask your question!

Dr. Sorefan: Yes.

Madam Speaker: Ask your question, don't make comments!

Dr. Sorefan: I have another question to the hon. Minister. He has mentioned that in Europe it is 3 years. So, it is. But, you can't compare Europe with Mauritius. In Europe, the cars do 100,000 km in 3 years!

Madam Speaker: Yes. So, what is your question?

Dr. Sorefan: Is the hon. Minister aware that in Mauritius, private owners who have got 2 cars, in 10 years, they do 100,000 km? So, the idea of comparing does not apply to Mauritius.

Mr Bodha: Madam Speaker, the regulations date back to 1954, that is, 62 years ago. We know that when cars were made in those years, the lifetime of a car was supposed to be a number of years. Cars are made today in such a manner that they do not last long. Now, Madam Speaker, fitness test costs Rs400. It is only R1 per day for the safety and the life of the users. We have to take this into consideration, Madam Speaker. Safety is the most important thing when we see the number of accidents and when we see people driving unsafe cars. People have been saying that: 'I spend half a day at the fitness centre to get a fitness

certificate'. It is not for him only. It is for himself, for the users and for the others. It is R1 per day. We cannot continue to have the number of accidents that we are having because of the unroadworthiness of vehicles.

Mr Ameer Meea: With the privatisation of fitness centres and according to the words used by the hon. Minister, can I ask the hon. Minister whether the cost associated to fitness would increase, whether this has already been worked out and if he can communicate it to the House?

Mr Bodha: Madam Speaker, the privatisation of the centres had been decided by the previous Government. In fact, we are just implementing the conditions that had been decided upon. The former Government had decided that there would be an increase of 50% of the cost of the fitness test. So, in the cases of Rs400, it is going to be Rs600. There was no decision as to whether it was VAT registered or there was a VAT refund. This is a business of Rs150 m. So, what the former Government decided was to give three fitness centres and to have a levy of 10%, that is, Rs15 m. for the regulator. What we have done, in fact, is over and above the 10%, we are imposing another 10%. So, it will have a levy of 20%. It would be VAT included so that the VAT will not be paid by the road users. So, we are coming with an increase of 50% as decided by the former Government. We have gone to the State Law Office. We have tried all ways to see whether we could change some of the conditions and we could not do so. So, what we are, going to do, is we are going to have a modern top of the art system, automated system and we will see to it that it will be Rs600 VAT registered included. At the end of the day, I think it is going to be a better and reasonable service. I maintain again it is going to be about Rs2 a day for the safety and the life of people who are driving the vehicle.

Mr Uteem: When the hon. Minister started his answer, he talked about examination being lenient. Now, there is also privatisation; would hon. Minister consider relooking at the technical aspect, and if need be, have the Government, itself, come up with new decentralised fitness centres instead of privatising it without adequate control.

Mr Bodha: Yes, but I said, the privatisation had already been decided. We went to the State Law Office and we cannot do anything. We have to honour.

(Interruptions)

Yes, we have to honour the conditions. The condition was a concession of 20 years and it would have been Rs100 m. of damages for each. We took about six months just to decide

whether legally we could do away with that contract. We can't. That is why we said that, in fact, we are imposing a 10% levy and the private fitness centres did not want to do so. In fact, we are trying to salvage the situation. We cannot do otherwise. Otherwise, we could have said: 'Yes, we close the private fitness centres, we go to court.' The advice which was given to me by the State Law Office is that it could be about Rs300 m. in damages. So, what do we do?

Mr Mahomed: The hon. Minister made mention of roadworthiness and cars do not last long nowadays, can consideration be given, even though cars when they go for fitness test, they pass their test, but very old cars they break down on roads and they cause a lot of inconveniences. Can there be a cap in the number of years a car can remain on the road like in Singapore, it is 10 years or some countries it is 15 years because on our roads there are cars that are 30 years old nowadays?

Mr Bodha: Yes, I totally agree. But then you have a lot of people saying: 'I have an old car and you are preventing me from having a car.' There is no limit, in fact, to date. I think the two criteria could be roadworthiness because we will have the test done and today it is a visual test. In the new system, you are going to have a test of about 30 different elements of the car. The two criteria could be roadworthiness or the number of kilometres where the car has been used. We can consider that.

Madam Speaker: Yes, hon. Dr. Sorefan, last question on this!

Dr. Sorefan: The hon. Minister mentioned about accidents. Will the hon. Minister confirm to this House whether all those fatal accidents that we have witnessed these days are they due to roadworthiness of the cars or because of the behaviour of the drivers?

Mr Bodha: Well, this is a very general question. I said that abroad, the roadworthiness of the vehicle is about 25% of the accidents. In Mauritius, I think that the way the fitness certificate was given was only after a visual test. I said there were some fitness certificates which were given without even the vehicle going to the centre. In other cases, it went to the centre, it just passed through and then you have the fitness certificate in an envelope. We are stopping all this. Now, the most important thing, again I say, is road safety. I am making an appeal to all road users and to all owners of their car to go through the fitness test, it is going to be a scientific test and it is going to cost what it will cost because the most important thing is to have safe vehicles on safe roads.

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

At 1.07 p.m. the sitting was suspended.

On resuming at 2.41 p.m. with Madam Speaker in the Chair.

Madam Speaker: Hon. Dr. Sorefan!

LOCAL & FOREIGN FILM PRODUCERS – REBATE SCHEME

(No. B/578) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Minister of Arts and Culture whether, in regard to the promotion of Mauritius, he will, for the benefit of the House, obtain from the Mauritius Film Development Company, information as to the number of foreign film shooters who have been paid to produce shoots therefor since January 2015 to date, indicating in each case, the amount of money paid thereto.

Mr Baboo: Madam Speaker, I am informed by the Mauritius Film Development Corporation that no payment has been made to foreign film producers to shoot films in Mauritius.

Madam Speaker, the hon. Member may nonetheless, wish to note that there is a scheme which provides rebate to local and foreign film producers, and same is operated by the Board of Investment, which falls under the aegis of the Ministry of Finance and Economic Development.

Dr. Sorefan: Will the hon. Minister inform the House if there is any claim from foreign shooters, a very huge sum that has been tabled to his Ministry and if my information is true, whether the huge amount can be mentioned in this House?

Mr Baboo: So far from our side, we have not received any claim regarding the foreign film shooters. In case, I can enquire about that and come to the hon. Member.

Dr. Sorefan: Well, as per the policies, a 30% refund is given to shooters. Do I take it that the hon. Minister has said that we did not have any claim for this 30%? Does that mean we did not have any shooters and this policy did not work since 2012?

Mr Baboo: As I just said before, regarding the Rebate Scheme, it is under the aegis of the Ministry of Finance and Economic Development.

Madam Speaker: Next question, hon. Ameer Meea!

RIO OLYMPIC GAMES – ATHLETES & DISCIPLINES

(No. B/579) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the forthcoming Rio Olympic Games, he will –

- (a) for the benefit of the House, obtain from the Mauritius Olympic Committee the list of athletes, discipline-wise, qualified therefor, and
- (b) information as to the composition of the Club Maurice Company, indicating the responsibilities of each member thereof.

(Withdrawn)

RIO OLYMPIC GAMES – ATHLETES - FINANCIAL ASSISTANCE

(No. B/580) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the forthcoming Rio Olympic Games, he will give a breakdown of the financial assistance given by his Ministry and by the Club Maurice Company respectively to the athletes who have been qualified/invited thereto.

(Withdrawn)

FOOTBALL - DIRECTEUR TECHNIQUE NATIONAL - RECRUITMENT

(No. B/581) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the recruitment of a *Directeur Technique National* for football, he will –

- (a) for the benefit of the House, obtain from the Mauritius Football Association, information as to the actions taken in relation thereto, and
- (b) state the actions taken by his Ministry in relation thereto, if any.

(Withdrawn)

NHDC – HOUSING PROJECTS - CONTRACTS

(No. B/582) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in

regard to the housing projects, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., a list of the contracts awarded therefor since January 2015 to date, indicating the respective -

- (a) contract value thereof;
- (b) location thereof, and
- (c) names of the contractors thereof, together with the respective bid amount submitted.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun): Madam Speaker, I am informed by the National Housing Development Co Ltd (NHDC) that it has awarded sixteen contracts for housing projects since January 2015 to date for the sum Rs623 m.

Madam Speaker, I am tabling the list of the contracts awarded together with the respective contract value, the location, the name of the contractor and the bid amount submitted.

Madam Speaker: No supplementary questions! Hon. Osman Mahomed!

PETROL STATIONS - GASOLINE & DIESEL – TESTS

(No. B/583) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard to gasoline and diesel available at the petrol stations for use in vehicles, he will –

- (a) for the benefit of the House, obtain in each case information as to -
 - (i) the grade thereof, and
 - (ii) if any mixing of additives thereto is permitted and, if so, indicate the nature and use made thereof, and
- (b) state if regular routine tests are carried out by his Ministry to ascertain the quality thereof.

Mr Gungah: Madam Speaker, with regard to part (a) (i) of the question, the grade of gasoline is RON 95 and that of diesel is 50 PPM Sulphur. These products are imported by the State Trading Corporation from the Mangalore Refinery and Petrochemicals Ltd of India.

As regards part (a) (ii) of the question, I am informed by the State Trading Corporation, that after necessary tests are effected on the products and the results are satisfactory, the products are pumped to the installations of the four petroleum companies, namely, Engen Petroleum (Mauritius) Ltd, Indian Oil Mauritius Ltd, Total Mauritius Ltd and Vivo Mauritius Ltd. The STC, at its end, does not mix any additives to the product during the discharge.

I am informed by the petroleum companies that one of them does not use any additive. Two do mix additives at their own depots to the two products and the fourth company to one product only. There exists an internal protocol within each of the petroleum companies for the process of additivation which is well controlled with a very specific dosage dictated by the headquarters of the respective company. They then supply their respective petrol stations.

The aim of these companies is to increase their sales and provide improved benefits to the end consumers, especially in terms of enhancing vehicle performance, reducing fuel consumption and ensuring cleaner emissions. The use of additives is a common practice especially in developed countries.

The companies import these additives in the form of chemicals which have to comply with local legislation concerning their composition and obtain the required licence to trade in dangerous chemicals issued by the Ministry of Health and Quality of Life. Further, for the import of fuel additives, the Ministry of Health and Quality of Life also requests a potassium free certificate.

With regard to part (b) of the question, I wish to inform the House that my Ministry does not have the resources and expertise to carry out routine tests to ascertain the quality of petroleum products.

The three companies have different monitoring mechanisms at their retail outlets; for example, one company carries out random tests while another one effects tests following receipt of complaints.

As at today, the STC has advised that it had not received any complaint with regard to the petroleum products from the petroleum companies. On the other hand, over the past four years, my Ministry has received only three complaints from the public on the distillation characteristics, density and water content of petroleum products in respect of three petrol

stations. The results of the tests carried out by the Mauritius Standards Bureau revealed that the products met the applicable specifications.

In case complaints are received on the additives to gasoline or diesel, my Ministry will collect samples from the concerned petrol stations and have recourse to private local relevant laboratories for effecting the required tests and take action as may be appropriate.

Mr Mahomed: Can the hon. Minister confirm to the House whether any mixing does actually take place at the petrol stations over and above what is mixed at the company's headquarters? Because information that has come to me is that the additive is cheaper by volume than the actual fuel. So, the more that they inject into the tank, the more profitable the petrol station becomes.

Mr Gungah: I confirm, Madam Speaker, that no additivation process is carried out at the petrol stations. I can even say - well, I won't give the name of the company - that all the companies do it. Like they have independent representatives to collect samples of both gasoline and diesel on the retail outlets randomly which are then sent to laboratories for testing.

Madam Speaker: Hon. Dr. Sorefan!

Dr. Sorefan: Madam Speaker, can the hon. Minister give us the list of the additives in terms of the chemical names?

Mr Gungah: Madam Speaker, in fact, I don't propose to give the list as such because all these products are of commercial nature and it will be quite embarrassing and not fair on my part because as I said, two companies use additives, one uses additive only on one product and one does not use. But if the hon. Member is ready to come to me, I can give him the name of the products.

Mr Mahomed: How frequently does the representative of the Ministry conduct routine tests at the petrol station?

Mr Gungah: I don't have that information, Madam Speaker.

Madam Speaker: Hon. Uteem!

Mr Uteem: Madam Speaker, the hon. Minister is also the Minister for consumer protection. So, wearing the hat of the Consumer Protection, how can the Minister ensure that what is stated in the advertisement about enhancing performance, additives being added

actually complies with what he stated in there, so if a Ministry doesn't have any means of carrying any tests, how can he assure that this advertisement is not misleading?

Mr Gungah: In fact, Madam Speaker, as I said, my Ministry does not have the necessary resources and competency to carry out these tests as at now, but we are contemplating to have officers of the Consumer Affairs Unit together with professionals from private laboratories to start having checks at the petrol stations and have tests of the samples.

Mr Barbier: Puis-je demander au ministre si c'est possible - parce qu'il ne veut pas donner les noms des additifs - de déposer sur la table de l'Assemblée nationale un tableau indiquant les quatre compagnies en question ainsi que les additifs ? J'apprends qu'il y a une compagnie qui n'utilise pas ces additifs. Je comprends que les additifs servent à augmenter la capacité de l'essence. Donc, si on pourrait éventuellement avoir ces tableaux, on saura qui met quoi et qui ne met rien.

Mr Gungah: Madam Speaker, I will not mention the companies that use the additives, but I can give the names of the additives. We have NEMO 2041, NEMO 6153, P1200, EMDFA 301 CDG, quite complicated because these are chemical names and I don't think it would mean a lot for us.

Madam Speaker: Last question, hon. Osman Mahomed!

Mr Mahomed: Are we, in Mauritius, at the national level, satisfied with the additives that are being used by these companies?

Mr Gungah: Well, Madam Speaker, as I said, in four years my Ministry received complaints concerning not the additives, but water content. As I said in my reply, it was water content, density and distillation characteristics. So, we have not had any complaints concerning the additives.

SMART CITIES PROJECTS - ELECTRICITY SUPPLY

(No. B/584) Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the smart cities projects which have already been approved, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to if the developers thereof have submitted thereto the respective electricity supply requirements therefor and, if so, indicate -

- (a) in each case, the requirement thereof in terms of Megawatts, and
- (b) how the Board proposes to meet same.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): Madam Speaker, I am informed by the Central Electricity Board that it has received their electricity supply requirements from smart city developers as follows -

Mon Trésor Smart City	–	20 MW
Azuri Phase II	–	10 MW
Medine Smart City	–	12 MW
Pailles Smart City	–	16 MW
Heritage City	–	35 MW

The smart cities guidelines provide that smart cities should include measures which to the extent possible generate their own energy requirements through eco-friendly mechanisms such as solar PV plants and wind farms. The Central Electricity Board is therefore expected to supplement their electricity requirements and provide backup facilities.

The CEB is already implementing a number of projects which would provide additional generation capacity to meet the electricity needs of the country, namely –

- St Louis Power Station will provide an additional capacity of 68 MW by September 2017,
- The Combined Cycle Gas Turbine (CCGT) at Fort George will add additional capacity of 80 MW in 2018 and 40 MW in 2019.
- Alteo will provide a net additional contribution of 26 MW during off crop season.
- The proposed Waste to Energy plant is expected to provide 30 MW by horizon 2019-2020.

In addition, new generation capacity of some 75 MW would be available during daytime from new Solar PV Projects in the pipeline and 39 MW from wind turbines at Plaine des Roches and Plaine Sophie.

Madam Speaker: Hon. Osman Mahomed!

Mr Mahomed: Yes, thank you Madam Speaker. Well, I will need to digest the figures, but it is sufficient for me to ask another additional question. Is the hon. Vice-Prime

Minister aware that the latest Statistics Mauritius figures show that the rate of increase in consumption outweighs the rate in the increase in production including all renewable energy projects involved? Is the hon. Vice-Prime Minister also aware that smart city developers according to BOI guidelines, Board of Investment guidelines, are only encouraged to favour renewable energy, it is not a *sine qua non* nor a mandatory requirement? So, given these elements, is the hon. Vice-Prime Minister confident that we will be able to shoulder the demand from these smart city developers, increase in local consumption and national development needs for electricity?

Mr Collendavelloo: There are two questions in one. The first one relates to the overall capacity of our network to provide electricity to the nation irrespective of smart cities. This calculation, it is true that demand is increasing, but the supply is also bound to increase with time. In spite of all obstacles which people erect on our way, we are confident that we can progress satisfactorily on that. We have taken into account the busybodies of this world.

The second question is more pointed: it is on the smart cities. Yes, they are encouraged, but the promoters will do it at their risks and perils. Their basic line of promotion is precisely eco-friendly smart, this is why they are called smart cities. Now, if they do smart cities and they are going to rely on the old transformers to provide electricity on CWA pump water to provide water, I don't think they will get many clients because that is their promotion. They do it at their risks and perils.

Mr Ganoo: Can I ask the hon. Vice-Prime Minister whether there is not a sort of *cahier des charges* with the smart city promoters and the CEB for the CEB to take certain specific measures to impose - if I may use the word - upon the promoters to have recourse, at least, to a fraction of renewable energy for the running of these smart cities?

Mr Collendavelloo: There is a committee to look after all this and there are representatives of my Ministry who sit on this committee. They do the needful in order to do the monitoring and the promoters - I have no contact with them - would have to do what they have set themselves out to be doing.

Madam Speaker: Hon. Uteem!

Mr Uteem: Thank you, Madam Speaker. I am quite surprised by the attitude of the hon. Vice-Prime Minister because when the smart city was sold in this House last year and he intervened in the Bill also, he mentioned that the main component of the smart city would be renewable energy, and today we hear the hon. Vice-Prime Minister saying that it is for the

promoters to come up with whatever renewable energy they want to. Does not the hon. Vice-Prime Minister think that it is on the contrary, as a policy matter for his Ministry, to come up with a set of minimum amount of renewable energy which each smart city must generate?

Mr Collendavelloo: There is absolutely no contradiction. My friend can be surprised as much as he wants, but there is absolutely no contradiction. We have set out to embark on renewable energy projects and the smart cities' *cahier des charges* will contain obligations of the promoters to do their renewable energy projects. We are doing it for the nation. The smart cities will have to do it for their own inhabitants, if I may say so.

Madam Speaker: Last question, hon. Mahomed!

Mr Mahomed: Yes, my last question is: can the hon. Vice-Prime Minister revisit that aspect of smart cities because at the moment they are only encouraged - as I said in my original question - to do so, being given that renewable energy investment is very high and it is also very convenient to rely on the CEB grid, smart city developers will have the higher propensity, higher tendency to rely on the usual old grid?

Mr Collendavelloo: I don't believe in imposing things on people myself because I don't like people to impose things on me. So, I don't see why I should be doing this for other people. I encourage, I tell them: "listen, you will have to do your smart energy or else your electricity bill will be such that you will not be able to sustain your project". So, it is up to them because if they want to rely entirely on CEB, then they will have a special tariff. You can be sure of this! They are not going to get away with Rs2.53.

HAJJ PILGRIMAGE - COMMITTEE - COMPOSITION

(No. B/585) Mr R. Uteem (First Member for Port Louis South & Port Louis Central) asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the Pilgrimage Committee in respect of the forthcoming Hajj pilgrimage, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to the –

- (a) composition thereof, indicating in each case the criteria used for the appointment of the said members, and
- (b) duties and powers thereof.

(Withdrawn)

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

MOTORWAYS - STREET LIGHTING

(No. B/586) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to the street lighting system on the M1 and M2 Motorways, from Grand' Baie to Plaisance, the Terre Rouge Verdun Link Road and the Port Louis Ring Road, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to if a survey has been carried out to identify the defective segments thereof and, if so, give a list thereof and indicate if –

- (a) urgent remedial measures will be taken in relation thereto, and
- (b) additional street lighting vans will be purchased for the maintenance thereof.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): Madam Speaker, I am informed by the CEB that the maintenance of the street lighting along the motorways does not fall under its mandate but under that of respective local authorities.

The CEB is only responsible for the supply of power and the installation and maintenance of solar switches that regulate the operating hours of these street lights.

In this respect, it carries out monthly surveys along motorways and main roads to identify any defective segment. It informs the local authorities of any problems noted during the survey for remedial actions.

Madam Speaker, the CEB is considering taking over street lighting along Motorways. This will require an amendment to the Central Electricity Board Act and to the Local Government Act. Further, new regulations will need to be made so as to regulate the modalities of this new responsibility. The financial implications of this take over will also need to be addressed.

Madam Speaker: Hon. Dr. Sorefan!

Dr. Sorefan: Thank you, Madam Speaker. The hon. Vice-Prime Minister is quite right to say that we have to amend, but the week before, we heard the hon. Minister of Public Infrastructure and Public Transport saying that it will be in the purview of the CEB to look after this. But, in the meantime, the country is suffering.

Madam Speaker: Yes, don't make a statement! Ask your question!

Dr. Sorefan: The drivers are suffering. Will the hon. Vice-Prime Minister see to it - even in Cabinet – as to whose responsibility is it to look after those lights that are causing black-outs, especially in the winter? Probably, it is the responsibility of Government to put these lights in place. Can the hon. Vice-Prime Minister look into the matter?

Mr Collendavelloo: Yes, we have been looking into it for quite some time actually. We are acutely considering CEB taking over the motorways, that is, from Plaisance to the North. My colleague of the Public Infrastructure and myself are working on it, but things are never as simple as you might think. As you know, there are lots of legal issues to be taken care of. There are technical issues and there are matters relating to equipment. CEB does not have these lorries which go up the poles to change the lamps. There are questions to be asked as to whether we shall use the old type sodium lamps or to use renewable solar PV lighting. All these questions need to be addressed.

(Interruptions)

Well, in the meantime, yes. What can we do! We have inherited a state of darkness.

(Interruptions)

We are bringing light.

FOOD REGULATIONS - HALAL & VEGETARIAN

(No. B/587) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Quality of Life whether, in regard to the proposed introduction of halal and vegetarian food regulations, he will state where matters stand.

Mr Gayan: Madam Speaker, I refer the hon. Member to a reply I gave to PQ B/738 on 20 October 2015. Since that time, my Ministry has done further work and I have also met with the President of the Jumma Mosque to discuss this issue of halal certification.

Different countries, Madam Speaker, have adopted different ways of labelling halal food. In some countries where Muslims make up a significant proportion of the population, religious organisations are responsible for regulating, authorising and certifying halal food. In developed Western countries such as the UK, US and France, there are no laws on halal food since it is considered as a strictly religious issue, with halal certification generally managed by religious bodies.

In Malaysia, halal certification is a process by which a State-controlled Agency or a credible Islamic organisation certifies that a company's products can be lawfully consumed by Muslims. Food manufacturers usually pay a fee for halal certificates. I am informed that in Mauritius, the Jummah Mosque is already the certifying body on halal issues.

Having explored all avenues, Madam Speaker, regarding regulating halal and vegetarian foods, my Ministry is of the view that halal and vegetarian certification is not a public health issue but rather a labelling issue.

Madam Speaker: Hon. Shakeel Mohamed!

Mr Mohamed: The hon. Minister, in his answer, referred back to PQ B/738, where in the last part he says, and I quote –

“Let us see what the mufti says and we will be guided by what the mufti says.”

And today, the hon. Minister says that he has met with the President of the Jummah Mosque. Could he please tell us, therefore, when did he meet with the mufti; the dates; what did he say; the date on which he met with the President of the Jummah Mosque, and what did he say?

Mr Gayan: Well, I don't have the dates with me, but I am sure my Secretary has the date when I met with the President of the Jummah Mosque. But I must say, Madam Speaker, that, as a secular State, we have religious bodies that are doing this already. In fact, I met with the new Chairperson, Mr Azim Currimjee, I think, of the Chamber of Commerce and he is the Head of the Pepsi Cola Company. He was telling me that the Jummah Mosque has certified pepsi cola and this certificate is posted in all the places where pepsi is sold. So, it is already being done. You can just go along La Corderie Street and you will see halal certified products. So, it is not something that we are inventing. This is what happens in all Muslim countries anyway.

But as regards the mufti, of course, my officers met the mufti. I myself met the President of the Jummah Mosque. I thought he was going to be accompanied by the mufti. He came on his own. We had a full and frank exchange of views and if the hon. Member presses me on that, I am going to say something else.

Madam Speaker: Hon. Shakeel Mohamed!

Mr Mohamed: Is the hon. Minister aware, as I had drawn his attention to that at B/738, that when Madam Speaker was Minister of Health...

Madam Speaker: Don't drag me into the debate!

Mr Mohamed: But that was the case. I mean, if I am to refer to the former Minister of Health when this matter was dealt with that at those days, the then Minister of Health and Quality of Life whom you know now who it was, had with her officers already prepared the Regulations and the Regulations were finalised after several meetings with the religious personalities. In those days, the State Law Office had approved the draft. Now, if the State Law Office had approved the draft in those days, it was already drafted following instructions from the Ministry in those days. How come it is that in those days, the policy of the Ministry was that it was not only a trade issue, but it was a public health issue and had to be taken under the Ministry of Health and Quality of Life? What has changed between those days and from the views of the officers of the Ministry then and the views of the officers of the Ministry now?

Mr Gayan: Well, Madam Speaker, the very fact that nothing was done in the past, confirms that it could not be done because this is not a public health issue. It is a certification issue. It is a labelling issue and the religious bodies are doing exactly that. What was being done, there was some work being carried out, whether it was possible to consider this as a public health issue and it was found out eventually that this cannot be. It is a certification issue.

Madam Speaker: Yes.

Mr Mohamed: Is the hon. Minister ready to table the Minutes of Proceedings of all the meetings that have taken place from 2010 onwards by the Ministry of Health and Quality of Life and even the draft regulations that have already been drafted and vetted by the State Law Office, and they have the seal of approval of the State Law Office as being correct, and enforceable, according to the law of Mauritius? Is the hon. Minister ready to table those documents?

(Interruptions)

Madam Speaker: Hon. Rutnah!

Mr Mohamed: I have it!

(Interruptions)

Madam Speaker: Please!

Mr Gayan: Madam Speaker, the hon. Member was a Minister in the previous Government. He had all the opportunities then as Minister to try to have it adopted and regulated. Why didn't they? Because there were objective reasons why this could not be done!

Madam Speaker: Hon. Osman Mahomed, a last question.

Mr Mahomed: Just a question of curiosity...

(Interruptions)

The hon. Minister keeps mentioning that it is not a public health issue.

Madam Speaker: Hon. Member, you asked a question; it cannot be a matter of curiosity, you want to get information from the hon. Minister.

Mr Mahomed: Can the hon. Minister inform the House whether on the basis that he is saying that it is not a public health issue - true enough, it is more of a certification issue - that it should not fall in the remit of his Ministry and should be another department looking into the matter?

Mr Gayan: Well, I am glad that there are different views on the same side of the House, the Labour Party.

(Interruptions)

Madam Speaker: Please!

Mr Gayan: Madam Speaker, in fact, I do not think that this is a matter for Government to decide. What is Halal, what is not Halal is for the religious authorities or that particular group to decide. In fact, this is the case also in Malaysia. Not only is it a religious issue, but the fact that there is a Halal Certificate gives confidence to the consumers, especially in the Muslim countries and it is big business, and it is estimated that by the year 2060, this business in Halal food will reach three trillion US Dollars. So, everybody has an interest in making sure that halal is really halal, but the suppliers and the buyers need to know that they are buying from reputable firms and the certification process guarantees the halal nature of the product.

Madam Speaker: Next question, hon. Shakeel Mohamed!

PUBLIC & PRIVATE SECTORS - DISABLED PERSONS - EMPLOYMENT

(No. B/588) Mr S. Mohamed (First Member for Port Louis Maritime and Port Louis East) ask the Minister of Social Security, National Solidarity and Reform Institutions whether, in regard to the employment of persons with disabilities in the public and private sectors respectively, she will (a) for the benefit of the House, obtain from the Training and Employment of Disabled Persons Board, information as to the number of jobs created therefor since January 2015 to date, indicating the number of persons with disabilities who have taken up the said jobs and (b) state the actions that will be taken by her Ministry to ensure that more persons with disabilities are employed.

Mrs Jeewa-Daureeawoo: Madam Speaker, as regards part (a) of the question, I am informed by the Training and Employment of Disabled Persons Board that, since January 2015 to date, some 275 employment opportunities have been obtained. Up to now, the Board has been able to place some 135 persons with disabilities in employment, comprising 113 who were employed in 2015 and 22 from January 2016 to date. Of these 135 persons with disabilities who have been employed, 129 have been recruited by private sector companies, 3 by Non-Governmental Organisations, 2 by parastatal bodies, namely the National Women Council and the National Transport Authority, and one in the Civil Service.

I am further informed that for the remaining 140 also of employment opportunities obtained, they could not successfully be availed of either because the candidates identified did not turn up for the job or their profile in terms of aptitudes, skills, knowledge and notions did not match the job specifications.

Insofar as employment of persons with disabilities in the public sector is concerned, the House would recall that in reply to P.Q. No. B/123 on 05 April 2016, I informed that, as a matter of fact, there are many persons with disabilities who are employed in the Public Service. However, there is no such record which categorises such officers and employees. Therefore, the number is not known.

As for part (b) of the question, I wish to inform the House that the Training and Employment of Disabled Persons Board has initiated a number of actions to allow for more persons with disabilities to secure employment. The Board has recently collaborated with the Ministry of Labour, Industrial Relations, Employment and Training and has secured a slot in the '*Magazine de l'Emploi et des Métiers*', with a view to giving a better visibility and

creating more awareness of the services offered by the Training and Employment of Disabled Persons Board.

In addition, an exercise will start very soon inviting persons with disabilities who are interested to undergo training or to secure employment to apply for registration so that their names could be included in the new database. It is worth informing that the Board has enrolled five persons with disabilities under a new Skill Development Programme in April this year.

In order to enforce the provisions of the Training and Employment of Disabled Persons Act, I am currently reviewing the operation of the Hearing Committee, which is responsible to deal with companies which are non-compliant with the legal requirement regarding employment of persons with disabilities.

Mr Mohamed: Just to pick up, Madam Speaker, from where the hon. Minister just left off, this particular legislation that has to be complied with the changes that the hon. Minister proposes to bring for the enforcement of the number of disabled people employed by the private sector, how many inspections, first of all, have been carried ever since 2015 to date? How many companies have been contravened for not complying with the said legislation and how many have been prosecuted?

Mrs Jeewa-Daureeawoo: The hon. Member will understand that it is admittedly a difficult task to ensure full compliance of the private sector with the provisions of the law. Private companies are extremely reluctant to employ persons with disabilities. However, we are deploying all possible means to encourage private sector to employ persons with disabilities and to ensure compliance with the quota of three persons. But, one thing is sure is that the database which is available is not a reliable one. The database dated as far back as 2010 and has not been properly updated. The names of disabled people which appeared in the database have not been assessed. The database does not contain a fully descriptive fact sheet of profile candidates. So, we need to review the database. Therefore, we are creating a new database. We are reviewing also the Hearing Committee. It is only then that we will be able to start suing, if need be. So, all these cannot be done overnight.

Mr Uteem: Madam Speaker, I asked a similar P.Q. last year and it is nine months now and nothing has been done. As the hon. Minister knows, we need to amend the law to make it more effective. So, may I know from the hon. Minister when does she propose to come up with appropriate amendments to the existing legislation? Would she consider, when

proposing amendments, to extend this 3% quota to be applicable to also employment in the parastatal bodies and civil service?

Mrs Jeewa-Daureeawoo: Well, I am working in close collaboration with my friend, the hon. Minister Alain Wong Yen Cheong to find workable conditions in this regard. As you know, recruitment of officers in the civil service is done through PSC, Judicial and Legal Service Commission and the Disciplined Forces Service Commission. So, introducing the 3% quota in the civil service will inevitably entail constitutional amendments. But, as I have said earlier, we do have people with disabilities employed in the civil service. However, the number is not known because recruitment in the civil service does not require disclosure of disability. So, persons with disabilities and persons with abilities are treated equally.

Mr Jhuboo: Madam Speaker, the hon. Minister is aware that following the Committee of the United Nations concerning the disabled persons, it was very critical on the situation in Mauritius. Actually, we all know that both public buildings and private buildings are badly equipped and are not adequate for the disabled persons. Can we know if there is a committee at the level of the Ministry that looks out after all the improvement that is to be done for the disabled persons?

Mrs Jeewa-Daureeawoo: Well, as rightly said, the UN Convention's Report is very critical because not much has been done during the past years. Since I took office, I am working on some changes, but we need to be patient. I am working in close collaboration with the Ministry of Education as well as the Ministry of Public Infrastructure to see to it that new buildings and schools do provide facilities and accessibility to persons with disabilities.

Mr Mohamed: Madam Speaker, I remember at one stage there was Mr Armoogum Parsuramen who was at the head of an organisation, organising some very interesting training sessions for people with disabilities. Could the hon. Minister tell us how many people – if she has those figures, since she is the Minister concerned – with disabilities have been trained since January 2015 to date to increase their employability skills and what sector of industrial activity or economic activity have they been trained in? Could the hon. Minister give us a figure of those training sessions that could have occurred - I hope so - for the disabled in order to ensure that more disabled people get jobs because employability is also an issue?

Mrs Jeewa-Daureeawoo: I do not have the figure at hand about the number of people who have been trained, but I do know that there is quite a number of persons with disabilities

who have been trained up to now. They have been offered training in the field of agriculture, reparation of wheel chairs, IT skills and henna applications, etc.

Madam Speaker: Next question, hon. Mohamed!

HRDC - NATIONAL SKILLS DEVELOPMENT STRATEGY

(No. B/589) 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 skill gap that exists in our labour market, he will state the –

- (a) measures that have been implemented to address same;
- (b) actions taken to revamp the training/vocational sector, and
- (c) role of the national employment policy in addressing the labour challenges.

Mr Callichurn: Madam Speaker, I wish to refer the hon. Member to the reply I made to PQ B/480 on 24 May 2016, on the measures adopted to address the prevailing unemployment issue, which is fuelled by the skill gap. Despite being a major concern, there has been so far no study at national level to determine the skill gap sector wise as well as sub-sector wise.

I am informed that the HRDC is currently developing the National Skills Development Strategy in collaboration with relevant stakeholders and with the technical assistance of the *Agence Française de Développement*. With the objective of improving the current skills development system and contribute to addressing the mismatch, 12 sectors have been identified for the study, namely –

- the agricultural and fishing sector;
- construction and allied services;
- tourism and hospitality;
- financial and insurance services;
- ICT/BPO;
- manufacturing, textile and non-textile;
- freight, logistics and transport;
- wholesale and retail trade;
- building services and real estates, and

- life sciences, healthcare and wellness.

As regards part (b) of the question, I am informed that the HRDC has initiated the following actions to improve the training/vocational sector, that is -

- (i) upgrading of MITD Training Centres;
- (ii) continuous professional development of MITD trainers;
- (iii) opening of new training centres at Côte d'Or, and setting up of Petit Bel Air Training Centre with state-of-the-art technology;
- (iv) strengthening of the quality assurance system, and
- (v) rebranding of the Technical Vocational Education and Training.

As regards part (c) of the question, my Ministry is in the process of formulating the National Employment Policy which will promote productive employment and improve the general working conditions of workers.

Assistance of the International Labour Organisation has been sought for this existence.

Mr Mohamed: Madam Speaker, to start with part (c), the national employment policy, there was a national employment policy that was put together with consultants from Mauritius and the International Labour Organisation and the National Employment Policy had already been launched. In that context, since there is a deterioration in the figures with regard to employment *et le chômage*, could the hon. Minister say whether a consultant has been identified as yet to revamp the already finalised national employment policy in line with the new vision 2030 of the Rt. hon. Prime Minister, in order to address his particular vision and to increase employment in Mauritius?

Mr Callichurn: We have already sought for technical and financial assistance from the International Labour Organisation and we are awaiting a reply from them.

Mr Uteem: Madam Speaker, may I know from the hon. Minister whether there is any coordination between HRDC and the Ministry of Education and especially in the Career Guidance Unit of that Ministry to channel people right from school?

Mr Callichurn: Can the hon. Member be explicit with his question, please!

Mr Uteem: The question is about skill gap that exists, which means that the demand for the labour and the supply are different. That starts from school. If there is a shortage of

scientists, it is from school that you have to channel the students to opt for scientific matters. So, that is why I am asking the hon. Minister whether there is any coordination between HRDC and the Career Guidance Unit of the Ministry of Education.

Mr Callichurn: There is coordination between the HRDC and the Career Guidance Unit. They are working in close collaboration. This I can assure the hon. Member.

Mr Mohamed: That was a very good question. According to some information I have, the Career Guidance Unit that was once at the Ministry of Education has now moved to the Ministry of Labour, Industrial Relations, Employment and Training. What could be done by the hon. Minister in order to increase visibility or lack of communication on that particular aspect? Because ever since it has moved from the Ministry of Education to the Ministry of Labour, there is still the impression by people out there, students and parents that the Career Guidance Unit is still at the Ministry of Education, when, in fact, it is now at the Ministry of Labour. So, what could be done by the hon. Minister to increase visibility, increase communication and put, at least, a team of specialists who could advise students on career guidance and deciding what they are going to study in line with what the requirements of country are?

Mr Callichurn: Well, according to a recent Cabinet decision, Career Guidance has been reallocated to the Ministry of Education. I can tell the hon. Member that it was me who had proposed the Cabinet for such course of action because with the coming of the nine-year schooling, it is understandable that it would be most appropriate that Career Guidance remains at the Ministry of Education.

Mr Ramful: During the last budget exercise, it was announced that provisions would be made for about 3,000 *gradués chômeurs* for them to take part in crash courses that are going to be designed by the University of Mauritius and that apparently Government is going to take charge of the fees, I think, Rs80,000 per student. May I know, since then, how many students have started those courses and how much money has been spent?

Mr Callichurn: I have been told that around 93 graduates are actually benefitting from the G-test which is being implemented at the level of the Ministry of Education.

Madam Speaker: It has sufficiently been debated. Next question, hon. Ramano!

STATE LAND - DIGITAL REGISTER – SETTING UP

(No. B/590) **Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the setting up of a Digital State Land Register to be open to the public to ensure greater transparency in the allocation of State lands, as announced in the 2015-2016 Budget Speech, he will state where matters stand.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun): I wish to inform the House that the setting up of the Digital State Land Register system is a major and complex project which involves (i) data capture and (ii) the system design.

The capture of all State land parcels data involves scrutinizing some 20,000 case files and hundreds of old plans. This is being done for the first time and is a highly technical exercise.

Data capture was undertaken on a pilot basis for the district of Savanne and the exercise is being extended to cover the other districts. Consultations and discussions are also being carried out in respect of the proposed system design and its relevant scope of works with all stakeholders, namely the Central Informatics Bureau, the State Law Office and the Procurement Policy Office, among others.

The Digital State Land Register system will eventually be linked with the existing Land Administration, Valuation and Information Management System of my Ministry.

In due course, members of the public will have access to the appropriate modules of the Register.

I would also like to point out that my Ministry has already prepared a Policy Framework for the allocation of State land. This will ensure transparency and accountability regarding allocation of the State land.

Mr Ramano: Madame la présidente, est-ce que je peux savoir du ministre si un contrat séparé a été alloué pour ce travail ou bien cela est fait au niveau du ministère?

Mr Soodhun: *Non.* We have a special team that we have set up. As I said, it is a very technical exercise and there is a special team working on that.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Madam Speaker, can the hon. Vice-Prime Minister inform the House, with regard to the special register for State Lands allocated for industrial and other purposes, whether works have started, whether these State lands are lying there unused and whether they have paid fees?

Mr Soodhun: As I said, we have some 20,000 cases. The plans are old and they are there for decades and we have not been able to detect, but now with this team that has been set up, we will be on the website of the Ministry once we finish the job. We are going to have all over the island the lands which are available and uncommitted, and also lands allocated where there has not been any development so that people will now be aware of all these details.

Mr Ramano: Jusqu'à présent le projet LAVIMS a coûté près de 20 millions de dollars à l'Etat mauricien et dans le *scope of work* cela incluait les terrains privés comme les terrains de l'Etat. Est-ce qu'il n'existe pas un système pour qu'on puisse activer les choses à travers le projet de LAVIMS lui-même ?

Mr Soodhun: As I mentioned, we are still working with LAVIMS. Now we are dealing with all the files which have not been disclosed since, I would say, the 2000. In fact, we are coming to that; now we are coming with State Lands specially and LAVIMS is going to help. We have started with one or two district councils of the two districts. So, we are doing it district-wise. It is not an easy job. I am not going to say that it will be completed in a few months, but it will take one or two years to complete.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Madam Speaker, coming back to what hon. Ramano just said, in fact, LAVIMS had cost the Government more than Rs800 m. and, to my knowledge, LAVIMS includes all land in Mauritius, not only private land but public land, State-owned land. This has been debated several times in this House. So, why is it that now we are being informed that a new *module*, a new software is being developed for this specific issue? And, secondly, what is the timeframe that we are looking for so that all the State lands are being put on the system?

Mr Soodhun: In fact, LAVIMS is working under close collaboration, they are not working separately, but we have the other team of the other section that joined LAVIMS to work together on this. In fact, it is not Rs20 m.; Rs30 m. have been proposed for the budget.

As I have mentioned, we are working district-wise. Once we finish with this, we are going to do the same for the population in general. We have no problem; but I can't say that now.

Madam Speaker: Last question, hon. Jhuboo!

Mr Jhuboo: A consultant was recently appointed for the setting-up of the Agricultural Land Bank. Can we know from the hon. Vice-Prime Minister if it is the same consultant who has been appointed for the Digital State Land Exercise?

Mr Soodhun: No, not yet; we are going to work on a State Land which is not available.

Madam Speaker: Next question, hon. Ameer Meea!

BUILD OPERATIONS TRANSFER PROJECTS - REQUESTS

(No. B/591) 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 Build Operations Transfer Projects, he will, for the benefit of the House, obtain from the Procurement Policy Office and/or Build Operations Transfer Project Unit, a list of the requests received therefor, indicating the outcome thereof in each case.

Mr Jugnauth: Madam Speaker, the Build Operate Transfer (BOT) Projects Act was proclaimed on 05 April 2016. The Act provides for public bodies to submit projects they have identified to the BOT Projects Unit for assessment.

The BOT Projects Unit has been set up under the aegis of the Procurement Policy Office. The main functions of the Unit are to formulate policies, set guidelines, conduct training programmes and provide assistance to public sector bodies in the preparation of BOT projects.

Madam Speaker, the BOT Projects Unit has issued a Circular on 27 April 2016 to inform public sector bodies on the provisions of the BOT Projects Act as well as the process of identifying BOT Projects. The Unit has already prepared a draft BOT Guidance Manual to provide further details on the BOT process. The Procurement Policy Office has invited comments from all stakeholders on the Guidance Manual and will finalise same by end of this month.

Following the release of the manual, the BOT Projects Unit will conduct working sessions with public sector bodies to assist them in identifying projects that may be registered as BOT Projects. Subsequently, the Procurement Policy Office will invite public sector bodies to submit their request.

Mr Ameer Meea: May I ask the hon. Minister, as it has been announced by the hon. Minister of Public Infrastructure and Land Transport that the Victoria Station and the Immigration Square, the north station, that there are two huge projects which would also include a hawkers palace, if I can say, will this also be part of the Build Operation Transfer Projects?

Mr Jugnauth: Well, I have just said that it will be for the public bodies then to identify projects and then to submit for assessment.

Mr Mahomed: According to the Public Private Partnership Act, BOT is one form of PPP. Can the hon. Minister confirm to the House whether the Public and Private Partnership Unit that was set up under the ambit of the PPP Act at the Ministry of Finance still exists or has it been wrapped up meanwhile?

Mr Jugnauth: Well, in fact, the Act is still there; the Unit is still there and any project that falls under the PPP Act will be dealt according to the guidelines and to the regulations that pertain to the PPP Act.

FINANCIAL SERVICES COMMISSION – RECRUITMENT

(No. B/592) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to the Financial Services Commission, he will, for the benefit of the House, obtain therefrom –

- (a) a list of the persons recruited thereat on a permanent and contract basis respectively, since December 2014 to date, indicating the -
 - (i) post occupied;
 - (ii) qualifications held and;
 - (iii) terms and conditions of appointment;
- (b) information as to;

- (i) the salaries and allowances drawn by each Board Member thereof and;
- (ii) where matters stand as to the appointment of the Chief Executive Officer and of the external auditor thereof, and
- (iii) the name of the Acting Chief Executive Officer, indicating the salary package drawn.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):
Madam Speaker, with regard to part (a), the Financial Services Commission has been requested to compile the information sought. In this respect, I am advised that the Legal Division of the Commission will decide as to whether the information sought may be released.

With regard to part (b) (i), the composition of the Board of the Financial Service Commission is as follows –

- Chairperson - Mr Dev Manraj,
- Vice-Chairperson - Mr Dheerendra Kumar Dabee,
- Members - Mr J. Li Chung,
- Mr Vishwanaden Soondram,
- Mrs Warda Dulmar Ebrahim,
- Mr Roy Ramlakhan, and
- Mr Rajesh Sharma Ramloll

They are not paid any salaries or allowances. They are entitled to monthly fees as follows –

- Chairperson - Rs50,000
- Vice-Chairperson - Rs25,000
- Members - Rs20,000

With regard to part (b)(ii) of the question, I am informed that the post of Chief Executive was advertised on two occasions, but no suitable candidate was identified. A third advertisement will shortly be launched by the Commission.

With regard to the appointment of the external auditor, I am informed that following a tender exercise, the contract has been awarded to Mr SizweNtsalubaGobodo, that is, an

International Corporation from South Africa for three accounting periods ending 30 June 2018.

Madam Speaker, with regard to part (b) of the question, the Acting Chief Executive Officer is Mr P. K. Kuriachen. Mr Kuriachen is the No. 2 of the Security Exchange Board of India and has vast experience in Capital Markets and has been serving as Adviser to the former Chief Executive since August 2013.

With regard to the salary package of the Acting Chief Executive, the Legal Division of the Commission will decide as to whether the information may be released.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Madam Speaker, it has become a habit now with the Ministry of Financial Services, Good Governance and Institutional Reforms not to disclose information.

Madam Speaker: Ask your question! No comments!

Mr Ameer Meea: My question is: why is it that everything that is being asked, and here we are talking of funds that will be paid out of public funds, why is it for a Ministry which is talking about good governance, why is it that we are not given the information that was being asked for? What is the reason?

Mr Soodhun: The reason is because we are governed by the Legal Division of the Commission. There is a legal aspect where we are bound not to give the information. We have to consult. This is the only answer I have; I cannot tell more than that.

(Interruptions)

Madam Speaker: Next question, hon. Gobin!

COMPREHENSIVE SEXUALITY EDUCATION - SENSITISATION PROGRAMMES

(No. B/593) Mr M. Gobin (First Member for Rivière des Anguilles & Souillac) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the implementation of the ministerial commitment taken for Comprehensive Sexuality Education in schools signed on 07 December 2013 in Durban, South Africa, she will state where matters stand.

Mrs Dookun-Luchoomun: Madam Speaker, at the outset, I would like to highlight that this ministerial commitment for Comprehensive Sexuality Education...

Madam Speaker: Excuse me! Hon. Gobin, is that your seat? Because you have to ask questions from your seat!

Mr Gobin: With your permission, Madam Speaker, it was changed to this place.

Madam Speaker: Okay.

Mrs Dookun-Luchoomun: Madam Speaker, I wish at the outset to highlight that this ministerial commitment for Comprehensive Sexuality Education was signed in December 2013 in Cape Town rather than Durban as stated by the hon. Member.

A representative of my Ministry and that of the Ministry of Health and Quality of Life attended the preconference meeting on the Eastern and Southern Africa ministerial commitment on Comprehensive Sexuality Education and sexual and reproductive health services for adolescents and young people in Eastern and Southern Africa.

At the ministerial level, Mauritius was represented by the then Minister of Health and Quality of Life. This commitment required, *inter alia*, the key Ministries to jointly develop and deliver information, education and services needed to fight the HIV and AIDS epidemic and reverse the trend, promote healthy lifestyle through the Comprehensive Sexuality Education as well as health services.

The school represents a key platform for the sensitisation and dissemination of relevant information to the adolescents and the youths. In this regard, Madam Speaker, my Ministry has been working in collaboration with the Ministry of Health and Quality of Life, the National AIDS Secretariat as well as NGOs for the conduct of sensitisation programmes and providing activities related to the education on sexuality.

Insofar as the primary and secondary school curricula are concerned, elements of education on sexuality, healthy lifestyle and well-being are being integrated in the health and physical education components at the Standard V and Standard VI levels. I wish to point out that with the new national curriculum framework 2015, grades one to nine elaborated in the context of the nine years of continuous basic education, provision has been made for comprehensive sexuality education, road safety education, global citizenship education and values as well as social and emotional wellbeing as part of the curriculum of life skills.

Madam Speaker, I wish to add that following consultations and discussions held with the Mauritius Institute of Education, the *Bureau de l'Education Catholique*, my Ministry will be implementing a joint programme on sexuality education, reproductive health and emotional wellbeing. The MIE is developing the resource materials and relevant training for teachers will also be provided.

Madam Speaker, action is being taken by my Ministry to uphold the commitment taken in 2013 with regard to sexuality education, emotional wellbeing as well as reproductive health.

Madam Speaker: Next question, hon. Jhuboo!

LES SALINES PILOT RIVIERE NOIRE - HOTEL PROJECTS

(No. B/594) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Deputy Prime Minister, Minister of Tourism and External Communications whether, in regard to the various leases granted, since January 2015 to date, in the region of Les Salines Pilot Rivière Noire, for the implementation of hotel projects, he will give a list thereof, indicating where matters stand in each case.

Madam Speaker: Hon. Vice-Prime Minister, Minister of Housing and Lands, you have to reply to this question.

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun): With your permission, Madam Speaker, I will answer this question. Madam Speaker, since January 2015 to date, no lease has been granted for the implementation of hotel projects in the region of Les Salines Pilot Rivière Noire.

Mr Jhuboo: Madam Speaker, I am given to understand that there is a timeframe, *un moratoire* given to every lessee. The hon. Vice-Prime Minister himself mentioned that he would be uncompromising, *intransigent* with those who do not respect the time allocated for the construction of the hotel. Now, can we know from the hon. Vice-Prime Minister whether concerning the previous lessees he is going to act diligently for those who have not respected the timeframe?

Mr Soodhun: Which ones?

Mr Jhuboo: The previous lessees.

Mr Soodhun: The question was put in regard to the various leases granted since January 2015 to date in the region of Les Salines Rivière Noire for implementation of hotel projects.

Madam Speaker: No! The question is appropriate. It is with regard to previous lease.

Mr Soodhun: It is a different question, because they have asked for the specific.

Madam Speaker: You do not have the reply?

Mr Soodhun: The hon. Member should come with a substantive question and I will definitely, with pleasure, give an answer.

Madam Speaker: Yes, hon. Ganoo!

Mr Ganoo: To come back on this question, the hon. Vice-Prime Minister has, himself, made a declaration sometime back that he will try once for all to solve this issue of promoters who have been granted leases under the previous Government and who have never exploited the land and there was a question of road, common road, common access and the hon. Vice-Prime Minister said he will put order in this situation so that prime State land which has been granted to promoters in the past is being left idle and these could be...

Madam Speaker: Hon. Ganoo, the Vice-Prime Minister just said that he has information since January 2015. He does not have information previous to that.

Mr Soodhun: Is the hon. Member talking about the matter of principle? All the lands which have not been developed, I am going to retrieve them; there is no problem. If the hon. Member has any one in mind he can just tell me, I can retrieve it immediately.

(Interruptions)

Madam Speaker: Hon. Ameer Meea, no cross-talking, please!

(Interruptions)

Hon. Ameer Meea, no cross-talking, I said!

Mr Ganoo: Can I ask the hon. Vice-Prime Minister to consider the possibility also of devoting part of these acres of land for social housing there?

Mr Soodhun: This is another matter. How come for hotel, you come to the low-cost housing?

Madam Speaker: Okay. Next question, hon. Mrs Selvon!

CAMP BENOIT & MONTÉE S - FOOTBALL GROUND

(No. B/595) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Minister of Local Government whether, in regard to Camp Benoit and Montée S, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if consideration will be given to the request made by several inhabitants thereof for the rehabilitation of the football ground formerly used by the Hindu Cadets Football Club, and, if not, why not.

Dr. Husnoo: Madam Speaker, I am informed that the football ground at Camp Benoit and Montée S is neither vested in the Municipal Council of Port Louis nor in the District Council of Black River or for that matter in the Ministry of Youth and Sports.

Following consultation my Ministry had with the Ministry of Housing and Lands regarding the ownership of the land in question, I am informed that the football ground is in fact the property of the Hindu Cadet Football Club.

Madam Speaker: Hon. Barbier!

Mr Barbier: May I ask the hon. Minister whether the Government is agreeable to the idea of having this part of land compulsorily acquired and developing it for a football pitch for the inhabitants of this region, because we have no amenities at all in this region.

Dr. Husnoo: Well, we have to look into it obviously, but I can't promise now.

Madam Speaker: Next question, hon. Baloomoody!

POINTE-AUX-SABLES - FISHERIES TRAINING AND EXTENSION CENTRE – TRAINING COURSES

(No. B/596) Mr V. Baloomoody (Third Member for GRNW and Port Louis West) asked the hon. Minister of Ocean Economy, Marine Resources, Fisheries, Shipping and Outer Islands whether, in regard to the Fisheries Training and Extension Centre at Pointe-aux-Sables, he will state –

- (a) when it will become operational, and
- (b) the eligibility criteria to benefit from training thereat.

Mr Koonjoo: Madam Speaker, the Fisheries Training and Extension Centre (FITEC) at Pointe-aux-Sables is operational since 2004.

With regard to part (b) of the question, different eligibility criteria are applied depending on the type of training course.

FITEC has been dispensing training courses to fishermen and other stakeholders in the following areas -

- (a) General Course for Fishers;
- (b) Fish Aggregating Devices Training Courses;
- (c) Training in the Fish Handling, Preservation and Marketing;
- (d) In-house training - Training of Fisheries Protection Service Officers, and
- (e) Training of Skippers for boats less than 12 metres in length.

For the General Course for Fishers, applicants should be between 18 to 50 years old. They should be medically fit to work in the open sea and should have applied for the registration as fishermen and have been fishing for the past 6 months. They should not hold any Trade Licence.

For the Fish Aggregating Devices Fishery courses, applicants should be holder of a Fisherman Registration Card and should be medically fit to work in the open sea.

As for the training of the Fish Handling, Preservation and Marketing, applicants should be holder of a Fishmonger's Licence.

The criterion for training of FPS officers is seniority ranking.

For the training of skippers, the criterion is that the applicant should be a registered artisanal fisherman.

Madam Speaker: Hon. Baloomoody!

Mr Baloomoody: Can I ask the hon. Minister when was the last intake of students in that institution?

Mr Koonjoo: The last intake was in 2016.

Mr Baloomoody: Can I know how many students were admitted?

Mr Koonjoo: For 2016, for general courses, we have targetted 50 applicants; for FAD, we have another 50, and for the target of fishmongers, we have got 100. So, it is 200.

Madam Speaker: Next question, hon. Baloomoody!

TAMIL, TELEGU AND MARATHI CULTURAL CENTRES

– BOARD MEMBERS

(No. B/597) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Arts and Culture whether, in regard to the Tamil, Telegu and Marathi Cultural Centres respectively, he will give a list of the Board Members thereof, indicating the criteria for the selection thereof.

Mr Baboo: Madam Speaker, I am, with your permission, tabling the list of the existing Board Members of the three Cultural Centre Trusts.

At this juncture, it would not be appropriate for me to comment upon the criteria for appointing members under Section 5 of the Mauritius Tamil Cultural Centre Trust Act 2001, given that the legality of appointing members recommended by the different associations, listed in the Schedule to the Act, is the subject of an application of an injunction before the Judge in Chambers.

In addition, it will also not be appropriate for me to probe further into the issue of selection of the members to be appointed by me on the recommendation of the Mauritius Telegu Cultural Centre Trust and Marathi Cultural Centre Trust given that the criteria for the selection of such members raised similar legal issues as those raised in the applications lodged by the Mauritius Tamil Cultural Centre Trust.

Mr Baloomoody: Is the hon. Minister circulating a list for the Board Members?

Madam Speaker: Yes.

Mr Baloomoody: Can I know whether, prior to the change of the Schedule, there were consultations with the respective federations?

Mr Baboo: Well, according to the Schedule, it has gone through the Cabinet and it has gone also in the General Assembly.

Mr Baloomoody: My question is not on the Schedule, it is whether there were prior consultations with the respective federations before changing the Schedule.

Mr Baboo: Yes, we have followed the procedure. We have written to all the federations regarding Tamil, Telegu and Marathi.

Mr Baloomoody: Looking at the Schedule, can the hon. Minister tell us whether the Savanne Tamil Temple Federation is a legal entity?

Mr Baboo: Sorry, I cannot answer the hon. Member as the matter is in Court.

(Interruptions)

Mr Baloomoody: Will the hon. Minister agree that there are several fictitious, not legal entities, associations in the new Schedule of the Act?

(Interruptions)

Mr Baboo: As the hon. Member said I am not happy, but it has been consulted. The matter is in Court, later on I will give the hon. Member the answer.

(Interruptions)

Madam Speaker: Next question, hon. Barbier!

FISH LANDING STATIONS - UPGRADING

(No. B/598) 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 fish landing stations, he will give a list thereof which have been upgraded, if any, during the last financial year.

Mr Koonjoo: Madam Speaker, I am informed that during the last financial year, no upgrading works were carried out in any fish landing station.

However, as soon as I assume office, I requested...

(Interruptions)

Madam Speaker: Hon. Baloomoody, please don't interrupt! Please, go on!

Mr Koonjoo: ...for the commissioning of a survey to identify all fish landing stations requiring upgrading and renovation works.

I am informed that, during this financial year, minor upgrading works like painting and others have been carried out at La Gaulette fish landing station at a total cost of around Rs6,600.

I am further informed that clearance has been obtained from the Ministry of Public Infrastructure and Land Transport for upgrading the following fish landing stations –

- (a) Poudre d'Or Village at Rs367,000;
- (b) Pointe-aux-Piments at Rs365,000;
- (c) La Preneuse at Rs107,785;
- (d) Trou aux Biches at Rs251,000;
- (e) Le Morne at Rs258,077, and
- (f) Trou d'Eau Douce at Rs248,017.

The contracts would be awarded to the District contractor by the Ministry of Public Infrastructure and Land Transport. The works are expected to start by July 2016 and would be completed within a period of 6 months.

Madam Speaker: Hon. Barbier!

Mr Barbier: Thank you, Madam Speaker. May I know from the hon. Minister whether tender is already flaunted for these upgrading works?

Mr Koonjoo: As I replied, Madam Speaker, the Ministry of Public Infrastructure and Land Transport will give the contract. They will deal with that. It is less than Rs500,000., no bidding.

Madam Speaker: The Table has been advised that PQ B/604 and B/605 have been withdrawn. Time is over!

MOTION

SUSPENSION OF S.O. 10(2)

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

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

STATEMENTS BY MINISTERS

(4.00 p.m.)

HADJ PILGRIMAGE - AIR TICKET - PRICE

The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):

Madam Speaker, I wish to clarify a point made by hon. Reza Uteem at the National Assembly, during Question Time, at the sitting of 07 June 2016, to the effect that he checked with Etihad Airways, the official airline for the UAE, which was offering the Hadj ticket at Rs31,000 via Seychelles.

Madam Speaker, as the Minister responsible for Hadj, I counter-checked the figures mentioned by the hon. Member, and I wish to share the information that has been imparted to me by the CEO of Air Seychelles/Etihad Airways –

- (1) Air Seychelles/Etihad can provide up to 200 seats only, instead of 1,040 to 1,500, for the prospective Mauritian Hajees into Jeddah, spread across 28 August to 04 September 2016.
- (2) Return would be spread across 21 to 30 September 2016.
- (3) Fare would start at MUR 37,867.

(Interruptions)

Madam Speaker: Order! Order, please!

Mr Soodhun: The fare could increase up to MUR 53,196 for the peak demand dates when seats will be extremely limited.

(Interruptions)

I am going to table. Don't worry!

I am informed that the above-mentioned fares apply for travel to Jeddah, from Mauritius via Seychelles, with a further stop to Abu Dhabi.

Madam Speaker, we have requested Emirates Airline to maintain the cost of Hadj airfare at Rs35,000, this year, and this has been agreed upon, as I had mentioned last time in the Assembly during Question Time.

Furthermore, Emirates Airline has made provision for the transport of up to 1,500 Mauritian Hajees.

Madam Speaker, to support the information I have given above, I am tabling the letter of the CEO of Air Seychelles/Etihad Airways.

Thank you.

Madam Speaker: Next, hon. Collendavelloo!

CWA – BUILD MAURITIUS FUND – WATER SUPPLY PROJECTS

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): Madam Speaker, with your permission, I am making a statement on the water supply projects being implemented by the Central Water Authority under the Build Mauritius Fund.

Following the Private Notice Question of 07 June 2016, pertaining to the water pipe replacement works under the Build Mauritius Fund, I requested the Central Water Authority to compile a comprehensive directory of all its pipe replacement and water supply improvement projects.

I am tabling a copy of the directory, which provides information on all the ongoing and future projects as well as the time frame for their implementation. I have also asked the Central Water Authority to allow the directory to be open at its premises for public consultation, upon arrangements being made. A soft copy of the directory will also be made available to Members of the House, subject to the practicalities of the matter.

Thank you.

Madam Speaker: Yes, hon. Mrs Jeewa-Daureeawoo!

AIRMATE CO. LTD - DISABLED PERSONS – EMPLOYMENT

The Minister of Social Security, National Solidarity and Reform Institutions (Mrs F. Jeewa-Daureeawoo): Madam Speaker, with your permission, I wish to refer to the matter raised at Adjournment Time by hon. Shakeel Mohamed in relation to the case of Mr Mohammad Ashfaq Rawat.

I have looked into the matter, and I am informed that Mr Rawat, along with two other persons with disabilities, was employed by Airmate Co. Ltd on a one-year contract, which ended on 30 June 2015. Their contracts were not renewed.

However, Mr Rawat may, if he so wishes, register himself with the Training and Employment of Disabled Persons Board and benefit from an appropriate training course organised by the said Board with the collaboration of other organisations.

Thank you.

ANNOUNCEMENT

“THE WEEKLY” MAGAZINE - EDITORIAL ENTITLED “CATCH ME IF YOU CAN”

Madam Speaker: Hon. Members, in an announcement which I made to the House on Tuesday 24 May last, in regard to the “*Editorial*” of the weekly magazine, *The Weekly*, issue No. 193, entitled “Catch me if you can”, I stated that the article was tantamount to a breach of privilege of the House.

I also laid stress on the liberty of the Press and the role of the media to air, report and publish the workings and proceedings of the House as well as the good working relationships between the media and the legislature.

Against this background and keeping in mind the longstanding professional relationships between the media and the National Assembly, I invited the Editor-in-Chief to tender her unreserved apologies to the Chair and to the House. I regret to inform the House that no apologies from the Editor-in-Chief have been forthcoming.

The House will appreciate that I shall fail in my duty if I do not take appropriate measures to uphold the dignity of the House at all times.

(Interruptions)

No comment, please!

The National Assembly (Privileges, Immunities and Powers) Act defines “stranger” as being, I quote -

“any person other than the Speaker, a member or an officer of the Assembly.”

The Act also provides at section 8(1) that, I quote –

“no stranger shall be entitled as of right, to enter or to remain within the precincts of the Assembly.”

Moreover, the rules made under Standing Order 13 of the National Assembly Standing Orders and Rules of the National Assembly (1995) by the Speaker make provision for regulating access to the Press Gallery by members of the Press.

Under the above provisions, I am entitled, as Speaker, to use my discretion in prohibiting access to the Press Gallery to strangers who commit breaches of privilege.

I am, therefore, restricting access to the Editor-in-Chief of the weekly magazine of “The Weekly” to the Press Gallery for a period of four consecutive sittings of the National Assembly as from the next sitting.

PUBLIC BILLS

Second Reading

THE PROTECTION FROM DOMESTIC VIOLENCE (AMENDMENT) BILL

(NO. IX OF 2016)

Order read for resuming adjourned debate on the Second Reading of the Protection from Domestic Violence (Amendment) Bill (No. IX of 2016).

Madam Speaker: Hon. Rutnah!

(4.07 p.m.)

Mr S. Rutnah (Third Member for Piton & Rivière du Rempart): Thank you, Madam Speaker. I will start, Madam Speaker, by saying that there is a climate of scaremongering out there, because there are some people who tend to believe, even in this House, that the protection against domestic violence only relates to the female gender. And that is not true! Certain people are even saying that it is a law, it is a Bill that is going to ‘*casse menaz*’. And that is not true either! There are certain people out there also saying that this Bill is going to lead men into prison. That is also not true!

(Interruptions)

Of course, the Rt. hon. Prime Minister is absolutely right, because this Government is going to fight criminals. And let me say that we are at war with criminals; whether criminals who are perpetrating act of violence in a domestic situation or otherwise. All criminals will have to answer before the relevant authorities, including those who commit act of violence domestically.

Madam Speaker, the first Act was passed - that is, the Principal Act - in 1997. Subsequently, there were three amendments: one in 2004, one in 2007 and one in 2011. When the Act was being passed in 1997, it was anticipated that domestic violence will

decrease. It was also anticipated in 2004, in 2007 and 2011 following the amendments, domestic violence will gradually, but surely decrease and that we are going to be living in a society where there will be mutual respect between spouses, their children and those living under the same roof. But what we experience over the years that the law has not worked, in fact. It has not worked! I am glad today that the hon. Minister for Gender Equality is coming up and firming up this legislation in order to send the right signal to perpetrators of domestic violence.

Madam Speaker, we all recall in this House that there was a time when our youngsters used to go to Baitkas and Pathshalas. They used to go to Maktab. They used to go to *l'école catéchisme*. Why? They used to attend these schools in the afternoon and late hours of the day to learn values, cultures, traditions, religions and respect. But what has happened over the years and in particular since 2005 onwards? There was a culture that developed, womanising, violence, immorality was the norm.

(Interruptions)

That's right. They call it modernity. They call it '*Il faut avoir de la classe.*' *Cigare!* This is what it was all about. It is unfortunate that our society has come to this level today that man and woman who take oath in front of many people in public when they get married that they are going to be living as husband and wife until death tear them apart. What happens just after the marriage? Act of violence, intimidation, insult, all sorts of inhumane and degrading treatment, breach of human rights and disrespect. So, we, as a responsible Government, we have to tackle these problems and this is what is being done today in this House.

When we speak about domestic violence, we do not only speak about what is happening to the woman as on the receiving end. Let me read it for the benefit of the House and for the benefit of the people at large in Mauritius that the term 'domestic violence' by virtue of this Act is defined as follows –

“‘domestic violence’ includes any of the following acts committed by a person against his spouse, (...)”

And I will come to the definition of 'spouse' in a minute.

“(...) a child of his spouse or another person living under the same roof.”

So, it is not only female gender. It could be the male gender as well. It could be either the man or the woman. It could be the child of either spouse and also it could be the mother or

father of the spouse. It could be the grandmother or granddaughter or whoever who lives under the same roof. So, this is an Act, not only concern in relation to women who are at the receiving end, but all those who are vulnerable in the domestic situation.

Now, let me turn to the definition of who is a ‘spouse.’ The definition of ‘spouse’ is to be found at clause 3 (b) –

“spouse” means a person who –

- (a) is or has been civilly or religiously married to a person of the opposite sex;”

Not the same sex! Mauritius has not reached that.

- “(b) is living or has lived with a person of the opposite sex as husband and wife; or

- (c) whether living together or not with a person of the opposite sex, has a common child with that person;”

So, again those who are trying to distort the truth and distort the meaning of this Bill that is being presented today in so far as the amendments are concerned are, in fact, creating - what we call - a climate of scaremongering which is not warranted in a democratic society, in a respectable society where we respect what we call human rights and human dignity.

(Interruptions)

C’est de la démagogie! Exactement! The Rt. hon. Prime Minister with all his experience and wisdom is always right whenever he says things in this House. It’s amazing!

Madam Speaker, what causes this phenomenon of ‘domestic violence’? Jealousy, drugs, alcohol, poverty, provocation, these are some of the main factors. I can say this because thankfully, I am in a profession where I deal with cases of domestic violence on a regular basis. I have seen those who abuse the system and those who become the victim of the system itself. So, these are some of the factors that people are the victims of domestic violence.

Earlier on, I refer to culture, tradition, values. It is true that recently there has been atrocious crime up North in Péreybère. It is true there has been atrocious crime in Nouvelle Découverte. But let us put it in the context of values and culture. In a society where a 20 year old boy going out with a 42 years old woman – I am not saying that we should impose

restrictions on whom we want to have relationship. But I ask a question. Let us look at the morality of it. 42 year old woman, who could have been mother of the 20 years old, going out and according to his version, he was being provoked ...

Madam Speaker: Hon. Rutnah, I think it would be advisable for you not to go into the details of this case and not to make comments on this.

Mr Rutnah: Madam Speaker, I am awfully sorry, but I am not going into the details. I am pointing out from a point of view of culture, values that we have lost.

Madam Speaker: No, but even then, I do not think it is appropriate for you to make a judgement on who goes out with whom and how old is the man and how old is the woman. I do not think it is appropriate.

Mr Rutnah: Madam Speaker, if so be it, I am not going to pursue on this line any further. But let us go to the Nouvelle Découverte case. Where are we going?

(Interruptions)

This is because we are living in a culture where there is no respect for the dignity of human. We pay lip service to values. This man who was married to this woman, having an affair, as if to have an affair has become extremely normal, within the parameters of our society and morality.

(Interruptions)

Soornack! You want me to talk ...

Madam Speaker: Now, don't start by making comments. Come back to the Bill.

Mr Rutnah: I am giving example.

Madam Speaker: No, the hon. Member should not give example.

Mr Rutnah: The case of Stacey Henrisson, poor child abused by her stepfather, killed, bagged, thrown. So, all this is down to our values, to our culture. We have to repair this first because if we don't repair the culture, the value, the tradition, the religion part of our society, no matter what law we are going to pass, we are not going to eradicate those crimes perpetrated domestically.

Madam Speaker, there is also the aspect of abuse. If we look at clause 5 (a) (1), which reads as follows –

“Where (...)”

I am dealing now with the powers of the Enforcement Officers. Let me say one thing. Real injustice always starts from the Police Station and permeates throughout the system, up to Courts and up to sentencing. And if we are not careful with what happens in the Police Station, with Enforcement Officers, then we are going to be treading on murky waters.

Madam Speaker, it reads as follows –

“(1) Where an Enforcement Officer reasonably suspects that a person is, has been or is likely to be the victim of an act of domestic violence (...)”

The problem will lie where it starts with ‘is likely to be the victim’. When we leave it in the hands of the Enforcement Officer to ascertain when there is a probability or a possibility or a highly likelihood of a domestic violence going to be committed, that may be leading to an abuse. But, on the other hand, it is good that we are starting somewhere. With good intention, with good spirit, we are starting somewhere in order to stop the inception of an act of violence itself, but we need to have Officers who have honesty and integrity. Because we have seen in this country; for example, the case of Sanjeev Oogarah. Mr Sanjeev Oogarah was leading a normal life and one day, out of the blue, he was picked by the Police. Why? Because there was apparently some act of domestic violence. But, eventually, what transpired ...

Madam Speaker: Hon. Rutnah, please, can I interrupt you once more. Please, don’t mention names, don’t go into specific cases. You can give the initials, but don’t give the names please.

Mr Rutnah: Madam Speaker, I am grateful for your assistance and your guidance. I will restrict myself to initials. So, Mr S. O. was leading a perfect life with his wife, the then N. O, until N. C. R. came into picture. When N. C. R. came into picture, the life of the ...

Madam Speaker: No. Hon. Rutnah, you are going a little bit too far. Don’t mention specific cases. Come to the specifics of the law.

Mr Rutnah: Madam Speaker, I am giving live example, which is known to the public at large. But if Madam Speaker feels that I should not pursue it, I am not going to pursue it in this manner, because what happened to Mr S.O is something which is widely known to the public, and eventually where he ended up and what happened to N.O. and where N.O. is currently, from a *cotomili* seller to someone who became something else. So, these are some

of the abuses that can take place, Madam Speaker, in relation to section 11A, as well, which is well intentioned, good piece of legislation, but we have to ensure that our Police Officers are men and women of integrity and honesty. Why I say this? It is because I have myself dealt with cases where those who are on the receiving end have been to the Police Station and eventually became the victims of the Officers who are working in the Police Station, who are supposed to protect those who are unprotected.

So, this is the kind of abuse that is happening, and I anticipate this piece of legislation will remedy what is going on in our Police Stations. As I said earlier on, real injustice, the inception of injustice really starts at the Police Station, the way investigations are carried out.

Madam Speaker, I propose to also say this: in a society where provocation will be the norm, where disrespect will be the norm, we are never going to have a society where there will be social stability. I hope that this law is going to bring back the real intention that we are supposed to bring to the home of people, to make them understand that to act barbarically with your loved ones is thing of the past, is wrong.

Insofar as our culture is concerned, long time ago, when we used to go to the Baitkas and Pathshala, we used to learn about values of women, the respect that one should extend to women, we used to learn about Mother Durga, we used to learn about Mother Saraswati, we used to learn about Mother Luxmi, we used to learn about Mother Ganga, we used to learn a lot of things about how to respect women ...

(Interruptions)

Kali Mata, yes! The Rt. hon. Prime Minister is whispering Kali Mata.

On the other hand, we used to learn that Mother Durga can, at one point, use her force and power in order to destroy; she can self destruct. I remember when King Duncan was coming to the palace in Scotland, there was this conversation between Macbeth and Lady Macbeth: what to do with the King? Because mind you, then Macbeth was already the Thane of Cawdor and the Thane of Glamis and he was supposed to be the King hereafter. But what happened? The provocation that Macbeth was subject to, the words when Macbeth asked, "If we should fail?"

Lady Macbeth started:

"We fail?"

But screw your courage to the sticking-place,

And we will not fail.”

And she goes on –

“The raven himself is hoarse

That croaks the fatal entrance of Duncan

Under my battlements. Come, you spirits.”

She was invoking supernatural powers – ‘come you spirits.’

“Come, you spirits

That tend on mortal thoughts, unsex me here,” she said.

“And fill me from the crown to the toe top-full

Of direst cruelty.”

She was invoking the spirits - ‘cruelty, unsex me here,’; bring me, give me power!

Madam Speaker, provocation! What I appeal today, and I appeal to our society that, for us to have a domestically fit society, what we need, in fact, is mutual respect, respect for values, for cultures.

On this note, Madam Speaker, I will ask the hon. Minister who has presented this Bill to carry on and think more about how we are going to improve integration in our society, how we are going to build up a beautiful society for the future of our children who are growing up. Many congratulations for bringing this legislation to firm up and to tackle head-on criminals who deserve to go to prison.

On this note, thank you, Madam Speaker.

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

At 4.32 p.m. the sitting was suspended.

On resuming at 5.08 p.m. with Madam Speaker in the Chair.

Madam Speaker: Hon. Ganoo!

Mr A. Ganoo (First Member for Savanne & Black River): Madam Speaker, the Domestic Violence Act was first introduced in this House, as we all know, in 1997, and since then, as several hon. Members have highlighted before me, it has been subject to amendments

on three different occasions; 2004, 2007 and 2011. The amendments proposed by the hon. Minister today constitute the fourth series of amendments brought to the Act.

Since the beginning of the debates, I have listened very carefully to the hon. Minister, all the hon. speakers, including the last speaker who just delivered his speech. Madam Speaker, the speeches which I have listened, coming from most hon. Members of the majority, give the impression that the House is for the first time legislating to address the problem of domestic violence in our country. Of course, I can understand the indignation and the revulsion expressed by many hon. Members of this House last Tuesday, especially by the lady Members, with regard to domestic violence in the course of their speeches.

However, Madam Speaker, we have to bear in mind that a lot has already been done with regard to the fight against domestic violence, and today it would be apposite to pay tribute to the previous Ministers responsible for family matters and gender equality who have pioneered the legislation to protect victims of domestic violence. In 1997 it was Mrs Thacoor-Sidaya; in 2004, it was Mrs Arianne Navarre-Marie and I think in 2011, it was Mrs Indira Seebun. We must bear in mind, Madam Speaker, that in 1997, when the debates preceding the introduction of the Bill took place in this country, the context and the attitude towards this issue and the victims of domestic violence were very different from what obtains today. The promoters of the first Bill had to face and stand firm against deep-rooted societal prejudices and confront different types of archaic arguments.

Donc, Madame la présidente, à cette époque, proposer un projet de loi avec un tel objectif dans notre société avec toute sa complexité, toutes ces susceptibilités, tous ces penchants phalocratiques, tous ces instincts et reflex conservateurs, était un vrai défi.

The hon. Minister today is operating in a totally different context. Today, it is politically correct to support victims of domestic violence, but in those days even Ministers from the then Government were strongly arguing that such a law would impair and fragilise the very fabric of our society, contending further that we should be very cautious before introducing such a legislation.

Domestic violence, Madam Speaker, is a worldwide phenomenon and has always existed in human history. It has always been a problem of human societies and should not be taken lightly. The effect to which it affects families and human societies is not to be proven any more. Women dying every day because of the choice by men in their lives to kill, is something we can never accept. What we know of domestic violence is really just the tip of

the iceberg with its root in a cultural celebration of violence coupled with the disempowerment of women particularly those from certain backgrounds. While preparing my speech, I could not help but remember, Madam Speaker, the song of the '*Groupe Latanier*' that I think we all know '*Krapo Kriyer*' which illustrates 20 or 25 years ago the conditions of women in our society. We remember the words '*Papa pena patience, ala li crié, mama tremblé so larmes coulé. Na pas gagne droit pou dire narien. Mo mama dormi lizyé ouvert, so leker baté couma tamtam*'. This illustrates so well the terror under which our mothers and women in this country were living when they were victims of abuse in a domestic setting. The effects of violence, Madam Speaker, can remain with women and children for a lifetime and can pass from one generation to another. Studies show that children who have witnessed or being subjected to violence are more likely to become victims or abusers themselves.

Madam Speaker, let me come to the Bill. Laws are meant to be amended and perfected to reflect the dynamics operating in societies, but in a field which is related to behaviour that takes place in an ongoing intimate context or inter-familial relationship. The current legal framework must necessarily be reviewed regularly. This is why the law has to be improved and adjusted to cater for new responses and situations. It is, therefore, understandable why new amendments are being brought, for the fourth time, to the Act which was adopted in 1997. In fact, the amendments proposed today enable us to take stock of what has been achieved in terms of fight against domestic violence since 1997. It also, Madam Speaker, allows us to understand certain shortcomings in our law. However, we must admit that our Protection from Domestic Violence Act is on the whole a good law when measured and compared with what obtains in other jurisdictions. But the key question today, Madam Speaker, is what will be the impact of this Bill which is being presented before the House today? What will be the impact on the fight to protect women from domestic violence in this country?

Many voices, inside and outside this House, have applauded unreservedly the Bill. Yesterday, we heard an expert talking of cosmetic amendments in a newspaper in an interview she gave. For my part, Madam Speaker, I am of opinion that the amendments will have a limited impact on the fight against domestic violence. Although some proposals are very pertinent to the current situation, some, unfortunately according to me, might even give rise to more problems than offer solutions. Madam Speaker, according to me, the Bill is a leap forward and I congratulate the hon. Minister for certain proposals which have been made in the Bill, but according to me, the hon. Minister has not gone all the way through. It was

time to come up with a more fully comprehensive legislation which should have focused more on improving the criminal justice response in, for example, focusing on the specialised units in our Police and criminal agencies, in providing better protection in terms of support and assistance to victims, in terms of modern support services to women and other children, in terms of training to enforcement officers and to the civil servants in the Ministry, in terms of providing redress and reparation to the victims and in terms of buttressing mechanisms of prevention and awareness efforts and sensitisation campaigns.

Indeed, Madam Speaker, in substance, our legal framework, including the present amendments, is more than adequate to provide protection to women in distress. I repeat, in our law, in substance today, the state of our law, the legal framework is sufficient to provide protection to women in distress, but for an effective response to domestic violence, I think different initiatives, in terms of implementation, have to be taken in an orchestrated manner.

Madam Speaker, a woman who is beaten by her husband must have some place to go with her children to enjoy safety, sanity, and shelter. A rape survivor, separated from her husband, must have rapid access to a health clinic that can administer emergency medical care including treatment to prevent HIV and unintended pregnancies and counselling. A victim of violence must have confidence when she files a Police report; confident that she will receive justice and the perpetrator will be punished. And an adolescent boy in school who learns about health and sexuality must be taught that coercion, violence and discrimination against girls are unacceptable.

That is why the problem today is a question of implementation, Madam Speaker. When we go, now, through the different clauses of the Bill, we can question the *raison d'être*, the usefulness of some of the clauses. I take for example, the amendment brought to section 2 of the principal Act where domestic violence is defined. In fact, there is nothing new in the definition proposed except for the sub-clause relating to economic violence. According to the new amendment to be found in clause 3 -

“(h) depriving, without any lawful excuse the spouse or other person of resources which the spouse or other person is entitled to or requires, or of payment for rent in respect of shared residence;”

would now be an act of domestic violence. Yes, Madam Speaker, this is a new innovative feature of the law. But, as we all know, section 8 of the existing Act already provided for ancillary order for payment of alimony. Section 8B reads as follows –

“The Court may (...) order a respondent spouse to pay to an aggrieved spouse and any child of the parties’ alimony on such terms and conditions as the Court thinks fit.”

Besides that provision in our Protection from Domestic Violence Act, Madam Speaker, as we know, on this question of alimony, every day in our country, the District and the Family Courts are issuing orders for spouses to pay alimony to their partners.

Furthermore, Article 261 of the Criminal Code makes it an offence punishable by fine and imprisonment whenever the spouse fails to pay alimony when having been so ordered by the Court. The offence is even an arrestable one, and the defaulting spouse is arrested and released on bail when he fails to comply with the order of the Magistrate or the Judge.

Therefore, Madam Speaker, the inclusion of economic violence would have had a limited impact because such provisions are already provided in our Criminal Code, unless the Minister, by introducing this new provision in the law, is talking or has in mind the controlling behaviour where the perpetrator restricts the access of the victim to financial and economic privileges. If this is the case, then the provision of the Bill should have been made clearer, according to me.

Madam Speaker, even when we go down and look at the new definition of ‘spouse’ in the Bill before us, it appears that the Minister has only recast the drafting of the section in the current law, so that, in substance, there is hardly any difference between the current definition and the new one proposed in the amendment. Because when we look in section 2 and when we look at the amendment proposed today, we only see the recasting of the provision which exists already in our law. ‘a’ and ‘b’ have become ‘a’, ‘b’, ‘c’.

Madam Speaker, another new feature in this Bill is the criminalisation of acts of domestic violence. A lot has been said about that: criminalisation of acts of domestic violence. This is a new Bill which criminalises acts of domestic violence. Yes, it is true that, for the first time now, it has been included in the present Bill, in the law concerning domestic violence, that any act of domestic violence will now be an offence and will be punishable, and the terms of imprisonment have, of course, been spelt out. So, in that sense, yes, this Bill is criminalising acts of domestic violence.

But, we also know, Madam Speaker, that different sections of our Criminal Code have already provided that accused persons or husbands or perpetrators who inflict wounds and blows or assault their spouses commit an offence and even commit an aggravated offence. Therefore, in our Penal Code, provisions have already been made for acts of domestic

violence to be criminalised. Be that as it may, what we must understand is that the protection from domestic violence law is a civil law for all intents and purposes, and it is now providing for criminal sanctions since an act of domestic violence has been made a criminal offence.

The criminalisation of the acts of domestic violence means that the same set of acts, the same fact, the same situation will subject the abuser to civil and criminal proceedings. Therefore, for one and the same act, the abuser will now be subject to criminal prosecution and also liable to be placed under a Protection Order, which is a civil remedy. Be that as it may, I don't have any quarrel with that, Madam Speaker. But, to my mind, even if the decision to further criminalise domestic violence was in the mind of the hon. Minister, why did she not spell out the different and the elaborate forms of domestic violence and provided for the punishment of same, of the new offences in the Criminal Code, which, in fact, she mentioned in her answer to the PNQ put to her by the hon. Leader of the Opposition last year?

My point is that, when coming to the House today or last week or when this Bill was circulated, why didn't the hon. Minister include the amendment of the Criminal Code in the Bill, and define, elaborate, spell out the different acts, the different forms of domestic violence and provide that they will be criminal offences with, of course, the punishment that the perpetrators would meet? Thus, Madam Speaker, the Criminal Code would have included a comprehensive list of offences of domestic violence, and the Protection from Domestic Violence Act would have been elaborated, would have concentrated, would have focussed more on the procedures of implementation, on the logistic, on the support services to the victims, on the Treatment Programme, on the rehabilitation and reintegration aspect.

So, what I am saying is that, yes, we should have criminalised domestic violence further because it already exists in our Criminal Code, but the Criminal Code should have taken care of all the forms of domestic violence, spelled out the different acts that constitute domestic violence, provided the sentence, and the Protection from Domestic Violence Act should have focussed more on the implementation aspect, the support services to the victims, the Treatment Programme, the rehabilitation and reintegration aspect, and counselling, for example.

Let me take the issue of counselling, Madam Speaker. I have read somewhere in one of the reports, perhaps that of Mr Domingue, who, by the way, should be congratulated as well as his team for the excellent work that this Advisory Committee did on the subject

matter, Madam Speaker. In his report, I think, when we look at one of the figures, which were given in this report for the year 2012, we are told that there were about 1,500 orders issued by the different District Courts, and only 18 couples were ordered for counselling. Madam Speaker, there must be a problem somewhere.

Let us look at the Treatment Programme for violent abusers. I think our law should have been amended to provide for mandatory Treatment Programme for violent abusers. This is why I think, Madam Speaker, the law should have been more elaborated. This is why I said that the hon. Minister should have gone further. Unfortunately, she came to amend the law and proposed only four main amendments to the current legislation.

Madam Speaker, another feature of this Bill to which I am in disagreement or I have some doubt, I have some reservation, is this power given to the Police under clause 11A, where physical injury has ensued after an act of domestic violence, wherein that person may be arrested by the Assistant Superintendent after an act of domestic violence has ensued and where physical injury has taken place. Madam Speaker, my reservation is as follows. In our system - we heard about that this morning; there was a question on provisional charges - there has been an abuse on the use of provisional charges by the Police.

Even if I can agree that in some extreme cases, the arrest and the subsequent release on bail, after the provisional charge would have been lodged, can be beneficial if the perpetrator is out of control, yet the implementation of this provision has the potential of creating the opposite effect, that is, fragilising the unity of the family which outweighs the chances of helping perpetrators to management of their anger problem.

As far as arrest is concerned, in fact, there are two solutions to this problem. Arrest should have been conditional to aggravate a physical injury and not only physical injury as mentioned in the section of the Bill. In fact, the hon. Minister, herself, when she was answering the PNQ in November of last year, she stated in this House, I am quoting her –

“As regards the Police, consultations were carried out and it has been agreed that provision be made in the Police Act so that “Police may arrest without warrant upon reasonable ground of suspicion, a person who committed an offence of Domestic Violence of an aggravated nature”.

Physical injury can mean anything. A bruise can mean physical injury or ecchymosis, I think, *un bleu*, but injury of an aggravated nature is different. This is why, I think, it should have been a physical injury of an aggravated nature.

Secondly, the solution to this problem of avoiding the arrest of perpetrators and abusers is perhaps, Madam Speaker, to have a Court which sits fulltime. In fact, as has been proposed by the Domingue Report, a fulltime Domestic Court so that all cases of domestic violence could be expedited and disposed of in an expeditious manner and as quickly as possible.

So, I am just voicing out my opinion that I have some reservations about this question of arrest if it is done indiscriminately. I sincerely think that there are cases where things can be patched up. But, in this case, this might have the effect of further fragilising the family. This is why, Madam Speaker, in the Domingue Report again, there is the suggestion of providing in the Bill –

“(...) for deferred prosecution agreements, whereby the Director of Public Prosecutions can enter into an agreement with an alleged perpetrator not to prosecute for a domestic violence offence, subject to the alleged perpetrator taking the commitment to attend a rehabilitation program and not to indulge in further acts of domestic violence; should the perpetrator fail to meet the requirements laid down in the agreement, prosecution would ensue.”

The Domingue Report suggested that in line with what is obtaining in other jurisdiction, and, I think, the hon. Minister also made mention of that in her PNQ. Unfortunately, this is why I repeat again, all these new provisions should have found their place in the proposed amendments today and the question of criminalising domestic violence should have been in our Criminal Code.

I have another point to make, Madam Speaker. This is with regard to the duty to report domestic violence. Under our present law, in section 12 of the Act, it reads as follows

–

“12. Protection from liability of informers

(1) Any person who has reason to believe that an act of domestic violence has been, is being or is likely to be committed, may so inform an Enforcement Officer.”

I think the hon. Minister should have made it compulsory, imperative, obligatory for an informer, be it a neighbour, be it a family member to report a suspected act of domestic violence to an officer of the Ministry or an Enforcement Officer for further investigation, just as it is in our Child Protection Act where there is a compulsory duty to report. This Bill

should also have imposed the duty to report, not only to the informer, neighbour or another member of the family, but also the duty should have been placed on public authorities, health care providers, NGOs within the course of their function detect and come across circumstances which tend to infer that there is an alleged domestic violence offence. I think that the proposal of the hon. Minister should have been amended to impose this duty imperatively on informers, members of the family, anybody and also on these public authorities as is the case in our Child Protection Act.

More importantly, Madam Speaker, I consider that the Minister, as she has said, as she has pledged, herself, as she has promised, failed to review, therefore, the Criminal Code in order to make provisions for different new provisions which she pledged to do in this very House during the PNQ. The Minister promised to the House to make provisions in the Criminal Code for the following changes –

- harsher penalty when offences committed against a person with a special need, a pregnant woman or a person who, due to whatever reason, is incapable of resisting when a weapon was used, when the offence was committed in the presence of a minor;
- for manslaughter committed by a spouse or partner of the victim to be treated as aggravating circumstances;
- to include marital rape, and
- section 42 of the Code which provides that manslaughter committed by any person on his spouse at the very moment he finds them in the act of adultery is excusable.

With regard to this question of marital rape, I think, this is a missed opportunity. I know that the Minister has promised that one day perhaps the Attorney General or herself, will come with another amendment to our Criminal Code, but, I think, we should have done it once for all.

Madam Speaker, we are one of the few countries who have not yet amended our law to make it clear that marital rape is an offence. Historically, many cultures, Madam Speaker, have had different concepts of this question of marital rape of spouses, conjugal rights to sexual intercourse. In the common law in force, the very concept of marital rape was treated as an impossibility since, I quote –

“The wife has given up herself in this kind and to her husband which she cannot retract.”

This marital rape exemption was abolished in England and Wales in the famous House of Lords case in 1991, *R v R*. Although, this exemption was, in fact, never a rule of Statute, but it was promulgated by Hale when he stated that –

“The husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent and contract the wife hath given up herself in this kind unto her husband which she cannot retract.”

This immunity which was a good reason in the 18th and 19th century, disappeared altogether in a series of decided cases before the House of Lords when it was held that this exemption principle was inapplicable in modern times. I think the hon. Minister should have seized this opportunity to amend our Criminal Code and introduce, once for all, in clear terms, the offence of marital rape in our Statute Books.

With regard to section 242 of our Criminal Code, I hope there is unanimity inside and outside the House to rid our law of this archaic and medieval provision in our law. Section 242 relates to the situation where *le crime commis* by the husband is *excusable* when the spouse is caught *in flagrante delicto*. I think the hon. Leader of the Opposition, the hon. Minister herself and Mr Domingue himself, in all their reports, have expressed their willingness, their agreement with the necessity to change, to rid our Criminal Code of certain archaic provisions.

Madam Speaker, I am very happy that this is so. In 1998, nearly 20 years ago, I already made such a proposal to review the Criminal Code when we were discussing a Bill in this House for the protection of women. I made a plea to the then Government to remove from our Statutes, this medieval provision of allowing a husband to kill his wife, if the latter finds her *in flagrante delicto*, as I said.

I remember having said the following Madam Speaker, this is the Hansard 1998 in my hands –

«Puisque le ministre et le gouvernement est en train d'amender le code pénal pour redonner à la femme sa dignité, je pense que nous tous nous avons omis à faire un amendement plus important pour redonner à la femme sa dignité. Je parle, M. le président, de deux sections du code pénal que vous êtes au courant certainement - section 24(2), man slaughter in case of adultery. Je crois qu'il est temps M. le

président, c'est une clause barbare, désuet, obsolète, archaïque, discriminatoire parce qu'on ne peut interpréter la loi... »

I made even another suggestion Madam Speaker, which I would ask the hon. Minister and the hon. Attorney General to take into consideration, in Section 24(3), there is another clause which is archaic and which should be removed in our Criminal Code 'Castration under provocation'. Le crime de castration –

« S'il y a été immédiatement provoqué par un outrage violent à la pudeur sera considéré comme meurtre ou blessure excusable. »

I think, Madam Speaker, this is also a very old concept which we should on occasion arising remove from our Criminal Code.

Madam Speaker, I spoke earlier about the dynamics of the law in this field which we are dealing with today. I repeat it again; much has been done in recent years to improve the protection of victims of domestic violence. It is a good thing that we regularly review the law to ensure that it is strengthened to provide better protection to victims. Even in a country like the United Kingdom which is much more advanced than us on this matter. Two years ago, in September 2013 the Home Secretary Commission reviewed the Police response to domestic abuse. The Police Inspectorate reported the findings in March 2014 and they identified significant failings in the operations of the Police Force, in the doings of the Police Force there and they highlighted the necessity for a change in the culture of the officers in charge and those in the front line. This law has been existing in the UK for more than 30 years and in August 2014 Madam Speaker, the UK Government organised a consultation to identify gaps in the law relating to patterns of abuse in on-going relationship.

85% of respondents reported that the current legal framework did not provide adequate protection to victims and a majority of those consulted declared to be in favour of introducing a new specific offence of domestic abuse as opposed to domestic violence. This new offence of domestic abuse and not domestic violence, in fact, was introduced only last year in the UK in the serious crime act of 2015 to close the gap in the current legal framework. This amendment, Madam Speaker, was designed to capture repeated or continuous coercive or controlling behaviour where that behaviour takes place in an on-going intimate partner or interfamily relationship. I do not blame the hon. Minister but I think it is a pity that this Bill before us has not thoroughly tackled this question of domestic abuse which is, I repeat, a non-coercive behaviour and falls outside common assault and is a means of

sinister exploitation of an intimate relationship to control another particularly where the relationship is ongoing.

Madam Speaker, I will end by saying that man's violence will not stop against their female partners or against children or even their parents, or even their male partners or strangers in the street until we have a cultural shift in our attitudes to gender power and violence. This struggle is enormous. I think Mrs Nargis Bundhun, a member of the Advisory Committee, said –

“We must all make the protection of victims of domestic violence a national issue, a national priority so that those concerned with domestic violence and those victims of domestic violence know that they do not stand alone”.

Thank you.

Madam Speaker: Hon. Duval!

(5.43 p.m.)

The Deputy Prime Minister: Madam Speaker, firstly let me congratulate all the hon. Members who have taken part in the debate. I found the debate most interesting and instructive. I have a few words to say about the previous speaker. I found parts of his speech very disappointing, however, because I think that he has not done his homework, he has not read the reports associated with the passing of this Bill because if he had done so, he would have realise that most of what he said in the first part of his speech is already being covered by Government Madam Speaker. There is a public report here launched by the hon. Minister herself called the ‘Report of the National Coalition against Domestic Violence’. I would ask the hon. Member to have a look at that report because it deals in that report about some of the things he has asked for. Specialised Police, it deals with that. Training for the Police, it deals with that. Support to victims including shelter, it deals with that. Madam Speaker, he talked about raped victims having easy and rapid access to hospitals. This is also in the report, so all this has been covered and he goes on to criticise the hon. Minister having done a little bit and not than the other ones.

He has not himself taken note of what has been published by the Ministry, by the Government. Here, Madam Speaker, I want to say a few words about the Rt. hon. Prime Minister. For the Government Programme 2015 to 2019, we did have a section on domestic

violence. That was straightaway in March 2015. The National Coalition against Domestic Violence Committee was appointed by the Prime Minister's Office and started to work. I must say we get lot of reports Madam Speaker. This especially good report has been produced by the National Coalition. So, I want to commend all the Officers at the Prime Minister's Office who actually did that report. I assure you it happens to be a very comprehensive report on domestic violence and I support it. In fact, Madam Speaker, it was just about to be finished and Cabinet appointed a small Ministerial Committee, I headed it. We added a few things to this report and I am very proud I was able to contribute a little bit to that.

Madam Speaker, perhaps just a few things before I get on to the body of my speech. There is this thing of not having brought much change in the domestic violence definition. But we are adding 'stalking' in domestic violence now. It was not there before. 'Insulting', Madam Speaker, is also now part of domestic violence. These two things to my mind are important. Another thing Madam Speaker, which runs through this Bill is the intent, threatening to inflict and you see this in that section of domestic violence where it actually defines domestic violence, but you will see it also in many of the actions that people are supposed to take. The Police can take action when there is likelihood of domestic violence, etcetera. This is also changing in this law.

As far as, marital rape etcetera, the hon. Minister has said, we have said Madam Speaker, that this will come in the criminal code. But the Member has taken us to task because now domestic violence simply leads to person injury as an arrestable offence. But this is not what I understand the same as in a Criminal Code. It is in the Criminal Code but then the degree of personal injury is much greater than the degree of personal injury that is required in the Domestic Violence Amendment Bill that we putting forward. Why Madam Speaker? You can see while walking in the street, somebody really injures you, okay that is a grave offence but for domestic violence it may not be on each occurrence a grave injury but it could be every day that you are suffering the injury. That is the gravity of it, because it can be a daily offence, it can be a weekly offence, it can be a recurring nightmare that you are living and this is why the definition for arrestable offence in domestic violence is mere personal injury. It is not an aggravated, incapacitated etcetera which I understand will be required for you to be arrested under the Criminal Code.

So, Madam Speaker, this is why I wanted to say a few things on what the previous speaker, I think it is a bit disappointing in the approach that he took. *En tout cas une note*

discordante dans les débats as far as the previous speaker was concerned. The only main thing, Madam Speaker, which I retained from his speech, was perhaps we should, in the future, include this duty to report where someone actually comes across a case of domestic violence as it seems to be the case for child offences. I think that is important because, in fact, you will see in part of my speech, Madam Speaker, I will say that the indifference, turning away, treating that as just a family issue, maybe being scared of reporting it to the Police. All the neighbours must be aware, but how many neighbours actually get their hands dirty and go to the Police? So, I accept that point, but on the rest of what the hon. Member said, at least at the beginning of his speech, Madam Speaker, I think it is all covered in this beautiful Report which I commend to the hon. Member to have a good look at it.

Madam Speaker, I am speaking today, it is not my subject matter, but I thought that it was important that I should speak because I have always considered that domestic violence is one of the worst scourges that can happen in society. There is violence, sometimes grave violence and injuries, sometimes it leads to death. But often it is, as I mentioned, every day, Madam Speaker, women, children mostly, some men it seems also - 20% of the cases are men for some reasons, but that also happens - are living a daily nightmare and we cannot remain indifferent to that nightmare. This is why I am talking today, Madam Speaker, and this is why I was so happy to hear everybody here in this House supporting this Bill, because we cannot remain indifferent. Maybe too long, Madam Speaker, we have in this country, in this House, remained indifferent to what has been happening in front of our very eyes, if I may say so.

So, Madam Speaker, what the message is to everyone outside, victims of domestic violence, is that *on ne va pas les laisser souffrir dans l'indifférence, on ne va pas les laisser souffrir ou même mourir dans le silence*, Madam Speaker. We have to speak up and we have to defend them. Madam Speaker, hon. Mrs Aurore Perraud, I think, has convinced all of us here in this House, she has convinced the nation at large that for her she is treating this question of domestic violence with determination and passion and I thank her for doing that, Madam Speaker. I also had a chance previously to thank the Rt. hon. Prime Minister for setting up the domestic violence coalition and for having taken the time to see that it makes its report quickly, and such a good report.

Madam Speaker, one of the Action Plans - because I think it is important, I will just take a little bit of the time to say what is in this report. It is a very comprehensive report. For the Police, Madam Speaker, what does it say for training? It says that on each shift there must

be a specialised officer who has been trained in domestic violence. They call it the Domestic Violence Officer. This is what it says. That person would be a specialist in that field and you have three shifts I understand in the Police. So, in each Police Station, you have three people at least attached to the Police Station who have gone through a specialised course. And, often, Madam Speaker, we say things will happen, but things are already happening; more than 250 officers have already been trained and have become Domestic Violence Officers. So, this is happening in front of our very eyes. Madam Speaker, the Police Training School is devising a new module that every Police recruit will have to follow on domestic violence. So, they will know what the Act says, what are their powers and how they should react, Madam Speaker. So, with the Police, are already taking action and eventually the whole Police Force would have followed this special training module.

Madam Speaker, let me take the Judiciary; as far as the Judiciary is concerned, it is true that we have had various degrees of speed of action taken when cases of domestic violence come before the Court, in particular in cases of issuing tenancy orders and occupation orders. Now, Madam Speaker, if a lady, say a woman has the courage, maybe even a man as you say, goes to the Police Station, reports his spouse and suddenly, you have to go back tonight, that night, in the same room, in the same bed as the guy had just reported. This is unacceptable. For some reasons, which I don't understand myself, it has taken a lot of time for the Judiciary to issue these tenancy and occupation orders. It takes a lot of time. And the Attorney General has taken upon himself - it is also in the report - and has suggested that we meet the Judiciary, talk to them to see that these tenancy orders are issued quickly and that protection is given. Otherwise, people will not dare to go and report the issue if they are going to be beaten again at night. Who is going to be brave enough to go to the Police Station knowing you have to come back to the same house at night?

Madam Speaker, on that issue of shelter, this report also deals with shelter, providing shelter. Up to recently, there was only SOS Femmes providing shelter to women who had been battered. There are maybe about 40 places, I think, at SOS Femmes. But thanks to the action of the hon. Minister, we have now three new NGOs who are offering, in all, about 100 places now. Still not enough, but it is happening. I think Chrysalide, Passerelle and another one called Kinouété, all these three now are offering or will offer very soon places of shelter for women who are battered. So, what we are saying, Madam Speaker, is that there is a case of domestic violence, this woman goes to the Police Station and obviously, we hope that the Judiciary will issue the orders quickly. If it takes a few days, it takes a little time, it does not

matter, but we have a solution, and the solution is to go to these four NGOs and to stay there until the tenancy and the occupation orders are provided, Madam Speaker, these shelters are free of charge for the poor. Obviously, if you have money, either you will go elsewhere or if you go to the shelter, you will be paying for that because there is a limited amount of cash that is available. So, we have it provided, Madam Speaker, for interim cases where the Judiciary takes a little bit of time, but we can also provide that protection.

Madam Speaker, the whole action of Government now on domestic violence is going to be centred around what is called - a big name - a command centre. It is based on a South African model. The command centre will be the nerve centre of response to domestic violence, because you can easily pass the buck; the Police can pass the buck to the Family Protection Unit, the Family Protection Unit maybe pass the buck to the Social Security, to the hospitals, you don't know where, in fact, you are going to end up. But at that command centre there will be no buck-passing, it is going to be responsible for everything. At least, it will oversee everything and this is the beauty of the command centre on a South African model. I understand that there is overseas mission soon to go and see how it works exactly and we will put it in Mauritius and that will not only be the spearhead of a response, but it will be also in charge of sensitising the population on the need for appropriate responses to domestic violence.

I said earlier and I agree with hon. Ganoo saying that it ought to be a duty to respond and I expect that the command centre, one of the things that it will do will be to make sure that people who are aware, family members maybe, neighbours maybe, report these matters. I want here, Madam Speaker, to make an appeal to the public to report these cases, not to be afraid and to act according to their conscience without fear or favour, not to treat this as a family issue, but treat it as a violence issue. And also, Madam Speaker, I appeal to the authorities, because often, I live in Grand Gaube, I have seen many cases, even in the streets, etc., they call the Police and the Police, you know, they say: 'well, you know, it is going to happen every day. Why should I intervene? Because, tomorrow you're going to call me again and the next day you're going to call me again. Why should I intervene? It is taking a lot of Police time.' But, I appeal, Madam Speaker, to the Police Officers to be proactive and to be reactive and to deal with this situation and give it all the importance as is clear, as is the will of Government through this Bill which puts special onus on Police Officers to act diligently and lots of other responsibilities that they have and through the report of the National Coalition. I understand the pressure that the Police have. They are working under pressure

every day, but we want them to take this very seriously and this is where the arrestable offence comes into play, Madam Speaker, because you can't just beat up your wife or vice versa and say: "Okay, what do we do. Let's have some mediation". Okay, we bring it mediation and you talk. When you get beaten on the street, nobody says: "let's go and mediate with your aggressor and talk to him". But in the house when you get beaten up and you say: "okay". That's the first response because it is an easy response. The harder response is you have a Police case and go to Court. It is an easy response that the Police and some authorities say: "okay, let's have mediation". But we don't want mediation to happen in a vacuum and that is also in the report. Mediation is parallel, Madam Speaker, in the report to other action involving criminal justice procedures against people. Mediation cannot be an excuse for no other action because I do not think that is right, that it has been accepted, is in this report and was approved by Cabinet, Madam Speaker.

Also, Madam Speaker, the arrest, the spending a night in police cell – one night, two nights, I don't know - this also will be an example to other people who might be doing the same thing and think they can get away with just mediation or with a long Police procedure which God knows where it ends up. Or even then, persuade the spouse to drop the case. Well, in this case they can persuade the spouse to drop the case after having spent a night, a weekend or whatever in the Police cell. So, it is very important, as an example to others, who might be doing the same thing or might be prone to do the same thing that the Police arrest and keep in cell as a deterrent to new cases that might arise, Madam Speaker.

Madam Speaker, I don't want to be much, much longer. I say, perhaps to finish, that laws are important. It is important the Bill is passing in part of this whole action plan, but how they are implemented, of course, is the big issue and how the Command Centre works, how the Judiciary takes it seriously, how the Police Authority and the Family Protection Unit are equipped and how they deal with these issues are going to make us able to live either in a modern, violence free society or, in the opposite, in a society where you can beat up your wife, beat up your children with impunity. So, Madam Speaker, the Rt. hon. Prime Minister and everybody here have my full support. Hon. Minister Perraud has the full support of this whole Government, Madam Speaker, in this very arduous task which is ahead.

Madam Speaker, as *mot de la fin*, I will say to perpetrators of domestic violence that the writing is on the wall. Government is determined to put a stop to this and soon, Madam Speaker, we hope that there will be no place to hide for these people. Thank you very much.

Madam Speaker: Hon. Baloomoody!

(6.02 p.m.)

Mr V. Baloomoody (Third Member for GRNW & Port Louis West): Madam Speaker, we are today debating the Protection from Violence (Amendment) Bill and we are going to address the House on the Bill. When hon. Ganoo was addressing the House, he was addressing on the Bill, not on a report. The report is not law. The hon. Minister Duval can refer to whatever report he is referring, but the report is not law. He mentioned that all this is in the report for Police officers, for the Judiciary, for the Tenancy Order, but is not in the law.

Let's look at the Police. This Domestic Violence Bill has been announced since 1997. Since then there have been three new Standing Orders issued by the Police. There is not a single Standing Order dealing with domestic violence. It is not in the law. There have been reports. So many reports there have been, but at the Police, there is not a single standing order dealing with domestic violence. They are still doing their traditional way and now we are going to give them power to enter the house to arrest an Assistant Superintendent. But where are the parameters? In the law for the Police to act, it is all subjective in this case if he intends, if he sees that there might be. But there should be legal parameters for the Police to enter the residence of somebody, probably to enter the bedroom of that lady or gentleman.

This is why we are going to make recommendations because we feel that this law, although it is a good step in the right direction, is an unfinished work. It is a missed opportunity in certain circumstances because now we have the benefit of this report which hon. Minister Duval has referred, which we don't have a copy, but also the advisory report of Mr Domingue. I think, Madam Speaker was on that advisory committee representing her party at the time and we had a representative of our party. It was a national committee which worked for years and recommendations were made. Unfortunately, we don't see the recommendations in the Bill. This is why we say it is an unfinished work. A step in the right direction, yes, but we should have gone deeper because we will see that even after nearly 20 years of the Domestic Violence Bill, we still have notorious domestic violence cases reported every day.

The lady who was murdered in the north had a Protection Order and still she was murdered. I addressed the House in 1997 on that Bill and, on that same day, I addressed the House in the afternoon around 4.30 p.m. In the morning, I went to Rose Belle Police Station

to assist a woman to get her dying declaration. It was recorded by her husband that she has committed suicide, throwing petrol on her and lighting herself. The father of that lady came to see me and told me that it is not the truth. In fact, she is dying now and she wants to tell the truth. I went to Rose Belle Hospital and she gave a dying declaration, this is how we call it in law. She stated she was murdered by her husband. We have to ask the question. Still the same thing is happening, 20 years after. So, there are some obstacles somewhere. We have good law. We are passing the law. This is the fourth amendment coming, but still. This is why we will come and say what we feel on the Bill and suggest certain recommendations in the law, not in a report. Reports have remained in the drawer for so many years and so many times and take action on the report. We have the report of Mr Domingue. It is a very, very important work which he has done. He has made several recommendations and we are entitled to ask the hon. Minister why is it that so many recommendations are not in the law today!

The hon. Minister answered a PNQ by the hon. Leader of the Opposition on 24 November 2015. She referred to Domingue report and she gave a list of what she intends to come in the new law -

“provision to be made in the Criminal Code for the following -

- (a) all forms of domestic violence should be criminalised (...)

This is being done now.

- (b) For harsher penalty when offences committed, *inter alia*, against a person with special need, pregnant women (...)

This is not in the law.

- (c) for manslaughter committed by a spouse or partner of the victim be treated as aggravating circumstances and the related sentences be inflicted;

This is not in the law and she said –

- (d) rape, to include marital rape;”

This is what she said in November.

So, we are entitled today to ask the question: has there been a shift in policy from the Government? Do we intend to come with marital rape and, if not, why not? And we intend to come when? This is a missed opportunity. When I come to marital rape, we have cases in the

Supreme Court where Judges have pronounced themselves on the issue of marital rape. So, it was not difficult to amend the Criminal Code. So, are we not allowed to ask: why section 242 of our Criminal Code has not been removed when the hon. Minister said this will be removed? You know what section 242 says? I quote –

“Manslaughter committed by any person on his spouse, as well as on his accomplice, at the very moment he finds them in the act of adultery is excusable.”

Can you imagine in 21st century, we are still having this archaic law which has already been abolished in France, years and years ago? So, we are entitled to ask: why is it that this is not removed? So, whatever report there has been, we’ll limit our intervention to the law because it is the law which is of paramount importance, not the report. So, it’s a fact that domestic violence in Mauritius is of concern.

There is war at home which the hon. Minister referred to. About a quarter, 24% of women in Mauritius have experienced some form of gender-based violence in their lifetime, including partner and non-partner violence. What is worse! An almost similar proportion of men, 25% admit to penetrating violence against women in their lifetime. 25% of men have admitted that in their lifetime they have used violence against women. 1 in 20 women, 5% experienced violence whilst it was 4% before the survey. In contrast, only 0.3% of Mauritian women reported domestic violence cases to the Police in a similar period. 0.3% goes to the Police! Are we not entitled to ask the question: why this low percentage? Is the Police delivering? Is the Police a *source* where they can get attention, they feel that they can be protected? 0.3% only goes to the Police! Thus, the prevalence of intimate partner violence reported in the survey is 15 times higher than that reported to the Family Support Bureaux. 15 times higher!

When it comes to rape - this is even more serious - the prevalence of non-partner rape in the survey is 11 times. The prevalence of non-partner reported to the Police in a similar period is 11 times. So, for one, you have 11 cases which are not reported to the Police. Again, we have to know. So, the issue of domestic violence is still a serious issue, is still on the agenda and we see it every day. Let us look at the Bill, the new section 2. I quote –

“Section 2 of the principal Act is amended.”

Section 2 (d) –

“(d) compelling the spouse or the other person by force or threat to engage in any conduct or act, sexual or otherwise, from which the spouse or the other person has the right to abstain;”

Why do we have this “from which the spouse or the other person has the right to abstain”? Are we admitting, today, that there are certain acts that the other person does not have a right to abstain? Why do we have to put “or the other person has the right to abstain”? So, we are implying that there are certain acts and doings upon that person for which he or she has no right to abstain? This is what we are not happy with. The hon. Leader of the Opposition has said it publicly. Why don't we delete that? Or are we keeping the French law of '*devoir de mariage*'? So, if that is so, why don't we spell it out? Because we know '*devoir de mariage*' means having sexual relationship and if someone refuses to have sexual relationship without any good reason, it is a *faute* for *divorce*. It has been said in several judgements. So, what are we doing? I have the recent judgment where, again, the Court - so, are we saying that there is a duty for sexual relationship? You can't refuse? You have to have justification for refuse? And we are limiting only to force and threat. So, on the balance of probabilities, in a civil case, we have to prove force and threat only. The issue of consent does not appear. So, it has to be by force or by threat, then, it becomes a domestic violence. If she refuses to consent, if she does not consent, it is not an offence. It is an offence in the criminal law, but not under the Protection from Domestic Violence Act.

So, if tomorrow - as it has happened in many cases in England – somebody drugs his or her partner and starts to have sexual relationship with her many times during the night, while she is under the influence of drugs, there is no consent and there is no use of violence; there is no use of force. So, these are issues. This is why marital rape came into existence in England. In England, it is simple, having relations with somebody of an opposite sex, without his or her consent, is an offence, it's simple. But, here, we don't have the issue of consent, only violence. So, again, we invite the hon. Minister to - I know she is coming with amendments at Committee Stage – remove that last phrase.

(Interruptions)

Sorry?

(Interruptions)

Oh, it's simple. We just remove, we just stop: “compelling the spouse or the other person by force or threat to engage in any conduct or act, sexual or otherwise.” Full stop!

(Interruptions)

Madam Speaker: Please! Please, order!

Mr Baloomoody: This is what I am saying. It's full stop. We stop it here. We don't have to add 'from which the spouse or the other person has the right to abstain' because this will become dangerous. It might be misinterpreted by the Police, especially.

(Interruptions)

Why? Listen! The first question when the lady will walk to the Police Station would be: 'Who did that act of sexual intercourse with you, my husband or my *concubin*'? Ah! This is a family matter now. Sorry, it is a family matter! Hang on! I'll phone the Protection Family Unit, we will send you there. It might be misinterpreted by the Police. We know Police Officers how they are, they don't like, especially in cases of rape, especially at night, they have to go for medical tests, they have to get photographs; they don't want this burden, overload of work at night. So, this is a good proposition, but we have to delete that 'from which the spouse or the other person has the right to abstain'. We will come to the Police again because this is very important.

The Police seem to believe - unfortunately as practicing Barristers we see that very often - that when there is a domestic violence offence, it becomes something for the Family Unit. Recently, I had a case. A lady went to Mapou Police Station; she reported a case of domestic violence and they said: '*Ah, Madame, mo pas truv narien lors ou, pas grave. Si li vinn pli serieux u revini l'autre coup.*' She reported that to me. They also said: '*Madame, asoir la, faire tard la, cote nu pu alle faire sa.*' It is an assault. They did not record any statement of assault and they told that lady to go and come back. They said: '*Si li refaire li, ou revini*'. This is the attitude of the Police, unfortunately. Hon. X. L. Duval is telling us that in each shift in the Police station, there is a Domestic Violence Officer. Come on, he wants us to believe that...

(Interruptions)

There will. When it will come, it comes because now it is not in the same order and the hon. Minister do not have ...

Madam Speaker: Hon. Baloomoody, please address the Chair! No cross talking!

Mr Baloomoody: Hon. X. L. Duval wants me to believe that now in Bain des Dames Police Station, there is an Enforcement Officer. He wants me to believe that at Pointe aux

Sables Police Station, there is an Enforcement Officer; in Case Noyale Police Station, there is an Enforcement Officer. Come on! Already there is a shortage of staff, the Rt. hon. Prime Minister has said many times. We are short of Police Officers. When we come to make recommendations that we should train the Police, change their mindset, they have to recognise what is a domestic violence offence. There must be specific Standing Orders which tell them how to deal with domestic violence step by step. Like hon. Ganoo just said, it is not only in Mauritius we are having this problem. Last week or two months ago, the Home Secretary in England made a response and she said that –

“There are countless incidents where police fail to investigate, fail to risk-assess, fail to arrest the perpetrator and fail to capture evidence to enable the Crown Prosecution Service to charge,”

In one case, she even went further, that –

“In some cases, the victims are being criticised by the police.”

There were jokes made by these Police Officers in England, but still in Mauritius we are giving the Police Officers more power. An Assistant Superintendent can come at your residence and arrest the spouse without a warrant, if he believes that there might be. So, are these Police Officers trained for these particular cases? Are they given special training on how to assess the risk of violence? How to assess the state of the lady? How to assess the mental elements of the perpetrator? All these are important because the Police just walk in and arrest, but there is an exercise to be done prior to arrest. Are they given the right skills or the right training to protect the vulnerable? Now that we are criminalising domestic violence, we have to change their mind set. What will happen now, a domestic violence is a sort of a two-offence. It becomes a criminal offence where the Police had to enquire, had to charge, and prosecute, and then it becomes a domestic violence offence. Why is this important, because we are dealing with two levels of onus of proof. It is important that the Police, when they inquire; to inquire beyond reasonable doubt to prove to a court of law. They had been used just on a balance of probabilities because they treat it as a civil matter. So, here again, we have to train the Police to do their exercise thoroughly, not because the Family Unit is taking part of the inquiry that they wash their hands with the criminal offence.

There is another issue which is very important as well. It is the legal aid. All the reports say that there is legal aid. Okay, the Ministry will give legal assistance. Magistrate will give legal aid. But, in 80% of the cases, the victim is not entitled to legal aid and it is

always to the advantage of the perpetrator. Why? To qualify for legal aid, you need not earn more than Rs10,000 and not have a property of more than Rs500,000. In most cases, the victims are either earning more or they have a conjugal house. The conjugal house - *corps et biens* - is for both parties. The fact that they have this house; they do not qualify for legal aid. There are so many women, whom I especially know, where their husband take advantage of that issue that the house belongs to us. The house costs Rs1 m.; Rs 500,000 for and Rs500,000 for me, no legal aid. The case keeps dragging. More often than not, the interim is discharged because she does not have that assistance which normally the husbands do have.

So, this is an issue which I wish we make it clear that in case of domestic violence cases, legal aid - when asked - should be automatic be it that the husband refund subsequently or the perpetrator refund. Like in the case of divorce, you do not get legal aid; you enter a case for litigation money. So, give the legal aid, then if the husband can afford to pay subsequently, the court makes an order to refund whatever sum has been paid. This issue of legal aid is another issue which is very, very serious.

In this case of domestic violence, *c'est le plus fort qui gagne*. Unfortunately! *Plus fort économiquement*, more power, strength; economically, they are the ones who win the day. Even in the Judiciary, there is some training to be given to the young Magistrates because these cases are dealt at Magistrate's level. I know one case where the Magistrate says: 'You are a big family, your name is so important, your husband is so important, forget about it'. A young Magistrate! He thinks he was counselling, be good, but she had to return back to the same house. Here again, counselling is not just to call two bodies especially in case of matrimonial where is enmity, there is *rancune*. You must have somebody trained to get both parties together. At the end of the day, we do not want to disrupt the whole family. We want them to return and live in a civil manner with their children under the same roof, but then it has to be done properly by the Magistrate as well. This is recommended by the Domingue Report. Mr Domingue recommended a Specialised Police Unit and a Specialised Prosecutor Unit. To prosecute, to ask questions to a victim of rape or to get her to relate what has happened, you know how difficult it is, how experience you should be and how hard it is for that rapist victim to explain it in an open court? So, we need a Specialised Prosecutor Unit with counsellors relevant to this criminal justice agency and they all should work together.

Madam Speaker, like I have said, 20 years this Bill is under the statute book, still domestic violence is a serious issue of much national concern. We have had many reports;

unfortunately, we are not implementing these reports. Mr Domingue made several suggestions which are not in the law. We are coming with an amendment, which we welcome, where there is no marital rape; we are still keeping that adultery excusable, if you kill somebody who is committing adultery. The way the law has been drafted here leaves doubt, room for abuse because when I am talking about marital rape, we know the judgment of the Supreme Court in the case of Rajendra Kumar Angateeah vs the State. It was a case of sodomy upon the wife but while interpreting the sentence, the judges, Messrs Justice Peeroo and Chan Kam Cheong made reference to a very famous case in England, the case of Mulberry vs the State 2003 which says –

“Relationship rape and acquaintance rape are to be treated as being of equal seriousness to cases of stranger rape.”

So, they started to introduce the notion of relationship rape and acquaintance rape.

“It can be just as traumatic to be raped by someone you know and trust who has chosen you as his victim as by a stranger who sexually assaults the first man or woman who passes by”.

So, already their judges have given a signal. But I don’t understand why when Domingue Reports says we should get marital rape, the hon. Minister told us in November that marital rape would be in the statute book and today we have a law which does not include marital rape.

I think we should look into the matter seriously and when we know from the report of The War At Home, Gender Base Violence Indicators, there are more rape cases which are not reported than any other crime. So, if truly we want to protect women, we have to look again at the issue of marital rape and I sincerely hope that whatever report hon. Xavier Duval referred to, will be put into practice. It won’t be left in the drawer and that within weeks the police will change their attitude towards victims of domestic violence, even the Enforcement Officers. The legal aid issue should be looked at and the *formation* of the Police, the Judges, the Judiciary, the Prosecutors again should be looked into. So, this is what my contribution will be, Madam Speaker, and I rest my case. Thank you.

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

At 6.33 p.m. the sitting was suspended.

On resuming at 7.14 p.m. with Madam Speaker in the Chair.

Madam Speaker: Please, be seated. Yes, hon. Mrs Perraud!

The Minister of Gender Equality, Child Development and Family Welfare (Mrs A. Perraud): Madame la présidente, je tiens avant tout à remercier de tout cœur mes collègues des deux côtés de la Chambre pour leurs interventions, les unes plus riches que les autres, les unes plus passionnées que les autres, les unes plus recherchées que les autres. De nombreux points nous ont interpellés, signe de réflexion bien engagée et d'inquiétude des intervenants.

J'ai été touchée par votre soutien à tous et votre considération, ce qui me motive davantage pour en finir avec ce mal du siècle qui est la violence domestique. Vous êtes venus renforcer ma conviction que nous sommes tous ensemble dans ce combat, que nous sommes tous ensemble pour ériger un mur contre les agresseurs, contre les bourreaux. J'accueille avec beaucoup de gratitude les suggestions et propositions des uns et des autres qui nous éclaireront certainement dans l'élaboration de stratégies appropriées pour appliquer cette loi qui vise avant tout à dissuader les bourreaux et à améliorer la protection des victimes sur le terrain.

Une petite mention spéciale pour Rodrigues. Nous avons pris connaissance de la contribution de la chef adjointe au commissaire, c'est ça ce qu'on dit, Madame Franchette Gaspard Pierre Louis qui a participé au débat à travers l'intervention du député Joseph Buisson Leopold. Nous encourageons Madame Franchette dans ses projets pour réduire la violence domestique à Rodrigues.

Je regrette toutefois que nous n'ayons pas eu l'occasion d'entendre le *Leader* de l'Opposition sur les amendements. En tant que *Leader* de l'Opposition sa voix était importante dans cette démarche qui est une priorité nationale.

Madam Speaker, I would wish to address a few issues raised by my colleagues in a general manner without mentioning the names of the orators. Madam Speaker, we all agree that domestic violence is a complex issue and to fully understand it, is like we are entangling a ball of yarn. Despite this harsh reality, we need the support of each and every one to eradicate this social evil. That is why at the level of the community we have the support of the community leaders and *Force Vives* who act as watchdogs in their localities. These esteemed people are the members of the *Zero Tolerance* Clubs which have been set up by my

Ministry. Members of the clubs are empowered to report cases of domestic violence in their neighbourhood.

As a serious problem which needs urgent action, I would like to point out that in the legislation we have the interim protection order which is granted immediately upon application to protect victims of domestic violence. Other services such as psychological assistance are also provided to these victims so as to help them to overcome the trauma they have endured. Moreover, besides providing assistance to the victims, it is equally important to rehabilitate the perpetrators. At the level of the Family Support Bureau, once a victim applies for a court order or reports a case of domestic violence, counselling services are also provided to perpetrators to bring a change in mindset and attitude. The provision of psychological counselling also aims at reducing further the incidence of domestic violence.

Under this Bill, the definition of 'spouse' does cover the element of divorce, 'is living or has lived with persons of opposite sex as husband and wife.'

Madam Speaker, the Police has a fundamental role to play regarding addressing domestic violence. I would like to inform hon. Members of the House that it is a necessity to include the duties of Police officers in this Bill because too often complaints are received whereby Police officers treat cases of domestic violence as a private matter which needs to be sorted out within the family setting. They also tend to refuse taking actions, arguing that domestic violence is a civil matter and not a criminal one. It is necessary to ensure that there is more accountability on behalf of Police officers attending to cases of domestic violence.

Madam Speaker, my Ministry has also assisted the Police Department to conduct a capacity-building programme for Police officers to enable them to respond effectively to victims. The programme will be an ongoing one. At the level of the seven Police Family Protection Units, there is a dedicated team to assist victims.

I have also taken note of the concerns raised by my fellow colleagues where false declarations are concerned. In this respect, I would like to inform the House that section 297 of the Criminal Code already criminalises false and malicious declarations in writing while section 298 of the Criminal Code criminalises effecting public mischief. Where the issue of penalty is concerned, I would like to inform the House that it is a matter of policy which has been approved and endorsed by Government.

Madam Speaker, I have always advocated on the importance of capacity-building and awareness raising programmes. It is imperative that legislative policies and social policies go

together. To be able to bring a change in mindset of people, my Ministry is putting much emphasis on awareness programmes for both victims and perpetrators. We have seen that when there is a degradation of human values, the whole society suffers. My Ministry is implementing a programme on strengthening values for family life targeting children, adults and elderly. This programme is meant to bring change in mindset and promote positive attitudes and behaviours. Moreover, it is equally, if not more important, to strengthen the couple's relationship. To that effect, Premarital Counselling and Marriage Enrichment Programmes are also being conducted to prepare engaged and married couples to lead a happy married life and also to enable married couples to build healthy relationships.

Madam Speaker, where gender roles are concerned, I would like to inform the House that the definition of 'spouse' is a person of the opposite sex. The law provides with respect to another person living under the same roof, and therefore it will be for the Court to judge any case in respect of any complaint. However, it will not be in the relationship of spouse.

Regarding statistics on cases of Domestic Violence (DV), I wish to inform the House that my Ministry is already working on generating reports on gender disaggregated data. In this respect, my Ministry is in consultation with that Statistics Mauritius so that statistics on domestic violence are reflected at national level.

I wish to reassure hon. Members of the House that necessary arrangements would be made to disseminate the amendments. As I mentioned earlier, a dedicated website would be made available for the public where information on policy matters and legislation would be available. We do consider a national campaign to sensitise and educate the population on the provisions of this Bill.

Pour ce qui est, Madame la présidente, je veux dire les deux orateurs de l'opposition aujourd'hui, le point de l'honorable Baloomoody concernant la section 2 (d) de la PDVA, je comprends parfaitement la position de l'honorable Baloomoody sur la nécessité de faire du viol conjugal une offense. Madame la présidente, je l'ai moi-même dit à plusieurs reprises dans le passé. Néanmoins, éliminer, comme l'honorable Baloomoody suggère, je cite – *«from which the spouse or the other person has the right to abstain»*, ne sera pas suffisant car cela créera une confusion par rapport au code civil sous lequel les époux ont le devoir de cohabiter. Pour adresser ce problème, nous allons donc, dans le contexte de la réforme du code pénal qui comprendra aussi le code civil, l'amender et en finir une fois pour toutes avec le viol conjugal qui deviendra bel et bien un crime.

Le viol tel qu'il est aujourd'hui est restreint à un homme seulement qui peut violer une femme et non *vice versa*. Le concept même du viol conjugal est en train d'être revu par l'*Attorney-General's Office* dans un sens plus large. Nous avons expliqué la semaine dernière que la question sera prise en considération dans les amendements au code pénal. Malheureusement, l'honorable Baloomoody n'était pas présent lors de mon discours. C'est la raison pour laquelle il a raté beaucoup de points que j'avais déjà énoncés dans mon discours. Donc, il est revenu sur le viol conjugal alors que j'avais déjà dit qu'on va amender d'autres lois pour pouvoir criminaliser le viol conjugal.

En ce qu'il s'agit des recommandations dans le rapport Domingue, le rapport Domingue a pour objectif de renforcer la protection des victimes de violence domestique. Ce rapport recommande non seulement une réforme légale, mais aussi une réforme administrative. Celles qui sont administratives, par exemple, la formation des officiers, la construction des *shelters*, ne peuvent pas être incluses dans la loi.

Mais on a déjà commencé à appliquer les recommandations comme expliqué dans mon discours la semaine dernière. Un changement profond prend du temps et nous sommes convaincus que nous sommes dans la bonne direction. Je pense actuellement à ce proverbe anglais qui dit –

“Rome was not built in one day.”

Donc, nous sommes dans la bonne direction. Je comprends que l'honorable Baloomoody peut être sceptique. Il ne comprend pas comment des politiciens, comment un gouvernement peut avoir de bonnes intentions et peut être sérieux et *mean business*. Mais c'est le cas. Nous sommes sérieux. Nous avons commencé la lutte contre les bourreaux.

(Interruptions)

Je sais que vous êtes sérieux ; nous aussi nous sommes sérieux dans notre démarche.

(Interruptions)

Nous avons commencé notre lutte contre les bourreaux, contre les agresseurs et on ne va pas s'en tenir là. J'avais déjà mentionné que le code criminel sera amendé d'une façon appropriée pour le viol conjugal et aussi pour d'autres amendements relatifs à la loi de PDVA.

J'aimerais aussi répondre à l'honorable Ganoo puisque l'honorable Ganoo a fait son discours aujourd'hui. J'ai ressenti dans le discours de l'honorable Ganoo beaucoup de nostalgie. Il fut un temps jadis - parce que l'honorable Ganoo était là depuis 1997 et cela se

comprend, il a été là pour tous les amendements - comme on dit en créole '*dan mo l'époque li ti coumsa*'. Là, c'est l'époque de '*l'Alliance Lepep*'.

(Interruptions)

C'est vrai qu'il y a eu beaucoup de ministres avant et je reconnais tout le travail, le bon travail qui a été fait. C'est vrai il y a eu la loi en 1997, il y a eu tous les autres amendements mais, je crois que les amendements que nous apportons aujourd'hui répondent à un besoin, répondent à cette société qui a évolué. J'ai retenu quelque chose que l'honorable Ganoo a dit qu'à son époque vraiment il y avait cette lutte pour les droits de la femme, il y avait cette lutte contre la violence domestique et aujourd'hui ce n'est plus pareil. Et il a laissé entendre qu'aujourd'hui ces amendements, c'est tout simplement un discours politique, c'est pour être politiquement correct.

(Interruptions)

C'est ce que j'ai cru comprendre. Donc, j'aimerais dire si ce n'est pas le cas, okay, je suis très contente que vous ne l'ayez pas pensé. Moi, j'aimerais dire toutefois, je ne fais pas les choses pour être politiquement correcte. Je fais les choses...

Mr Ganoo: Please, if the hon. Minister would give way!

(Interruptions)

No, I just want to correct the hon. Minister. I never said what she is pretending I have said. I never said she said it is politically correct today. I didn't say that it was her. I said, today, it is politically correct to defend the cause of battered women. This is what I said! Not her! I didn't involve her in that sentence.

Madam Speaker: Hon. Ganoo, thank you. So, it is a point of explanation.

Mrs Perraud: Alors, je l'ai déjà dit avant que l'honorable membre demande justement *this point of explanation*. Je l'ai déjà dit que peut-être j'ai mal compris. Je suis très contente que j'ai mal compris mais n'empêche je vais redire pour tout le monde. Je ne fais pas les choses pour être politiquement correcte. Je fais les choses correctes pour la politique et pour le pays.

(Interruptions)

Ces amendements à la PDVA en sont la preuve. Certes, le contexte est différent, mais le problème a augmenté, s'est aggravé. Les auteurs de violences domestiques se sont

perfectionnés, font preuve d'ingéniosité. Aujourd'hui, on utilise un *grinder*. On maquille le crime, le meurtre en accident, on tue, on emballe le corps et on s'en débarrasse.

Donc, ces amendements ont toute leur importance. La loi n'est pas statique. La société évolue, change. Les lois doivent s'adapter à la société. Je suis contente que beaucoup de membres, surtout de l'opposition, reconnaissent la valeur du rapport Domingue.

Madame la présidente, je souhaiterais dire ceci. Quand je suis arrivée à la tête du ministère en 2014; trois mois après, la Commission des Femmes du MMM avait fait du bruit pour dire qu'elle trouve inacceptable que la ministre Aurore Perraud n'ait toujours pas fait part de son projet pour régler ces problèmes, seulement trois mois après mon arrivée. Et, elles vont plus loin pour dire : est-ce la ministre de l'Égalité du genre existe belle et bien ou devons-nous lancer un avis de recherche que le pays cherche désespérément la ministre. Trois mois seulement après mon arrivée!

Madame la présidente, je joue à un jeu où c'est pile je perds, face il gagne. Peu importe ce que je vais faire, peu importe les amendements que vais apporter, c'est cela la politique, il y aura toujours des critiques et, il faut accepter les critiques. C'est une des raisons pour laquelle quand j'avais pris connaissance des propositions de l'opposition pour les amendements, je les ai écoutés et je les ai considérés. Nous avons travaillé avec les officiers du State Law Office. Aujourd'hui encore, l'honorable Baloomoody est revenu en insistant sur cette proposition. Avec beaucoup de respect pour l'opposition, j'ai demandé du temps pour, encore une fois, reconsidérer cette proposition. J'aurais pu ne pas le faire, mais, encore une fois, on a pris une pause pour reconsidérer cette proposition. Donc, je dois reconnaître honnêtement qu'il n'y pas eu beaucoup de critiques virulents contre ces amendements, parce que les amendements que nous apportons, je le redis, viennent répondre à un besoin de la société.

Nous nous sommes tous braqués, enfin certains se sont braqués. Peut-être qu'il y a eu cette attitude parce que l'opposition n'était pas là quand j'avais fait mon discours sur le viol conjugal. Quand on parle de violence domestique, est-ce qu'il aurait fallu que j'attende qu'on amende le Code Criminel pour venir avec ces amendements? Quand je prends du temps pour étudier, pour comprendre, pour faire des études, on me dit je suis trop lente qu'on ne me voit pas, qu'on ne m'entend pas. Quand je viens de l'avant - en 2014, j'ai pris la tête du ministère; en 2015 il y a eu le rapport Domingue; en 2016, il y a eu le *National Coalition against Domestic Violence*; quelques mois après, je viens avec le projet de loi au Parlement. Est-ce

que maintenant je vais trop vite on ne peut pas me suivre? Quoique je fasse, quoique nous fassions il y aura toujours des critiques! Mais, c'est très important qu'on ne fasse pas de la politique sur ce sujet! C'est un sujet qui nous concerne tous. Je suis tranquille, je suis rassurée que les ONG travaillent avec les victimes de violence domestique. Ils sont dans ce bain tous les jours et les ONG sont satisfaits de ces amendements parce qu'ils comprennent que ces amendements viennent apporter une réponse, une solution à beaucoup de problèmes dans notre société.

Maintenant, Madame la présidente, les amendements ont été introduits au Parlement, ont été lus, expliqués, débattus, dans la société, à travers la presse, à travers les réseaux sociaux, la société civile a apporté sa contribution. Okay! Qu'est-ce qui se passe ? C'est fait ! Le travail est accompli ! Est-ce que c'est le cas Madame la présidente ? Je vais vous dire non! C'est maintenant que tout commence.

Il ne suffit pas d'avoir une loi pour dire que le problème va être résolu. La loi c'est un grand pas mais il faut tout l'accompagnement. C'est comme-ci la cerise sur le gâteau. Il faut qu'on ait le gâteau pour avoir la cerise et le gâteau c'est justement ce rapport que l'honorable Xavier Duval a parlé, c'est justement le rapport de maître Domingue et il y a déjà cette volonté. On n'a pas attendu que la loi vienne au Parlement pour commencer. Je l'ai dit dans mon discours. Je rappelle pour ceux qui n'étaient pas là. On a déjà commencé avec le *Capacity Building* des policiers, les *enforcement officers*. On vient de l'avant avec de nouveaux *shelters*. C'est vrai vous allez me dire il y avait un. On va avoir trois c'est toujours insuffisant. Ce sera toujours insuffisant. Mais, nous, on a commencé quelque part, on bouge, on est déterminé et on montre les résultats. La loi, oui ! Tout à l'heure-là on a entendu les deux intervenants avant moi se plaindre qu'il n'y pas X, Y, Z dans la loi. Je réexplique. Il y a tout l'accompagnement qui est autour toutes les décisions politiques, les décisions courageuses que nous, nous prenons. Donc, je fais un appel. Au niveau de mon ministère le mois dernier le 15 mai, nous avons célébré la Journée Internationale de la Famille. Et j'ai parlé, j'ai lancé un appel au niveau national.

Il y a une perte de valeur dans la société et quand vous pensez aux problèmes de violence domestique, si nous voulons vraiment avoir un changement, il ne suffit pas de voter des lois. Le changement commence aujourd'hui même dans votre maison. Comment est-ce que vous élevez votre petite fille, votre fils, la fille qui sera une épouse demain, le fils qui sera un époux demain? Déjà là, dans notre maison, nous commencerons à trouver une solution contre la violence domestique.

Je demande ici, dans la Chambre, nous votons la loi, les amendements, mais je demande à la société mauricienne que chacun prenne sa responsabilité. C'est important que nous retournons aux valeurs. Si nous ne valorisons pas les valeurs familiales, on aura un cinquième amendement ou un sixième amendement. On aura à voter d'autres lois, même si on criminalise le viol conjugal, puisqu'on en a beaucoup parlé aujourd'hui, cela ne suffira pas. C'est dans notre façon d'être que réside vraiment la solution contre la violence domestique. Comment vous expliquez, Madame la présidente, - j'ai rencontré et parlé à beaucoup de personnes, j'ai rencontré beaucoup de victimes pour pouvoir mieux comprendre - une femme, une jeune professionnelle, détentrice de diplômes, degré, maîtrise, qui se marie, elle achète une voiture, elle met la voiture au nom de son mari, sa paye est versée sur le compte de son mari et elle n'a pas accès. Quand elle a besoin de quelque chose, elle doit demander et c'est le mari qui décide.

(Interruptions)

Vous riez ? C'est le cas!

Donc, est-ce que la loi va venir changer quelque chose? Il faut changer la mentalité. Il faut vraiment *empower*. Il faut vraiment éduquer nos enfants ; c'est très important. Donc, ceci dit, je ne sais pas si j'ai fait le tour - j'ai répondu à toutes les questions ...

(Interruptions)

Madam Speaker: Hon. Rutnah, let the hon. Minister decide!

Mrs Perraud: Je ne sais pas si j'ai raté quelque chose.

(Interruptions)

C'est bon! Je remercie, encore une fois, toutes les personnes qui ont intervenu sur cette loi. Cette étape formidable n'aurait pas été possible sans la volonté du Premier ministre, Sir Anerood Jugnauth, qui a d'ailleurs mis dans le Programme Gouvernemental la coalition nationale sur la violence domestique, ce qui montre l'intérêt et le sérieux du Premier ministre pour vraiment éradiquer ce problème.

Mes remerciements vont aussi au Premier ministre adjoint, l'honorable Xavier-Luc Duval qui a présidé le Comité Interministériel sur la Violence Domestique. Merci aussi à l'honorable Xavier-Luc Duval pour son soutien indéfectible.

Je remercie aussi tous ceux qui ont contribué directement ou indirectement à rendre ces amendements possibles, les officiers du *State Law Office*, les officiers de mon ministère,

mes proches collaborateurs et amis, ma famille et la grande famille ‘Lepep’ qui a mis sa confiance en moi pour freiner la souffrance, et les ONGs qui croient et soutiennent ces amendements.

Donc, comme j’ai dit, Madame la présidente, il y va de changer la mentalité des mauriciens et c’est un long processus d’éducation.

Voilà, je remercie tout le monde encore une fois.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(Madam Speaker in the Chair)

THE PROTECTION FROM DOMESTIC VIOLENCE (AMENDMENT) BILL (NO. IX OF 2016)

Clauses 1 to 2 stand part of the Bill.

Clause 3 (Section 2 of principal Act amended)

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

Mrs Perraud: Madam Chairperson, I move in terms of the amendment circulated -

“(a) in clause 3, in paragraph (a), in the proposed definition of “domestic violence”, by deleting paragraph (h) and replacing it by the following paragraph –

(h) depriving, without any reasonable excuse, the spouse of resources which the spouse is entitled to, or of payment for rent in respect of shared residence;”

Amendment agreed to.

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

Clause 4 (Section 8A of principal Act repealed and replaced) stand part of the Bill.

Clause 5 (Section 11 of principal Act amended)

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

Mrs Perraud: Madam Chairperson, I move in terms of the amendment circulated -

“(b) in clause 5, in paragraph (d), in the proposed subclause (4) (b), by deleting the words “as a result of being injured.”

Amendment agreed to.

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

Clauses 6 to 10 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 Protection from Domestic Violence (Amendment) Bill (No. IX of 2016) was read the third time and passed.

Second Reading

THE PRESIDENT’S EMOLUMENTS AND PENSION (AMENDMENT) BILL (NO. X OF 2016)

&

THE NATIONAL ASSEMBLY ALLOWANCES (AMENDMENT) BILL (NO. XI OF 2016)

Order for Second Reading read.

The Prime Minister: Madam Speaker, with your permission, I beg to move that the President’s Emoluments and Pension (Amendment) Bill (No. X of 2016) and the National Assembly Allowances (Amendment) Bill (No. XI of 2016) be read together a second time.

Madam Speaker, the President’s Emoluments and Pension (Amendment) Bill provides for an upward review of the emoluments payable to the President and the Vice-President in the wake of the recent general salary review in the public sector.

The new salary and allowances proposed to be paid to the President and the Vice-President have been recommended by the Pay Research Bureau and takes into account the recent adjustments made in public sector pay.

Madam Speaker, the second Bill, that is, the National Assembly Allowances (Amendment) Bill provides for an upward review of the allowances payable to Ministers and other Members of the National Assembly as well as Madam Speaker, the Deputy Speaker, the Leader of the Opposition, Parliamentary Private Secretaries, the Chairperson and Deputy Chairperson of Committees, amongst others.

Madam Speaker, as the House is aware, in March 2016 the PRB submitted its Report on the review of Pay and Grading Structures and Conditions of Service in the Public Sector.

The Report recommended, *inter alia*, a better remuneration to low and middle-income earners through a higher percentage increase in their salaries. This being in line with our aim to reduce the salary gap between employees of lower levels and those at the higher echelon, the Government approved the 2016 PRB Report *in toto*. Moreover, the Report has been approved to take effect on 01 January 2016.

In addition, with a view to further improving the living conditions of workers at lower levels, my Government has recently introduced the historic measure for the establishment of the National Wage Consultative Council.

That Council will make recommendations for the introduction of a national minimum wage in the private and public sectors.

Madam Speaker, at every major salary review exercise carried out by the PRB in the public sector, it has been the practice to also review the allowances of Ministers and other Members of the National Assembly.

Accordingly, in the wake of the last general salary review exercise, the PRB has made recommendations for a review of the allowances payable to Ministers and Members of the National Assembly.

The proposed revised allowances, which are payable on an annual basis, are set out in the Schedule to the Bill.

The revised allowances will be paid in full with effect from 01 January 2016, as is the case for all officers covered by the PRB Report. The cost of implementation is already covered under the package for the PRB Report and will not entail any additional expenditure.

Madam Speaker, parliamentary pay and allowances have generally been linked to senior civil service pay bands. For the present review, the existing salary relativities have been maintained.

The parity between the Deputy Prime Minister and the Chief Justice and between Ministers and the Secretary to Cabinet and Head of the Civil Service has been maintained.

In general, the average increase of parliamentary pay is of the same order as for the senior civil service.

I should also like to underline the fact that the allowances of parliamentarians had not been revised in the wake of the 2013 EOAC Report. Hence, in the wake of the 2016 PRB Report, necessary adjustments have been brought to their allowances, where required.

Madam Speaker, there has been a lot of hue and cry recently in the media over the proposed parliamentary pay rise.

Some, on the other side of the House, have been trying to play petty politics and make believe that we are paying ourselves staggering salaries and other perks and benefits.

Let me remind the House that this is an exercise that is carried out every time when the PRB report is out, and in the past, nobody has grumbled. Nobody has said that we must not accept, but those who don't accept, I'll move at the end for a division of vote and those who will not vote, I hope they will have the decency not to accept the increase.

Let me underline a few facts in order to set the record right and straight –

- first of all, the different rates of the pay increases have been proposed by the PRB – the increases have not been determined by the Government;
- second, the allowance of the Prime Minister has been increased by only 2.8%. In 2013, the allowance of the Prime Minister had been increased by 34.3%; there was no hue and cry then;
- third, Ministers' allowance has been increased by 4.2%, compared to 32.4% in 2013;
- fourth, MPs allowance has been increased by 8.7 %, compared to 36.8% in 2013, and
- fifth, the new allowances will not be revised for the next five years.

I must also remind the House that allowances of the Prime Minister have always been there. In the past, increases have been made and nobody said that it was too much, and they

accepted everything as normal. And, today, I hear people saying outside - and some of the other side - that the Prime Minister is getting too much allowances! When Navinchandra Ramgoolam did what he did - (36...%) -, nobody said he was getting too much, because he was a poor fellow!

(Interruptions)

Madam Speaker: Hon. Rutnah, please!

The Prime Minister: The Members of the then Government, including the very few who are left now and are sitting in the Opposition, happily pocketed the huge amounts. They did not then find it indecent. Today, they are talking of indecency.

Madam Speaker, I would also like to stress on the fact that, even with the present increase, the remuneration of Ministers and MPs still lag behind Chief Executives in the private sector.

In fact, according to the Pay Research Bureau, the latest trends in remuneration in the private sector revealed that, comparatively, the private sector has a pay lead at the top level where the monthly salary level ranges from Rs106,000 to above Rs420,000. We do not expect parity, but I believe the gap must be kept within reasonable limits.

Madam Speaker, in regard to the Opposition Whip, the PRB has recommended an increase of Rs6,500 in his monthly pay, while a few MPs who were drawing less than the Opposition Whip have been granted an increase of Rs8,000. We consider this to be an anomaly, and we propose to rectify it by adjusting his remuneration such that he too gets an increase of Rs8,000.

(Interruptions)

Madam Speaker: Order!

The Prime Minister: For the time being, we consider you as a good one!

(Interruptions)

I shall move an amendment at Committee stage in this respect.

Madam Speaker, as the House is aware, MPs are also paid various other allowances, namely duty allowance, driver's allowance, constituency clerk allowance and facilities grant, etc.

I am aware that questions have also been raised over the supposed unjustified increases in these allowances. Madam Speaker, although this Bill does not provide for these allowances, I would like, for the sake of transparency, to mention that these allowances have indeed been revised, as is usually the case after a general salary review exercise, but the

increases are not exaggerated, as some would like to make believe. Let me clarify a few things here, Madam Speaker -

- (i) all the allowances payable to the Prime Minister, Ministers and other MPs have been there for years and have been paid to those who were there previously – we have introduced nothing new, no new allowance;
- (ii) the increases have been recommended by the PRB, and not by the Government;
- (iii) these allowances had not been revised following the 2013 EOAC Report – hence, in the wake of the 2016 PRB Report, necessary adjustments have been brought, where required;
- (iv) duty allowance has been increased by 5% which is the same rate as applicable to *ad hoc* allowances in the public service;
- (v) in regard to petrol allowance, this has been increased by 12.74% which is the rate applicable to all eligible public officers;
- (vi) driver’s allowance has been increased by 5% to Rs8,820, which is more or less the minimum amount payable to drivers in the private sector;
- (vii) in regard to Constituency Clerk allowance, the new rate of Rs13,530 reflects the percentage salary increase granted to comparable levels in the public sector, and
- (viii) finally, entertainment allowance has been revised upward by 10% to maintain the differential that existed with senior civil servants.

Madam Speaker, in regard to the allowances payable to the Chairperson, Deputy Chairperson, Commissioners and other Members of the Rodrigues Regional Assembly, I would like to mention that the Pay Research Bureau has made similar recommendations for a review of their allowances.

In order to implement these recommendations pertaining to the Rodrigues Regional Assembly, the First Schedule to the Rodrigues Regional Assembly (Allowances and Privileges) Act will have to be amended. This will be done by way of Regulations, as provided for under section 5 of the Act.

In the same breadth, the allowances payable to the Lord Mayor, Mayors, Deputy Lord Mayors, Chairpersons and Vice-Chairpersons of District Councils, Municipal Councilors and District Councilors and Chairmen Village Councils have also been revised.

Madam Speaker, Members of Parliament have a crucial function in our democracy and I am sure everyone here will agree that their duties have, over the years, become more and more complex and demanding.

On the other hand, we also need to attract high calibre professionals to join politics and devote themselves to the service of the nation.

Taking that into account, we need to offer them with a remuneration package that is decent, fair and reasonable. I think what we are proposing in this Bill, in terms of remuneration for our MPs, is indeed fair and reasonable.

Madam Speaker, I, for my part, I will take what is due to me. I am not ashamed.

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

(Interruptions)

The Deputy Prime Minister rose and seconded.

Madam Speaker: Hon. Leader of the Opposition!

(8.02 p.m.)

The Leader of the Opposition (Mr P. Bérenger): I shall offer a few comments on the National Assembly Allowances (Amendment) Bill only and not on the President's Emoluments and Pension (Amendment) Bill, Madam Speaker.

There are two things. Firstly, if there has been a *tollé* in the public, it is clearly on the basis of leaks. Now, where the leaks have come from, whether it is from the PRB or from some Ministers, we will never know. But the *tollé* that there has been is due to leaks.

Secondly, there is ambiguity because today what we are asked to approve is an increase in basic allowances, meaning basic salaries of the Prime Minister, Ministers, Leader of the Opposition, ordinary Members, and so on, and yet, there is the other part of the problem, that is, allowances, driver's allowances, Constituency Clerk allowances, and so on. So, this has created a lot of confusion.

Today, what is being proposed through this Bill is an increase in the basic salary, to call it what it is. The figures which I have worked out and which tally with those put forward by the Rt. hon. Prime Minister is that what the PRB recommended and what has been accepted *in toto* and applied, is an increase, through the PRB, from 6% to 16%, 16% for the

lowest paid, 6% for the highest paid civil servants, 6% to 16%, and what is being proposed in terms of increases in the basic salary of Ministers and Members of Parliament goes from 2.8% - let's say 3% in the case of the Prime Minister - to 8%, slightly more...

(Interruptions)

You said 2.8%, what I heard. But anyway, even if we round it up at 3%, from 3% to 8%, if we round it up 9%. So, there cannot be any quarrel as far as the basic salary is concerned. It is less, in fact, than what has been recommended in the case of civil servants, top civil servants or lowest paid civil servants.

The real issue is the other allowances; that is what caused the *tollé* in the public. I heard the Rt. hon. Prime Minister say that it is the other allowances, Acting allowance, all these different allowances, are not exaggerated and I noted down the different percentages. It would have been much better to simply circulate. What we have now is the new basic salary, what is being debated here, and we know what the previous basic salary was. So, the best thing would have been to circulate a list of the different allowances as they are today and as proposed. It would have been so simple.

Now, from a note I received, I see that the different allowances, Constituency Clerk allowance, duty allowance, and so on, have increased, in the case of the duty allowance by 5%. Okay. The petrol allowance by 12%, driver's allowance 5%, Constituency Clerk allowance 5%. If that is the case, there is no real quarrel, but, as I said, it would have been so simple. Now that we have the basic salary, it would have been so simple to circulate the list of the different allowances to the press, because the *tollé* there has been is through the press and through a leak, as I said earlier on. So, it is not too late. Today, we are not asked to approve these different allowances, petrol allowance, so-called duty allowance. This duty allowance, in the past, was a way of increasing the basic salary through another means. That was the point under the previous Government. What, it is increasing by 5%, *ce n'est pas la fin du monde*. It is in line with the increases in general, but we could have *faire l'économie* of a lot of polemics by giving the facts, not through leaks but giving the facts. Now, we have the facts on the basic salary. Instead of having figures offered by the Rt. hon. Prime Minister, we should have had a list of the different allowances. It is not too late. It is not too late, because we still don't know exactly the figures which the Rt. hon. Prime Minister has offered. He said that it has been worked out by the PRB. Okay, it looks reasonable, but *nous aurions fait l'économie d'un tollé* if the figures had been circulated all along.

So, the tone which the Rt. hon. Prime Minister adopted was quite aggressive. Why? Because there have been comments outside on the basis of leaks in the press. The best way to combat leaks is to give the facts; the increases proposed today in the basic salary, but also a list of the different allowances, and *nous aurions fait l'économie d'un tollé*.

Thank you, Madam Speaker.

(8.08 p.m.)

The Deputy Prime Minister: Madam Speaker, I put my name down to speak because I expected some opposition, but it seems that there is, in fact, consensus on this issue. But I must say, Madam Speaker, a few things nevertheless. We are talking about compensation for inflation for three years. The last PRB, as the Rt. hon. Prime Minister mentioned, was on 01 January 2013. So, we are talking about inflation 2013, inflation 2014, inflation 2015. Three years! Now, if you calculate it even to the decimal point, you will see that inflation for the three years was 7.9%. So, whatever increase is being mentioned whether it is taking the figures that the Rt. hon. Prime Minister gave of 2.6% or 2.8% or whether you take the increase in the allowances of 5%, it is to anybody's mind, I am sure, evident that it is less than inflation. So, that is the first point I wanted to make.

The second point I wanted to make, Madam Speaker, concerns the system that we have of paying allowances. We followed with a lot of attention, I am sure, in Mauritius, the expenses scandal in UK. There you have to claim for your house, the rent of house. You claim for your petrol, you claim for train expenses, etc and we saw that even in the UK – we are talking about the mother this or mother that earlier – this is the mother of Parliaments and everybody was fiddling or most of these guys were fiddling on their expenses. In Mauritius, you cannot fiddle because you have fixed allowances. So, these fixed allowances are a good thing, Madam Speaker. They are a good thing because they get rid of all these expenses claimed that we do not have in this Parliament.

As the Rt. hon. Prime Minister stated quite rightly, these allowances are not calculated by Government's Ministers or our civil servants. They are worked out independently by the PRB. That is also something, Madam Speaker, I wanted to stress. I also wanted to stress, Madam Speaker that the next PRB report is going to be in five years' time. So, whatever increase has been given today to cover the last three years' inflation, it is going to have to last us for the next five years and that, Madam Speaker, is important for us to stress. The Rt. hon.

Prime Minister stressed quite clearly the necessity to have MPs' salaries, Ministers' salaries and everybody's salary aligned to the Civil Service. The civil servants have had their increase and I think it is important, Madam Speaker, that we have and we maintain the relativity between ourselves and other positions in the Civil Service.

Madam Speaker, I will also, perhaps remind the House that MPs have ...

(Interruptions)

Everybody is happy, Madam Speaker. That's good!

(Interruptions)

I am happy.

(Interruptions)

We have reached consensus. I am happy.

(Interruptions)

I am happy that you are happy.

(Interruptions)

Why I should not be happy? We are happy.

(Interruptions)

I am happy that you are happy. Well, be happy. You are obviously happy because you are laughing.

(Interruptions)

Madam Speaker, this is going to last us for the next five years and, as I mentioned, we have a lot of expenditure like it or not. I mean, I remember one of the speeches. Hon. Ganoo raised that. We have a lot of expenses in our Constituency, Madam Speaker which should not be disregarded. We have a lot of demands from our constituents and very often we acquiesce and we do that. Even the MRA, Madam Speaker, allows, in our tax returns, 20% reduction in our salary. Even the MRA realises that we have expenses to meet in our Constituency and this also needs to be taken into account.

Madam Speaker, I think I stood up today to support the Rt. hon. Prime Minister. I think there is consensus. So, I need not go into more details on that except to say, Madam Speaker that we do a very difficult job. We do a full-time job as Ministers. Those who are

Ministers do the job of Ministers then also in their Constituencies. We deserve a decent pay, Madam Speaker and, as the Rt. hon. Prime Minister said, in the private sector things are paid much higher and we should have some respect for hon. Members of Parliament and Ministers. Thank you, Madam Speaker.

Madam Speaker: Rt. hon. Prime Minister!

(8.14 p.m.)

The Prime Minister: Madam Speaker, as I stated earlier in my speech, it is the usual practice to review the remuneration of MPs in the wake of a general salary review exercise in the public sector. As I mentioned, this exercise has been going on each time there has been a report of the PRB.

The quantum of the increase is in general of the same order as for the Civil Service contrary to the impression some have been trying to create. MPs' pay is not going up quicker than other public sector employees. The remuneration of MPs has, in fact, increased at the same pace as those of public sector employees. MPs are also not getting a pay rise that is higher than everyone else and making MPs a special case.

Madam Speaker, we all agree that MPs have a vital role to play in our democracy and, as I said earlier, they should be provided with a remuneration which will encourage the brightest minds to join politics. The remuneration policy should not be such that it confines this crucial function to the wealthy. MPs should be fairly remunerated for the work they do, but the cost to the taxpayer should be fair and reasonable and this is the case as it is so.

Madam Speaker, the Press has manipulated, I have been told; lots of talks meant to stir confusion in the public. Well, it is suggested there have been leakages, but I must say the hon. Leader of the Opposition must be a responsible person. Unfortunately, he has been a party to the confusion. The hon. Leader of the Opposition has been telling us that he based himself on erroneous assumptions to make unwarranted comments. This is, I suppose, the usual *modus operandi*.

With these words, I thank you, Madam Speaker.

Question put and agreed to.

Bills read a second time and committed.

COMMITTEE STAGE

(Madam Speaker in the Chair)

**THE PRESIDENT’S EMOLUMENTS AND PENSION (AMENDMENT) BILL (No. X
of 2016)**

The President’s Emoluments and Pension (Amendment) Bill (No. X of 2016) was considered and agreed to.

THE NATIONAL ASSEMBLY ALLOWANCES (AMENDMENT) BILL

(NO. XI OF 2016)

Clauses 1 to 4 ordered to stand part of the Bill.

SCHEDULE

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

The Prime Minister: Madam Chairperson, I move that the Schedule be amended as follows -

“SCHEDULE

[Section 2]

PART I

Office	Annual Allowance (Rs)
Prime Minister	3,384,000
Deputy Prime Minister	2,376,000
Vice-Prime Minister	2,340,000
Minister	2,304,000
Speaker	2,304,000
Leader of the Opposition	1,800,000

Chief Government Whip	1,656,000
Parliamentary Private Secretary	1,584,000
Deputy Speaker	1,584,000
Opposition Whip	1,152,000
Chairman of the Public Accounts Committee	1,008,000
Deputy Chairman of Committees	1,008,000
Deputy Chief Government Whip	1,008,000

PART II

Office	Annual Allowance (Rs)
Member	820,800”

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 following Bills were read the third time and passed -

- (a) *The President’s Emoluments and Pension (Amendment) Bill (No. X of 2016)*
- (b) *The National Assembly Allowances (Amendment) Bill (No. XI of 2016)*

ADJOURNMENT

The Prime Minister: Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 21 June 2016, at 11.30 a.m.

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

Madam Speaker: The House stands adjourned.

(8.22 p.m.)

MATTERS RAISED

PORT LOUIS SOUTH & PORT LOUIS CENTRAL – RELIGIOUS PLACES – POLICE PATROL

Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central): Madam Speaker, I have two points to raise. The first one is addressed to the Rt. hon. Prime Minister and it has to do with security issues during prayer times in my constituency, that is, Constituency No. 2.

During prayer times last Sunday, there were major disturbances in front of Vallée Pitot Police Station because there was attempt at larceny during prayer times on motor vehicles and auto cycles. Well, it is a normal practice that Police officers are posted in front of religious places and the Police officers are on sentry in front of the entrance and they don't patrol in the vicinity so as to see what is going on.

My request to the Rt. hon. Prime Minister is to request the Commissioner of Police to instruct the Police officers that over and above sentrying in front of the entrance of the prayer places that they patrol around in order to ensure security of vehicle owners and vehicles at large.

The Prime Minister: Well, the Commissioner of Police is aware of that. He has discussed it with me and he has even said that they arrested one fellow who was stealing from the cars that were there. He had told me that he is going to take steps so that there is more Police patrolling over there, but I don't know how many Police can be placed there.

Madam Speaker: Hon. Ameer Meea!

ROADS - ABANDONED CARS

Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East): The issue I am raising tonight relates to the Minister of Environment and Sustainable Development.

It is in relation to a new phenomenon, if I can say it. It is in relation to abandoned cars in my constituency and I believe it is the case around the island, in other constituencies, where you see old vehicles or vehicles which are not used by their owners, are simply abandoned on the road. In my constituency, this is causing a lot of problems whereby they are taking the parking space for owners of the cars.

I would urge the hon. Minister to carry out a survey, more specifically in my constituency and in other parts of the island, and then, according to the situation, he can take the necessary action.

Thank you.

The Minister of Civil Service and Administrative Reforms (Mr A. Wong Yen Cheong): I thank hon. Ameer Meea. In fact, it is a real eyesore everywhere around the island. But, I have to say, Madam Speaker, that the issue is being tackled jointly with Local Authorities and the Environmental Police. I also talked with my colleague, hon. Bodha, that we are of the view that we should come with a policy so that we can remove. With the number of cars that are increasing on the fleet size, the end of life of vehicle will increase also. There is a need to put in place a deregistering system for vehicles that are no more roadworthy and also to ensure that these vehicles are adequately depolluted before disposal.

These issues will be comprehensively addressed in a policy paper that my Ministry will work in collaboration with the different Ministries and departments.

Thank you.

Madam Speaker: I understand hon. Osman Mahomed had another issue.

TRANQUEBAR & VALLÉE PITOT – WATER SUPPLY

Mr O. Mahomed (Third Member for Port Louis South & Port Louis Central): Yes, thank you, Madam Speaker. It is regarding water supply and my request is geared towards the hon. Vice-Prime Minister, Minister of Energy and Public Utilities.

In certain regions of my constituency, namely, Tranquebar and Vallée Pitot, water stop flowing in the taps at 8 o'clock in the morning when people need it the most. The problem stems from the fact that there is not enough water in Upper and Lower Monneron water tanks. Now, there has been major investment in the Pailles Treatment Plant and the hon. Vice-Prime Minister himself has said the capacity has been boosted up from 30,000 metre cube per day to 80,000 metre cube per day. But, given this situation, the water supply is still the same because the problem is, I am given to understand, at the Plaine Lauzun pumping Station. There, there are two pumps, but, at the moment, only one is operational for the simple reason that there is not enough electricity supply, from what I have been told, to make the second pump operational. So, at the moment, it is just like we are having a 1000 CC motor in an axis BMW.

So, my request is that the hon. Vice-Prime Minister looks into the matter and ensures that - there are some minor investments required - CEB be made to invest or CWA pays for it that enough electricity supply is being made for the second pump to be operational.

The Vice-Prime Minister, Minister of Energy and Public Utilities (Mr I. Collendavelloo): From my information, I am not too sure that this is exactly the case, but I will ask CWA to investigate and I shall speak to my hon. colleague about this.

At 8.29 p.m. the Assembly was, on its rising, adjourned to Tuesday, 21 June 2016, at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

HARBOUR BRIDGE PROJECT - LAND ACQUISITION - COMPENSATION

(No. B/599) 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 properties that had been compulsorily acquired for the implementation of the Harbour Bridge Project, he will state the number of owners thereof who have –

- (a) been compensated therefor as at to date, indicating if they have vacated same and
- (b) not yet been compensated therefor, indicating the reasons therefor.

Reply: In the context of the Harbour Bridge Project and at the request of the Ministry of Public Infrastructure and Land Transport, Government had compulsorily acquired a total of 64 portions of land comprising 53 portions at Les Cassis and Les Salines and 11 portions at Roche Bois. In one particular case, at Les Cassis and Les Salines for Portion No 22, the sale back process was completed in December 2014 and thus, Government now owns 52 plots of land at Les Cassis and Les Salines.

Regarding part (a) of the question, I am informed that as at date, compensation has been paid for 17 portions at Les Cassis and Les Salines and 3 portions at Roche Bois. The land has been vested in the Ministry of Public Infrastructure and Land Transport and the latter is doing needful to secure possession of the land.

Concerning part (b) of the question, payment of compensation in 43 cases has not yet been effected for the reasons mentioned below: -

- (i) in Seven (7) cases, agreement has been reached on the amount of compensation and a Notary Public has already been appointed to draw up the deed of acquittance and to effect payment upon signature thereof;
- (ii) in twenty-three (23) cases, no agreement has been reached on the amount of compensation and cases are before or are being referred to a Board of Assessment.
- (iii) in four (4) cases, the former owners were not agreeable to the offer of compensation and the views of the Valuation Department have been sought anew on the former owners' claim;
- (iv) in eight (8) cases, replies are being awaited from the former owners on the offer of compensation made to them, and
- (v) in one (1) case, the views of the Ministry of Public Infrastructure and Land Transport are awaited in order to process payment of compensation.

PLAINE LAUZUN – WATER SUPPLY

(No. B/600) Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to

the inhabitants of the upper topographic zone in Plaine Lauzun, he will state if he is aware that they are being supplied with water for only one hour in the morning and one hour in the afternoon and, if so, will he, for the benefit of the House, obtain from the Central Water Authority, information as to if remedial measures will be taken in relation thereto.

Reply: I am informed by the Central Water Authority that the upper part in Plaine Lauzun is supplied from the Pailles Treatment Plant through the Anse Courtois reservoir for about 9 hours daily.

It is expected that water supply in this region would be significantly improved after the coming into operation of the Bagatelle dam.

I would request the hon. Member to advise me of cases where the hours of supply are limited to only two hours daily. I will cause the CWA to look into the matter.

DILO POURI, LE MORNE AND COTEAU RAFFIN - SQUATTERS

(No. B/601) **G. Lesjongard (Second Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the squatters in the regions of Dilo Pouri, Le Morne and Coteau Raffin, he will state where matters stand in regard to the regularization thereof.

(Withdrawn)

KARO KALIPTIS & BATTERIE CASSÉE - SQUATTERS - LAND LEASE

(No. B/602) **Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to Karo Kaliptis and Batterie Cassée, he will state if -

- (a) lands located thereat have already been completely leased to squatters, and
- (b) his Ministry has retrieved the land leased to the Mouvement Civique de Batterie Cassée.

(Withdrawn)

**UNIVERSITY OF LIMOGES/UNIVERSITY OF MASCAREIGNES -
COLLABORATION**

(No. B/603) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the collaboration of the University of Limoges with the University of Mascareignes, she will, for the benefit of the House, obtain from the Tertiary Education Commission, information as to if any one of the parties is proposing to bring changes to the agreement in relation thereto.

Reply: I am advised that, the Tertiary Education Commission has not received, at its level, any such proposal for changes to the agreement.

However, L'Université de Limoges has informed the Ministry of Education and Human Resources, Tertiary Education and Scientific Research that certain issues pertaining to the operations and strategic orientation of the Université des Mascareignes need to be addressed. The matter has been taken up with the Université des Mascareignes.

The President of the Université de Limoges, Professor Célérier and the Chairperson of the Université des Mascareignes, Professor Guillon have been invited to come over and discuss with the new administrative team on the operational issues and strategic plan of the Institution.

CITE BRIQUETTERIE, SAINTE CROIX - WATER SUPPLY

(No. B/604) Mrs M. C. Monty (Third Member for Port Louis North & Montagne Longue) asked the Vice-Prime Minister, Minister of Energy and Public Utilities whether, in regard to Cité Briquetterie, Sainte Croix, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the causes of the severe water supply problems thereat, indicating if remedial measures will be taken in relation thereto.

(Withdrawn)

**MINISTRY OF GENDER EQUALITY, CHILD DEVELOPMENT AND
FAMILY WELFARE - DOMESTIC VIOLENCE UNIT - TRAINING SESSIONS**

(No. B/605) Mrs M.C. Monty (Third Member for Port Louis North & Montagne Longue) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Domestic Violence Unit, she will state when training sessions were carried out thereat for the Enforcement Officers in relation thereto, indicating the -

- (a) number of Police Officers who have equally benefitted therefrom, and
- (b) resource persons having conducted same.

(Withdrawn)

POLICE STATIONS – CONSTRUCTION

(No. A/20) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the construction of Police Stations which have been earmarked for implementation and which have been either set aside or put on hold, since 2005 to date, he will, for the benefit of the House, obtain from the Commissioner of Police, a list thereof, indicating in each case –

- (a) the amount of money budgeted therefor and the amount thereof disbursed as at to date;
- (b) the reasons why the implementation thereof have been set aside/put on hold, and
- (c) if consideration will now be given for the implementation thereof, and if so, when and if not, why not.

Reply: The Commissioner of Police has informed that during the period January 2005 to 10 June 2016, out of a list of 33 Police Stations which have been constructed or earmarked to be constructed, only one at Cité La Cure has been put on hold.

In regard to part (a) of the question, Police have informed that the project value of Cité La Cure Police Station is estimated at Rs23 m. The following amounts have been budgeted –

- (i) Rs500,000 for financial year July 2015 to June 2016;
- (ii) Rs2 m. for financial year July 2016 to June 2017, and
- (iii) Rs2 m. for financial year July 2017 to June 2018.

However, no funds have yet been disbursed for this project as construction has not started yet.

In regard to parts (b) and (c) of the question, Police have further informed that the project will be implemented at a later stage as for the time being, the area is adequately policed by Abercrombie Police Station and other units.

POLICE STATIONS, DIVISIONAL HEADQUARTERS & DETENTION CENTRES – CONSTRUCTION

(No. A/21) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Rt. hon. Prime Minister, Minister of Defence, Home Affairs, Minister for Rodrigues and National Development Unit whether, in regard to the proposed construction of Police Stations, Divisional Headquarters and Detention Centres, he will, for the benefit of the House, obtain from the Commissioner of Police, a list thereof, indicating where matters stand in each case, including the -

- (a) cost thereof;
- (b) amount of funds earmarked therefor, indicating the amount of money already spent, and
- (c) expected start and completion dates thereof, indicating the reasons for the delay in the implementation thereof, if any.

Reply: The information has been laid in the Library of the National Assembly.

BASSIN, QUATRE BORNES - FOOTBALL GROUND - CONSTRUCTION

(No. A/22) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Local Government whether, in regard to the proposed construction of a football ground in the region of Bassin, Quatre Bornes, he will state where matters stand.

Reply: I am informed by the NDU that further to the reply made to PQ No. B/944 of 17 November 2015, the Parliamentary Private Secretary responsible for that Constituency held a meeting on site on 01 December 2015 with the relevant technical staff of the National Development Unit (NDU) and other stakeholders. It was then decided to adopt a more holistic approach to the problem given that the Works Order issued by the previous

Government had shortcomings. No provision was made for a boundary wall and fencing as well as a retaining wall at the football ground.

Furthermore, the site identified for the project was not appropriate in view of major excavation works required and also the presence of high rock content.

The decisions reached were based on the following observations –

- (i) the proximity of the football ground to the road whereby players as well as road users would be at risk due to the absence of fencing;
- (ii) the football ground would still not be functional during the construction of the boundary wall and fencing, and
- (iii) the turfing, if completed as envisaged previously, would be damaged during the construction of the boundary wall.

Instead of the NDU injecting further sum to complete the Works Order previously issued and given variations could not be considered as these would have exceeded the permissible limits, it was decided that the project be closed as is. The NDU would have recourse to Consultancy Services to enable it to formulate and design the outstanding works holistically, keeping in view the prevailing site constraints.

Invitations were subsequently launched under the Framework Agreement for Consultancy Services. The proposals from Consultants are presently under evaluation and the NDU is expecting to award the contract in the very near future.

CHEMIN GRENIER - MARKET FAIR - CONSTRUCTION

(No. A/23) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Local Government whether, in regard to the proposed construction of the new Chemin Grenier Market Fair, he will state where matters stand.

Reply: I am informed that procedures for the compulsory acquisition of a plot of private land of the extent of 2A67 along the Chamouny Road have been initiated by the Ministry of Housing and Lands and have not yet been finalised, as the procedures are lengthy and time consuming.

I am further informed that the project has already been recommended by the Project Plan Committee and approved by Government. The project will be considered for

implementation when the process for land acquisition is completed and funds are made available for same.

ROUTE CUREPIPE-CARREAU ACCACIA – BUS SERVICE

(No. A/24) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the buses serving the Route Curepipe to Carreau Accacia, he will state if he has been informed that the individual operators are providing irregular services thereat and, if so, will he, for the benefit of the House, obtain from the National Transport Authority, information as to if urgent measures will be taken to ensure adequate services along the said route.

Reply: The National Transport Authority (NTA) has informed that at present, six buses owned by individual operators are licensed to operate along route 137 (Curepipe - Carreau Accacia via J.N Hospital & Carreau Esnouf). This route caters for inhabitants of Mon Desert Mon Tresor, Camp Carol, Carreau Esnouf, Carreau Accacia, Kenya, Le Bouchon and Union Vale.

With the closing down of the Mon Desert Mon Tresor Sugar Estate in 2007 which has resulted in the pulling down of the Sugar Estate camps, a large number of the inhabitants living thereat have migrated. As a consequence, there has been a considerable decrease in the number of passengers, thus rendering the route uneconomical.

In the year 2013, only four buses were operating along that route. On 24 September 2013, the Authority decided to grant two additional bus licences along the route thus bringing the fleet to six buses. The licences were implemented in September and December 2014.

Prior to the implementation of these two additional buses, the National Transport Corporation (NTC) was requested to supplement the services along route 137 by two buses since March 2014 with a view to alleviating the transport problems of the inhabitants of Carreau Accacia and adjoining localities. Consequently, there was an improvement in the service owing to competition among NTC and the private operators. However, the NTC withdrew its two buses in December 2014 as soon as the two new licences were implemented. A new time-table of operation in respect of the six individual buses operators was made effective as from 06 January 2015.

Despite the introduction of two new buses along this route, the inhabitants continued to complain of irregular services provided by the operators particularly during off peak period and in the afternoon. In the afternoon, at times certain bus operators close down operation earlier thus disrupting the 'time-table' of operation. The time-table is not always observed, frequent breakdown of buses and erratic services on Sundays and public holidays have also been reported. In addition, in case of breakdown of any bus on route 137, the timetable is disrupted and passengers at times encounter transport problems. To remedy the situation, the Cooperative Society of Grand Port/Savanne has been urged to supplement the service in such situations.

The Inspectorate Section of the NTA is carrying out regular checks. In fact, during the month of May and June 2016, three cases of non-observance of 'time-table' have been reported. Disciplinary proceedings are being initiated against the bus crews concerned.

MAHEBOURG & PLAINE MAGNIEN – ROADS - LED LIGHTS

(No. A/25) Mr P. Jhugroo (Second Member for Mahebourg & Plaine Magnien) asked the Minister of Local Government whether, in regard to the street lanterns found on classified roads in Constituency No. 12, Mahebourg and Plaine Magnien, he will, for the benefit of the House, obtain from the District Council of Grand Port, information as to if consideration will be given for the replacement thereof by LED lights with a view to increasing the lighting thereof at night and if so, when and if not, why not.

Reply: I am informed by the District Council of Grand Port that the status of street lanterns found along classified roads within Constituency No. 12 stands as follows as at date -

SS/N	Villages	No. of Lamps	No. of Led Lamps	No. of CFL Lamps to be replaced by LED Lamps
11.	Mare D'Albert	64	6	58
22.	Plaine Magnien	72	10	62
33.	Trois Boutiques	85	7	78

44.	Camp Carol	57	8	49
55.	Beau Vallon	106	5	101
66.	Mahebourg	96	2 3	73
77.	Grand Bel Air	24	6	18
88.	Petit Bel Air	41	5	36
	TOTAL	545	7 0	475

I am also informed by the Council that the existing CFL lamps are performing to its satisfaction in terms of luminosity, but consume more electricity than the LED lamps. A LED lamp 25W provides more or less same luminosity as the CFL lamp 40W. Also, the cost of one CFL lamp 40W is Rs2,760 while that one LED lamp 25W is Rs4,600. As such the cost of replacement of the 475 units of CFL by LED lamps amounts to Rs2,185,000 (excluding labour).

I am further informed that the Council does not have the financial resources to replace the CFL lamps by LED ones for the time being, but it is gradually replacing the scrapped/damaged CFL lamps by LED as and when required.