



**SIXTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**(UNREVISED)**

**FIRST SESSION**

**TUESDAY 04 APRIL 2017**

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**THE CABINET****(Formed by Hon. Pravind Kumar Jugnauth)**

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development
Hon. Ivan Leslie Collendavelloo, GCSK, SC	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Minister Mentor, Minister of Defence, Minister for Rodrigues
Hon. Showkutally Soodhun, GCSK	Vice-Prime Minister, Minister of Housing and Lands
Hon. Seetanah Lutchmeenaraidoo, GCSK	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Yogida Sawmynaden	Minister of Technology, Communication and Innovation
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 Tourism
Dr. the Hon. Mohammad Anwar Husnoo	Minister of Health and Quality of Life
Hon. Prithvirajsing Roopun	Minister of Arts and Culture
Hon. Marie Joseph Noël Etienne Ghislain Sinatambou	Minister of Social Security, National Solidarity, and Environment and Sustainable Development
Hon. Mahen Kumar Seeruttun	Minister of Agro-Industry and Food Security
Hon. Ashit Kumar Gungah	Minister of Industry, Commerce and Consumer Protection
Hon. Ravi Yerrigadoo	Attorney General
Hon. Jean Christophe Stephan Toussaint	Minister of Youth and Sports
Hon. Soomilduth Bholah	Minister of Business, Enterprise and Cooperatives
Hon. Marie Roland Alain Wong Yen Cheong, MSK	Minister of Social Integration and Economic Empowerment

Hon. Mrs Fazila Jeewa-Daureeawoo	Minister of Gender Equality, Child Development and Family Welfare
Hon. Premdut Koonjoo	Minister of Ocean Economy, Marine Resources, Fisheries and Shipping
Hon. Soodesh Satkam Callichurn	Minister of Labour, Industrial Relations, Employment and Training
Hon. Purmanund Jhugroo	Minister of Local Government and Outer Islands
Hon. Marie Cyril Eddy Boissézon	Minister of Civil Service and Administrative Reforms
Hon. Dharmendar Sesungkur	Minister of Financial Services, Good Governance and Institutional Reforms

**PRINCIPAL OFFICERS AND OFFICIALS**

Madam Speaker	Hanoomanjee, Hon. Mrs Santi Bai, GCSK
Deputy Speaker	Teeluckdharry, Hon. Kalidass
Deputy Chairperson of Committees	Jahangeer, Hon. Ahmad Bashir
Clerk of the National Assembly	Lotun, Mrs Bibi Safeena
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Serjeant-at-Arms	Pannoo, Mr Vinod

**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 02 of 2017**

**Sitting of 04 April 2017**

**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. **Prime Minister's Office**

(a) Certificate of Urgency in respect of the following Bills (In Original) -

(i) The Mauritius Institute of Education (Amendment) Bill (No. II of 2017); and

(ii) The Shooting and Fishing Leases (Amendment) Bill (No. of III of 2017).

(b) The Passports (Amendment) Regulations 2017. (Government Notice No. 50 of 2017)

B. **Ministry of Agro-Industry and Food Security**

The Agricultural Marketing Board's Annual Report for the year ending 31 December 2014.

C. **Ministry of Industry, Commerce and Consumer Protection**

The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No.7) Regulations 2017. (Government Notice No. 49 of 2017)

## ORAL ANSWERS TO QUESTIONS

### SOBRINHO, MR ALVARO – COMPANIES - FUNDS

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the hon. Prime Minister, Minister of Home Affairs, External Communication and National Development Unit, Minister of Finance and Economic Development whether, in regard to Mr Alvaro Sobrinho and his group of companies, he will –

- (a) state if an inquiry has been carried out into the sources of funds thereof;
- (b) state why responsibility for Investment Banking was transferred from the Bank of Mauritius to the Financial Services Commission;
- (c) for the benefit of the House, obtain information, as to the licences and permits issued thereto by the Board of Investment, including under the Hotel Investment Scheme, Real Estate Scheme, Integrated Resort Scheme and Property Development Scheme, and by other regulatory financial institutions, if any;
- (d) state the permits issued thereto under the Non-Citizens Property Restrictions Act;
- (e) state if VIP facilities have been extended thereto, and
- (f) state if a Commission of Enquiry will be set up to inquire thereinto.

**The Prime Minister:** Madam Speaker, I thank the hon. Leader of the Opposition for his PNQ which gives me an opportunity to shed light on some of the various aspects of the Sobrinho case.

In fact, this PNQ is welcomed as so many perceptions and misperceptions, as against value judgments, so many innuendoes, and so much information and disinformation have been echoed in the media and by politicians desperate to discredit the Government.

Madam Speaker, concerning part (a) of the question, I am informed that the Financial Intelligence Unit, the Financial Services Commission and the Bank of Mauritius have carried out various enquiries into the sources of funds of Mr Alvaro Sobrinho and his group of companies. It is also the duty and responsibility of Commercial Banks to conduct a due diligence exercise on their customers before any funds are credited.



Concerning the FSC, the Commission processed and scrutinised the applications as per its established procedures and practices. The applications were supported by all necessary documents including constitutive documents, customer due diligence on promoters, beneficial owners, shareholders and directors, prospectus, and administration agreement, amongst others.

The scrutiny revealed that, I quote -

“In June 2011, Alvaro Sobrinho, President of the Banco Espirito Santo (BES) de Angola, was suspected in the Portuguese investigation to 48 million illegally transferred from Banco Nacional de Angola (BNA) to the main national banks through the BES. Three Portuguese businessmen are also being investigated by the Judicial Police (Policia Judiciara).”

The Commission requested the Management Company, NWT (Mauritius) Ltd, for an enhanced due diligence to be conducted on Mr Sobrinho and requested the applicants to provide their comments with respect to an allegation that Mr Sobrinho was the subject of an investigation into money laundering involving transfer of USD 4.5 m. by Mr Sobrinho.

The following documents were submitted -

- (a) Summary of criminal proceedings dated 23 May 2013 carried out against Mr Sobrinho both in Angola and Portugal, and
- (b) Notice of Clearance from the Public Prosecution Service Attorney General's Office of Angola dated 08 November 2011 declaring that the State of Angola had no wish to pursue any legal action against Mr Sobrinho.

The 9<sup>th</sup> Criminal Division of the Lisbon Court of Appeal, on 07 July 2017, allowed the appeal lodged by Mr Sobrinho against the seizure of his assets in Portugal, which assets were seized on suspicion that they were the product of various financial crimes, including misappropriations of money, embezzlement, money laundering, breach of trust etc. There was a fresh application by the Public Prosecutor's Office of Portugal to quash the above decision and it was again rejected on 29 September 2016.

Based on the submissions and on being satisfied that the applications were in order, the Commission granted the following licences -

- (a) Category 1 Global Business Licence and Collective Investment Scheme Manager Licence on 28 August 2015 and an Investment Adviser (Unrestricted) Licence on 22 March 2016 to AS African Asset Management Ltd;
- (b) Category 1 Global Business Licence and authorisation to operate as a Collective Investment Scheme on 28 August 2015 and an authorisation to be converted into a Closed-End Fund on 23 March 2016 to Alvaro Sobrinho Africa (ASA) Fund;
- (c) Category 1 Global Business Licence and authorisation to operate as a Collective Investment Scheme on 28 August 2015 and an authorisation to be converted into a Closed-End Fund on 23 March 2016 to PASET Fund, and
- (d) Investment Banking Licence on 25 November 2016 to Alvaro Sobrinho Africa Ltd.

It was only in February 2017 that fresh information came to light namely, that, I quote

“The ongoing investigation by the Portuguese Criminal Investigation and Penal Action Department (DCIAP) has reportedly uncovered a pattern of unsecured loans by BESA (Banco Espirito Santo de Angola) [...] and the recipients of these loans without collaterals belonged to the Espirito Santo Group, to companies linked to Alvaro Sobrinho [...]”

“Former DCIAP prosecutor, Orlando Figueira, was [...] arrested by PJ (Policia Judiciara) Police on suspicion that he “received bribes up to a million euros” to ensure lawsuits involving on high-ranking figures in Angola was archived. According to reports, Figueira is believed to have ordered the closure of as many as 10 cases – including that of former president of BES Angola, Alvaro Sobrinho [...]”

In view of the foregoing, the licensees have been requested not to start operations without the prior clearance of the Chief Executive. So far none of the licensees belonging to the group of companies of Mr Sobrinho have commenced operations.

Furthermore...

*(Interruptions)*

**Madam Speaker:** Hon. Shakeel Mohamed, please do not interrupt! Please proceed, hon. Prime Minister!

**The Prime Minister:** Furthermore, the Prime Minister's Office was informed by the Board of Investment that Mr Alvaro De Oliveira Madaleno Sobrinho had previously been involved in the following litigations/controversies -

- (i) the Portuguese authorities had investigated on Mr Alvaro De Oliveira...

**Mr X. L. Duval:** Madam Speaker, may I, on a point of order, stand up! We have half an hour. Last time, the same thing happened. We had long replies and we were unable, Madam Speaker, on a matter of national importance, to ask questions. I would ask, Madam Speaker, to ask the hon. Prime Minister not to say things that have already been published by the FSC because that is public knowledge firstly ...

*(Interruptions)*

...and to limit his intervention so that the Opposition can raise this matter of extreme importance to the country.

**Madam Speaker:** Hon. Leader of the Opposition, let me say that since this is a matter of national importance, I will give additional time to the Opposition so that they can raise their points.

**The Prime Minister:** Well, and then the question itself is at 6 parts. So, the hon. Leader of the Opposition must allow me to answer the question, otherwise he will be saying all the time that we are not answering questions!

*(Interruptions)*

**Madam Speaker:** Hon. Prime Minister, sorry!

*(Interruptions)*

Hon. Prime Minister, please!

*(Interruptions)*

I have already given my ruling!

*(Interruptions)*

No interruptions, please!

*(Interruptions)*

Allow me to make my point!

*(Interruptions)*

When I am on my feet, I have said several times that the House should be silent. Hon. Prime Minister, you may proceed with your reply, but I will give additional time, as I have said to the Opposition, so that they can raise their questions.

**The Prime Minister:** I was saying that the Prime Minister's Office was informed by the Board of Investment that Mr Alvaro De Oliveira Madaleno Sobrinho had previously been involved in the following litigations/controversies -

- (i) the Portuguese authorities had investigated on Mr Alvaro for suspicion of money laundering when he was the Chairman of Banes Spirits Santo Angola (BESA). But Mr Alvaro De Oliveira Sobrinho was later cleared by the Court of Appeal, and
- (ii) Mr Sobrinho was also a shareholder of Akoya Asset Management, a Swiss wealth management company that was subjected to a judicial investigation by the Swiss authorities which cleared Mr Alvaro Sobrinho.

*(Interruptions)*

World check carried out by the Board of Investment has revealed nothing adverse against Mr Sobrinho. Following a counter verification made by the Prime Minister's Office, the latter was informed by the Counter Terrorism Unit, on 24 October 2016, that Mr Sobrinho is not borne on its records.

As regards part (b) of the question, during the preparation of the Budget 2016-2017, the Ministry of Financial Services, Good Governance and Institutional Reforms made a series of proposals for inclusion in the Budget Speech, one of which was the introduction of an Investment Banking and Corporate Advisory Licence to be issued and regulated by the Financial Services Commission.

The Bank of Mauritius was consulted and besides providing its input, was fully supportive of this measure. In order to avoid regulatory arbitrage between the Bank of Mauritius and the FSC, the Central Bank proposed that an amendment be made to the definition of 'bank' in the Banking Act by deleting 'Investment Banking Business' from the activities of commercial banks licenced by the Central Bank.

Consequently, the Bank of Mauritius and the Ministry of Financial Services, Good Governance and Institutional Reforms proposed draft legislative amendments to the Banking Act and the Financial Services Act, respectively, which were then forwarded to the State Law Office for appropriate vetting and for inclusion in the Finance (Miscellaneous Provisions) Bill 2016.

Under the new section 79A of the Financial Services Act 2007, an entity holding an Investment Banking Licence may conduct the following activities -

- Investment Dealer (Full Service Dealer including underwriting);
- Investment Adviser;
- Investment Adviser (Corporate Finance Advisory);
- Asset Management, and
- Distribution of Financial Services.

The following legal provisions already existed in the Financial Services Act, Securities Act and appropriate FSC Rules and therefore the activities falling under the investment banking and corporate advisory licence were by and large already covered by different licences which the FSC was already empowered to issue, namely -

- “investment dealer” means the holder of a licence issued under section 29 of the Securities Act and as categorised under Rule 4 of the Securities (Licensing) Rules.
- “investment adviser (unrestricted)” means the holder of a licence issued under section 30 of the Securities Act and as categorised under Rule 5 of the Securities (Licensing) Rules;
- “investment adviser (corporate finance advisory)” means the holder of a licence issued under section 30 of the Securities Act and as categorised under Rule 5 of the Securities (Licensing) Rules;
- “asset management” means the holder of a licence issued under section 14 of the Financial Services Act, and
- “distribution of financial services/products” means the holder of a licence issued under section 14 of the Financial Services Act to carry out this activity;

It is to be noted that Rule 6(2) of the Financial Services (Investment Banking) Rules 2016, specifically provides that, and I quote -

‘No person holding an Investment Banking Licence shall conduct Banking Business as defined in the Banking Act unless that person holds a banking licence issued under the Banking Act’.

Banking business is defined as per section 2 of the Banking Act 2004. A holder of an Investment Banking Licence ....

**Madam Speaker:** Hon. Prime Minister, can I just interrupt you to tell you not to go into too much detail because we are already nearing half an hour for the PNQ and that I will allow additional time, but I will not allow half an hour additional time to the Opposition.

**The Prime Minister:** Therefore, a holder of an investment banking licence cannot accept deposits and carry out banking business such as issuing of cheques.

As regards part (c) of the question, I am informed that Mr Sobrinho has been issued with an occupation permit, under section 9A of the Immigration Act, as investor with “Alvaro Sobrinho African Asset Management Ltd” for a period of 3 years, starting 06 October 2015 to 06 October 2018.

With regard to his investments in the property schemes, Mr and Mrs Sobrinho have acquired a residential property under the Real Estate Scheme (RES) from Hyde Properties Ltd, a development within Royal Park Balaclava. The said property was acquired on 16 November 2016 for an amount of R52 m.

*(Interruptions)*

**Madam Speaker:** Can I ask the Opposition not to interrupt the hon. Prime Minister, please! We are losing time if we do. Allow him to give his reply!

*(Interruptions)*

Hon. Bhagwan, please!

*(Interruptions)*

**The Prime Minister:** *Requin pas fer tapaz!*

*(Interruptions)*

**Madam Speaker:** Be patient!

*(Interruptions)*

Just be patient!

*(Interruptions)*

Hon. Members, if we interrupt, interruptions can only come...

*(Interruptions)*

Hon. Members!

*(Interruptions)*

Order, I said!

*(Interruptions)*

Order!

*(Interruptions)*

Order, please! Now, already half an hour has elapsed. Usually, we allow half an hour for PNQ. Now, the reply has not been completed yet and if you continue to interrupt, we will have to give additional time. How much time can we take on the PNQ! Hon. Prime Minister, please proceed! I would appeal to the Opposition Members to be calm, not to interrupt, they will have time to ask questions. Please, proceed!

*(Interruptions)*

Hon. Rutnah, no comments!

*(Interruptions)*

**The Prime Minister:** *Mo pas ene rekin mwa selmen!*

So, the said property was acquired on 16 November 2016 for an amount of Rs52 m. No other applications from Mr Sobrinho for acquisition of property under the Hotel Investment Scheme, Real Estate Scheme, Integrated Resort Scheme and Property Development Scheme have been received.

As regards licences from the Financial Services Commission, I have already provided the information in my reply to part (a) of the question.

Madam Speaker, as regards part (d) of the question, I am informed that the Board of Investment had on 28 September 2016 recommended an application in respect of Vango Properties Ltd, a non-citizen, under section 3(3)(c)(iv) of the Non-Citizens (Property Restriction) Act, for the acquisition of two plots of freehold land being Lot No. B450 and Lot

No. B451 of an extent of 1,916 m<sup>2</sup> and 1,922 m<sup>2</sup> respectively at Ebène at a price of USD 1,240,000 (approx. Rs43,586,000).

Vango Properties Ltd is a private company limited by shares and incorporated on 20 June 2016 and is the real estate arm of the Alvaro Sobrinho Africa Group (ASA Group). The sole shareholder of Vango Properties Ltd is Mr Alvaro De Oliveira Madaleno Sobrinho, who is holder of a Portuguese passport delivered by the Portuguese Republic on 01 June 2015.

In Mauritius, Mr Alvaro De Oliveira Madaleno Sobrinho is holder of an Occupation Permit, delivered by the Passport Immigration Office on 08 October 2015 and valid until 08 October 2018.

According to the promoter, the purpose of the acquisition of the property is to develop a Science Technology and Innovation (STI) Park and will cater for the expansion of the current asset management activities of the Alvaro Sobrinho Africa Group (ASA Group) in Mauritius through the construction of a 7-storey building (ASA Tower) at Ebène.

Madam Speaker, in regard to part (e) of the question, Mr Sobrinho was granted access to the Arrival and Departure VIP Lounges at Sir Seewoosagur Ramgoolam International Airport, following requests made by the Secretary to the President, on 31 occasions during the period 01 October 2015 to 21 February 2017. Mr Sobrinho was accompanied by his family members or close collaborators on 21 occasions. I wish to point out that it has so far been the practice to extend such facilities to special guests of some personalities.

*(Interruptions)*

**Madam Speaker:** Order!

*(Interruptions)*

Order!

*(Interruptions)*

Hon. Bhagwan!

*(Interruptions)*

Hon. Bhagwan, please!

**The Prime Minister:** Madam Speaker, in regard to part (f) of the question, given that there are already various investigations being carried out by the Financial Services Commission and other bodies, including the CCID on alleged false and misleading



statements made to the FSC in connection with a licence application by one of the companies of the Group, and also given the fact that local Commercial Banks are satisfied with the sources of funds, I consider that the setting up of a Commission of Enquiry is not justified.

Madam Speaker, let me assure the hon. Leader of Opposition and the House that no stone is being left unturned or shall be left unturned to establish the facts and the truth in the Alvaro Sobrinho case.

And this is why and how, for example, the contents of an article which appeared in the 'L'Express' newspaper of yesterday, Monday 03 April 2017, on yet another case of alleged financial malpractices are also being investigated by the Ministry of Financial Services, Good Governance and Institutional Reforms.

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

**Mr X. L. Duval:** Madam Speaker, to start I will say that I am aware that I am not allowed to raise any matter concerning Her Excellency the President and I shall not do so. I will also draw your attention, Madam Speaker, that we are nearly 30 minutes into the PNQ.

**Madam Speaker:** Hon. Leader of the Opposition, I have already said that I will give additional time to this. I don't think there is any need for you to come on that matter again. I know that the hon. Prime Minister has already taken half an hour to reply. I will give equal time to the Opposition to reply. You don't have to come back on this issue.

**Mr X. L. Duval:** We are grateful. Madam Speaker, we are dealing with Mr Alvaro Sobrinho. We suspected and said to be involved in international money laundering, fraud on a giant scale, running down a bank which eventually cost the Portuguese taxpayers 5 billion Euros, involved in money laundering in Portugal through the investment in property and involved in hiding his money....

*(Interruptions)*

Madam Speaker, you are not going to have 30 minutes...

*(Interruptions)*

**Madam Speaker:** Order!

*(Interruptions)*

Order, please! Hon. Leader of the Opposition, please, sit down! Please, sit down! I'll give a ruling.

*(Interruptions)*

Order, please!

*(Interruptions)*

Order! I have said that usually I give the leeway, especially to the Leader of the Opposition. Hon. Members must have observed that on a PNQ, I give the leeway to the hon. Leader of the Opposition to explain so that his question can become more intelligible. I give you that leeway, hon. Leader of the Opposition, but please, don't make an abuse of it!

**Mr X. L. Duval:** I am not abusing of it, Madam Speaker, and I'll explain why because the hon. Prime Minister has said everything, except what he ought to have said, that is, under section 18 and section 20 of the Financial Services Act and the hon. Prime Minister should be aware of that. It is not a question of being convicted, it is only a question of reputation. You have to be a fit and proper person. It says and I can read it, Madam Speaker: 'in considering whether a person is fit and proper'. And this is why I am talking about reputation. It says here you will have regard to the reputation, character, financial integrity, banks going bankrupt and reliability, Madam Speaker. This is why I have taken the time and this why I am asking the hon. Prime Minister: why is it that despite this person has such a terrible reputation of being an international crook - and I have taken the trouble of downloading from the Internet, from Google, it is free of charge; I download from Google files post- 2014, 2015, 2016. I have taken the trouble and I am tabling this. I am asking the hon. Prime Minister why is it that the usual due diligence, the usual safeguards which protect our Financial Services Centre, which protect the 20,000 people who have worked there, have been bypassed and overlooked?

**The Prime Minister:** Madam Speaker, the Authorities, I am informed, have not bypassed any procedure. According to the law and according to their own practical guidelines, they have entertained these applications, they have been in touch with institutions in other countries to have a world-check. I have just answered and I am not going to repeat everything. Of course, as and when, at that time, information was available, the information has been looked into and nothing adverse has been found against this gentleman.

*(Interruptions)*

I have also replied that whenever there has been other information - leave aside whether it is from institutions in those countries -, even when there is information that has been circulated in terms of allegations, this is also being investigated.

Therefore, as I say, at the time when the permits were being given, there was nothing adverse against him, and we will continue. As I have said, the FSC has taken the decision to ask the licensees not to start operation pending, of course, the other investigations that are being carried out. In fact, the FSC is also awaiting certain response from other institutions.

**Mr X. L. Duval:** Madam Speaker, *après la mort la tisane*. Here we are, we have this person...

*(Interruptions)*

... of very bad reputation who has overridden all the safeguards that exist in this country! Why we are asking for a Commission of Enquiry is because we want to know, the people of Mauritius want to know who has interfered with the FSC, who has put pressure on the Board of Investment to get these permits delivered to these people *illico presto*. That is the reason why we want an enquiry.

**The Prime Minister:** The Leader of the Opposition is putting a question as if - if he knows, he should tell us!

*(Interruptions)*

Who has interfered?

*(Interruptions)*

There is no information of any interference from any politician so far!

*(Interruptions)*

**Madam Speaker:** Hon. Thierry Henry, please!

**The Prime Minister:** There is no information of any interference whatsoever from any politician! Unless, because he is having new friends now...

*(Interruptions)*

...probably he would be having information. Then, he should tell us!

*(Interruptions)*

**Mr X. L. Duval:** ... in a moment, Madam Speaker. The Deputy Prime Minister made a statement a few days ago to say that he had looked into the eyes of Mr Sobrinho...

*(Interruptions)*

... and he had completely whitewashed him, he has no money laundering, he has inherited money from several generations of people whilst, Madam Speaker, there is an ongoing enquiry just now - the Prime Minister has just said - on this very person! My question is: is it not obvious - there, it is obvious - who is putting pressure on the FSC and on the FIU? It is quite obvious, public knowledge, that whitewashing has already been done by the Government!

**The Prime Minister:** Madam Speaker, the hon. Leader of the Opposition is saying 'looking into the eyes'. How many times he has been looking into the eyes of so many people? I don't know what the Deputy Prime Minister has stated after having met Mr Alvaro. But, even whatever he has stated, he is fully entitled to his own opinion! That is his business! But...

*(Interruptions)*

... that is not...

*(Interruptions)*

**Madam Speaker:** Please! Order!

*(Interruptions)*

Order, please!

*(Interruptions)*

Hon. Uteem! Please!

*(Interruptions)*

If there is no order, we won't be able to conduct the business of the House! I draw Members' attention once more to this. We will be running out of time and they won't have time to ask their questions!

*(Interruptions)*

**The Prime Minister:** No, I have not finished! Wait! Now, whoever is meeting with Mr Alvaro, even be it a politician, a Minister from Government side, that has no effect on the institutions. That has nothing to do. The allegation that the hon. Leader of the Opposition is trying to make is as if this has put pressure on institutions. Not at all! I can reassure the public that all the inquiries are being looked into, they are going to be conducted and, of course, the outcome will tell us and will dictate what action the institutions will take.

**Mr X. L. Duval:** Madam Speaker, the hon. Prime Minister *défend l'indéfendable*. Yesterday only, hon. Collendavelloo, at the end of his *bureau politique* said: "I am not going to make any comment on the Sumputh issue, it will affect the investigation." The Sumputh issue is going to affect the investigation, but...

**Madam Speaker:** No, hon. Leader of the Opposition!

*(Interruptions)*

**Mr X. L. Duval:** But, on something like this, where is....

**Madam Speaker:** No, hon. Leader of the Opposition, please....

*(Interruptions)*

Please!

*(Interruptions)*

Order, please!

*(Interruptions)*

Order!

*(Interruptions)*

Order! Hon. Rutnah, please! I am on my feet!

*(Interruptions)*

Now, hon. Leader of the Opposition, you have...

*(Interruptions)*

Hon. Leader of the Opposition, please, I am addressing myself to you! You have asked your question. You should ask supplementary questions based on your main question and you should not drag other issues in that question, please!

*(Interruptions)*

**Mr X. L. Duval:** Madam Speaker, I don't know what is wrong with you! Here, I have to illustrate the fact that ...

*(Interruptions)*

**Madam Speaker:** Order, please!

**Mr X. L. Duval:**... he is adopting two measures...

*(Interruptions)*

**Madam Speaker:** Hon. Deputy Prime Minister, please!

**Mr X. L. Duval:** One measure is for...

*(Interruptions)*

**Madam Speaker:** Hon. Deputy Prime Minister, please!

**Mr X. L. Duval:** ... lovely Ms Sumputh, the other measure is for lovely Mr Alvaro Sobrinho! Mr Alvaro Sobrinho, billions of rupees have gone missing, have been stolen, have been money laundered! One Deputy Prime Minister comes after an hour and says he is clean, he has got nothing! He can invest billions of rupees even in this country!

**Madam Speaker:** Yes, ask your question!

**Mr X. L. Duval:** Let me ask a question.

*(Interruptions)*

**Madam Speaker:** Ask your question!

**Mr X. L. Duval:** Madam Speaker, if you are going to interrupt, you should have interrupted him when he went on for 30 minutes!

*(Interruptions)*

**Madam Speaker:** No, hon. Leader of the Opposition...

*(Interruptions)*

Please!

*(Interruptions)*

No! I will not allow this!

*(Interruptions)*

Please, sit down!

*(Interruptions)*

Please, sit down!

*(Interruptions)*

I am on my feet!

*(Interruptions)*

I am on my feet!

*(Interruptions)*

Hon. Leader of the Opposition...

*(Interruptions)*

Order, please!

*(Interruptions)*

Order!

*(Interruptions)*

Order! Hon. Mrs Perraud...

*(Interruptions)*

Hon. Soodhun! Order, I have said!

*(Interruptions)*

Hon. Jhugroo! Hon. Jhugroo, have you seen that I am on my feet?

*(Interruptions)*

Hon. Mrs Perraud, please! Calm down!

*(Interruptions)*

I know that you are very passionate about these questions, but hon. Leader of the Opposition, I will not allow you to question my prerogatives! I have said several times that I will give you additional time. Now, you are running out of your additional time if you come up with things which are not related to your main question. I will ask you to proceed with your question!

**Mr X. L. Duval:** In almost every question, you are interrupting me. That also, Madam Speaker, is going to be clear. Madam Speaker...

*(Interruptions)*

**Madam Speaker:** No interruptions...

*(Interruptions)*

**Mr X. L. Duval:** I am going to ask this question...

*(Interruptions)*

... because at the same meeting...

**Madam Speaker:** Would there be interruptions again?

*(Interruptions)*

**Mr X. L. Duval:** At the same declaration to the press, the Deputy Prime Minister, hon. Collendavelloo, has welcomed billions of rupees - billions of rupees *s'il vous plait* - of investment in the energy sector. Billions of rupees have probably been laundered elsewhere. Also, Madam Speaker, I am surprised that the hon. Prime Minister has not mentioned huge investments being made by the Alvaro Sobrinho Group in Royal Park in the north of Mauritius! No!

*(Interruptions)*

**Madam Speaker:** Order, please!

*(Interruptions)*

Order, hon. Rutnah!

*(Interruptions)*

Hon. Thierry Henry, please! I have said time and again and I will repeat myself. I have given only half an hour additional time for questions. Members are losing the time of the House and they are losing their opportunity to ask questions!

**The Prime Minister:** Madam Speaker, this is my information. Of course, if the hon. Leader of the Opposition has more than what I have replied, then he should say. Let me repeat, Madam Speaker.

*(Interruptions)*

It is good for me to repeat. My information is that Mr and Mrs Sobrinho have acquired one residential property.

*(Interruptions)*

A residential property!

*(Interruptions)*



**Madam Speaker:** Now, you continue to interrupt?

*(Interruptions)*

I have said...

*(Interruptions)*

Hon. Ms Sewocksingh, please, you have to behave as well!

*(Interruptions)*

**The Prime Minister:** And then that was under the Real Estate Scheme from Hyde Properties Limited which is, of course, a development within the Royal Park, Balaclava. Now, the said property was acquired on 16 November 2016 for an amount of Rs52 m. And I can say, my office has confirmed to me that no other applications from Mr Sobrinho for acquisition of a property under any other schemes have been received at the Prime Minister's Office.

**Mr X. L. Duval:** Madam Speaker, the Prime Minister should be aware that the same Mr Sobrinho is purchasing 131 villas and apartments at Royal Park. It is common knowledge under the VEFA. It is common knowledge! This investment is going to be above Rs1 billion. I can tell you also which senior Member of Government accompanied Mr Sobrinho.

*(Interruptions)*

I can tell you also!

*(Interruptions)*

**Madam Speaker:** Order, please! We won't be able to finish the business of the House like this. Hon. Leader of the Opposition, if you say...

*(Interruptions)*

Hon. Soodhun, please! Hon. Leader of the Opposition, if you have got evidence, you lay it on the Table of the Assembly and you take your responsibility for this, but please, be careful, you should not impute motives and make allegations.

**Mr X. L. Duval:** Madam Speaker, the 131 villas, it is common knowledge. I would ask the hon. Prime Minister to be very careful not to mislead the House because everything will come out in the end. You may have been misled. I accept that, but you should be careful. The precise information is that there is a huge investment going on by this group to Royal

Park, adding on to the huge investment that hon. Collendavelloo has mentioned in the energy sector; add on to the open door policy, VIP treatment that he is receiving; adds only to the fact that this gentleman has seen Mauritius as a soft target, and has used the subterfuge of a charity to enter into the highest echelons of the State to launder his money and ruin the reputation of Mauritius, which is already being done at the moment as we speak.

**Madam Speaker:** Hon. Leader of the Opposition, ask your question! Is that your question?

**Mr X. L. Duval:** This is my question.

**The Prime Minister:** Madam Speaker, for that matter, any investor who intends to either invest in a project or acquire property - and, in fact, acquiring so many - the normal procedure will have to apply, that is, they will have to either apply to the Board of Investment and ultimately if there is anything to do with Non-Citizens (Property Restriction) Act, they will need to get the authorisation of the Prime Minister's Office. This is what I can say generally.

*(Interruptions)*

**Madam Speaker:** Hon. Ameer Meea, your comment is unwarranted! Please!

**The Prime Minister:** I am informed that there is no such investment at the moment.

*(Interruptions)*

There is no such investment. Well, Madam Speaker, I can only confirm what...

*(Interruptions)*

**Madam Speaker:** Now, I am on my feet again just to tell you, hon. Leader of the Opposition, that crosstalking is not allowed. You ask your question officially. The question is being answered officially, but no comment and no crosstalking.

**Mr X. L. Duval:** I think your ears are playing games with you. I did not say anything at all. Madam Speaker, I would now like to ask the hon. Prime Minister whether he is aware of G.N. 15. G.N. 15 is a very weird piece of Regulation issued by Financial Services Commission. G.N. 15 says that from now on all investments into any financial services company in Mauritius whoever, whatever, money launderer, crook, whatever, no longer requires FSC approval only if it is in a non-voting share. So, you can buy the whole of the financial services sector in Mauritius, as long as you do not vote, you do not require at all any

permission from anyone. I am going to ask the hon. Prime Minister whether this is at all related to the Alvaro Sobrinho affair and this is G.N. 15.

**The Prime Minister:** Well, I am not aware of the contents.

*(Interruptions)*

Yes, I will look into it, when was it gazetted, who made it and what is the purport of it also. We should know and then I will come back to the House with regard to this law.

**Mr X. L. Duval:** Madam Speaker, the final responsibility for the Budget for the Finance Act comes to him. This decision - and I think he mentioned it at the end of his speech just now - to transfer the investment banking responsibility from the Bank of Mauritius to Financial Services Commission has proved to be a disaster. Both licences that have been given appeared to have been given to international crooks. Therefore, I would ask the hon. Prime Minister another reason why we need a full-fledged enquiry into the FSC.

*(Interruptions)*

**The Prime Minister:** The Leader of the Opposition is saying anything. I just replied. The way he is saying it is that the disaster is behind him.

*(Interruptions)*

The former Minister of Financial Services came with proposals to allow the FSC, in order to expand the number of instruments and activities and to reinforce the financial sector...

*(Interruptions)*

**Madam Speaker:** Hon. Bhadain!

**The Prime Minister:** And that proposal, in fact, came from the Minister himself. The former Minister! Of course, as Minister of Finance, what I did? Because it was under the purview of the Bank of Mauritius, the Bank of Mauritius was consulted and I have replied that the Bank of Mauritius was agreeable to this. In fact, the Bank of Mauritius has issued a communiqué to say that this was the proposal to which they had agreed and that the investment banking licence would be more appropriate to be licensed by the FSC. I have said that.

Now, the hon. Leader of the Opposition, the way he is asking the question is as if I was the one behind all this, amending the law. Of course, as Minister of Finance, I have to present the Budget. Of course, I have to include whatever proposals are made by different

Ministers. It did not come out of my own head; it came out because I consulted all my Ministers at that time and whatever proposals...

*(Interruptions)*

**The Prime Minister:** ...are made...

*(Interruptions)*

**Madam Speaker:** Order!

**The Prime Minister:** ... and after discussing ...

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo!

**The Prime Minister:** ... with the stakeholders, then, of course, it is my responsibility. I am not shying away from my responsibility as Minister of Finance. I included it in the Budget. This is how it happened.

*(Interruptions)*

**Madam Speaker:** Hon. Bérenger, do you have any question?

*(Interruptions)*

Hon. Soodhun, please!

*(Interruptions)*

Order! Order!

*(Interruptions)*

Hon. Soodhun!

*(Interruptions)*

Hon. Soodhun, I am calling you several times!

*(Interruptions)*

Hon. Bhadain, please! Hon. Soodhun!

*(Interruptions)*

Hon. Soodhun, please, don't make provocative remarks! I am saying that we are running out of time. Please, don't make provocative remarks! I have said several times that making remarks from a sitting position is not allowed.

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

**Mr Bérenger:** Madam Speaker, the Prime Minister has quoted at length from a communiqué dated 02 March from the FSC. At length! Is he aware that in that communiqué, the FSC stated that as at the 02 March -

“So far none of the licensees have commenced business operations.”

Is that true when compared to all the information we have been provided with today? And secondly, it has been requested not to start operations without the prior clearance of the Chief Executive. What they said was it exact in facts? Since then, has there been a change? Has the FSC allowed the entities concerned to operate?

**The Prime Minister:** It was the FSC who informed those companies not to start operating their business. It is still the case today. So, whenever there is going to be any other information, that will be looked at by the FSC, they will act in consequence of those investigations and the outcome of those enquiries.

**Madam Speaker:** Hon. Ramful!

**Mr Ramful:** Thank you, Madam Speaker. The hon. Prime Minister just said that he will leave no stone unturned as regards the various enquiries that are being conducted by the authorities. Now, will the hon. Prime Minister be prepared to request two persons: the Deputy Prime Minister, who seems to be aware of the source of funds of Mr Alvaro, as well as the President of the Republic to waive her immunity and collaborate with the investigations that are being carried out?

**The Prime Minister:** Madam Speaker, these are mere allegations again. This is why I started my answer to say that they are just saying anything. The Deputy Prime Minister has got nothing to do with this matter.

*(Interruptions)*

He has got nothing to do!

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan, please!

*(Interruptions)*

Hon. Bhagwan, please!

*(Interruptions)*

**The Prime Minister:** And with regard to...

*(Interruptions)*

**Madam Speaker:** Hon. Rutnah!

*(Interruptions)*

Hon. Rutnah!

**The Prime Minister:** And with regard to the President of the Republic....

*(Interruptions)*

**Madam Speaker:** Hon. Rutnah!

**The Prime Minister:** I think it is a shame to bring her name down at this level to this issue.

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** In fact, we have heard during the past weeks the various comments made by the hon. Deputy Prime Minister in the Press and also the *proximité* of the officials of the *Muvman Liberator* with Mr Sobrinho. Has the hon. Prime Minister enquired as to why Mr Sobrinho has been protected, given 31 times VIP treatment instead of a VDP treatment because he was one of the *principaux bailleurs de fonds* of the *Muvman Liberator* and the MSM?

*(Interruptions)*

**The Prime Minister:** Well, again, these are cheap allegations, Madam Speaker.

*(Interruptions)*

**Madam Speaker:** Hon. Jhuboo!

*(Interruptions)*

Order, please!

*(Interruptions)*

Order! Order, please!

*(Interruptions)*

Order, please! Yes, hon. Jhuboo!

**Mr Jhuboo:** Thank you, Madam Speaker. Well, the Swiss authorities are actually investigating on Mr Alvaro Sobrinho case. Can we know from the hon. Prime Minister whether there has been a formal request of mutual assistance between the Swiss authorities and the Financial Services Commission?

**The Prime Minister:** As I have said, in the light of what we have been informed, there has been a request to furnish us with information from the Swiss authorities.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. The hon. Prime Minister mentioned there are various Police enquiries. One of the Police enquiries is to determine whether names have allegedly been included improperly in application file with the FSC for the permits to be issued, that is, in the *communiqué* of the FSC. So, may I know from the hon. Prime Minister whether he has enquired with the FSC why is it that when this information was already public, when the people names had already gone public to say they did not authorise their names to be used and when it is a criminal offence punishable by five years' imprisonment, why did the FSC wait for Mr Alvaro Sobrinho to leave Mauritius to refer the matter to the Police for enquiry, when this is an arrestable offence?

**The Prime Minister:** Madam Speaker, as soon as the FSC gathered information about this issue, in fact, the FSC made a declaration to the Police. The Police is enquiring. So, we will allow the Police to conclude these enquiries and the matter will be referred to the DPP should there be any action to be taken.

**Madam Speaker:** Hon. Mrs Selvon!

**Mrs Selvon:** Merci, Madame la présidente. Étant donné que l'Article 3(5) du Good Governance and Integrity Act 2015 stipule –

“(...)the onus shall lie on the respondent to establish, on a balance of probabilities, that any property is not unexplained wealth.”

Est-ce que l'honorable Premier ministre pense que c'est A. S. qui doit prouver qu'il n'y a pas d'enquête sur lui pour *unexplained of hundreds millions of dollars*?

**The Prime Minister:** well, Madam Speaker, the hon. Member is now talking about unexplained wealth, but somebody can take a case before the appropriate institution and the institution will enquire on that issue.

**Madam Speaker:** Hon. Baloomoody and then last question for the hon. Leader of the Opposition!

**Mr Baloomoody:** Thank you, Madam Speaker. The hon. Prime Minister just mentioned that Mr Alvaro travelled through the VIP lounge 21 times. May I know whether all these were approved by the Prime Minister's Office, that he transits in the VIP lounge 21 times?

**The Prime Minister:** Not 21 times, more than 21, I said!

*(Interruptions)*

On 31 occasions!

*(Interruptions)*

**Madam Speaker:** Hon. Thierry Henry!

*(Interruptions)*

Order, please!

*(Interruptions)*

Order, hon. Baloomoody! Order!

*(Interruptions)*

Order! Yes!

**The Prime Minister:** What I said maybe that confused the Opposition! On 21 occasions, he was accompanied by his family members and close collaborators. And the 31 times, yes these were approved by the Office of the Prime Minister.

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

**Mr X. L. Duval:** Madam Speaker, it is clear, in fact, there is going to be a big cover-up. I will tell you why. It is because here the *FSC clairement ine fané*, has really not done its work because sections 18 and 20 of the Financial Services Act impose conditions on the issue



of a licence. Given that concerning the Financial Services Commission, the Chairman is the Prime Minister's own Financial Secretary, I am going to ask the hon. Prime Minister that it is not adequate, it is not acceptable that the FSC enquires on the FSC. It is not acceptable because it is FSC here mainly which has gone wrong, and BOI also. That is why, Madam Speaker, we, in Opposition, want an independent enquiry, not the same people enquiring on themselves, and we want to know exactly who and who has put pressure and *menaces* against these institutions for them to deliver these permits in double quick time?

**The Prime Minister:** Madam Speaker, the FSC is not enquiring on FSC. I can assure the House that no one has interfered, put pressure or been involved in the process of granting the licences to Mr Alvaro. FSC has done its job in total independence. In fact, let me point out, the hon. Leader of the Opposition should know for having been a former Finance Minister, that the Board of FSC does not deal with applications for licences. There is a technical committee that looks into that.

*(Interruptions)*

Those applications do not come to the level of the Board. So, he should not say that it is Financial Secretary who, in one way or the other, is involved in this matter.

**Madam Speaker:** Time is over!

*(Interruptions)*

Order, please!

*(Interruptions)*

Order!

*(Interruptions)*

Order, please!

*(Interruptions)*

Can I ask hon. Members of both sides of the House not to continue with this discussion! Time is over. I have said "Time is over!" Hon. Members the Table has been advised that PQ No. B/93 in regard to former Chief Executive Officer of the Information and Communication Technologies Authority will be replied by the hon. Minister of Technology, Communication and Innovation. PQ No. B/138 in regard to the Independent Police Complaints Commission

will be replied by the hon. Prime Minister, time permitting. PQ No. B/101 has been withdrawn. Hon. Bhagwan!

### **ICTA – CHAIRPERSON & BOARD MEMBERS – REMUNERATION**

(No. B/89) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Information and Communication Technologies Authority, he will, for the benefit of the House, obtain therefrom, information as to –

- (a) the names of the Chairperson and of the Board members thereof, indicating in each case, the remuneration drawn, and
- (b) if one Mr T. J. was a Member of the previous Board thereof and, if so, indicate, the –
  - (i) total remuneration drawn, and
  - (ii) number of overseas missions undertaken, giving details thereof, including the costs incurred.

**The Prime Minister:** Madam Speaker, as regards part (a) of the question, the Information and Communication Technologies Board has been re-constituted on 10 March 2017 as follows –

- (i) Mr Mahmad Bocus, Chairperson;
- (ii) Mr Om Kumar Dabidin, Permanent Secretary, representative of the Prime Minister's Office;
- (iii) Mr Keerunduth Samlall, Deputy Permanent Secretary, representative of the Ministry of Finance and Economic Development;
- (iv) Mrs Rooba Moorghen, Permanent Secretary, representative of the Ministry of Technology, Communication and Innovation;
- (v) Mr Luchmyparsad Aujayeb, Acting Assistant Solicitor-General, representative of the Attorney General's Office;
- (vi) Mr Ramprakash Maunthrooa;
- (vii) Mr Sanmoogum Ramen, and
- (viii) Mr Tushyadev Jadunundun.

The Chairperson draws a total remuneration of Rs51,250 monthly while that of the other members stands at Rs22,000 monthly.

In relation to part (b) of the question, I am advised that Mr T.J. was a member of the previous Board, namely from 20 January 2017 to 09 March 2017.

He has been paid a total of Rs36,902.

During his tenure of membership during the previous Board, he has not undertaken any mission.

**Mr Bhagwan:** Can I ask the hon. Prime Minister to confirm to the House, the country, the nation and the taxpayers also, why this *zanfant la case* of Sun Trust has pocketed Rs1,002,000 m. as allowance for period 01 May 2016 to October 2016 and also nearly Rs160,000 as overseas mission as per reply given in Parliament by the then Prime Minister, whether he confirms that these figures have been paid and whether he finds it normal?

**The Prime Minister:** Madam Speaker, the question is with regard to the previous Board. Now, the hon. Member is asking about allowances that have supposedly been obtained. He should come with a precise question.

*(Interruptions)*

**Mr Bhagwan:** I am asking for this member who was a member of the previous Board and he pocketed Rs1 m. This Sun Trust boy! Public money!

*(Interruptions)*

*Ki aller do! To casse sa ! L'argent public sa, pas pou twa! L'argent public!*

*(Interruptions)*

**Madam Speaker:** Order!

*(Interruptions)*

**Mr Bhagwan:** Rs1 m.

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan!

*(Interruptions)*

Hon. Bhagwan, please sit down! I would once again remind hon. Members that making provocative remarks is not a very decorous conduct and it does not reflect on the credibility of the House. So, please refrain from making these sorts of comments.

**Mr Bhagwan:** I would like to table the sum which has been paid to him and I am tabling also the reply given by Sir Anerood Jugnauth, the father of the actual Prime Minister *l'imposte*.

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan!

*(Interruptions)*

Hon. Bhagwan, please sit down!

*(Interruptions)*

Hon. Bhagwan, please sit down! Hon. Bhagwan, you have your question, you have asked your question. I have said that you should not, in-between your questions, bring in elements which are not in line with your main question. I am drawing your attention once again to this.

**Mr Bhagwan:** Can I table another document? This is the only case where one previous member who has pocketed more than Rs1 m., now, *sur son site de Facebook*, he is doing campaign for the MSM concerning 01 May. As a member of this ICTA Authority - I am tabling again other document - Mr Koshick Jadunundun *de l'ICTA appelle à la mobilisation - et copie de sa carte orange!* So, there is another copy for the hon. Member, he can read it later on, during lunchtime. Can I ask the Prime Minister – I won't say 'honourable' – if a case has been lodged...

*(Interruptions)*

*Ki mone dire la? Ki arrivé?*

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan, please!

*(Interruptions)*

Hon. Bhagwan, please sit down! I am just asking you whether you made any unbecoming remarks on the hon. Prime Minister because it is out of order to make unbecoming remarks on any Member of this House.

**Mr Bhagwan:** I say hon. Prime Minister, I don't say Rt. hon. Prime Minister.

*(Interruptions)*

*Ki to dire menter, mwa! Hey, ou ki menter do, batchara?*

**Madam Speaker:** I have said, don't make provocative remarks.

**Mr Bhagwan:** I have one last question. Can I ask the Prime Minister whether he has been informed that this member of the ICTA, who is a Sun Trust boy - I am saying again - a criminal case has been lodged against him at the Central CID on 27 February this year for threatening a journalist on his *page* Facebook and he is continuing to do so. I am sure he is listening. He is in the public gallery, here.

**The Prime Minister:** Madam Speaker, this hon. Member has asked a question with regard to the composition of the previous Board. Now, he is putting a series of questions tabling whatever documents with regard to, he said, allowances, missions and so on with regard to past Boards. So, he should know, he should learn how to ask questions and then ask supplementary questions. Now, with regard to...

*(Interruptions)*

*Eta aller do!*

**Madam Speaker:** Order!

**The Prime Minister:** I don't know if you have drunk *lizol* this morning, that's why you are thinking like that.

**Madam Speaker:** Hon. Bhagwan, allow him to reply!

*(Interruptions)*

**The Prime Minister:** *Li couma ene dada li mem.*

Now, with regard to this declaration that has been made, I am not aware, I will check.

**Mr Uteem:** Under the Information and Communication Technologies Act, the members appointed by the Minister must have statutorily required to have sufficient knowledge and experience in the field of information, communication technologies. So, may I know from the hon. Prime Minister what qualification does Mr Jadunundun have other than being a political agent?

**The Prime Minister:** Well, he is not the political agent, he has satisfactory knowledge to be able to be a member of this Board.

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

**PMO - SENIOR ADVISER – OVERSEAS MISSIONS**

**(No. B/90) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to Mr P. M., Senior Adviser at his Office, he will state the –

- (a) duties thereof, indicating the missions he attended since November 2016 to date, indicating the countries visited and cost of participation thereto;
- (b) parastatal bodies and/or State-owned Companies of which he is a Board member since November 2016 to date, indicating in each case, the remuneration drawn and missions attended, giving details as to the countries visited and cost of participation thereto, and
- (c) if he retains possession of the diplomatic passport issued thereto on returning from missions.

**The Prime Minister:** Madam Speaker, in regard to part (a) of the question, the duties of Mr P. M., Senior Adviser at the Prime Minister's Office, are to advise the Prime Minister generally on matters under his responsibility and to perform such other duties as may be assigned to him by the Prime Minister.

Mr P. M. has not attended any official mission overseas since November 2016 to date. Therefore, the question of countries visited and cost of participation does not arise.

Madam Speaker, in regard to part (b) of the question, Mr P. M. sits on the Board of three parastatal bodies, namely, the Board of Investment, the Information and Communication Technologies Authority and the Postal Authority. He is paid monthly fees as follows –

- (i) Board of Investment – Rs25,000
- (ii) Information and Communication Technologies Authority –  
Rs22,000
- (iii) Postal Authority – Rs9,000

Mr P. M. is also a director of the Board of Air Mauritius Ltd and SBM Holdings Ltd and their subsidiaries. The remuneration of Board of Directors of these two companies and their subsidiaries is published in the annual reports of these companies and is, therefore, already in the public domain.

Since November 2016 to date, Mr P. M. has not undertaken any official mission overseas in his capacity as Board member or Director of these organisations. Therefore, the question of cost of participation does not arise.

Madam Speaker, in regard to part (c) of the question, the reply is in the negative.

**Mr Bhagwan:** Can the Prime Minister, *au nom de la transparence*, table later on, the total pay packet of Mr Prakash Maunthrooa as adviser and also as Board member or director of the other companies which the Prime Minister has stated as a listed company? *Mais au nom de la transparence, est-ce qu'il est disposé d'annoncer à la Chambre*, the total amount which is paid to Mr P. M.?

**Madam Speaker:** Hon. Bhagwan, you have asked your question. The supplementary question that you have asked is not within the premise of this question. So, you should come with a substantive question on this issue.

**Mr Bhagwan:** Madam Speaker, in his reply to Parliamentary Question B/1018, the former Prime Minister, on 29 November 2016, stated that Mr P. M. was being prosecuted for a quite serious offence and reference is made to the famous Boskalis corruption case. How does the present Prime Minister reconcile the fact that in one case a Minister of Government was asked to step down with respect to the famous *bal couler* case and he is now facing trial and in this case, this Senior Adviser, Mr Prakash Maunthrooa, is facing trial for a corruption case namely the Boskalis case? How does the Prime Minister reconcile the case when a Minister was asked to step down in his own Government and facing trial for corruption and in this case this one is tolerated? He is near the Prime Minister every day!

**The Prime Minister:** Madam Speaker, the case is before the Court. There is the fact that he is facing trial. Fair enough! At the end of the case and, of course, in the light of the outcome of that case, a decision will be taken.

*(Interruptions)*

You are not the one to give lessons!

*(Interruptions)*

**Madam Speaker:** Hon. Baloomoody!

*(Interruptions)*

Hon. Baloomoody!

*(Interruptions)*

Hon. Baloomoody!

*(Interruptions)*

Now, hon. Baloomoody!

*(Interruptions)*

Hon. Baloomoody!

*(Interruptions)*

Hon. Baloomoody, I have uttered your name at least five times and you seem to ignore the Chair! I am giving you a warning, if you continue to ignore the Chair when you are called, I will have to take action!

**The Prime Minister:** They are the ones who had fielded a candidate in the past who had been convicted...

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan!

**The Prime Minister:** ...before the Supreme Court and the Privy Council of electoral bribery!

*(Interruptions)*

Three times they had fielded this candidate!

*(Interruptions)*

*Trois fois!*

*(Interruptions)*

Not only that, their own...

*(Interruptions)*

**Madam Speaker:** Order! Order!



**The Prime Minister:** Not only that...

*(Interruptions)*

**Madam Speaker:** Order!

*(Interruptions)*

Order! Please, hon. Shakeel Mohamed!

*(Interruptions)*

The hon. Prime Minister has not finished!

*(Interruptions)*

**The Prime Minister:** Let me reply to this nonsense!

*(Interruptions)*

There is also - he is talking about corruption and so on - Mr Ajay Guinness accused of corruption charges relating to the renovation of his office. The case is still pending before the Court.

*(Interruptions)*

Mr Beedianand Jhurry has already been convicted and he is member of his party! So, he should not come and teach us lessons!

*(Interruptions)*

**Madam Speaker:** Now, hon. Members...

*(Interruptions)*

Hon. Members...

*(Interruptions)*

Hon. Members, let me tell you once again, I would remind you I am being very patient with all of you. I am reminding you that you should behave in the House in a way to heighten the dignity of the proceedings of the House. Please! Hon. Shakeel Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. Could the hon. Prime Minister please confirm to the House that during the time that Mr P. M. has been adviser at the Prime Minister's Office until today that he has not in any way gone to Amsterdam using his diplomatic passport and if he could at the same time deposit from the Government

responsible for the territory of Amsterdam a document saying that this person, Mr P. M., has never set foot during the case concerning Boskalis in Amsterdam?

**The Prime Minister:** Madam Speaker, again the question has been put with regard to missions that Mr P. M. has attended since November 2016 to date. Now they are asking questions as to whether I can confirm about whether he has been to Amsterdam ever! Why does not the hon. Member put a question specific to that? Then I will reply. Knowing that I won't be able to have the material or the information concerned, how can I reply to any question which is totally irrelevant to this one?

**Madam Speaker:** Hon. Baboo!

**Mr Baboo:** Madam Speaker...

*(Interruptions)*

**Madam Speaker:** Order!

**Mr Baboo:** Can the hon. Prime Minister inform the House as to whether the advice of the State Law Office was sought prior to the recruitment of Mr P. M. as Senior Adviser given that he has a case of bribery lodged against him?

**The Prime Minister:** I don't need to get the advice of whoever before recruiting an adviser!

*(Interruptions)*

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

*(Interruptions)*

#### **MR D. K. A. - OVERSEAS MISSIONS**

**(No. B/91) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to each of the overseas missions, including to Rodrigues Island, undertaken by Mr D. K. A., since June 2015 to date, he will give a list thereof, indicating in each case –

- (a) the country visited and duration thereof;
- (b) the purposes thereof;
- (c) the names of the other delegates thereof;

- (d) the total cost incurred in terms of air tickets, *per diem* and/or any other allowances, and
- (e) if any of the said missions was sponsored and, if so, indicate the –
  - (i) sponsoring organization, and
  - (ii) costs involved.

**The Prime Minister:** Madam Speaker, Mr D.K.A., then a Principal Assistant Secretary, was assigned the duties of Secretary to the President with effect from 29 November 2012. Subsequently, he was appointed Permanent Secretary on 15 September 2016 and continued to serve as Secretary to the President until 03 November 2016 when he was transferred to the Ministry of Civil Service and Administrative Reforms.

In regard to parts (a), (b) and (c) of the question, I am informed by the Office of the President that from June 2015 up to 03 November 2016, Mr D.K.A. undertook overseas mission on 21 occasions to the following countries –

- (i) USA from 28 to 29 June 2015 and from 14 to 18 September 2016;
- (ii) UK from 18 to 26 July 2015, from 27 March to 06 April 2016 and from 09 to 14 September 2016;
- (iii) Kenya from 08 to 12 September 2015;
- (iv) France from 11 to 15 October 2015;
- (v) China from 19 to 24 October 2015;
- (vi) South Africa from 11 to 13 November 2015 and from 03 to 05 May 2016;
- (vii) United Arab Emirates from 16 to 18 November 2015, from 21 to 24 February 2016, from 19 to 24 May 2016 and from 11 to 12 October 2016;
- (viii) Thailand from 18 to 21 November 2015;
- (ix) India from 05 to 10 December 2015;
- (x) Ethiopia from 28 January to 02 February 2016;

*(Interruptions)*

**Madam Speaker:** Hon. Prime Minister, is the list long? If it is long then it is better for you to circulate it with the purpose of the mission.

**The Prime Minister:** There are three more countries, but anyway I will circulate it.

Mr D. K. A. also accompanied Her Excellency the President on a visit to Rodrigues from 31 July to 02 August 2015.

After 03 November 2016, following his transfer to the Ministry of Civil Service and Administrative Reforms, Mr D.K.A. did not undertake any official mission abroad.

Madam Speaker, concerning part (d) of the question, records indicate that the total cost incurred by Government in respect of the overseas missions undertaken by Mr D.K.A. amounted to Rs2,057,653.84. This amount represents -

- (i) 7 missions fully funded by Government, and
- (ii) 14 missions partly funded by Government in terms of subsistence allowances.

In regard to part (e) of the question, for the 14 missions which were partly funded by Government, sponsorship was provided in terms of costs of air tickets and accommodation by the following organisations. Well, I have a list of ten organisations. Can I name them?

**Madam Speaker:** Or you can circulate them.

**The Prime Minister:** I will circulate them. Therefore, I am tabling the information and the purpose of each mission, the duration of each mission and the composition of the delegations of which Mr D.K.A. formed part and the funding thereof.

**Mr Bhagwan:** It's very shocking, Madam Speaker. Can we know from the hon. Prime Minister whether this *pigeon voyageur* of Réduit has travelled to Davos and whether, according to records, any of his missions has been funded by this international crook, Mr Avalro Sobrinho?

**The Prime Minister:** Davos is in Switzerland. From the list that I have, I don't see Switzerland. But I can check.

**Mr Bhagwan:** Can I know from the hon. Prime Minister whether this *pigeon voyageur*, Mr Dass Appadu, has taken leave without pay and is now an employee of one of the groups of Mr Avalro Sobrinho, Compagnie Vango Property Ltd.? Big name! Can I also know whether Mr D. Appadu *travaille désormais pour la compagnie Vango* and has taken a leave from Government?

**The Prime Minister:** From memory, I can say that he did apply to take leave and he was granted leave, but I will find out the name of the company he is working for at the time he has taken the leave.

**Mr Uteem:** Madam Speaker, this Mr Appadu is the same Secretary who has asked VIP 31 times for Mr Sobrinho. The hon. Prime Minister mentioned that his trips were financed partly by the Government and partly by other associations. May I know from the hon. Prime Minister if he has checked to find out whether any of the organisations who financed his trips was related to Mr Alvaro Sobrinho?

**The Prime Minister:** I have a list of the organisations which have sponsored the trip of the person. I have to find out who are the people behind those organisations and, of course, I will let the hon. Member know.

**Mr Bhadain:** Would the hon. Prime Minister check with the FSC whether Mr D. K. A. has phoned on eight occasions at the FSC Licensing Department with relation to Mr Avalro Sobrinho's licences?

**The Prime Minister:** I will check whether he has phoned.

**Mr Mohamed:** Could the hon. Prime Minister tell the House, since Mr D. K. A. was on professional leave, how come in January 2017 he travelled to Davos, accompanying Her Excellency the President of the Republic to Davos and had access to the VIP in Zürich where arrangements were made for that facility by the Mauritian Embassy based in Geneva? In what capacity, therefore, did he meet the President of the Republic in Dubai before flying on to Zürich and then going to Davos together with the presence felt of this all-powerful Sobrinho?

**The Prime Minister:** I am informed that he is on leave without pay since 01 March 2017. I don't know. I will have to check about what the hon. Member has just said.

**Madam Speaker:** Last question on this!

**Mr Bhagwan:** Can the hon. Prime Minister check - again this *pigeon voyageur*; I call him now *facilitateur* - whether Mr D. K. A. has been acting as *facilitateur* at the State House for the organisation of lunches for the big guns of the private sector and also the small guns of the Government Ministers, Government Ministers participating in the lunches, not to mention also diners and private parties?

**The Prime Minister:** Madam Speaker, it is a shame that this ...

(Interruptions)

Yes! The hon. Member is saying that Ministers have attended lunches at the State House ...

*(Interruptions)*

With Sobrinho!

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan, your question relates to overseas missions of this person. Now, I don't see how your supplementary question gets into this main question. Next question, hon. Fowdar!

**The Prime Minister:** I have just been provided with information which has been asked. Mr Appadu did not form part of the official delegation which travelled to Davos.

**Madam Speaker:** Hon. Fowdar, next question!

*(Interruptions)*

Hon. Baloomoody, once again!

#### **PSC – DELEGATION OF POWERS - RECRUITMENT**

**(No. B/92) Mr S. Fowdar (Third Member for Grand' Baie & Poudre d'Or)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Public Service Commission, he will, for the benefit of the House, obtain therefrom, information as to if, when delegating the powers thereof to public officers to appoint persons to hold or act in any offices in the public service, it will consider subjecting them to proceed by way of public call of candidature instead of resorting solely to the list of the unemployed registered with the Ministry of Labour, Industrial Relations, Employment and Training.

**The Prime Minister:** Madam Speaker, as the House is aware, section 89(2)(a) of the Constitution provides that the Public Service Commission may, subject to such conditions as it thinks fit, delegate any of its powers by directions in writing to any Commissioner of the Commission or to any public officer.

As a matter of fact, the Public Service Commission has, since its inception, been delegating its powers of recruitment to Responsible Officers in respect of different grades, especially in the workmen's group.

According to the existing procedures, the recruiting Ministries and Departments normally put up a request to the Ministry of Labour, Industrial Relations, Employment and

Training for a list of job seekers for the purpose of carrying out a selection exercise. Such requests are channelled to the Vacancies and Placement Unit, which maintains a Labour Market Information System, consisting of a database of job seekers who have registered themselves through the 14 Employment Information Centres, including the one in Rodrigues.

The Vacancies and Placement Unit of the Ministry of Labour then performs a job-matching exercise, through its Labour Market Information System, to obtain a list of suitable candidates based on the requirements of the requesting Ministry in terms of age, gender, qualifications and localities.

The list is submitted to the requesting Ministry, which will thereafter carry out a selection exercise for the filling of the vacancies, within the parameters defined by the Public Service Commission in the instrument of delegation.

However, I would like to point out that the instrument of delegation issued by the PSC also allows the filling of vacancies through advertisement open to the general public. Therefore, it is not mandatory for all recruitment under delegated powers to be made through the employment service of the Ministry of Labour, Industrial Relations, Employment and Training. As a matter of fact, in certain cases, for example, employment of Medical Officers on a sessional basis at the Medical Unit of the Ministry of Social Security, appointments are made through advertisement open to the general public.

Madam Speaker, I would also like to emphasize the fact that a person who is already in employment may register himself as a job seeker. As a matter of fact, according to figures published in the Employment Service Monthly Bulletin of February 2017, out of the 46,832 persons who have registered themselves as job seekers, 22,161 are already in employment. They have, nevertheless, registered themselves at the Employment Information Centres, as probably they are searching for another job or a better job.

Therefore, a person who is already in employment, but is in search of a better job, may still register himself with the Employment Information Centres. He will thus have the opportunity of being considered for jobs in the public service as and when such vacancies are filled by selection from the job seekers registered at the Employment Information Centres.

Madam Speaker, recruitment under delegated powers is a long-standing practice in the public service. It was introduced both to relieve the PSC to some extent and to speed up the filling of vacancies in the public service.

As the House is aware, funds have been provided in Budget 2016/2017 for the filling of more than 12,000 vacancies, including vacancies which are meant to be filled under delegated powers, and the Government has taken necessary steps to remove bottlenecks in order to expedite the filling of these vacancies.

Madam Speaker, it is considered that, resorting to recruitment through public advertisement in all the grades at lower levels, as suggested by the hon. Member, would slow down the process of filling of vacancies in those grades.

If we were to resort to public advertisement, it is to be feared that we may end up clogging the system because of the excessively large number of applications which would be received rendering the process lengthy and cumbersome. The lower the qualification requirements for a post, the larger is the number of applications to be expected. Therefore, adopting that mode, will defeat the efforts being made for timely filling of vacancies and would thus deprive Ministries/Departments of the necessary human resources to deliver effectively and efficiently.

Having recourse to the list of registered job seekers at the Employment Division of the Ministry of Labour, Industrial Relations, Employment and Training and who possess the required qualifications emerges as the most practical and workable option. The Employment Service of the Ministry of Labour, Industrial Relations, Employment and Training is the body having under its custody a very reliable database in terms of registered job seekers.

I, therefore, believe that the present arrangement should be maintained, as it is not only efficient but is also subject to the oversight of the PSC, thus safeguarding the integrity of such recruitment exercise.

**Madam Speaker:** Hon. Fowdar!

**Mr Fowdar:** Thank you, Madam Speaker. Thank you to the hon. Prime Minister for the reply. I don't know, I still insist that somewhere those people who are not aware of any job vacancies, they are not in the competition. We see that every day. Every Wednesday when people come to see us, they tell us...

**Madam Speaker:** Yes, ask your question, please!

**Mr Fowdar:** My question is: if vacancies cannot be published, there should be some other modalities where everybody who is eligible is being given the opportunity to apply for the job.



**The Prime Minister:** I have just said that those people, they can still register at the Ministry of Labour, Industrial Relations, Employment and Training. But, again, the problem is going to be a practical problem. If you were to advertise, and the number of applications that would be received, can you imagine, Madam Speaker, how long it will take for the PSC, first of all, processing those applications, carrying out the interviews and at the end of the day recruiting those people? Well, by that time, first of all, the Ministry concerned or the Department would have suffered for lack of human resources, and secondly, it is going to clog the whole machinery of the PSC.

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

**Mr Fowdar:** Thank you, Madam Speaker. It appears that delegation of powers by the PSC has become very permanent. I do not know whether the PSC will need to look into the possibility of themselves recruiting those skilled workers. Madam Speaker, my other question is: I have many complaints from my mandates that although they have been registered with the Employment...

**Madam Speaker:** Please, don't make statements! We are already ahead of the half an hour.

**Mr Fowdar:** I am putting my question in perspective, Madam Speaker.

**Madam Speaker:** But be brief, please!

**Mr Fowdar:** Yes, I am putting my question in perspective. My mandates have always complained that some of them are registered for more than 20 years. They are never called for interview and they are never selected when these jobs are available. They are surprised to see their neighbours being recruited. So, my question is whether the Ministry of Labour, Industrial Relations, Employment and Training is going to publish how transparent the procedure is so that people get a comfort that they have not been selected because they are not eligible.

**The Prime Minister:** Well, first of all, this is not new, Madam Speaker. In fact, I looked into it, and the issue of delegating the powers to a department or the Ministry dates back years and years. In fact, in the years 2000, 2001, and in the year 2003 when the hon. Member was Minister himself.

*(Interruptions)*

No, it is good to know. I am just stating as a fact. It is good to know that in 2003 the Member was the Minister of Training and Skills Development and Productivity, and there was delegated power to the Ministry to recruit general field and office premises workers. It has been going on and on. The other issue is - well, obviously there is a number that is going to be recruited. One will always say or a neighbour will say: "Why am I not being recruited and the other one?" If the neighbour is being recruited, the other one will say: "Why is it that I am being recruited and not the neighbour?" Now, this is a never-ending issue, but as I say, I am open to any suggestion. First of all, that will make probably the process to be such that there will be less perception of anything, and secondly, it will not clog the whole machinery. This is the important part of it. You must realise also if we are not able to recruit within one financial year, the money will lapse and the same old thing will start again and that is going to be a never-ending process.

**Madam Speaker:** Last question on this issue!

**Mr X. L. Duval:** May I ask the hon. Prime Minister, since he is open to suggestions, why isn't the list that is picked up from the Ministry of Labour, Industrial Relations, Employment and Training sent to the Ministry concerned on a first-come first-serve basis? Why does the Ministry of Labour, Industrial Relations, Employment and Training pick and choose between the names to send? It should be on a first-come first-serve basis. They want people with...

*(Interruptions)*

Shut up and listen! They want people with...

*(Interruptions)*

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

*(Interruptions)*

**Mr X. L. Duval:** Why is he interrupting me?

**Madam Speaker:** No, I am sorry! I am sorry, hon. Leader of the Opposition, please sit down!

*(Interruptions)*

Hon. Leader of the Opposition, you can't ask a Minister to shut up! This is not acceptable.

*(Interruptions)*

**Mr X. L. Duval:** Why don't you stop the interruption?

**Madam Speaker:** Sorry!

**Mr X. L. Duval:** Why don't you stop people interrupting?

**Madam Speaker:** I have on several occasions stopped interruptions from both sides of the House. But there are certain words which are acceptable; there are others which are not!

**Mr X. L. Duval:** Madam Speaker, again it is a good suggestion. Why does the hon. Prime Minister agree right now that from now on it is done on a first-come first-serve basis? Because we all know people have been waiting for 10, 20 and 30 years, and you find that, in fact, their names are not sent to the Ministry concerned, which is recruiting. Why cannot this be done?

**The Prime Minister:** Madam Speaker, the Ministry of Labour, Industrial Relations, Employment and Training does not pick and choose. They send the list and it is for the Department or the Ministry concerned to look at what is the profile and what is the requirement with regard to the recruitment that is going to be made. I have mentioned in my answer, criteria are with regard to age, the ability of that person, the locality in which that person resides because if recruitment is going to be done let's say to service an institution which is in the North, they are not going to recruit people from the furthest part of the island. So, all these are taken into consideration and that is why, therefore, a selection is done according to these criteria.

#### **ICTA - FORMER CHIEF EXECUTIVE OFFICER – RE-INSTATEMENT**

(No. B/93) **Mr S. Fowdar (Third Member for Grand' Baie & Poudre d'Or)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Dr S. S., former Chief Executive Officer of the Information and Communication Technologies Authority, he will, for the benefit of the House, obtain therefrom, information as to if consideration will be given for the re-instatement thereof.

*(Withdrawn)*

#### **MAUBANK LTD – AUDITED FINANCIAL STATEMENTS**

(No. B/101) **Mr S. Bhadain (Second Member for Belle Rose & Quatre Bornes)** asked the Prime Minister, Minister of Home Affairs, External Communications and National

Development Unit, Minister of Finance and Economic Development whether, in regard to the Maubank Ltd., he will –

- (a) for the benefit of the House, obtain from the Bank of Mauritius, information as to if it –
  - (i) has filed its last audited financial statements and, if so, table copy thereof, and
  - (ii) is compliant with the Capital Adequacy Ratio requirements as at 30 June 2016, and
- (b) state the amount of money –
  - (i) injected from the Consolidated Fund into Maubank Ltd., Maubank Holdings Ltd., the former National Commercial Bank Ltd. and the former Mauritius Post and Cooperative Bank respectively as at to date, and
  - (ii) that will be injected going forward in Maubank Ltd.

*(Withdrawn)*

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

*At 1.13 p.m., the sitting was suspended.*

*On resuming at 2.51 p.m. with Madam Speaker in the Chair.*

**Madam Speaker:** Please, be seated! Hon. Rughoobur!

#### **MAURITIUS TOURISM PROMOTION AUTHORITY – BUDGET ALLOCATION**

**(No. B/103) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or)** asked the Minister of Tourism whether, in regard to the tourism sector, he will, for the benefit of the House, obtain from the Mauritius Tourism Promotion Authority, a breakdown of the percentage of the budget allocated thereto for the current financial year which has been spent therefor, as at to date.

**Mr Gayan:** Madam Speaker, I am informed by the Mauritius Tourism Promotion Authority (MTPA) that a budget of Rs563 m. was allocated for the current financial year. So far, an amount of Rs343.75 m. has been spent representing 61.06% of the total budget.

Madam Speaker, the House may wish to know that the MTPA incurs the major part of its promotional expenditure for the peak season from September to November, whereas

expenditure to address the low season is generally borne during the period April to June. As a matter of fact, the low season campaign has recently been launched.

I am tabling the breakdown of the percentage of the budget allocated to the different items and the amount spent to date.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Yes, let me thank the hon. Minister for his reply. The Chinese market has been of utmost interest to our country these few years. Let me quote Paul Jones of LUX\*...

**Madam Speaker:** Hon. Rughoobur, I am sorry! If we go on this trend, we will never reach all the questions. Don't make statement, please go straight to your question!

**Mr Rughoobur:** Yes, Madam Speaker, I am just quoting the CEO of LUX\* who stated that –

“Embracing the latest technological developments remains at the forefront of the Group’s business strategy. LUX\* redesigned its website to be fully responsive to all devices, resulting in 80% growth in mobile and desktop bookings (...).”

Will the hon. Minister state as to what the MTPA has been doing in terms of online marketing strategy?

**Mr Gayan:** Madam Speaker, the MTPA has a dedicated consumer only Business-to-Consumers (B2C) website and a trade website, Business-to-Business Corporate (B2B Corporate) that follows established standards and best practices. The B2C and the B2B websites went live in May and August 2016. The MTPA also has a mobile application called My Mauritius which is available on Android and IOS. There is also an online tracking platform to measure the return on investment of all online campaigns. The MTPA is also present on the Facebook page with more than one million fans making Mauritius the highest engagement in the region. The MTPA implements regular online campaigns with online travel agents such as Trip Advisor, Expedia and Opodo campaigns through the international bloggers and key online inferences, key opinion leaders, native advertising campaigns on imported segment websites such as Golfbreak, Yahoo travel and Google partners. I must also say, Madam Speaker, that the MTPA has worked awards for its online marketing strategy.

**Mr Rughoobur:** Madam Speaker, a lot has been said during the recent years on the branding strategy of the country. Will the hon. Minister state if there is also a rebranding strategy for Mauritius? Is MTPA working on this rebranding strategy?

**Mr Gayan:** Madam Speaker, there is always a saying in tourism industry that tourism is a work in progress. So, we need to constantly revisit whatever has happened. So, there is a campaign which has just started on CNN which tries to give another image of Mauritius from the *Maurice est un plaisir*, but we have to understand that things have to be adapted. For example, *Maurice est un plaisir* does not sound anything at all in China or India. So, we need to target a particular market with a particular brand. So, this is also something that we are working at. But, I must also say, Madam Speaker, that tourism is a very fragile industry. Our main market is France and this year, whether we like it or not, there would be acrimonious elections in France, presidential and legislative and this is bound to have an effect on the number of arrivals from France, but these are things that over which we have no control, but we are trying to compensate from other markets.

**Mr Jhuboo:** The Authority, the MTPA has no Chairman since the resignation of the former Chairman, Mr Martin. Can we know from the hon. Minister when will he fill the vacancy and can we also have the assurance from the Minister that the person, the candidate that will be chosen will be someone with expertise in the field of tourism?

**Mr Gayan:** Well, I have raised this issue with the hon. Prime Minister, we are talking about it.

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

**Mr Rutnah:** Thank you, Madam Speaker. Can the hon. Minister confirm that thanks to the efforts and endeavours by this Government, despite that we are forecasting a drop in tourists from France that there is going to be an increase in arrival of tourists from Germany as a result of the campaign recently brought by your good self?

**Mr Gayan:** Well, I said, Madam Speaker, that when the MTPA participates in fairs and road shows and, at the Berlin Trade Fair, it was evident that there is an *engouement* by the Germans for Mauritius and we have seen the numbers go up. So, whatever loss there may be from France, I think it will be amply compensated from arrivals of other countries.

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

## MAURITIUS & RODRIGUES – TOURISM GROWTH RATE

**(No. B/104) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or)** asked the Minister of Tourism whether, in regard to the tourism sector, he will state the expected –

- (a) growth rate thereof over the coming five years, and
- (b) requirements in terms of hotel rooms, in mainland Mauritius and in Rodrigues, respectively.

**Mr Gayan:** Madam Speaker, I am advised by Statistics Mauritius that tourism growth rate in mainland Mauritius is forecast to be 5% from 2017 to 2020 and 3% for the years 2021 and 2022.

The forecast growth is lower compared to the performance of the sector in 2015 and 2016, due to a larger base; however, in absolute terms, tourists arrivals will continue on an increasing trend.

As regards part (b) of the question, it is forecast that the requirements in terms of hotel rooms would be as follows -

- (a) 14,000 rooms in 2017;
- (b) 14,700 rooms in 2018;
- (c) 15,400 rooms in 2019;
- (d) 16,200 rooms in 2020;
- (f) 16,700 rooms in 2021, and
- (g) 17,200 rooms in 2022.

Regarding Rodrigues, Madam Speaker, I am informed that such information is not available at the level of my Ministry given that the Rodrigues Regional Assembly is the competent Authority in tourism matters. However, according to the Head of the Tourism Department, a study is presently being carried out to assess the requirements in terms of hotel rooms in Rodrigues as well.

**Mr Rughoobur:** May I request the hon. Minister to elaborate on the capacity building strategy as well because there is an increasing trend in the coming years? Can you elaborate on the capacity building strategy for the industry?

**Mr Gayan:** Well, we are always looking for new markets, new countries where we can market the tourism product. So, it is estimated that with the marketing strategy of MTPA, we will be requiring an increase in the number of rooms, but this is something that will happen. Unfortunately, Madam Speaker, although we would want, let us say the hotel at La Cambuse to go up, there are cases in Court which can delay part of this projection, but as far as possible we will try to maintain the growth and the trend.

**Mr Jhuboo:** Pour rebondir là où le ministre s'est arrêté sur les projets qui sont contestés en Cour et vu le nombre limité de plages, le ministre annonce la construction de chambres à hauteur de 1,600 chambres pour 2018; 1,600 chambres pour 2019, etc. Vu que la croissance ne viendra pas du secteur formel, elle viendra automatiquement du secteur informel, donc, qu'elle est la stratégie du ministre vis-à-vis du secteur informel?

**Mr Gayan:** Would the hon. Member elaborate on what he means by informal sector?

**Mr Jhuboo:** *De table d'hôte*, and the location and rental of flats and apartments.

**Mr Gayan:** Madam Speaker, in fact, it is true that the modern trend today is for the major hotels to be very popular, but there is also a trend for what is called glamorous glamping. I know there is a project on glamping. We are looking at various alternatives so that whatever the tourist wants, he will get it. Whether he wants a seven-star hotel or whether he wants a villa or whatever, he will be able to get whatever he is looking for. So, there will be a diversified product for the tourism industry.

**Mr Rughoobur:** Well, the hon. Minister has stated that there will be an increasing trend for the sector in the coming years, but will he elaborate further on what are the measures that will be taken for the small and medium hotels to boost up that sector as well.

**Mr Gayan:** With regard to the small and medium sized hotels, the MTPA assists them in the marketing of their particular hotels; in participating in fairs and there are various programmes where the small hotels are taken on board whenever there is a major fair like the Berlin Fair. So, things are happening, but it is true that the major hotel groups have more clout and more capacity to market the product, but we will need to help the small ones to be able to, at least, get a slice of the cake.

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

#### **HOTEL INDUSTRY – EXPATRIATES - EMPLOYMENT**



**(No. B/105) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Tourism whether, in regard to the hotel industry, he will –

- (a) for the benefit of the House, obtain information as to the total number of expatriates employed thereat and having been issued with an occupation permit, for each of the years 2013, 2014 and 2015, and
- (b) state the measures taken to encourage the recruitment of local citizens in senior positions therein.

**Mr Gayan:** Madam Speaker, I wish to inform the House that expatriates employed in the hotel industry are issued with either a work permit or an occupation permit.

Work permits are delivered by the Ministry of Labour, Industrial Relations, Employment and Training in areas where local expertise is scarce. Occupation permits, on the other hand, are issued by the Board of Investment to professionals who need to satisfy a set of established criteria.

As regards part (a) of the question, I am informed that 643 expatriates were employed by the hotel industry as at 29 March 2017, including 228 occupation permit holders. The number of occupation permits issued by the Board of Investment from 2013 to 2015 were as follows -

- (a) 191 in 2013;
- (b) 255 in 2014, and
- (c) 208 in 2015.

Regarding part (b) of the question, Madam Speaker, Government has, as from July 2015, taken the following measures to encourage the recruitment of local citizens in senior positions in the hotel industry -

- (i) the list of occupations with skill shortages has been reduced from 21 to 12;
- (ii) the minimum basic salary threshold for professional has been increased from Rs45,000 to Rs60,000, and
- (iii) the renewal of occupational permits for professionals not falling within the skill scarcity areas are approved for a limited period, subject to the training of local counterparts.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Thank you, Madam Speaker. May I ask the hon. Minister to confirm if in the case of occupational permits whether there is a limit on the number times that these occupational permits can be renewed or is there a fixed period for which they can be allowed to stay and work in Mauritius?

**Mr Gayan:** Well, I am not aware whether there is any number of times when it can be renewed, but we are dealing with the hotel industry and we are dealing with people with skills which are not available in the country and it is normal that any investor will want to have all the skills required for him to run his hotel properly. So, this is a matter that has to be looked at on a case to case basis.

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

**Mr Rughoobur:** I had the opportunity to raise this issue earlier with the former Minister, but may I ask the hon. Minister to see to it that out of the two senior positions in the hotel industry, that is, the Director and the Resident Manager, at least there is some progress? The locals are also given the opportunity to be at least a Resident Manager in those hotels, at least in this case.

**Mr Gayan:** I have said, Madam Speaker, that the number of occupations has been reduced from 21 to 12 and the hotel General Manager has been replaced by one General Manager. The Resident Manager has been deleted for example. So, as far as possible, whenever there is local expertise, preference is being given to our local nationals instead of getting expatriates to fill these positions.

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

#### ***ECOLE HÔTELIÈRE DE SIR GAËTAN DUVAL – ENROLMENT***

**(No. B/106) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the *Ecole Hôtelière*, she will, for the benefit of the House, obtain therefrom, information as to the total intake of students thereat for each of the years 2013, 2014 and 2015, indicating the total number thereof who are -

(a) foreigners, and

(b) graduates.

**Mrs Dookun-Luchoomun:** Madam Speaker, I am informed by the MITD that the total intake of full-time students at the *Ecole Hôtelière de Sir Gaëtan Duval* for the years 2013, 2014 and 2015 stood at 447, 473 and 505 respectively.

As for apprenticeship courses, MITD has enrolled 688 apprentices in 2013, 672 in 2014 and 746 in 2015. I am circulating the details regarding the enrolment for the years 2013, 2014 and 2015 with respect to the courses offered.

With regard to part (a) of the question, I am informed that the number of foreign students enrolled at the *École Hôtelière* was 3 in 2013, 3 in 2014 and 4 in 2015. They have also benefited from placement in industry. The foreign students came from Malagasy Republic, Syria, India and Latvia. I am advised that the procedures for admission of foreign students have been followed as per established guidelines.

With reference to part (b) of the question, I am informed by the MITD that the number of students who have passed in 2013, 2014 and 2015 stood at 199, 194 and 225 respectively and the level of qualifications ranged from National Certificate Level III to Diploma in Tourism Management and High National Diploma in Hospitality Management and Culinary Arts.

As far as the apprenticeship courses are concerned, the pass rates for years 2013, 2014 and 2015 were 76 per cent, 80.4 per cent and 78 per cent respectively.

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

**Mr Rughoobur:** I thank the hon. Minister for her reply. Based on the importance of the tourism industry, will the hon. Minister enlighten the House if there are plans by her Ministry to construct a modern infrastructure for the hotel school so as to meet the capacity building strategy of the Government in the future?

**Mrs Dookun-Luchoomun:** Madam Speaker, may I inform the House that an extension of the *École Hôtelière* at Ebène is being contemplated and a new building will be set up and the estimated cost of the project is Rs50 m. The architect has already been appointed. At the same time, the Politechnics at Montagne Blanche will be dealing with hospitality and tourism.

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

**Mr Rughoobur:** My last supplementary, Madam Speaker, is based on the possibility that we have on cruise ships for those students who are interested in the industry. May I

request the hon. Minister to look into the possibility of having a sort of strategic partnership maybe locally with the Sea Training School and the Hotel School of Mauritius?

**Mrs Dookun-Luchoomun:** Madam Speaker, the Mauritius Maritime Training Academy is already working in collaboration with the MITD and they are about to sign an MoU soon.

**Madam Speaker:** Hon. Jahangeer!

#### **FORT GEORGE – COMBINED CYCLE GAS TURBINE – SETTING UP**

**(No. B/107) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the consultancy services for the Design & Supply of two Gas Turbines, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the –

- (a) name of the successful bidder therefor, and
- (b) contract value thereof.

**The Deputy Prime Minister:** Madam Speaker, the contract for consultancy services for the setting up of a Combined Cycle Gas Turbine (CCGT) at Fort George was awarded on 07 October 2016 to *Électricité de France SA* (EDF).

The contract value is EUR 743,246 plus MUR 241,266 exclusive of VAT.

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

**Mr Jahangeer:** Thank you, Madam Speaker. Will the hon. Deputy Prime Minister confirm if it is the same *Électricité de France SA* (EDF) that took a high-level CEB delegation during the tendering process in October 2015 on a technical joy ride in several European capitals?

*(Interruptions)*

**The Deputy Prime Minister:** I am not too sure what the hon. Member means by joy ride. I know that the Central Electricity Board went to a visit in connection with Liquefied Natural Gas, nothing to do with this project, and I don't know whether it was sponsored or otherwise by *Électricité de France*.

**Madam Speaker:** Hon. Jahangeer!

**Mr Jahangeer:** Thank you, Madam Speaker. I have a chance to have a copy of the CEB technical results in my letterbox. Accordingly, after the technical and commercial evaluation, Mott MacDonald was ranked first, second was Polvi from Switzerland and third was EDF. My question to the hon. Deputy Prime Minister is, from the time of Evaluation Committee to the Board Meeting how this was changed in favour of EDF?

*(Interruptions)*

**Madam Speaker:** Hon. Ameer Meea, was your comment warranted?

*(Interruptions)*

Hon. Bhagwan, please!

**The Deputy Prime Minister:** This is not my information at all. The information that I have is that there was a first exercise. 34 applications were received. Then, 15 firms were shortlisted in the request for proposal exercise. Then, only one firm was found to be responsive. The Tender Committee did not endorse the recommendations of the Bid Evaluation Committee on the ground that there were unclear specifications in the tender document which led to the rejection of the other consulting firms. The Tender Committee recommended a re-bid exercise and following a new request for proposals, nine proposals were received. On technical evaluation, seven were found to be responsive and on the financial evaluation, six were found to be responsive. The final ranking of the six substantially responsive bids were EDF SA France which ranked first as the lowest evaluated bidder.

**Mr Armance:** In a relation with the same project, I would like to know whether there will be an EIA assessment and if there is any clause in the tender document that specified same.

**The Deputy Prime Minister:** Would the hon. Member come with a substantive question. This is on the consultancy services and not on the works themselves which have been the subject of a Parliamentary Question on 12 July 2016 by the hon. member for Rivière des Anguilles/Souillac where ample information was given.

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

#### CEB –BREAKDOWN - DECEMBER 2016

**(No. B/108) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether,

in regard to the power cut which occurred in December 2016, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the cause thereof.

**The Deputy Prime Minister:** Madam Speaker, with your permission, I shall reply to PQs B/108 and B/154 together.

On 22 December 2016, the CEB reported to my Ministry that its power system had experienced a general breakdown on 19 December at around 14:12 hours. This was the result of a fault on the Combo-Henrietta High Tension line, which according to the CEB, was caused by a fire in the region of Bois Chéri.

As a result of the fault, the protection system of *Central Thermique Du Sud* (30 MW) and *Central Thermique de Savannah* Unit 1 (37 MW) automatically disconnected these two units from the grid. While CEB's spinning reserve was taking over to achieve stability, the protection system of the *Central Thermique de Savannah* Unit 2 (37 MW) removed that unit from the grid. This resulted in a shortfall of 104 MW, that is, 25% demand on the grid at that time.

Following the general breakdown, CEB implemented its protocol for restoration of supply by initiating black start at its Fort Georges Power Station at 14:58 hours. The priority feeders were energised and at around 16:15 hours, 90% of the customers were connected to the grid. Restoration of supply was completed at 17:00 hours.

With regard to part (a) of the PQ B/154, apart from a financial loss of around Rs10 m. caused to CEB, it is difficult to estimate the general economic loss to the country.

With regard to part (b) of the question, I am informed by the CEB that on 29 December 2016, it had a meeting with the IPP's to discuss about the technical limitations. The CEB has appointed a consultant - PB Power - to assess the existing power system protection of the national grid and to recommend appropriate settings.

The CEB intends to claim an amount of Rs10 m. from the IPP's representing loss of revenue and is examining the possibility of including penalty clauses in the Power Purchase Agreement, in the event of any general breakdown caused by an IPP.

**Mr Jahangeer:** Madam Speaker, it is totally unacceptable with today's technology that a fault occurring in part of a network caused a complete collapse of a network. My question to the hon. Deputy Prime Minister is twofold. Is there a real network protection specialist in CEB and are there differential frequency relays installed in the network ...

**Madam Speaker:** I will allow only one question at a time, please. Only the first question!

**Mr Jahangeer:** Is there a real network protection specialist in the network, Madam Speaker?

**The Deputy Prime Minister:** Well, according to my information the engineers are fully equipped to look into the protection systems of the CEB.

**Mr Baboo:** Madam Speaker, can the hon. Deputy Prime Minister tell us what will be the remedial action that has to be taken in the future to avoid such loss?

**The Deputy Prime Minister:** The issue has been discussed in December 2016 with the IPPs where all the technical matters were discussed. What happened? When the fault broke out on the combo Henrietta line then the unit at *Central Thermique du Sud* and the unit at *Central Thermique de Savannah* failed to trigger the additional electricity. That is what ultimately caused the breakdown according to what my technicians told me. Now, they are looking into the matter, but there are legal implications, that is, the introduction of appropriate penalty clauses in the Independent Power Purchase agreements.

**Mr Jahangeer:** I would like to know from the hon. Deputy Prime Minister whether there are differential frequency relays installed in the network. These equipment, Madam Speaker, are like watchdogs. They would isolate a fault within milliseconds when this happens.

**The Deputy Prime Minister:** Can the question be repeated, please?

**Mr Jahangeer:** Are there differential frequency relays installed in the network? These equipment are like watchdogs which operate within milliseconds to isolate a fault when this happens?

**The Deputy Prime Minister:** Well, the answer is yes.

**Mr Baboo:** Madam Speaker, can the hon. Deputy Prime Minister make a further investigation into what happened on 16 December. While listening to his answer, the power station that is found in the south, the problem was due to a 66 KV line which had tripped ...

**Madam Speaker:** Let me just put things in its right perspective. I would address myself to all those who got supplementary questions, be it on this side of the House or this side House. PQs are meant for getting replies from Ministers and not supplying information

to Ministers. I have put things in its right perspective. Please, can all hon. Members adhere to this!

*(Interruptions)*

Order, please!

*(Interruptions)*

Order!

**Mr Baboo:** Madam Speaker, this is a national concern. We are losing money. It is public money. That is why I am not answering the question in the place of the Deputy Prime Minister. I am just ...

**Madam Speaker:** Hon. Baboo, please I have already given a ruling. I have put things in its right perspective. Please, ask your question!

**Mr Baboo:** I would make a request. If the hon. Deputy Prime Minister can make a further investigation about what happened on 16 December?

**Madam Speaker:** That's better!

**The Deputy Prime Minister:** You were much better on this side. The technical investigations have been done ...

*(Interruptions)*

**Madam Speaker:** Order!

**The Deputy Prime Minister:** ... by the staff of the CEB. I trust what has been given to me by the technical people. Whatever the CEB did was cross-checked by the technical staff of the Ministry who assured me that the work had been done. I don't see the need for further enquiry. However, it is to my knowledge that the IPPs have also asked for an independent enquiry, which is ongoing, because we have to make sure that the reasons given by CEB are correct technically, of course.

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

### **TERTIARY STUDENTS - BUS PASSES**

(No. B/109) **Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the students of the tertiary level, he will, for the benefit of the House, obtain from the



National Transport Authority, information as to where matters as to the issue of bus passes thereto.

**Mr Bodha:** Madam Speaker, according to information obtained from the National Transport Authority, there are at present 21,214 students enrolled on full-time courses at 34 tertiary institutions who have been issued with a student identity card as per established eligibility criteria. Those criteria were proposed by the Tertiary Education Commission in 2005 and approved by the Central Monitoring Committee of the then Ministry of Public Infrastructure, Land Transport and Shipping. That was in 2005.

The main criteria for students to benefit from the student identity card are as follows: they should be enrolled on full-time programmes of study at a tertiary institution or a post-secondary institution for an award course of a duration of at least nine months in an academic year.

Moreover, the students should attend the institutions for about 20 hours per week, within normal hours, that is, from 9 to 5 in the afternoon.

Based on the above criteria, the minimum contact hours for eligibility of students to benefit from the Student Identity Card Scheme is 720 hours in an academic year.

Madam Speaker, I am informed that the TEC is having discussions with the Ministry of Education and Human Resources, Tertiary Education and Scientific Research and with the NTA for a review of the eligibility criteria from 720 hours to 500 hours, thus extending the benefit to a larger number of students.

I am given to understand, at this stage, that if the criterion of 500 contact hours is approved, the number of students who will benefit at the tertiary level will gradually increase at an average of 5% annually to reach around 25,000 by the year 2020.

Madam Speaker, we will take a policy measure on this issue very soon, but I think that we should do everything to cater for those students as well.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. I would like to know from the hon. Minister whether he has received any request that this bus facility be extended to students with disabilities who cannot take the regular bus, but who still would like to benefit from the subsidy, so that they can use a private coach or whatever transport to attend tertiary education.

**Mr Bodha:** This is a specific demand, Madam Speaker. In fact, the travel scheme is based on the normal shuttles, the normal commuting routes, and I think this issue has to be addressed to the Ministry of Social Security, National Solidarity because it is a specific demand for a specific category of people.

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

#### **NATIONAL CSR FOUNDATION – SET-UP**

**(No. B/110) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Social Integration and Economic Empowerment whether, in regard to the Corporate Social Responsibility, he will state –

- (a) if the National Corporate Social Responsibility Foundation has been set up and, if so, indicate the composition thereof, indicating in each case, the terms and conditions of appointment thereof, and
- (b) quantum of money collected in terms thereof, indicating the quantum thereof granted to the Non-Governmental Organisations.

**Mr Wong Yen Cheong:** Madam Speaker, in regard to part (a) of the question, I wish to inform the House that the National Corporate Social Responsibility Foundation was set up as a Foundation with effect as from 30 December 2016.

The Chairperson of the Foundation is Mr Medavy Pillay Munien, who has been appointed for a period of two years as from 03 January 2017. The members of the Council are –

- (i) Mrs Sarah Bibi Ibrahim Rawat Currimjee, representative of the Prime Minister's Office;
- (ii) Mr Janaab Mohamadally Mownah, representative of the Ministry of Finance and Economic Development;
- (iii) Mrs Jeanne Lan Hing Po, representative of the Ministry of Social Integration and Economic Empowerment;
- (iv) Mr Thakoorparsad Bhoyroo, representative of the Ministry of Social Security and National Solidarity;
- (v) Mr Deonanan Makoond, representative of the private sector;

- (vi) Mrs Marie Florence Audrey d'Hotman de Villiers, representative of the private sector;
- (vii) Mr Geerish Bucktowonsing, representative of civil society, and
- (viii) Mr Asraf Ali Caunhye, representative of the civil society.

The Council also comprises two representatives from the Academia, who would be nominated shortly.

The Chairperson and Members of the Council are paid an all-inclusive monthly allowance of Rs70,000 and Rs25,000 respectively.

Madam Speaker, concerning part (b) of the question, I am informed that, as at 31 March 2017, a total amount Rs102,217,245, remitted by the Mauritius Revenue Authority to the Accountant General, has been credited to the National CSR Foundation.

I am also informed that, following an invitation to NGOs to register with the Foundation, some 280 applications have been received as at 13 March 2017. The Foundation is currently compiling the list of eligible NGOs in line with the approved list of priority areas of intervention. It is also in the process of finalising the guidelines in respect of approval of projects, disbursement of funds and monitoring of funded projects. The Foundation would proceed with a Call for Projects from NGOs for funding by the Foundation by the end of this month.

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

**Mr Ameer Meea:** Since the coming of this Government, there has been three Finance Ministers. Each time there has been a Finance Minister, the rules of the game regarding CSR has been changed. We remember that the guidelines...

**Madam Speaker:** Don't make a statement!

**Mr Ameer Meea:** Madam Speaker, I have to make...

**Madam Speaker:** Hon. Ameer Meea, don't make a statement!

*(Interruptions)*

Look, I won't allow long introductions. I have said right at the beginning that we have a long list of questions.

*(Interruptions)*

You can put things....

*(Interruptions)*

Hon. Ameer Meea, you can't confront the Speaker!

*(Interruptions)*

You cannot confront the Speaker!

*(Interruptions)*

Hon. Ameer Meea, I won't accept it!

*(Interruptions)*

I have said that you should put things in its right perspective. I have given some leeway...

*(Interruptions)*

...but not as you are putting it! You are making a statement!

*(Interruptions)*

I won't allow!

*(Interruptions)*

Now, hon. Ameer Meea, please, you can't raise your voice with the Speaker!

*(Interruptions)*

I have to shout because otherwise your voice covers mine!

*(Interruptions)*

Because you are shouting!

*(Interruptions)*

You are shouting!

**Mr Ameer Meea:** I was saying that the guidelines were removed. Now, we remember that Government has injected Rs100 m. in LoveBridge. So, my question to the hon. Minister is: what has happened to this Rs100 m. that has been injected in the LoveBridge? How much has been disbursed, and whether this LoveBridge still exists or it has been transferred to this new CSR Council.

**Mr Wong Yen Cheong:** Madam Speaker, I don't have the exact information about the LoveBridge with me. What I understand is that all the funds are being used according to the guidelines of the CSR Foundation being laid down now.

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

**Mr Ameer Meea:** We remember also that, in the 2015 Budget, there was mention of 38 *poches de pauvreté*. What has happened to these 38 *poches de pauvreté*? Are they still in *pauvreté* or have they been taken on board by this new CSR Council?

**Mr Wong Yen Cheong:** Madam Speaker, I believe the *poches de pauvreté* with the CSR Foundation is a different question.

**Madam Speaker:** Hon. Armance!

**Mr Armance:** Can the Minister *transfuge*...

*(Interruptions)*

**Mr Wong Yen Cheong:** On a point of order, Madam Speaker...

*(Interruptions)*

**Madam Speaker:** Please!

*(Interruptions)*

Hon. Minister!

*(Interruptions)*

Hon. Minister!

*(Interruptions)*

Hon. Minister, I am on my feet! Please, sit down!

*(Interruptions)*

Was there a point of order?

*(Interruptions)*

**Mr Soodhun:** This is unparliamentary.

*(Interruptions)*

**Madam Speaker:** Order, please! Order!

**Mr Soodhun:** On a point of order. The word which has been used by the hon. Member is unparliamentary. I would ask him to withdraw the word.

*(Interruptions)*

**Madam Speaker:** Hon. Minister, please, sit down!

*(Interruptions)*

Now, you are shouting. How do you think I can hear what the Minister said. When there is so much noise on this side, do you think I can hear what the Minister said.

*(Interruptions)*

Hon. Thierry Henry!

*(Interruptions)*

Hon. Thierry Henry!

*(Interruptions)*

Once, twice, thrice, I will order you out!

*(Interruptions)*

Hon. Thierry Henry, I will order you out if you continue! Right! Hon. Minister, what did you say? I did not even hear what was the point of order!

*(Interruptions)*

**Mr Soodhun:** The Member must withdraw...

*(Interruptions)*

**Madam Speaker:** No, hon. Bhagwan!

*(Interruptions)*

Hon. Bhagwan, I am on my feet!

*(Interruptions)*

I am on my feet; you don't have to help him.

*(Interruptions)*

Okay, you don't have to help him.

**Mr Soodhun:** Madam Speaker,...

(Interruptions)

**Madam Speaker:** Order, please!

(Interruptions)

Now, it is not for you to tell me whether I have to stay on my feet or not. Yes.

**Mr Soodhun:** The word has been used by the hon. Member that a Minister *transfuge* instead of saying the hon. Minister; he cannot say the Minister *transfuge*; he has to withdraw.

**Madam Speaker:** Yes, I agree. Please...

(Interruptions)

Please, withdraw!

(Interruptions)

Please, withdraw this word!

**Mr Armance:** Okay, I withdraw, but I will insist to say...

**Madam Speaker:** No, no!

**Mr Armance:** ...the hon. Minister who is a *transfuge*...

**Madam Speaker:** No, if you withdraw, it will be unconditional.

(Interruptions)

**Mr Collendavelloo:** Same point of order and I am quoting Erskine May at page 359 – “Questions which contain arguments, expressions of opinion, inferences or imputations, unnecessary epithets, or rhetorical, controversial, ironical or offensive expressions, are not in order.”

So, the Member must withdraw unreservedly. He cannot say Minister who is a *transfuge*.

(Interruptions)

**Madam Speaker:** I just said if somebody withdraws, the withdrawal of the word should be unconditional. This is what I said.

**Mr A. Duval:** Perhaps, Madam Speaker, ...

**Mr Rutnah:** On a point of order, the hon. Member cannot take the floor.

(Interruptions)

**Madam Speaker:** No, please!

*(Interruptions)*

Please!

*(Interruptions)*

Order, please!

*(Interruptions)*

Yes, what is your point of order?

**Mr Rutnah:** Madam Speaker, before any hon. Member stands on his feet, the fact that you have already ruled that hon. Armance should withdraw, he should withdraw first and then another hon. gentleman should take the floor.

**Madam Speaker:** Hon. Rutnah, this point has already been made by myself. I have already said that hon. Armance should withdraw, he has withdrawn, but I said that it should be unconditional and that's the end of the matter. Yes.

**Mr Armance:** I just want to know from the Minister the number of NGOs that has been shortlisted and the amount of the money disbursed in the CSR Fund?

**Mr Wong Yen Cheong:** Madam Speaker, if the hon. Member could make a proper enunciation, I do not understand. Thank you.

**Madam Speaker:** Hon. Jhuboo, you have a question.

*(Interruptions)*

Hon. Armance!

*(Interruptions)*

Hon. Armance, please, sit down! I have given the floor to hon. Jhuboo! Yes, hon. Jhuboo!

*(Interruptions)*

**Mr X. L. Duval:** He should be able to repeat his question. It is not our fault if the Minister has not heard what has been heard,

**Madam Speaker:** Did you say that you did not understand the question or did you say that you did not have the information? There is so much noise in this House that I can't even hear what you are saying. What did you say?



**Mr Wong Yen Cheong:** Pardon me, Madam Speaker, I said that I could not understand his question, if he could repeat. Thank you.

**Madam Speaker:** Okay! Sorry!

**Mr Armance:** Thank you, Madam Speaker. I want to know the number of NGOs that have been shortlisted and the amount of money that has been disbursed from the CSR Fund.

**Mr Wong Yen Cheong:** Madam Speaker, I believe that there are some ...

*(Interruptions)*

**Madam Speaker:** Now, no comments, please!

**Mr Wong Yen Cheong:** Yes, the Foundation has received 280 application forms of which 253 have been found to be complete and 27 forms required additional documents.

*(Interruptions)*

The Foundation started the meeting early in March and we do not have any information about how much has been disbursed yet.

**Madam Speaker:** You do not have the information.

**Mr Wong Yen Cheong:** No.

**Madam Speaker:** Okay! Say so if you do not have the information. Hon. Adrien Duval!

**Mr A. Duval:** Thank you, Madam Speaker. During the Budget Speech, the hon. Prime Minister, Minister of Finance spoke about the guidelines and said that they were not ready, that he would come back. We have not heard again about the guidelines, the areas where the money would be invested, whether in sports, environment and all this. I just heard you saying that the guidelines are not yet ready after 6 or 8 months of the Budget presentation. Is that correct?

**Mr Wong Yen Cheong:** I think he got it wrong, Madam Speaker, because I did not say that the guidelines are not ready. The guidelines are here. It is laid from the speech itself and in the Foundation, there are 10 areas. I can sort it out. I will table it. There are 10 guidelines that are here. Further on, what I have to say is the way the funding is, like we say 50%/50%, which means the donators are allowed to go straightaway, they can still fund the NGOs. This is a misunderstanding on the part of the public, but next week, there will be a

Press Conference where I will go myself and I will let the public know as to how the Foundation is using the CSR money.

**Mr X. L. Duval:** Madam Speaker, if you don't know, I can tell you that no funds have been disbursed to date. The only people who are earning money from this are the members of the National Corporate Social Responsibility Foundation. All the NGOs, we encourage them to work for free. It has been the practice in the past also that members of the CSR, NEF generally, abstain from taking remuneration because it is a vocation. So, I would ask the hon. Minister whether he will not arrange for payment to these people on the Board to be waived so that all the money goes where it ought to go, i.e, to the poor of this nation. Secondly, Madam Speaker, Rs25,000 each.

**Mr Wong Yen Cheong:** Madam Speaker, I will raise the matter with the Foundation, the PMO and the Ministry of Finance to see what we can do about that. Thank you.

**Mr Ganoo:** Madam Speaker, may I request the Minister to clarify the situation? Can he, therefore, inform the House how much money has been spent so far by the Foundation since this Foundation has been set up and can he also indicate to the House how much money has been spent on CSR Programmes by the NGOs?

**Mr Wong Yen Cheong:** Madam Speaker, I will ask the hon. Member to come with a specific question. Thank you.

**Mr Ameer Meea:** Madam Speaker, this is a serious matter and I will refer to Hansard, a past PQ by myself last year in November. I would quote what hon. Minister Roopun stated to the House –

“The proposed Charter for the new Foundation has been finalised. Actions are being taken for the Foundation to be established by January. The Foundation will manage by Council (...). The Charter will be an exercise done separately, but I will be coming to Parliament with a Bill enabling legislation through the whole provision under the Budget.”

To my knowledge, there has been no Bill to this House. There have been no regulations. So, how this Council is functioning?

**Mr Wong Yen Cheong:** Exactly, Madam Speaker. I don't have that information with me right now.

**Madam Speaker:** Okay, last question!

**Mr Ameer Meea:** Madam Speaker, frankly the hon. Minister must do his homework before coming here! Also, my question is the same thing as what all hon. Members have stated. I will refer to my Parliamentary Question which is a specific one, the last sentence indicating the quantum thereof granted to the NGO. It was in the Parliamentary Question! How come he does not have the answer?

*(Interruptions)*

**Mr Wong Yen Cheong:** Concerning part (b) like I said, in the question there was a total amount of Rs102,217,245 remitted by the Mauritius...

*(Interruptions)*

**Madam Speaker:** Do not interrupt him, please!

**Mr Wong Yen Cheong:** Madam Speaker, what I am to understand is that following the invitation to NGOs to register with the foundation and I gave the answer about this that the NGOs themselves have not come to...

*(Interruptions)*

no, they have not come to the foundation completely!

*(Interruptions)*

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

*(Interruptions)*

#### **UNITED ARAB EMIRATES - MAURITIAN NATIONALS - VISA EXEMPTION**

**(No. B/111) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the United Arab Emirates, he will state where matters stand as to the exemption of the visa entry requirement for Mauritians proceeding thereto with ordinary Mauritian passports.

**Mr Lutchmeenaraidoo:** Madam Speaker, as hon. Members are aware, this matter was raised in the House on 10 March 2015...

*(Interruptions)*

and 06 October 2015.

There have been some positive developments since then.

On 20 March 2016, Mauritius and the UAE signed a bilateral agreement on “Mutual Exemption of Entry Visas for Holders of Diplomatic and Special Passports”.

I am pleased to inform the House that this agreement entered into force on 08 February 2017.

The UAE also informed Mauritius on 10 October 2016 that the request for the exemption of entry visas on arrival to Mauritian nationals travelling to UAE with ordinary Mauritius passports will be considered only after the agreement in favour of diplomatic and special passport holders come into effect.

Now that the agreement is in effect, the issue of Exemption of Entry Visa requirement for Mauritians proceeding to UAE with ordinary Mauritian passports is being actively looked at with the Government of the UAE.

We are waiting for their response.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** Madam Speaker, this Parliamentary Question is in the interest of all Mauritians. May I ask the hon. Minister whether the visa for diplomatic passport and special passport, I don't know what he means by special passport, is there any fees associated to that?

**Mr Lutchmeenaraidoo:** No, in principle, there is no fee. The fees are applicable to Mauritians who are travelling to the UAE on ordinary visa and the fee has been given somewhere here. It must be more than Rs2000 per passenger. There is no fee requirement for the diplomatic passport holders. Holders of the diplomatic passports and special passports can enter the UAE without payment of any entrance visa.

**Madam Speaker:** Hon. Ameer Meea!

**Mr Ameer Meea:** The hon. Minister must be aware that, in many countries of the world, we, Mauritian nationals, don't need visa be it in Europe, Africa or Asia. May I ask the hon. Minister whether he is aware that even the Seychelles, which is *un pays frère*, are being exempted from visa procedures in UAE.

**Mr Lutchmeenaraidoo:** I fully agree. We have requested, in fact, UAE to reciprocate. UAE citizens who are coming to Mauritius do not have any visa requirement. So, the question of reciprocating the facilities is, in fact, being negotiated.

Now, the question of whether Seychelles has been exempted, yes. This is probably because Etihad Airways is a shareholder of the Air Seychelles.

As for us, I think we have got a long way and I really hope that UAE will reciprocate and allow Mauritians to travel to the UAE without payment of any visa.

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

**Mr Shakeel Mohamed:** Thank you, Madam Speaker. Could the hon. Minister tell us when is it the last time that there was any correspondence to the effect that Mauritius requires the United Arab Emirates to reciprocate and has there been any meeting between officials maybe from the embassy in Pakistan or the one in Egypt and, if there have been such correspondences and meetings, could he therefore table those correspondences and also let us have the dates of those last meetings?

**Mr Lutchmeenaraidoo:** I don't see the point of this question! We have said that we have signed. In fact, it was the Vice-Prime Minister who signed personally the agreement for the exemption of entrance visa to holders of diplomatic passports and special passports. After that, I mentioned here that the UAE said that they have to wait for the implementation of this new facility to consider our request for exemption from payment of visa for Mauritians travelling there. So, this is being carried out by officials in Mauritius and also in Pakistan, which covers UAE, and in the UAE itself.

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

#### **BELLE MARE WATERPARK & LEISURE VILLAGE – STRATEGIC PARTNER**

**(No. B/112) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Agro-Industry and Food Security whether, in regard to the Belle Mare Waterpark and Leisure Village, he will, for the benefit of the House, obtain from the Sugar Investment Trust, information as to –

- (a) if a strategic partner has been secured therefor and, if so, indicate the –
  - (i) name thereof, and
  - (ii) terms and conditions of the partnership agreement, and
- (b) the expected re-opening date thereof to the public, following renovation.

**Mr Seeruttun:** Madam Speaker, I am advised by the Sugar Investment Trust Leisure Ltd that several attempts were made since 2015 to identify a strategic partner for the Belle Mare Waterpark and Leisure Village.

I am informed that the SIT Leisure Ltd received three unsolicited bids in 2015 from potential strategic partners but none was acceptable to the Board.

In April 2016, the Board of SIT Leisure Ltd decided to launch an Expression of Interest for Consultancy Services for the refurbishment of the Waterpark and Leisure Village. 13 firms responded and four were selected following a bid evaluation exercise.

The four companies were subsequently invited to submit proposals for Consultancy Services but only two responded with a proposal. However, the fees proposed were considered by the Board to be too excessive and it was decided, upon the recommendation of the Bid Evaluation Committee, not to proceed further with the exercise.

In November 2016, the Board of SIT Leisure Ltd decided to invite the same 13 firms to submit their interest to form a Joint Venture with SIT as a Strategic Partner for the refurbishment, renovation and operation of the Waterpark and Leisure Village.

Three overseas companies responded to the invitation. The Bid Evaluation Committee did not consider two of the proposals as they were not compliant. The third bid which is responsive is still being examined by the Board and negotiations with the bidder are on-going.

In case the negotiations are not successful, the Board of the SIT Leisure Ltd will proceed with the refurbishment of the Waterpark and Leisure Village on its own and will, in this context, contract a loan from a local bank and appoint a Project Manager to supervise the implementation of the project.

As things stand now, I am not in a position to indicate when the Waterpark and Leisure Village will resume its operation.

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

**Mr Ameer Meea:** Yes, the Belle Mare Waterpark has ceased its operation since October 2013 and replying to a past parliamentary question the hon. Minister stated to the House that out of those 36 permanent employees, 20 have been redeployed elsewhere within the group. So, I suppose that 16 employees are still working at the Waterpark. My question to

the hon. Minister: what has been the total running cost of the Waterpark since it has closed down, that is, since October 2013?

**Mr Seeruttun:** Madam Speaker, the Waterpark has ceased its operation since October 2013 and at that time, just before the closure, there were 60 employees working at the Waterpark Leisure Village and I am told that currently there are only 12 employees who are employed at the Park and the other employees have been redeployed in other SIT subsidiary companies and the running costs for the last three years, if I may add, for the year 2014 it amounts to Rs19,167,135; for the year 2015 it is Rs12,524,645 and for the year 2016 it is Rs12,092,088.

**Mr Ameer Meea:** Madam Speaker, I understand from the hon. Minister that there have been several attempts to have a strategic partner for the Waterpark and all these attempts have materialised. Now, the hon. Minister stated that maybe they could take a loan from a bank to revamp the park, but wouldn't it be wiser to sell the Waterpark because now it is closed since October 2013? We are shocked to hear the amount of accumulated losses.

**Mr Seeruttun:** Well, like I said, Madam Speaker, the Board has been looking for strategic partners to, at least, re-start the operation of the Waterpark. Unfortunately, so far, we have not had any suitable person or group to join the Waterpark as a partner, but like I said there are discussions going on with one bidder. Let's hope that these things could materialise and we will see how best we can get back this Waterpark operational.

**Mr Jhuboo:** The hon. Minister stated that he is actually negotiating with one counterpart. Following the death of two children at the Waterpark, the Commission of Enquiry concluded the following -

« *Le Waterpark* doit être mis aux normes internationales en matière de sécurité et de surveillance. »

Now, can we know from the hon. Minister whether this security aspect forms part of the negotiation with the private promoter?

**Mr Seeruttun:** That's the whole exercise, about looking for the right partner to get this Waterpark to be at the standard that it has to be with regard to safety. We are looking for the right partner so that we can get this Waterpark back into operation and be compliant with all the recommendations made in that Fact-Finding Report.

**Mr Bhagwan:** Can I ask a question concerning the unfortunate accidents which occurred at Waterpark?

**Madam Speaker:** Sorry, hon. Bhagwan, you are on the same question!

**Mr Bhagwan:** Yes. It appeared that the family is still not happy with the recommendations made for compensation or otherwise. Has the Minister met the family recently and discussed with them?

**Mr Seeruttun:** Madam Speaker, as far as I know, the case was lodged in the Court of justice. Only recently there has been a ruling on that. No, I have not met the family of the person who was injured in that accident.

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

### **ANIMAL EXPERIMENTS - REGULATIONS**

**(No. B/113) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Agro-Industry and Food Security whether, in regard to experiments on animals, he will state –

- (a) the mechanism established to ensure that Europeans do not engage therein in Mauritius because they are not allowed to carry out same in the European Union;
- (b) if the use therefor of the;
  - (i) native long-tailed macaques and stray cats and dogs is prohibited, and
  - (ii) primates will be monitored by an independent commission to be set up;
- (c) if public scrutiny thereof will be allowed, and
- (d) the expected impact thereof on our tourism industry.

**Mr Seeruttun:** Madam Speaker, I would like, first of all, to inform the House that my Ministry has on, 31 January 2017, prescribed the Animal Welfare (Experiment on Animals) Regulations 2017 under the Animal Welfare Act 2013. These new regulations provide for experiments to be performed on specified animals only, namely –

- (i) the Macaques bred in Mauritius;
- (ii) mouse;
- (iii) rabbit, and



(iv) rat.

Any person who intends to perform an experiment on these specified animals has to apply for a licence and submit all relevant information and documents as prescribed.

Regarding part (a) the question, I have to point out that the Regulations are being worked out based on a number of European guidelines including the European Union Directive 2010/63 and the European Convention for the Protection of Vertebrate Animals used in experimental purposes.

These guidelines are mainly applicable for all European countries where animal experiments are carried out. I am not aware whether Europeans are not allowed to carry out experiments on animals in the European Union. Hence, the need does not arise to put up a mechanism to prohibit Europeans from engaging in animal experiments in Mauritius.

Regarding part (b) (i) of the question, as I mentioned earlier, experiments are allowed on specified animals only and these include the long-tailed macaque bred for experiment in Mauritius. No stray or wild macaque will be allowed to be used for experiment. It should, however, be noted that the long-tailed macaque of Mauritius is not a native species, but it is an introduced one which has today become a highly invasive species causing much damages to crops and representing a public nuisance. In fact, it is listed among the most invasive species in the world by the International Union for the Conservation of Nature (IUCN).

Regarding part (b) (ii) of the question, experiment is not allowed on stray cats and dogs.

Regarding part (c) of the question, the Regulations make large provisions for licensees to submit all relevant information, documents, records and returns on experiments performed on animals. Such information will be made available on request for the purpose of any future enquiry subject, however, to any intellectual property rights or other conditions of the licence.

As regards part (d) of the question, as I have mentioned earlier, only macaque bred in Mauritius are legally authorised to be used for experiments in Mauritius. No nonhuman primates will be authorised to be imported for experiment purposes. The Regulations have only recently been introduced and so far no licence has yet been issued. Hence, the question of setting up an Independent Commission to Enquire into the trade and use of primates for Experiment in Mauritius does not arise at this stage.

However, it is to be pointed out that around 7,000 to 8,000 monkeys are exported yearly by some five companies from Mauritius to leading international pharmaceutical and biotech companies for pre-clinical research purposes. It is expected that the number of monkeys exported will decline with the newly reintroduced regulations which will allow for pre-clinical research to be carried out in Mauritius.

Regarding part (e) of the question, on the impact on the tourism industry, the figures available indicate an increase in the number of tourist arrivals in Mauritius for the last five years. I am informed that as a matter of fact tourist arrivals for the years 2015 and 2016 registered double-digit growth of 10.9% and 10.8% respectively and that Europeans comprise 57.6% of our tourist arrivals in 2016. I am also advised by the Ministry of Tourism that the need for an assessment of the impact of the trade in monkeys from Mauritius has not been felt as the tourist industry has not been affected thereby.

**Mr Bérenger:** We have been told that those who will want to set up laboratories here, in Mauritius, to carry out those experiments will not be allowed to do so, on conditions less stringent than those prevailing in the European Union. Can I know who is going to monitor all these, whether it is the Ministry, and if it is the Ministry, whether the Ministry is equipped to monitor all these once permits will have been granted and experiments will have started here in Mauritius?

**Mr Seeruttun:** If you look at section 10 of the Regulations, it is clearly spelt out that that every licensee shall, in respect of an establishment where an experiment is to be performed, set up an Animal Care and Use Committee which shall comprise of –

- (i) a veterinarian or a veterinary surgeon registered with the Veterinary Council of Mauritius and having experience in the use of animals for experiment purposes;
- (ii) a representative of the Livestock and Veterinary Division of the Ministry, and
- (iii) a Scientist specialised in the use of animals for experiment purposes.

That Committee is supposed to look and to make sure that all the conditions laid out under those Regulations are being adhered to.

**Mr Bhagwan:** Can the hon. Minister inform the House what requirements there will be for transparency and not to allow even parliamentary scrutiny and whether there are some provisions in the Regulations.

**Mr Seeruttun:** Well, Madam Speaker, if I am here today replying to the questions with regard to this activity, I'll still be in a position to reply to any queries should there be in this House and should there be any question that might prompt any Member of this House, I'll be glad to reply.

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

**Dr. Joomaye:** Thank you, Madam Speaker. I would like to ask the Minister whether he is aware - especially for medication to be used in paediatrics - there is still no alternative than to do animal experimentation? I would like him to stipulate that he will give full support to the industry of animal production for experimentation and that we will continue to do it.

**Madam Speaker:** Hon. Dr. Joomaye, please ask your question right away!

**Mr Seeruttun:** Madam Speaker, if Government thought it wise to allow such activity to be carried out here, it is an indication that we are supporting this industry to, at least, be set up here.

**Madam Speaker:** Hon. Adrien Duval!

**Mr A. Duval:** Thank you, Madam Speaker. We have the Animal Welfare Act that provides strong penalties for anyone who mistreats an animal. At the same time we have animal farms in Mauritius breeding monkeys and there have been a lot of international organisations making undercover investigations. For example, I have one in front of me Cruelty Free International....

**Madam Speaker:** Yes, ask your question!

**Mr A. Duval:** We have videos and all this. Is the hon. Minister doing anything to ensure that these farm breeders are compliant with the Animal Welfare Act with regard to the way they treat the animals?

**Mr Seeruttun:** Madam Speaker, I must assure the House that all the breeders who are in that activity, are complying with all the conditions that are set so that there is no cruelty being imposed on those animals.

**Madam Speaker:** Hon. Ms Sewocksingh!

**Ms Sewocksingh:** Thank you, Madam Speaker. May the hon. Minister inform the House if his Ministry has considered other alternatives instead of doing experiments on animals?

**Mr Seeruttun:** Madam Speaker, I don't think the Ministry is responsible to look for other alternatives with regard to biomedical research.

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

#### **AGALEGA ISLAND - AIRSTRIP & JETTY - CONSTRUCTION**

**(No. B/114) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Local Government and Outer Islands whether, in regard to the Agalega Island, he will state –

- (a) where matters stand as to the proposed construction of a new airport and jetty facilities thereat, and
- (b) if the request of the hon. Member dated 18 November 2015 for his Ministry to organise a visit thereto of the elected member of the Constituency of which Agalega Island is part thereof, will be acceded to.

**Mr Jhugroo:** Madam Speaker, as the House may be aware, a Memorandum of Understanding was signed on 11 March 2015 between the Government of the Republic of India and the Government of the Republic of Mauritius on the occasion of the visit of his Excellency the Prime Minister of India, Shri Narendra Modi to Mauritius. The MoU provides for assistance in terms of a grant money...

**Madam Speaker:** Can I know whose phone is it? Please, can you leave you mobile phone outside! I think I had said previously that should I hear any mobile phone in this House, I'll order that the mobile phone be kept outside. Can you please leave it outside!

**Mr Jhugroo:** The MoU provides for assistance in terms of a grant money of about USD 18m. and technical support by the Government of the Republic of India for provision of sea and air transportation facilities at Agalega.

Pursuant to the MoU, the Government of India has appointed a team of Indian experts for the conduct of studies and for the preparation of a Detailed Project Report for the construction of a jetty and airstrip as well as supporting infrastructure and facilities. The DPR being prepared in India by the Indian experts, would be made available to us by the end of this month.

I had co-chaired with the High Commissioner of India in Mauritius the 5<sup>th</sup> Meeting of the Joint Project Monitoring Committee held in New Delhi from 09 to 11 February 2017 and during the course of which the Indian side indicated that the listing of firms for the project

would be finalised soon. The estimates of cost and tender documents will be worked out by the Indian side and the entire procurement process will be carried out in India. The project is expected to be completed next year.

As regards part (b) of the question, Madam Speaker, the request for the hon. Members of Constituency No. 3 to proceed to Agalega is under due consideration.

**Mr Ameer Meea:** Madam Speaker, the hon. Minister just mentioned that there has been a Memorandum of Understanding that has been signed in March 2015 for the grant of USD 18 m. and also there will be a Detailed Report Project that is being prepared, and will be made available in April. Will the hon. Minister say whether these two documents can be placed in the Library of the National Assembly?

**Mr Jhugroo:** I will do the needful.

**Madam Speaker:** Hon. Jhugroo, did you understand the question or should the hon. Member repeat his question?

**Mr Jhugroo:** Madam Speaker, I will look into the matter.

**Mr Bérenger:** He will look! *Bhai looké!* This has been with us for a long time. Can I know from the hon. Minister whether what has been agreed is an airport that is including a terminal or just upgrading of the airstrip? Is there a terminal? Are we talking about a mini airport, and secondly are we talking only of one jetty or some kind of mini port as was envisaged in the past?

**Mr Jhugroo:** Madam Speaker, I can assure the House that we have to wait for the preparation of the Detailed Project Report to know what is the content of the report. I can assure the House that this Government under the Prime Ministership of hon. Pravind Jugnauth, we will have the airstrip being upgraded next year and also a jetty will be constructed by next year. And also, we have got other components in the MoU. We have got the installation of a power generation facility of approximately 300 kilowatts, setting up of a water desalination plant of capacity of approximately 60 tonnes per day, construction of a National Coast Guard post including basic repair facilities and some other projects.

**Madam Speaker:** Hon. Abbas Mamode!

**Mr Abbas Mamode:** Thank you, Madam Speaker. Can the hon. Minister inform the House if he can give guarantee that Mauritius will have full sovereignty and full administration of Agalega Island?

**Madam Speaker:** Hon. Member, I consider this question to be irrelevant to the main question. Hon. Ramano!

**Mr Ramano:** Madame la présidente, l'honorable ministre peut-il être plus clair? Est-ce qu'il est d'accord pour rendre public le *MoU* qui a été signé entre l'Inde et le pays?

**Mr Jhugroo:** I have already answered, Madam Speaker.

**Mr Ameer Meea:** Madam Speaker, there is a list rather which the hon. Minister just stated to the House, that is, the construction of a jetty, the airstrip, desalination plant. There has been a long list. My question is: there is a grant of USD18 m., has there been an independent evaluation of how much all these mentioned projects will cost? By evaluation I mean, evaluation from the Mauritian side. Will these USD 18 m. be sufficient for all these projects or whether we, as a country, have also to pitch in for all these projects?

**Mr Jhugroo:** Madam Speaker, we have to wait for the DPR to know what we have got in its content. One thing I can assure the House, it is a Government to Government project and everything will be transparent.

**Mr Ameer Meea:** Regarding part (b) of my question, I don't know whether the Minister is aware, but I have written a letter to the hon. Prime Minister on 18 November 2015. As the House is aware, Agalega forms part of constituency No. 3. I have made a request as an MP to visit Agalega. This has been the practice in the past. I, myself with hon. Mohamed, went to Agalega. I am tabling a copy of this letter. And also, if the hon. Minister will let us know when this visit will be possible?

**Mr Jhugroo:** Madam Speaker, I wish to inform the House that when I became General Manager in Year 2000, I opened Agalega to Mauritians and also took many people from the Press there. So, there are four trips scheduled by Mauritius Trochetia. First is March or April. Second, May or June. Third, August or September. Fourth, eve November or December. We are going to make necessary arrangements.

*(Interruptions)*

**Madam Speaker:** Hon. Ameer Meea!

**Mr Jhugroo:** I will come with the hon. Member. No problem! I will accompany, if need be, all MPs for Constituency No. 3 to Agalega.

*(Interruptions)*

**Madam Speaker:** No, hon. Ameer Meea, once again! Next question, hon. Fowdar, please!

**WORKERS (FOREIGN) – RECRUITMENT – LICENCE**

**(No. B/115) Mr S. Fowdar (Third Member for Grand’Baie & Poudre d’Or)** asked the Minister of Labour, Industrial Relations, Employment and Training whether, in regard to the foreign workers, he will state the number of persons or companies licensed by his Ministry for the recruitment thereof, indicating in each case the –

- (a) names thereof, and
- (b) validity period of the said licence.

**Mr Callichurn:** Madam Speaker, I am informed that 33 recruitment agencies/agents have been licensed by the Licensing Authority of my Ministry for the recruitment of foreign workers.

With regard to parts (a) and (b) of the question, the information requested by the hon. Member is being tabled.

**Mr Fowdar:** Can I ask the hon. Minister whether, in view of human trafficking, he is going to review the laws regarding licensing for the recruitment of foreign workers and, if so, when he is going to do that?

**Mr Callichurn:** Madam Speaker, my Ministry is actually not in presence of complaints in respect of fees charged by recruitment agencies or any form of abuse. However, discreet enquiries carried out by officers of my Ministry have revealed that, generally, expatriate workers pay a hefty commission and in some cases up to a year’s salary to recruitment agents in their home country. Actually, we don’t have an upper hand on those agents in the source country, but we are trying to see how we can curtail these abuses, and with a view to address this issue specifically, I have set up a small committee to brainstorm and see what are the amendments that can be brought to the Recruitment of Workers Act to stop those abuses.

**Mr Baloomoody:** I am glad that the hon. Minister is looking at the fees. He is going to set up a committee to look at the fees charged by these companies. But can we know what are the criteria for one to get a licence to recruit foreign workers? What are the criteria now?

**Mr Callichurn:** Well, there is a list of criteria and guidelines which the applicant has to follow. I can table the document. It is also on the website of the Ministry, and you can find it in the Act as well.

**Mr Uteem:** In respect to Bangladeshi workers, has the hon. Minister been made aware of the serious allegations made against one Mr V. - and I am going to give the name outside Parliament to the hon. Minister - who has been part of a so-called mafia to take money from poor workers in Bangladesh, and the money is being paid outside of Mauritius? Has this information been relayed to the hon. Minister?

**Mr Callichurn:** Unfortunately, I don't have the information the hon. Member has just mentioned, but if he has, he can share it with me, and I will take action.

**Mr Fowdar:** Can I ask the hon. Minister whether he is in presence of cases of unlicensed agents and whether his Ministry is tracking them down?

**Mr Callichurn:** The hon. Member is actually right. There are so many illegal recruitment agencies operating in the dark. Unfortunately, what they do, they use colourable device, that is, they make the companies themselves apply for expatriates. As the law stands, a company is allowed to apply for expatriates on its own name without going through recruitment agencies, and we are also looking into this.

**Mr Ramano:** Madame la présidente, est-ce que le ministre est en mesure de nous donner la liste des dortoires qui sont répertoriés par son ministère en ce qui concerne les *foreign workers* et quels sont les critères qui sont appliqués ?

**Mr Callichurn:** I will place the information requested for in the Library of the National Assembly.

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

**Mr Rutnah:** Thank you, Madam Speaker. Can the hon. Minister confirm that very recently his Ministry actually refused a number of licences to a number of companies that had their licence and were involved in the business of bringing people in because they did not satisfy the criteria laid down in the law?

**Mr Callichurn:** Well, Madam Speaker, the number of applications that have been turned down in the year 2016 amounts to 15. So, there are several other licences which have not been renewed by my Ministry because of the abuses and non-respect of the conditions attached to their licences.



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

### **MALAYSIA – AMBASSADOR OF MAURITIUS – REPORT**

**(No. B/116) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to Mr E. P. Ambassador of Mauritius in Malaysia, he will state if he has received any report from the Malaysian authorities as regards the conduct thereof and, if so, will he table copy thereof.

**Mr Lutchmeenaraidoo:** Madam Speaker, my Ministry has not received any such report from the Malaysian authorities.

**Mr Uteem:** May I know from the hon. Minister of Foreign Affairs whether he has had a chance to speak to any staff of the Mauritius Embassy in Kuala Lumpur to ascertain the serious allegation of misbehaviour and *fréquentations* of our representatives in Malaysia?

**Mr Lutchmeenaraidoo:** Well, as far as we know, the High Commissioner requested that the First Secretary be replaced. But he is not yet replaced; just removed. Then, there are now a serious relationship problem between the High Commissioner and the Second Secretary, and we are looking into the whole thing.

**Mr Uteem:** In view of what the hon. Minister of Foreign Affairs has just mentioned and the relationship that is causing a lot of strain on the staff of the Mauritian Embassy by this political appointee, would the hon. Minister of Foreign Affairs seriously consider moving our Ambassador to a different place and appointing another Ambassador so that our staff can work properly in the Malaysian Embassy?

**Mr Lutchmeenaraidoo:** Well, we are following the case closely. I must say one thing, which is quite interesting. The Malaysian Authority has decorated the High Commissioner and he is now Dato Patel.

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

### **SCRAP METAL – EXPORT**

**(No. B/117) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Minister of Industry, Commerce and Consumer Protection whether, in

regard to the ban on export of scrap metal, he will state if Government proposes to review the decision thereof in relation thereto.

**Mr Gungah:** Madam Speaker, in August 2012, the then Government banned the export of scrap copper due to the number of thefts of scrap metal in the country, especially in institutions like Mauritius Telecom and the Central Electricity Board. There were 106 thefts of scrap metal in 2011.

A review of the situation in 2015 revealed that the number of thefts still persisted; 122 in 2012; 83 in 2013; 106 in 2014, and 62 in 2015. Moreover, my Ministry was also informed of the illegal exportation of copper, which was being hidden in masses of compressed scrap metal. Consequently, in January 2016, Government took the decision to ban the export of scrap metal altogether, including copper, to address this issue of theft of scrap metal and also to better control and regulate scrap metal activities.

The decision was effective as from 01 July 2016, that is, for six months in 2016. The number of thefts was brought down to 55 in 2016. The impact of the Government decision is now more effective as for the first three months of the year 2017, there have been only two thefts of scrap metal.

I, therefore, do not propose to review the decision.

Madam Speaker, I must also inform the House that scrap metal operators have entered cases in Court against the ban; these cases have not yet been determined.

**Mr Uteem:** Is the hon. Minister aware that on 21 December 2016, the Commissioners of the Competition Commission had recommended that the ban be lifted and that the market be allowed to operate in accordance to the forces of demand and supply? So, there is a decision by the Commissioners of the Competition Commission against the decision of the Ministry.

**Mr Gungah:** Madam Speaker, I can say one thing that after the report came out, my Ministry wrote to the CCM because there were some information that were not correct and on March 27 the CCM had informed my Ministry that at the time when the report was being finalised, that is, in August 2016, the CCM did not have the information that we supplied to them.

**Mr Uteem:** Answering to a parliamentary question last year on the same subject, the hon. Minister mentioned that Samlo Koyenco Steel had given an undertaking to purchase all

scrap metals from local operators at an international price. Has the hon. Minister been made aware that, in fact, Samlo not only is not buying all scrap metal but only iron scrap metal but also is not paying the international price that it undertook to pay and is more than six months late in paying some of its suppliers?

**Mr Gungah:** Yes, Madam Speaker, I received representations from scrap metal workers and indeed Samlo was requested to give explanation and according to their reply, they are paying the international rate based on Asian Index and not on the European Index. As far as the second part is concerned, what was the question?

*(Interruptions)*

**Madam Speaker:** Does the hon. Member want to repeat the second part of his question?

**Mr Uteem:** In the Competition Commission Report, reference was made to the way the situation was handled in England. In England, there is a special law regulating scrap metal. So, instead of banning outright sale of scrap metal and being given that there are many companies involved in this trade, would the hon. Minister reconsider the decision and see what has been done elsewhere and have a proper means of regulation of people involved in the scrap metal industry?

**Mr Gungah:** Madam Speaker, at the time when the decision was taken, the main objective was to reduce and even eliminate theft of scrap metal, especially copper and the objectives are being fulfilled because results have shown that for the last three months we have had only two thefts. But that does not mean that we can't study other ways and means of ameliorating the system in the future.

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

**Mr X. L. Duval:** Madam Speaker, if I may ask the hon. Minister, there have been persistent reports of dishonoured cheques - I am sure you are aware of that - bounced cheques by Samlo, very late payment to suppliers. What has the Minister done to firstly, verify this and secondly, ensure that this practice stops from Samlo?

**Mr Gungah:** Madam Speaker, concerning bounced cheques, I think they have to report it to the Police.

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

**Dr. Sorefan:** Thank you, Madam Speaker. Can the hon. Minister inform the House how many metal foundries have we got at the harbour site and whether they are allowed to export it as metal bars or pellets?

**Mr Gungah:** Well, according to information I have, there are three foundries in Mauritius, but I don't have the names and other details. Well, I don't have information on what they do, whether they export their products or sell them locally. I must check and give the hon. Member the information.

**Madam Speaker:** Yes, next question, hon. Uteem!

#### **ALVARO SOBRINHO AFRICA LTD. - DIRECTORS**

**(No. B/118) 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 directors of Alvaro Sobrinho Africa Ltd., he will, for the benefit of the House, obtain from the Financial Services Commission, information as to if it has taken any actions against any one of them and, if so, state the reasons therefor.

**Mr Sesungkur:** Madam Speaker, I am informed that on 16 March 2017, the Financial Services Commission directed Mr José Manuel Pinto, one of the Directors of A.S. Africa Ltd. to ensure, with immediate effect, that he should not operate as Director of the company except as permitted by the Commission. The direction was issued as the Commission has reasons to believe that Mr José Manuel Pinto had omitted to disclose certain information in his personal questionnaire form concerning an ongoing investigation on him.

**Mr Uteem:** May I know from the hon. Minister, when he mentioned that Mr Pinto had failed to disclose certain information regarding investigation, can he be more precise on what the investigation is about?

**Mr Sesungkur:** Madam Speaker, I have just mentioned that based on information I have got from the Financial Services Commission, the said Mr Pinto did not declare all the information about his record.

**Madam Speaker:** Yes.

**Mr Uteem:** Isn't it the case that, in fact, what Mr Pinto had failed to disclose is that he had been arrested in connection with the Monte Branco investigation which was investigating money laundering, money leaving Angola to Akyo, a Swiss company owned by Mr Alvaro Sobrinho?

**Mr Sesungkur:** Madam Speaker, if the hon. Member has got this information...

*(Interruptions)*

I will try to pass on this information to the FSC, but rest assured that this person has been prevented to operate as a Director.

**Mr X. L. Duval:** Madam Speaker, I would like to ask the hon. Minister given that Mr Sobrinho is a Director of Alvaro Sobrinho Africa Ltd. and we know that in his personal questionnaire he disclosed a lot of things. Has Mr Sobrinho disclosed all the investigations that are ongoing against him internationally?

**Mr Sesungkur:** Madam Speaker, the question is about Mr Pinto...

*(Interruptions)*

So, I do not have all the information with me regarding the declaration of Mr Alvaro Sobrinho.

**Mr X. L. Duval:** Madam Speaker, the question is not about Mr Pinto!

**Madam Speaker:** Yes, but the hon. Minister said that he does not have it.

**Mr X. L. Duval:** Please answer, it is not about Mr Pinto.

*(Interruptions)*

**Madam Speaker:** Hon. Ramful!

**Mr Ramful:** Is the ...

*(Interruptions)*

**Mr Sesungkur:** Unfortunately, I will limit to what I have been given regarding Mr Pinto because he has been interdicted from operating as a Director.

*(Interruptions)*

**Madam Speaker:** Okay, hon. Ramful!

**Mr Ramful:** Is the Minister aware that in the regulation falling under the FSC, the beneficial owner of the company is obliged to disclose his personal information, i.e., whether he has been investigated for money laundering or not? Has Mr Alvaro disclosed this to the FSC as required by law?

*(Interruptions)*

**Mr Sesungkur:** I think this information can be provided if the Member comes with a specific question!

*(Interruptions)*

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** Can the hon. Minister inform the House if he has received the information concerning Mr Pinto from the FSC and why is it that the FSC did not mention this matter in its communiqué?

**Mr Sesungkur:** Madam Speaker, I can't understand which matter is the hon. Member...

*(Interruptions)*

**Mr Ganoo:** The hon. Minister just gave information about Mr Pinto, to the effect that there is an enquiry concerning him and he has been ordered by the FSC to step down; he has been ordered by the FSC to do so. So, in the communiqué of the FSC since so many things have been mentioned regarding the companies of Mr Sobrinho in Angola, why was not this matter concerning Mr Pinto mentioned in the communiqué? This is my question!

**Mr Sesungkur:** According to the information I have, I think this has been notified in the press.

**Mr Uteem:** That was not in the press.

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan!

**Mr Uteem:** The hon. Minister has just confirmed that the FSC has given a licence to a company, at least, one director of whom is under arrest, under investigation. That shows a serious flaw in FSC, in the way the regulator operates. So, may I ask the hon. Minister, now, to see to it that appropriate action is taken against all those at the level of the FSC who have been mishandling this file?

**Mr Sesungkur:** Madam Speaker, all these information, which the hon. Member is giving today, came out after the licence was given. So, everybody becomes wise after the event.

*(Interruptions)*

**Madam Speaker:** Order!

*(Interruptions)*

Order, please!

*(Interruptions)*

Hon. Bhagwan!

*(Interruptions)*

The Table has been advised that PQs B/93, B/129, B/130, B/131, B/132 and B/145 have been withdrawn. Furthermore, PQs B/147, B/148, B/149, B/150, B/151, B/152, B/159, B/160 and B/161 have been withdrawn. Next question, hon. Quirin!

**MENTALLY HANDICAPPED SPORTS FEDERATION - COACH - SESSIONAL  
BASIS**

**(No. B/119) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the financial assistance extended by his Ministry to Mr J. M. B., National Coach for HandiSports, he will state if the said allocation is still being extended thereto and, if not, why not.

**Mr Toussaint:** Madam Speaker, with your permission, I am going to reply to PQ B/119 and B/151 ...

**Madam Speaker:** Hon. Minister, I have just said that PQ B/151 has been withdrawn.

**Mr Toussaint:** Madam Speaker, the services of Mr J. M. B., as Coach on a sessional basis, have been enlisted by the Mentally Handicapped Sports Federation. He is not an employee of my Ministry. The question of suspension, therefore, does not arise.

Mr J. M. B. was only denied access to sports infrastructures falling under the aegis of my Ministry following several complaints received from two high level athletes of the Physically Handicapped Sports Federation, who represented Mauritius at the 2016 Paralympic Games in Rio. The complaints received were related to comments made on the social media targeting two athletes of the Physically Handicapped Sports Federation. The comments made also brought disrepute to that federation.

Consequently, it was decided that access to sports infrastructures be denied to Mr J. M. B. as from 14 November 2016 pending an enquiry being carried out by the Mentally Handicapped Sports Federation.

In the light of the outcome of the enquiry and following a meeting I had with Mr J. M. B. in the presence of the President of his federation, access to Mr J. M. B. to all infrastructures of my Ministry has been authorised as from 03 March 2017.

As regards payment of allocation to Mr J. M. B., I have to inform the House that he is being paid coaching fees on sessional basis from the budget allocated to the federation upon submission of duly certified claims emanating from the federation.

As at date, Mr J. M. B. has already been paid his sessional coaching fees up to December 2016.

**Mr Quirin:** Peut-on savoir si la suspension de ses allocations, l'interdiction à l'accès des différentes infrastructures sportives à l'encontre de monsieur J. M. B., vu que cette interdiction a été levée, est-ce que cela ne confirme pas que ce fut une mauvaise décision de lui interdire l'accès aux différentes infrastructures?

**Mr Toussaint:** Non, Madame la présidente.

**Mr Quirin:** Il est clair, Madame la présidente, que les raisons de l'interdiction d'accès aux infrastructures ne nous ont pas été données par l'honorable ministre. Il est clair que la décision d'interdire et de suspendre Monsieur Bhageerutty vient de l'ancien ministre de la Jeunesse et des Sports. Peut-on savoir les raisons réelles qui avaient poussé à un certain moment l'ancien ministre des Sports à suspendre, à interdire d'accès Monsieur Bhageerutty qui, je dois le rappeler, est quelqu'un qui donne de tout son temps aux handisportifs/handisportives et les résultats suivent généralement.

**Madam Speaker:** Hon. Member, put your question!

**Mr Quirin:** Peut-on connaître les vraies raisons qui avaient poussé l'ancien ministre des Sports à suspendre et à interdire d'accès aux infrastructures à Monsieur Bhageerutty?

**Mr Toussaint:** Madame la présidente, il y a eu des allégations vis-à-vis de la personne concernée. Il y a eu une enquête et maintenant les choses sont réglées pour le bien-être de tout le monde, pour le bien-être des sportifs de ce pays.

**Mr Lepoigneur:** Pour revenir un peu à monsieur J. M. B., le coach national du Handisports. C'est un des sports qui nous a ramené 11 médailles d'or aux Jeux des îles et là encore une des athlètes, qui a été suspendue comme lui tout dernièrement, a ramené une médaille encore au niveau international. Tout récemment! Noémie Alphonse. Il disait qu'il ne



recevait pas d'allocation mensuellement. Il recevait une allocation mensuelle de R 10,000, mais là il a fait une demande de R 27 000...

**Madam Speaker:** Hon. Member, ask your question!

**Mr Lepoigneur:** ... qui a été déjà payée. Il faut donner le pourquoi de ma question.

**Madam Speaker:** Yes, but, ask your question!

**Mr Lepoigneur:** R 27 000 de retard ont été payées et il y a une demande de R 23 000 qui reste impayée. Donc il y a une allocation mensuelle sinon on n'aurait pas dû lui payer des arriérages. Est-ce qu'il était rémunéré mensuellement ou pas dans le passé...

**Madam Speaker:** Hon. Lepoigneur! Rephrase your question. Put it in question form and ask the Minister.

**Mr Toussaint:** Madam Speaker, monsieur J. M. B. reçoit des allocations mensuelles maximum jusqu'à R 10 000. Alors, *claims duly certified by the Federation are submitted to the Ministry for payments and claims for January and February 2017 have been received on 07 March 2017 from the Federation; and these claims are being processed.*

**Mr Quirin:** Madame la présidente, il est un fait qu'il y a eu ces derniers temps un certain nombre d'entraîneurs, de dirigeants sportifs qui ont été victimisés, sanctionnés par l'ancien ministre des Sports et je citerai...

*(Interruptions)*

Ce sont des faits.

*(Interruptions)*

**Madam Speaker:** Hon. Quirin, can I kindly ask you to come back to the original question that you asked which is: 'in regard to the financial assistance (...) if the said allocation is still being extended'. Come back to your original question, please!

**Mr Quirin:** Madame la présidente, il y a une relation entre la question que je vais poser et la question initiale. Je citerai le cas de Monsieur Gérard Denis, ancien *Coach* de tennis de table...

**Madam Speaker:** No. Hon. Quirin, I am sorry!

*(Interruptions)*

Ask your question which is relevant to the main question. I have given you some leeway to explain. That is enough!

**Mr Quirin:** L'honorable ministre compte-t-il revoir les cas de certains dirigeants entraîneurs qui ont été sanctionnés dans le passé ? Et là, je cite le cas de Monsieur Gérard Denis qui a été victimisé à la suite des élections de 2014, le contrat de ce monsieur n'a pas été renouvelé. Est-ce qu'on peut savoir ...

*(Interruptions)*

**Madam Speaker:** Hon. Quirin, the question relates to one Mr J. M. B, right!

*(Interruptions)*

You should ask your question with regard to that person, and that question would have been relevant.

**Mr Quirin:** Madame la présidente, le cas de Jean-Marie Bhageratty et Gérard Denis concerne les sanctions, les interdictions, les suspensions à l'encontre des dirigeants,

*(Interruptions)*

Il y a une relation entre les deux. Ils ont été victimisés!

*(Interruptions)*

**Madam Speaker:** Hon. Quirin, I am sorry!

*(Interruptions)*

Hon. Quirin...

*(Interruptions)*

You see how he shouts! You said that I am shouting!

*(Interruptions)*

Hon. Quirin...

*(Interruptions)*

Hon. Quirin, I have called your name several times. You said that I shout. Have you noticed how much you have been shouting?

*(Interruptions)*

Please!

**Mr Quirin:** Ma question à l'honorable ministre des sports : est-ce qu'il compte revoir, reprendre ce cas de Gérard Denis qui a été victimisé et qui se retrouve aujourd'hui sans rien ?

*(Interruptions)*

**Madam Speaker:** Don't shout! Hon. Quirin!

*(Interruptions)*

Next question!

*(Interruptions)*

Hon. Quirin!

*(Interruptions)*

Do you realise that you sit close by to me and that you are shouting?

*(Interruptions)*

Do you realise that you are shouting as well? Next question!

#### **TRUST FUND FOR EXCELLENCE IN SPORTS – BOARD COMPOSITION**

**(No. B/120) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the Trust Fund for Excellence in Sports, he will, for the benefit of the House, obtain therefrom, information as to the composition of the Board thereof, indicating if a new Chief Executive thereof has been recruited and, if so, give details thereof and, if not, why not.

**Mr Toussaint:** Madam Speaker, I am tabling the composition of the Board of the Trust Fund for Excellence in Sports.

As regards the recruitment of a new Chief Executive, I am informed that actions have already been initiated by the Trust Fund for Excellence in Sports.

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

**Mr Quirin:** Merci, Madame la présidente. Vu que l'honorable ministre a déposé le document en question que je n'ai pas, peut-il quand même nous préciser les conditions attachées au recrutement de la personne qui a remplacé Monsieur Michael Glover?

**Mr Toussaint:** Madame la présidente, je viens de dire que le *Trust Fund* n'a pas encore remplacé le *Chief Executive* et que c'est *in the process*.

**Madam Speaker:** Yes, hon. Adrien Duval!

**Mr A. Duval:** Merci, Madame la présidente. Madame la présidente, c'est un fait que quand l'honorable Xavier Duval était ministre des Finances, il avait alloué des fonds ...

*(Interruptions)*

Oui, mais c'est un fait!

... il avait alloué des fonds pour que 350 étudiants du Sports Études peuvent aller étudier. Peut-on savoir aujourd'hui combien d'étudiants bénéficient du Sports Études?

**Madam Speaker:** If I look at the question, Hon. Adrien Duval, once again bear with me...

*(Interruptions)*

The question relates...

*(Interruptions)*

Please, sit down! The question relates to information as to the composition of the Board and indicating if a new Chief Executive thereof has been recruited. So, your question should be related to this. And you know better! Yes, hon. Quirin!

**Mr Quirin:** L'honorable ministre peut-il nous dire de septembre 2016 à ce jour - puisqu'on n'a pas remplacé encore le *Chief Executive* - qui, au niveau son ministère, s'occupe du dossier du *Trust Fund for Excellence in Sports*?

**Mr Toussaint:** D'abord, Madame la présidente, il y a le *Board du Trust Fund and a Senior Sports Officer of my Ministry who has been assigned the duties of officer-in-charge*. C'est Mr Auchaybar.

**Madam Speaker:** Hon. Bhagwan, last question on this issue.

**Mr Bhagwan:** Madam Speaker, it is not only in Mauritius that we know the competence of Mr Michael Glover. He was doing a very good job at the Trust Fund for Excellence in Sports. Can we know the real reason why his contract has not been renewed? Because the then Minister was preparing somebody else to replace him and we know who.

*(Interruptions)*

**Madam Speaker:** No, crosstalking, please!

**Mr Toussaint:** Madam Speaker, d'après les informations que j'ai, le contrat est arrivé à terme, et donc voilà.

**Madam Speaker:** Time is over! I suspend the sitting for half an hour.

*At 4.50 p.m., the sitting was suspended.*

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

## 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

### COIN IDEAL INCIDENT – INQUIRY - FINDINGS

**The Rt hon. Minister Mentor, Minister of Defence, Minister for Rodrigues (Sir A. Jugnauth):** Mr Deputy Speaker, Sir, the House may recall that in reply to a PNQ on 04 August 2016, regarding the incident that occurred on 27 May 2016, involving Mr Saven Seerungen, son of Mr Tangavel Seerungen, Deputy Commissioner of Police (DCP), who was driving the official car allocated to his father, I stated that an Independent Enquiry would be set up to, *inter alia* –

- (a) look into the procedures followed by the Police and the manner in which the investigation was carried out following the incident, and
- (b) determine whether there was any deliberate interference to hinder the good conduct of the Police enquiry, and if so, situate responsibilities in that respect.

Pending the completion of the Independent Enquiry, DCP Seerungen proceeded on leave with effect from 05 August 2016.

Mrs K. Bissoonauth, Vice President of the Industrial Court was appointed to chair the Independent Enquiry. After hearing all officers concerned and carrying out a thorough analysis of all the evidence adduced at the Enquiry as well as taking into consideration the established procedures and current practice followed by the Police for any occurrence, she

submitted her report on the findings of the Enquiry on 30 March 2017. She has concluded as follows - I quote –

“Based on the evidence adduced before this Enquiry, it cannot be safely and reasonably concluded that there has been any interference, deliberate or otherwise by DCP Seerungen to hinder the Police enquiry into the incident of 27 May 2016 involving Mr Saven Seerungen.”

In the light of the findings of the enquiry, DCP Seerungen was requested to resume duty on 31 March 2017.

In her report, Mrs Bissoonauth has also recommended several measures for the good running of the Police Force, amongst others, regarding -

- (a) strict compliance with Police Standing Orders;
- (b) entries in the Diary Book and Police Pocket Note Book, and
- (c) report of any important occurrence.

In this respect, the Commissioner of Police has been advised to initiate appropriate actions accordingly.

**The Deputy Speaker:** Thank you, Rt. hon. Minister Mentor. Hon. Minister of Agro-Industry and Food Security!

#### **FOOT AND MOUTH DISEASE - FACT-FINDING COMMITTEE**

**The Minister of Agro-Industry and Food Security (Mr M. Seeruttun):** Mr Deputy Speaker, Sir, I would like, with your permission, to make a statement on the Foot and Mouth Disease which affected Mauritius and Rodrigues last year.

Government decided on 02 September 2016 to set up a Fact-Finding Committee to enquire into the outbreak of the disease with the following terms of reference –

- (i) to investigate into and determine how the Foot and Mouth Disease may have entered into Rodrigues;
- (ii) to inquire into and determine whether there has been any failure on the part of the Veterinary Services in Rodrigues and Mauritius in the early detection and investigation of the Foot and Mouth Disease;

- (iii) to inquire into and situate the responsibility for authorising the shipment of the consignments of animals from Rodrigues in the month of July 2016 and their disembarkation in Mauritius, and
- (iv) to make recommendations that the Committee may deem appropriate for strengthening the surveillance measures to minimise risks of entry of such diseases in Mauritius and Rodrigues.

The Fact-Finding Committee was constituted as follows –

- Chairperson - Mrs S.B.A Hamuth Laulloo, Judge in Bankruptcy and Master and Registrar
- Members - Dr. D.Sibartie, formerly Chief Agricultural Officer, and
- Mr A. André, General Manager, François Leguat Reserve, Rodrigues.

The Committee started its hearing sessions on 24 October 2016 and had the opportunity to hear policy makers, officials, breeders, butchers, members of the livestock organisations and members of the public. The Committee also went to Rodrigues to hear the Chief Commissioner, politicians, officials and members of the public. The hearing sessions ended on 28 November 2016.

My Ministry has officially received the report of the Fact-Finding Committee on Friday 24 March 2017.

I am tabling a copy of the report for the information of the House.

Thank you.

**The Deputy Speaker:** Thank you. Hon. Minister of Local Government and Outer Islands!

#### **BIGARA CEMETERY - MUSLIM SECTION**

**The Minister of Local Government and Outer Islands: (Mr P. Jhugroo):** Mr Deputy Speaker, with your permission, I shall make this statement in relation to the issue

raised by the hon. Second Member for Port Louis Maritime and Port Louis East at the sitting of 28 March 2017.

I am informed by the Municipal Council of Curepipe that –

- on 03 October 2014, a plot of State land of the extent of four *arpents* forming part of State land Joachim at Bigara, Curepipe was vested by the Ministry of Housing and Lands in it for the extension of the Muslim Section of the Bigara Cemetery;
- the plot of land formed part of a larger extent of nine *arpents* which was leased in year 2008 by the Ministry of Agro-Industry and Food Security to Richefield Multipurpose Cooperative Society Ltd;
- the plot of land leased was burdened by the lessee in favour of the Development Bank of Mauritius as a security for four loans contracted by the lessee during the term of the lease;
- when the lease was cancelled in year 2014 by the Ministry of Agro-Industry and Food Security, the Development Bank of Mauritius was not informed and a fixed charge subsists as at date on the plot of land now vested in the Council.

The Ministry of Housing and Lands has been informed of this situation and I have been given to understand that the Ministry of Agro-Industry and Food Security is being requested to approach DBM with a view to clearing the mortgage in respect of the loans contracted by the Cooperative Society on the plot of four *arpents* of State land.

I am informed by the Municipal Council of Curepipe that an amount of Rs87,360 has already been spent for derocking of the plot of land and an amount of Rs2 m. has already been approved to finance the following works which will be undertaken as soon as the issue of mortgage is addressed -

- fencing of the site;
- construction of a footpath for access;
- construction of a drain to prevent water accumulation in the cemetery.

#### **CHAMP DE MARS – CAR PARK ZONE**

Mr Deputy Speaker, Sir, with your permission, I shall make a statement on the creation of a centralised car park zone at Champ de Mars following this issue which was



raised by the Third Member of Port Louis South and Port Louis Central at the sitting of 28 March 2017.

I wish to inform the House that Government's approval has been obtained for the Municipal City Council of Port Louis to invite requests for proposal for the creation and management of a centralised car park zone at Champs de Mars. The request for proposal was launched by the Municipal City Council of Port Louis, but no proposal has been received.

However, I have been informed that no petition from the inhabitants of that region, as mentioned by the hon. Member, has been received neither at my Ministry nor at the Municipal City Council of Port Louis. The project will be implemented in the context of the Decongestion Programme of Government and is in the national interest.

Thank you.

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded the following Bills were read a first time.*

- (i) *The Mauritius Institute of Education (Amendment) Bill (No. II of 2017), and*
- (ii) *The Shooting and Fishing Leases (Amendment) Bill (No. III of 2017)*

**MOTION****MADAM SPEAKER - MOTION OF NO CONFIDENCE**

(5.30 p.m.)

**The Deputy Speaker:** Before I call the hon. Member to move his motion, I would like to make the following statement.

It has been the practice for debate on such a motion that such debate be chaired by the Deputy Speaker.

As you are aware, notice of the motion was given by the hon. Member on 20 February 2017 and was circulated to hon. Members on 22 February 2017 when the National Assembly was on vacation.

Moreover, as hon. Members are also aware, my predecessor had resigned on 19 December 2016, that is, almost on the eve of the last sitting before the House was adjourned for vacation until Tuesday 28 March 2017.

In compliance with the provisions of section 32 of the Constitution and Standing Order 7(6) of the Standing Orders and Rules of the National Assembly, the House proceeded with the election of the new Deputy Speaker on Tuesday last, that is, the very day of its resumption of business.

I had the singular honour to be elected unopposed to this high office. I take this opportunity to once again thank you, hon. Members, for the trust you have placed in me.

The motion is on today's Order Paper at the request of Madam Speaker, who has expressed her wish to have it considered at the earliest opportunity.

This indeed reflects the democratic spirit that prevails in the House.

I got the opportunity to go through Hansards, and I am sure that most Members who will intervene on the debate have done same.

We have an evolving parliamentary jurisprudence on the issue. We have had such motions debated in this House in 1963, in 1982, in 1985, in 1990, in 1993 and in 1995.

We have been favoured with a number of rulings, which have set down in no uncertain terms what should be the parameters within which such debate should take place.

In 1985, the then Deputy Speaker, hon. Yousuf Mohamed, in his introductory statement, had this to say, and I quote –

“True it is that the rulings and decisions of Mr Speaker cannot be debated except on a specific substantive motion, but it must be remembered that the motion which is before the House today is a motion of no confidence. Such a motion cannot, where it concerns the rulings and decisions of Mr Speaker, take into consideration any matter other than what reflects on the conduct of Mr Speaker.”

The learned hon. Deputy Speaker further stated, and I quote –

“The motion which is before the House should be supported by cogent indications to the effect that Mr Speaker has, out of some improper motives, given a ruling or a decision. It is not the correctness or incorrectness of the ruling or decision that is being called into question. In such a debate, what is expected is evidence of improper motive, bias, bad faith and/or malice on the part of the Speaker whenever he gave his rulings in the House or misconduct and/or misbehavior, if any, inside the House.”

Regarding evidence of impropriety, bias or impartiality, I pause here to say that we are not in a Court of Law. I don't expect you to establish any allegation or charge beyond reasonable doubt. I am neither asking you to prove whatever you will aver on a balance of probabilities. But, at least, I would expect some cogent evidence, rather than unsupported and wild allegations.

In 1993, in the course of parliamentary debates, again on a motion of no confidence in the Speaker, the then Deputy Speaker reiterated the following –

“I advise the hon. Member - I am not preventing him from saying what he has to say - that the motion of no confidence is a motion of no confidence in Mr Speaker. I have listed down all the arguments put forward by the mover of the motion. The hon. Member should be careful. There is a motion of no confidence in Mr Speaker, but the hon. Member should not go into the private business and the private affairs of Mr Speaker as a private citizen of this country. I draw the attention of the hon. Member to this fact. He may proceed, but he must try to be careful.”

During the same debates following the intervention of the then hon. Dr. Chady, the Deputy Speaker again observed, and I quote –

“What I am saying is that I don’t feel that the hon. Member, following the mover of the motion and the other Members who had the floor, should challenge Mr Speaker’s seat because of his private interest in any company that had accounts with the MCCB. I would suggest that the hon. Member should try - as the hon. Members on his side who spoke on the motion - to restrict himself to a few arguments, and to challenge Mr Speaker’s seat in his function as the Speaker.”

In the course of the same debates, a point of order was raised by hon. Ganoo who submitted that, in a motion of no confidence, what must be reproached of the Speaker is about matters pertaining to his official capacity in the exercise of his function of Speaker and that he must be criticised for things done as Speaker, in his official capacity when he is in the Chair. Hon. Ganoo had made the following observation, which is of great relevance –

“On a point of order, Sir, it is true that this is a motion of no confidence, but what the Speaker must be reproached is about matters pertaining to his official capacity, in the exercise of his function as Speaker. He cannot be reproached because he has ten houses. He must be criticised for things which he has done as Speaker, in his official capacity, when he was chairing or in the exercise of his function.”

A subsequent ruling was delivered and, again, the Deputy Speaker made it very clear that it is the function of the Speaker in this House which is the issue of the motion.

Having said so, hon. Members, for the orderly proceeding of the debate, I would like to state to the House that I shall stand guided by the aforesaid parliamentary jurisprudence and I would invite the attention of hon. Members who will be intervening to follow same.

With these words, I now invite the hon. Member to address the House.

**The Deputy Prime Minister:** Before my hon. friend does so, for the guidance of the House and in the light of what you have set out as parameters, could my hon. friend kindly inform the House as to the substratum of facts on which he relies in support of his Motion so that we know...

*(Interruptions)*

Please, let me finish! So that we know what is the sort of Motion we will have to answer.

(5.40 p.m.)

**Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East):** Mr Deputy Speaker, Sir, I have listened to you with a lot of interest. On this side of the House,

we are very happy with what you have pronounced. As far as what the hon. Deputy Prime Minister has said, when he is simply asking for particulars of the Motion, I have the impression that he misses the days when he was before our Tribunals or our Courts and maybe he is thinking that he is still before a Tribunal or a Court. This is not what this august Assembly is. It is not a Tribunal; it is not a Court and Madam Speaker is not on trial.

**The Deputy Speaker:** Hon. Member, the question is very simple: whether you have any particulars to provide or you will develop the substratum of your Motion in your Statement.

**Mr Mohamed:** If I may, Mr Deputy Speaker, Sir. I have not even moved yet. Please, allow me to move!

**The Deputy Speaker:** Yes. Hon. Member, my attention has been drawn. In fact, your Motion has been couched in vague terms and I would invite you to make your Motion.

**Mr Mohamed:** Mr Deputy Speaker, Sir, I beg leave to move the motion standing in my name on the Order Paper, namely -

*“This Assembly has no confidence in Madam Speaker.”*

Allow me immediately to come right away to the issue that has just been raised by the hon. Deputy Prime Minister. As I said earlier on, he has requested for particulars of the Motion and you will note that all the times that Motions of No Confidence having been brought in this House, be it from 1963 all through to 1985, there is indeed no precedent where any Member is required to come and give particulars to substantiate his Motion. I have gone through Erskine May as well. I have also gone through the Standing Orders of the Parliament in Canada, that in India, that in Australia, that in South Africa and some others and none of them require that an hon. Member coming with a Motion of No Confidence has to give particulars to substantiate their Motion.

However, let me add, Mr Deputy Speaker, Sir the following. I am glad to note that you also invited me to develop the points I am going to rely upon to substantiate my Motion as I go along and this is precisely what I will do. It is nice to see that the first time I am debating any matter before you, Mr Deputy Speaker, Sir, that we are on the same page. Thank you very much.

Now, ...

**Mr Rutnah:** Mr Deputy Speaker, Sir, on a point of clarification, if I may.

*(Interruptions)*

**The Deputy Speaker:** Hon. Rutnah, can you make your point.

**Mr Rutnah:** On a point of order, the hon. gentleman said that in previous times when such Motion was made no particulars were given. If I may refer to the debate that was done in 1963, when hon. Jules Koenig...

**The Deputy Speaker:** Hon. Rutnah, I have gone through the Hansards of 1963. Let us allow hon. Mohamed to develop the substratum of his Motion.

**Mr Mohamed:** Mr Deputy Speaker, Sir, allow me, once again, to thank you for having intervened and intervened rightly so by trying, from the very beginning, to stop any unwarranted interruptions.

Let me from the outset say, Mr Deputy Speaker, Sir, and I said it very briefly a few moments ago, this is not a Court of Law. And why I say that is not in any way to poke since I do not want to even get near or poke the Deputy Prime Minister, but it is simply because I'm trying to get at something very important.

The whole purpose of me coming forward with this Motion is as follows. It is in order for us to preserve, as hon. Members, the dignity of this august Assembly. If for any moment, the Speaker of the National Assembly, who happens to be the Speaker of the Assembly and not the Speaker of one side of the Assembly, she is the Speaker of the National Assembly that includes all Members and through us, Mr Deputy Speaker, Sir, every single Mauritian, man and woman and child and those of the Outer Islands listening and watching us today. The dignity of the House goes through this very important equation whereby we need to have confidence in the Speaker. How does one have confidence in the Speaker? Yes, I have listened to you, Mr Deputy Speaker, Sir, and I've seen that you have quoted through the preceding rulings. You even referred to my then hon. Yusuf Mohamed, father, who was Deputy Speaker in those days. You referred to rulings in 1993, but then you referred to what hon. Ganoo had stated, but it was not a ruling. It was, in fact, a point of order that was raised by hon. Ganoo.

**The Deputy Speaker:** I did not refer to the Statement of hon. Ganoo as ruling. It was an observation of hon. Ganoo. Indeed, it was a point of order.

**Mr Mohamed:** I am happy that we are still on the same page. The thing is I have come here today not with the idea of having to be accusatory about Madam Speaker. She is not, as you have said, or tried to get at what exactly will I put forward, there is a charge against her. I am not here to charge her of any offence or wrongdoing. This is not the purpose of this Motion of No Confidence. It is important, Mr Deputy Speaker, Sir, for me to refer to the relevant sections of our Standing Orders to explain to all those who are listening to us today and to all those who will report about this debate and even for those who would go through Hansard later on as to why is it that one has to go through a Motion of this nature, a substantive Motion, in order to discuss issues pertaining to the Speaker. Here, I think it is important that I referred to Standing Order 40, paragraph 5. Standing Order 40, paragraph 5 says the following –

“The conduct of the President and the Vice-President of the Republic or the person performing the functions of the President’s Office, Mr Speaker, Members of the Assembly, Judges, Members of Statutory Commissions or other persons engaged in the administration of justice shall not be raised, except upon a substantive motion moved for that purpose.”

And this is precisely what I have done. This was the only way that I, together, happily today to note that all the Opposition is united to stand behind this motion because we have seen time and again, ever since the beginning of 2015 when proceedings have been chaired by Madam Speaker...

*(Interruptions)*

**The Deputy Speaker:** Hon. Member, I would like to draw your attention. I am sorry, and I hate to interrupt you, but I have to remind you that you cannot now contest formal rulings. The time to contest same was to contest them then and there. First, you have to show impropriety and I’ll refer you back to the rulings of hon. Mohamed which he delivered in 1985 - you must pursue, you must bring concrete evidence about impartiality, bias and then you develop your point or unless if you can show that there were two contradictory rulings.

**Mr Mohamed:** Mr Deputy Speaker, Sir, I was just on my feet explaining the reason why I have come forward with this motion . That is all I have done, Mr Deputy Speaker, Sir. I have not even started developing my argument. I have not even put forward any grounds. I have the impression Sir...

**The Deputy Speaker:** Order, please!

*(Interruptions)*

**Mr Mohamed:** Should I, therefore, sit down again, Mr Deputy Speaker, Sir, please!

**The Deputy Speaker:** Order, please!

*(Interruptions)*

Order!

**Mr Mohamed:** I am now standing again. Now, if you wish me to stand again maybe it is time to tell me or sit.

*(Interruptions)*

**The Deputy Speaker:** Hon. Members...

*(Interruptions)*

Hon. Members, I want some order in the House! You may resume your motion.

**Mr Mohamed:** I am so grateful, Mr Deputy Speaker, Sir. It is some exercise of standing and sitting, and I thank you for allowing me to do some exercise at the same time. So that is the purpose of coming forward with this motion. At the appropriate time, if you, Mr Deputy Speaker, Sir, believe that I am in any way going outside the parameters that you have set, I shall gladly sit down once again and listen to you bringing me to order, and I shall then decide whether we agree with you or not, and if we don't agree, we will act in accordance with what we will do then. But we have not reached that point yet. Let's not jump the gun! I know that everyone is clearly worried as to what I am about to say.

*(Interruptions)*

I know.

**The Deputy Speaker:** Hon. Members! Hon. Mohamed, please carry on!

*(Interruptions)*

**Mr Mohamed:** I also wanted to know what will be the reactions of hon. Members on the other side, just to find out what would be their reactions to this particular motion. I came across very interesting reactions today when I was reading one of the papers which is 'I'Express' in fact. I saw what one of the very good friends of mine, hon. Mahen Jhugroo, who is a Minister now, said in the Press today. I mean, I do not know why he said that, but I



guess maybe he translates what everyone on the other side feels like, and what he said, if you would allow me is with regard to his stand *vis-à-vis* the motion and what he would do today. He said that in a very valiant manner. He said: “*Nous pas peur zot. Zou pou coné ki nou. Nou pou manz ar zot*”.

*(Interruptions)*

Now, I do not know what he was trying to eat, but then again, true it is, each time I look at him, I know he looks hungry...

*(Interruptions)*

But that is the reaction he had. I knew that there would be noise, Mr Deputy Speaker, Sir, stopping me from going ahead with the motion, not only would we have that, but then again I am prepared for that. That's not an issue. That's not a problem. On the contrary, it makes things even more pleasant. Now, when you go through the Standing Orders and the Order of Business that is set today, and that is the first ground I will go upon.

We have in our country a constitutional principle that is a very important underlying principle which is that of separation of powers. I have heard you, Mr Deputy Speaker, Sir, that it is at the request of Madam Speaker that this motion has been placed upon the Order Paper. Mr Deputy Speaker, Sir, I am very saddened to have to say that I am of the view that Madam Speaker has done away with her constitutional duties, namely that of being the person, the only person who has the right to decide what is the Order of Business of the National Assembly.

I have come across an interview of Madam Speaker that she has given in one of the press, *l'Express* again. And in that interview she says the following - and why am I talking about the Order of Business. It is because my contention is as follows: separation of powers is of such importance that the Executive has no right whatsoever to come and decide on the agenda of the National Assembly, save and accept Government business. When it comes to Government business, when it comes to bringing legislation, when it comes to discussing any piece of law, a Bill; when it comes to Ministers' statements; when it comes to any motion that is going to be made by the Leader of the House, that is what I qualify as Government business. It is not right and it is in violation of the Standing Orders; it is also in violation of our Constitution and violation of the separation of powers that the Speaker allows her right, her duty to set what is an Order of Business on the Order Paper, that is, the agenda of the National Assembly. She gives that right away to the Leader of the House who is an

Executive. I look at what she said in her interview. And what she said in the interview is not exactly what I have heard coming from you, Mr Deputy Speaker, Sir, because you said: “It is at her request that this was placed on the Order Paper”. But no, this was not the case because she, herself, says it! She said and I quote -

*“Que les choses soient bien claires, ce n’est pas moi qui décide de l’ordre du jour”*

Madam Speaker is the only person entitled to decide *de l’ordre du jour*. *L’ordre du jour*, once this document, the Order Paper, the draft is sent by the Office of the Clerk to the Cabinet Office; it is simply for the Executive when sitting in Cabinet to decide what will be the Bill that will be brought at the next sitting. That is the purpose why this document which is the draft Order Paper is sent to the Cabinet Office. There is no other reason why it is sent to the Cabinet Office. It is not for any Member of Government, and even it is not for the Leader of the House. It is not for any Member of the Executive to have the right to come and decide through the Cabinet Office to send a document to the National Assembly and say: “we have decided that you, Madam Speaker, shall therefore have the Clerk put on the Order Paper the motion of no confidence because Cabinet has decided or the Leader of the House has decided.” It says here - and I continue to quote from Madam Speaker’s interview in *l’Express* of 02 April 2017:

“C’est le *Leader* of the House qui décide.”

This is what she says. It is the Leader of the House that decides. And I have gone through the Standing Orders and I have tried to understand where is it said in the Standing Orders that it is the Leader of the House that decides on the agenda of the National Assembly?

Where is it said in the Standing Orders that it is the Leader of the House that will fix the Order of Business? Where is it written in the Standing Orders or even in the Standing Orders of the United Kingdom, of the House of Commons, that the Leader of the House will decide when the Motion of No Confidence that is laid before this Assembly, when it will be heard by this National Assembly?

Mr Deputy Speaker, Sir, when I go through the Standing Orders, the only thing I do see at Standing Order 17 paragraph (2) is as follows -

“(2) Mr Speaker may, at any time, allow the Order of Business set out on the Order Paper, to be altered in respect of any particular sitting or sittings.”

If the Speaker is the only person authorised to alter the Order of Business, it is the only reference in the Standing Orders to any sort of power that the Speaker has or anyone has with regard to deciding what will be on the agenda.

And what is my qualm with what has happened? I'll explain. My qualm, Mr Deputy Speaker, Sir, is that if Madam Speaker has and is empowered by our Constitution to decide the order of the day on the Order Paper, she should not, therefore, give that power away to a Member of the Executive because in doing so, she is becoming subservient to a Member of the Executive. She is only there to say: yes, for Government business, as I have said, for Bills, for Motions, for Statements by Ministers. Fair enough! That is Government business and it is, indeed, the Whip, even though not provided for in our Standing Orders, but it is the Whip, as is provided for in the House of Commons, in the United Kingdom, together with the Leader of the House, together with the Office of the Clerk who will decide. This is what Government has to do in order to further its policies and its agenda, but not to decide when a Motion of No Confidence will be debated. We are, therefore, putting this legislature under the control of the whims and wishes of a member of the Executive. If this does not go against the principle of separation of powers, what is it?

Now, I have tried, as I have said, looked around and maybe there is something, somewhere in our Constitution that says the Leader of the House decides. I have not come across that paragraph. Maybe there is a chapter on it; I have not come across that chapter. Maybe there is a line somewhere, not even a line. Maybe there is some sort of authority or precedent ruling that says: "Yes, it is the Leader of the House that decides." I have not come across that.

So, my question, therefore, is: why is it that Madam Speaker has resigned her responsibility and duty, has resigned to take the decision which is her decision to take, it is her decision to take of deciding whether or not the legislature, the National Assembly will hear a Motion of No Confidence. It was for her to decide and she should never have resigned before her responsibility.

What we need, Mr Deputy Speaker, Sir, is the following: confidence in Madam Speaker. Why do we need confidence and how to achieve that confidence, is when Madam Speaker realises that she is not here to do the duty of Government. She is not here to do the duty of the Opposition. She is here to do her duty in the name of the Republic, in line with the Constitution, and one of the important principles of that Constitution is *la séparation des*

*pouvoirs*. When you violate that, Mauritius, as a country where the three pillars have to remain inviolable, democracy does not exist. Some may say: “Well, this is not that important.” But, I am one of those, together with many others in this country, who believe that this is the fundamental flaw in what is and has Madam Speaker done in the recent week, even after the Motion was entered. This, in itself, stays within the parameters you have referred to. This, in itself, shows us that Madam Speaker is not carrying out her duty in an impartial manner.

I have gone through many texts, and what do we come across? What are the qualities that we come across, Mr Deputy Speaker, Sir, when we talk about Madam Speaker or a Speaker? All the texts, all the jurisdictions, Commonwealth or otherwise, talk about simple things: impartiality, neutrality, fairness, equity, being just, but most importantly, being non-partisan, being courteous, being firm, but I say again, courteous. But what we have seen in those last two years? It is not out of pleasure that I come here today to say what I have to say. It is not simply because I do not feel right in having to say what I have to say, but this is the only way in line with Standing Order 40, paragraph (5) that any Member of Parliament has to come today to say what he has to say, though heavy heartedly, against Madam Speaker.

Let me say one thing. I have known Madam Speaker for many years. I have known Madam Speaker as a Member of Parliament. I have known Madam Speaker as a backbencher of the Opposition. I have known Madam Speaker as a Minister. We have been in the same Cabinet. It was, indeed, a pleasure to work with Madam Speaker as a colleague in Cabinet. I learned from her experience and I must say that I can say nothing against Madam Speaker as a Cabinet colleague, but everything is positive.

I am duty bound to this august Assembly and to Mauritius at large, to come with this Motion because what I experience and what I have witnessed since January 2015 is something which is altogether different whereby there is no other choice today where I will go on to explain and show instances of impartiality. Instead of being courteous, she has shouted people down. Instead of being firm and courteous, she has shrieked people to comply with her wishes. Instead of looking at facts which are important, she has decided to ignore important facts and throw people out of the august Assembly. I will go point by point, case by case because I think it is important that we do it, and what will be the purpose of doing it? As I said, not to hold Madam Speaker in judgment, far from it, but to ensure that this does not in any way happen again and to ensure that there is precisely a principle of equity, a principle

of justice and fairness when anyone, even Madam Speaker, chairs the proceedings of this Assembly.

Let us start with facts. As I started out by saying Madam Speaker is the Speaker or any Speakers are Speakers of the House, the House does not belong to only the Leader of the House, but belongs to the people of Mauritius and the House belongs to all sides of the House, including the Opposition, but this is something that Madam Speaker seems to forget. It does not belong only to Members of Government.

And I will show in a minute how selective Madam Speaker has been in her interventions, how selective deafness has seemed to be a scourge that Madam Speaker has been suffering from. Selective deafness! We start with the election, tradition. What is tradition? Tradition is very important. Tradition dictates that when anyone is going to be chosen or the name is proposed as a Speaker, in order to show unity, in order to show that the Speaker, who is going to be there, is going to shed away her political garb, is going to shed away her political appurtenance, is going to shed away her selective deafness. That only happened recently during a political campaign of 2014, a month later on that, at least, she would be equitable in her manner of dealing with things. There should have been, at least, a proposition of her name as Madam Speaker. I would have expected the Opposition to second. I would have expected the Opposition to second her as someone who we would also wish to call her our Speaker! Let us go on 22 December 2014, I was not present, but at that particular sitting a proposal was made and at no time has Government done anything to ensure that it was in fact a proposal from Government in line with tradition and it was seconded by a Member of the Opposition.

If Government had done that, they would have obtained the buy-in. Confidence should have started from 22 December 2014. Instead of doing that they behaved in such a way as though they were putting forward the name of the Speaker, at no time did they even suggest or even through the back channels suggest that it should have been the Opposition who came to second the name. Never was it done!

And, when we go on, I see here a very important book which I am going to refer to and I think that it is important that I read some specific texts which I will quote from that book which is called “Mr Speaker - the Office and the Individuals Since 1945” by Matthew Laban with a foreword by the Rt. hon. Betty Boothroyd. This is a 2013 edition and I shall start by referring to page 3 which you will allow me, Mr Deputy Speaker, Sir, to read about the very important concept of impartiality.

“It should not remain a concept, but it should be translated into our everyday acts. It should not remain in simple words in order to impress the gallery, but it should also be seen and witnessed by others as you, putting into practice the very concept of impartiality.”

The author says here and I quote, Lord Weatherill answered when he was asked what he thought was the most important element of speakership and he says –

“Total impartiality, the Speaker has no political party. On becoming Speaker he gives up party politics for life. I always make the point in saying there is absolutely nothing wrong with party politics because that gives us a choice, but as far as the Speaker is concerned, he must always be totally impartial and that continues for the rest of his time.”

Have we seen impartiality from the beginning until today, until the rest of her time, of Madam Speaker? The answer is no!

I read on –

“It is this total impartiality and obligation to quit party politics for life which sets this Westminster speakership apart from Presiding Officers in other Parliaments.”

This author goes on at page 5 about the overall notion of impartiality which is taken very seriously and in his short book on Speakership Lord Maybray-King makes the point that once elected to the Chair, the Speaker should treat everyone equally. We have not been favoured with equal treatment! A Speaker lives a lonely life because he is not allowed to mix with his old friends. Have we seen the Speaker avoid mixing with her old friends? The author refers to this very important concept of impartiality, a Speaker lives a lonely life because he is not allowed to mix with his old friends and colleagues in the tearooms or bars of the House of Commons lest he invites accusations of favouritism.

I chose, Mr Deputy Speaker, Sir, to go through what authors say for fear that I would be accused of also looking only on one side and not considering to be objective. I want to be objective that is why I am not passing value judgment. I am only limiting myself to what is provided for by the authors. What does the author say?

“Even if it comes to going for a tea in a tearoom or a bar, a Speaker should not do so only with his old friends for fear that he may give the impression that he is not impartial.”

And if you are not impartial, you are partial with the people with whom you go for those private dinners and those private dos. Has the Speaker been continuing to frequent her old friends? The answer is yes! Has the Speaker been attending dinners and functions only with Members of Government? The answer is yes! Has the Speaker continued even at Clarisse House to be sitting down with the hon. Prime Minister then and every single Minister, Members of Parliament and their families that she herself qualified as being a family reunion and she was totally entitled to be there and be taken in photograph session with whom? With Members of the Government, not a single Member of the Opposition was there! Was this a party political function? Yes, it was!

*(Interruptions)*

It was a party political function and she attended that, Mr Deputy Speaker, Sir, in her function as Speaker!

*(Interruptions)*

**The Deputy Speaker:** I hate to interrupt you, hon. Mohamed. I earlier mentioned that hon. Members should not go, as observed by the then Deputy Speaker in 1993, into the private business and the private affairs of Mr Speaker as a private citizen of this country!

*(Interruptions)*

**Mr Mohamed:** I shall say the following with regard to what you have just said, Mr Deputy Speaker, Sir, I am in total agreement with what the Deputy Speaker said back in 1987, if I am not mistaken.

*(Interruptions)*

83? No, it cannot be. You are referring to the Deputy Speaker, most probably it was in 1987...

**The Deputy Speaker:** 1993.

**Mr Mohamed:** 1993, I am in total agreement. But let us understand one thing if a Speaker attends a function in a property that belongs to the State, in a property that belongs to the people of Mauritius, this cannot be said to be a private function and this cannot be said to be her private life!

*(Interruptions)*

**The Prime Minister:** Mr Deputy Speaker, Sir, on a point of order, the hon. Member is referring to a dinner that had taken place at Clarisse House. I can say that this was a private dinner. It was at the invitation of Sir Anerood Jugnauth and the Speaker of the House attended not as Speaker of the House, but as a relative of Sir Anerood Jugnauth. So, it was a private dinner!

*(Interruptions)*

*Et alors, so what?*

**The Deputy Speaker:** Thank you, hon. Prime Minister.

*(Interruptions)*

You have made the point. Right! Hon. Member you may resume your speech!

**Mr Mohamed:** I have listened very carefully once again to the...

*(Interruptions)*

...explanation given by the hon. Prime Minister with regard to how Clarisse House...

*(Interruptions)*

...hon. Jhugroo, please! Let me talk!

*(Interruptions)*

I have listened to the hon. Prime Minister's explanation as to how a residence owned by the people of Mauritius was being used for a private function. I fail to understand, I don't agree with him and that is his interpretation. But, a public place which belongs to Mauritius cannot and should not be used...

*(Interruptions)*

... simply, I am sorry this is not right!



**The Deputy Speaker:** Hon. Member, I will again draw your attention to the observation of the Deputy Speaker, hon. Yousuf Mohamed, who had this to say –

“In such a debate what is expected is evidence of improper motive, bias, bad faith and/or malice on the part of the Speaker whenever he gave his rulings in the House or misconduct and/or misbehaviour, if any, inside the House.”

*(Interruptions)*

**Mr Mohamed:** Mr Deputy Speaker, Sir, suffice it to say that I have listened to the explanation. If this explanation convinces the hon. Prime Minister, himself, and if this explanation convinces Members of Government, let me just say that, on this side of the House, we are not convinced and the people out there in Mauritius are far from convinced. But then, again, what is the point? I will not try to convince them of what is right and they will keep on staying in the wrong. Let me just go on and get to another issue.

**The Prime Minister:** Mr Deputy Speaker, Sir, it is not about whether the hon. Member is convinced or not! He is challenging your ruling! You have ruled that private matters should not come before this House as far as Madam Speaker is concerned. The comment that the hon. Member is making is, in fact, challenging your ruling.

**The Deputy Speaker:** Thank you, hon. Prime Minister. Hon. Member, I have indeed made it clear that we are not going to delve into private matters concerning the private life of Madam Speaker. Please carry on!

**Mr Mohamed:** Let me go on at another very important section of that particular book, which I remind you talks about the office and the individuals since 1945 and what has been observed as being proper practice and what has been commented upon as being wrong practice. I read here –

“The Commons does, however, expect the Speaker to give up his or her political friends and retreat into the ivory tower, that is, Speaker’s house.”

*(Interruptions)*

Yes, Speaker’s house.

So, the Commons, does, however, expect the Speaker to give up his or her political friends and retreat into the ivory tower, that is, Speaker’s house. That might seem unfair and unkind, but that is what the speakership entails if the holder ...

*(Interruptions)*

**Mr Sinatambou:** On a point of order, Mr Deputy Speaker, Sir.

*(Interruptions)*

*Qui faire mo bizin laisse li cozer ?*

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mr Sinatambou:** On a point of order.

*(Interruptions)*

*Qui faire mo bizin ecoute so nonsense?* I've got the right to raise a point of order. The hon. Members want impartiality. It has to be both ways. On a point of order, Mr Deputy Speaker, Sir. I understood from your ruling that this debate only concerns rulings and decisions which reflect on the conduct of the Speaker in the House while in the Chair. I think that, for the last 45 minutes, we have been listening to everything except that. I believe that this is out of order and that things should be put back into order. Thank you, Mr Deputy Speaker Sir.

**The Deputy Speaker:** Hon. Mohamed, if you have got other points to develop, please move on!

**Mr Mohamed:** Thank you for dismissing that.

As I have said - and I go on -, that might seem unfair and unkind - that is not what basically we want to be - but that is what the speakership entails. If the hold of the office is to be deemed impartial. For example, it goes on –

“(...) holidaying with colleagues from one side of the political divide leaves the occupant of the Chair open to criticisms ...

*(Interruptions)*

**The Deputy Speaker:** Order, please! Hon. Mohamed, I have already ruled on the issue. We are not going to delve into private life, private matters concerning the private life of Madam Speaker. Please, move on! Do you have any other points to develop about impartiality, about bias? Do you have any cogent evidence to put before the House? Please carry on!

*(Interruptions)*

**Mr Mohamed:** I am not pressurised at all. I read again another very important thing. Mr Deputy Speaker, Sir, one must understand. I cannot be forced to sit down each and every time. Let me go on now. I cannot be forced to sit down each and every time because basically what I am saying is the truth and it hurts!

*(Interruptions)*

*La verité faire dimal!* Even Members on the other side have told me in their privacy that they agree with me. *Meme banes dimounes l'autre coté dire zot d'accord are mwa !*

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mr Mohamed:** *Alle checker!*

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Mohamed:** What does Jawaharlal Nehru say about the Speaker of the House? Jawaharlal Nehru had nicely articulated the Speaker's role, and this is basically the essence of what this whole debate is about. The Speaker represents the House, as I started out by explaining.

*(Interruptions)*

He or she represents the dignity of the House, the freedom of the House, and because the House represents the nation ...

*(Interruptions)*

**Mr Sinatambou:** On a point of order!

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Sinatambou:** Mr Deputy Speaker, Sir, I am very happy that the gentleman is keen on reading. But I don't think we need a lecture. We need substance on a motion of censorship against the Speaker. Unless he can come up with rulings and decisions which reflect on the conduct of the Speaker in the House while in the Chair, he should sit down.

**The Deputy Speaker:** Hon. Mohamed, I'll invite you to come to some cogent examples of partiality.

**Mr Mohamed:** It is not because hon. Sinatambou stands up with a point of order and then does not even say in relation to what particular Standing Orders does the point of order being referred to, and then simply because he says so, I'll have to listen to him!

*(Interruptions)*

*Ça pas passer are mwa sa!*

*(Interruptions)*

**The Deputy Speaker:** Order, please! Allow the hon. Member to resume his Motion.

**Mr Mohamed:** Thank you. It is very wrong to try to interrupt me when I am just quoting very important individual like Jawaharlal Nehru. Please!

*(Interruptions)*

It is relevant! Because Jawaharlal Nehru is always relevant. I am sorry. Maybe he does not understand the relevance of such an important person as Jawaharlal Nehru, but I do, and I'll go on. And I thank you, Mr Deputy Speaker, Sir!

The Speaker becomes symbol of the nation's freedom and liberty. Maybe they don't understand what symbol of freedom and liberty means. Therefore, that should be an honoured position. A free position!

*(Interruptions)*

**The Deputy Speaker:** Order! Hon. Mohamed, you can't go on with all literature about the qualities of a good Speaker. We have authors around the world about it. I will invite you to come to the Motion. Come to the crux of the Motion, that is, impartiality, and provide us evidence with specific instances.

**Mr Mohamed:** I was rudely interrupted, not by you, Mr Deputy Speaker, Sir, but by hon. Sinatambou. I was rudely interrupted!

*(Interruptions)*

**Mr A. Duval:** Mr Deputy Speaker, Sir, you should give a ruling first of all as to where we can go in the debate. If debating on the Speaker's characteristics - the hon. Member has quoted from '*Mr Speaker, Sir*', which is a reference. The same as Erskine May; the same

as any other important reference on the role of the Speaker. So, therefore, you either give a ruling ...

*(Interruptions)*

**The Deputy Speaker:** Hon. Adrien Duval, ...

**Mr A. Duval:** Mr Deputy Speaker, Sir, I am on a point of order!

*(Interruptions)*

**The Deputy Speaker:** Order, please!

*(Interruptions)*

Order, please!

*(Interruptions)*

Hon. Adrien Duval, I take note of your point. I have taken note of your observation. Hon. Mohamed, please resume!

**Mr A. Duval:** Mr Deputy Speaker, Sir, if the hon. Member can give way once again. I am asking for a ruling, Mr Deputy Speaker, Sir. You either come and tell us ...

*(Interruptions)*

I would like the Chair to give a ruling about whether the hon. Member, when speaking of the characteristics of the Speaker, impartiality and no allegiance to any party, whether this is not relevant to the role of the speakership?

*(Interruptions)*

I want a ruling right now, Mr Deputy Speaker, Sir...

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mr A. Duval:** We want a ruling, Mr Deputy Speaker, Sir, on what is....

*(Interruptions)*

**The Deputy Speaker:** Order, please!

*(Interruptions)*

**Mr A. Duval:** Can I finish my point of order, please?

**The Deputy Speaker:** Yes.

**Mr A. Duval:** On what is relevant or irrelevant in this debate.

*(Interruptions)*

And secondly, Mr Deputy Speaker, Sir,...

*(Interruptions)*

... I think that unless and until...

*(Interruptions)*

**The Deputy Speaker:** Hon. Members!

*(Interruptions)*

**Mr A. Duval:** Mr Deputy Speaker, Sir, unless and until you give the ruling, then you will have points of orders being taken every two minutes....

*(Interruptions)*

**The Deputy Speaker:** Order, please! Order! I have made it clear that this debate has to take place within the framework set out in the parliamentary jurisprudence. We cannot venture into the private life regarding private matters of the Speaker. It can only concern the conduct of the Speaker inside the House. That is tolerably clear, hon. Mohamed!

*(Interruptions)*

**Mr Mohamed:** Mr Deputy Speaker, Sir, there is one word that you used when you started by drawing out the parameters. And I think that is a very important word and it seems as though that we just keep on sidetracking and ignoring that word. You used the word 'evolve'. 'Evolve', therefore, connotes evolution, something does not remain static. Let me just say one thing and I will go on...

*(Interruptions)*

...and I will find it very undemocratic on the part of Members of Government to make an abuse of points of orders by stopping me from talking each and every time because when Madam Speaker is Speaker, she is not Speaker only in this House, but she is Speaker also outside because she uses all the facilities of Speaker, and she is even paid a housing allowance to use her house as Speaker's Residence. So, therefore, when she takes money

from the public coffers in order to be able to use her house as the Residence of the Speaker, this is not going to be limited to this House.

*(Interruptions)*

Mr Deputy Speaker, Sir, in the days...

*(Interruptions)*

I am not giving way.

*(Interruptions)*

I am not giving way! Enough!

*(Interruptions)*

**The Deputy Speaker:** Order, please!

*(Interruptions)*

Order, please!

*(Interruptions)*

Order, please!

*(Interruptions)*

Hon. Members, I have to remind you, many of you are seasoned hon. Members. You have been here for decades. This House is the sovereign institution of this Republic. This House is sovereign and this is the only institution vested with sovereignty to make laws, to legislate for the peace, order, and good government of Mauritius. It has absolute sovereignty in terms of both law-making as well as constituent powers, that is, the power to amend the Constitution. It is also the institution that is responsible for accountability of all our institutions and Ministries. And we see every Tuesday how this operates during PQs and PNQs. Today, we have an important motion. This is for the seventh time in the parliamentary history, that is, in our parliamentary democracy that a Member is making a motion of no-confidence against the chair. We had some initial difficulties. Hon. Mohamed will agree with me that the seat, that is, such debate should be chaired by the Deputy Speaker. The seat of the Deputy Speaker was vacant and I started by explaining how; when the motion was received; when it was circulated, when parliament resumed, and when I was elected as Deputy Speaker and this explains everything.

Now, coming to the motion of today, I have to set it right again that such motion is very limited to the conduct of the Speaker inside the House. You are not here to make wild allegations. You have to come with cogent evidence. For example, specific instances when you consider you were treated unfairly as compared to hon. Members on the other side of the House or specific instances in relation to partiality, bias and so on and so forth. Right! I would ask you to resume the debate. We are not going on literature, be it Jawaharlal Nehru or others or Erskine May about the qualities of a good Speaker.

*(Interruptions)*

Hon. Bérenger!

*(Interruptions)*

Hon. Bérenger, I am warning you!

*(Interruptions)*

I am warning you, don't interrupt me!

*(Interruptions)*

Don't interrupt me!

*(Interruptions)*

Hon. Bérenger!

*(Interruptions)*

Hon. Bhagwan! I want some order! Hon. Mohamed, you can resume!

**Mr Mohamed:** Let me talk about something very specific since everyone is trying to be specific. I will be specific. I thought I was very specific all along, but I will just do it now.

I was reading what Madam Speaker said with regard to 'Weekly' magazine Editorial entitled 'Catch me if you can'. Madam Speaker went on about the weekly issue 193 for Week 28 of April to 04 May entitled 'Catch me if you can'. And what caught my attention there, was how Madam Speaker got caught or embroiled in her interpretation of what she thought she was empowered to do by virtue of the Standing Orders and by virtue of the Statute.



In this particular matter, she drew attention in a statement that she made here in this august Assembly; we will all recall where she read parts of the article and she went on to say that she was laying a copy of that article written by Touria Prayag.

*(Interruptions)*

And she went on to say that in her view, it is clear that the article constituted a deliberate, tendentious and motivated attack on the National Assembly, the highest institution of the Republic. Let me just interject at this particular stage, I never felt in any way attacked by that article. The fact that, Madam Speaker went as far as to say that it was the National Assembly that was being attacked, I did not, in any way, feel that. And I can say that none of the Opposition Members and even some Members of Government did not feel attacked.

*(Interruptions)*

I'll go on! That is quite specific and I will go on now. She said that the National Assembly was attacked, but then in the next sentence she goes - "I must say that being personally targeted by these disparaging remarks places me in a delicate situation." Either it is the National Assembly that is being attacked or she is personally being attacked, it cannot be both. But then, she goes on as to request the one who wrote the article, in presence of all hon. Members, she went on to say either the Editor-in-Chief, *madame* Tooria Prayag apologises for what she has done, otherwise if she fails to apologise, I read - "In case no apologies are received within a week, I shall come back to the House to have the matter dealt with as appropriate."

In this particular instance, how did she deal with it? She dealt with it in line with the National Assembly (Privileges Immunities and Powers) Act. Maybe I should correct myself. She should have dealt with it only by virtue of the National Assembly (Privileges Immunities and Powers) Act and Standing Order 74 of our Standing Orders - Contempt of the Assembly.

Madam Speaker was not entitled to go outside the parameters of that particular legislation neither was she entitled to give herself powers that she does not have in line with parameters that are even more important than the parameters that were being thrown in our face since this afternoon. The fact is: did she have the right to throw out *madame* Tooria Prayag? That's my question.

The answer to that is the following, when you read Standing Order 74(4), it says here that Madam Speaker is entitled to refer based on the nature of the complaint. If she believes

that, indeed, there has been a violation of the National Assembly (Privileges Immunities and Powers) Act, she can refer the matter to the Director of Public Prosecutions for appropriate action. In this instance, she thought there was something wrong; she thought that, indeed, there was a violation of the National Assembly (Privileges Immunities and Powers) Act. She thought there was, indeed, by virtue of the nature of the complaint that was against herself. So, she sat there, talked about the attacks against her person and that she judged herself as it was sufficient in that nature for her to qualify it as being an offence under the National Assembly (Privileges Immunities and Powers) Act. Therefore, she acted as Judge and party and decided that there was an offence that had been done. And then, from where does she come out with this particular provision: ‘Apologise otherwise I will take you to task.’ That is what she said.

I tried to find out from the Standing Orders where is it written that she could dangle that tool ahead of journalists or members of the Media. Where did I see that the Speaker could say: ‘Apologise otherwise I will take you to task.’ I tried to find out because maybe it is being done or I do not know it is in the Standing Orders, because I do not know everything or I do not like others in this House pretend to have a monopoly of knowledge with regard to parliamentary practice, but I wanted to learn. And if I find here, in the Standing Orders that she is entitled to say: ‘Apologise otherwise I will do (a) and (b) and (c)’, I would say fair enough, but I find it no way here.

Is the Speaker entitled by virtue of our Standing Orders to pass judgment in a case of this nature? The answer is no. *Est-ce que Madame la présidente avait le droit, M. le président, d’écouter les faits reprochés? Et, ce qui est très important c’est de noter que les faits concernent un article de presse qui critique sa façon de gérer les travaux parlementaires.* Therefore, it concerns her.

Was she entitled to deal with it herself? For two reasons, the answer is no. First reason, you cannot in any way when you hold a constitutional position most important than any other, you should, therefore, be aware that you cannot act as judge and party. The second reason why she was not entitled to do it is because of Standing Order 74 paragraph 4, she should have referred the matter to the Director of Public Prosecutions for appropriate action. I am reading here through that particular Standing Order. But nay, she did not do that.

I hear hon. Bodha say: ‘*Non, pas tout le temps*’. Do I see somewhere written here: ‘Not every time’. Do I see the Standing Order say: ‘Not every time’? ‘*Pas tout le temps*’. Do I

see the Standing Order say: ‘There are exceptions to that.’ Do I see the Standing Order say: ‘Save and except when the Government does not agree with the journalists because they are writing against someone who acts as though she is part of the Government team. I don’t see that anywhere in that Standing Order. Maybe I should change my glasses. Maybe those who fail to understand and whom the arguments hurt should just do something good and save the taxpayers’ money, save the taxpayers’ time by stop breathing and leave the House if they have got nothing else to say but to make criticisms from a sitting position.

Where, therefore, has the Speaker pulled this power of suspending someone from coming to this august Assembly for a set number of days? Where did she get that power from? Because she, in such a manner, has passed judgment on a wrong that she is not entitled to have passed judgment upon. It should have been the Director of Public Prosecutions who should have decided whether to institute proceedings for a violation of the Act and it should have been for a Magistrate to decide, for a Court of Law to decide and not for Madam Speaker to act as judge and party.

Therefore, I have tried to be precise; I have tried to be specific. And now I see when I am precise and specific, silence, because they cannot answer to this.

*(Interruptions)*

**The Deputy Speaker:** Order, please!

*(Interruptions)*

**Mr Mohamed:** Something else I have come across and that is very specific. I fail to decipher the very intelligent comment that hon. Mahen Jhugroo is making and maybe I will invite him to send me a piece of paper for me to decipher it. Very good! Now, if I may go on!

*(Interruptions)*

Oh God, he is adding his voice that one!

Now, what I would like to say here is I came across a very important article which is in Weekly Magazine itself and this one from a former Speaker of the National Assembly. In that particular article, he was asked the following question, I quote –

“As a lawyer - I am going to give you my legal interpretation - this allowance is given to you for your residence to stay there with your family. It is not meant for commerce, business or anything else.”

If I were Speaker in this kind of situation, I would have called the Chief Financial Officer, disclose to him that my residence is a combined residence and an office for the business purposes and get advice and went according to the advice. Then, the next thing he says is the following, I quote –

“According to me, it would have been no – the advice he means - since your residence is meant for living there and not a combined residence and business premise.”

**The Prime Minister:** On a point of order, Mr Deputy Speaker, Sir. Again, this Member is using hearsay evidence to try to introduce matters which pertain to the private family life of the Speaker. So, you have already ruled on that. He cannot quote other people’s hearsay evidence to substantiate his motion.

**The Deputy Speaker:** Hon. Mohamed, I am reminding you of what I stated earlier, not to delve in private matters, but I would invite you to resume the debate.

**Mr Mohamed:** Yes. I understand now, maybe there was a mistake. On a lighter note, you see earlier on, after the question time, we all broke for tea and biscuits...

*(Interruptions)*

... and maybe we should not have left the biscuits outside and we should have brought our biscuits in here and then it would have been easier for us to talk about that! But, then again, it is a question of timing, biscuits I mean!

Now, let us try to...

*(Interruptions)*

And I do not partake in rum as well actually. But, then again I go on. It is not hearsay that the hon. Speaker indeed has a housing allowance that is paid by public funds! Now, if the hon. Prime Minister is going to keep on trying to tell me that this is hearsay, tell him to come and say it here today that the hon. Speaker is not getting any allowance! Tell him to say it!

*(Interruptions)*

**The Deputy Speaker:** Hon. Mohamed, I told you that this motion is based, if you can bring evidence about the misconduct of the Speaker inside the House and this was the observation of the then Deputy Speaker in 1985, that is, you can challenge her conduct inside

the House. We are not going to delve into private lives, private matters and you reminded me that hon. Ganoo made an observation. Right? The observation, I again read it -

“On a point of order, Sir, it is true that this is a motion of no-confidence, but what the Speaker must be reproached is about matters pertaining to his official capacity, in the exercise of his function as Speaker. He cannot be reproached because he has ten houses. He must be criticised for things he has done as Speaker in his official capacity when he was chairing or in the exercise of his function.”

**Mr Mohamed:** May I just say something and I think that it is important for us to put everything in context. Mr Deputy Speaker, Sir, you are talking about something which is a ruling from 1985...

*(Interruptions)*

**The Deputy Speaker:** Hon. Mohamed, I will invite you to develop other points, other instances where you have got any cogent evidence about impropriety or partiality or bias. Thank you.

**Mr Mohamed:** In 1985, housing allowance did not exist and that is why I talked about something else just now which is the word you referred to but seem to be not wanting to get back on track. It is the following: ‘evolve’, ‘evolution’. Things have changed. Things have moved on. We are not in 1985. The housing allowance did not exist. Now it does.

*(Interruptions)*

Matters have changed! Now it does!

*(Interruptions)*

**The Deputy Speaker:** The operative words in the ruling that I just mentioned are ‘when he was chairing or in the exercise of his function’. Right!

*(Interruptions)*

**Mr Mohamed:** Mr Deputy Speaker, Sir, the Speaker receives money, official residence, it is for that ...

*(Interruptions)*

Let me make my point!

*(Interruptions)*

**The Deputy Speaker:** Hon. Mohamed!

*(Interruptions)*

I don't want to interrupt your speech. Other instances have been provided by the framers of the Constitution, Section 32 subsection 3 which caters about other things. Here, we are in a motion of no confidence.

**Mr Mohamed:** So, as I was saying there are other Members who have to intervene, many Members today and every Member of the Opposition whom I have spoken to will undoubtedly make a very immense contribution to Parliamentary democracy by speaking out without fear or favour in the interest of Parliamentary democracy. I do not feel that I have been given a fair treatment but, because I have respect for you, Sir, I will proceed to the next issue even though I do not agree, as I said, with the methodology that is being used. But, then again, it will be a long night and we will get to what we have to get soon.

Now, there is one issue which is clearly something which is important to talk about, impartiality. I referred to it and each and every time that I talk about important milestones to explain how things have evolved, each and every time there seems to be an objection. Fair enough! But, let me go to a very important issue on 29 March 2016. It was an instance where the hon. Leader of the Opposition, hon. Bérenger, on 29 March 2016 by private notice put a question where it was being answered by the Minister of Environment, Sustainable Development and Disaster and Beach Management. It was about this particular issue, the resignation. And, at some stage, I was asked by Madam Speaker to put my question since I had drawn her attention that I also wanted to contribute to that particular issue. And, the then Prime Minister was the Rt. hon. Prime Minister, Sir Anerood Jugnauth. I simply asked him whether he could ask the Commissioner of Police the following -

(...) on what basis and what standard does he use for Members of the Opposition or opponents of (...)” the regime “when it comes time for him to exercise this discretion that he so properly uses of arresting or of not arresting (...)”.

Because we all remember that when it comes to Members of Government then all of a sudden he seems to be getting good advice that he should not arrest so easily on a provisional information. I remember even the hon. Vice-Prime Minister, hon. Soodhun, was so sympathetic because he thought that Members of the Opposition including myself should not have been arrested in such a cavalier manner by the Commissioner of Police and I thank him for having said that in public in a Press conference.

*(Interruptions)*

He seems to have forgotten!

*(Interruptions)*

Oh! So, I guess he was not very sincere because now he has forgotten it!

*(Interruptions)*

How honourable! And, I also went on to say why was it that when it comes to Members of Government the Commissioner of Police decides not to arrest until the enquiry is over but, when it comes to Members of the Opposition and opponents to Government, he decides to arrest them *sur-le-champ* even before any enquiry has started!

And the Prime Minister was not very happy about that question I guess because I have got a very bad habit and I confess to that or one of my bad habits is that I am not very nice and I am too forceful sometimes and when I do that I cause offence.

*(Interruptions)*

So, I apologise.

*(Interruptions)*

You see when I apologise they don't understand it because they don't understand the importance. Arrogance of certain people! Now, what was the reaction of the then Prime Minister? He just told me and even Hansard has gone as far as to record it -

“Shut up!”

He said!

*(Interruptions)*

Funnily enough, one day he said urinating then, he talked about spicy. He is talking about shut up and now he says shut down! It does not matter. He said “shut up” and it is in Hansard for posterity to see what was said and what was the reaction of Madam Speaker?

“Order, please!” “Order!” “Sit down!” to me. “Sit down!” to me. I had just been told to shut up and I was told: “Sit down!”, “Order!”, “Can I ask hon. Members to have some order in the House, please!”

I do apologise, I cannot imitate her that well -

“Hon. Mohamed! You have asked the question!”, “You expect a reply! Okay!”,  
 “Order, please!”, “Order!”, “Order in the House, please!”

Then I sit down.

*(Interruptions)*

And she went on to say...

*(Interruptions)*

I have been asked to be very specific and I am going to be very specific!

“Do you want me to suspend the proceedings? I will, but you are losing the time of the House (...)”

So, I am insulted. I am told to shut up. Unparliamentary language is used in the august Assembly. Madam Speaker tells me to sit down and tells me off. The then hon. Leader of the Opposition stood up and said –

“Do I take it, Madam Speaker, on a point of order, that you did not hear what the Rt. hon. Prime Minister said, meaning that you find what he said parliamentary.”

And Madam Speaker, as usual, as in many other occasions where she suffers from selective deafness says –

“Hon. Leader of the Opposition, I have to say, I did not hear. I promise I will listen to the proceedings.”

Okay! Until today!

You know what I did on that day. I’ll say what I did on that day. I spoke to an hon. Member - I will not take their names on the side of Government because I don’t want to embarrass them, I have not told them that I’ll use their name - who requested me: ‘See, it’s a Prime Minister, do you want him to apologise.’ I also agreed that it was not right for him to apologise. It is basically demeaning to the position of the Prime Minister. I went on and say. What is the point? I am getting used of being insulted because it was not the first time. It also happened earlier on. In 2015, I was putting a question to the Rt. hon. Prime Minister. The Rt. hon. Prime Minister when he was answering the question, I had asked him about Police officers. What would be the minimum number of police officers that have to man a police station? Why do I put that question? Because of law and order, the lack of security *et la dégradation* of law and order in my Constituency. That is why I put the question. Once again,



this doesn't seem to please the then Rt. hon. Prime Minister. And instead of basically listening to what has happened, once again, selective deafness when it comes to the then Rt. hon. Prime Minister, when it comes to the Prime Minister today. Selective deafness! She will only hear what happens on this side, but not on the other side. Fact is that one week before I got arrested by the Police, the Rt. hon. Prime Minister, here, gets annoyed because of a question I am putting and he tells me –

*“Alle occupe zaffaire Gorah-Issac”*

But then I said, wait a minute! I said here –

“On a point of order, the Rt. hon. Prime Minister has made a very serious comment. Here, from a sitting position! So, could he try to refrain from making such comments and withdraw what he said because he is attacking my person in a very unparliamentary manner and that is a very dangerous man.”

I said. What did Madam Speaker say? There is no need for me to say because everyone knows what she will have said: ‘I did not hear’. ‘I will check’. Each and every time when things of that nature happened and what makes matter worse is that when the Head of Government threatens me with something like Gorah-Issac and funnily enough the Commissioner of Police does exactly what he said in his threat and arrest me one week later on. I think, yes, this is getting into a dangerous situation. Did I not deserve to be protected by Madam Speaker because of an unparliamentary threat was made in this House? Of course, I did that. Any Member of the House deserves to be protected by Madam Speaker. Every Member of the House be it on the side of the Government or on this side needs to be protected by an abuse on whatever side of the House. Anyone should agree with me on that. But what was her reaction, Mr Deputy Speaker, Sir? ‘I did not hear’. Could she have, at least, gone to listen to the recordings and try to reassure me? What has been communicated was the following –

“Be very careful. If you keep on putting questions, I will threaten you.”

If I keep on putting questions that really hurt Government, you will be arrested. Madam Speaker will not even intervene to stop any unparliamentary language coming from the Opposition bench most importantly when it emanates from the Rt. hon. Prime Minister, Sir Anerood Jugnauth, who was the Leader of the party where she only belonged to when she was candidate in Constituency No. 14. She means to let us believe that she has shed her political *palto*. Is this a way that she is going to shed her political cloth away? Is she going to

give away her political affinity? Because each and every time when she has to call to order the Rt. hon. Prime Minister, did she do it? No! Every member of the press heard it. Members of the Opposition heard it. Members from the Government came to sympathise with me. The only one person who could not hear is Madam Speaker! But the recording was there for her to go and listen. Did she go and listen to it? Did she come to this House and say: 'Oh, well, I have listened to it and it did not happen.' No!

*(Interruptions)*

No, it didn't. But whenever it comes to recording having to be listened to, when it comes to Members of the Opposition, then, Madam Speaker will listen. Then her hearing capacity and faculty comes back. And then we have what they call impartiality. *Lepep* style!

Let me quote another event. Let us be specific. Another event! The Sports Bill! The Sports Bill was on the agenda. Hon. Mahen Jhugroo who was then Chief Whip will remember. I smile because we share a lot of those information and we may have a lot of different views, but it doesn't mean that we have to be enemies.

*(Interruptions)*

*Kan to coze are mwa, to pas dire Showkut!*

**The Deputy Speaker:** No crosstalking, please!

**Mr Mohamed:** *Kan to leve mwa 7 hrs gramatin, to pas dire!*

*(Interruptions)*

*Zot tout rode faire kamarade are mwa, mais zot pas partage information.*

Let me go on because everyone wants to be a friend now. Let's go on.

What happened on that day? On that particular day, for the first time we had a new Leader of the Opposition when there was the Sports Bill. Ever since January 2015, I was always called by the office of the Chief Whip, who was nice enough - sometimes himself personally and sometimes through his secretary - to ask whether we are going to intervene or who will be intervening on a piece of legislation. This is a type of facility that was given to hon. Members, particularly with regard to us, on the side of the Mauritius Labour Party which we appreciate. On that particular day, I looked at him as I have done in the past and said: 'Please, add my name to the list. I would like to intervene.' Because no one was on the list for the Mauritius Labour Party and we wanted to contribute to this debate. It was our democratic

right to contribute. It was our right to participate. We are elected precisely to bring our views and to share in order to ensure that the country can evolve in the right direction. What happened? Instead of allowing me to speak, I was told by the then Chief Whip following a note from the Rt. hon. Prime Minister, following *le regard du premier ministre*, I would not talk.

*(Interruptions)*

You can talk later on if you wish. So, what I have said on that day. I said to Madam Speaker

—

“I have asked the Chief Whip to put my name on the list because I want to intervene and he has just told me no. And I say how dare he say something like that?”

Madam Speaker went on that particular day to say that I should have consulted the Opposition Whip. On that particular day when Madam Speaker said I should sit down and that I should stop with the point of order I was raising, she said that I should consult the Opposition Whip and the Whips should work together in order for my name to be on the list to intervene. I have a right which is given by the electorate of my Constituency No. 3 in order to intervene as a Member of Parliament. On that particular day, Madam Speaker said that I should have spoken to the Whip of the Opposition. There was no Whip of the Opposition. So, who was that Whip of the Opposition that Madam Speaker had in mind? The only person who would be aware whether there is a Whip of the Opposition or not is Madam Speaker, herself, because she goes on to say, on that very day, and I read what she said —

“Let me tell you, hon. Leader of the Opposition - speaking to hon. Xavier Duval - that I have not changed any rules. I have not changed any rules (...).”

She said it twice.

“(...) I receive the list of orators after consultations have been held usually from the Government Whip and the Opposition Whip. It has always been like this. Right now, it is for the Whips to consult and come up with a list. I won't allow anybody to speak now! That's the end of it!”

So who or whom was I supposed to consult, when there was no Opposition Whip on that day? Then, because of Madam Speaker staunchly believing that there was an Opposition Whip when, in fact, there was not, I was ordered out of the august Assembly because she was under this impression that I could speak to someone who did not exist. I am not in the habit

of holding conversations or consultations with someone who does not exist or with a position that has not even been officialised or formalised. This is not what I do! But Madam Speaker was so adamant; I should have spoken to the Opposition Whip who did not exist. Now, is this the conduct that gives confidence to a Member of Parliament of this Assembly? How am I supposed to react when Madam Speaker tells me “Speak to the Opposition Whip! Sit down!” And when I stand up and try to fight for my right in order to address the Assembly, because Madam Speaker fails to understand that there is something really fundamentally wrong in her ruling, in her observation, because she is under the impression there is a Whip, when there isn't, I am told “Out you go!” And I had to spend the morning until the afternoon out because Madam Speaker was under the impression there was a whip. Do you know when the Whip was named? If I am not mistaken, it was this year. Only recently! There was not even any Whip.

Now I will talk about another event, the Appropriation (2015-2016) Bill. On that particular day, the then Minister of Health and Quality of Life - and I was not even in Parliament. I am so happy to say the then Minister of Health and Quality of Life - hon. Gayan, was there. And what did he say? Why am I reading what he said? It is because I expected Madam Speaker to ensure the decorum of the National Assembly, to ensure that anything that is offensive to the people of Mauritius, anything that is offensive to the good people of Mauritius should not be uttered and should be condemned by Madam Speaker when it is pronounced in this Assembly. And what was said by hon. Gayan, then Minister of Health and Quality of Life? He said the following –

“Madam Speaker, when questions were asked in this House about that appointment, hon. Shakeel Mohamed (...), it must be mentioned that it is - and that is shocking - for the first time in the history of Independent Mauritius, a non-Hindu is sitting as Leader of the Labour Party in this House attacked Vijaya Sumputh.

*(Interruptions)*

What has that got to do; my religion or my religious appurtenance? What he should have said is that, for the first time, or second time, or third time, what he sees before him is a Mauritian citizen who is the head of the parliamentary Labour Party in Parliament. My religion has got nothing to do with it. Why did he have to point and pinpoint my religious appurtenance? And I read again what hon. Gayan said-

“Madam Speaker, when questions were asked in this House about that appointment, hon. Shakeel Mohamed (...)

Mr Gayan went on and said –

“(...) it must be mentioned that it is the first time in the history of Independent Mauritius, a non-Hindu is sitting as Leader of the Labour Party in this House attacked Vijaya Sumputh. ”

And he goes on –

“The hon. Member attacked her and this is going to be something that not only in this House, but out there in the public, we are going to make use of to show how much...”

He is the dark dot on the national unity of this country! Because what he did here was simply a racist comment; to have shunned the light on my religious appurtenance. How does it bother him that I am a non-Hindu? How does it bother him that I was not someone of Hindu faith? Why did he not concentrate on the most important of qualifications? A citizen of Mauritius! And I am proud to be that citizen of the Republic of Mauritius. This is what my qualification is. I am an elected member *et un citoyen de l'île Maurice, et fier de l'être*. But for him, no! He had to go as far as to say that I was a non-Hindu. *Rétrograde!* You know why I say Madam Speaker also has got a role to play? I expected Madam Speaker to say, “Hold on, you cannot make such accusations or comments of such a racist nature in this House because the people of Mauritius would condemn us by saying that this should have been in Hansard; it should have been for posterity; for the future generation to see that such hon. Members should not say things of that nature and should have been called to order by Madam Speaker. Did she call him to order? No! There were interruptions by hon. Members of the Opposition who did not appreciate those dangerous, inflammatory, racist comments. Madam Speaker said -

“Order again, please! If you continue, I will have to interrupt the sitting!”

Not interrupt the sitting to bring to order hon. Gayan, but interrupt the sitting because hon. Members of the Opposition found what he said was insulting and racist, and took objection. For that reason, she thought that that she could interrupt the sitting. And Madam Speaker goes on! Did he apologise? Was he asked to withdraw it? Was he asked to make amends? Was he asked, as Touria Prayag was, that he would be thrown out and not allowed until he withdrew it? Because this was indeed a comment that was made in this House, which is indeed a breach of the National Assembly (Privileges, Immunities and Powers) Act, because

it was insulting, provocative, racist on his part. This was a violation of the National Assembly (Privileges, Immunities and Powers) Act. But what did Madam Speaker do? Did she intervene? Here, I am comparing. Madam Speaker decided not to intervene.

When I was being insulted, no, she did not intervene! But he was allowed to keep what he said, on record, without even apologising. Without even apologising! And this is what some people say is impartiality. How many times have hon. Members of the Opposition been thrown out? Hon. Bhagwan has been thrown out. Hon. Bérenger has been thrown out.

*(Interruptions)*

Hon. Jhugroo should have been thrown out more than once. Unfortunately, he was thrown out only once.

Now, what is interesting? The way the Government tackles and reacts to this Motion of no confidence. It is not as though it is one that talks about: okay, those are the issues that the Opposition believes should be corrected. Those are the issues that the Opposition says, “We would not like see in the future”, because this is precisely what I am saying, Mr Deputy Speaker, Sir. I would like those events not to happen ever again. I would like this conduct to be amended and improved. I would like selective deafness to disappear, and I am sure there are remedies that can be administered to ensure that selective deafness disappears. I am just suggesting that. But instead of the Government side listening and saying that maybe we have a point, what do they do? They embarrass Madam Speaker by protecting her as though she belongs to their team. They embarrass the Chair by reacting as though she is one of theirs, that she needs their protection, she needs to be defended. She is not being attacked! Why do they believe she needs to be defended by them? It is only if she is one of theirs, belonging to the flow, that is why they react in such a manner, as though she is a team member that needs to be defended. That is why I say impartiality does not exist.

Let us look at the events of today and let us look at the events of Tuesdays! Madam Speaker, you said that I should limit myself to discuss or argue or debate only what goes on as far as the Assembly is concerned and looking at you, Sir, I have the impression that you are already convinced. I may be wrong, but I look at you in the eyes just like hon. Collendavelloo looks at Alvaro and I am convinced.

*(Interruptions)*

**The Deputy Speaker:** Order, please! Hon. Mohamed, please, carry on! It’s your opinion anyway.

**Mr Mohamed:** Yes, it's my opinion. Maybe I have not got the abilities of hon. Collendavelloo to look in the eyes of Alvaro and decides that he is someone who is honest. But honestly, I am not as qualified, as experienced as he is, but...

*(Interruptions)*

What did he say?

*(Interruptions)*

So, could he please withdraw it? Please!

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mr Mohamed:** Anyway! So, as I have said, looking at you, Sir, my opinion is that you are convinced, but then again, I do agree that you are not in this position to pronounce your agreement or disagreement and I do not want to embarrass you further. But let me go on to say the following, what happens...

*(Interruptions)*

I have got another two to go. What happens in the dining room, lunchtime, each and every time – you see, I am not the only one who has remarked it. Who sits at the head table in the lunchroom? Who sits there?

*(Interruptions)*

Madam Speaker, Prime Minister, Deputy Prime Minister! It is only Members of Government. Why is it that I have never ever seen that the Leader of the Opposition who is also a constitutional post, who also holds a constitutional position, why is he also not at that head table? Why is it only when you look at that table and maybe members of the public, watching us today, are not aware of this, but allow me to describe it to them? It is the head table that only has what?

*(Interruptions)*

**The Deputy Speaker:** Hon. Mohamed!

*(Interruptions)*

**Mr Mohamed:** It's in this House?

**The Deputy Speaker:** You have made the point and we won't delve any further into private matters.

*(Interruptions)*

I would again come to the issue about misconduct, impropriety in the House.

*(Interruptions)*

**Mr Mohamed:** Mr Deputy Speaker, Sir, you know when we have lunch or dinner, let me just describe it!

**The Deputy Speaker:** Hon. Mohamed, do you have examples of instances where Madam Speaker has refused to meet you or has rejected your correspondences and if you can elaborate on such matters. Please!

*(Interruptions)*

**Mr Mohamed:** That will take some time, but thank you.

*(Interruptions)*

Double it! When I see that hon. Rutnah is enjoying this whole event, I am happy.

*(Interruptions)*

When I went through this very important book that some wanted to dismiss - this was given to me by someone who has been Member of Parliament for many years, this was given to me by someone who has occupied important functions and who is a Parliamentarian of wide experience. This is being given to me by someone who believes...

**The Prime Minister:** Mr Deputy Speaker, Sir, the hon. Member is wasting the time of the House.

*(Interruptions)*

Wasting! We are not concerned.

*(Interruptions)*

On a point of order! The Member is talking about who has given him the book, why the book, this book and that book. He should come to the motion.

*(Interruptions)*



**The Deputy Speaker:** Order! Order! Hon. Mohamed, please resume and please come again to the crux of the motion!

**Mr Mohamed:** To the book and by the book. So, the person who gave me that book was the then hon. Prime Minister of Mauritius, but now not, Dr. Navinchandra Ramgoolam, he gave me that. So, I guess he knew. He knew where I was getting at and he was suffocating on it. For one thing, and I would say that, we have seen ever since 2005, under the prime ministership of Dr. Navinchandra Ramgoolam, we have seen how many Speakers? We have seen three Speakers and I have been a Member of Parliament since then. Has there been any Motion of No Confidence? No! Why? Precisely, because there has not been any incestuous relationship between the Executive and the Speaker! Let us remember one thing. There has been no such event where I remember, I have seen one of the Motions of No Confidence happened here, in this House. Mr Peeroo had brought it. He became Speaker afterwards. Mr Peeroo - I recall when I was Minister in this Assembly, together with Members from the MSM as Ministers – he used to tell Ministers off when Ministers were wrong. He did not suffer from this whole issue that I am talking about, of selective deafness. This is a fact!

Also, something else, Mr Kailash Purryag who then became President, at no time did he show any evidence of selective deafness. I have even seen him shout down and bring down a Minister of the Government, Dr. Jeetah because Dr. Jeetah was wrong and not in line with the Standing Orders. I have seen that! But, here, in this Assembly, there has been no impartiality that has been shown by Madam Speaker.

I would like to say that we will meet again at summing-up. I will say more at summing-up, but the fact remains that - and I think it is important that I address this particular issue because you, Mr Deputy Speaker, Sir, have spoken about the parameters. You have tried through the operation of previous decisions, of people who had presided over proceedings to limit the scope of this debate for us not to speak and I will not speak about rum, sugar and biscuits. I will not speak about H&B and the official residence of the Speaker. I will not speak about the address of the Speaker bearing the official company registration address of two companies belonging to her two daughters when it is, in fact, an official residence and she is receiving money from the public funds for that official residence of Speaker. Let me not speak about it, but if the occasion permits...

*(Interruptions)*

...and there are instances that open the floodgate, let there be the flood!

Thank you very much.

**Mr X. L. Duval rose and seconded.**

(7.27 p.m.)

**The Deputy Speaker:** The Rt. hon. Minister Mentor.

**The Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues (Sir A. Jugnauth):** Mr Deputy Speaker, Sir, after listening to the mover of the motion who has been debiting so much nonsenses and rubbish, already I feel saturated and tired.

As a matter of fact, by all means, he has been trying to drown the fish by quoting all sorts of books. You have given your ruling; he does not respect that ruling. He keeps on going round. He wants to impose on us the ruling of somebody who ruled India. But we are not concerned with all that, while I was listening to him, as if he was lecturing, he was like a lecturer here and he is talking of impartiality, of respect, of independence but did he have respect for you here today?

While you were standing, intervening, he was on his feet; he was arguing with you and the arguments showed clearly that he did not agree with what you were saying.

*(Interruptions)*

**Mr Mohamed:** On a point of order.

**Sir Anerood Jugnauth:** Yes you have your point of order.

**Mr Mohamed:** And only one it is very simple, and I am not going to quote the point of order and not just like what they do, just throw it Standing Order 40 paragraph 5 –

(5) The conduct of the President and the Vice-President of the Republic or the person performing the functions of the President's Office, Mr Speaker, Members of the Assembly, Judges, Members of Statutory Commissions or other persons engaged in the administration of Justice shall not be raised except upon a substantive motion moved for that purpose;(...)'

He has been talking about my conduct...

*(Interruptions)*

Let me finish, Mr Deputy Speaker, Sir, I have not finished. He has been talking about my conduct

*(Interruptions)*

Can I finish?

*(Interruptions)*

**The Deputy Speaker:** I have listened to you patiently, carefully, allow the Rt hon. Minister Mentor to reply.

*(Interruptions)*

**Sir Anerood Jugnauth:** He feels hurt, he knows why? I did not tell him that. But you made it very clear, Mr Deputy Speaker, with your introductory remarks that it was the Speaker who gave instructions for this motion to be put on the Order Paper to be debated today. When he tries to make us believe that he did understand your simple language and what he has been harping about, that it was the Executive...

*(Interruptions)*

that she had relegated her powers. What sort of stupidity? Try to make us believe such thing. Okay, If it is not parliamentary I move it out...

*(Interruptions)*

But, what in fact, this boils down to? That he doesn't believe what you said. That it was not the Speaker; it was the Executive. Which Executive? The Executive that is on his head. The Executive that he has been dreaming of, the Executive by which he is tempted so much. But he will keep on dreaming, and then another argument which he brought forward showing that the Speaker is not independent, not impartial. He said when the Speaker was elected, nobody from the Opposition stood up to second the motion and if they were so heavy as to be unable to stand up, can we blame whoever from this side stood up and seconded the motion.

And, I think it was Xavier, I understand ...

*(Interruptions)*

But we can't blame Xavier for that.

*(Interruptions)*

Members of the Opposition should blame themselves because they had no energy to stand up and second the motion.

*(Interruptions)*

Well somebody is saying they were still under shock on knockout when knocked out from the last election. I see my friend Bhagwan feels very happy.

Mr Deputy Speaker, the hon. Member laid lots of emphasis on a journalist called Touria Prayag, Touria Prayag is very famous in this country. About that journalist, she has been shining all the time and writing all sorts of rubbish. And the Speaker is being blamed because she is seeking apologies; she was barred from cabin to this House for a period of time. This has not happened for the first time, this has happened before. When Mr Ramnah was Speaker, he had done the same thing, he had got one, Deepa Bhookhun, who is a journalist for having written nonsenses, barred from this House. So, there is a precedent, the Speaker has not invented anything and today the Speaker is being blamed for all that. Now, the hon. Member said that he had brought this motion because of reasons he had been quoting from what happened after the motion was sent to this House as if he could foresee what was going to happen and he had already prepared his motion and brought to the House.

He is a genius, what genius, I better not say because I will have to withdraw.

*(Interruptions)*

Mr Deputy Speaker, the hon. Member insinuated that if all the Members on this side of the House are going to vote against the motion, it will on the contrary prove his case that we are altogether on the same click as the Speaker. I have never seen such reasoning.

Does he mean to say, therefore, we must back him, we must be for that Motion? Then, we will be of the same gang as they are. And that would have been honourable for us! So, we'll have to accept any rubbish in order not to allow people to speculate because there are many people who like speculation in this country. We are not of that brand. We are not of that type. We believe that we should take our stand where there is righteousness. I can't see anything for which the speaker can be blamed. Of course, they said Madam Speaker did not hear sometimes certain words being spoken. It's true, I said "shut up" because he had also started speaking a lot of rubbish that I was forced to tell him to keep quiet.

Therefore, we do not agree with the Member who has brought this Motion against the Speaker. We don't believe in all the reasons, the grounds that have been put forward. It's from a twisted mind. So far I am concerned, Madam Speaker had been fair and impartial in conducting all the business of this august Assembly. She has ensured the decorum of the House. She has shown respect to all Members of the House. I don't know of any case where she has shown disrespect for any Member of the Opposition. It is shameful that some

Members chose, on their arrival in the House of the Speaker, to get stuck on their seat and not stand up.

*(Interruptions)*

I am talking of all the Members who were stuck! And they talk of respect. A disrespect not only to the Chair, but to this institution, to this Assembly and a disrespect for all women in this country.

*(Interruptions)*

You need not tell me why, I know your mind, how it functions.

*(Interruptions)*

Mr Deputy Speaker, Sir, I don't want to go into private matters of the Speaker. For example, she was being blamed as to why she was present when I had a private party. She is a relative of mine, I invited her and she was present. But he was the Deputy Prime Minister, he had dinner. His son was Deputy Speaker; he was present. We never blamed them for that.

*(Interruptions)*

I consider it utterly wrong, utterly wrong to do things like that.

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Sir Anerood Jugnauth:** Therefore ...

*(Interruptions)*

**The Deputy Speaker:** Hon. Henry!

*(Interruptions)*

**Sir Anerood Jugnauth:** When the hon. Member ended up, you know in a very cunning way, he mentioned the daughters of the Speaker who have got jobs and address. But I put the question: when she is not living in this country, she has her parents. The house is not being used for business purposes, but address is given ...

*(Interruptions)*

... simply for communication purposes. I really don't see what's wrong with that. If somebody is living with her parents and gives the address of the parents where he or she lives, well maybe for them it's a sin but for me I don't find anything really wrong in that.

Therefore, Mr Deputy Speaker, Sir, I don't think I should go any further. There have been certain things that have been mentioned which are completely private matters, I don't want to enter into all this. So far we are concerned, we are going to vote against the Motion.

Thank you, Mr Deputy Speaker, Sir.

*(Interruptions)*

**The Deputy Speaker:** Thank you! Hon. Sinatambou.

(7.46 p.m.)

**The Minister of Social Security, National Solidarity, and Environment and Sustainable Development (Mr E. Sinatambou):** Mr Deputy Speaker. Sir, for two hours, we had to listen to the mover of this Motion. In fact, knowing his usual histrionics and theatricals, in view of the amount of time he took to move this Motion, it was like going to the pictures. But if I had to give a title to the film, it would have been '*Aret to cinéma*'.

*(Interruptions)*

'*Aret to cinéma*' because we heard so many irrelevant matters. At the very outset, prior to the Motion being moved, you clearly defined the contours of the debates of this afternoon and of this evening. You clearly indicated that what we are going to deal with concerns rulings and decisions which reflect on the conduct of the speaker in the House while in the Chair. I don't know what this had to do with the book given to the hon. Member by the leader of his party. I don't know why he chose to move outside the parameters which were well defined by yourself. Parameters which actually go back to a ruling of his own father where it was clearly stated that a Motion of this kind has to arise out of improper motive and that there must be evidence of such improper motive, bias, bad faith or misconduct, if any, inside the House. Now, why am I saying that this was like one of those very bad films? This lasted two hours, and you had also clearly added, at the outset, that there must be cogent evidence. Cogent and not unsupported evidence and all in all, after listening to all that was said, I have come across only five instances where he could argue that there might have been some elements of impropriety. Each of which five elements, I am going to show are certainly not in line with the motion which he has brought before this House.

The first one concerns the famous parliamentary debate of 29 March 2016, which is about the Speaker not hearing the alleged 'shut up' invective. And I must say, I will take it together with the second alleged instance of selective deafness which is about the minimum

figure of Police officers where the hon. Member for Port Louis Maritime and Port Louis East argued that the Speaker is guilty of selective deafness.

I would strongly argue, Mr Deputy Speaker, Sir, that it is totally improper on the basis of only two instances of so-called deafness to claim that the Speaker is guilty of selective deafness, of impropriety, of bias, of prejudice, of misconduct and/or of partiality.

If the Member who has had so long to prepare his motion was really serious about it, he should have come with more than two instances where the Speaker would allegedly not have heard the Members of this side insulting or invecting Members on the other side of the House.

But let me tell you, while I am on this particular point, Mr Deputy Speaker Sir, what I believe this is all about. What they want on that side of the House is to have the Chair and even the Deputy Chair of this House to go according to what they wish. They want you to act according to what they want.

I must say one thing. I made it a point to take down notes of what was going on throughout this motion. At some stage, under the very able chairpersonship of this afternoon and this early evening, you made it a point to tell the former Leader of the Opposition not to interrupt you. And if you had heard the hoo-ha, that this raised! You said to him: 'Don't interrupt me!' and I heard him say "*ki été!*" This is what is wrong in this House.

Madam Speaker is, in fact, being taken to task because she has been attempting to uphold the three Ds of parliamentary behaviour: Decorum, Dignity and Discipline, which they don't have. Every time they stand, they make it a point to try and destroy the dignity of this House. They make it a point to bring as much indiscipline that they can, they make it a point to make this place look undignified. I am only trying to bring another instance of this continuous endeavour of the other side of the House to bring this House into disrepute.

In fact, to bring the Speaker, and yourself – I'll give you an example later on - into this disrepute.

This morning, I heard, I mean I saw hon. Bhadain, pointing a finger at the Vice-Prime Minister and telling him: '*to pu kone bachara*'. That was being televised for the whole nation. And we are being given lessons...

*(Interruptions)*

**Mr Mohamed:** Once again, I am referring to a very simple point of order which is Standing Order 40(5). He is commenting on the conduct of a Member of this Assembly and he can only do so at the time that it happens, but otherwise by a substantive motion.

*(Interruptions)*

Mr Deputy Speaker Sir, by a substantive motion. Not like this! He can't do that!

*(Interruptions)*

**The Deputy Speaker:** Hon. Sinatambou, please resume.

*(Interruptions)*

**Mr Mohamed:** Mr Deputy Speaker, are you ruling or not?

*(Interruptions)*

I am wrong! That does not exist!

**The Deputy Speaker:** Hon. Mohamed, the point you are making is out of order. Hon. Sinatambou, please resume.

*(Interruptions)*

**Mr Sinatambou:** I will say it again.

*(Interruptions)*

I am not raising anything about the conduct here.

*(Interruptions)*

I am only stating what was said. What was said, I just give you another one, while you stood up again Mr Deputy Speaker Sir. And you were actually calling to order some Members of the Opposition; Hon. Bhadain said to you: *'to gagne l'ordre ar boss!'*. In fact the Prime Minister had just stood up on a point of order and he was saying: *'to gagne l'ordre ar boss'* to you. I am not speaking about his conduct, I am saying out the words which were uttered. I am just mentioning the words which were uttered, whether it pleases or does not please the Member for Port Louis Maritime and Port Louis East.

And by the way he had all the time to speak, he should at least respect others now when they speak.

*(Interruptions)*



He took two hours. No cross-talking is the rule of the game, Sir.

Unfortunately, you see, Mr Deputy Speaker, Sir, this is how they bring this House into disrepute. They talk for two hours, now they keep cross-talking in breach of all the rules of this House. And they will tell you that you are not doing your job. They will tell you Madam Speaker deserves no confidence.

Here are the people who don't deserve the confidence of this House because Madam Speaker should be commended for being able to endeavour, although she may not succeed every time, to uphold the three Ds of this House. Why? Because of the impoliteness, the discourtesy, the rudeness of some of them.

*(Interruptions)*

Sorry?

*(Interruptions)*

**The Deputy Speaker:** No cross talking please.

*(Interruptions)*

**Mr Sinatambou:** If you tell someone '*to pu koné bachara*' what is that? Courtesy? If you tell the Deputy Speaker '*to prend l'ordre ar boss*' when the Prime Minister has just stood up on a point of order. What is this?

*(Interruptions)*

That is politeness! That is why this place, in fact, needs to be managed with even more harshness from my point of view. If every time, some of them would do some cross-talking, they would be expelled from this House, there would be some discipline. They keep telling the Speaker that she is actually acting as a school teacher or as a school mistress. I am convinced, Mr Deputy Speaker Sir, that she is in fact too soft with them. They allow themselves to say anything they want, whenever they want, as if they are on...

*(Interruptions)*

**Mr A. Duval:** Mr Deputy Speaker, on a point of order, the Minister is clearly now commenting on the conduct of Members of the Opposition, on hon. Bhadain, on hon. Shakeel Mohamed...

*(Interruptions)*

May I raise the point of order. There is...

*(Interruptions)*

Mr Deputy Speaker, let me read it to you....

*(Interruptions)*

Which section is that...

*(Interruptions)*

**Mr A. Duval:** *Contents of Speeches* – “A Member shall confine his observations to the subject under discussion (...)”

That’s one thing. But “No Member shall impute improper motives to any other Member.”

*(Interruptions)*

There is a second, if I may ...

*(Interruptions)*

There is a second thing. Hon. Deputy Speaker...

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr A. Duval:** It is clear...

*(Interruptions)*

Hon. Deputy Speaker, may I finish the point of order? It is clear that there is ...

*(Interruptions)*

**Mr A. Duval:** Hon. Deputy Speaker, may I take the point of order?

*(Interruptions)*

**The Deputy Speaker:** Order!

*(Interruptions)*

Order!

*(Interruptions)*

Order!

*(Interruptions)*

Order! Hon. Adrien Duval, please complete your observation.

**Mr A. Duval:** Thank you. Hon. Deputy Speaker, there is, I repeat, paragraph 40(3), which states –

“No Member shall impute improper motives to any other Member.”

Except on a substantive motion brought by a Member to discuss of any Member of Parliament.

Today is not a motion in the name of hon. Sinatambou to the conduct of hon. Mohamed or hon. Bhadain. Today, there is a motion of no confidence on the Speaker and, therefore, you should now give a ruling and tell hon. Sinatambou that he is out of order as per section 40(3).

**The Deputy Speaker:** Hon. Duval, hon Sinatambou is describing how challenging the job of Madam Speaker is, and I will ask him to resume the debate.

**Mr Sinatambou:** It’s exactly what I am doing. I am not talking about the way. I mean, they are what they are. I am trying to explain to this House how the motion of no confidence against Madam Speaker is unwarranted, is, in fact, misconceived and based on what I consider to be senseless arguments.

I have identified only five, let’s say, receivable points raised. Two of them were about alleged selective deafness. I have explained how, if the hon. Member was really serious about challenging the impartiality of Madam Speaker on the basis of alleged selective deafness, surely two instances are far from enough, especially if you just take what just happened one minute ago. There was just brouhaha.

*(Interruptions)*

From the hon. Member’s side!

**The Deputy Speaker:** No crosstalking, please.

**Mr Sinatambou:** From their side! They will do everything which is against the Standing Orders, and then they will tell you that conduct is only to be raised by way of Standing Order 40.

First, they should listen.

*(Interruptions)*

Exactly! And he was a former Deputy Speaker! In fact, she should be congratulated for not having heard, only on two occasions - when you look at the noise, at the crosstalking, very often at the *ricanements* which go on; she should be congratulated for what she does, to be at least trying to uphold the dignity of this House, its decorum and its discipline.

So, that, I believe, should be enough just to put aside the flimsy arguments about selective deafness based on two and only two instances. Let me come to the third one, which was quite surprising, when the hon. Member for Port Louis Maritime and Port Louis East mentioned his grievance on the debate dated 21 December 2016 regarding the Sports Bill - the debates on the Sports Bill.

If I understand the crux of his argument before this House, today, Mr Deputy Speaker Sir, his grievance is that Madam Speaker acted partially, improperly, and in a most unfair manner because he had to speak to an Opposition Whip who does not exist. That was the gist of his repartee before this House. I was expecting that because, in fact, I was surprised when he sent this motion. I was thinking, “But for two years, things have been going on well. Why, on earth, would he come in the course of the vacation, with a motion to affect or to attempt to destroy the integrity of the Speaker of the House?”

So, I went back and I thought, “Hey! That’s what happened! That may well have been the triggering point.” And I think it is. In fact, when you look at the debates on the Sports Bill, which was presented by the then hon. Minister of Sports, it has nothing to do, from my perspective, with the fact of there being a Whip of the Opposition or not. It has to do with the fact that, yes, the hon. Member for Port Louis Maritime and Port Louis East was called back to order; not that he was asked to speak to a Whip which did not exist anymore. In fact, he may well have been cheesed off, frustrated, angered, because he was expelled on that day.

But I must say, to the credit of Madam Speaker, that he was expelled after being called to order - I have noted it - on no less than 11 successive occasions.

*(Interruptions)*

Eleven, in the course of three pages which have been hansardised. In three A4 typed pages which have been hansardised, he is called back to order on no less than 11 successive occasions. I can see, when I look at the three pages, how he was legitimately expelled.

Madam Speaker starts on a very acceptable note, as far as I am concerned, and says, “Hon. Shakeel Mohamed, I am sorry...”

*(Interruptions)*

Whatever it is, it is “I am sorry”. What should she say? She should perhaps kneel down and beg him, from the way they are acting! If the Chair stands up and says, “Hon. Shakeel Mohamed, I am sorry”, what more do you wish? But hon. Shakeel Mohamed, and I am sure if he has in this House, under the garb of immunity, been laying accusations in debates - I mean, we have all heard his tone; we have all heard the way he speaks.

Now, after the Speaker had said to him that she was sorry, he says, “I have asked the Chief Whip to put my name on the list because I want to intervene and he has just told me ‘no’. How dare he say something like that?” These were the words of hon. Mohamed in reply to the Speaker saying, “Hon. Shakeel Mohamed, I am sorry.” It’s obviously the case that he was going again on his high horses.

And the Chair then says –

“Please sit down and don’t get excited!”

which, I think, she has the right to say to any Member of this House and she is right to say that there should be consultation between the Whips and I think that this clearly reminds us of the cursus in this House. That there is to be consultations between the Whips and she adds that she will ask the Government Whip to consult the Whip of the Opposition and then to come up with a list.

But hon. Shakeel Mohamed stands up again and says –

“I have spoken to him and this is what has been done ever since last year, now he cannot tell me no.”

There are interruptions and, as you know, it comes from all sides. Now, interruptions, and third calling to order. Madam Speaker says: “Order!” And she says again to hon. Mohamed: “Please sit down! Let me say that there should be consultation between the Whips because there is a list on which we have agreed already. If there is an amendment to be brought to the list, there needs to be consultation between the Government Whip and the Whip of the Opposition.” This was the fourth repartee from the Speaker to actually keep order in the House.

That’s not good enough. Hon. Mohamed then says –

“I am sorry, Madam Speaker. I am saying again. It has always been since 2015, I have consulted the Whip (...). Therefore, my point is the following: the Standing Orders are very clear, it is for you, Madam Speaker, to give me authorisation to intervene, not him, You!”

Here is a ruling! If you follow the trend of this explanation, Mr Deputy Speaker, Sir, you will see that throughout the ruling of the Speaker is that it is for the Whips to consult one another and to agree on the list which they will furnish. And here is a Member of Parliament who is telling the Speaker –

“My point is the following: the Standing Orders are very clear, it is for you to give me authorisation to intervene, not him.”

So, now, we should inverse their role; she should go and sit there and he should come as Speaker and tell her what to do. This is what they keep doing every time and this is why it is so difficult to keep order in this House. Because we have indisciplined Members, we have impolite Members, we have rude Members. And if only for that, I would appreciate if the Speaker could get harsher on everyone in this House. Because this brings us into disrepute, and then the next day what you find in the newspapers, *ces répliques qui collent*. Whatever insults have gone on here, in parliament, go, as you know, like a nice big sentence in the Press. This also applies to invectives, nasty things, impolite things, and this is why we have to defend Madam Speaker. Because I think that the way she has tried to control discipline and to uphold decorum and dignity in the House is to be commended, not criticised.

But going back to what I was just saying, at some stage, and knowing the hon. Member, we have all just seen the film “*aret to cinéma*”, we can all see how he can raise the tone, you know, do this and do that, do all the cinema in the scenario. You can appreciate how he could raise his voice because on the fifth repartee the Speaker tells him –

“Hon. Shakeel Mohamed, you are not allowed to raise your voice with the Speaker. This is the first thing, I am warning you! And the second thing is that you shouldn’t tell me what I have to do! The Chair knows what she has to do!”

And that’s exactly what I think is annoying some Members on the other side of the House. They want the Chair and the Deputy Chair, from what I have seen this evening, to do what they want you to do. They just don’t respect rules, they want their rules to apply, otherwise you are the odd one out. But, Mr Deputy Speaker, Sir, I would beseech you that not only yourself but if you could please convey to Madam Speaker that we, on this side of the

House, would be so happy if you continue to uphold the dignity of this House, to uphold the three D's, the decorum, the dignity and the discipline of the House and, if need be, be harsher.

Let me tell you something else, Mr Deputy Speaker, Sir. So, on the fifth occasion, he was told not to raise his voice and not to say what the Speaker has to do. He is now yawning. He could take two hours!

Now, let me come to the sixth repartee, because there are interruptions after Madam Speaker has said this. In the sixth repartee, the Speaker has to say again to the hon. Member

–

“And it is not for a Member of the Opposition - and I highlight - or a Member of Government to tell me what I have to do.”

Here is a clear-cut case that she is not aiming only at the other side of the House. She is clearly stating, it is neither for that side nor this side of the House to tell her what she has to do.

“I have given my ruling and I have said that there should be consultation between the Government Whip and the Whip of the Opposition and then you come up with your list. And that is it! No further debate on this!”

Again, there are interruptions and I am sure we should know from whom and this time comes the seventh repartee. The Speaker says to the Member –

“Please, sit down! Now, don't stand up and question me like this!”

You will have noted that, on several occasions, in the course of the two-hour “*aret to cinéma*” film, he was just standing challenging you either frontally or sidewise. That's the way they are. They want to control this House.

*(Interruptions)*

So, here is the Speaker, on the seventh calling to order saying to him –

“Please sit down! Now, don't stand up and question me like this! Again, there are interruptions and I don't have to tell you from whom and then comes the eighth calling to order which says –

“You don't have any respect for the Chair!”

*(Interruptions)*

Exactly! I would have kicked someone out probably on the third calling to order. We have reached the eighth one. Again, interruptions and the Speaker says –

“Order, please! Order, please!”

Ninth –

“Don’t raise your voice and if you continue, I will order you out!”

Ninth calling back to order! Again, interruptions!

Tenth calling back to order, she says –

“I’ll order you out!”

Ten times! She goes on and comes the eleventh time when she says –

“I order you out!”

He now comes and tells us that this is one of the instances of lack of impartiality, of impropriety, of bias! That is nonsense, Mr. Deputy Speaker, Sir. That, in itself, should put down completely this motion which is based on such misconceived arguments, it should be deemed to be nonsensical and baseless, not even flimsy. Because flimsy presupposes that there is something, some evidence however slight it is.

So, I thought that the first two alleged instances which he, I could say, selected to allege selective deafness are totally out of order because they are hugely disproportionate to the allegation that he has leveled. You can’t take two instances where someone is supposed not to have heard to allege: “selective deafness”. You can’t do that if you are serious. That is why I used the famous *‘aret to cinéma’* remark as regards the first two allegations of selective deafness.

The third one is the Sports Bill which, to my mind, should nail down completely any substance that we might have thought existed in the motion which was raised by the hon. Member. The two others - the fourth one is this 2015-2016 Appropriation Bill where he is accusing Madam Speaker because of a repartee which would have been made by hon. Gayan. I will leave that one to hon. Gayan who is going to speak on the motion also. But I will, however, deal with the fifth and last point of apparent substance which he has raised; which could have been said to fall within the parameters of what this debate should have been about this evening. This is something which I found again most improper. It is about the number of times that, apparently, the Members of the Opposition, he said, would have been thrown out.



But they say things which are unacceptable and unparliamentary. When they are asked to withdraw, they say: 'I will not withdraw'. There is then no alternative than to kick them out for the day. In fact, to me, they deserve more than that. Of course, if you are unparliamentary and you insist on being unparliamentary.

*(Interruptions)*

Yes, you should not be kicked only for one day! These are people, therefore, who are insisting that they will retain their rudeness, their bad manners, their unparliamentary manners and whatever ill deed that they are doing. In fact here, I will have just a few of the "pearls" of today, if you will allow me. Let me take something in the PNQ because the Leader of Opposition is here. I do not know the person who was the subject of the PNQ, Mr Sobrinho. I do not know him. I have never dealt with him or whatever. But there is one thing which I know; there is something called the 'presumption of innocence'. There is something called the 'presumption of innocence' and I was quite surprised that well...

*(Interruptions)*

*'moi mo pas voleur'*. Who said that? *'Ki sann la ki finn dire sa la?*

*(Interruptions)*

**The Deputy Speaker:** Hon Bhadain! Order please!

**Mr Sinatambou:** As a lawyer, I would have expected hon. Bhadain to be, at least, respectful of the constitutional rights of every single citizen of this country. That is the least I would have expected, but obviously, things have changed. But my point is as follows: You see, as I say, since the presumption of innocence applies whether it be to this side of the House or that side of the House, those above there, those here, it applies to every single person in this country. Now, what did I hear? During a cross-talking exercise, I heard the Leader of Opposition say "*pourtant li coquin meme*" speaking of Mr Sobrinho.

**Mr Mohamed:** Mr Deputy Speaker. Sir, on a point of order. Mr Deputy Speaker, Sir, once again, I mean, my reading of Standing Order 40 Paragraph 5 is very clear. If I may be allowed to explain this point of order; the hon. Minister, is not allowed, by virtue of Standing Order 40 Paragraph 5, to comment on the conduct of the hon. Leader of the Opposition or, for that matter, on the conduct of any Member of this Assembly unless he comes with a substantive motion. I have not finished!

*(Interruptions)*

I haven't finished! Please! Can I please finish it?

*(Interruptions)*

**The Deputy Speaker:** Hon. Mohamed! You have made your point. Allow hon. Sinatambou to resume.

**Mr Sinatambou:** The point I am making here is not about the hon. Member's conduct, it is about the words which were used. Okay. I have stated for one. Then, as this was being said, another Member said: "*Beh manze dan mem l'assiette*" and then corrected and said: "*manze dan mem cuilliere*" So, you can see the type of invective which goes on in this House. This should stop, Mr Deputy Speaker, Sir! They do not want to hear things on their conduct, but they are happy to level accusations improperly right, left and centre against people's integrity. But they don't want to hear anything about it afterwards.

*(Interruptions)*

I don't mind! I don't mind! I am doing my job!

*(Interruptions)*

I am doing my job!

*(Interruptions)*

**The Deputy Speaker:** Order!

*(Interruptions)*

Order! Order!

*(Interruptions)*

Order! Hon Sinatanbou, please.

**Mr Sinatambou:** I am doing my job as a defender of the rights of the citizens of this country. It may be a leisure for you! It's a job for me! It's a duty for me! A job conveys obligations and duties. Maybe for you it's a leisure, not for me!

*(Interruptions)*

Sorry?

*(Interruptions)*

**The Deputy Speaker:** Hon. Henry! Hon. Rutnah! Order! Hon. Sinatambou.

**Mr Sinatambou:** You can see Mr Deputy Speaker Sir, why I believe that Madam Speaker should be commended because it is such a difficult task in my mind to uphold decorum, dignity and discipline with us. I am afraid to say! It applies to each and every one of us! And I must say, sometimes, I wonder or rather I hope that people won't hear some of the things which are said here. I really hope! You know, for example, someone said, I was quite surprised, when speaking about licences being issued. One of the Members of this House said: "*beh pas ti dire toi mett voler!*" I mean, I follow, on the few occasions that I can, parliamentary debates in the United Kingdom. But, I've never heard...

*(Interruptions)*

That is so funny!

*(Interruptions)*

**The Deputy Speaker:** Order! Hon Sinatambou.

**Mr Sinatambou:** That is so funny! You can see why Madam Speaker should be commended. Because sometimes, some of us just behave like rascals. Any stupid thing sounds funny and tomorrow might find a place on the newspaper. Another repartee '*qui a collé*'. This is why I am convinced Mr Deputy Speaker, Sir that we really have...

*(Interruptions)*

**The Deputy Speaker:** Order! Hon Bhadain!

*(Interruptions)*

Hon. Bhadain! Allow hon. Sinatambou to continue with his speech.

*(Interruptions)*

**Mr Sinatambou:** In fact, I hope, Mr Deputy Speaker, Sir, as I will be concluding. I hope that you will therefore understand the comment when we go back to what we've heard from the mover of the motion and what you will have heard from the first two debaters here, on this side of the House...

*(Interruptions)*

You will, therefore, appreciate, after listening to the mover of the motion and the points raised in rebuttal by no less than the Rt. hon. Minister Mentor and myself, why the hon. Minister of Local Government stated this morning; firstly "*Nou pas per zot*", secondly "*Nou pas pou quite zot*" and thirdly "*Nou pou manze ar zot*".

*(Interruptions)*

**Mr A. Duval:** I am just trying to save the time of this House. We have a motion of no confidence. The mover of the motion has made his observation and today we have orators who are going on about irrelevant things, about whatever Minister has said and then secondly, who are being repetitive. So therefore, I would kindly ask the hon. Deputy Speaker, according to section 47 of the Standing Orders, to apply it and to tell the hon. Minister Sinatambou not to get down in irrelevant, tedious and repetitive arguments.

*(Interruptions)*

**The Deputy Speaker:** Hon. Adrien Duval, I take the view that whatever hon. Sinatambou has been expressing is relevant to the background in which Madam Speaker operates and the situation in which remarks were made which were subject matter of the motion of hon. Mohamed. Hon. Sinatambou, please resume!

**Mr Sinatambou:** Thank you, Mr Deputy Speaker, Sir. I will now conclude by stating that Madam Speaker should be commended for the work which she has been doing in her capacity as Speaker of the House. That, not only she has made history by being the first woman to be elected to that office, but she also makes us proud nationally and internationally. I believe that she must be given all the help that we can in order to continue in her endeavours to uphold the 3 Ds of Parliamentary behaviour, that is, Decorum, Dignity and Discipline. I thank you, Sir.

*(Interruptions)*

**The Deputy Speaker:** I suspend the sitting for one hour.

*At 8.37 p.m., the sitting was suspended.*

*On resuming at 9.47 p.m. with the Deputy Speaker in the Chair.*

**The Deputy Speaker:** Hon. Baboo!

**Mr S. Baboo (Second Member for Vacoas & Floreal):** Thank you, Deputy Speaker, Sir. I would support the motion of no confidence against the Speaker, tabled by hon. Shakeel Mohamed.

*(Interruptions)*

Well, before I carry on with my speech, let me answer my good friend, hon. Sinatambou.

*(Interruptions)*

Well, he said: “*Aret to cinema*”. This is the title of the movie. “*Ki cinema?*” Sorry!

*(Interruptions)*

Maybe the title is wrong. As we know, the title might be “Let us know the truth”.

*(Interruptions)*

**The Deputy Speaker:** No crosstalking, please!

*(Interruptions)*

**Mr Baboo:** Our friend has talked about impoliteness and discipline. That’s good. He is telling us that the Opposition side wants to control the House. But I want to ask him that question: How does he know that we want to control the House? It’s the job of the Speaker. And he was giving several examples that the brouhaha is coming from us. No, it’s coming from both sides. They are also involved, we are also involved. Nobody is a saint here. Well, treating us as ‘rascals’ is not polite. They were teaching us politeness, but this is not polite. Anyway, as we know, the Speaker is described as being the heart of the Parliamentary system. She, being the mouthpiece for the House, must reflect the prestige and authority of the Opposition. Her key role is for the healthy functioning of parliamentary democracy. Our Constitution provides that a Speaker may or may not be an elected Member of the House. The Government and the Opposition normally agree on a candidate.

Well, as the Deputy Speaker mentioned, we should not talk about private business. So, I will not talk about Rum and Sugar business! I will go directly to the point. Therefore, as Members chosen representatives and the embodiment of the Assembly authority and prestige, the Speaker should conduct herself with absolute impartiality in the Chair and considers it to be her duty to take decisions that are in the best interest of all Members and that elevate the House as a whole. She must not compromise the non-partisan nature of the role and must never display favour or disdain from one party or side of the House. She must treat equally all Members of the House regardless of their party affiliations. I re-iterate that it is the Speaker’s duty to remain impartial in the Chair at all times. Well, to the Speaker I would say: “Respect is earned and cannot be commanded”. Well, I cannot talk about rum, so I will continue. I know he was ...

**The Deputy Speaker:** No crosstalking, hon. Rutnah!

**Mr Baboo:** I know that the dinner was a family dinner, this also we cannot talk. But seeing the prevailing partiality in the House, should we then deduce that the Speaker is

carrying her family role in the House as well? And the Minister of Mentor, with the high respect that I have for him ...

*(Interruptions)*

Well, he was mentioning about hon. Adrien Duval who was invited, but let me tell you hon. Duval...

*(Interruptions)*

He is a MP also and he is doing part as Deputy Speaker and he is a Member of Parliament. But let me tell you one thing, Mr Deputy Speaker, Sir, on the first week of March this year, I called at the Speaker's office for an appointment and got it. And there in her office, first of all, she told me she can't give me an appointment because being the Whip of the Opposition, I have to deal with the Whip of the Government. But I tell her, no, I want to meet her. Finally she agreed and she gave me that appointment. At her office, we talked about several issues. But the first issue which we discussed was about hon. Bhadain and his sitting arrangement to be on the front bench next to the Leader of the Opposition.

*(Interruptions)*

So, she told me 'you know, no, we can't discuss all that and you have to send me a letter' and so on. I said it is my letter, she said 'no, you have to make the letter. I said it's alright, Madam, I agree, no problem Madam, I will make it. But she told me, you know the Leader of the Opposition has gone too far in the Biscuit saga.

*(Interruptions)*

Because he has made a press conference on the biscuit...

*(Interruptions)*

**Mr Sinatambou:** *"To Deputy Speaker toi! To Deputy Speaker toi!"*

Mr Deputy Speaker, Sir, allow me to remind the House again of the parameters which were defined by yourself earlier, that we are only concerned with rulings and decisions which reflect on the conduct of the Speaker in the House while in the Chair. That is the official ruling which you yourself stated earlier and which should bind all the discussions this evening. Thank you Sir!

*(Interruptions)*

**Mr A. Duval:** I take a point of order as well on the same issue. You have given a clear ruling earlier saying that we shall not talk about the private business of the Speaker, but we shall talk about the Speaker in her capacity as Speaker. You will surely know that in the Standing Orders, for example, the Chamber of the Speaker is the venue for a MP to go and take up any matter. So, it is part of the Standing Orders, it is part of the National Assembly and therefore, it is entirely in the official capacity of the Speaker. What the hon. Member here is talking about is a meeting in his capacity as an Opposition Whip with the Speaker in her capacity as Speaker in her Office. And, therefore, whatever he has said has to be ruled out...

**The Deputy Speaker:** I have taken note of these points of order. Suffice to say that allocation of seats remains within the province, the prerogative of the Speaker...

*(Interruptions)*

Hon. Baboo, please carry on!

*(Interruptions)*

**Mr Baboo:** Thank you, Mr Deputy Speaker, Sir!

*(Interruptions)*

**The Deputy Speaker:** Hon. Henry, please do not interrupt!

**Mr Baboo:** Thank you again, Mr Deputy Speaker, Sir! Well, at the beginning, you just said we should talk about business of the House in the House. But the Speaker's office is in this building, hon. Sinatambou, anyway you raised your point of order, I will continue my talk. So, when I discussed with the Speaker, she told me about that saga of biscuit business which has gone too far. So, she told me to make my letter and no sitting arrangement would be done. Anyway, I handed my letter to her, and she told me one thing 'You know I can talk further more on your leader, that is hon. Xavier Duval'. I said 'why? what has he done? Any new business, new address business I don't know.' So I heard the Speaker, she told me 'you know that much of water or bottle of water or packet of biscuit that your boss is asking is too much for his office – not for house or business. But...

*(Interruptions)*

Let me talk, please! To my astonishment, she told me that the former Leader of the Opposition has never asked for water or biscuit and she can talk more about the biscuit of the Leader of the Opposition ...

*(Interruptions)*

So, I have not come here to talk about the Leader of the Opposition, biscuit or whatever. Why? If there is a concern with your biscuit business or you are putting the Leader of the Opposition also in that same saga.

Well now...

*(Interruptions)*

I know they are telling me to finish fast because everybody wants to go home early, anyway!

I would talk about a last point when I was appointed as the Whip. So, we are talking about the fairness. I would say when I was appointed as the Whip of the Opposition and when I had this meeting in the office of the Speaker, then I know why I got my appointment late...

*(Interruptions)*

Four days, Sir. Four days after and the Leader of the Opposition also had to intervene for me to get my letter of appointment. So, is this what we are calling fairness in this House!

*(Interruptions)*

**The Deputy Speaker:** Order!

*(Interruptions)*

She even told me '*Ou bizin kone kifr ou lettre in tarder pu signer*'...

I had my second meeting also and I have gone to see about the questions from the Opposition party that we have to put every Tuesday. She was telling me we will discuss about that. Then nothing happened, she would call me, but never called me. But anyway this is in house business what we are talking and now...

*(Interruptions)*

**The Deputy Speaker:** Hon. Baboo, do you have other points to develop?

**Mr Baboo:** Yes.

**The Deputy Speaker:** Please, move on!

**Mr Baboo:** We are in a hurry. Anyway! Everybody wants to know why the letter got delayed. That's why. Well, maybe, they thought I would cross the floor. But I did not. I will



not go too far, because all my friends have already discussed, but this was my point, Mr Deputy Speaker, Sir.

To conclude, I would say that we have put forward valid reasons supporting the motion. It is vital that the Speaker be brought to order of equity, integrity, decorum of the House, and for parliamentary democracy.

The Opposition parties have no other option, for the sake of democracy and fairness, than to request that this august Assembly vote in favour of this motion of no confidence to reinstate the faith in good governance, fairness and impartiality which govern this House.

Thank you, Mr Deputy Speaker Sir.

**The Deputy Speaker:** Hon. Mrs Dookun-Luchoomun!

(10.00 p.m)

**The Minister of Education and Human Resources, Tertiary Education and Scientific Research (Mrs L. D. Dookun-Luchoomun):** Mr Deputy Speaker, Sir, I have listened carefully to the hon. Member, from the Opposition side, who has just spoken. What I could gather from his speech is that he is still wondering why his letter of appointment took a few days to reach him and he has been making us all think very thoroughly and try to find out the reason for that. The shortest way and the quickest way of getting the answer would have been to ask the Office of the Speaker.

Talking about the motion that has been moved by the hon. Member Mohamed, I must say that, throughout his speech, I tried to figure out what solid evidence he has to show that the Speaker has not shown impartiality. I must say it has been a tough job, but I could not see any point that he has put forward that was valid enough to ask for the motion to come to Parliament.

Après le discours magistral de l'honorable Sinatambo, je ne crois pas que ce serait important pour moi d'aller dans tous les petits détails, mais il y a certains points sur lesquels j'aurais aimé attirer votre attention.

Mr Deputy Speaker, Sir, Members of this august Assembly are all aware that, apart from our Standing Orders, there are certain established parliamentary customs, conventions, etiquette and rules that are required to be observed by Members in this House. These are based on past practices, rulings delivered by Speakers from time to time as well as unrecorded customs of the Assembly which Members come to know through their personal

experience in this House. This is normally what we call parliamentary etiquette, and no Member should deviate from the decorum, dignity of this House.

We have heard the hon. Member Mohamed talking about parliamentary democracy, talking about the way that the House should be run. But let me just remind the House that the Parliament, that the National Assembly is, in fact, the best example of democracy, and it is perhaps one of the most respected way of governance since the mantle rests upon the elected Members of the National Assembly. Elected Members, representatives of the people who come in here to discuss important matters, but who do get privileges, have certain obligations. I think hon. Sinatambo has put it very nicely, that there are the three D's: discipline, dignity and decorum.

No one in this House has the right to sully this decorum. No one has the right, by his behaviour or misdoing, to tarnish the reputation of this august Assembly, especially that now all the proceedings of this National Assembly will be broadcast. Today, we have seen, as someone has mentioned, the *cinéma qui s'est passé*, and we know that sometimes we give the impression that it is done solely because - it is very clear that they know - it is being broadcast live on TV, and so we can say anything. *On peut débiter n'importe quoi, dire n'importe quel bêtise - laissez-moi ne pas définir ou qualifier les termes ; dire n'importe quoi, en pensant que ça ira jusqu'au peuple, et on se permet de le faire*, we have parliamentary immunity! *Mais il faudrait qu'on se rende compte qu'on a quand même des devoirs en tant que parlementaires, on a des devoirs et des obligations*, and one of the most important obligations is to behave in a dignified manner. *On est supposé être des exemples pour les jeunes qui sont en train de voir ce qui se passe à l'Assemblée*. We have to make sure that we do not disappoint them.

On n'a pas le droit de les décevoir, parce qu'en tant que membres élus, en tant que représentants du peuple, il nous faut savoir comment se comporter dans cette auguste Assemblée. Tout à l'heure, l'honorable Sinatambo a bien fait ressortir que si on ne se comporte pas comme il se doit, il est normal que le *Speaker* ou la *Speaker* - la présidente - prenne des mesures qui s'imposent. Si on n'arrive pas à respecter la présidence, c'est normal qu'il y aura des sanctions, et cela n'est pas seulement à Maurice. C'est à travers le monde. C'est d'ailleurs une pratique parlementaire ; le respect pour la présidente est un *must*. Et là, avec les onze interruptions qu'a fait ressortir l'honorable Sinatambou, on s'est bien rendu compte que le renvoi du parlementaire de la Chambre a été provoqué par son comportement dans la salle, et on ne peut imputer à la présidente une partialité quelconque.

Ceci dit, M. le président, j'aurais voulu retourner un peu en arrière et essayer de voir ce qui s'est passé le jour où ce *Sports Bill* a été débattu au Parlement.

Let us carefully scrutinise the genesis of the whole issue. The procedures in force in this august Assembly are such that hon. Members must indicate their willingness to take the floor on Bills or matters that they deem vital to their constituency or to the public good. But, Mr Deputy Speaker, Sir, it is common practice in this Parliament that, a day before, through the Whips, you give your name and you express your intention of intervening on a particular Bill. And if you go back to that day, the list of orators was given at the very beginning of the day, and it is not at that time that the hon. Member expressed his wish to the Whip or to anyone else that he intended to take part in the debates. No! It was at the time that the debates were on and Members had already intervened that, all of a sudden, in this Assembly, he is sitting on that side and started crosstalking calling the Whip and using very rude language, asking him to put him on the list, and in a very arrogant way. And this caused the brouhaha that happened in the Parliament and this had caused the Speaker to come up and to take position.

Mr Deputy Speaker Sir, we know that this could have been dealt with differently. If he had taken the pains of talking to the Whip early on that day, maybe his name would have been on that list. If, in spite of that, he still wanted to talk on that Bill, he could have, en *aparté*, gone to the Office of the Speaker and expressed his wish. *Non! Ce n'est pas ce qu'il a choisi de faire. Il a choisi de faire encore une fois du cinéma au Parlement. Et alors, vous savez ce qui a suivi. Mais pour moi c'est clair dans ma tête.* If your name is not on the list of orators, you cannot take part in the debate. This is not something that is new. It has always been the case. I must say that we also have had times when we wanted to intervene on a particular Bill, but we didn't get the chance because we did not inform the House at the right time that we intended to take part in a Bill.

I'm not here to be the moral conscience of hon. Members, but it is true and I strongly believe that we must not do anything that brings disrepute to the National Assembly, anything that affects its credibility and the more so at a time when the population is watching every single move that we make in this House.

We should not allow our personal ego to hold the supreme way. Quite the contrary! We have a duty as elected Members to give the good example. I must say one thing. What I found surprising is that whatever reproach they had to make *vis-a-vis* the Speaker was about

things that are commonly done in this National Assembly. Saying that the Speaker had shown selective deafness is extremely strange in a particular case chosen by the hon. Member. He mentioned the case when supposedly something was uttered in the Assembly and the Speaker had said that she did not hear. But what he also mentioned or maybe he did not mention is that the Speaker took the pains of going to the records and to find out whatever he said was uttered in the Assembly was true or not. But then he, himself, chose on the advice of X, Y or Z - it is none of my concern - not to go ahead with that. And today in spite of the fact that he knows *sûrement bien* that he had decided not to go ahead with that particular case, he takes the same case and brings it to the House as a point on which he wants to give evidence that the Speaker has not shown impartiality.

Mr Deputy Speaker, Sir, *c'est de la mauvaise foi*. Now, there's something more. They have been talking about...

**Mr Mohamed:** On a point of order. This is unparliamentary. She cannot accuse me. This is imputation towards worst level. Maybe, Mr Deputy Speaker, Sir, I mean, for once I hope that we could have the Standing Orders applied here.

**The Deputy Speaker:** Hon. Mrs Dookun-Luchoomun, please carry on!

**Mrs Dookun-Luchoomun:** Mr Deputy Speaker, Sir,...

*(Interruptions)*

**The Deputy Speaker:** Order!

*(Interruptions)*

Hon. Mrs Dookun-Luchoomun, please resume your speech!

**Mrs Dookun-Luchoomun:** Mr Deputy Speaker, Sir, what I mean to say is that any person who thinks properly cannot use a point where he, himself, has decided not to go ahead with and to use it as evidence against the Speaker. This is all the point that I wanted to make.

The next thing is that when we come to the case of the position taken by the Speaker vis-à-vis one journalist. Now, what I find strange is that this is a practice that has been accepted in this Assembly. When a former Speaker had asked that a particular journalist be not allowed to enter the Parliament unless she presents her excuses or apologizes, no one had anything to say about this case. No, *c'était normal!* It is according to Standing Orders. Everything went on smoothly. No one had anything to say. No one pointed a finger at that Speaker at that time and rightly so. But then, when it comes to Mrs Hanoomanjee, when it

comes to the present Speaker, the fact that she took position against a particular journalist who had decided to write about the Parliament in her own way and decided to – I believe it was a case of mudslinging. Then, all of a sudden, it is bad. Something is coming to my mind. It is most probably they find it hard that a woman is in authority in this Parliament. Had it come from a man Speaker, no one would have had anything to say.

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mrs Dookun-Luchoomun:** No one would have ever said anything.

*(Interruptions)*

**The Deputy Speaker:** Order, please!

*(Interruptions)*

Hon. Uteem!

*(Interruptions)*

Order, please!

*(Interruptions)*

Hon. Mrs Dookun-Luchoomun!

**Mrs Dookun-Luchoomun:** Mr Deputy Speaker, Sir, I had the patience and the courtesy of listening to them. I expect them to show the same respect towards other Members of the Assembly. Now that I am talking, I would like them to listen to what I have to say. Why is it that when the same situation arose in the case of a Speaker formerly in this Assembly, no one had anything to say. But today when it is the Speaker, there are Members who were there, today...

*(Interruptions)*

**The Deputy Speaker:** Hon. Mohamed, I have listened carefully to you. Please, allow the hon. Minister to make her speech.

**Mrs Dookun-Luchoomun:** When we come with such a motion to the Assembly, I think the basic thing one has to do is to go back to the Hansard and see what were the cases because we have been talking about past practices. I have listened very carefully to the parameters that you have set, Mr Deputy Speaker, Sir. We are allowed to navigate within a

restrictive space. I'm trying to limit myself to that only. But since this case has come up in this House, we have mentioned the case and I will come back to it and I want this to be noted, Mr Deputy Speaker, Sir. Let me take the case that came here and let me quote what was said by that Speaker at that point in time –

“I must say, at the outset, that I am placed in an unwanted and delicate situation, as I am also directly concerned in this matter. After having given due consideration to this fact, I have come to the conclusion that I have no choice than to abide by the law and the Standing Orders of the National Assembly.”

He goes on to say –

“The author of the article does not only thrust indignities upon the House by reflecting on the character and behaviour of hon. Members but categorically accuses the Chair of partiality. That a stranger to this House accuses the Chair of partiality is unprecedented.”

*Je saute tout cela pour aller plus devant pour voir qu'est-ce qu'il avait à dire –*

“I view this matter with much concern. To my mind, this amounts to an evasion of the privilege of this House to discharge its function without external interference. A media or press reporter is, for the purpose of our Standing Order and the National Assembly (Privileges, Immunities and Powers) Act, a stranger. Admission of press reporters within the precincts of the House is governed by the Standing Order 13 and rules made by Mr Speaker. The reporters are expected to give a fair and accurate account of debates and proceedings of the House without offering any observation which may be construed as a reflection on the conduct of individual Members and ultimately the House itself.”

*Et à la fin, M. le président, ...*

*(Interruptions)*

**The Deputy Speaker:** No crosstalking, please!

**Mrs Dookun-Luchoomun:** ...he said –

“Such conduct deserves an exemplary sanction. I believe that I can safely exercise the powers conferred upon me under section 8 of the National Assembly (Privileges, Immunities and Powers) Act.

**The Deputy Speaker:** Hon. Mohamed! Hon. Adrien Duval! No crosstalking, please!

**Mrs Dookun-Luchoomun:** Mr Deputy Speaker, Sir,

“But, in a spirit of nurturing the close relationship existing between the Press and the National Assembly, I wrote to the Chief Editor of “*l’Express*” and expressed my...

**The Deputy Speaker:** Hon. Henry!

*(Interruptions)*

**The Deputy Speaker:** Hon. Members, I gave you the opportunity and I listened carefully to whatever you had to say!

*(Interruptions)*

Allow me to listen to the speech of hon. Mrs Dookun-Luchoomun!

*(Interruptions)*

Hon. Bérenger!

*(Interruptions)*

Don’t make gestures with me!

*(Interruptions)*

Don’t make gestures with me!

*(Interruptions)*

Hon. Bérenger, allow the hon. Minister to speak!

**Mrs Dookun-Luchoomun:** I won’t take the time of the House. I just wanted to show that the same thing happened earlier, and that when it comes from a man, it is acceptable....

*(Interruptions)*

**The Deputy Speaker:** Hon. Bérenger, I order you out!

*(Interruptions)*

I order you out, hon. Baloomoody, hon. Bhagwan, hon. Uteem!

*(Interruptions)*

I order you out!

*(Interruptions)*

Hon. Baloomoody, I order you out!

*(Interruptions)*

Hon. Bhagwan, I order you out!

*(Interruptions)*

Hon. Baloomoody, I order you out!

*(Interruptions)*

Hon. Bhagwan, I order you out!

*(Interruptions)*

Hon. Baloomoody, I order you out!

*(Interruptions)*

Hon. Baloomoody, I order you out!

*(Interruptions)*

*At this stage the Members of the Opposition left the Chamber.*

**The Deputy Speaker:** The sitting is suspended for ten minutes.

*At 10.28 p.m., the sitting was suspended.*

*On resuming at 10.40 p.m. with the Deputy Speaker in the Chair.*

**The Deputy Speaker:** Hon. Mrs Dookun-Luchoomun, please!

**Mrs Dookun-Luchoomun:** Mr Deputy Speaker, Sir, what has just happened in this House confirms whatever we have been saying about the Opposition. There is absolutely no respect towards the Chair. They were even threatening the Chair. This is horrible! And I am really very, very dismayed by such a way, such a behaviour from so-called hon. Members.

Mr Deputy Speaker, Sir, the proceedings of the National Assembly are being broadcast live on TV, and there must be hundreds of young people watching TV. What impression they will get on representatives of the people! Elected representatives of the people! We have been sent here to discuss matters for the good of our population, for the good of the people who sent us here. And what do we see! A total lack of respect for the Chair and for the decorum of this august Assembly! No discipline, no dignity, and obviously



gone is the decorum! So, I must say I am not surprised. This is the type of things we have been seeing for years in this National Assembly from the hon. Members of the Opposition, but today they have gone very far. It is the first day that the Deputy Speaker is chairing this august Assembly, and they did not hesitate a single moment to threaten and to try to intimidate the Chair. I must say that we are proud of the occupant of this Chair.

*(Interruptions)*

You have, in a very dignified manner, Mr Deputy Speaker, Sir, shown them the way because we cannot accept such an attitude especially from people who have been lifting their fingers at the Speaker, stating that she does not know how to run the proceedings of the Assembly; stating that she shows partiality, but the way they behaved and nicely depicted by hon. Sinatambou has shown that they have almost forced the Speaker, on the day the Sports Bill was being debated, to throw them out of the Assembly. There is a limit to patience. Today, whilst discussing, while debating on a motion of blame supposedly for showing partiality; they have shown how they can misbehave and I am sure that no one sitting in this august Assembly would tolerate such behaviour.

Mr Deputy Speaker, Sir, having said that, I would like to stress that we cannot accept the motion of hon. Mohamed because, as we have seen, it is a motion that has been moved solely to allow him to come in the Assembly and to do his show so that people in the country can look at him and to allow him to say whatever he feels like saying, allow him to carry on with his mud-slinging and with that he is protected by Parliamentary immunity. Mr Deputy Speaker, Sir, we shall definitely vote against this motion.

Thank you for your attention.

**The Deputy Speaker:** Hon. Rughoobur!

(10.39 p.m.)

**Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or):** Thank you, Mr Deputy Speaker, Sir, for giving me the opportunity to comment on this Motion of No Confidence. Mr Deputy Speaker, Sir, I have listened carefully to the mover of the motion and one Member of the Opposition who is in favour of this motion.

Mr Deputy Speaker, Sir, I believe that there are only three issues that have to be debated and these three issues have been addressed by the hon. Members, on this side of the House, who have spoken before me. One of the three issues, Mr Deputy Speaker, Sir, is the issue of breach of neutrality of the Speaker. This is one.

The second one is whether Madam Speaker has failed to preserve dignity decorum and discipline in the House.

And the third one which is extremely important is whether she has demonstrated leadership qualities which, we all agree, are extremely important while presiding the affairs of this august Assembly.

Mr Deputy Speaker, Sir, as a backbencher in this House, I have been here for nearly two years now and it has often been the case during Question Time, when I was myself frustrated, simply because I felt that I was not given the time to elaborate on PQ that I had to ask in the House. But, Mr Deputy Speaker, Sir, we should agree that we have to make a compromise because the time that has been allocated as per Standing Orders is limited and we have to make a compromise as hon. Members in this House. And this is what, as a responsible backbencher, I have been trying to do during these two years. There have been many cases where Members of the Opposition were given more time to develop their PQs and these were times when I felt frustrated because I was thinking that maybe, Madam Speaker is biased, in favour of the Opposition Members. But, as I am saying, Mr Deputy Speaker, Sir, this can never be a reason for us to put a Motion of No Confidence against the Speaker.

Mr Deputy Speaker, Sir, on this first issue of neutrality, I wanted to raise an important issue that happened only last week during PMQT. There are Members of the Opposition who recently declared that *le Premier ministre, Madame la présidente de l'Assemblée nationale et moi-même comme backbencher, on a comploté pour pervertir la démocratie parlementaire la semaine dernière*. That the whole of the 30 minutes were monopolised by me, the

backbencher, that was as if *on s'est assis, moi, le Premier ministre et Madame la présidente, on a préparé tout ce qu'on devait dire ce jour-là*. As if this was something that was prepared by us. That was something that was so wrong in itself, Mr Deputy Speaker, Sir, because that was a perception created only to show that we, on this side of the House, were as if preventing Members of the Opposition to intervene and to take full advantage of the democratic process that we, ourselves, have allowed in this House during the last two years. We should not forget, Mr Deputy Speaker, Sir, that this august Assembly was closed for more than one year. There were no such debates.

There is another thing also that I wanted to mention, Mr Deputy Speaker, Sir, *et j'étais vraiment déçu*. Because what happened, what we learned in the Press, as well, was something that we cannot accept and this is where I would make a humble appeal to journalists as well. Because, in some quarters, even some journalists stated that as a backbencher I had monopolised the PMQT.

Mr Deputy Speaker, Sir, let me come to something that I wanted to mention here. I was reading something by a Member of the Lok Sabha recently, and I would like to share this with the House tonight, on a Statement entitled "Imperative of Discipline and Decorum in Parliament". The hon. Member G.M.C. Balayogi stated -

"Ironically, protests seem to attract greater media attention. At times, sensational news-noisy scenes, pandemonium, walk-outs in the Houses of Parliament, etc. - are given front page coverage in the national dailies and important issues like legislative and financial business tend to get sidelined or are ignored. Media, being one of the pillars of democracy, has an educative role as well. If media writes forcefully and accurately and gives importance to the real issues and significant matters and debates and deliberations in the Legislatures, it can become more effective and meaningful in its purpose."

This is the humble request that I have for the media, Mr Deputy Speaker, Sir, because as new backbencher, we are often told that we have to encourage youngsters to join politics. We are often told that we have to give *l'encadrement nécessaire aux jeunes de s'intéresser à la politique*. But unfortunately, what happened last week, the comments that I heard from Members of the Opposition, unfortunately, Mr Deputy Speaker, Sir, is not meant to inspire.

But, coming back to the motion, Mr Deputy Speaker, Sir, there was no such *complot* between the Speaker, myself and the Prime Minister. On the contrary, *on voulait provoquer*

*un débat sur toute l'affaire de procurement et j'étais tellement déçu.* And the Opposition Members last week, Mr Deputy Speaker, Sir, when those questions came at PMQT, they had the opportunity to ask supplementary questions, but none of those Opposition Members, with the exception of one or two, rose to ask supplementary questions.

Ultimately, they came and stated *qu'il y avait la violation de la démocratie parlementaire.* Very wrong, Mr Deputy Speaker, Sir!

The second point that I wanted to raise, Mr Deputy Speaker, Sir, relates to the issue of dignity, decorum, and discipline in the House. My hon. friend, the mover of the motion earlier, Mr Deputy Speaker, Sir, quoted Pandit Nehru. Let me quote Pandit Nehru who has been qualified as the epitome of parliamentary decorum and this is what he observed once, Mr Deputy Speaker, Sir, and I quote –

“Democracy does not simply mean shouting loudly and persistently, though that might occasionally have some value. Freedom and democracy require responsibility and certain standards of behaviour and self-discipline.”

Mr Deputy Speaker, Sir, as rightly pointed out by the hon. Member who spoke before me, today through this live broadcast, the whole nation is listening to us. Youngsters are the people whom we expect to get inspired by what we are doing in this House and my appeal to the Members of the Opposition, but even to the Members on this side of the House is that it is not for the Speaker alone, it is not for her alone to ensure, it is not her responsibility alone to ensure that we preserve dignity, decorum and discipline in the House. Responsibility is shared between Madam Speaker and the hon. Members. Mr Deputy Speaker, Sir, this is where we have to reflect on the need for hon. Members to develop a culture of discipline, decorum and respecting dignity of the House.

Mr Deputy Speaker, Sir, the last issue that I am going to raise would be the issue of leadership. We must admit that Madam Speaker has been here for the last two years and since she has been appointed as Speaker, there have been a few initiatives that she has taken that Members on both sides of the House should appreciate. One of the main initiatives is live broadcast of the business of the House, Mr Deputy Speaker, Sir. Today, this is a reality and we have to thank also the staff, Madam the Clerk, the Speaker and all the staff who have been working relentlessly to make this possible.

So, when we are referring to an absence of leadership, Mr Deputy Speaker, Sir, I believe this is where the mover of the motion has gone wrong. I believe that Madam Speaker

has demonstrated leadership capabilities. She has not only ensured that the live broadcast project has been implemented, but it has been done as per the deadline set. For how many years successive Governments have been trying to put this project to shape? But, Mr Deputy Speaker, Sir, this is a commendable achievement and I hope that Members even on the other side of the House would tend to appreciate. It is the same thing for Gender Caucus and many other initiatives that have been taken by Madam Speaker.

So, Mr Deputy Speaker, Sir, these were the few issues that I wanted to raise. I am not going to be long, but of course I am going to vote against this motion and I thank the House for its attention.

Thank you.

**The Deputy Speaker:** Hon. Gayan!

(10.54 p.m.)

**The Minister of Tourism (Mr A. Gayan):** Mr Deputy Speaker, Sir, I have made it a point to speak on this motion for two reasons: first, we need to have full respect for the institutions of this country and, secondly, we need to have respect for the women who happen to occupy high positions. At best this motion of no-confidence is a motion which has been made to score political points, but at worst, this motion has been made as a frontal attack on the role of women in our country and this is why I believe that this motion needs to be debated fully and we need to have all views ventilated so that we all know what is in store with regard to this motion.

Let me deplore the fact, Mr Deputy Speaker, Sir, that the mover of this motion is not present in the House at this time! This is lack of respect for this institution, the National Assembly. There was no order as far as I recall made against the mover of this motion and he has decided not to be present! It is cowardice on his part not to hear the views that are going to be expressed, but it is also something that shows utter disrespect for the most important institution in the Republic of Mauritius.

We have seen how those who moved the motion and all those who are supporting the motion have behaved in this House. But, when my good friend, hon. Sinatambou was addressing the House I said that I was going to ask him not to speak on one aspect of his address because I wanted to reply to the point which hon. Shakeel Mohamed had raised. He took issue with me for having said at some stage in a debate that this was the first time that the Labour Party was being led by a non-Hindu. I said it to show pride in the progress

achieved by the Labour Party to be able to move from a Hindu led party to a party led by any person belonging to any community. That was the reason why it was said and this is why...

*(Interruptions)*

...but when he said it, he said I was a racist. I was playing communal politics! That was not the intention. In fact, I was praising him for the progress, as I have said, which the Labour Party has made. Instead of looking at it from that positive angle, he has put a negative side to it and he has painted me in the blackest of colours!

*(Interruptions)*

That is all they do in this House, Mr Deputy Speaker, Sir. Insults, especially insults against women, Madam Speaker, has been the target of invectives, of insults for years since she assumed this office. Even today she has been subjected to a lot of abuse, insults and all sorts of remarks which really diminish not only the status of the Speaker, but also the status of women. I think all those who watch or who are watching us at this moment will understand why many women who would want to join politics will not do so!

*(Interruptions)*

Many of the young people in this country who want to contribute to the politics of this country will think twice because of this kind attitude of the Members of the Opposition. I am not saying all Members of the Opposition are like that. But we know who they are and the kind of insults, the kind of remarks they make from a sitting position to intimidate, to humiliate, to ostracise, and to destroy people. They are not here in this temple of democracy to do things which are needed in the public interest. They have, unfortunately, a section of the media with them and they have what they call the breaking news, and they think they can break people with their breaking news, but their news is broken. Fake news! This is what they are up to, and they want to present it as something great in this country.

Mr Deputy Speaker, Sir, this morning or was it this afternoon, the Rt. hon. Minister Mentor made a statement in the House regarding DCP Seerungen. You will all recall in this House what kind of abuse, what kind of insults he was not subjected to when the PNQ was raised by the then leader of the Opposition, hon. Bérenger. What I was expecting today, at least, on a point of personal explanation, the then Leader of the Opposition would have stood up and said, "I am sorry, Mr Seerungen. I was misled. I am sorry for all the harm that I have done." No, Mr Deputy Speaker, Sir! They occupy the high moral ground. They think they are

blameless. They think that they can say anything against anybody with impunity. But this is not what politics is all about and this is not what democracy is all about.

It is highly significant, Mr Deputy Speaker, that when the Opposition has left the House - I am looking at the Gallery of the press - very few faces around!

*(Interruptions)*

Two or maybe three!

*(Interruptions)*

But that's not the point. The point is that there is a bias in favour of the Opposition through the media. Tomorrow, you will see, Mr Deputy Speaker, Sir, the walkout and the order made by the Deputy Speaker will be headlines. But you were right, Mr Deputy Speaker, Sir, to make the order that you did because you cannot have somebody with an experience of the former Leader of the Opposition, from a sitting position, saying all sorts of things which are highly derogatory and damaging to the image of this House. I had a piece of paper and I was trying to write down what they were saying. It is something which is really degrading, not only for this House, but for all the hon. Members. We come here; we can disagree, we can have different views about certain things, but that does not give us a licence to humiliate, to denigrate, to diminish people. This is what the Opposition has been doing unfortunately and they have sullied the House.

Mr Deputy Speaker, Sir, hon. Mrs Roubina Jadoo-Jaunbocus has suffered the fate, as a woman, from the invectives and the insults of the Opposition. Hon. Mrs Boygah! Now, it is the turn of Madam Speaker. You were right, Mr Deputy Speaker, Sir, when, before the motion was moved, you made it a point to set the parameters of the debate because we are discussing a motion of no confidence in the Speaker. The Speaker has a role in the House, and if there is any impropriety done by her in the House, then that can be the subject matter of a motion of no confidence. But when the motion was moved, I agree with my good friend, hon. Sinatambou, it was a great show! In fact, I have been going through the previous motions of no confidence. Every time there was a motion of no confidence, the mover had said, "This is what the Speaker has done, and this is why I am moving for a motion of no confidence." On this one, it was a vague motion of no confidence, as though he could bring in anything under the umbrella of that particular motion.

At no time, Mr Deputy Speaker, Sir, did anybody say or the mover of the motion that Madam Speaker has brought about innovation in this House. The fact that we have live

broadcasting of debates is something which is unique in the region. The fact that we have a Parliamentary Gender Caucus is also her idea.

Mr Deputy Speaker, Sir, they are talking about impartiality; they are talking about partiality by the Speaker in favour of Government. This morning, there was a PNQ. When the Leader of the Opposition said that the answer given by the hon. Prime Minister was too long and that there might be no room for debate, Madam Speaker stood up and said, “I am going to give time for debate.” And time was given! More time was given! What better fairness can there be?

That is the test of impartiality and that is the test of fairness, because ultimately what we are here for is to uphold the dignity of the House. We are here as servants of this temple of democracy. Of course, we are not saying that we have to pray and be nice and kind all the time. There will have to be the hustle and bustle of parliamentary life. It is normal in a democracy that there should be that kind of debate. But it is not normal that we should have insults and people talking from a sitting position; things that should never have been said from a sitting position and also things which really insult and which are calculated to cause a lot of damage.

Mr Deputy Speaker, Sir, this House is governed by rules. We have our own Standing Orders. We have the Constitution. We have the Standing Orders and Rules of the National Assembly. Everything is set out. We have said, in the rules, that if there is any problem regarding the interpretation of the rules or the manner in which anything has to be dealt with, then we go to Erskine May and to the practice that prevails in the House of Commons in the UK.

In fact, the very first Standing Order states, and I quote –

“1. (1) In cases of doubt these Orders shall be interpreted in the light of the relevant practice of the Commons House of Parliament of Great Britain and Northern Ireland.”

And then, it goes on to say –

“(2) In any matter for which these Orders do not provide the said practice shall be followed, but no restrictions which the House of Commons has introduced by Standing Order shall be deemed to extend to the National Assembly, (...).”



So, we are governed by rules. If our rules are silent on any issue, we have the practice of the United Kingdom. This is important because debates that are held in this House have to be debates where people respect each other, they debate strongly, each one putting his views across and, at the end of the day, a vote is taken and the Bill is either passed or is not passed.

This is what we are here for and, Mr Deputy Speaker, Sir, as I said, we are in a temple of democracy, we have to be fair to everybody, I have no qualms about the fairness of Madam Speaker. In fact, last week, in the course of a debate where hon. Bhagwan was insulting me, I stood on a point of order and Madam Speaker ruled me out. But that's the name of the game. Madam Speaker decided not to uphold my point of order and that was her right and I did not challenge. But when that happens to any Member of the Opposition, they challenge the Speaker. They stand up. When the Speaker stands up, they should sit down. They don't sit down. They keep arguing with Madam Speaker and this is not what parliamentary practice is all about. So, when they come to complain about fairness, about partiality, about protecting this side of the House, it is totally untrue, uncalled for and it is just another attempt on the part of the Opposition to sully the reputation of Madam Speaker and by extension, all women.

Mr Deputy Speaker, Sir, you have been, I think, presiding a second time over the debates in this House. Where you sit, you are alone, you have the Clerks helping you at times.

But you can see everything that goes on, but you have two eyes, you have two ears, you cannot see and hear everything and whatever goes on in this House. It is impossible for anybody to hear everything, but the Opposition wants you to hear everything or Madam Speaker to hear everything. But this is humanly impossible, but when she does hear or when she listens to the debates, it has happened, Mr Deputy Speaker, Sir, that even the Minister Mentor who was Prime Minister was asked to withdraw certain remarks he had made and that was in the case of the Prime Minister. And Madam Speaker listened to the debates and when she confirmed the version of the Opposition, then the Prime Minister withdrew his remarks.

Hon. Minister Jhugroo, he was the Chief Whip, he was sitting here and he was ordered out. The Government Chief Whip was ordered out by Madam Speaker. Is that showing preference for this side of the House?

But Mauritius is Mauritius and people will always have different interpretations on anything that happens, but let me share with you, Mr Deputy Speaker, Sir, recently the case

of the Speaker of the United Kingdom, John Bercow, who faced a motion of no confidence. Why? Because the President of the United States, Donald Trump, had decided to come to the United Kingdom on a State visit and during his State visit, he was going to address the Houses of Parliament, as is the normal practice. The Speaker decided not to open the doors of the House of Commons to Donald Trump and he refused, he said he was going to refuse to let Donald Trump address Parliament and then some Conservative Members of the House started a campaign against him and moved a motion of no confidence against him.

And, Mr Bercow was asked to quit as a result of his decision not to allow Donald Trump in the House of Parliament. He was attacked and then Mr Bercow told the MPs in the House that President Trump should not be allowed to address Parliament on his State visit to Britain later this year, insisting that such a privilege is an earned honour. There was an immediate backlash with many dissatisfied MPs.

And what was said by one of the MPs there speaking of the Speaker, and I quote –

“He has overstepped the mark a number of times. But this most recent incident - where he used the speaker’s chair to pronounce his views on an international situation in some quite detailed and lengthy manner - is wholly inappropriate.”

And it means that he can no longer reasonably chair as Speaker any debate on those subjects.

The process of a motion of no confidence goes through a collection of a number of signatures before the motion can be tabled in the House. And then there is something which is very important that was said by an MP. I am saying this because recently we had the visit of President Mugabe. And I said to a private radio station that we, as a Government, we, as the State, we cannot not recognise another Head of State. That’s all I think I said. And I was subjected to a lot of abuse from the media as though I was supporting all that President Mugabe was doing in this country. But it’s important because we failed to recognise the reality of international politics and, unfortunately, our journalists have no sense of history, they have no knowledge of international relations and this is why I am going to quote this so that everybody understands the importance of State to State relations.

And this is David Lidington, MP, saying, he said, and I quote –

“Whatever view any of us as individuals might have on any particular leader of another country, the reality is that governments have to deal with other governments

in the world as they exist and particularly with elected governments who are able to claim a mandate from their own people.”

And he went on to say –

“There was no challenge to the legitimacy of the United States election, despite the “bitterness” of the campaign.”

Then Donald Trump should be allowed to come to the House.

But, of course, the matter is not over; Donald Trump is not yet in the United Kingdom. But these are things that are important, because we are not alone in the world facing this kind of situation.

But what I deplore also, Mr Deputy Speaker, Sir, is the provocative nature of the exchange with the Members of the Opposition and the Speaker who is responsible for maintaining order in the House. This morning, Madam Speaker called hon. Baloomoody five times. Five times! And she said so, you will go to Hansard, you will see that, I am sure hon. Baloomoody is not deaf, he must have heard and then what does the Leader of the Opposition say about Madam Speaker that she suffers from deafness of ears or whatever. This kind of talk from a Leader of the Opposition! What a shame! And also against a woman! These women are our mothers, our sisters and our daughters. We must have respect for them and this is why what has happened today in this House is a disgrace for the mover of the motion, it’s a disgrace for the Opposition, but we are happy to be on this side of the House speaking on the motion and voting against the motion. The Leader of the Opposition said regarding the hearing of Madam Speaker. I have written down. ‘Your ears are playing games, Madam Speaker.’ This is what he said.

Earlier today, there was one of the MPs of the PMSD, hon. Armance who was addressing our colleague, Alain Wong Yen Cheong, he said *ministre transfuge*. He is a Minister, but they have to add this little bit of insult to humiliate the person and to sap his confidence. They speak of decorum, dignity of the House. Last week, when Madam Speaker entered the House, the hon. Leader of the Opposition...

*(Interruptions)*

They started last week. They remained on their seats. They only stood up when the Anthem was played. Today, they did the same thing and the mover of this motion, all the Members of the Labour Party, they also followed the example of the PMSD.

But, let me say to Madam Speaker, and I would like to quote because I know it is not easy for her to be listening to this debate because people are people, people have emotions, people have sentiments. This debate is being broadcast throughout the world. She has friends, she has relatives, she has family listening to this kind of debate; it is certainly not pleasant for her. So, let me say if this can soothe her and soothe all the women of this country, I will quote from Shelley, the great English poet, and he said –

“When winter comes, spring cannot be much far away.”

But, let me also say, Mr Deputy Speaker, that the role of the Speaker is not easy. She is the arbitrator; she has to be fair to everybody, but I will end because, in fact, there is not much spice when they, the Opposition, are not here. It is good to have this cut and thrust, but they are not here. Never mind, but we need to have this debate because this debate is important for democracy, for the survival of our Parliament. We cannot allow a Parliament to be subjected to violence. And you saw when they were walking out, hon. Baloomoody challenged you, Mr Deputy Speaker - “*Si to ene zom passe par la.*” This is what was said. When the Police Officer came to your rescue, they almost assaulted the Police Officer. I hope Madam Speaker will take all appropriate action in this regard.

This motion, Mr Deputy Speaker, Sir, has to be rejected. It is a sign of weakness on the part of the mover not to be present. But, let me end by saying that those who have the loudest voices need not always be right. Some of them have loud voices, some who had claimed that they were going to drink Lysol are not here.

*(Interruptions)*

It is good that they are watching. I am going to say it again. Lysol - all those who created violence when they were walking out of the House, Mr Deputy Speaker, have been seen on TV and people know what kind of representatives they have voted in this House.

It is important for the people of this country to know that there are those who are responsible, who are accountable and who are prepared to work for the best interest of the country and others who are there simply to obstruct and to create problems and difficulties for the Government.

Mr Deputy Speaker, in these hard times, when there is a lot abuse, I will end by quoting an anecdote from Lord Buddha. Lord Buddha was giving a lecture and he was interrupted by a person who heaped a lot of abuse on him. He allowed the person to abuse him and then when he had finished, Lord Buddha asked him: “If a person gives you a gift and

you do not take the gift, to whom does the gift belong? And the person replied: 'Of course, to the person who is giving the gift.' And he said: 'Okay, keep your gift, keep your abuse'."

I think with these words of wisdom, Mr Deputy Speaker, let us hope that there are better days for our Parliament and we have full confidence in Madam Speaker.

Thank you.

(11.25 p.m.)

**The Deputy Speaker:** Hon. Vice-Prime Minister!

**The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):** In fact, Mr Deputy Speaker, I am not going to be too long. I have just listened to my colleague hon. Minister, but he does not give us the enthusiasm to speak in the absence of the people who have moved for this motion.

What is the motion? No Confidence in Madam Speaker. What we have heard today, well, hon. Bérenger, the pioneer, doyen of this august Assembly...

*(Interruptions)*

What has he said? He said: '*Mille fois Maya.*' He suddenly changed. We cannot understand. I hope that he was sincere when he was telling that.

It is clear, Mr Deputy Speaker, that these people – look we are still here, all the Members are present. They moved for the motion and we are just now talking on this motion. Whole Opposition...

Mr Deputy Speaker, since Madam Speaker has made a special effort for the live broadcasting, today, according to these people, they do not need to go to their Constituency. They stand up here and do their public meeting. You can see how these people are. Yesterday, the PMSD was in this Government and today this is the difference, because they not only do cinema, a show with many clowns. This is what they are doing. At what time they raised a lot of issues and a lot of disorder? At what time? When hon. Minister Mrs Leela Devi Dookun-Luchoomun was talking against a lady and rightly pointed by my hon. colleague. So, today, we don't understand what they want exactly. They have come with a motion.

Let me tell you. Hon. Member Shakeel Mohamed, himself, was not sure that this motion would be taken. He was not sure! He thought that he had just put a motion, to drag

on, maybe at the moment we would not be taking this motion. He was not sure himself at all. So, with our Prime Minister, hon. Pravind Kumar Jugnauth, this is not going to happen. He took the decision. I am going to explain what he had said before. He seems to be very intelligent. But we are going to give him a good lesson if he is listening to the live broadcasting.

Mr Deputy Speaker, Sir, there was a case where the hon. Minister Mentor mentioned about Mrs Tooria Prayag. There was another case where the former Speaker and former President, hon. Kailash Purryag, in the case of the newspaper *Le Mauricien* and I quote –

“Hon. Member I have a statement to make in relation to an article published in the newspaper *Le Mauricien* 17 December 2013.”

I am not going to read the whole of it.

“As for the newspaper which has published the impugned article, I wish to reiterate that the freedom of the press, a fundamental right in our country, is subject to reasonable restrictions and does not comprise of deliberate tendentious and motivated attacks on the great institution of this Republic. The freedom of the press does not contemplate making reckless allegations devoid of truth and lacking good faith.”

This is what had been said.

Mr Deputy Speaker, Sir, a lot has been said by my friends and I would just like to remind this House that hon. Mrs Hanoomanjee’s name was put forward as the Speaker of this Assembly because we believe and we are convinced that she has the qualities and determination to shoulder such high responsibility. Her hard work, determination, sense of responsibility and dedication had been translated in her participation in important decisions for the benefit of the country at international level namely, regarding the sugar protocol and other trade and agricultural matters.

We should also remember that this Government, with the invaluable contribution of the Speaker, has succeeded, as I mentioned, in the implementation of live broadcasting. The hon. Deputy Prime Minister can say since how long the MMM has been talking about it and since how long the Labour Party has been talking about it. But they did not have the courage to do it. Mr Deputy Speaker, Sir, the Speaker has exercised her power in order to maintain decorum and dignity in the House. So, to my opinion, the impartiality of the Speaker is not a matter requiring any debate.

Mr Deputy Speaker, Sir, Parliament is the forum where important issues can be debated. It is also the task of Parliament to scrutinize the behaviour of the Executive, Ministers and their officers, public corporations and other regulatory institutions as it is the daily duty of the Speaker to preside over all the proceedings.

Mr Deputy Speaker, Sir, it is an undisputable fact that in the Chair, Madam Speaker, handles the debates and question time in a masterly manner notwithstanding the frequent interruptions from the hon. Members, especially during question time as all my colleagues have mentioned before me and that has been the case today only.

Mr Deputy Speaker, Sir, I was just going to make a point. I was surprised to learn that the mover of the motion was in his turn surprised that this motion was not on the Order Paper for the last sitting because it was Madam Speaker who ought to decide that it should be on the Order Paper. In fact, the hon. Member referred that as a *viol de la démocratie* and even went as far as brandishing the threat of going to Court if the motion was not soon before the House. I suppose he wanted to decide as a lawyer - I am not a lawyer, he is a lawyer - but I do not think that the Supreme Court would have issued an Order to the Speaker to have the motion included on the Order Paper for the simple reason that it is not the responsibility of the Speaker. The hon. Member, having been in Cabinet for five years as a former Minister and a lawyer, should know that just as in the United Kingdom, the arrangement of the business of the House is the responsibility of the Leader of the House.

It has always been like that. Of course, there are consultations, if any, when the need arises between the Speaker and the Leader of the House. But, the final decision remains with the Leader of the House. The hon. Member should know that the draft Order Paper on which unfinished businesses pending before the House are included if submitted to Cabinet for approval. At any rate, in the present case, we have not departed from the democratic tradition of having this motion debated at the first appropriate occasion.

Mr Deputy Speaker, Sir, that occasion is today and after consultation between the Leader of the Opposition and the Speaker. So, I really don't understand how a hon. Member who has been a Minister - and I can tell that he knows very well. It seems to me that he does not know anything at the same time. Whether it is a bluff, I don't know, maybe. But, he sincerely knows everything.

When we talk about dignity, Mr Deputy Speaker, Sir, I have a granddaughter of 4 years. I asked her: "when you are in class in the morning and when the teacher comes in,

what do you do?" She told me that whenever the teacher comes in class, all the children stand up and say: "Good Morning teacher" or "*Bonjour Miss ou Bonjour Monsieur*". We have learnt this from the pre-primary school. But, as well mentioned, it is not a question of Madam Speaker, it is a question of the institution. It has never happened in the world. For the first time in the history of Parliament, it happened in Mauritius that they don't have respect when the Speaker is coming in. How come? As from next week, the hon. Deputy Speaker also is not going to be respected by these people. Believe me!

*(Interruptions)*

Mr Deputy Speaker, Sir, I am not going to be long. But, not only the Members who are present today are against this motion, I am sure the whole nation who is watching television tonight is against these people and is with Madam Speaker and the support for Madam Speaker is not only in this Assembly but it is also outside, I am sure.

With these words, I thank you, Mr Deputy Speaker, Sir.

*(Interruptions)*

**The Deputy Speaker:** Hon. Jhugroo!

(11.38 p.m.)

**The Minister of Local Government and Outer Islands (Mr P. Jhugroo):** Thank you, Mr Deputy Speaker, Sir. I think it is the first time that I am intervening when there is no Opposition and I think that they have been contaminated with the MMM.

*(Interruptions)*

Or maybe they are watching the football match of Manchester United playing against Everton.

So, we, on this side of the House are convinced that the hon. Member from the Opposition has proposed a Motion of No Confidence against the first Madam Speaker of this country, simply to put pressure on or to embarrass this Government which has embarked on a gigantic task to clean the mess of the previous Government and to pave the way for a second *miracle économique*.

Mr Deputy Speaker, Sir, all the Members of this Assembly, in line with the provision of the Constitution voted for Madam Speaker to preside over any sitting of the Assembly. She has, over the past two years, always focused on dignifying this Assembly and has never done



anything unlawful or unconstitutional. Since 2005, I have been in Parliament and I firmly believe that Madam Speaker has played her role fully and being demonstrating the same abilities and skills as the other former Speakers.

Madam Speaker has taken her oath to serve to the best of interest of the House and, at no point in time, she has broken her oath of office. I cannot, in fact, recall a single event where Madam Speaker has failed the test of fit and proper attitude in conducting the affairs of this House.

Mr Deputy Speaker, Sir, on the contrary, she has been presiding over within parameters of the Standing Orders in an impartial manner. She has, as a matter of fact, being presiding over the debates in this House with rigour and unprejudiced manner. The House will surely recall that she did not allow the former Prime Minister now, Minister Mentor, to use parliamentary words. She invited him to withdraw, which he did as a true democratic parliamentarian.

Mr Deputy Speaker, Sir, the House will also recall that even me, as a former Government Chief Whip, was taken to task on several occasions by Madam Speaker when she ordered to keep quiet. She even ordered me out of the House on one occasion. There have also been reprimands towards by hon. friends, the Deputy Chief Whip, hon. Ravi Rutnah. These events are but a few examples which are here to testify the fairness with which Madam Speaker has been presiding over the Assembly. She has always been performing within the parameters of the Standing Orders. I am sure the Members of the other side of the House, who are not here today, will agree with me that she has always given them a fair opportunity to intervene whenever they have solicited her permission to do so.

I want to mention two points raised by hon. Shakeel Mohamed. Firstly, I want to clarify the points raised by hon. Shakeel Mohamed earlier with regard to his intervention on Sports Bill. It is true that either me or my secretary was always in contact with him or his colleagues to see who was going to intervene on each and every Bill that is going to be introduced in the National Assembly. In fact, on that particular day, there was no response from either him or his colleagues before I was going to finalise my list of orators. He came very late when the list was already official and tabled and he insisted to intervene. Unfortunately, I refused.

The second point, Mr Deputy Speaker, Sir, when hon. Mohamed mentioned about the sitting arrangement at the head table, allow me to remind the hon. Member that this had

always been so since the time when Sir Harilal Vaghjee was Speaker of this august Assembly. Hon. Speaker, Kailash Purryag sat on the head table. Hon. Speaker Peeroo sat on the head table. Hon. Speaker Peeroo used to '*casse careme*' of *Eid* on Parliament days together with other hon. Members of Government of the Muslim community. Hon. Mohamed stated in his speech that he should change his glasses, I hope that this will help him and he should do so as he said that the Speaker suffers from selective hearing maybe, he, himself, is suffering from selective blindness.

Before I take my seat, we, on this side of the House, we are not going to vote this Motion.

Thank you.

**The Deputy Speaker:** Hon. Dr. Joomaye!

(11.44 p.m.)

**Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac):** Thank you, Mr Deputy Speaker, Sir, for giving me the opportunity to debate on the Motion presented by hon. Mohamed, a motion which initially did not have the unanimous support of all parties of the Opposition. But today, only to save the face there is a kind of very timid solidarity given by the other parties to this Motion.

The question today is to debate whether Madam Speaker, the first female person to be elected Speaker in our history, whether she has been at some point in time, partial in her judgement or attitude and whether she has given any ruling favouring one side of the House. I have been among the few Members who are in a unique position because I have sat during this mandate, at different times, on both sides of this House. I have, therefore, had the opportunity to analyse the behaviour of Madam Speaker while being a Member of the Opposition and now sitting on the Government side.

In all fairness and objectivity, I'll bring down the debate to the level of facts and facts only. It is not questionable that the scope of action of Madam Speaker is guided by the Standing Orders and Rules of the National Assembly. The time allocated to Private Notice Question, Prime Minister's Question Time, Parliamentary Questions are well defined and cannot be exceeded. While being in the Opposition, I do not recall not been given the opportunity to ask supplementary questions, of course, time permitting. The Speaker being elected by the majority, it is obvious that, being in Opposition, one can easily feel frustrated

by the position adopted by the Chair, especially, when all those willing do not have the time to ask supplementary questions.

To maintain discipline and order in this House is not an easy task, Mr Deputy Speaker, Sir. You have noticed today. As many Members think that to make a point they have to behave like actors of Bollywood. They forget that usually if one has to raise his voice and the higher is the tone used, the weaker is a point being made. The easier or the faster the temper is being lost, the weaker is a personality of the individual as a person. The more theatrical the Member behaves, the less productive he is when it comes to the delivery of service.

We have witnessed, in this House, moments of great disorder and chaos mainly because Members, especially from the Opposition, tend to forget that they are sitting in an institution called the National Assembly. Unparliamentary words and expressions are very commonly used as well as insults. Provocation has become a game, a tool and a habit of some sitting here for several years, who instead of being an example for the younger generation of parliamentarians, are now the monuments of disrespect, rudeness and vulgarity. Provocation has become an illness in this House and has led to several walkouts. We have seen today as well. Walkouts, a discipline in which my former party has specialised itself.

*(Interruptions)*

We have been elected and we are paid to stay here, sit and work in the interest of the population. Not to walk out for any reason whatsoever. Madam Speaker has had the difficult task to maintain order in this condition. When a Member behaves in such a way that he becomes uncontrollable and no longer abides by the orders of the Chair, there is no other choice than to order the Member out.

The former Leader of the Opposition and the former Opposition Whip have been ordered out at different times. In remote times, this would have given them political mileage, but nowadays it is no longer the case. We are now in a no nonsense era. We are expected to deliver and we are judged on our actions, not on words or attitudes.

On the other side, I would like to stress again on the fact that the Government Chief Whip had been ordered out as well. This is the absolute proof that Madam Speaker applies the same rule to every Member, whichever side he belongs. The very jovial and expressive hon. Rutnah has very often been asked not to make comments from a sitting position as well. Hon. Ministers giving long answers to PQs have been asked to go directly to the point. One

specific example is one PQ directed towards former Minister Bhadain on the BAI issue. The answer was deliberately lengthy so as not to answer supplementary questions. Madam Speaker, in that case, asked him the number of pages left in his answer. All this has happened in this House.

Hon. Mohamed is now in the Opposition and is highly frustrated of being in the Opposition after nine years in Government under the Labour Party. I am surprised to listen that hon. Mohamed was shocked that Madam Speaker was a politician and still fresh from General Elections. I wish to remind him that former Speaker Razack Peeroo was not less politically involved and stood as candidate in December 2014, next to his constituency. Hon. Mohamed has failed to demonstrate that Madam Speaker was partial. His arguments are weak and lack substance. We cannot accept that hon. Mohamed can have a say on the private life of any citizen of Mauritius, not only the Speaker. Clearly, hon. Mohamed wants to restrict the freedom of movement of the Speaker; control her freedom to meet whoever she wants. It is about fundamental rights of a citizen. It gives an insight of how a senior Member of the Labour Party thinks.

The main reason for presenting such a motion is explained only by simple mathematics, Mr Deputy Speaker, Sir. Labour Party with four hon. Members only badly needs some limelight, some publicity. Hon. Mohamed is only attention seeking and he wants headlines. The former junior partner, the PMSD, is now the majority of the Opposition. That is the main reason. He stressed out and he has been in great pain for being arrested. He forgot how many hon. Members of the Opposition, including me, have been arrested by the Police of Navin Ramgoolam, while he was himself a Minister in the Government.

*(Interruptions)*

Hon. Soodhun would remember this as well. I wish to inform hon. Mohamed that the email of the Speaker is available through the Clerk. Should he wish to be invited to the Table of the Speaker, I suggest him to send her an email personally.

Mr Deputy Speaker, Sir, I would conclude that Madam Speaker has always been fair and impartial in this House. She honours the Chair in which she is sitting, and now, with the live broadcasting, the whole population of Mauritius and Rodrigues will witness her impartiality.

Thank you.

**The Deputy Speaker:** Hon. Rutnah!

(11.54 p.m.)

**Mr S. Rutnah (Third Member for Piton & Rivière du Rempart):** Thank you, Mr Deputy Speaker, Sir. Firstly, Mr Deputy Speaker, Sir, this is the first time that I am on my feet before you after you have sworn in as Deputy Speaker, and may I congratulate you for doing such a great job in this House since you have been presiding since last week, and for the excellent decision that you took to throw the ex-Leader of the Opposition, hon. Paul Bérenger, out of this House for having behaved very, very badly.

Mr Deputy Speaker, Sir, I will seek today to persuade the House, those who sit in the Press gallery upstairs, those elders and grandees, the youth, the children who are watching us from their home, and I am going to make no concession. I am going to spice up this debate as much as I was going to spice it in the presence of the Opposition. Even though they are not here, I am going to spice it. Why? Because I know that they are watching it from their home and I want this message to go to them live, so that they know that we have not abandoned our duty towards the population, and the population will know what kind of Opposition we have in this country.

Mr Deputy Speaker, Sir, I will seek to persuade everybody that this motion of no confidence against the Speaker has been brought, not on genuine grievances, but out of a general strategy, out of a general scheme to try to make believe that democracy is being threatened by the majority party, by the Government, by the Executive, and that the Chair is also in conspiracy with the Government. It means to destroy the confidence of the people in our institution. Nothing more, nothing less! Similar words were used by Sir Anerood Jugnauth when he was dealing with a motion of no confidence once in this Assembly.

Mr Deputy Speaker, Sir, let us start by the points that I was trying to raise as point of order when hon. Mohamed started, because when the hon. Deputy Prime Minister rose and asked for, what we call in legal jargon, particulars, he took issue with it. But let me say what I was going to raise as point of order; that, if you take Hansard on every occasion that motions of no confidence were moved in this House by competent Members of Parliament, they all came up with some details. For example, in 1963, a motion of no confidence was brought in by hon. Jules Koenig, who was then the leader of the PMSD. This is how he formulated his argument; this is how he formulated his motion.

*“The motion standing in my name - and I quote -*

*“This Council deploras Mr Speaker’s abstention from giving effect, promptly and decisively or at all, to the rule, orders and practice of this Council when he received. While in the Chair at the sitting of this Council on December 6<sup>th</sup> 1963, the Deputy Speaker’s report on the Chief Minister’s grossly disorderly conduct towards the Deputy Speaker, when the latter was in the Chair at an earlier part of the same sitting.”*

So, there are quite a lot of information. There are quite a lot of charges placed before this House, but in 1963 and, interestingly, hon. Duval but not Xavier Duval, his father, a great man, a great lawyer, Sir Gaëtan Duval, a household name then, rose and seconded the motion.

And I am going to come to the procedural aspect of seconding a motion of this nature very soon. The next time that a motion of no confidence was brought in this House was in 1982. And then, the Leader of the Opposition then was Sir Gaëtan Duval. And this is how his motion was couched –

*“This Assembly views with grave concern that the Cabinet, at its meeting of the 26<sup>th</sup> August last, improperly assumed the privileges and the prerogative of the Assembly by purporting to postpone a sitting of the Assembly scheduled to be held on Tuesday the 31<sup>st</sup> August last, according to a decision of the Assembly arrived at unanimously on the 24<sup>th</sup> of August, thus committing a grave contempt of the Assembly and notes with regret that Mr Speaker failed to vindicate, in the save of the executive, the rights, prerogative and privilege of the Assembly in that instance.”*

And then at a later stage, during the course of the debate, this very eminent barrister realised that his motion was not seconded and very interestingly, he wanted to get away with it. He, himself, rose a point of order to say that: ‘look, this motion has not been seconded and therefore we cannot continue to hear this.’ Because he realised that he was on slippery grounds. And then, what happened? I think, it was the then hon. Jean Claude de l'Estrac who seconded the motion and the debate continued. So, again the procedural aspect, I will come back to it.

And then, the next time we had the third motion of no confidence was back in 1985 and this time, hon. Cassam Uteem moved for the motion. And he couched his motion as follows –

*“In view of his decisions, rulings on parliamentary practice and procedure and his behaviour in the Chair, this House has no confidence in Mr Speaker.”*

So, again, we have got some particulars of what is being reproached or what was being reproached to the then Speaker. The bad practice started in - motion was not seconded - 1993 when the Fourth Member of La Caverne/Phoenix, the then hon. Razack Peeroo, moved for a motion of no confidence and this how he labelled his motion of no confidence –

*“This Assembly has no confidence in Mr Speaker.”*

Then, the last one was brought into the House in 1995. The then Leader of the Opposition was Dr. Navinchandra Ramgoolam and he also couched his motion as –

*“That this House has no confidence in Mr Speaker.”*

And this is what today hon. Mohamed has done, followed very bad precedence. As a lawyer, he should have realised that we would want to know on what grounds he has formulated his motion.

Let me now come to the procedural aspect of it. And where do we find the procedural aspect is in the Standing Orders and Rules of the National Assembly. If we look at section 39 subsection (4) of the Standing Orders, it reads as follows –

*“The mover of any motion or amendment may speak in support thereof; but no further debate shall be allowed, nor shall any question thereon be put to the Assembly until the motion or amendment be duly seconded.”*

And then if we look at section 31, what happens if a motion of this nature is not seconded? The motion lapses under section 31 subsection 1 of the Standing Order of the National Assembly and it reads as follows –

*“A motion of which notice has been given shall lapse if not moved at the proper time unless the Assembly directs that it shall be moved at some other time, and any motion which by these Orders is required to be seconded (...).”*

So, these are the operative words that –

*“(...) any motion which by these orders is required to be seconded and is not so seconded, shall lapse.”*

So, Mr Deputy Speaker, Sir, in order to be fair to the mover of this motion, in order to be fair to the First Member of Port Louis Maritime/Port Louis East, Constituency No. 3 and

for the sake of transparency, for the sake of democratic values, I am going to second the motion of hon. Shakeel Mohamed so that the debate can continue.

**The Deputy Speaker:** Hon Rutnah, my attention has been drawn to the fact that this motion has already been seconded by the Leader of the Opposition.

**Mr Rutnah:** Mr Deputy Speaker, Sir, I am not going to take issue if that is the case, but I have been in the House since the beginning of the debate and I have not seen him, but I apologise for having made such remark, but, in any event, if the motion has been seconded, then we are on safe ground to continue the debate so that the people of Mauritius can watch, can hear what has been going on in this Assembly.

Mr Deputy Speaker, Sir, this motion is all about the supposed partiality of Madam Speaker. And if we look at the behaviour only today of the Members of the Opposition towards you, did they extend any respect to you that is expected from Members of Parliament, who are supposedly hon. Members? Like the hon. Vice-Prime Minister said earlier on that, at one point, even hon. Bérenger, a seasoned politician, having been the Leader of the Opposition for many years; having been the Prime Minister of Mauritius for, at least, two years thanks to Sir Anerood Jugnauth, the Minister Mentor; having been the Minister of Finance, is that the kind of behaviour you would expect from a man like him? Is that the kind of behaviour you expect from hon. Veda Baloomoody? Is that the kind of behaviour that the people of Mauritius are expecting from hon. Rajesh Bhagwan? I know they are listening and listen to me carefully! It is for these kinds of reasons that today they have brought shame and disrepute to this House and they have got the *culot*, so to say, to bring a motion of no-confidence against Madam Speaker!

I can tell you that sometime I feel frustrated when I lift my hand up during PNQ, for example, the other day there was a PNQ addressed to the Minister of Public Infrastructure and Land Transport, hon. Bodha. I wanted to ask a very crucial question. For nearly half an hour I was trying to grab the attention of Madam Speaker. She saw me but she did not allow me to ask my supplementary question.

Today, same thing, in the past it has happened as well yet, I have never thought that she has acted out of bad faith or has been partial or has been so neglectful in her duty. Like others have said my hon. friend who is now Minister for Local Government and Outer Islands was ordered out on one occasion. I have been reprimanded on several occasions, but I never played political tricks about it. Why? Why on earth the hon. gentleman, the First Member of



Constituency No. 3 Port Louis Maritime and Port Louis East brings this motion of no-confidence? It is simply to score political points and today he has scored zero point. Even I can go minus because if he would have been man enough together with all his Opposition comrades he should have sat here and listened to all of us on what we had to say and what we have to say in this House about his behaviour, about the behaviour of the whole Opposition including the PMSD who until yesterday were in Government.

Mr Deputy Speaker, Sir, let me come to the specific points that hon. Mohamed addressed this House. In fact, he took almost 2 hours to deal with four points! It was indeed like a pantomime here. He was going on and on and my very able and very learned friend hon. Etienne Sinatambou was right to take all those points of order. The Prime Minister was perfectly right to take all those points of order that he took because the hon. Member was trying to waste the time of the Parliament for no apparent reason.

His first grievance apparently is in relation to “catch me if you can”, the writer of *l'Express* Mrs Touria Prayag. Now, he refers us to Section 74. Section 74 of the Standing Orders deals with contempt of the Assembly. And, of course, in this Standing Order, it does not say that the hon. Speaker should throw Mrs Touria Prayag quite properly and quite rightly out of the House! But, as lawyer, he should have reasoned that institution of this nature. There are inherent powers that are granted to the Speaker of the House and the Speaker of the House exercised her inherent powers and why should it be so? In order to maintain the decorum of the House, in order to maintain the dignity of the House.

Now, I will give you an example. For example, in the Lok Sabha because earlier on hon. Mohamed was referring to Pandit Jawaharlal Nehru; so, let me tell you a little bit about the role of the Speaker of the Lok Sabha. Amongst others, the Speaker is looked upon as the true guardian of the tradition of parliamentary democracy. So, the word ‘tradition’ is the operative word because it is by virtue of the inherent powers and the tradition of the House that Madam Speaker made the order and suspended Mrs Touria Prayag from coming to the House.

Secondly, the Speaker represents the full authority of the House while Members of Parliament represent individual constituencies in the House. The Speaker represents the House in all its manifestations. Thirdly, the Speaker has adequate powers to help in to smooth conduct of parliamentary proceedings and for protecting the independence and impartiality of the Office. Fourthly, the Speaker maintains discipline and decorum in the House.

How on earth any Speaker in any democratic society where we believe in freedom of expression, where we believe in human rights, where we believe in rule of law, where we believe that journalists from here will not go outside and write all sorts of things to bring disrepute to the House, how are we going to deal with such kind of journalists? I am not against journalists. I always have believed in the philosophy of I might not agree with what you say but I will vehemently defend the right for you to say it. But, there is a limit to everything!

Who is she? Who is Mrs Touria Prayag to cast imputation just by a stroke of her pen and to denigrate a woman who sits as the supreme authority in the House? Who is she? Would she be able to write such thing in Morocco where she comes from? Absolutely no! There, she would have been reprimanded and she would have been put in jail and would rot in jail somewhere! Here, we are a tolerant society. Our democracy is such that people can write whatever they want and like hon. Gayan pointed out earlier on when the Opposition walked out, where are those who were in the public gallery gone? Yes, they had good dinner with us thanks to the funds provided by the public. But, today we are debating this important motion of no-confidence, after having had dinner when the Opposition parties walked out, they walked out as well! They are not interested anymore! And, this is the kind...

*(Interruptions)*

only two, only two out of twenty earlier on! Why? This demonstrates that they act in consort to do everything possible to break this Government.

How many times we have heard journalists who have got bad faith, writing all sorts of things about hon. Members of this House, including the Speaker? But to everything there is a limit, Mr Deputy Speaker, Sir.

Earlier on, hon. Gayan equally referred to the position that Mr John Bercow, Speaker of the House of Commons, took against Mr Donald Trump, the President of the United States of America. Nowhere, in Erskine May, nowhere in any Standing Orders of the House of Commons is it said that the Speaker can actually prevent the President of the United States of America to address the House of Commons. But how and why, Speaker, John Bercow - with whom I had the honour to work with when he was practising as a Barrister - did that? Because the Parliamentary tradition has conferred upon him the inherent power to stop Donald Trump, who is viewed as a racist, to come into United Kingdom and to address the House of Commons. Only recently, the Speaker of the Malaysian Parliament banned all

journalists - all of them - simply because they violated the rules of Parliament. Nowhere, it is written in their Standing Orders that journalists could be banned, but yet, they were banned. Why? Because the Speaker exercised his inherent power.

Now, the second issue that hon. Mohamed dealt with was in relation to the residence of the hon. Speaker.

*(Interruptions)*

He tried to, but then he was stopped. He was stopped thanks to the parameters set by the Deputy Speaker, today. Can you imagine if the Deputy Speaker would not have set those parameters? What hon. Mohamed would have been doing in this House? Absolute pantomime would have been going on in this House. Then, he dealt with the PNQ of 29 March. The question that he was trying to ask the then Rt. hon. Prime Minister and the manner in which he behaved, the provocative remarks; how would you expect if someone as young as the First Member of Constituency No. 3, Port Louis Maritime/Port Louis East does not extend respect to someone like Sir Anerood Jugnauth, how do you expect him to react? And then, he complains that the hon. Speaker pretended not to hear. But the amount of noise that they make from there, how would you expect her to hear? Sometimes, of course, you will not be able to hear because like all human beings she has got a pair of ears and a pair of eyes. How would you expect her to hear everything? These things happen. But as I said earlier on, sometimes she never sees me when I put my hands up to ask questions.

Then, he spoke about the Sports Bill. Let's take the background. I was in the House. I am always present in the House. On 06 December 2016, when we were debating the Prevention of Terrorism (Amendment) Bill (No. XXV of 2016), hon. Mohamed, took the floor. On 15 December 2016, when we were debating the Additional Remuneration (2017) Bill (No. XXXIII of 2016), hon. Mohamed took the floor. On 20 December 2016, hon. Mohamed took the floor when we were debating the Non-Citizens (Property Restriction) (Amendment) Bill (No. XXXI of 2016).

On Wednesday, 21 December 2016, when the Sports Bill 2016 (No. XXXVI of 2016) was to be introduced in the House, hon. Mohamed contends that there was no Opposition Whip at the time. He apparently spoke to my very good friend, hon. Jhugroo. But as a matter of Parliamentary practice that has developed in this House, hon. Mohamed is not supposed to communicate directly to the Chief Whip to say that he wants to take the floor. He should have contacted the Chief Whip or who at that time was assuming the role of the Chief Whip from

the Opposition. At that time, hon. Baboo was not the designated Whip of the Opposition. Hon. Alain Wong was communicating with hon. Mahen Jhugroo. Those communications were happening in my presence in the office. Hon. Mohamed, if you're listening from where you are at the moment, in the luxury of your apartment, I can testify that you never asked hon. Alain Wong to put your name on the list. On the contrary, quite in an uncivilised manner, he rose from there and then he was trying to barge into the debate and quite properly. I salute the hon. Speaker for not having given him the floor because he did not follow and pay a lip service to Parliamentary traditions.

Mr Deputy Speaker, Sir, I have had the opportunity to be in this House a number of times where I have, myself, witnessed and I was a victim on two occasions when the MMM was the main Opposition party and then those days hon. Dr. Joomaye used to sit there. Again, those who have acted as bouncers today from the front row here. They were acting as bouncers on that day when they were trying it with me. And on one occasion when they were walking out there, similarly without extending any respect to the House calling me: '*Rutnah, sorti dehors.*' Everybody in this House witnessed it. So, if we have got this kind of Opposition - I am glad what hon. Baboo said. Although, I must say, he, himself, understood what he was trying to convey to this House today. I am so sorry because nobody understood. On this side of the House, I anticipate, as I did not understand anything that he tried to convey except that when he read from his manuscript that respect is earned and cannot be commanded. But if you are Opposition and you display that kind of attitude and behaviour, despicable act, lower than low, then you don't deserve the respect of the Speaker.

Mr Deputy Speaker, Sir, this motion of no confidence should not be allowed in this House today and I am going to persuade all my hon. friends who sit on this side, not to vote for this motion of no confidence as it is tainted with very, very improper motives in order to mislead the population and I anticipate those elders and grandees who have listened to me today, and listen to other hon. Members of this side of the House, are convinced that the First Member of Constituency No. 3, Port Louis Maritime and Port Louis East had political ulterior motive.

On this note, I thank everybody who has paid attention to my speech today.

**The Deputy Speaker:** Hon. Deputy Prime Minister!

(00.30 a.m.)

**The Deputy Prime Minister:** M. le président, premièrement, c'est la première fois que je prends la parole devant vous. Je vais vous adresser mes félicitations même à cette heure tardive ou à cette heure matinale pour vous transmettre mes félicitations ainsi que les félicitations du Muvman Liberater pour votre élection à ce siège.

*(Interruptions)*

En même temps pour vous dire mon admiration personnelle car cela n'a pas dû être facile de tenir cette gageure à peine une semaine après votre élection de venir présider à des débats aussi tendus que ceux d'aujourd'hui.

M. le président, l'honorable Bérenger n'est pas un imbécile. Nous l'avons tous, de ce côté de la Chambre, observé directement depuis le moment où l'honorable Mohamed s'est mis debout pour présenter sa motion. Autant, au début, il était apparent que l'honorable Bérenger et ses amis du MMM avaient décidé de soutenir cette motion au fur et à mesure que l'honorable Mohamed continuait son discours, il fallait voir, et nous tous nous voyons la mine déconfite de l'honorable Bérenger car il comprenait tout de suite que c'était un tonneau vide qu'il avait derrière lui, et non pas une motion de substance. Et ensuite, vinrent les discours de ce côté de la Chambre et l'honorable Bérenger comprit tout de suite que c'était la catastrophe.

Le discours de l'honorable Sinatambou déjà marquait le cercueil de cette motion. Et le coup final vint de l'honorable ministre de l'Éducation. Il fallait absolument sauver l'honorable Mohamed.

*(Interruptions)*

Comment faire? Et l'honorable Bérenger marqua un coup spectaculaire. A coup de provocations, il a mis la présidence dans une position intenable en persistant sur ses insultes afin qu'ils soient expulsés de la Chambre, ce qui permit deux choses. Premièrement, de court-circuiter le débat car il voyait que l'honorable Mohamed n'avait aucune chance en face des arguments de ce côté de la Chambre.

Mais, deuxièmement, en même temps, ce n'est pas un imbécile comme je vous l'ai dit, il a pris le *leadership* de l'opposition aujourd'hui. Aujourd'hui, il a obligé le leader de l'opposition de le suivre.

*(Interruptions)*

Est-ce qu'on peut croire qu'un leader de l'opposition suit un simple député ? Penaud.

(Interruptions)

Ça, je ne sais pas si sa queue était entre les jambes !

(Interruptions)

C'était clair que l'opposition ne pouvait plus contenir les assauts de la majorité. Mais ce qui est plus grave pour eux, c'est cette caméra que vous voyez. Ils ont réalisé que la population de Maurice et de par le monde ont suivi ce qui se passait ici. Et ce n'était pas une bonne image qu'ils projetaient. Il fallait faire un coup d'éclat. Et c'est cela que l'honorable Bérenger a réussi à faire, en jetant du discrédit sur le pays, en prétextant des actions antidémocratiques, en venant insulter la Chambre. Mais il fallait sauver l'honorable Mohamed. C'est le premier point que je voulais faire.

L'honorable Mohamed lui-même - l'honorable Sinatambou l'a expliqué et d'autres aussi. *He has been hoisted on his own petard*. Il a réagi sur un coup de pouce, dans un coup de colère comme un petit enfant qui avait perdu un joujou lorsqu'on ne lui a pas donné la parole. Il croyait faire un grand coup en mettant cette motion parce qu'il croyait que la motion n'allait jamais passer à cette Chambre. C'est ça la vérité ! Il ne croyait pas. C'était un coup de bluff. Non seulement nous avons *call his bluff*, mais vous avez vu le nombre de députés de ce côté de la Chambre qui étaient disposés à se mettre debout pour *call his bluff*. Et de l'autre côté, dans l'opposition, quel soutien !

(Interruptions)

Vous auriez cru qu'une motion aussi sérieuse aurait été soutenue par le leader de l'opposition qui a secondé la motion. Pas un mot de lui ! Il n'allait pas être orateur. Et du côté du MMM, qui allait intervenir ? Aadil Ameer Meea ! Pardon, l'honorable Aadil Ameer Meea!

C'était clair ! Ils ne s'attendaient pas à ce que la motion passe, et aussi vite que ça. Le discours était mal préparé, décousu. A court d'arguments, qu'est-ce qu'il fait ? Il apporte un livre que Navinchandra Ramgoolam lui a donné, et il lit des pages et des pages et des pages ! Et c'est là où le visage de l'honorable Bérenger commence à changer, quand il vient dire que Ramgoolam lui a donné ce livre-là ! Tout le monde a ri de la réaction de l'honorable Bérenger, parce que, lui, il a réalisé où l'honorable Mohamed était en train de l'emmener.

L'honorable Mohamed croyait qu'il allait faire du cinéma et qu'il allait épater la population avec son cinéma. Mal lui en a pris ! Parce que, aujourd'hui, là, l'honorable Mohamed ne pourra plus faire du cinéma, plus jamais, parce que nous lui avons donné une

leçon dont il ne se relèvera plus jamais. Et moi, je le remercie, parce qu'il a fait étalage de son incompetence dans la Chambre, aujourd'hui. Je le remercie car il a fait étalage de quoi il en est incapable, c'est-à-dire de présenter avec logique une motion émanant de lui-même. Et je le remercie d'avoir démontré de quoi le Parti travailliste était capable, dans toute son horreur. Voilà l'honorable Mohamed ! Sa motion: simplement *the House has no confidence in Madam Speaker*. Je ne vais pas répéter les arguments de tout le monde. D'ailleurs, après moi, je suis sûr que le Premier ministre va habilement présenter les arguments qui auront été faits de ce côté de la Chambre.

Mais il y a un point que je voudrais faire, ne serait-ce que pour l'avenir. Ce n'est pas pour rien qu'au commencement des débats, j'avais demandé à l'honorable Mohamed s'il pouvait nous dire au moins quelques faits sur lesquels il se basait pour soutenir sa motion. Au commencement, il était fier de lui, M. Mohamed. Il refusait en disant que ce n'est pas une cour de justice. Il était comme un paon ! Mais je l'ai fait, M. le président, parce que comme vous l'avez fait, vous avez rappelé à l'honorable Mohamed la leçon magistrale qu'avait administrée l'honorable Mohamed, mais l'autre, en 1985. Et je suis sûr, les connaissant, que l'honorable Mohamed d'aujourd'hui a dû être rappelé à l'ordre par l'honorable Mohamed de 1985, qui a dû lui dire : « Fais attention fiston ! Il y a un danger dans ce que tu fais. » Laissez-moi vous dire quels sont les paramètres, si vous me permettez !

True it is that the rulings and decisions of Mr Speaker cannot be debated except on a specific substantive motion. J'accentue le terme '*specific substantive motion*'. *But it must be remembered that the motion, which is before the House today, is a motion of no confidence.* La distinction est entre le *motion of no confidence* et le *specific substantive motion*. Et l'honorable Mohamed de 1985 nous le dit :

“It is not sufficient to say and it will not be allowed to be said that a ruling or a decision is wrong simply for such a statement would not at all reflect on the conduct of Mr Speaker.”

In other words, a motion of no confidence cannot be allowed to change into a different substantive motion such as challenging the correctness of Mr Speaker's interpretation of the Standing Orders, etc.

Le *specific substantive motion* est une motion qui attaque une décision particulière du *Speaker*. Ce n'est pas de cela qu'il s'agit aujourd'hui. Aujourd'hui, c'est un *motion of no confidence* et le *motion of no confidence*, contrairement au *specific substantive motion*,

*should be supported by cogent indications to the effect that Mr Speaker has, out of some improper motives, given a ruling or decision.*

Il ne suffit pas que le *Speaker* ait commis une erreur ou plusieurs erreurs ou quatre erreurs comme dans le cas. Il n'y a que quatre erreurs supposément que l'honorable Mohamed met en exergue, mais cela ne suffit pas. Il faut démontrer sa mauvaise foi, son *improper motive*. *It is not the correctness or incorrectness of the ruling that is being called into question. In such a debate, what is expected is evidence of improper motive, bias, bad faith and/or malice on the part of the Speaker whenever he gives his ruling in the House or misconduct and/or misbehaviour, if any, inside the House.*

Alors, aller manger sur la table d'honneur, c'est un *misconduct* et un *misbehaviour inside the House*. Quel imbécile !

*(Interruptions)*

Mais non, ce n'est pas un imbécile ! Ce n'est pas un imbécile ! Il sait très bien ce qu'il fait. L'opération est une tentative de déstabilisation du gouvernement avec de la démagogie et de la propagande. C'est cela le but avéré de l'honorable Mohamed. De la démagogie pure et simple ! Seulement, son problème c'est son père, parce qu'il fallait contourner ce *ruling*. Son père a sûrement dû rappeler au fiston : « N'oublie pas que tu as un problème ! » C'est pour cela que nous avons vu un discours aussi décousu ! C'est pour cela que nous avons vu le cinéma de mauvais goût qu'il a infligé à la population mauricienne pendant deux heures. Cela suffit, M. le président, pour rejeter la motion de l'honorable Mohamed.

Ce sont là les deux petits points que je voulais faire car il était important de voir quels sont les paramètres de ce genre de motion et il était important d'exploser la démagogie de l'honorable Mohamed et de l'honorable Bérenger. Que ferons-nous maintenant ? Il n'a même pas le courage de revenir ici pour venir dire, parce que lui, l'honorable Mohamed, n'a pas été expulsé. Il a le choix de revenir ici, même si en solidarité avec l'honorable Bérenger il a voulu faire un *walk out*. Mais c'est la lâcheté parce que ce Mohamed...

*(Interruptions)*

... il a eu peur ! C'est un capon. Il aurait pu revenir faire face à sa propre motion. Il a honte ou plutôt il n'a pas honte car les poltrons, les lâches se comportent exactement comme ça. Et unanimement de ce côté de la Chambre, nous allons voter pour rejeter sa motion.

Je vous remercie, M. le président.



(Interruptions)

**The Deputy Speaker:** The hon. Prime Minister!

(00.50)

**The Prime Minister:** Mr Deputy Speaker, Sir, this is not the first time that a Speaker of this august Assembly is subjected to a motion of no confidence especially from an hon. Member of the Opposition.

In fact, I have perused the debates on such motions of no confidence in 1963, 1982, 1985, 1990, 1993, 1995 and all these previous motions were mainly motivated by the alleged partiality of the Speaker and the Speaker's unfair treatment of and negative attitude, supposedly, towards hon. Members of the Opposition. This present motion of no confidence is of no exception because the few points that have been raised by hon. Mohamed, in fact, tend to show that this was his case.

Mr Deputy Speaker, Sir, first of all, let me comment on - because we have seen the way the Opposition has behaved today. Only recently, I think, they were trying to have an alliance *sous tapis*. Then, it did not work out because *c'est une Opposition tellement disparate*. Then, they went for a working arrangement at the initiative of the hon. Leader of the Opposition. In the course of discussing for this working arrangement, hon. Bérenger treated hon. Duval as a clown! Because the hon. Leader of the Opposition was trying to see to it how they were going to sit in Parliament and he called for PMSD, MMM, *à défaut du* MMM at least hon. Mohamed was very keen to come and sit together, hon. Bhadain of the Pepsi party was even keener and we all remember when the hon. Leader of the Opposition was saying how he plans to face the Government and he was talking about his PNQs that he was preparing.

This is the first time ever since I have, let us say, started following and being interested in politics, that I have seen a Leader of the Opposition saying that I will be in my PNQ a 15 minutes Leader of the Opposition and the leader of the Pepsi party will take the other 15 minutes for PNQ. This is the kind of Opposition that we have. And, today, *c'est très éloquent, M. le président, que la motion of no-confidence est déposée par l'honorable* Shakeel Mohamed. Because they are having this working arrangement; they are in consultation. First of all, why is it that it did not come from the Leader of the Opposition himself? Or, maybe if the Leader of the Opposition is so new to this seat, he is not so used, I grant him that, there is such an experienced former Leader of the Opposition, he could have

come forward with such a motion. Why did he not also come forward? Why is it that, as rightly being pointed out by the hon. Deputy Prime Minister, when we look at the list of orators from the Opposition side, true it is anyone can decide to speak or not, *mais ça aussi c'est très éloquent que* how many Members, while on this side there are so many Members not only who have put their names to intervene, but, Mr Deputy Speaker, Sir, even at this hour, we could have even shortened this debate further and said: "Okay, fair enough! Let maybe the Deputy Prime Minister and I intervene for it." No!

Because for us it is not a question of whether the Opposition is not present therefore we have a freeway. It is because we are a responsible Government, because we treat the motion with the utmost importance that it requires even if it is in a way, I will say it, it is a frivolous motion. Frivolous! And it is good for me to remind the House, some Members have done it, that at the sitting of 21 December 2016, in fact, after the intervention of the Leader of the Opposition in the debates of the Sports Bill, the hon. Member started complaining that apparently the Government Chief Whip had refused to include his name on the list of orators to intervene in the debates and we have just heard and I cannot doubt what hon. Rutnah himself being a witness, not having been communicated at any moment with the name or having heard from hon. Mohamed to intervene at that time in the debates. And, rightly so, that Madam Speaker at that time explained to the hon. Member that it is a matter of practice. There is a list of orators that is prepared after joint consultation between the Whips.

But what is unacceptable and I have noticed that regularly with hon. Mohamed and this does not date back from this Government, I have noticed that ever since I have known him in Parliament, is the way he addresses Members of the House or the Chair and the tone of his voice! Here, we are in this august Assembly we don't have to shout, it does happen maybe once in a while. Yes. If you are making a point where you are probably so convinced that you want to show in this tonality that you are convinced of the argument, but that does happen once in a while.

The way he is being in a sitting position making all sorts of comments interrupting Members. He raised his voice on that very day with Madam Speaker. I remember the arguments became heated up. For the past two years, we have seen him as usual he started to argue. Whenever Madam Speaker would be on a standing position, he would still be standing just like at times he did today. The discussions were so heated up that there had been interruptions that occurred disrupting the Business of the House, and, of course, requiring, Madam Speaker to call the hon. Member to order.

In fact, at a certain point, the Speaker warned the hon. Member that if he continued to show disrespect towards the Chair, she would order him out. But, as usual, hon. Mohamed kept on going misbehaving, not heeding this warning. Hon. Sinatambou has, in fact, looked at the sequence in a detailed manner to show how many times the hon. Member has been disrespectful towards the Chair. I agree with certain Members who said that Madam Speaker has been, in fact, very, very patient. There was no choice than to order him out. Then what happen? The hon. Member had to leave the Chamber. In a statement to the press, he said that the Speaker had denied him his right to intervene. The hon. Member, from then onwards, started to brandish the Motion of Censure against the Speaker. I can recall that.

Now, what I would have expected the Member to do. This is my opinion. Even if this has happened, well even before, he could have seen Madam Speaker in her office or he could afterwards have asked to see Madam Speaker, to see to it that instead of confrontation there is conciliation, I would say. No, he continued to show disrespect towards the Chair. I was listening to him carefully and rightly so. I won't repeat what my colleagues have already replied, but can you imagine the main thrust of his argumentation when he started. When you start to argue and to substantiate a Motion, I understand that the first point is the most important one and the main one that has motivated him to come forward with a Motion. What is the first point? Madam Speaker *s'est abdiqué de sa responsabilité et a laissé le choix à l'Exécutif de choisir et de décider si la motion va être mise à l'agenda et quand cela va être débattue.*

Mr Deputy Speaker, Sir, first of all, the National Assembly resumes its works last Tuesday. Last Tuesday, we all know, initially there was no Deputy Speaker. We all know that Madam Speaker could not be in the Chair when this Motion is going to be debated. The first thing that happened was, you were elected as Deputy Speaker. And it would have been automatic for you to be in the Chair, as it is today, to Chair this Assembly with regard to that Motion. What has happened? The very next time that it was possible to put the Motion on the Agenda, that Motion appears on the Agenda and that is why we are debating it today. What is this nonsense of 'I am going to take the matter to the court'? What is this? If, after several weeks, the Motion would not have appeared on the Agenda, yes, then you can say whatever you want to say with regard to the Agenda of the National Assembly. Then I was thinking - I do not know if it is genetic, but the Mentor Minister took that point. I was thinking he has put a Motion of No Confidence and then his main argument is something that allegedly happened after the Motion of No Confidence. So, how could he foresee what was going to happen after

he had tabled his Motion of No Confidence? As I said, the main thrust of his argument today is about this issue of Motion, but it does not stand at all.

Now, the other issue that he has raised and I took the liberty of looking at instances and I would say numerous instances in the years 2015/2016, which illustrate the number of cases where Madam Speaker has brought hon. Members of the Government, and both Ministers and Backbenchers, to order, thereby vindicating her independence, her impartiality, her fairness and equity. Now, let me give examples –

- on 24 February 2015, she called to order hon. Minister Gungah and hon. Jhugroo several times;
- on 05 March 2015, hon. Minister Anil Gayan. Hon. Rutnah is a habitual...

*(Interruptions)*

I can't say one date. Several times!

- on 29 September - because the point that he was making earlier, well, the Rt. hon. Prime Minister is always protected and so on – she queried the then Rt. hon. Prime Minister on words allegedly used by him to the address of hon. Bhagwan;
- thereafter, on 20 October 2015, the then Rt. hon. Prime Minister withdrew the words 'shut up' that were used and apologised.
- on the same day, 20 October 2015, Madam Speaker called to order Hon. Mrs Jeewa-Daureeawoo; hon. Mrs Boygah!

*(Interruptions)*

Hon. Mrs Jeewa-Daureeawoo is normally a good example of how one should behave in Parliament, I must say, but even then, she was called to order.

- on 27 October 2015, hon. Mrs Jadoo-Jaunbocus;
- on 26 April 2016, Madam Speaker called to order hon. Vice-Minister, Mr Soodhun; hon. Bhadain when he was still on side;
- Hon. Minister Konjoo, on the 11 August 2016;
- on the 22 November 2016, hon. Bholah.

*(Interruptions)*

Yes, hon. Bholah! Mr Deputy Speaker, Sir, let me say that last week, while I was replying, I think it was a PQ, I was giving a list, and Madam Speaker stopped me to say if I could circulate the list. Even today....

*(Interruptions)*

Today!

*(Interruptions)*

Last week also!

And this very morning, at PNQ, while I was also giving a list, I think of the charities and so on that had sponsored missions, Madam Speaker interrupted me to say I should circulate so that we don't take up the time of the PNQ. Why am I giving all these examples? It is to show that Madam Speaker has certainly neither favoured the Government nor has she been unduly influenced and, I believe, nor shall she be unduly influenced by Government. I can say, as Prime Minister, where you are sitting there, we have not had the privilege of sitting there, but we can understand the job that you have to do.

I have been in this House since 2000, not throughout, but from 2000-2005, 2009 up-to-date and I have seen a few Speakers. I can remember when hon. Ramnah was Speaker, hon. Purryag, hon. Peeroo. It is not an easy task - as has been rightly said by others - when there is crosstalking, comments, brouhaha, and especially when it is heated up, even from where I sit or anywhere, you can't hear properly what others are saying from where you are. But the thing is that, if you can't hear, you don't do it purposely. It is because you can't hear. And then, for the good running of the House, you cannot be, all the time, suspending the House and going and listening to recordings and so on. I mean, I believe that the Opposition wants this House to become a circus, but we won't let it become a circus. That is why I say, I am committed to Parliamentary democracy and to the principles and practice of fairness, equity and the right balance, and the due weightage in our debates and the undying values of Parliamentary democracy require that all of us respect the Speaker and her rulings.

Rulings might go against anyone of us. We might not keep down, probably one might not agree, but we have to show respect to the Chair. I remember I have stood up in this House when I was in the Opposition and, on points of order which were raised, a Speaker has ruled against me. Fair enough! I respect the Chair. I have always shown respect to any Speaker, and this is the rule of the game that we are in here.

We need also to bear in mind, and I fully agree with hon. Leela Devi Dookun-Luchoomun, that it is the first time that we have a lady as a Speaker. And this very fact requires the addition of much value to our respect for her, notwithstanding our adherence to and belief in gender equality.

Mr Deputy Speaker, Sir, I won't go into so many other issues which have been, in fact, so ably taken up by my colleagues. Let me just comment on a few things that I have noticed today for example. We are talking about a motion of no-confidence, we are talking about impartiality; we are talking about misbehaviour in the House. Look at the misbehaviour that has occurred today! It came from some Members, not all of them, but mainly from hon. Paul Bérenger. I have been in this House and I have known him, and I must say it is too late for him to change, anyway.

*(Interruptions)*

But how can a Member of that experience, of that calibre, all the time making nasty comments. Not even comments, nasty comments! I won't go into the number of comments that he has made with regard to me, and I leave him because I have pity for him. I tell you, I have pity for him where he is sitting there!

*(Interruptions)*

He calls me by all the names. Today, you heard what he said! *Premier ministre l'imposte!* I don't know if he would have met Mrs Theresa May, what he would have been telling her: *Premier ministre l'imposte!* It's a shame on him! Real shame!

*(Interruptions)*

You must show respect to the Constitution. I know you are jealous that I am Prime Minister today!

*(Interruptions)*

I know that! But keep it there!

*(Interruptions)*

That is the right saying: *perdi dans bois dans la cour!* Rightly said! But don't misbehave in Parliament like this. Mr Deputy Speaker, Sir, I must say the way he has been misbehaving downwards you; you have also been patient. You have called him to order once, twice, thrice and I must say I was pleasantly surprised to see you, on the fourth time, you said: "You, out!"

*(Interruptions)*

I thought that, at least, we have a person who will put order in this House. But anyway, for me not to be long, he was ordered out. We have all seen the way that hon. Baloomoody and the other one,...

*(Interruptions)*

...hon. Bhagwan were behaving and the way they were threatening the Deputy Speaker. The Sergeant-at-Arms came here, and the vulgarity of hon. Baloomoody towards the Sergeant-at-Arms. The Sergeant-at-Arms is an officer here. He is not a political person. He is doing his job. The way that they have threatened him! I don't want to repeat the words. I have heard the words that have been said. We called them 'the hon. Members of this House'!

*(Interruptions)*

Well, it's a shame! It's a shame!

Let me take this point also which is, I think, if you run out of arguments, you can't just say anything in this House. Hon. Mohamed said: "Have you seen Madam Speaker - I will take from where you left - at lunch time sitting on the main table? Therefore, she is disqualified to be a Speaker." That very hon. Mohamed has been here when hon. Kailash Purryag was Speaker, where was he sitting? Hon. Peeroo was here, where was he sitting?

Does that disqualify a Speaker when at lunchtime it has always been the tradition? Mr Deputy Speaker, Sir, I have had, I must say, the chance and the privilege of having been, not as a Member, but prior to becoming a Member of this House, of having been at many times in the gallery to watch debates. At that time, Sir Anerood Jugnauth was Leader of the Opposition, Leader of the MMM and Sir Seewoosagur Ramgoolam was Prime Minister. At that time, we used to be invited for lunch, for dinner. I have had on so many occasions Sir Seewoosagur Ramgoolam sitting at the main table, the Speaker then, I don't know, I can't recall, any Senior Minister, probably. But all this time, has hon. Mohamed said 'But the Speaker hon. Kailash Purryag, hon. Peeroo, they are disqualified as Speaker, they are biased?' Or is it that today it has been a tradition! But anyway, if he is the spokesperson for the Leader of the Opposition, we can invite the Leader of the Opposition to come and sit at the table, I will invite him. Please, Leader of the Opposition, if you are listening to me, I invite you, you come and sit with us at the main table.

*(Interruptions)*

Yes! Not hon. Mohamed. No, No! But, the Leader of the Opposition, yes because he has a constitutional post.

*(Interruptions)*

We will see if he accepts the invitation. You know when you are out, as you say no argument, you have no argument, you start to say anything.

Mr Deputy Speaker, Sir, I listened to hon. Baboo earlier. What he said: "I thought I must see the Speaker." Because we don't know what happened. He was giving an account of the private conversation that occurred between him and the Speaker. First of all, that is not done. This shows the level of that hon. Member, to what level he can stoop to. But anyway, he has said what he said in Parliament and since Madam Speaker has no right of reply, I thought that I would convey to Madam Speaker what this hon. Member has been saying. Let me for that part be the spokesperson of Madam Speaker. Hon. Baboo has stated that Madam Speaker did not issue his letter of appointment as Whip in an attempt to make him cross the floor, apparently he said. Now, this is a gratuitous and malicious allegation which is devoid of any merit.

Madam Speaker would, in fact, wish me to inform the House that he has completely messed up matters as the Speaker does not appoint the Whip and issues no letter to that effect. So, what nonsense is he talking about! Making allegations that Madam Speaker has retained, as if waited for four days, he said, four days or something like that, when Madam Speaker does not issue the letter. It is the Leader of the Opposition who nominates the Whip because he is the one who chooses the Whip.

Secondly, he has also made allusion to a supposedly private conversation which he had in the Office of Madam Speaker and in the course of which, Madam Speaker, supposedly reproached the Leader of the Opposition, his Leader, of criticising her in the *biscuit* issue. Again, I am told that this is totally false. In fact, hon. Baboo - I am informed by Madam Speaker, that is interesting! - when asking for an appointment with Madam Speaker who gave him such a date, at such a time to come to the Office of the Speaker, you know what hon. Baboo said: "No, I don't want to come and meet you in the office. Let us meet somewhere else. Let us meet at some other place."

*(Interruptions)*



I don't want to draw any conclusion from this behaviour, but this is what hon. Baboo said, and he did not say that today asking for an appointment and asking the Speaker: "Let us meet somewhere else."

And then, the third point, he stated that when discussing sitting arrangements that Madam Speaker supposedly told him that she would not accede to his request for hon. Bhadain to be seated next to the Leader of the Opposition, that is, the other half of the Leader of the Opposition would supposedly sit with this half, as the latter had gone too far in his criticism, again, on her daughter's business. This, I am told is also totally false. In fact, sitting arrangements were never discussed as there was no formal request from him. Madam Speaker asked him to make a proper request. He had never made a proper request. I am told that it was only when the National Assembly was going to sit. In fact, we can all remember that they were trying to have hon. Bhadain to sit on that day, in the morning to sit next to the Leader of the Opposition, then Madam Speaker made a statement from the Chair to say that sitting arrangement was her prerogative and so on and so forth. Now, this, again, shows the way these Members of the Opposition have been talking and misbehaving.

Therefore, Mr Deputy Speaker, let me end by saying that, first of all, I really see no merit, not only no merit, as rightly said by the Deputy Prime Minister, it is a way where, probably, hon. Mohamed did not expect that the motion would be on the agenda so soon. He was surprised himself. Deep down, I am sure he must have been surprised himself. Today, he came to the House and I looked at the practice. Yes, when you table such a motion, you have to substantiate the motion. It is not a general motion as if when you come to the House, then you are going to argue your views. Yes, you are going to substantiate the points that you are going to make, but this has not been done. In fact, you have been very flexible, Mr Deputy Speaker, Sir, to allow him to do that and I must say three-quarter of his speech was irrelevant, only one quarter and even that one quarter, there are a few points that he raised. In fact, the motion should not have stood like that, but anyway, it is wasting the time of the House, it is a frivolous motion, it is a motion devoid of any merit. And I believe that they have got their reply today and it is a good thing that the Mauritian population is able now to see live and to follow the debates and not to rely, I would say, on certain writings, of certain quarters also. So, I am happy that, at this very time, we are still standing and we are still debating to show the seriousness of purpose of this Government.

Thank you.

**The Prime Minister:** Mr Deputy Speaker, Sir, I am, under Standing Order 45 (1), moving for the closure of the debate, and I move that the question be now put.

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

*Question put and agreed to.*

*The motion of the hon. First Member for Port Louis Maritime and Port Louis East (Mr S. Mohamed) was, on question put, defeated.*

**The Deputy Speaker:** Hon. Leader of the House!

**The Prime Minister:** Mr Deputy Speaker, Sir, I beg to move for the adjournment of the House to Tuesday 11 April 2017 at 11.30 a.m.

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

*Question put and agreed to.*

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

*At 1.35 a.m., the Assembly was, on its rising, adjourned to Tuesday 11 April 2017 at 11.30 a.m.*

## WRITTEN ANSWERS TO QUESTIONS

### MBC – ADVERTISING – REVENUE COLLECTED

(No. B/94) **Mr S. Fowdar (Third Member for Grand’Baie & Poudre d’Or)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain therefrom, information as to the amount of revenue collected on account of advertising on the television and radio channels, over the period 01 January to 31 December 2015 and 01 January to 31 December 2016, respectively, indicating the excess of outflows over inflows and the sources of financing of the deficits in respect of both periods.

**Reply:** I am informed by the Director General of the Mauritius Broadcasting Corporation that the total revenue collected by the MBC on account of advertising on television and radio channels for the period 01 January 2015 to 31 December 2016, amounted to Rs407.4 m.

For the period 01 January to 31 December 2015, the excess of outflows over inflows has been drastically reduced to Rs52 m. compared to around Rs293 m. in 2013.

According to the unaudited figures for the period 01 January to 31 December 2016, the MBC is expected to register an operating profit of around Rs81 m. This is, indeed, a positive sign as the Corporation has always made operating deficits over the last decade.

Since the very beginning of Government’s mandate, a series of measures has been taken to turn around the precarious financial situation of the Corporation through the adoption of new strategies aimed at maximising revenue and reducing expenditure.

### PMO – ADVISERS – REMUNERATION

(No. B/95) **Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the advisers attached to his Office, he will state the names thereof, indicating in each case the –

- (a) qualifications held, and
- (b) terms and conditions of employment thereof, including the –
  - (i) salary package, and

(ii) scope of duties thereof.

**Reply:** There are at present 11 Advisers at the Prime Minister's Office, namely -

- (i) Sir Bhinod Bacha, KT, CMG, FMIM, Senior Adviser;
- (ii) Mr Ramprakash Maunthrooa, Senior Adviser;
- (iii) Mr Jean François Chaumière, Senior Adviser;
- (iv) Mr Mavendra Singh, Special Adviser;
- (v) Mr Georges Chung Tick Kan, Senior Adviser on Economic Policy Matters;
- (vi) Mr Rama Krishna Veeramundar, Senior Adviser and Director of Communications;
- (vii) Miss Kimberley Catlow, Adviser;
- (viii) Mrs Sarah Rawat Currimjee, Adviser;
- (ix) Mr Veeren Rendhee, Adviser on Information Matters;
- (x) Mr Dario Robert Thumiah, Adviser on Information Matters, and
- (xi) Mr Mahmad Ally Dahoo, Adviser on Electoral Matters.

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

Out of the 11 Advisers, two are not claiming any remuneration for their services. Furthermore, there is one public officer who is on secondment to my Office.

Moreover, there is also no comparison between the generous pay package and other benefits of some of the Advisers employed at the Prime Minister's Office between 2005-2014 and those which have been offered to the Advisers presently in post.

The services of Advisers have been enlisted to advise and assist the Prime Minister on the wide range of subjects in his portfolio and to support him in ensuring that Government delivers on its commitments and priorities while maintaining a more proactive communication that helps explain Government key priorities and achievements.

**RODRIGUES REGIONAL ASSEMBLY LEGISLATION – AMENDMENT**

(No. B/96) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Rodrigues Regional Assembly Act, he will state if consideration will be given for the setting up of a committee to look thereinto with a view to bringing amendments thereto, following the outcome of the elections held in Rodrigues on 12 February 2017 whereby 5 additional seats were granted to the same party on the basis of proportional representation.

**Reply:** I am open to any suggestion which can improve the electoral system both in Mauritius and Rodrigues.

This is why during my visit in Rodrigues in February last, I agreed to the suggestion made by the representatives of the Rodrigues Regional Assembly to set up a Technical Committee, under the aegis of my Office, which would come up with proposals to further amend the Rodrigues Regional Assembly Act with a view to improving the electoral system in Rodrigues.

The recommendations of the Technical Committee will be forwarded to the Ministerial Committee on Electoral Reforms for consideration.

**PORT & CARGO HANDLING CORPORATION LTD – DEVELOPMENT**

(No. B/97) Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the proposed port development and the Cargo Handling Corporation Ltd., he will, for the benefit of the House, obtain from the Mauritius Ports Authority, information as to if any strategic partner has been retained therefor and, if so, give details thereof and, if not, why not.

**Reply:** The Mauritius Ports Authority (MPA) has advised that no strategic partner has been retained for the development of the port and Cargo Handling Corporation Ltd (CHCL).

Regarding DP World, the new Ministerial Committee, set up on 23 December 2016 and chaired by the Vice-Prime Minister and Minister of Housing and Lands, following the resignation of the former Deputy Prime Minister, decided as far back as 13 January this year not to proceed with further negotiations with it.

**MR A. S. – GLOBAL BUSINESS LICENCES & INVESTMENT BANKING  
LICENCE**

**(No. B/98) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the companies of Mr A. S., he will state if consideration will be given for the setting up of a Commission of Inquiry to be chaired by a Sitting Judge to investigate into the circumstances in which Global Business Licences and the Investment Banking Licence were issued thereto by the Financial Service Commission and to inquire into the alleged involvement of politicians and Very Important Persons therein.

**Reply:** The answer is in the negative.

**GRA – LICENCES – ISSUE**

**(No. B/99) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Gambling Regulatory Authority, he will, for the benefit of the House, obtain therefrom, information as to if it has issued new licences since June 2016 to date and, if so, indicate the names of the persons and/or companies having been issued therewith, indicating in each case the –

- (a) category of licence issued, and
- (b) number and location of the outlets at which they have been authorised to operate.

**Reply:** Advice obtained is that no licences have been issued to any new operator from June 2016 to date.

**ELECTORAL REFORMS**

**(No. B/100) Mrs D. Selvon (Second Member for GRNW & Port Louis West)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether he will state if consideration will be given for the carrying out of a major constitutional reform to ensure a higher degree of democracy and decentralisation with a more active role for Civil Society Organisations in the light of cases whereby major political parties have suffered from

parliamentary underrepresentation despite having obtained considerable number of popular votes and that women continue to be under-represented in Parliament despite representing half of the population.

**Reply:** Government stands committed to consolidate our democracy, build strong institutions, and protect the fundamental rights of our citizens.

It is precisely in this context that Government has set up a Ministerial Committee to examine the different aspects of our electoral system and make appropriate recommendations for reform. The issues of proportional representation and better women representation have been included in the Terms of Reference of the Ministerial Committee.

Government will decide on the way forward in the light of the recommendations of the Ministerial Committee, after appropriate consultations.

#### **MR A. S. – VIPSU FACILITIES**

**(No. B/102) Mr S. Bhadain (Second Member for Belle Rose & Quatre Bornes)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to Mr A. S., he will state if Very Important Persons Security Unit (VIPSU) facilities have been provided thereto and/or to the legal representatives thereof, since January 2015 to date and, if so, indicate the relevant dates thereof and, in each case, further indicating the names of the persons who made the said request and who approved the provision of such facilities, respectively.

**Reply:** There are no records in my Office, which is the sole authority for approval of requests for VIPSU facilities, in favour of Mr A. S. or any of his legal representatives since January 2015 to date. Hence, no such facilities have been officially granted to them by the Prime Minister's Office.

#### **ABERCROMBIE & VACOAS - POLICE QUARTERS – PULLING DOWN**

**(No. B/122) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the 39 Police Quarters, situated at Abercrombie, in Vacoas, earmarked for pulling down, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if they have pulled down and, if so, indicate the projects that have been or will be earmarked for implementation thereat and, if not, why not.

**Reply:** I am informed by the Commissioner of Police that the quarters at Abercrombie, in Vacoas, have not yet been pulled down.

As regards the projects to be implemented thereat, I am informed that a modern gymnasium will be constructed for the Mauritius Police Force in the first place. The construction of a swimming pool will be considered at a later stage.

### **POLICE OFFICERS – EXTRA DUTIES - PAYMENT**

**(No. B/123) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the performance of extra duties by Police Officers, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) mode of payment therefor;
- (b) cases in respect of which Police Officers are allowed to perform extra duties, and
- (c) if the arrival and departure time of the Police Officers are monitored when performing extra duties and, if not, why not

**Reply:** I am informed by the Commissioner of Police that the performance of extra duties by Police Officers is regulated by Standing Order No. 125, issued in June 2015, in accordance with section 6(1) of the Police Act 1974.

Regarding the mode of payment of extra duty fees to Police Officers, I am informed that the money collected in respect of extra duty services performed by Police Officers is credited into a Bank Account in the name of the Commissioner of Police. After performance of the extra duties, the appropriate amounts are paid to the Police Officers concerned through the payroll system of the Police Department.

Regarding part (b) of the question, I am further informed that extra duty services of Police Officers are mainly sought for:

- (a) private purposes, for example, during marriage ceremonies and casting of slabs; and
- (b) commercial purposes, where security services are required, amongst others; by financial institutions like Banks and Insurance Companies, Mediclinics, Casinos as well as to escort cash in transit.



As regards the last part of the question, I am informed by the Commissioner of Police that the supervision of the Police Officers performing extra duty is regulated by paragraph 35 of Standing Order No. 125, which provides that -

“Regular checks of personnel on extra duty will be carried out by Supervising Officers and other Officers visiting Stations.”

In this respect, the arrival and departure times in respect of the extra duty performed by Police Officers are strictly monitored by their Supervising Officers.

### **POST OFFICES - OPERATION**

(No. B/124) **Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Technology, Communication and Innovation whether, he will state if he has been informed that long queues are formed at the Post Offices situated in the main towns and villages during the end of the months and, if so, will he, for the benefit of the House, obtain from the Mauritius Post Ltd., information as to if remedial measures will be taken in relation thereto, indicating where matters stand as to the proposed opening of a post office within the City Centre, in Port Louis, with a view to decongesting the one situated at the Emmanuel Anquetil Building.

**Reply:** I am informed by the Mauritius Post Ltd. that, at the end of each month, customers attend Post Offices not only for franking of letters but also to settle their utility bills, retrieve their pension benefits, or to take advantage of other services provided by the Post Office like the use of Internet facilities. In addition, owners of vehicles renew their motor vehicle licences at the end of the month, though renewals start as from the 16<sup>th</sup> of the month. This flow of customers lasts for 5 to 6 days following pay day.

With regard to part (a) of the question, I am informed that remedial measures have already been taken to minimise waiting time for persons attending Post Offices. The Mauritius Post Ltd. has increased the number of service counters and a continuous service is provided even during lunch time. The Mauritius Post Ltd. has also set up dedicated counters to streamline the sale of stamps.

In the context of re-structuring the Mauritius Post Ltd, Post Offices will be called upon to make maximum use of technology for service delivery. In this context, I am informed that the Mauritius Post Ltd. will introduce the installation of Automated Post Office Kiosks at selected location, including Emmanuel Anquetil Building for a 24/7 unmanned postal service along the same lines of ATM to allow self-service bill payments with credit

and debit card acceptance. Moreover, the Mauritius Post Ltd. will introduce stamp vending machines for the posting of ordinary and registered letters.

I am informed that the Post Office at Emmanuel Anquetil Building is one of the busiest areas of Port Louis. The segments of customers calling at the Post Office are largely significant and varied comprising of Banks, Notaries, Attorney at laws, Solicitors, Ministries/Departments, Commercial Entities, and Businesses as well as members of the public. However, in view of the exiguity of the Post Office, it cannot accommodate more counters.

With regard to part (b) of the question, it is not proposed to open another Post Office within the City Centre. In addition to the main Post Office in Dumas Street and that of Emmanuel Anquetil Building, there are already three additional Post Offices in Port Louis namely Port Louis Waterfront at Caudan, Port Louis Eastern at Magon Street, Plaine Verte and Port Louis Western at Bell Village.

I would also like to inform the House that, to set up a Post Office, the criteria is that it should service an average population of 15,000. Moreover, the distances between two Post Offices should be, at least, four kilometres.

### **SAVANNE & BLACK RIVER – HOUSING PROJECT**

**(No. B/126) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the low cost housing project and to the proposed construction of more than 10,000 core houses as announced by Government, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to the number of housing units that will be constructed in Constituency No. 14, Savanne and Black River, indicating the locations earmarked therefor.

**Reply:** I am informed by the National Housing Development Company Ltd that, in Constituency No. 14, some 104 housing units are being constructed on a plot of land of an extent of 7A in the region of Bassin at a total project cost of Rs172 m..

The housing units will be on a ground plus one configuration. Each housing unit will be of an approximate area of 50 square meters comprising two bedrooms, kitchen, living and dining room, bathroom and toilet. The residents will also be able to extend their housing units in the future at their own cost and as per the prototype plan submitted to them by the

NHDC and in line with the policy to control and harmonise construction on the housing estates.

The construction works are expected to be completed by mid-2018.

Furthermore, a total of some 510 housing units will be constructed at an estimated project cost of Rs750 m. on three sites in Constituency No. 14. Some 75 housing units will be constructed at Cascavelle, some 150 housing units at Beau Songes and some 285 housing units at Surinam. The construction works are expected to start by the end of this year.

### **CHEMIN GRENIER – MARKET FAIR - CONSTRUCTION**

**(No. B/127) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Local Government and Outer Islands whether, in regard to the proposed construction of a new market fair in Chemin Grenier, he will state where matters stand.

**Reply:** I am informed by the District Council of Savanne that a first project proposal for constructing a new Market Fair at Chemin Grenier for an estimated cost of Rs75 m., was recommended by the Project Plan Committee and approved by the then Government in January 2014.

However, the District Council of Savanne has decided not to go ahead with the project given that the proposed structure was in corrugated iron sheet and not appropriate for a coastal region.

As a result, the District Council of Savanne has reviewed the scope of works for the project and is proposing to construct a two-storeyed concrete building, estimated at Rs125 m., to accommodate about 400 sellers.

The project would also comprise a food court, administrative block, toilet facilities and parking for 150 vehicles.

A plot of land of an extent of 4 *arpents* has already been identified by the District Council of Savanne and is located in the vicinity of the Farmer's Service Centre at Camp Charlot.

The new project proposal is presently being examined by the Project Plan Committee (PPC).

Once the project is recommended to the Government by the PPC, and financial clearance is obtained, the Ministry of Housing and Lands would be requested to acquire the identified plot of land for the implementation of the said project.

We should endeavour to our citizens are getting a modern market fair at Chemin Grenier, with all the facilities and amenities, at the earliest.

### **LA VIGIE-LA BRASSERIE-BEAUX SONGES LINK ROAD - CONSTRUCTION**

**(No. B/128) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the proposed construction of the Beaux Songes-La Vigie Link Road, he will state where matters stand.

**Reply:** The proposed “La Vigie-La Brasserie-Beaux Songes Link Road” is about 16 km in length and will bypass the western conurbation of Plaines Wilhems providing a direct link between the south and the west of Mauritius. The proposed road alignment extends from La Vigie Roundabout along Bigara, La Marie, the village of Henrietta, and Holyrood Road to end at the Beaux Songes Roundabout.

In my reply to Parliamentary Question No. B/1012 on 22 November 2016, I informed the House that, following a Request for Proposal exercise, Luxconsult (Mtius) Ltd was appointed in April 2016 to carry out the feasibility study and detailed design for the project.

I am now informed by the Road Development Authority (RDA) that the final feasibility report has been approved by the RDA on 31 January 2017 and the project will be implemented in two phases as follows -

- Phase I - From La Vigie to La Marie, and
- Phase II – From La Marie to Beaux Songes.

Luxconsult (Mtius) Ltd is presently proceeding with the detailed engineering design and preparation of the bidding documents, which are expected to be completed by June this year and bids would be launched by October.

The required funding is being sought in the next Budget 2017-2018 to start the construction works.

### **STATE OF MAURITIUS – DAMAGES & COMPENSATION - PAYMENT**

**(No. B/129) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Attorney General whether, in regard to judicial, arbitration and other legal proceedings initiated by or against the State of Mauritius in Mauritius and overseas, since December 2014 to date, he will –

- (a) give particulars of all the payments, including the quantum of damages, compensation and legal fees paid to the private law practitioners whose services have been retained therefor, and other disbursements made out of public funds in respect thereof as at to date, and
- (b) state the respective amounts of all the outstanding claims in connection therewith.

*(Withdrawn)*

#### **SC & HSC EXAMINATIONS – EXEMPTION FEES**

**(No. B/130) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the payment of fees for the Cambridge School Certificate and the Higher School Certificate Examinations in 2017, she will state the conditions for the students to benefit from the exemption thereof.

*(Withdrawn)*

#### **SCHOOLS – DRUG SCOURGE**

**(No. B/131) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the drug problem in schools, she will state the actions that have been initiated in respect thereof, if any, following the hearing of her Ministry before the Commission of Inquiry on Drug Trafficking.

*(Withdrawn)*

#### **APOSTLE INTERNATIONAL MANAGEMENT SERVICES LTD. - SHAREHOLDING**

**(No. B/132) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to the Apostle International Management Services (AIMS) Ltd., he will, for the benefit of the House, obtain from the Financial Services Commission, information as to if it has –

- (a) taken any action against same and, if so, indicate the reasons therefor and

- (b) not approved any proposed
  - (i) appointment to be made by same and, if so, indicate the names and profession of the proposed appointee/s and the reasons for the non-approval thereof, and
  - (ii) transfer of shareholding thereof and, if so, indicate the names of the shareholders concerned therewith and the reasons for the non-approval thereof.

*(Withdrawn)*

### **FREE TRANSPORT SCHEME - COST**

**(No. B/133) Mr K. Ramano (Third Member for Belle Rose and Quatre Bornes)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Free Transport Scheme, he will state –

- (a) the total sum that Government has disbursed in 2016, and
- (b) if Government proposes to review the policy thereof.

**Reply:** I am informed that the Free Travel Scheme for old aged pensioners and disabled persons was introduced on 15 August 2005 and the scheme for students came into effect on 01 September 2005. A Memorandum of Understanding, to that effect, was signed between the then Government and the bus companies and also with the Cooperative Societies representing the individual bus operators on 12 August 2005.

Since its introduction to date, the methodology being used for the payment of subsidy to students, and old aged and disabled persons is calculated on the basis of parameters such as the number of buses operated daily, the percentage of students/old aged or disabled persons over the total number of passengers carried daily, the number of days of travel and the average fare.

I am further informed by the NTA that the eligibility criteria cover full time students of primary, secondary and post-secondary institutions travelling between their residence and their respective educational institution on school days. In the case of old aged pensioners and disabled persons, there is no restriction on the time of travel, trip frequency or journey length.

According to information obtained from the NTA, a total sum of Rs1,245,463,020 has been disbursed by the Government in 2016 under the Free Travel Scheme.

In regard to part (b) of the question, as I stated in my reply to PQ B/797 on 19 July 2016, the present system is fraught with flaws and a study is required for a more transparent, efficient and cost effective management of the free transport payment mechanism.

My Ministry has, accordingly, hired the services of Pricewaterhouse Coopers Private Limited (India) in August last year to conduct a Study on the Re-engineering of the Public Transport Industry in Mauritius with a view, amongst others, to help Government rationalise and optimise the use of public funds in relation to the free travel scheme and other support to the bus industry.

So far, the Consultants have submitted an Interim report. In relation to the free travel scheme, the Consultants have, *inter alia*, observed that the budgetary allocation has increased over the years whilst the overall public transport ridership has decreased. The Consultants are of the view that the current formula used in computing disbursements under the Free Travel Scheme has encouraged and has led to overcapacity and inefficient operations in the bus transport industry.

The Consultants have further observed that the existing scheme administration mechanism is linked to the number of licenses held by individual and private company operators rather than to the overall service provided to the customers.

During meetings that I have had with them, the Consultants have been requested to make specific proposals relating to the method of computing that the NTA needs to adopt in order to have a more transparent and equitable payment system to bus operators.

The final report of the Consultants is expected in the coming weeks.

I trust that the recommendations of the Consultants would assist my Ministry in re-engineering the Free Travel Scheme to adequately meet the social objectives of easing students' access to education and to cater for the travelling needs of the elderly and disabled persons.

### **PUBLIC SERVICE BILL - INTRODUCTION**

**(No. B/134) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Minister of Civil Service and Administrative Reforms whether, in regard to the proposed introduction of a Public Service Bill in the House, he will state where matters stand.

**Reply:** To clarify and secure the boundaries between the Executive and Administration, work started some time back on the drawing up of a legal framework in terms of a draft Public Service Bill.

I am informed that the draft Public Service Bill is nearing finalisation and that arrangements will be made for its introduction into the National Assembly, at the earliest possible.

### **EEZ - FISHING LICENCES**

**(No. B/135) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West)** asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to our economic zone, he will state –

- (a) over the past two years, the names of the local and foreign vessels which have been issued with fishing licences for the exploitation thereof, indicating –
  - (i) in each case, the terms and conditions attached thereto;
  - (ii) if any fishing license has been revoked, and
  - (iii) the total revenue collected from foreign vessels in terms of license fees, and
- (b) if consideration will be given to stop the issue of fishing licences to foreign vessels.

**Reply:** In regard to parts (a) (i) (ii) and (iii) of the question, the grant of fishing licenses to local and foreign fishing vessels is governed by Sections 34 to 38 of the Fisheries and Marine Resources Act 2007.

57 fishing licence have been delivered for vessels owned by 20 local vessel owners in 2015 and 88 fishing licences were delivered in 2016.

Regarding foreign vessel owners, 239 fishing licences were issued in 2015 and 277 for 2016.

The information relating to the details of the beneficiaries as well as the terms and conditions is being placed in the Library.

No fishing licence has been revoked during the past five years.

The total revenue on licence fees paid by foreign vessel owners for the year 2015 is USD 1,254,000 and EURO 140,700. and for 2016 is USD 1,532,000 and EURO 132,720.



In regard to part (b) of the question, foreign fishing licences are issued to fish tuna and tuna like species which are highly migratory. The Indian Ocean Tuna Commission (IOTC) is the regional fisheries management organization responsible for the management of tuna resources in the Indian Ocean region. As a party to the IOTC, Mauritius strictly abides to its resolutions. So far, there is no resolution requiring member states to stop giving fishing licences to foreign vessels.

I wish also to point out that in accordance with the provisions of Article 62 of the United Nations Convention of the law of the sea (UNCLOS) to which Mauritius is a party, Coastal States which do not have the capacity to harvest the entire allowable catch, shall enter into agreement or other arrangement with other States to access to the surplus of the allowable catch.

As Mauritius does not have a national fleet, it has therefore granted licences to foreign vessels to operate in our EEZ. However, with a view to building our national fleet my Ministry is encouraging operators in the sector to register fishing vessels in Mauritius to harness our fishing resources. One operator has already registered seven vessels and is proposing to increase its fleet to 20. In addition a Scheme has been put in place for the purchase of semi-industrial fishing boats whereby a grant of 50% up to Rs4 m. is being provided to fishermen Cooperatives.

### **LAGOONS - AQUACULTURE**

**(No. B/136) Mr J. C. Barbier (Fourth Member for GRNW & Port Louis West)** asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to the carrying out of aquaculture in our lagoons, he will state –

- (a) if he has received any adverse report or advice in relation thereto, and
- (b) consideration will be given for the requirement of an Environment Impact Assessment licence prior to the carrying out of any project therefor.

**Reply:** In regard to part (a) of the question, my Ministry has not received any adverse report nor adverse advice regarding aquaculture activities in our lagoons.

In regard to part (b) of the question, I wish to inform the House that in accordance with Section 15(2) of the Environmental Protection Act (EPA) 2002, fish farms in the Fish Farming Zones listed in Section 8A of the Fisheries and Marine Resources Act require an

Environmental Impact Assessment licence. The list of the Fish Farming Zones is being laid in the Library.

Consequently, any promoter of aquaculture projects falling in the Fish Farming Zones would require an EIA licence to operate.

### **TERRE ROUGE-VERDUN LINK ROAD - REPAIRS**

**(No. B/137) Mr J. C. Barbier (Fifth Member for GRNW & Port Louis West)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Terre Rouge-Verdun Link Road, he will, for the benefit of the House, obtain from the Road Development Authority, information as to the estimated final cost of the repairs thereof, indicating if any party responsible of the wrongdoings in relation thereto has been claimed damages and, if not, why not.

**Reply:** The works along the Terre Rouge-Verdun road have involved two types of projects -

- (i) treatment of landslides, and
- (ii) repair to embankment failure at Ripailles.

The first project comprised stabilisation of landslides that occurred along five specific areas along the carriageway between Creve Coeur and Ripailles, four southbound and one northbound. This project has been completed and has cost the Government a total amount of MUR 785,890,196, out of which, an amount of MUR 663,628,722.66 inclusive of VAT has been paid as at date.

With regard to the second project, that is, repair to the embankment failure, following procurement exercise carried out by the Central Procurement Board, a contract has been awarded on 27 March 2017 for the amount of MUR 283,556,663.00 exclusive of VAT. The works are expected to be completed by February 2018.

With regard to the second part of the question, I wish to refer the hon. Member to my reply to P.Q. No. B/444 on 08 September 2015, wherein I informed the House that following the embankment failure and after investigations carried out, disciplinary proceedings were instituted against two officers of the RDA who were subsequently dismissed from their post with effect from 16 July 2015.

Concerning the question of claiming associated damages, this could not be done earlier as the exact cost of the repairs to the embankment failure was not known. Now that the contract has been awarded and the cost of repair is known, and also taking into consideration

the complexities (technical, contractual, legal and financial) of the case, a technical team has been set up at the RDA to identify any relevant potential claim. In the light of the findings of the technical team, appropriate legal actions would be taken as appropriate for claim of damages.

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

**(No. B/138) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Independent Police Complaints Commission, he will state when it will be set up to ensure that cases of police brutality are investigated into.

**Reply (Prime Minister):** The Independent Police Complaints Commission Bill to set up the Independent Police Complaints Commission was enacted on 22 July 2016. The Act will be proclaimed as soon as the Commission comprising a Chairperson and 2 members is constituted.

Section 3(3) of the Act provides that the Chairperson shall be a person who has, *inter alia*, served as a Judge of the Supreme Court or has been a Magistrate/ a law practitioner of not less than 10 years.

The two members shall be persons having knowledge and experience in the field of human rights, law, employment, industrial relations, business administration, education, sociology, policing, social work, psychology, psychiatry, medicine or prisons management.

Consultations are ongoing with persons having the required profiles for the constitution of the Commission, and these consultations require the greatest care and caution, and therefore necessitate adequate time.

In the meantime, complaints regarding Police Officers are being dealt with by the Police Complaints Division of the National Human Rights Commission.

### **EARLY DIGITAL LEARNING PROGRAMME - GRADES 1 & 2**

**(No. B/139) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the digital tablets, she will state the –

- (a) number thereof distributed to pupils of Grade I, if any, and, if not, why not and,
- (b) software installed thereon, indicating the names of the developers thereof.

**Reply:** In line with the announcement made in the last Budget for Mauritius to gradually move towards a digital society and as part of the reform process in the education

sector, my Ministry is currently implementing an “Early Digital Learning Programme” for pupils of Grades 1 and 2, through the provision of digital tablets and relevant education software.

The project is being implemented under the recent Government to Government Agreement signed between the Government of Mauritius and that of India.

In that regard, a Memorandum of Understanding was signed on 10 March 2017 by the Ministry of Education and the EdCIL, a Government of India enterprise, for the provision of 26,800 tablet PCs to pupils of Grades 1 and 2. The PC tablets will include among others, hardware and systems software and training and after sales service support from the systems software service provider

The distribution of tablet PCs has not yet been effected, as the project is still at tendering stage and delivery is expected before the end of this financial year.

As mentioned earlier, given that the project is still at tendering stage, the names of the software developers for the Operating System and the Classroom Management System are not yet known.

#### **POLICE AND CRIMINAL EVIDENCE (PACE) BILL – INTRODUCTION**

**(No. B/141) Mrs D. Selvon (Second Member for GRNW & Port Louis West)** asked the Attorney General whether he will state if he is aware that, in its official guide to the United Kingdom investors and businesses, dated 03 June 2016, the authorities of the United Kingdom warned against the practice of provisional charges being laid in Mauritius and that the United Kingdom, including the United Nations International Human Rights Council, has been raising concerns against cases of persons against whom provisional charges have been laid and having been detained over long periods, and, if so, indicate if consideration will be given for measures to be urgently taken to stop the said practice.

**Reply:** I have taken cognizance of the report which is on the website of the Department of International Trade UK Government.

I am pleased to inform the House that Government is implementing its commitment set out at paragraph 132 of the Government Programme 2015-2019, which reads as follows –

“132. Government will come up with a modern legal framework modelled on the UK Police and Criminal Evidence Act to address the abusiveness and arbitrariness of the present system of

“provisional charges.”

The Police and Criminal Evidence (PACE) Bill is being drafted with the assistance of Sir Geoffrey Rivlin QC, whose services have been put to the disposal of Government by the Commonwealth Secretariat. Government has also released in November 2016 on a confidential basis, for consultation with the Judiciary, the Police, the DPP and the Mauritius Bar Association, the working draft of the PACE Bill.

I wish to refer the hon. Member to the reply I gave to PQ B/1000 addressed by her good self to me on 22 November 2016.

The Mauritius Bar Association has already communicated to its members a copy of the draft Bill. A presentation and working session was held at the seat of the MBA on 30 November 2016.

Sir Geoffrey Rivlin QC has had two working visits in Mauritius in July and November 2016 during which he held consultations with my Office, the Office of the DPP, the Judiciary, the Commissioner of Police and Bar Council.

Sir Geoffrey Rivlin QC will have more working sessions with the Office of the DPP and police officers to finalise Codes of Practice during his visit to Mauritius later this year.

### **POLICE CUSTODY – DETAINEES – DEATH**

**(No. B/142) Mrs D. Selvon (Second Member for GRNW & Port Louis West)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the death of persons occurring whilst in Police custody, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of cases thereof since –

(a) December 2014 to date and since the voting of the Independent Police Complaints Commission Act 2016 to date, respectively, indicating the –

- (i) cause of death officially attributed thereto in each case;
- (ii) number of complaints received in relation thereto as at to date, giving details thereof, and
- (iii) number thereof which have been resolved, and

(b) 1979 that have remained unresolved.

**Reply:** I am informed by the Commissioner of Police that since December 2014 to 31 March 2017, there have been four (4) cases of death of persons whilst in Police custody.

As regards part (a) (i) of the question, the causes of death were as follows -

- (i) one case of acute Pulmonary Oedema;
- (ii) two cases related to Asphyxia due to hanging; and
- (iii) one case of Septicaemia with acute renal failure.

With regard to parts (a) (ii) and (iii) of the question, I am informed by the National Human Rights Commission that since the voting of the Independent Police Complaints Commission Bill on 19 July 2016, no complaint has been received.

Regarding part (b) of the question, the Commissioner of Police has informed that according to Police records, as at 31 March 2017, there were six cases of death of persons whilst in Police custody. Out of these cases, one is being referred to Court for judicial enquiry, one case has already been sent to the Director of Public Prosecutions for advice and the remaining four are still under investigation by Police.

### **POLICE STATIONS – REPORTED CASES - INQUIRIES**

**(No. B/143) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Police inquiries, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof that are still pending at the level of the Police Stations as at to date, indicating the average time taken for the completion of one inquiry in respect of each Police Station.

**Reply:** I am informed by the Commissioner of Police that on a yearly basis an average of 250,000 cases are reported to various Police Stations across the island. These cases relate to crime, misdemeanour, contravention and other occurrences. Each of these cases is subject to police enquiry. Out of these cases an average of 125,000 are referred to Court yearly.

As at 31 March 2017, 3901 cases of crime, 40,935 misdemeanour, 233,769 contravention cases and 35,646 miscellaneous cases were pending enquiry at the 80 Police Stations and 13 Police Posts in main land Mauritius, Rodrigues and outer islands.

I wish to inform the House that the total number of pending cases for the year 2014 was 338,145.

Once a complaint or occurrence is reported to Police and same is documented in the Occurrence Book or the Crime Occurrence Tracking System, an enquiry is immediately instituted.

Depending on the nature of the occurrence, enquiries into the cases are usually conducted by the designated enquiry officers or teams. Station Managers of Police Stations and Divisional Commanders are responsible to ensure follow up in the enquiries.

As per Standing Orders of the Mauritius Police Force, all cases reported to Police have to be completed and referred to Court within a reasonable time. However, the time frame for completion of enquiries depends on the complexity of the cases unless there is a limitation of action in law. As such there are numerous circumstances whereby enquiries into cases take a longer time, such as -

- (i) accused parties have remained unknown;
- (ii) missing persons are not found;
- (iii) human remains are not identified;
- (iv) accused parties proceeded abroad, and
- (v) high profile cases.

#### **GRNW & PORT LOUIS WEST – FISHING PERMITS & ASSISTANCE**

**(No. B/144) Mrs D. Selvon (Second Member for GRNW & Port Louis West)** asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to Constituency No. 1, Grand River North West and Port Louis West, he will state –

- (a) the number of inhabitants thereof –
  - (i) who are holders of fishing permits;

(ii) whose applications for the issue thereto of a fishing permit are pending,  
and

(b) if the fishermen thereof are being provided with training, indicating the other facilities being provided thereto and to the families thereof, if any, to face the increased environmental challenges to their activities, like climate change in the coming years.

**Reply:** Regarding part (a) (i) of the question, I am informed that there are actually 130 registered holders of fishing permits commonly known as fishermen cards for the constituency No. 1 Grand River North West and Port Louis West.

In regard to part (a) (ii) of the question, my Ministry has received 128 applications for fishermen card from Constituency No. 1 since 2010. Unfortunately these were not processed.

It is only in 2015 that my Ministry has set up a committee to look into the issue of fishermen's cards. A monitoring exercise was carried out to ensure that the applicants were continuously engaged in fishing activities for a period of six months. Following the monitoring exercise a short list of potential fishermen was drawn and recommend to the Fisheries Training and Extension Centre (FiTEC) at Pointe aux Sables for training.

Regarding part (b) of the question, my Ministry has established a list of 24 applicants who are eligible to be registered as fishermen from applications received around the island. Among the 24 applicants, five are from Pointe aux Sables and one from Bain des Dames. They are presently undergoing medical test by the Occupational Health Unit of the Ministry of Health and Quality of Life. Subject to their being medically fit to work at sea, they will be enrolled to follow the 6-week General Course for Fisher at the Fisheries Training and Extension Centre (FiTEC), Pointe aux Sables. A fisherman card will be issued thereafter.

My Ministry has placed Fish Aggregating Devices (FADs) at 28 sites to encourage fishers to fish off lagoon and which will eventually give the opportunity to these fishers to improve their livelihood and that of their families. The estimated cost of the FADs is around Rs4.2 million. Around 300 fishers are benefitting from these FADs.

Another project which the government is laying emphasis is floating cage fishery where fishers are encouraged to group in co-operative societies. This Financial year an amount Rs12 millions has been provided for the project. Ten sites have been identified for setting up floating cages and eight have already been allocated. The cost of one cage is



around Rs1M.

My Ministry is also providing fishermen assistance to purchase 'canotte' to fish off lagoon, and a grant of 50% up to Rs200,000 is offered to each applicant on the fisheries sectoral support programme under partenariat with the EU.

To improve the fishers' lot, my Ministry is encouraging semi-industrial fishing for fishermen grouped in co-operative societies through a grant to the tune of 50% of the cost of a semi industrial fishing vessel up to an amount of Rs4 million. This financial year an amount of Rs12M. was provided and three beneficiaries are being selected after an expression of interest.

My Ministry is also involved in sensitization to foster awareness among fishermen on the need for sustainable fishing. In this respect, I am pleased to announce that the close period for octopus from 15 August to 15 October 2016 was a success. The fishers were convinced of the benefits of the measure and in fact octopus of bigger size was obtained.

Furthermore, my Ministry issues safety equipment to fishers including lifesaving jackets, life buoys among others. The registered fishermen are also entitled to -

- BAD weather allowance
- Compensation for accidental death
- Financial Assistance for Accidentally Damaged Boats and Engines
- Sick Allowance
- Winter Allowance
- Maternity Allowance
- Funeral Grant
- Financial Assistance for the purchase of materials for building of Baskets traps

#### **APOSTLE INTERNATIONAL MANAGEMENT SERVICES LIMITED - INVESTIGATION**

**(No. B/145) Mr S. Bhadain (Second Member for Belle Rose & Quatre Bornes)** asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to Apostle International Management Services Limited, he will, for the benefit of the House, obtain from the Financial Services Commission, information as to the

outcome of the investigation initiated in relation thereto, indicating the regulatory actions taken against the said company as at to date, if any.

*(Withdrawn)*

### **GRNW & PORT LOUIS WEST - METRO EXPRESS PROJECT**

**(No. B/146) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Metro Express Project, he will state the public and private amenities that will have to be demolished in Constituency No. 1, Grand River North West and Port Louis West, indicating the sites identified for the relocation thereof, if any.

**Reply:** I am informed that the only public amenities that will be affected by the construction of the Metro Express in Constituency No.1, Grand River North West and Port Louis West are part of the taxi stand, of around 400m<sup>2</sup>, and around 1950 m<sup>2</sup> of a children playground at Plaine Lauzun. Alternative sites are being identified to relocate these facilities.

The office of the Central Water Authority being used for stocking of equipment and pumping station at Bell Village will also have to be displaced.

As regards private amenities, I presume that the hon. Member is referring to private plots of land. A total of 50 plots of land are concerned and these have already been acquired by Government.

### **SALE BY LEVY - LEGISLATION**

**(No. B/147) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Attorney-General whether, in regard to the Sale by Levy, he will state when new proposed legislation in relation thereto will be introduced in the House.

*(Withdrawn)*

### **LAND PRESCRIPTION - LEGISLATION**

**(No. B/148) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to prescription, he will state where matters stand as to the introduction of new proposed legislation in relation thereto.

*(Withdrawn)*

### CERTIFICATE OF CHARACTER - MINOR OFFENCES

(No. B/149) **Mr J. C. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière)** asked the Attorney-General whether, in regard to the Certificate of Character, he will state where matters stand concerning the proposal that consideration be given for minor offences not to be mentioned therein.

*(Withdrawn)*

### INDIAN OCEAN ISLAND GAMES 2019 – FEDERATIONS - PARTICIPATION

(No. B/150) **Mr J. C. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the *Jeux des Iles de l'Océan Indien* 2019, he will, for the benefit of the House, obtain from the federations, information as to if they have started preparation for participation therein and, if not, why not.

*(Withdrawn)*

### HANDISPORTS - NATIONAL COACH - SUSPENSION

(No. B/151) **Mr J. C. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to Mr J. M. B., National Coach for HandiSports, he will, for the benefit of the House, obtain information as to the reasons for the suspension thereof, indicating the duration thereof.

*(Withdrawn)*

### CHEBEL - HOUSING UNITS - BENEFICIARIES

(No. B/152) **Mr J. C. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the housing units which have been delivered to the inhabitants of Chebel, in Beau Bassin, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., a list of the beneficiaries thereof, indicating in each case the –

- (a) former address thereof;
- (b) date of delivery thereof, and
- (c) application reference thereof.

*(Withdrawn)*

### **TERRE ROUGE-VERDUN LINK ROAD - REPAIRS**

(No. B/153) Mr S. Baboo (Second Member for Vacoas & Floreal) asked Minister of Public Infrastructure and Land Transport whether, in regard to the Terre Rouge-Verdun Link Road, he will state the total estimated cost of the repairs thereof, indicating the –

- (a) quantum thereof spent as at to date, and
- (b) time frame set for the completion of the repair works.

**Reply:** I assume the hon. members are referring to the repairs of the collapsed part of the Terre Rouge-Verdun Link Road between Ripailles and Valton.

Following the embankment failure, the House is aware that we had to construct a bypass in order to maintain the vehicular movement along the road in both southbound and northbound directions. It is worth noting that around 12,000 vehicles use that road daily. The cost of construction, including the construction works and consultancy services for the design of the bypass amounts to Rs18.3 m.

With regard to the repair of the embankment failure, I wish to inform the House that tests and investigations had to be carried out to determine the causes of the embankment failure as well as the geotechnical characteristics of the soil at the collapsed part in order to come up with the appropriate design. An amount of Rs1.3 m. has been paid to the ARQ Consulting Engineers (Pvt. Ltd.) for geotechnical investigations, Rs4.4 m. to Water Research Co. Ltd to carry out drilling of boreholes and USD 100, 000 to the Korean Expressway Corporation for the design of the repair works.

Subsequently, following procurement exercise carried out by the Central Procurement Board, the contract for the repair works has been awarded on 27 March 2017 for a sum of Rs283,556,663, exclusive of VAT. The works are expected to start in April 2017 and completed by January 2018.

### **CEB - POWER CUT - 19 DECEMBER 2016**

(No. B/154) Mr S. Baboo (Second Member for Vacoas & Floreal) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the power cut of 19 December 2016, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the reasons therefor, indicating the –

- (a) estimated economic loss to the country, and
- (b) measures taken to avoid the recurrence of similar power cuts, if any.

*(Vide reply to PQ No. B/108)*

**PORT LOUIS MARITIME & PORT LOUIS EAST - HOUSING UNITS -  
CONSTRUCTION**

**(No. B/156) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to Constituency No. 3, Port Louis Maritime and Port Louis East, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to if consideration is being given for the construction of social housing units thereat and, if so, when and, if not, why not.

**Reply:** I wish to inform the House that currently there is no uncommitted and suitable State land available in Constituency No. 3 for the implementation of social housing projects.

In view of the high demand for housing units across the island, the National Housing Development Co. Ltd has invited Expressions of Interest for the acquisition of private lands, where State land is scarce, to implement social housing projects. The offers were closed on 04 November 2016 and 31 offers were obtained. In Constituency No. 3, 8 offers were obtained mainly in the region of Vallée Des Prêtres for an approximate extent of 136 Arpents.

Currently, consultations and site visits are being held with the relevant stakeholders. Upon favourable views from the relevant stakeholders and completion of geotechnical investigations, procedures for the acquisition of the lands will be initiated for the eventual implementation of housing projects.

**TROU FANFARON & PLAINE VERTE POLICE STATIONS - POLICE OFFICERS**

**(No. B/157) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Trou Fanfaron and Plaine Verte Police Stations, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of Police Officers posted thereat respectively, indicating the respective rank thereof.

**Reply:** I am informed by the Commissioner of Police that 62 two Police Officers of different grades are posted at the Plaine Verte Police Station whilst 86 at the Fanfaron Police Station. Both stations are headed by a Chief Inspector of Police who works under the supervision of an Assistant Superintendent of Police.

With regard to the respective ranks, I am tabling the information requested for.

**RESIDENCE LA CURE – SQUATTERS - RELOCATION**

(No. B/159) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue) asked the Vice-Prime Minister, Minister of Housing & Lands whether, in regard to the proposed relocation of the squatters of Marjolain, in residence La Cure, he will state where matters stand.

*(Withdrawn)*

**AGALEGA ISLAND - CPE EXAMINATION 2016 - PERFORMANCE**

(No. B/160) Mrs A. Perraud (First Member for Port Louis North & Montagne Longue) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, following the poor performance of the pupils of the Agalega Island who participated in the 2016 Certificate Primary Education Examinations, she will state if the matter has been looked into and measures taken in relation thereto and, if so, give details thereof.

*(Withdrawn)*

**SCHOOL MATERIALS - CASH GRANT - DISTRIBUTION**

(No. B/161) Mrs M. A. Perraud (First Member for Port Louis North & Montagne Longue) asked the Minister of Social Integration and Economic Empowerment whether, in regard to the Cash Grant in lieu of School Materials, he will state how the distribution thereof has been carried out in each of the poverty-stricken areas.

*(Withdrawn)*