



**SIXTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**(UNREVISED)**

**FIRST SESSION**

**TUESDAY 11 JULY 2017**

**CONTENTS**

**PAPERS LAID**

**QUESTIONS (*Oral*)**

**MOTION**

**STATEMENTS BY MINISTERS**

**BILLS (*Public*)**

**ADJOURNMENT**

## 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

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**MAURITIUS**

**Sixth National Assembly**

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**FIRST SESSION**

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**Debate No. 19 of 2017**

**Sitting of 11 July 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 Finance (Miscellaneous Provisions) Bill 2017 (No. X of 2017). (In Original)
- (b) The Financial Statement of the Prime Minister's Relief Fund for period 01 January 2015 to 30 June 2016.

B. **Ministry of Local Government and Outer Islands**

The Curepipe Carnegie Library Regulations 2017. (Government Notice No. 123 of 2017)

## ORAL ANSWERS TO QUESTIONS

### HIGH-RISE BUILDINGS – FIRE RISKS

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Minister of Local Government and Outer Islands whether, in regard to the high-rise buildings and fire risks thereat, he will state whether –

- (a) such buildings need to be equipped with fire detectors, sprinklers, fire doors and automatic suppression systems;
- (b) such commercial buildings are presently in use without holding a valid Fire Certificate;
- (c) the use of gas appliances are banned thereat, and
- (d) firefighters are properly equipped to deal therewith.

**Mr Jhugroo:** Madam Speaker, high-rise building is a real phenomenon which has come into our landscape on a mass scale, only during the last decade or so. With these developments, it has become necessary to legislate this type of buildings and to propose an enforced guideline for these buildings.

Guidelines were, therefore, proposed by the Mauritius Fire and Rescue Service in 2006. These guidelines, however, were intended to apply to buildings to be set up after 2006. As for the buildings that were set up prior to 2006, a transitional period was allowed to the owners to comply as fully as possible with these guidelines.

Mauritius Fire and Rescue Service has issued guidelines on 28 November 2006 and also in the Building Control Act 2012 stating the conditions to be observed for various types of buildings -

- These guidelines provide that all high-rise buildings should be equipped with fire prevention, firefighting and fire detective devices including fire detectors, sprinklers, fire doors and fire exit routes;
- Mauritius Fire and Rescue Service has been carrying out an audit of all high-rise buildings and has proposed schemes to compensate for the lack of all



firefighting devices. For example, education campaign is reinforced and the enforcement of existing fire safety measures is being intensified.

We are conscious of the risk that these buildings constitute to the occupants. It is for this reason that not only the Mauritius Fire and Rescue Service but also the Local Authorities come into the picture to regulate the use and occupation of these buildings. Clearance of all other authorities is also required, such as Ministry of Health and Quality of Life and the Police.

As regards part (b) of the question, the term “gas appliances” is vague, that is, it englobes gas water heaters, cooking gas, gas heaters and so on. Gas appliances are not banned in high-rise buildings, as some include commercial, residential and office blocks. But most of the high-rise buildings provide that the gas appliances are out-sited outside the building. However, when there are gas installations, it is covered by the “gas companies” complying with international gas safety norms.

With regard to part (c) of the question...

*(Interruptions)*

**Madam Speaker:** Order!

**Mr Jhugroo:** Sorry!

*(Interruptions)*

**Madam Speaker:** Allow the hon. Minister to put some order in his papers!

*(Interruptions)*

Hon. Rutnah!

*(Interruptions)*

**Mr Jhugroo:** Madam Speaker, the draft that I have got in my office is different. Sorry!

*(Interruptions)*

**Madam Speaker:** But the hon. Minister should work on the question *per se* and not on the original draft question which they have sent to him!

*(Interruptions)*

**Mr Jhugroo:** Yes, Madam Speaker. So, Out of more than...

*(Interruptions)*

Out of more than 50,000 commercial buildings throughout Mauritius, 1,314 have not been issued with Fire Certificate. This is so, because they do not comply with the guidelines issued to them.

When inspection reveals that commercial buildings are operating without a Fire Certificate, the Mauritius Fire and Rescue Service proceeds to issue an “Improvement Notice”. The Improvement Notice contains a set of measures required to prevent, detect and fight fire occasions. The owners should comply with those regulations by one month.

If there is no improvement, the Mauritius Fire and Rescue Service issues a “Refusal Notice” and informs the appropriate Local Authority and other respective authorities.

Firefighters are properly equipped with personal protective equipment. Firefighters have a wide range of firefighting and rescue equipment, such as breathing apparatuses, pumps, branches, ropes and lines, delivery and suction hoses, ladders, extrication and stabilising equipment, rescue gears, stretches, foam branches, in-line inductors and thermal image cameras. Firefighters use them depending on the circumstances of the emergency.

Madam Speaker, we are conscious about the new challenges posed by high-rise buildings in Mauritius. The vast majority of such high-rise buildings are basically found in Port Louis and Ébène are of commercial nature. It is only recently that a few applications have been received for high-rise buildings of residential nature. I must stress that strict guidelines by the Local Authorities and Mauritius Fire and Rescue Service have been issued for the safety of would-be residents.

Further, Madam Speaker, the Mauritius Fire and Rescue Service is in the process of finalising the Mauritius Fire Code which will cater for all fire safety measures in residential, commercial and industrial buildings.

Madam Speaker, the House may wish to note that after the deadly *Grenfell* Fire in London, I called an urgent meeting to discuss the issue of high-rise buildings in Mauritius. I instructed an audit of all high-rise buildings in Mauritius, which have already been issued

with Fire Certificate. Inspection of buildings has been initiated by the Mauritius Fire and Rescue Service.

**Mr X. L. Duval:** Madame la présidente, quelle réponse ! 65,000 personnes travaillent et vivent - *I am going to ask the questions in French* – dans des immeubles de grande hauteur, c'est-à-dire les *high-rise buildings* de plus de trois étages. Donc, il y a eu ce feu il y a un mois de cela, *Grenfell* à Londres, est-ce que le ministre a institué un audit physique de tous les bâtiments parce que mon information est qu'il n'y a eu aucune visite dans aucun bâtiment de grande hauteur à l'Ile Maurice.

**Mr Jhugroo:** Madam Speaker, I just mentioned in my answer that after the Grenfell incident in London, I called for an urgent meeting. I have been informed by the Fire Authority that they are doing the needful to survey everywhere in the country.

**Mr X. L. Duval:** Madam Speaker, est-ce qu'ils vont ou est-ce qu'ils ont déjà? La différence est là. Mon information, c'est confirmé, est qu'il n'y a eu aucun *audit*, que le ministre est assis sur sa chaise. Sur sa chaise !

*(Interruptions)*

I did not say *tonkin* !

*(Interruptions)*

**Madam Speaker:** Hon. Leader of the Opposition! Now, you ask your question! You do not have to make these gestures which are not acceptable in Parliament. The gesture you made is not acceptable!

*(Interruptions)*

**Mr X. L. Duval:** Madam Speaker, what is wrong with *assis sur sa chaise*?

**Madam Speaker:** Yes! Hon. Thierry Henry, I don't need your comment!

**Mr X. L. Duval:** What is unparliamentary with *assis sur sa chaise*? If that is case, will he table a list of visits that have been effected, audits that have been effected on what buildings in Mauritius?

**Mr Jhugroo:** Madam Speaker, normally I should sit as every human being. I do not know where the hon. Leader of the Opposition sits.

*(Interruptions)*

What I can say to the House, that...

*(Interruptions)*

**Madam Speaker:** Hon. Rutnah! Do not interrupt! Please! Yes, hon. Jhugroo!

**Mr Jhugroo:** Madam Speaker, I have been informed by the Deputy Chief Fire Officer that an audit, I do not know if it had been carried out or just started...

*(Interruptions)*

Yes. Auditing has been done with respect to high-rise buildings, that is, buildings over the height of eight-storey building. So, the Mauritius Fire and Rescue Service audit has been done for 288 buildings; this is the information provided to me now.

**Mr X. L. Duval:** Madam Speaker, so, every building, and this is what the Fire Service is saying. It can easily be checked and we will come back to that. Madam Speaker, I would like to ask the Minister whether he is aware that the cladding that burnt at Grenfell was called a Reynobond ACM. Is this cladding is in use or even in wide use in Mauritius?

**Mr Jhugroo:** Madam Speaker, I wish to inform the Leader of the Opposition that I am not an expert in Fire Services, so I am looking for an answer from the department.

*(Interruptions)*

Yes. Builders do not provide such information to the department. No information until now, only to the building construction.

**Mr X. L. Duval:** Madam Speaker, I am shocked because the audit is supposed to find out whether this stupid cladding - that caused the death of 80 people and 50 still missing - shame on the Fire Services - is in use or not in Mauritius! Tell me also whether CyberCity 2 uses this type of cladding. Tell me now if the hon. Minister has done the audit or resign!

*(Interruptions)*

**Mr Jhugroo:** Madam Speaker, if this information is not available now, I will ask the Mauritius Fire Rescue Service to do the needful and provide me the information which I can table later on.

**Mr X. L. Duval:** Madam Speaker, it is clear that the Minister is being misled. I will be polite; there has not been a single audit of any single building in Mauritius!

Madam Speaker, if there has been an audit, have the people been to the new wing of Victoria Hospital? Here I will produce a picture of the fire door that is broken. What has been done about this fire door broken at the new wing of Victoria Hospital? We know that part of the problem at Grenfell was that there were no fire doors in operation. Tell me know!

**Mr Jhugroo:** Madam Speaker, I am not aware of information that the Leader of the Opposition is asking me. I do not think if the Fire Services have got any information with regard...

*(Interruptions)*

No. So, they do not have this information.

**Mr X. L. Duval:** Madam Speaker, I would like now to come to a building in Vacoas; a nine-floor commercial building, Jhugroo Building at Vacoas Road. This building has no fire certificate. It is a commercial building, it has no fire certificate. When the Minister answered just now, he did not reply about high-rise commercial buildings; my question is on high-rise commercial buildings. It is one of the few high-rise commercial buildings that has no fire certificate, yet it used to have the Ministry of Education there! Answer!

**Mr Jhugroo:** Madam Speaker, due to a conflict of interest, I will not answer this question.

**Mr X. L. Duval:** I will take it as given that there is no - and this, Madam Speaker, could even be a criminal offence to put people's lives at risk. I will also ask the Minister and these guys who have done the audit, whether they are aware that Goliva Building in my constituency in Quatre Bornes has no fire certificate. It was revoked since 2012 and is still in use. The NPF Building in Rose-Hill has no fire certificate either! Will the hon. Minister reply to that?

**Mr Jhugroo:** Madam Speaker, answering to the Leader of the Opposition, I wish to inform the House that I am not the owner of the building. It is a company, it is owned to the company and I will ask the Mauritius Fire and Rescue Service to do the needful and see if it has got any fire certificate.

**Mr X. L. Duval:** Madam Speaker, we have been dealing with commercial buildings and the Minister did not specify in his answer...

*(Interruptions)*

What is happening with this guy?

**Madam Speaker:** Hon. Bhagwan! I cannot listen to the question! Please, do not interrupt!

**Mr X. L. Duval:** Okay, specify! I am in the trend of my thoughts. Do not disturb me! Now, Madam Speaker, we were dealing with commercial buildings which, apart from Jhugroo Building, are supposed to have a fire certificate. Now, what about residential buildings - fully residential buildings? Because Grenfell was not a commercial building, Madam Speaker, it was a residential building! High-rise buildings are buildings of three-floor upwards and nearly all the NHDC houses, flats, are more than 3 floors upwards. There are, to my calculation, 15,000 people living daily, obviously...

**Madam Speaker:** Question!

**Mr X. L. Duval:** ...in these types of buildings. Now, can the Minister tell us why these buildings do not require any fire certificate? Even in the latest guidelines they don't require, it is a no man's land and the promoters can do absolutely what they want in these buildings. They are real fire traps and potential blazing infernos.

**Mr Jhugroo:** First of all, Madam Speaker, I would like to ask the hon. Leader of the Opposition, he was 12 years in Government, not first year! What has he done to remedy this situation? So, I have been informed...

**Madam Speaker:** Order, please!

**Mr Jhugroo:** I have been informed that every building has a Health and Safety Officer delegated by the Ministry of Civil Service Affairs. A fire certificate was refused and procedures have been initiated for NHDC complex, this is the information provided to me.

**Mr X. L. Duval:** It has been refused, people are still living there! What is this? Where are we? In banana republic? What I am saying, perhaps I should say it in French.

Aucun bâtiment résidentiel à l'île Maurice n'a besoin d'un fire certificate! Aucun ! Et je demande au ministre, si dans son esprit, il ne pense pas surtout qu'après le feu à Grenfell, 130 personnes mortes ou disparues, il n'est pas grand temps pour les habitants de ces appartements qu'ils aient un fire certificate parce que quelquefois ils sont au 12eme étage, 15eme étage? Comment est-ce qu'ils vont faire s'il y a un feu ?

**Mr Jhugroo:** Effectivement, Madame la Présidente, après le feu de Londres, j'avais convoqué une réunion, j'avais parlé de tous les *high-rise buildings* et aussi de voir tous les autres bâtiments. Ils m'ont dit qu'ils vont faire un *audit* à travers le pays et je demanderai aussi pour toutes les maisons si c'est possible.

**Mr X. L. Duval:** Madam Speaker, I will come back to this so-called *audit*. Can the hon. Minister tell me now, from his officers, which residential buildings have been audited now after Grenfell fire because Grenfell was a 100% residential building.

**Mr Jhugroo:** Madam Speaker, actually residential buildings do not require any fire certificate up to now.

*(Interruptions)*

It is true! *Tappe la table!*

**Mr X. L. Duval:** Madam Speaker, depuis dix minutes je dis au ministre, est-ce que ce n'est pas maintenant grand temps pour qu'il y ait un *fire certificate* pour chaque bâtiment ? Est-ce qu'il va agir d'urgence parce que la vie des gens est à risque?

**Mr Jhugroo:** Madam Speaker, after having listened to the question asked by the hon. Leader of the Opposition, I will look into the matter.

**Mr X. L. Duval:** Is the hon. Minister aware that there was a fire in Ébène only on Saturday in a nine-storey building? Without a bit of paper, can he answer that!

*(Interruptions)*

**Madam Speaker:** Hon. Duval, withdraw this word!

*(Interruptions)*

We cannot continue like this.

**Mr Jhugroo:** Madam Speaker, I do not know why the hon. Leader of the Opposition is so nervous. I am not sitting on my *tonquin* like him every day.

*(Interruptions)*

**Madam Speaker:** Please, withdraw the word again!

*(Interruptions)*

**Mr Jhugroo:** I have been informed by the Fire Services that there has been a fire at the MCCI building. This information has been provided to me by the Fire Services.

**Mr X. L. Duval:** As I explained again, Madam Speaker, the fire was at Greenwich University. There was no casualty because the building was virtually empty at the time. The fire took place in the electrical installation because of material, I presume, that has been used there was not good enough, because it is combustible and is supposed to be not combustible. Can the hon. Minister tell us what on earth is he doing all day long if he does not even know that there was a potentially dangerous fire two days ago in Ébène?

**Mr Jhugroo:** Madam Speaker, I wish to inform the Leader of the Opposition that I am working on this issue and there is a new Fire Code which will include guidelines for high-rise residential buildings and all other buildings.

**Mr X. L. Duval:** Madam Speaker, we have been talking about the Fire Code for the last ten years. So, don't come with the Fire Code! What is simple is that simple legislative amendments should be brought in the Finance Bill next week to protect people and this is what I am going to suggest, whether the Minister will agree next week to bring amendments to protect residential buildings and enforce every single owner to have the fire certificate? Will he do that next week?

**Mr Jhugroo:** Madam Speaker, I have already answered in my answer before that I am looking into the matter and if need be, to bring any amendments, we are going to bring. Don't be in a hurry!

**Mr X. L. Duval:** Madam Speaker, if there are any deaths, it will be on his head! Let me talk now about equipment for the fire services. Is he aware that - as he mentioned, every fire officer, there are 702 of them - they put their life at risk every time they enter into a building on fire? It will be our responsibility to give them appropriate equipment so that their



lives are not put at risk. Is he aware that from a recent survey by the Firefighters' Union, 240, more than a third of the firemen, said that their equipment was either missing, destroyed or defective? Is he aware of that stark fact?

**Mr Jhugroo:** Madam Speaker, since I have been Minister in January, I have had meetings with the two persons responsible for the syndicate of the Mauritius Fire Rescue Service. Several issues had been raised to me in the presence of the Chief Fire Officer, his management and also the Human Resource. The information provided to me is that needful had been done. The information provided now is that regulations promulgated shortly with regard to Mauritius ....

**Mr X. L. Duval:** Madam Speaker, the hon. Minister has not finished his reply!

**Mr Jhugroo:** I have already answered, Madam Speaker. I just mentioned that I have been informed by the Fire and Rescue Service that they had been provided with all fire protective equipment now. The information was provided to me this morning.

**Mr X. L. Duval:** Madam Speaker, I am told that the Firefighters' Union sent him a letter to tell him about the 240 firemen who are putting their lives at risk because they do not have the necessary equipment to protect them. Has he received that letter?

**Mr Jhugroo:** Madam Speaker, I mentioned earlier, what I have been told by the two persons responsible for the Firefighters Union is that they have never got any appointment with the Chief Fire Officer. So, for that reason, I convened a meeting in my office in presence of these two persons and we have been looking after all issues, even for the fire protective equipment, and also for the fire lorries, and needful had been done in this Budget. We have got a provision of Rs200 m. to buy 20 lorries for the Fire Services Department.

**Mr X. L. Duval:** I am not talking about lorries at the moment. I am talking about *des équipements que les pompiers mettent sur eux, pas des camions*. Is he going to order or has he ordered, since he had meetings for six months now, personal protective equipment for the 240 firemen who are putting their lives at risk every day to save people who are involved in fires? Has he ordered?

**Mr Jhugroo:** Madam Speaker, the information provided to me - upon request of the DCFO Administration - and which I am providing -

- (i) there have been 75 sets of firefighting tunic and leggings bought for an amount of Rs1.2 m. which have been delivered on 13 April 2017;
- (ii) there have been 200 pairs of firefighting boots purchased for the sum of Rs758,540, delivered on 13 April 2017;
- (iii) there have been 200 units of firefighting gloves for an amount of Rs344,540 delivered on 13 April 2017;

*(Interruptions)*

I will not table. I will explain everything in the list.

*(Interruptions)*

No, the hon. Leader of the Opposition is asking questions, I am giving the details. Don't be in a hurry! Wait!

So, we have got also –

- (iv) 125 units of firefighting helmets delivered on 29 May 2017 for an amount of Rs790,625;
- (v) there have been 60 units of semi-dry suits with separate hoods delivered on 09 May 2017;
- (vi) there have been 60 units of panoramic masks without nose pocket delivered on 09 May 2017;
- (vii) there have been 60 helmets delivered on 09 May 2017;
- (viii) 60 water rescue vests delivered on 09 May 2017;
- (ix) 60 boots for fins delivered on 09 May 2017;
- (x) 60 life jackets with harness delivered on 09 May 2017;
- (xi) 60 safety ropes delivered on 09 May 2017;
- (xii) 60 lifeline ropes with drum delivered on 09 May 2017;
- (xiii) 60 waterproof bags delivered on 09 May 2017, and

(xiv) 60 rescue knives with zip delivered on 09 May 2017.

I can add that all firefighters are equipped with firefighting equipment. There is no lack of such equipment as mentioned by the Leader of the Opposition.

**Mr X. L. Duval:** Madam Speaker, I did not ask for his *carnet la boutik*, still there are 702 firemen and if we buy 200, obviously 500 are missing. Also, Madam Speaker, I would like to ask ...

*(Interruptions)*

**Madam Speaker:** Order!

**Mr X. L. Duval:** ... I would like to ask the Minister when were uniforms - this is a precise question – renewed for the whole 702 because my information is that the uniforms that they are using are two years old?

**Mr Jhugroo:** Madam Speaker, provision has already been made. But I want to clarify one thing, that the information provided before by the hon. Leader of the Opposition is wrong. So, new uniforms are being procured and tenders are already launched.

*(Interruptions)*

*Suive so procedure!* What is wrong?

**Mr X. L. Duval:** *Non, pas bizin koz creole la, koz français ou bien ...* Madam Speaker, the Minister confirms my information, that for two years now, *les pompiers, chemises inne fini vieux*, have already become old, shirts, *caleçon*, etc, for two years they have been waiting for them.

Madam Speaker, I want to come now to fire engines. My information - all the bits seem accurate at the moment, up to now, Madam Speaker, I must say - is that only 16 fire engines are operational out of 35 in stock, in the ownership of the fire services, 16 out of 35. This is a disaster for Mauritius!

**Mr Jhugroo:** Madam Speaker, such things did not happen only six months or two and a half years because the hon. Leader of the Opposition was in Government for the past two years; he was in Government for the past 10 years. What has he done as Minister of Finance and Economic Development? He has done nothing!

Our hon. Prime Minister, Minister of Finance and Economic Development, for the first time, had made a provision of Rs200 m. to buy 20 lorries. An information that I have got with me, Madam Speaker, out of 41 - not 35, his information is not correct; I am giving the right information, he should go and do his homework - firefighting vehicles, we have got 18 firefighting vehicles which are in operation. Do you know why? Because the previous Government had done nothing to buy vehicles for the Mauritius Fire and Rescue Service. Do not come here to give me lessons!

*(Interruptions)*

**Mr X. L. Duval:** This Government - I am so happy I left - has been in power for three years and is still living in cloud cuckoo land of before 2014, Madam Speaker. We are talking...

*(Interruptions)*

We are talking, Madam Speaker, of fire engines. The hon. Minister can add, obviously, the turntable ladders, etc, this is how he gets to a bit more. Out of the three turntable ladders, one has been repaired - well done, he managed to repair one - still two turntable ladders have not been repaired. This is a nice question this time: when is he going to repair them?

**Mr Jhugroo:** Madam Speaker, it is true that one turntable ladder is in operation. I have gone on site, I have visited, I have seen that it is really 100% operational. While convening my last meeting, I have asked them to do the needful to get the second one repaired. Regarding the second one, I have been told that a technical assessment is required for overall repair of hydraulic platform and certification as per manufacturer's instructions.

**Mr X. L. Duval:** My last question!

**Madam Speaker:** Hon. Leader of the Opposition, yes! Time is already over! I have already given three additional minutes. So, I will give you your last question.

**Mr X. L. Duval:** Madam Speaker, my last question is this; I am going to ask whether he will agree to two requests. Firstly, that there will be new legislation coming very soon - next week, I will reiterate that - so that we can put the residential buildings on a par which will ensure the safety of everyone living there. That is the first thing. That there will be a complete audit also made, a real audit, not a fancy audit like has been pretended - and I will come back to that - regarding the fire services. And finally, Madam Speaker, I will ask the

hon. Minister whether he will arrange for the immediate closure of the Jhugroo Building, of the Goliva Building and of the NPF Building in Rose Hill because they are potential fire traps with no fire certificate.

**Mr Jhugroo:** Madam Speaker, I have convened several meetings with the Mauritius Fire and Rescue Service Department. I am looking after the safety of each and every citizen of this country. As a responsible Minister of this Government, as a responsible Government, we are going to do our best for the safety of each and every one of this country.

**Madam Speaker:** Time is over! The Table has been advised that PQ No. B/509 in regard to the Mauritius Multisports Infrastructure Ltd. will be replied by the hon. Minister of Youth and Sports; PQ No. B/515 in regard to the membership Mr A. D. on Government-owned Companies or parastatal bodies and PQ No. B/516 in regard to one Mr J. M. who was arrested by the UK Crime Agency, will be replied by the hon. Minister of Financial Services, Good Governance and Institutional Reforms. Hon. Uteem!

#### **MAURITIUS AFRICA FUND – INVESTMENT**

**(No. B/510) 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 Mauritius Africa Fund, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) name of the Fund Manager thereof, and
- (b) companies or project it has invested into, indicating in each case the quantum of the investment and the nature of the said investment/project.

**The Prime Minister:** Madam Speaker, I am informed that the Mauritius-Africa Fund currently does not employ a Fund Manager. However, the services of a Consortium of three management companies, namely Deloitte, Afrasia Capital Management and DTOS, were enlisted from September 2014 to August 2016 to act as Fund Manager to the Mauritius-Africa Fund during its initial launching period. Upon expiry of the two-year contractual period, the Management Agreement with the Consortium was not renewed due to the change of the mandate of the Mauritius-Africa Fund.

The original mandate of the Mauritius-Africa Fund was to invest in individual private sector projects in Africa. However, in early 2015, the newly elected Government gave a fresh mandate to the Mauritius-Africa Fund with a view to having bigger impact on facilitation of Mauritian private sector investment in Africa. Under this revised mandate, the Mauritius-Africa Fund has three broad objectives –

- (i) to promote a G-to-G framework of cooperation, through Memoranda of Understanding, signed with foreign African Governments to secure projects for the benefit of Mauritian businesses;
- (ii) to develop, promote and manage business infrastructure such as Special Economic Zones, Business and Technology Parks and Industrial Zones in selected countries to reduce the barriers of entry and provide a secure business environment for our domestic enterprises, and
- (iii) to adopt innovative approaches for mobilising funds, from both institutional and private sources, for Mauritian firms to invest in Africa.

The overarching goal is to position Mauritius as a secure platform with a strong value proposition for channelling investment into the African continent. Madam Speaker, in the execution of this new mandate, the Mauritius-Africa Fund has negotiated and signed four MoUs to develop Special Economic Zones namely in –

- (i) Senegal;
- (ii) Côte d’Ivoire;
- (iii) Ghana, and
- (iv) Madagascar.

In Senegal, the Mauritius-Africa Fund has invested 51 million Franc CFA, amounting to Rs3,733,200, for 51% of the shares in Société des Infrastructures d’Affaires Atlantic S.A. (SIAA), incorporated in Senegal. The Special Purpose Vehicle will manage 53 hectares of land near Dakar. In Côte d’Ivoire, Mauritius-Africa Fund has successfully negotiated preferential access for Mauritian firms to invest in the construction of a Cyber Tower, twin administrative towers, a business hotel and an aqua park within the Technology Park in Grand Bassam.

In Ghana, the Mauritius-Africa Fund will invest 1,194,000 Ghanaian Cedis, amounting to around Rs9.8 m., in the share capital of Ghana Smart City Ltd, a joint venture with the Government of Ghana. The project will consist of the construction of a Cyber Tower in Central Accra and the development of a Technology and Business Park in Dawa.

In Madagascar, the Malagasy Government has identified 80 hectares of land for the Mauritius-Africa Fund to develop a “*Zone Economique Spéciale*” in Fort Dauphin.

In addition, the Mauritius-Africa Fund is in the process of investing one million US Dollars to acquire 50% of the share capital in the Africa Infrastructure Investment Holdings Company Ltd, a joint venture with the SBM Holdings.

The joint venture Holding Company will provide the seed capital in a new dedicated Fund with the aim of raising up to 200 million US Dollars mainly for Mauritian companies to invest in infrastructure projects in Africa.

Furthermore, the Mauritius-Africa Fund is signing a Memorandum of Understanding with the “*Fonds Solidarité Africain (FSA)*” to provide funding at concessional rates to Mauritian firms to invest in Africa.

**Mr Uteem:** It was announced that Rs500 m. had been earmarked to this Mauritius-Africa Fund and the hon. Prime Minister just mentioned only a few millions have been disbursed. So, may I know from the hon. Prime Minister and Minister of Finance and Economic Development whether the plan of the Government is still to capitalise this fund with Rs500 m.?

**The Prime Minister:** Well, Madam Speaker, it will depend as we go along with all these projects which have already not only been identified, but which are ongoing. It will depend on how much money will have to be disbursed in the course of realising those projects.

**Mr Uteem:** May I know from the hon. Prime Minister whether the objectives of this company - he had just mentioned the three objectives - will still include joint ventures by the private sector with the help of Mauritius Fund to go into Africa or will that be only initiative by the Government investing directly into the African markets?

**The Prime Minister:** Well, on the contrary, it would be for Mauritian firms whether they are wholly owned by Mauritian companies or joint ventures with other foreign companies or with those companies which are already operating in those countries, of course,

to invest in order to carry out whatever activities they believe are going to be profitable. Government will act as facilitator. This is the purpose why we have teamed up with other Governments in order to create the SPVs so that we facilitate their entry into these countries and to operate by using those infrastructures that are being and are going to be developed.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** I have two questions, Madam Speaker.

**Madam Speaker:** One question, please!

**Mr Ganoo:** Can I ask the hon. Prime Minister whether the African Fund is listed on the Stock Exchange?

**The Prime Minister:** I don't think so, but I will have to check, and, of course, I will circulate the answer.

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

#### **FINANCIAL SECRETARY - MR D. D. M. - APPOINTMENT**

**(No. B/511) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** 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 D. D. M., he will state the -

(a) date and terms and conditions of appointment thereof as Financial Secretary, indicating the number of overseas missions attended, indicating in each case, the -

- (i) countries visited, duration and purposes thereof;
- (ii) composition of the delegations, and
- (iii) costs thereof in terms of air tickets and *per diem* allowances, and

(b) parastatal bodies and/or State-owned companies of which he is a Chairperson or a Board Member, indicating in each case, the -

- (i) date of appointment thereof;
- (ii) remuneration and other benefits drawn, and



- (iii) overseas missions attended, indicating in each case the countries visited, purpose thereof and cost of participation thereto.

**The Prime Minister:** Madam Speaker, Mr D. D. M. was offered appointment as Financial Secretary with effect from 01 December 1990 and he held the post up to 02 August 1999. He was re-appointed Financial Secretary with effect from 09 October 2013 and his contract of appointment was renewed for a further period of two years with effect from 09 October 2015.

As regards parts (a) and (b) of the question, given that no specific period has been mentioned, the information sought is being compiled for the period 01 December 1990 to date, that is, during the tenure of office of Mr D. D. M. as Financial Secretary.

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

**Mr Ameer Meea:** Yes, Madam Speaker, my question relates to the recent appointment by this Government and I believe the same question was asked for Mr Gérard Sanspeur and the question was answered. So, I don't understand why we have to compile and then table all the information in relation to Mr D. M.?

**The Prime Minister:** Madam Speaker, may be the hon. Member does not even know what question he has asked. Let me read the question! Let me read it so that the hon. Member can understand!

*(Interruptions)*

Let me read it!

*(Interruptions)*

The question is as follows –

“(…) whether, in regard to Mr D. D. M., he will state the -

- (a) date and terms and conditions of appointment thereof as Financial Secretary, indicating the number of overseas missions attended, indicating in each case, the –
  - (i) countries visited, duration and purposes thereof;
  - (ii) composition of the delegations, and

*(Interruptions)*

(iii) costs thereof in terms of air tickets and (...).”

*(Interruptions)*

**Madam Speaker:** Hon. Prime Minister....

*(Interruptions)*

Hon. Prime Minister....

*(Interruptions)*

Please!

*(Interruptions)*

Hon. Prime Minister!

*(Interruptions)*

Hon. Ameer Meea, I think the hon. Prime Minister has well understood your question and he has given his reply. Now, on the basis of his reply, you can have other supplementary questions.

**Mr Ameer Meea:** Madam Speaker, it is our right to ask questions because these people are paid with public funds. My question is in relation to appointment by his Government. He, as Prime Minister! He, as Finance Minister! I did not ask question for 1990. So, my question is...

**Madam Speaker:** No, I am sorry, hon. Ameer Meea! In your question, you did not give any date. If in your question you would have said “as from such date”! You did not give any date. Hon. Prime Minister!

**Mr Ameer Meea:** My question maybe I will read it so that he understands it now.

*(Interruptions)*

No, because my question is clear.

*(Interruptions)*

Madam Speaker, my question is clear.

**Madam Speaker:** Now...

*(Interruptions)*

**Mr Ameer Meea:** Part (b) of my question says –

“(b) parastatal bodies and/or State-owned companies of which he is a Chairperson or a Board Member, indicating in each case, the –

(i) date of appointment (...);”

**Madam Speaker:** Okay, ask...

**Mr Ameer Meea:** ‘Is’! What does he understand by ‘is’?

*(Interruptions)*

**The Prime Minister:** Madam Speaker, the question does not mention any date or any year.

*(Interruptions)*

And Mr D. D. M., in fact, had been offered employment as Financial Secretary since 01 December 1990. So, this hon. Member, if he reads his question...

*(Interruptions)*

If he intended the question to be in this year, he should have asked for this year.

*(Interruptions)*

What *sauvé!* *Ki sauvé!*

*(Interruptions)*

*Mo pena pou sauvé ek twa!*

*(Interruptions)*

*Mo pena pou sauvé ek twa!*

*(Interruptions)*

**Madam Speaker:** Please! Hon. Ameer Meea, you have got another question! You have got a supplementary question. Ask your supplementary question!

**Mr Ameer Meea:** This Government boasts so much about good governance. Well, nowadays it is a bit less.

*(Interruptions)*

**Madam Speaker:** Ask your question!

**Mr Ameer Meea:** Do you find it normal that Mr D. M. as Financial Secretary is also the Chairperson of the Financial Services Commission which is supposedly an independent distinct authority? Does the hon. Prime Minister find it normal for an FS to be Chairman of the FSC?

**The Prime Minister:** Madam Speaker, I said in my reply that all this information is being compiled and will be laid on the Table of the National Assembly.

*(Interruptions)*

**Madam Speaker:** Hon. Uteem, you have a question!

**Mr Uteem:** Yes. Talking about good governance, maybe when the hon. Prime Minister is going to compute the list, he will take into account and he will tell whether he finds it normal that a Chairman of the Financial Services Commission, which is the regulator, which regulates listed companies and Mr M. D. is Director of listed companies including Air Mauritius which is regulated by himself as the FSC. Does the hon. Prime Minister find that normal?

**The Prime Minister:** Well, it is not only the first time that a Financial Secretary is a member of the Air Mauritius Board.

*(Interruptions)*

The hon. Member spoke about Air Mauritius, but previously also in other Governments, the Financial Secretary has been sitting as a Member of the Board of Air Mauritius.

**MINISTRIES & GOVERNMENT DEPARTMENTS - SENIOR ADVISORS &  
ADVISORS – POLICE INQUIRIES**

(No. B/512) 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 Senior Advisors and Advisors to Government presently in appointment, he will state the number thereof who are subject to police inquiries or are on bail, indicating in each case the –

- a) names thereof;
- b) posting thereof, and
- c) nature of the police inquiry initiated and/or of the case in relation to which the said person is on bail.

**The Prime Minister:** Madam Speaker, I am informed that there is only one adviser presently in post who is subject to police inquiry, namely, Mr Louis Sydney Gerard Sanspeur, Senior Adviser at the Ministry of Finance and Economic Development who is subject to an inquiry for an alleged offence of conspiracy.

In addition, one Senior Adviser at the Prime Minister's Office, namely Mr Ramprakash Maunthrooa and one Adviser on Information Matters at the Ministry of Education and Human Resources, Tertiary Education and Scientific Research, namely Mr Dinesh Seeharry were the subject of police inquiries.

Mr Maunthrooa was arrested on 13 June 2012 for an alleged offence of conspiracy and released on bail on the same day. The enquiry into the case has been completed and trial is in progress before the Court.

As for Mr Seeharry, I am informed that there was an alleged case of damaging property against him which was reported on 04 of July 2015. The inquiry into the case has been completed and the case has been closed.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can I know from the hon. Prime Minister, whether it is normal for Mr Maunthrooa, Senior Adviser at his office, political appointee, who is facing a case of corruption, to be appointed on several Boards including Air Mauritius, State Bank of Mauritius? Is this normal?

**The Prime Minister:** Madam Speaker, according to the Constitution and according to our law, he is presumed to be innocent until the contrary is found. So, he is before a court of law, and we will wait for the ultimate finding of that court of law.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** I will ask again on the same line. Is it normal for the Prime Minister, on his first mission to India to meet Prime Minister Modi - Shri Modi, as he says - who is one champion fighter against corruption, to be accompanied by Mr Maunthrooa who was the *éclairneur* for that mission, meeting all sorts of businessmen in India? So, does the Prime Minister find this normal for the reputation of Mauritius?

**The Prime Minister:** Well, we have already answered this question. That was asked before, there were other PQs. Again, I will say that Mr Maunthrooa is facing trial before a court of law, he has not yet been found guilty, therefore, let us wait and see.

**Madam Speaker:** Hon. Baboo!

**Mr Baboo:** Can the...

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo, please. Hon. Jhugroo! Yes, hon. Baboo.

**Mr Baboo:** Can the hon. Prime Minister, for the benefit of the House, inform as to whether the State Law Office was consulted prior to the recruitment of those particular advisors who are on bail or subject to Police enquiries?

**The Prime Minister:** Well, has the State Law Office been consulted - we don't need to consult the State Law Office when we recruit somebody as advisor. I don't see the pertinence of that question with regard to consulting the State Law Office. Either the person is fit to be recruited as advisor or not. That is another issue. As Government, when we are recruiting, we see to it that we are recruiting people who are fit and proper.

**Madam Speaker:** Yes. Hon. Bhagwan, last question.

**Mr Bhagwan:** Is the Prime Minister aware that this Mr Ramprakash Maunthrooa, who is facing trial for a corruption case, is interfering in cases where there are Commissions of Enquiry. Has his attention been drawn that Mr Maunthrooa has been interfering, giving phone calls to the Secretariat of the Commission of Enquiry on drugs and also has been

interfering with the GRA in favour of a member of his own family, very, very recently, weeks back. So, will the Prime Minister enquire in the case of *catamaran* - one of his *proches*, a bookmaker, interfering in the affairs of GRA, Commission of Enquiry, the Police and everywhere, even the MBC which has become a *boîte of propagande*?

**The Prime Minister:** Madam Speaker, before the hon. Member is making such allegation, I believe that he should, at least, provide some substance to what he is saying, just saying like that...

*(Interruptions)*

I can say a lot...

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan! Hon. Bhagwan! Now, hon. Bhagwan, please do not interrupt. Do not interrupt, please.

*(Interruptions)*

From a sitting position...

*(Interruptions)*

Hon. Jhugroo!

*(Interruptions)*

**The Prime Minister:** What I am saying...

*(Interruptions)*

**Madam Speaker:** Hon. Jhugroo! Hon. Jhugroo, please. Yes, hon. Prime Minister.

*(Interruptions)*

Hon. Bhagwan, please!

**The Prime Minister:** I am saying to the hon. Member that anybody can come to this House and make such allegation. But for me to take the hon. Member seriously, he must provide us with some substance, some information. Don't just come to this House and just throw mud at other people!

*(Interruptions)*

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

**MINISTRIES & GOVERNMENT DEPARTMENTS - ADVISORS –  
CERTIFICATE OF CHARACTER**

**(No. B/513) 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 advisors attached to the Ministries and Government Departments, he will state if consideration will be given for the requirement therefrom to -

- a) produce a Certificate of Character prior to appointment and
- b) declare the assets and liabilities thereof to the Independent Commission against Corruption on appointment.

**The Prime Minister:** Madam Speaker, advisers attached to Ministries and Departments are appointed with the approval of the Prime Minister in accordance with section 89 of the Constitution. Such recommendations for the appointment of advisers are channelled to the Prime Minister through the Secretary to Cabinet and Head of the Civil Service.

Moreover, advisers are employed to serve on contract on non-pensionable terms. They do not hold permanent appointment. Their contract of employment generally includes a termination clause which provides that Government may terminate the contract in case of misconduct. The termination clause also provides that the Government may, at any time, terminate the employment by giving one month's notice or by paying one month's salary in lieu of notice.

It is, therefore, considered that there is no need to require advisers to produce a Certificate of Character prior to their appointment.

Madam Speaker, in regard to part (b) of the question, as the law stands now, neither the Declaration of Assets Act nor the Prevention of Corruption Act imposes a requirement on an Adviser to declare his assets and liabilities to the Independent Commission Against Corruption on appointment.



However, as the House is aware, the Government stands committed to introduce a new Declaration of Assets Act for MPs and high-ranking public officers. The different aspects of this proposed new law are currently being examined by a Ministerial Committee.

The question as to whether advisers should be brought under the ambit of the new legislation is also being examined by the Ministerial Committee.

**Madam Speaker:** Hon. Rutnah!

**Mr Rutnah:** Thank you, Madam Speaker. Can the hon. Prime Minister state to the House whether successive Governments, since at least the year 2000, required advisors to produce a Certificate of Character and to declare their assets to the ICAC?

**The Prime Minister:** Well, it has never been the practice before and, therefore, that state of affairs has continued to be and, as I said, with regard to the declaration of assets, the Ministerial Committee...

*(Interruptions)*

**Madam Speaker:** No! Hon. Sinatambou, please, no crosstalking!

*(Interruptions)*

I have said...

*(Interruptions)*

I have said that there should be no crosstalking!

*(Interruptions)*

Now, you are losing the time allotted to questions and you know that the time allotted to questions is limited. We have only 30 minutes for Prime Minister's Question Time and you are losing that time! Yes, hon. Ganoo, you had a question!

**The Prime Minister:** I was saying with regard to declaration of assets, as I have already replied before and again, that this law is being reviewed. The Ministerial Committee will look into different aspects and to whom it will apply also and, in due course, of course, make recommendations for Government to take a stand and eventually we will come to Parliament.

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

**Mr Ganoo:** Can I ask the hon. Prime Minister, Madam Speaker - a lot has been said recently about a New Public Service Act or a New Civil Service Act - whether when this new Bill will be proposed in this House, it will take into consideration and make proposals for the recruitment, functioning and operation of the advisers to Ministers so that the law can control and regulate the manner in which advisers can be recruited and be allowed to sit on certain committees and so on and so forth?

**The Prime Minister:** Madam Speaker, this is a different matter with regard to declaration of assets. With the declaration of assets, of course, the committee will have to make recommendations with regard to whom this law will apply whereas the hon. Member is stating that with regard to recruitment of advisers and the process and so on, well, that is a different matter which we will look into.

### **DIPLOMATIC PASSPORT – HOLDERS**

**(No. B/514) 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 diplomatic passport, he will, for the benefit of the House, obtain from the Passport and Immigration Office, information as to the number thereof presently in use, indicating the persons, if any, who have retained the use thereof, in spite of being the subject of police inquiries and/or are on bail and, if so, indicate the reasons therefor.

**The Prime Minister:** Madam Speaker, I am informed by the Passport and Immigration Office that as at 07 July 2017 there are 624 holders of Diplomatic Passport.

I am further informed by the Passport and Immigration Office that only one person being holder of a Diplomatic Passport and who is on bail, has on two occasions, travelled on the strength of a Diplomatic Passport. Regarding details pertaining thereto, I wish to refer the hon. Member to the reply made to part (b) of Parliamentary Question No. B/1018 at the sitting of 29 November 2016.

Madam Speaker, in regard to other persons who may be subject to Police enquiry, and have retained the use of their diplomatic passports, the information is being verified and same will be tabled.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can the hon. Prime Minister confirm to the House, the country, the nation and the public at large whether Mr Prakash Maunthrooa who is facing a case of corruption...

*(Interruptions)*

**Madam Speaker:** Silence, please!

**Mr Bhagwan:** *Ki pe arrive twa transfuge? To ena problem are mwa transfuge?*

**Madam Speaker:** Hon. Bhagwan, please continue, ask your question!

*(Interruptions)*

Hon. Members, I have said several times I find that despite my calls to you not to crosstalk, I note that you continue doing so. This renders the task of the Chair to preside over the debates in serenity impossible and more importantly, I fail to listen and to hear sometimes to some remarks which are being made and which are not acceptable in this House! So, I am requesting for your indulgence!

**Mr Bhagwan:** Thank you, Madam Speaker. I hope certain people have noted.

*(Interruptions)*

I again ask whether Mr Prakash Maunthrooa is the holder of a diplomatic passport, has been given the facility of diplomatic passport on many occasions and on how many occasions?

**The Prime Minister:** I refer the hon. Member to the answer that was given to PQ No. B/1018.

**Mr Bhagwan:** Can I ask another supplementary question? Apart from Mr Prakash Maunthrooa, can the hon. Prime Minister inform the House whether there are other people who are on bail and who have been given any facility to travel with diplomatic passports?

**The Prime Minister:** Madam Speaker, I have just, in my reply, stated that - I just repeat - in regard to other persons who may be subject to Police inquiry and have retained the use of their diplomatic passport, the information is being verified because we are talking about 624 holders of diplomatic passport. So, that information is being verified and same will be tabled.

**Madam Speaker:** Last question, hon. Shakeel Mohamed!

**Mr Mohamed:** Thank you, Madam Speaker. Could the hon. Prime Minister confirm that out of the 624 holders of diplomatic passports there are among them people who are not Members of Parliament, not elected Members of this House, not civil servants, not anyone related to Government work, but people who are given diplomatic passports simply because the Prime Minister has decided that it is his discretion to allow it? How many of them are not civil servants, not Members of Parliament and not Advisers to Government?

**The Prime Minister:** Madam Speaker, let me say that the rule with regard to allotting a diplomatic passport to a person was established prior to this Government coming to power, that is, when the hon. Member was in Government, when Dr. Navinchandra Ramgoolam was Prime Minister.

*(Interruptions)*

It has been...

*(Interruptions)*

No, I am just saying!

*(Interruptions)*

I have a list of people who are issued with diplomatic passports, of course, for travelling purposes and when they are back to the country that passport is remitted to the authority. There is also another list of people who even after having come back to Mauritius are entitled to keep the diplomatic passport. I can circulate both lists.

**Madam Speaker:** Time is over! Hon. Members, PQ No. B/543, in regard to the proposed installation of taxi desks, will be replied by the hon. Minister of Tourism. The Table has also been advised that PQ Nos B/567 and B/568 have been withdrawn. Hon. Rughoobur!

## INDIAN OCEAN ISLAND GAMES – LOCAL AUTHORITIES - COLLABORATION

(No. B/523) **Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Youth and Sports whether, in regard to the forthcoming Indian Ocean Island Games to be held in Mauritius, he will state if the local authorities will be fully involved in the organisation thereof and, if so, list out the initiatives undertaken in relation thereto, as at to date.

**Mr Toussaint:** Madam Speaker, the Indian Ocean Island Games is a national event and as for the precedent editions of 1985 and 2003 everyone is expected to be involved in one way or the other in these games.

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

**Mr Rughoobur:** May I ask the hon. Minister in terms of promotion of the games whether there is a representative of the Local Authorities who is involved in the promotion at least, if not organisation, of the games and if he would consider the possibility of collaboration with the Ministry through the Welfare Unit of those councils to see how to promote the games?

**Mr Toussaint:** Madame la présidente, je dois rassurer l'honorable membre que la promotion des jeux des îles de l'océan Indien de 2019 sera l'affaire de tout un chacun et bien sûr autant que possible nous allons emmener à bord les *Local Authorities* et toutes les organisations qui soient.

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

**Ms Sewocksingh:** Thank you, Madam. I just heard the hon. Minister saying that everyone will be involved in this national event. Can the hon. Minister state what is going to be done to attract more youth in the organisation in this forthcoming Indian Ocean Island Games as it is of national interest?

**Mr Toussaint:** Madame la présidente, l'organisation des jeux d'abord tout ce qui est détails techniques, suivies des athlètes et infrastructures sont faits au niveau du ministère et aussi à travers le COJI. Et bien sûr, je le redis, pas seulement la jeunesse mauricienne mais tout le monde, ce sera des jeux de toute la République de l'île Maurice et tout le monde sera appelé d'une façon ou du autre à venir y participer, à être présent.

**Madam Speaker:** Hon. Armance!

**Mr Armance:** Thank you, Madam Speaker. Can I know from the hon. Minister whether he will consider to give free access to stadium and gymnasium during the games?

**Mr Toussaint :** Madame la présidente, je crois qu'il est un peu prématuré à ce stade. Je ne puis répondre à cela en ce moment.

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

**RIVIERE DU REMPART DISTRICT COUNCIL - JEUX DU NORD –  
SPONSORSHIP**

**(No. B/524) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or)** asked the Minister of Local Government and Outer Islands whether, in regard to the last *Jeux du Nord* organised by the Rivière du Rempart District Council, he will, for the benefit of the House, obtain from the Council, information as to the -

- (a) total number of athletes and villages who/which participated therein;
- (b) financial/logistic support provided by the Ministry of Youth and Sports thereto, and
- (c) main sponsors thereof, indicating the quantum of the contributions received therefrom.

**Mr Jhugroo:** Madam Speaker, I am informed that "*Les Jeux du Nord 2016*", organised by the District Council of Rivière du Rempart from 16 July to 14 August 2016 comprised inter-village competitions in 12 sport disciplines such as football, volleyball, cycle race, cross country, karate, boat race, table tennis, badminton, swimming, judo and pétanque.

With regard to part (a) of the question, I am informed that 1,357 athletes coming from 19 villages, falling under the administrative jurisdiction of the Council, participated in these competitions.

In regard to part (b) of the question, I am informed that no financial assistance was received from the Ministry of Youth and Sports. However, the Council was allowed to use the sports infrastructures of the Ministry, namely, the Anjalay Stadium, the Youth Centre and Swimming Pool at Rivière du Rempart, as well as the Petit Raffray Football Ground against payment, for organising these competitions.

As far as the last part of the question is concerned, I am informed that the following sponsorships were received for the *Jeux du Nord* -

- an amount of Rs950,000 from Evaco Group;
- sports equipment for an amount of Rs702,500 from Compagnie de Mon Choisy;
- an amount of Rs75,000 from Super U, Grand' Baie, and
- an amount of Rs50,000 from Azuri Group.

**Mr Rughoobur:** Yes, thank you Madam Speaker. Based on this success of these games last year, may I ask the hon. Minister if his Ministry is contemplating to encourage other local authorities to embark on these types of initiatives, especially because of the forthcoming Indian Ocean Games?

**Mr Jhugroo:** Madam Speaker, I totally agree with my hon. friend and my Ministry will definitely encourage other local Councils to organise such games, especially in the context of the forthcoming Indian Ocean Games and also to sensitise the youth towards sports.

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

### **DANGEROUS DRUGS – SENSITISATION**

**(No. B/525) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Youth and Sports whether, in regard to the synthetic and other forms of dangerous drugs, he will state the preventive measures that have been elaborated and implemented by his Ministry to sensitise the youth on the dangers thereof.

**Mr Toussaint:** Madam Speaker, as drugs constitute a major impairment in Youth Development, my Ministry has elaborated and implemented a series of measures and activities to sensitise the youth on the dangers of synthetic and other dangerous drugs, which are as follows –

- (i) On 03 August 2016, a forum debate on drugs was organised at the State House in collaboration with the '*Comité pour la Promotion de l'Unité Nationale*'. About 500 young people from around the island participated in the event;
- (ii) On 28 August 2016, a Candle Light Memorial was organised at Bagatelle Mall of Mauritius to pay tribute to young victims of drugs and to families affected

- by drug related problems. About 425 young people participated in the Candle Light Memorial;
- (iii) A 3-day workshop, on '*Renforcement des capacités des Conseils National de la Jeunesse (CNJ) dans l'identification, la détection et la prévention des comportements déviants*', was organised from 28 to 30 September 2016, at Blue Print Building, Ebene to train 25 youth leaders in order to empower them to conduct sensitisation campaigns against drugs in their respective region;
  - (iv) From September to December 2016, ten half-day workshops on the dangers of synthetic drugs were organised in ten regions of the island, namely two in Plaines Wilhems and one in each of the remaining eight districts. About 60 young persons per region had the opportunity to interact and share their opinions with resource persons from the Ministry of Health and Quality of Life and from Non-Governmental Organisations, namely PILS, CUT and *Centre de Solidarité* among others. The 600 young people worked out sensitisation plans to combat synthetic drugs in their respective regions;
  - (v) A '*Caravane de l'Espoir*' to campaign against substance abuse has been organised from November 2016 to date, to sensitise young people and the general public in Port-Louis, Moka, Lower Plaines Wilhems and Pamplemousses. Some 6,400 participants comprising of 1,342 youths and about 5,000 members of the public took part in the event;
  - (vi) Since January 2017, a Life Skills Programme is being run in at least one college of each of the ten regions of the island. The course consists of equipping young people with skills to adopt a healthy lifestyle through a 12-session training programme over a period of three months. one of these sessions includes a presentation on substance abuse which is conducted by the Ministry of Health and Quality of Life;
  - (vii) Since January 2017, an eight-session Peer Education Programme is being run on Saturdays for 25 Peer Leaders from different regions. The programme will be complemented with placements of the Peer Leaders in Non-Governmental Organisations including PILS, CUT, *Centre de Solidarité* and AILES to enable them acquire ground experience in working with young people who are victims of drugs;
  - (viii) In June 2017, officers of the Youth Cadre of my Ministry, contributed in the elaboration of a National Drug Master Plan at a 3-day workshop organised by



the Ministry of Defence and Rodrigues in collaboration with the National Drug Observatory.

- (ix) In the context of the International Day against Drug Abuse and Illicit Trafficking, young people were mobilised from six regions to participate in the march against drugs organised on 29 June 2017 by the Ministry of Health and Quality of Life in collaboration with the Prime Minister's Office.
- (x) In March 2017, an interactive drama programme on the danger of substance abuse was organised at Flacq Youth Centre and St. Mary's College, Rose-Hill. About 200 young persons participated in the event.

**Madam Speaker:** Yes, how many more measures do you have hon. Minister? Can I know?

**Mr Toussaint:** I have two and a half pages.

**Madam Speaker:** No, no! But then you better circulate the other measures.

**Mr Toussaint:** Okay!

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Yes. Only one supplementary, Madam Speaker! There has been a list of initiatives; *ces initiatives qui sont fort louables*. Can I know from the hon. Minister whether there is an evaluation exercise which is regularly carried out to ensure the effectiveness of all those initiatives?

**Mr Toussaint:** Yes, Madam Speaker. In fact, there is always a continuous evaluation of all the activities carried out by the Ministry.

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

**Mrs Perraud:** Thank you, Madam Speaker. I would like to ask the hon. Minister if there is awareness campaign being carried out in places other than schools, social and community centres and youth centres? If yes, by whom and how, if not, why?

**Mr Toussaint:** Alors, en fait, Madame la présidente, concernant mon ministère, nous avons un réel trésor qu'est le centre de jeunesse. La plupart de nos activités sont ramenées vers le centre de jeunesse et parfois aussi nous exportons nos services aux centres sociaux et

communautaires. Mais s'il y a une demande pour une aide quelconque dans n'importe quel domaine, personnellement, je suis disposé à aider.

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

**Ms Sewocksingh:** Thank you, Madam Speaker. Can the hon. Minister inform us if his Ministry, in collaboration with the Ministry of Education, has any plan to organise any sensitisation programme during the forthcoming school holidays, and, if yes, what is the plan?

**Mr Toussaint:** Madam Speaker, as I stated in my reply, there are several measures and programmes that have been done together with other Ministries, be it the Ministry of Education or the Ministry of Health.

Par rapport à ce qui est des vacances scolaires qui arrivent, il me semble que Jeudi, je vais faire devenir public la liste des activités qui seront mises à la disposition des jeunes pour qu'ils puissent passer un bon moment pendant les vacances et ne pas aller vers les dangers de la drogue et autres.

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

### FOOTBALL - PROMOTION

(No. B/526) **Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or)** asked the Minister of Youth and Sports whether, in regard to football, he will give the list of initiatives undertaken by his Ministry for the promotion thereof in Mauritius, as at to date.

**Mr Toussaint:** Madam Speaker, I wish to inform the House that my Ministry has always been in the forefront of the development of football in Mauritius. The following initiatives have been taken by my Ministry with a view, in the long term, to restoring "*ses lettres de noblesse*" to the Mauritian football. I have seven measures, Madam Speaker.

*(Interruptions)*

**Madam Speaker:** The hon. Minister can select the most important ones.

**Mr Toussaint:** All of them are important! Quickly!

- (i) Grassroot football will be launched officially tomorrow at George V Stadium with the MFA with the collaboration of the Ministry of Education and Human Resources, Tertiary Education and Scientific Research;

- (ii) École de Foot - le ministère a relancé les écoles de foot de 24 à 33 et on espère augmenter le nombre des écoles de foot à 50 ;
- (iii) reorganisation of the National Technical Directorate;
- (iv) réouverture du Centre François Blaquart;
- (v) des compétitions inter-écoles de foot qui sont déjà faites actuellement ;
- (vi) talents detection – very important – and identification in various regions. We are going also through the organisation of the activity ‘*Anou Zoue*’ which will provide opportunity to detect talents, and
- (vii) we have also funds that are being given for the improvement of football.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Madam Speaker, we have today football grounds managed by the MSC where lightings are payable and football grounds also managed by the Local Authority where it is free. There have been lots of protests on these fees that are being paid for use of lightings of football grounds. May I know from the hon. Minister if he contemplates to bring some uniformity, maybe reduction in the fees, for the lightings of those football grounds managed by the MSC?

**Mr Toussaint:** Madame la présidente, au fait, avec la permission, je vais essayer de consulter mon collègue, l’honorable Jhugroo, pour voir quelle est cette différence, mais je dois assurer l’honorable membre que les terrains de football gérés par la MSC, cela coût R 300 pour qu’une équipe puisse jouer à un match de football le soir. Le jour ce n’est pas payant. On ne joue pas à un match de football à une personne seulement, c’est minimum deux équipes de 11 joueurs de chaque côté qui fait 22 personnes et R 300 divisées par 22 personnes ça nous arrive à peu près à R 15. Bien sûr, il faut payer l’électricité. Nous n’avons pas trop le choix. Mais je vais essayer de voir avec mon honorable collègue d’où vient cette différence et qu’est-ce qu’on peut faire.

**Madam Speaker:** Hon. Quirin!

**Mr Quirin:** Merci, Madame la présidente. L’honorable ministre des Sports avait récemment, lors de son intervention sur le budget, affirmé que son ministère allait venir avec les mesures et actions en vue de sauver le football professionnel qui comme nous le savons tous, est au bord de l’asphyxie financière. Peut-on savoir où en sont les choses à ce jour ?

**Mr Toussaint:** Madame la présidente, je peux rassurer l'honorable membre que pas plus loin que la semaine dernière, il y a eu une réunion avec la MFA, la MPFL et le ministère, pour essayer de trouver une solution à cette situation qui prévaut.

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

*At 1.03 p.m. the sitting was suspended.*

*On resuming at 2.38 p.m. with Madam Speaker in the Chair.*

**Madam Speaker:** Hon. Lesjongard!

### **MELVILLE – SOCIETE LE GRAND GAUBE - LEASE**

**(No. B/527) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the leases over State land held by Société Le Grand Gaube in the region of Melville, he will state the extent thereof in each case, indicating the –

- (a) date of granting thereof;
- (b) quantum of the rent payable therefor;
- (c) if same has been varied and/or there has been any change in the lease holding thereof and, if so, indicate -
  - (i) when and the purposes therefor, and
  - (ii) if a statement of claim has been served in relation thereto.

**Mr Soodhun:** Madam Speaker, I am informed that there is no lease in the name of Société Le Grand Gaube. I assume that the hon. Member is referring to Société de Grand Gaube which held two leases as from 17 March 1988 over State land at Melville as follows -

- (i) the first lease over an aggregate extent of 3A31P made up of two plots of land of the extent of 1A41P and 1A90P for the purpose of planting coconut which has expired on 30 June 1990, and
- (ii) the second lease over an extent of 1A25P for a *campement* site which has expired on 30 June 2000.

As regards part (b) of the question, I am informed that the annual rental paid by Société de Grand Gaube up to the date of expiry for the coconut plantation lease was Rs496.50.

As for the *campement* site lease, the annual rental payable by the Société was Rs900 for period up to 30 June 2000.

As regards part (c) of the question, I am informed that the coconut plantation lease which expired in 1990 was not renewed in the name of Société de Grand Gaube. Following an application made by late Sir Gaëtan Duval, QC in September 1994, a new coconut plantation lease was granted in his name on 08 February 1995 over the two plots of land for period starting from 01 July 1994 to expire on 30 June 2000. The annual rental payable was Rs11,500.

A new 20-year lease for coconut plantation was granted to heirs and succession late Sir Gaëtan Duval on 13 February 2002 for period starting from 01 July 2000 to expire on 30 June 2020 at an annual rental of Rs20,000.

As for the *campement* site lease, at its expiry on 30 June 2000, a letter of intent was issued to the Société on 13 February 2002 for renewal of the lease for period starting 01 July 2000 to 30 June 2020 subject to the Société extending the life period which expired on 16 March 2013 to cover the period of the lease. Rent was computed at the rate of Rs1350 per annum. However, the lease could not be drawn as the Société did not submit necessary documents. Consequently, no statement of claim could be issued.

I am also informed that no rent has been paid as from 01 July 2000.

**Mr Lesjongard:** I thank the hon. Minister for correcting the name of the Société, that is, Société de Grand Gaube. From what I understand from the hon. Minister with regard to the *campement* site lease, firstly no lease has been drawn until now and secondly no rent has been paid since 2001?

**Mr Soodhun:** This is what I have mentioned in my answer, Madam Speaker.

**Mr Lesjongard:** Now, may I ask the hon. Minister, in such a case, is it normal that the Ministry has not cancelled the lease until now because, in other cases where a lessee do not pay his annual rent, especially I am talking about *campement* site leases or residential leases after a certain period of time, the lease is canceled. Will, in this case, the hon. Minister consider recovering the outstanding amount from Société de Grand Gaube and applying clauses that are there in the lease agreement, that is, cancellation of the lease?

**Mr Soodhun:** In fact, we do a lot of cases in the Ministry since I have joined this Ministry but I am now seeking the advice of the SLO before I take any action because this has been so since a long time. In fact, when I will receive the advice from the SLO then I will decide because I need the advice of the SLO.

**Mr X. L. Duval:** Madam Speaker, obviously I have some interest in this. Is the hon. Vice-Prime Minister aware that there is court case which has been going on since the days of my father 1995 and that is why the whole situation is still upside down as regards Société de Grand Gaube whereas the other leases are in the name of the succession and all have been paid.

**Mr Soodhun:** I understand that there is a court case still in front of the Supreme Court and I don't want to comment on this case.

**Madam Speaker:** Hon. Lesjongard!

**Mr Lesjongard:** Thank you Madam Speaker. The Minister also, in his reply, stated that there are two other leases which are coconut leases. May I know from the Vice-Prime Minister, what is the use being made of the site which has been granted as coconut lease?

**Mr Soodhun:** I understand that these two plots of land are used essentially for the plantation of coconut trees but, in any case now as my attention has been drawn, I am going to ask my officers to have a visit and to let me know about the status.

**Madam Speaker:** Last question!

**Mr Lesjongard:** May I know, with regard to those coconut leases, what were the procedures adopted for the transfer of the leases?

**Mr Soodhun:** As I mentioned, it was the first transfer and now I think there is no transfer as such. As I mentioned, the lease is still there on the same land. There is a court case and secondly, we have not claimed and I now need information so as to know what can be done.

**Mr X. L. Duval:** Madam Speaker, my lawyer was the Deputy Prime Minister, he knows well about this. Madam Speaker I would like to ask the Vice-Prime Minister whether it is not, in fact, a fact that this lease expired, as you said yourself in English, good English, in 1980 and the new lease was given to Sir Gaëtan Duval QC in 1995 when the Mentor Minister was Prime Minister. So it is here, I will table that. It is signed and everything and it is clear, and then maybe the hon. Member will get off my back and he will see also receipts of payment etc. Thank you.

**Madam Speaker:** Hon. Leader of the Opposition, everybody has the right to question.

*(Interruptions)*

No, let me say that, in this House, everybody...

*(Interruptions)*

Hon. Lesjongard please. Everybody has the right to ask questions and everybody has the right, on the other side, the Ministers have...

*(Interruptions)*

Hon...

*(Interruptions)*

No, no, no.

*(Interruptions)*

Hon. Xavier Duval!

*(Interruptions)*

Hon. Leader of the Opposition!

*(Interruptions)*

Hon. Leader of the Opposition, I cannot accept when I am on my feet, I saw you saying 'voler' and you addressed that to the hon. Member. You have to withdraw this word. We cannot accept...

**Mr X. L. Duval:** I am not withdrawing, Madam Speaker. He is a *voler*.

*(Interruptions)*

**Madam Speaker:** No! No!

*(Interruptions)*

This is unacceptable!

*(Interruptions)*

This is not acceptable. Hon. Leader of the Opposition, let me tell you, you have been in this House for years.

*(Interruptions)*

Please, you cannot say that a hon. Member is a *voler*. Please, withdraw otherwise if you are not satisfied with the hon. Member and you think truly that he is a *voler*, then you come with a motion against him. Would you be able to come with a motion against the hon. Member as a *voler*?

**Mr X. L. Duval:** I will withdraw it. I will repeat it outside so that he can sue me. Thank you.

*(Interruptions)*

**Madam Speaker:** No! Hon. Leader of the Opposition, I have asked a specific question. Either you withdraw this word or ....

*(Interruptions)*

You have withdrawn! Okay.

*(Interruptions)*

Hon. Bhagwan, in such a noise how can you expect...

*(Interruptions)*

In such a noise on both sides of the House, do you think I can hear what they are saying. Yes, hon. Lesjongard, next question!

**MELVILLE - *Société du Bassin Faoulez* - LEASE**

**(No. B/528) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the lease over State land in the region of Melville held by *Société Faoulez* over a *barachois*, he will state -

- (a) the extent thereof, indicating when same was granted;
- (b) the quantum of rent payable therefor;
- (c) if same has been varied and/or there has been any change in the lease holding thereof and, if so, indicate-
  - (i) when and the purposes therefor, and
  - (ii) if a statement of claim has been served in relation thereto.

**Mr Soodhun:** Madam Speaker, I take it that the hon. Member is referring to *Société du Bassin Faoulez* which has a lease over two portions of State land on part of *Pas*



*Geometriques* at Melville to be used solely as reserves of the *Bassin Faoulez Barachois* which is a private *Barachois*.

With regard to part (a) of the question, the extent that has been leased is 5 *Arpents 25 perches*.

The lease which was initially in the name of an individual was transferred in the name of *Société du Bassin Faoulez* as from 08 June 1998 to expire on 07 June 2008 at a yearly rental of Rs7,500.

At its expiry on 07 June 2008, the *Société* applied for renewal of the lease for the same purpose to be used as *barachois* reserves. The Valuation Department assessed the rent to be charged at Rs630,000 per annum and maintained its assessment despite representations from the *Société*.

On 15 March 2010, the *Société* applied for conversion of the lease from *barachois* reserves to coconut tree plantation. Accordingly, the *Société*, on 16 August 2011, issued a Letter of Intent for a 10-year lease for coconut tree plantation instead of *barachois* reserves for period starting from 08 June 2008 to expire on 07 June 2018 at an annual rental of Rs1,260,000. as assessed by the Valuation Department.

The *Société* again made several representations against the increased rental and on 06 September 2011 requested my Ministry to consider the grant of a landscaping lease.

In May and August 2013, the Ministry of Finance and Economic Development recommended that a reduction in rental of 75% be applied for the subject site as is the case for landscaping lease provided that the State land and the private property are used exclusively for or in relation to aquaculture.

Subsequently, the *Société* was on 25 September 2013 informed that the rental for the lease of the two plots of land to be used as reserves of the *Bassin Faoulez* was reduced to Rs157,500. per annum for period starting from 08 June 2008 to expire on 07 June 2018. Upon request made by the lessee, the latter was allowed to settle the outstanding amount in three installments provided interest at the legal rate of 8% is payable on the outstanding amount.

As at date, the outstanding rent due with interest amounts to Rs495,817.69 for period up to 30 June 2018. The last statement of claim sent to the lessee is dated 17 April 2017.

**Madam Speaker:** Hon. Lesjongard!

**Mr Lesjongard:** Thank you, Madam Speaker. May I again ask the hon. Vice-Prime Minister whether, as for the previous answer, he would request his Ministry to recover again outstanding amounts and take whatever necessary action has to be taken with regard to the various clauses of the lease?

**Mr Soodhun:** For the information of the House, Madam Speaker, I am setting up a department in my Ministry because for this particular subject we have thousands of cases that are pending for more than 10 years. So, I can assure the hon. Member that we are going to take the necessary decision.

#### **ENERGY EFFICIENCY MANAGEMENT OFFICE - ENERGY AUDIT**

**(No. B/529) Mr G. Lesjongard (Second Member for Savanne & Black River)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Energy Efficiency Management Office, he will, for the benefit of the House, obtain therefrom, information as to if it has issued guidelines for the carrying out of energy audits, indicating the companies having commissioned such audits as at to date.

**The Deputy Prime Minister:** Madam Speaker, on 01 February 2017, acting on the advice of my Ministry, I made the Energy Audit (Energy Consumer and Energy Audit) Regulations which were published as Government Notice No. 23 of 2017.

These regulations contain the basic guidelines which the Energy Efficiency Management Office apply in the performance of their functions. These regulations have already been laid before the Assembly and are gazetted.

Paragraph 4 (2) of the Regulations prescribes that an energy audit shall be carried out to a level detail of “Level 2” or “Level 3”, which shall be as prescribed in the Second Schedule. This Schedule specifies that the standard for Energy Audits shall be ISO 5002. I am going to table the Regulations just after this, just in case this has escaped the attention of the hon. Member.

The standard describes the process requirements for carrying out an energy audit in relation to energy performance and is applicable to all types of establishments and organisations, and all forms of energy and energy use.

The website of the Energy Efficiency Management Office also contains an excel-based Energy Audit tool based on ISO 5002 to help Energy Auditors in carrying out their energy audits.

At present, the Regulations apply to the Government sector only. Private companies have commissioned energy audits on a voluntary basis under the *Programme National d'Efficacité Energétique (PNEE)*. This is a joint project being implemented by Business Mauritius, my Ministry and the *Agence Française de Développement*. The main purpose of this project is to carryout 100 energy audits.

I am informed that energy audits have been completed in 51 companies and are presently being carried out in 33 private companies and four CWA stations. These audits are undertaken in accordance with company specific terms of reference and are based on ISO 5002 or EN 16247-3 which is a European standard. The terms of reference for the audits have been worked out by a consultant appointed by the AFD.

I will table a list of the companies which have commissioned energy audits under the PNEE. I shall do that after the supplementaries if possible in case I need them.

**Madam Speaker:** Hon. Lesjongard!

**Mr Lesjongard:** Thank you, Madam Speaker. I have got only one supplementary question. Has the CEB caused any variation of concessionary tariff with regard to large energy consumers where energy audits have been carried out and they have not complied with existing standards?

**The Deputy Prime Minister:** No, Madam Speaker.

**Madam Speaker:** Hon. Osman Mahomed!

**Mr Osman Mahomed:** Thank you, Madam Speaker. I have a question that concerns that the Energy Efficiency Management Office which was set up under the Energy Efficiency Act 2011. Now, clause 6 (n) of the law stipulates that the EEMO is supposed to prepare and submit to the Minister an Annual Report on energy efficiency and consumption.

Now, can I ask the hon. Minister whether he has received the report for 2015/16 and if he has received for 2017 whether he is satisfied with the report he has received on the performance of the EEMO?

**The Deputy Prime Minister:** I believe 2016 was received, but I would not be able to give the Member a positive answer right now. I will check and let you know.

**Madam Speaker:** Next question, hon. Quirin.

### **MAURITIUS FOOTBALL ASSOCIATION - SPORTS ACT 2016 - COMPLIANCE**

(No. B/530) **Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the Mauritius Football Association, he will state if the statutes thereof comply with the provisions of the Sports Act and, if not, why not -

**Mr Toussaint:** Madam Speaker, I wish to inform the House that my Ministry has carried out a survey to determine the level of compliance of National Sports Federations with the Sports Act 2016. This exercise included the Mauritius Football Association and the examination of its Statutes.

As at date, the MFA is not fully complying with the provisions of the Sports Act 2016.

Officers of my Ministry have had two meetings with the MFA, one of them was in presence of the Registrar of Associations, on 21 June 2017. Both meetings were meant to discuss on compliance of the MFA with the Sports Act 2016. The Statutes of the MFA, although approved by the FIFA, was never approved by Registrar of Associations.

MFA has been informed on the need for the Statutes to be amended for compliance with the Sports Act 2016. A moratorium up to December 2017 has been given to all sports federations, including the MFA, for complying with the Sports Act 2016.

**Madam Speaker:** Hon. Quirin !

**Mr Quirin:** Oui, merci, Madame la présidente. Vu que la MFA n'est pas en conformité avec le *Sports Act*, que ce soit l'ancien texte de loi ou l'actuel, peut-on savoir si au niveau du ministère des Sports, ils ont adressé un courrier officiel particulier à la MFA en leur donnant un *deadline* ? Là j'ai cru comprendre qu'ils ont jusqu'à décembre 2017, mais vu que leur cas est assez particulier que cela date de plusieurs années déjà, est-ce qu'au niveau

du ministère des Sports, il y a une certaine pression qui est exercée, ce n'est pas pression, mais au moins les inciter à rapidement de se mettre en règle ?

**Mr Toussaint:** Madame la présidente, pour répondre à la question de l'honorable membre, donc je puis dire qu'au niveau de mon ministère, les officiers travaillent en étroite collaboration avec les membres de la fédération de la MFA afin de trouver une solution à ce problème, et qu'il n'est pas juste au niveau de la MFA. Comme je viens de dire dans ma réponse, il y a d'autres fédérations aussi qui ne sont pas en règle par rapport au *Sports Act* de 2016.

**Madam Speaker:** Does the hon. Member have a question on this? No? Next Question, hon. Quirin!

### **MAURITIUS JUDO FEDERATION - TEMPORARY COMMITTEE - REPORT**

(No. B/531) **Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the Mauritius Judo Federation, he will state if the Caretaker Committee set up by

**D19/TAKE035/VG/3 (PQ No. B/531 ctd)**

his Ministry under the chairpersonship of Mr G. R. has completed its works and, if so, table copy of the report thereof, indicating the actions taken in relation thereto.

**Mr Toussaint:** Madam Speaker, I have to inform the House that the terms of the Temporary Committee set up on 30 January 2017 under the Chairmanship of Mr G. R. ended on 30 April 2017 in accordance with the Sports Act 2016.

However, in the course of the work of the Temporary Committee, further alleged malpractices and irregularities, particularly of financial nature, not excluding fraud, have surfaced and which may require full investigation. In this context, my Ministry requested for investigation from:

- 1) Commissioner of Police;
- 2) Registrar of Associations;
- 3) Registrar of Companies, and
- 4) Mauritius Revenue Authority

On the other hand, attempts by the Temporary Committee to organise elections for the setting up of a full-fledged committee has not been successful.

In these circumstances, the Temporary Committee has been re-appointed, in accordance with Section 9(9) of the Sports Act 2016, for a further term of 3 months with effect from 04 May 2017 to complete its investigation and conclusively chart the way for the election of a new Managing Committee.

The question of tabling the report of the Temporary Committee is premature at this stage.

**Madam Speaker:** Hon. Quirin!

**Mr Quirin:** Oui, merci, Madame la présidente. Peut-on savoir de l'honorable ministre pourquoi le *Caretaker Committee* en question, alors que les élections étaient prévues pour le 29 juillet, ce n'est que deux jours avant qu'ils ont fait parvenir un courrier aux candidats pour leur dire que les élections allaient être renvoyées et cela sans donner aucune raison ? Peut-on savoir pourquoi?

**Mr Toussaint:** Madame la présidente, comme je l'ai dit dans ma réponse, au fur et à mesure que le *Caretaker Committee* est en train d'avancer, il y a d'autres éléments qui ont fait surface et c'est dans ce but que le *Caretaker Committee* n'a pas pu aller de l'avant avec les élections et que des enquêtes plus approfondies sont en train d'être faites.

**Mr Quirin:** Madame la présidente, j'ai en ma possession copie d'un rapport - je suppose celui-là même dont a fait référence l'honorable ministre - et rapport soumis par le *Caretaker Committee* justement - je suppose au ministre - et qui fait état de certaines raisons. Je vais strictement m'en tenir à une de raisons. Et justement dans ce rapport mention est faite que les élections ont été tenues sur des bases discriminatoires. J'aimerais savoir de l'honorable ministre, est qu'il est en possession d'un courrier, d'une lettre d'un des candidates ou de certains candidats qui se disent avoir été discriminés lors de ces élections, parce que mention est faite de ce...

**Mr Toussaint:** Oui, comme je le disais, Madame la présidente, un des éléments nouveaux qui ont fait surface, c'est justement par rapport aux élections dans le Clubs qui ont été faites sur une base discriminatoire et il y a eu donc des membres qui se sont plaints par rapport à cela.

**Madam Speaker:** Hon. Leopold!

**Mr Leopold:** Thank you, Madam Speaker. I would like to ask the hon. Minister in his capacity as Minister of Sports, with this prevailing situation, whether he has liaised with the Authority in Rodrigues to see whether the situation is not affecting Judo in Rodrigues?

**Mr Toussaint:** *Yes, thank you. Madam Speaker, je comprends l'inquiétude de l'honorable membre par rapport à la discipline concernée et spécifiquement par rapport à Rodrigues. Je puis assurer l'honorable membre que toutes les mesures sont prises pour assurer que les judokas puissent s'entraîner. J'ai là une longue liste de *training programmes*, de compétitions qui sont faites régulièrement à Rodrigues.*

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

**Mr Quirin:** Comment pouvez-vous me donner deux questions seulement? Madame la présidente, je ne suis pas d'accord!

**Madam Speaker:** Hon. Quirin, you want to protest, okay, do so.

**Mr Quirin:** Madame la présidente, à certaines personnes, à certains membres de cette Assemblée, vous permettez une série de questions et je trouve cela désolant. Avec tout le respect que j'ai pour vous...

*(Interruptions)*

Avec tout le respect que j'ai pour vous et vous le savez, comment se fait-il que je n'ai posé que deux questions et sur un ton tout à fait correct, vous m'interdisez de poser d'autres questions ?

*(Interruptions)*

**Madam Speaker:** No. If you want to stand up and say, because your comments are not warranted. Let me say that as Chair, I must give as far as possible the chance to as many hon. Members to intervene in order to provide a fair debate. Now, let me tell you that I use my discretion judiciously to give the floor to all hon. Members. Having said so, Question Time is limited. I can understand that like in any other Parliaments, Question Time has become an opportunity for Members to score political points. I agree with this!

*(Interruptions)*

I agree with this!

*(Interruptions)*

Please, I agree with this!

*(Interruptions)*

I said I agree with this! We are in a democracy, I agree with this. But having said this, now when you protest you are taking the discretion of the Chair and I will not allow this.

Next question, hon. Quirin!

**GOVERNMENT SCHOOLS & COLLEGES - SPORTS INFRASTRUCTURE –  
PUBLIC USE**

**(No. B/532) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Government schools and colleges, she will state where matters stand as to the decision taken for the sports infrastructures thereof to be put at the disposal of members of the public after school hours.

**Mrs Dookun-Luchoomun:** Madam Speaker, I wish to inform the House that there is a policy to optimise the use of school sports infrastructure with a view to democratising sports and leisure activities and to develop a sports culture.

A Memorandum of Understanding for the use of football grounds after school hours and during weekends was signed between the Ministry of Education and Human Resources, Tertiary Education and Scientific Research and the Ministry of Youth and Sports. The MoU provides for the football grounds of 33 primary schools and 16 secondary schools which have separate access to be put at the disposal of the Ministry of Youth and Sports for use free of charge by the public. As per the MoU, the management of these infrastructures after school hours rests with the Ministry of Youth and Sports.

Madam Speaker, following the Memoranda of Understanding signed between the Ministry of Education and Human Resources, Tertiary Education and Scientific Research, the Ministry of Local Government and Outer Islands and the Municipal Council of Port Louis, two schools namely, the Surti Sunni Government School and the Jean Lebrun Government School have been put at the disposal of the public and I am informed that the infrastructure for sports facilities in 32 schools are currently being used by the public. Further, upgrading works are planned to be carried out at the football grounds of 14 schools.



With a view to catering the widely utilisation of the facilities by the public after school hours, I am further informed that the services of sports *animateurs* have been enlisted by the Ministry of Youth and Sports to manage and coordinate the use of the football grounds.

Madam Speaker, there is in place an arrangement at the level of the four educational zones for the use of multipurpose halls, gymnasia for practice of badminton and other sports activities to members of the public after school hours and during weekend against payment of fees. Such facilities are being extended to the public in 19 schools. Request for use of these facilities are managed at the level of the respective zonal directorates.

Madam Speaker, bearing in mind all the benefits that practising sports can have on our youth and adults in terms of having a healthy lifestyle both for the mind and the body, controlling stress, building self-confidence, amongst others, we definitely are promoting this culture of practising sports by enabling the public at large to avail themselves of the existing sports facilities available in schools.

**Madam Speaker:** Hon. Quirin!

**Mr Quirin:** Merci, Madame la présidente. L'honorable ministre de l'Éducation est-elle au courant que le gymnase du collège John Kennedy à Beau Bassin n'est toujours pas disponible et accessible que ce soit aux élèves ou au public et, avec votre permission, Madame la présidente, je vais déposer quelques photos de la cour, le gymnase est fermé depuis plusieurs années déjà et la cour, à part les chiens errants, on ne voit pas grand monde et je vais déposer ces photos.

**Mrs Dookun-Luchoomun:** Madam Speaker, I am glad to inform the hon. Member that care is being taken to upgrade the whole land around the gymnasium which is, I have been told, about 10 *Arpents*. So, we are trying to come up with the project for the area.

As far as the gymnasium is concerned, it has been handed over by the contractor to the Ministry and it is being used by the students at school. It has not yet been given to the public at large but it is being used by the students.

**Mr Quirin:** Serait-il possible pour l'honorable ministre, Madame la présidente, de déposer une liste de toutes les écoles et collèges dont les infrastructures sportives sont mises à

la disposition du grand public et, bien sûr, incluant les horaires et les tarifs qui sont réclamés au public?

**Mrs Dookun-Luchoomun:** Madam Speaker, all the football grounds are given free of charge, whereas for the gymnasium, there is an amount of Rs100 charged for one hour for the badminton court and Rs200 for the whole gymnasium for different sports activities.

**Madam Speaker:** Hon. Armance!

**Mr Armance:** Thank you, Madam Speaker. The hon. Minister mentioned about an MoU, will it be possible for the Minister to table the MoU at the National Assembly Library so that we can have access to know the terms and conditions because it has been brought to my attention that several requests to use the gymnasium at la Tour Koenig SSS have been refused so far?

**Mrs Dookun-Luchoomun:** Madam Speaker, I have just mentioned that the MoU is with regard to the football grounds whereas for the gymnasium it is dealt with at the level of the Ministry, at the level of the zonal directorate upon request from the public. It all depends on whether the access is free, that is, we do not have a common access to the school and to the gymnasium.

Furthermore, there are certain cases, I have noted, where because of problems which have cropped up certain facilities were no longer given to the public but I will check for that particular school.

**Madam Speaker:** Last question, hon. Osman Mahomed!

**Mr Osman Mahomed:** Thank you, Madam Speaker. In her opening statement, the hon. Minister has mentioned enhancement of the sports culture and *animateur* is being provided under the MoU. Are coaches being provided as well because if you take certain disciplines like badminton and all, not many people know how to play it properly, is it in the MoU or can it be considered?

**Mrs Dookun-Luchoomun:** Madam Speaker, I have just mentioned that the use of the grounds, etc. is done after school hours and is managed by the Ministry of Youth and Sports. When I am talking about the *animateurs*, these are people who have been recruited by the Ministry of Youth and Sports who have been trained for that particular purpose. As far as during the school hours is concerned, obviously, we do have sports officers at schools.

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

**SOCIAL HOUSING UNITS - BUYERS - CRITERIA**

**(No. B/533) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Vice-Prime Minister, Minister of Housing and Lands whether, in regard to the social housing units, he will, for the benefit of the House, obtain from the National Housing Development Co Ltd., information as to the number thereof sold since January 2015 to date, indicating the –

- (a) respective location thereof;
- (b) criteria used in the selection of the buyers thereof, and
- (c) fees paid or payable to the consultants and Notaries Public whose services have been retained in connection therewith, indicating in each case the names thereof and criteria used for the selection thereof.

**Mr Soodhun:** Madam Speaker, with regard to part (a) of the question, I am informed by the NHDC Ltd that, since January 2015 to date, 860 housing units have been sold on 29 sites across the island. The list of the number of housing units sold and their respective location is being placed in the Library of the National Assembly.

As regards part (b) of the question, the criteria for the selection of the buyers are as follows –

Applicants should –

- (i) have a monthly household income of not more than Rs20,000;
- (ii) not be owner of a house (including NHDC or CHA house);
- (iii) not own a residential plot of land;
- (iv) not hold a residential plot of State land by lease;
- (v) not have been granted any Government sponsored loan by the MHC Ltd;

- (vi) not have benefitted from any Government grant for the casting of a roof slab and for the purchase of building materials, and
- (vii) not have received any financial assistance from Government or any form of assistance for housing purposes.

I am also informed by the NHDC Ltd that the date of application, the repayment capacity of the buyers, the type of household and the catchment area of eligible applicants are also considered during the selection exercise.

Madam Speaker, with regard to part (c) of the question, I am further informed by the NHDC Ltd. that the services of consultants are not retained for the sale of housing units, instead, the services of Notaries are enlisted for the drawing of the deeds of sale.

Notaries were invited by the Chamber of Notaries to express their interests to carry out conveyance formalities for the NHDC Ltd.

The name of the Notaries whose services have been enlisted for the sale of the housing units, I have mentioned earlier, is on the list which is being placed in the Library of the National Assembly.

I wish to draw the attention of the House that the fees are payable by the beneficiaries and are in accordance with those established by the Chamber of Notaries. The NHDC does not disburse any fee to the Notaries for the drawing of the deeds of sale.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. The hon. Vice-Prime Minister mentioned that one of the criteria that are used is the date of application. Is the hon. Vice-Prime Minister aware that there are a number of people who have been waiting for years to get NHDC houses and who are now pass the age of 60, so now they are not considered eligible at all to get these houses, so would the hon. Vice-Prime Minister consider discussing with the NHDC the possibility of their children being given the chance of applying for these houses and not having to start again from the day they start the application?

**Mr Soodhun:** Yes, this is a very good suggestion and I am going to consider it.

**Mr X. L. Duval:** Madam Speaker, I would like to ask the hon. Vice-Prime Minister concerning people from Rodrigues, as you know everyone is a lessee in Rodrigues because

there is hardly any freehold land. Can an exception be made to the conditions that he has just given so that Rodriguans, when they migrate to Mauritius, they are entitled to apply for NHDC house because otherwise, they all, as we know, they stay and live in squalid conditions in these quarters.

**Mr Soodhun:** Madam Speaker, the regulation is put for the Republic of Mauritius; it is for Rodrigues and the Republic of Mauritius both, but we have to comply with criteria and they have to satisfy the criteria. I mean there is a criteria that has been established and people from Mauritius, Rodrigues or Agalega have to respect these, if not, it would be very difficult for us.

**Madam Speaker:** Hon. Leopold!

**Mr Leopold:** I would like to ask the hon. Minister whether the same facilities are available in Rodrigues so that people can have a NHDC house.

**Mr Soodhun:** I think that it is good that the hon. Member invites me to see like the Leader the Opposition had visited Rodrigues. Anyway, as I mentioned, Rodrigues forms part of the Republic of Mauritius. The criteria apply to all citizens.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you Madam Speaker. The hon. Vice Prime Minister mentioned that the Chambers of Notaries provide a list, but is it not the case that, in fact, the NHDC imposes on all buyers the names of notaries, which have been chosen by NHDC.

**Mr Soodhun:** I am very sorry. The hon. Member should not know that it is the Chambers of Notaries which choose. Neither the Minister nor any person at the NHDC is allowed to do so.

#### **BAI CO. (MTIUS) LTD. – ASSETS**

(No. B/534) **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 assets of the BAI Co. (Mtius) Ltd. and related entities located outside Mauritius other than shares in Britam Holdings Ltd. (Kenya), he will, for the benefit of the House, obtain from the Special Administrator for BAI Co. (Mtius) Ltd., the list thereof which have -

- (a) been sold, and
- (b) not sold, indicating in each case the -
  - (i) location thereof;
  - (ii) value thereof, and
  - (iii) amount of money spent in connection therewith.

**Mr Sesungkur:** Madam Speaker, I am tabling the information.

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

**Mr Uteem:** Answering to a PQ B/371, the hon. Minister had already tabled a list from the FSC, so I do not know if this is a new list that he is tabling. So, may I ask him what happened to the shares which BAI owned in Global Capital p.l.c. which was reported as having acquired a castle, a 20<sup>th</sup> century castle, worth hundreds of millions of rupees? There was a lot of noise about this castle, so I want to know what happened to that. Is it still there? Has it been sold?

**Mr Sesungkur:** Madam Speaker, as per the list provided to me by the special administrator, this asset is still unsold and it is on the list.

**Mr Uteem:** Thank you, Madam Speaker. It has been widely publicised in recent days and the hon. Minister, himself, gave a press communique stating that Super Cash Back Gold and Bramer Asset will be repaid in the month of September. Wouldn't the hon. Minister agree that it is premature because there are still a lot of assets belonging to the BAI Group that have still not been sold. Whether it is the National Insurance Company, whether it is MauBank, there are a lot of assets. So would the hon. Minister agree with me that it is premature to now make all the payment in September when there are still a lot of assets realisable?

**Mr Sesungkur:** Madam Speaker, although the question is not directly related, I will try to give a general explanation as to the approach we have taken. We have made an assessment of the potential liabilities or dues that will have to be paid to the policyholders and investors. We have also made an assessment of the potential value that can be generated from the assets when they are sold. Given the circumstances and the complexity, we will not be able to fast-track the disposal of those assets. In view of this situation, we have taken a

different approach with a view to give relief, to help those investors who are badly in need. So, there has been a global holistic approach to the problem.

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

**Mr Ameer Meea:** Yes. Thank you Madam Speaker! In the recent past, with the previous Minister of Good Governance, there was question of selling the NIC to SICOM. Whether it would be selling outright or merger, but there was this question. Now what was announced in the last Budget was the creation, I think, of a new body that would control all the assets or the cash of the National Pension Fund. My question to the hon. Minister - have these options of selling NIC to either SICOM or the National Pension Fund been debated and has any decision been taken yet?

**Mr Sesungkur:** Madam Speaker, the question is not directly related but still we are considering all the options which are best suited to the interests of the policyholders and investors.

**Madam Speaker:** The Table has been advised that PQs B/516 which was to be replied at the end of Question Time and B/545 have been withdrawn.

Next Question! Hon. Uteem!

#### **BAI CO. (MTIUS) LTD. – ASSETS - SALE**

**(No. B/535) 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 sale of the assets of the former BAI Co. (Mtius) Ltd. and related entities, he will, for the benefit of the House, obtain from the National Property Fund, the NIC Healthcare Ltd. and the Special Administrator for BAI Co. (Mtius) Ltd., respectively, information as to the amount of commission and fees paid and payable in connection therewith, indicating in each case the -

- (a) name of the persons to whom such commission and fees have been paid, and
- (b) criteria used for the selection thereof.

**Mr Sesungkur:** Madam Speaker, with regard to the National Property Fund Ltd, I am informed that, as at date, no asset has been sold by the NPFL and therefore no commission or fee has been paid or is payable.

With regard to NIC HealthCare Ltd, I am informed that BDO was appointed as transaction advisor to undertake a bidding process until the clause of transaction in respect of the management and/or acquisition and/or rental of the ex-Apollo Bramwell Hospital. The fee paid to BDO was Rs1,725,000 (inclusive of VAT).

I am also informed that, as per agreement between the NICHL and BDO, the latter retained the services of ENS Africa Mauritius for the drafting of the sales and purchase agreement. In this respect, an amount of Rs1,207,500 (inclusive of VAT) was disbursed.

Madam Speaker, I am further informed that, following a bidding exercise, the services of Maître Richard Rault were retained for the drafting and vetting of the Lease Agreement to be entered between the NIC HealthCare Ltd and Omega Ark HealthCare Investments Ltd against a fee of Rs57,500 (inclusive of VAT). The services of Maître Rault were also retained after a bidding exercise to vet the addendum to the Asset Purchase Agreement submitted by Omega Ark HealthCare Investments Limited against a fee of Rs8,625 (inclusive of VAT). In addition Rs256,130 and Rs36,000 were paid to officers of the Internal Control Department and members of the Bid Evaluation Committee respectively.

With regard to part (b) of the question, I am informed that the Board of the NIC HealthCare Ltd appointed BDO as transaction Advisor on the ground that the latter was dealing with appointed special administrator and was therefore fully conversant with all the issues relating to ex-Apollo Bramwell.

With regard to the Special Administrator, Madam Speaker, I am further informed by the FSC that the fees paid for assets that have been disposed are as follows -

- (i) Rs21,681,790 (exclusive of VAT) paid to Notary Darmalingum Gooriah by the NIC for transfer of undertaking;
- (ii) Rs9,110,000 (exclusive of VAT) paid to notary Kavydass Ramano for sale of various undertakings;
- (iii) Professional fees of Rs54,491,790 (exclusive of VAT) paid to BDO for support on completion of sale transactions.

Madam Speaker with regard to part (b) of the question, I will lay a copy of the required information in the Library of the National Assembly as soon as this is made available to me.



**Madam Speaker:** Hon Uteem!

**Mr Uteem:** Thank you, Madam Speaker. Did I hear the hon. Minister correctly said that BDO was paid by the special administrators for Rs54 m. and does he find that normal that the special administrator is no one else than the Managing Director of BDO? Doesn't he find that an obvious conflict of interest?

**Mr Sesungkur:** Yes, Madam Speaker, I think this is not totally in order, but I would like to draw the attention of the hon. Member that this was during the tenure of the previous Minister.

**Mr Uteem:** The hon. Minister is a Minister of Good Governance and we are talking about FSC regulating the special administrator. So, I think that the right thing for the hon. Minister to do now that he is Minister, if there is anything that has been done and which was not correctly done by his predecessor, he should take remedial action. So, may I know from the hon. Minister whether this Rs54 m. has already been paid or if it has not been paid whether he will look into the matter and see what action can be taken?

**Mr Sesungkur:** No, in fact the Rs54 m. has been paid. It relates to disposal of assets which have already been done.

**Mr X. L. Duval:** But surely the administrator, upon payment, will have sought clearance from the FSC before payment. Is the hon. Minister saying that the administrator, himself a partner of BDO, paid without seeking clearance from the Financial Services Commission? This would be extraordinary!

**Mr Sesungkur:** I am afraid, Madam Speaker, this is probably the most probable scenario. They have never referred the matter to the FSC.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can the Minister, at least, inform the taxpayers, the public as to who took that decision? Has he gone through the file and inform the population? When he says his predecessor, it is vague! He should give us the name, whether it is a board, when, on which date and who?

**Mr Sesungkur:** Madam Speaker, let me explain. Normally, the special administrator was appointed by the FSC. When you appoint a special administrator or receiver or whoever,

in their own judgement, they can organise themselves so that they can discharge their responsibility in the best possible way. So, probably this is one reason why probably they have chosen BDO. But I agree that there should have been some consultations at the level of the FSC, which did not happen unfortunately.

**Madam Speaker:** Hon. Rutnah!

**Mr Rutnah:** Thank you, Madam Speaker. Given the answer that the hon. Minister has given in relation to BDO, would he consider - now that we know that his predecessor has acted in the way he has acted in relation to this matter - setting up an internal inquiry to ascertain whether there has been any *maldonne*, so to say, and not to leave any stone unturned if there is any action or sanction to be taken?

**Mr Sesungkur:** Madam Speaker, action has already been taken.

**Madam Speaker:** Hon. Shakeel Mohamed, last question!

**Mr Mohamed:** Thank you, Madam Speaker. Could the hon. Minister, therefore, not only concentrate on one side of things, but there is always another side to the story. You have the Board of the FSC that sat down, if I understand the Minister correctly, and let something like that happen and not in any way even if consultations did not happen with the board of the FSC, but the board let things happen. Who are the members of the Board, who was the Chairman of the Board when it happened and why is it not that the members of the Board of FSC who sat down immobile and did nothing to react are taken to task?

**Mr Sesungkur:** Madam Speaker, let me explain. In all fairness to the members of the Board, they do not take operational decisions. So, I think the problem was more at the level of the management. They did not really take any interest in the file. So, when I took over, I gave clear instruction that they have to follow certain best practices and procedures.

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

#### **STREET LIGHTING – TECHNICAL COMMITTEE**

**(No. B/536) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the street lighting system found on the M1, M2 and M3 Motorways, he will state where matters stand as to the proposed setting up of a technical committee at his Ministry comprising the

Ministry of Local Government and the Ministry of Public Infrastructure and Land Transport to look into the long term proposals for the maintenance thereof.

**The Deputy Prime Minister:** Madam Speaker, in my reply to PQ No. B/1057 on 29 November 2016, I informed the House that a Technical Committee at my Ministry comprising the Ministry of Local Government and the Ministry of Public Infrastructure is looking into the long term proposals for the maintenance of street lighting.

On the basis of the recommendations of the Technical Committee, a provision of Rs12 m. has been made in the 2017/2018 Budget of the Ministry of Local Government and Outer Islands for the maintenance of the street lighting along motorways, that is Grand Baie to Airport and Terre Rouge/Verdun from Ébène to Calebasses.

The CEB is continuing the maintenance of the street lighting. The local Authorities will soon sign an agreement with the CEB for the payment modalities.

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

**Dr. Sorefan:** Madam Speaker, well, to my great surprise, there was a communiqué by hon. Minister Bodha – *l'éclairage routier, la loi sera amendée et seule la Road Development Authority sera chargée de l'éclairage sur les routes.*

**Madam Speaker:** Hon. Dr. Sorefan, now, you are asking a question from the hon. Minister of Energy. You are referring to a statement which has been made by the Minister of Public Infrastructure. This is not in order because the hon. Minister of Energy will not be able to reply to a statement which has been made by the Minister of Public Infrastructure.

**Dr. Sorefan:** Thank you, Madam Speaker. Will the hon. Deputy Prime Minister look into it because there is a contradiction that is going on as to what the hon. Minister said as reply and what another Minister said? Could this matter be clarified? I am sure the hon. Minister is aware that on M1 there are lots of road works going on and the electric poles are being exposed to severe accident, the poles and the roads. Will the hon. Minister really look that the poles are well secured and the drivers also?

**The Deputy Prime Minister:** We have lots of things in this matter. If it becomes necessary, I will come with a statement to the House. Let us see the position. Whoever is responsible for street lighting, whether local authorities or RDA or the Ministry of Public Infrastructure, they have all agreed to give that work to the Central Electricity Board (CEB) who works as a contractor and the CEB gets paid for this.

Now, the works to which my hon. friend is referring to are not necessarily works connected with street lighting. There are works being done for drains - if I am not correct, please correct me - because during flood seasons, we know how the motorways are flooded. This is not under my responsibility, it is under the responsibility, I believe, of the Minister of Public infrastructure. Now, as and when these works are being done, the CEB is supervising to ensure that no damage is done to the street lighting operations. That will come in time when we underground the cables, which will come very soon instead of these unsightly overhead lighting wires which we see over the motorway.

As regards the Local Authorities, in the countryside there is a total lack of maintenance, this is the problem more than on the motorway. Then we will see with the local authorities.

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

#### **PUBLIC SECTOR – PABX SYSTEM – GSM GATEWAYS**

**(No. B/537) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Technology, Communication and Innovation whether, in regard to the Ministries, Government Departments, parastatal bodies and local authorities, he will state where matters stand as to the –

- (a) installation of GSM gateways for mobile phones to the existing PABX telephone systems thereof with a view to reducing the monthly telephone bills thereof when calling to a mobile service provider, giving a list thereof which are already operational, and
- (b) disconnection of dormant and unused telephone lines, indicating if a new survey will be carried out in relation thereto and the outcome thereof.

**Mr Sawmynaden:** Madam Speaker, I would like to thank the hon. Member for this pertinent question on the telecommunications infrastructure in the public sector. I have to inform the House that provisions for telephone lines and PABX system are dealt with at the level of each Ministry and department as well as each parastatal body and local authority.

However, the Central Informatics Bureau (CIB), falling under the aegis of my Ministry, issues technical specifications for digital PABX. While doing so, it is ensured that the GSM gateways are integrated in the PABX system.

For existing PABX, a survey will be carried out to identify those systems that can support GSM gateways with a view to equipping these PABX with such a system. For those

which cannot support the GSM gateways, Ministries and departments will be required to go for replacement of their PABX.

As regards part (b) of the question, it is the responsibility of each Ministry/department to ensure that dormant and unused telephone lines are disconnected.

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

**NATIONAL SKILLS DEVELOPMENT PROGRAMME - NURSING &  
PARAMEDICS - TRAINING**

**(No. B/538) Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix)** asked the Minister of Health and Quality of Life whether, in regard to the nursing officers, he will state if any cooperation agreement has been signed between the Government of Germany and the Government of Mauritius for the promotion of the employment thereof in the Republic of Germany.

**Dr. Husnoo:** Madam Speaker, I am informed that as at date there is no agreement which has been discussed or signed between the Government of Germany and the Government of the Republic of Mauritius for the promotion of the employment of Nursing Officers to work in Germany.

**Madam Speaker:** Hon. Osman Mahomed!

**Mr Osman Mahomed:** Thank you, Madam Speaker. At paragraph 42 of the Budget Speech 2016/2017 - I know the Minister has said that no MoU has been signed with Germany - mention is made of National Skills Development Programme under which 4,000 people will undergo paid training including that under nursing and paramedics. Now that certificate will be delivered to these young people would they be qualified to work? Now we know Germany is not there, but in other countries, if they earn certificate after having undergone paid training and they do not get employment overseas, what will we do with all these nursing officers?

**Dr. Husnoo:** Yes, you are right. There is a programme between the Ministry of Health and the Ministry of Education to train these young people because we have had different requests from different countries about the possibility of employing nurses, I mean that is one. But anyway, these people are being trained to work in Mauritius as well. Thank you.

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

**OVERSEAS TREATMENT SCHEME - MRS K. G-R.**

**(No. B/539) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to the Overseas Treatment Scheme, he will state the quantum of money disbursed since January 2015 to date thereunder, indicating if one Mrs K. G-R. benefitted thereunder in 2015, further indicating –

- (a) if she met all the eligibility criteria set therefor, and
- (b) the quantum granted and date of disbursement thereof, indicating if the quantum granted has since been refunded and, if so, when.

**Dr. Husnoo:** Madam Speaker, I am informed that a total amount of Rs119,588,739 has been disbursed under the Overseas Treatment Scheme from January 2015 to date.

As I stated during the Committee of Supply, I do not think it is fair to publish the names of patients who have benefited from the Overseas Treatment Scheme.

To reply to this question will entail revealing the public details of the state of health of the wife of the Member of the House. However, since we are dealing with public funds relating precisely to a Member of the House and in order to put a stop to the regrettable campaign on a person who nearly lost her life at a very young age, I shall reveal the following details:

Mrs K. G. R., wife of hon. Rutnah, was brought to SSRN Hospital suffering from severe neurological problem for which treatment is not available in Mauritius. She had to follow treatment in India.

I would like to inform the House that my Ministry did not grant any amount of money to patient, Mrs K. G. R. for her treatment overseas, not even a single cent. All payments for the patient, medical expenses, air ticket for the accompanying doctor as well, the stretcher fee, oxygen facilities have been borne by the patient's relatives.

**Mr Ameer Meea:** Madam Speaker, my question was about whether public fund has been used for someone who is eligible or not to benefit from the system because we have clear set of criteria. It was not about personal, I did not enter into ...

*(Interruptions)*

**Madam Speaker:** Hon. Ameer Meea, please sit down! Hon. Ameer Meea, please sit down! You said in your question, it was specific: indicating if one Mrs K. G-R. benefited from funds. You asked whether she benefited from funds and the question is that she did not benefit from funds. So, don't ...

**Mr Ameer Meea:** I did not ask details about what she was suffering from. My question is to my information there is one doctor, I will say the initials, U. D. M., on 28 July accompanied the patient, and the doctor is a rheumatologist at Candos Hospital; this is my information. So, how come that a doctor in the public service accompanied the patient and the doctor is being paid out of public funds and how come that this doctor - I will give the precise name and the date outside to the Minister - has accompanied the patient without funds being used?

*(Interruptions)*

**Dr. Husnoo:** Firstly, I would like to mention that it is not the first time that a doctor from the public service accompanies a patient overseas. For your information - can I answer, please - when I was in service I accompanied a patient overseas as well, so we do that. Number one...

*(Interruptions)*

Let me finish, please!

*(Interruptions)*

Let me finish please! Secondly, this doctor was not paid by Government.

*(Interruptions)*

Yes, he took his leave to go overseas. He was not paid by the Government. Thank you.

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

#### **NATIONAL SOLIDARITY FUND - MRS K. G-R.**

**(No. B/540) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Social Security, National Solidarity, and Environment

and Sustainable Development whether, in regard to one Mrs K. G-R., he will, for the benefit of the House, obtain from the National Solidarity Fund or any other Fund falling under the aegis of his Ministry, information as to if the latter has benefitted thereunder to meet the costs of overseas treatment in 2015 and, if so, indicate the quantum granted and date of disbursement thereof.

*(Interruptions)*

**Madam Speaker:** Order, please! Yes, hon. Sinatambou!

*(Interruptions)*

Yes, hon. Sinatambou! Yes!

**Mr Sinatambou:** Madam Speaker, it is deplorable that in addition to the unfounded allegations from a section of the Press, shocking insinuations and substantiated and false allegations have been made by some Members of the Opposition since May of this year against the wife of a Member of the Government.

On this side of the House, we found it despicable that part of the Opposition has played cheap politics on the beleaguered wife of a Member of the National Assembly.

Madam Speaker, I am informed that no application has been received in the name of Mrs Kevisha Goodar-Rutnah for any assistance under the Overseas Treatment Scheme of the National Solidarity Fund or of any other Fund under the aegis of my Ministry in 2015 or at any other time.

I, therefore, hope that the shameful, unfounded attacks and insinuations against the wife of hon. Rutnah will stop once and for all.

I am also informed, Madam Speaker, that Mrs Rutnah has not benefited from any funding under any Fund falling under the aegis of my Ministry to meet the cost of overseas treatment in 2015 or at any other time. And I do hope that all this stops.

*(Interruptions)*

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



## **ABU DHABI - WORLD FUTURE ENERGY SUMMIT**

(No. B/541) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the World Future Energy Summits held in Abu Dhabi in 2015, 2016 and 2017, respectively, he will –

- (a) list down the names of the officers and of the Members of Parliament who participated therein, if any, and
- (b) lay copy of the respective mission reports on the Table of the National Assembly.

**The Deputy Prime Minister:** Madam Speaker, no officer from my Ministry participated in the World Future Energy Summit held in Abu Dhabi in 2015, 2016 and 2017.

As regards the Members of Parliament, their participation in international conferences is not within the ambit of my Ministry.

**Madam Speaker:** Yes, hon. Jhuboo! Next question, hon. Jhuboo!

## **PRIMARY & SECONDARY SCHOOLS – EDUCATIONAL PSYCHOLOGISTS**

(No. B/542) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to school psychologists employed in the primary and secondary schools, she will state the number of cases to which they have attended since January 2015 to date.

**Mrs Dookun-Luchoomun:** Madam Speaker, I am informed that 2,614 cases involving, *inter alia*, truancy, bullying, indiscipline and other forms of misconduct and behavioural problems have been dealt with by educational psychologists in primary schools from January 2015 to date. As for the secondary sector, 1,239 cases have been attended to during the same period.

Madam Speaker, the Ministry has a National Education Counselling Service staffed with a Head, 4 Senior Educational Psychologists, 18 Educational Psychologists and 18 Educational Social Workers posted to the Ministry and the educational zones. The unit caters for social and emotional well-being of learners and provides, *inter alia*, psychological

counselling, guidance and support services to students experiencing behavioural, learning, social and emotional difficulties.

Educational social workers also provide advice and support to students and to parents concerned through home visits.

**Mr Jhuboo:** Thank you, Madam Speaker. Can the hon. Minister state where do these individual therapy sessions normally take place? Is there a specified room for that purpose?

**Mrs Dookun-Luchoomun:** Madam Speaker, I believe that in schools there are certain areas that are reserved for that particular activity and I will try to find out further whether there are special amenities elsewhere.

**Mr Jhuboo:** Thank you, Madam Speaker. Well, there is no proper battery testing for children with various psychiatric conditions. The only test available dates back from 1990 and are today outdated. Psychologists have already sent the request to inform the Ministry that they cannot perform with outdated elements. Can we know from the hon. Minister how will this issue be addressed?

**Mrs Dookun-Luchoomun:** Madam Speaker, I have been under the impression that the psychologists are there mainly for counselling purposes and whenever further psychiatric tests are required, this is done by doctors and all, that will be requested to visit the students if ever the need arises. But I will try to find out what exactly has been the request made and, if required, the equipment will be purchased.

**Madam Speaker:** Hon. Osman Mahomed!

**Mr Osman Mahomed:** If the hon. Minister has it in her file, can I ask her the ratio - if she has it, of course - of psychologists to students across the island because there is a feeling that there is a shortage of psychologists, and whether if she agrees with what I am saying, there will be recruitment of more psychologists?

**Mrs Dookun-Luchoomun:** Madam Speaker, I am glad to inform the House that with the present Budget we are about to recruit 8 more psychologists. Obviously, with the number of students that we have, we tend to think that the number may be small, but then when we look at the number of cases and the number of cases that we have had, for example, from the beginning of year till now; they have been able to cope adequately, but we will be recruiting more psychologists.

**Madam Speaker:** Hon. Ganoo!

**Mr Ganoo:** My question pertains to the last question asked by my hon. friend. Can the hon. Minister confirm that, in fact, there are only 18 educational psychologists who have to cater for the number of primary and secondary schools in the country and this is clearly insufficient? I emphasise, I am talking of educational psychologist which is different from a psychologist.

**Mrs Dookun-Luchoomun:** Madam Speaker, I have just mentioned in my answer that we have got 23 educational psychologists and we are about to recruit 8 more.

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

**Mr Jhuboo:** Could we know from the hon. Minister whether counselling is given to teachers and educators who suffered harassment from parents or misbehaving children?

**Mrs Dookun-Luchoomun:** Madam Speaker, I am not aware if any request in this sense has been made, but certainly in case there is any such requirement, the Ministry will take care of that.

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

### **HOTELS - TAXI DESKS**

**(No. B/543) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the proposed installation of taxi desks inside the reception area of the hotels, he will state –

- (a) why the Cabinet decisions of 26 February 2016 and of 07 April 2016, respectively, taken in relation thereto have not been implemented as at to date, and
- (b) the outstanding problems in relation thereto, indicating if consideration will be given for the holding of consultations with all the stakeholders for the settling thereof.

**The Minister of Tourism (Mr A. Gayan):** Madam Speaker, with your permission, I shall reply to this question.

I am informed by the Tourism Authority that the measure pertaining to installation of taxi desks in hotels with a minimum room capacity of 50 is being implemented by the hoteliers.

This measure, in fact, concerns 80 hotels and the status is as follows –

- 25 hotels have already set up a taxi desk;
- 19 hotels have informed that taxi operators licensed to operate at their hotels were either satisfied with the current arrangements or not interested with a taxi desk, and
- 36 were either in the process of negotiations regarding the modalities for setting up the desk or are not willing to proceed further in view of constraints such as lack of space.

As regards part (b) of the question, Madam Speaker, my attention has been drawn by the Tourism Authority that several complaints against taxi operators have been received from management of hotels with regard to the implementation of this project. One of the main complaints pertains to the selling of excursions at the taxi desks which was not the objective of this measure.

I must also, Madam Speaker, deplore the actions by some taxi drivers who have participated in demonstrations outside hotels and have adopted an aggressive attitude towards tourists which overall undermines the image of the tourism industry. It appears that such actions have discouraged some members of I’AHRIM to implement the taxi desk at their end.

Nevertheless, consultations among the various stakeholders namely the Tourism Authority, the National Transport Authority and the management of concerned hotels and taxi associations are ongoing with a view to implementing the decisions taken.

Madam Speaker, I wish also to inform the House that in my capacity as Minister of Tourism, I have had separate meetings with the Association of Inbound Operators of Mauritius and the different taxi associations in order to reach a working arrangement through the establishment of a Memorandum of Understanding between AIOM and taxi operators union. However, the federation of hotel taxi associations was strongly against the proposal.

I must also say, Madam Speaker, that in this digital era, the whole business mode of transport bookings has been completely transformed. Tourists are now increasingly booking

their travel packages including transport with tour operators online. Consequently, the tour operators are contractually bound to provide the full range of services.

During the *Assises du Tourisme* held on 02 June 2017, Madam Speaker, the Tourism Authority proposed the setting up of an online platform for the taxis based at hotels whereby the tourists could directly book their transport.

However, it is unfortunate that this proposal was turned down by the taxi operators.

Madam Speaker, I must also add that at this time in the history of the Tourism Industry, I appeal to the taxi drivers to embrace new technologies and to review their mode of operation for their long-term survival.

**Mr Bhagwan:** We had a Parliamentary Question by hon. Rughoobur some time back and we had been informed that there were going to be regulations concerning the setting up of taxi desk at hotels. Is the hon. Minister aware of that undertaking, whether the Ministry or the Tourism Authority has worked out a sort of regulations which would have helped to find solution to the problem?

**Mr Gayan:** Madam Speaker, the measures adopted by Government was a package. Unfortunately, some of the tour operators went to Court and they obtained an injunction against the implementation of one part of that package. The case is still awaiting trial. So, because of that injunction, it has not been possible to proceed with the regulations.

**Madam Speaker:** Hon. Rughoobur!

**Mr Rughoobur:** Thank you, Madam Speaker. In regard to the regulations the hon. Minister just mentioned, in that package that part of the regulation *qui n'est pas concerné par le* injunction, may I know from the hon. Minister, this taxi desk, according to my information, in the north all the hotels that are found in my constituency, at least, is it not an excellent means to consolidate further the collaboration between the taxi and the management of the hotels because from information that I have....

**Madam Speaker:** Don't be long!

**Mr Rughoobur:** Yes. These measures are working extremely well in some hotels.

**Mr Gayan:** Madam Speaker, the problem is as follows – because the tourist overseas books the hotel, the airline and the excursions, when they come to Mauritius, the taxi

operators based at the hotels do not get that business because everything has been paid for with the tour operators.

What I suggested to the taxi federations is: let us work out a modus whereby you get a share of that because, at the end of the day, it is the tourist who decides on the means of travel whether they want to travel by taxi or whatever. It is their choice. I must say that, out of the two federations, one is agreeable, the other one is not agreeable. We are trying to find a solution, otherwise, as I said, the economic model for taxi operators based at hotels is something that is not going to survive because of the new economic model that we are talking about. This is unfortunately the only country in the world where we have taxis based at hotels and this is something that has to be looked at. It is a legacy of the past, but things have changed and things will keep changing. My appeal to that operators is, once again, to work out a new model where they can all survive.

**Madam Speaker:** Hon. Bhagwan and then the last question for hon. Shakeel Mohamed.

**Mr Bhagwan:** Following what the Minister has stated, at least, through the Parliament, I am sure, the taxi operators will have the message because we are living in a modern world, and they are watching, I am sure, the Parliamentary T.V.

Many taxi operators have been working there for many, many years, *ça forme partie du patrimoine de cette industrie*. Is the Minister aware that with the new scheme, the new set up, the taxi drivers, who have been working for years, are finding the situation so critical that many of them are even unable to pay their loans and their taxis are being seized? Can I appeal to the Minister to, at least, use the good office of the Tourism Authority to find an urgent solution in the interest of one and all.

**Mr Gayan:** Well, we are all intent on working out a solution that is going to meet with the consensus of everybody. Negotiation takes two parties and there has to be give and take. Somebody cannot just take and not give something away. This is the situation unfortunately which we found ourselves in. I hope that the taxi operators, who I know are not getting the business that they ought to get because of other things, rethink their strategies.

**Mr X. L. Duval:** Madam Speaker, may I ask the hon. Minister, I think we are going to a new model, fair enough, for this is for the future. What was agreed, if the Minister may recall, was that for tourists staying in a hotel who are going in a group, they will use a van of

the tour operator, but for those who are a couple or three people, the tour operator should contract with the licensed taxi operator at the hotel and not bring in another car from outside. This was the whole deal. I hope that is understood, that is, when there is a small group of people you use the taxis that are available. When there is a big group then you use a van or a bus. That was agreed. Can the Minister try to implement that please?

**Mr Gayan:** Well, in fact, that was the decision taken by Cabinet at the time when the present Leader of the Opposition was the Deputy Prime Minister and he chaired that meeting. Well the measures that were adopted were that a taxi desk should set up at the hotel and that taxi desk should be run by the taxi operators at their own cost. Indicative taxi fares should be displayed at the reception of the hotel. This is not being done. They should not be selling excursions, they are selling excursions. This is the source of the complaints that we are getting at the Tourism Authority. As I said, if the measures are taken and everybody complies with the measure, there is no problem, but if something is done and people try to get out of the measures which have been adopted then, of course, there will be problem. This is why some have gone to court and until the case is over, it won't help.

**Madam Speaker:** Last question, hon. Leader of the Opposition. We have already spend 10 minutes on that question, it's not a PNQ.

**Mr X. L. Duval:** When there is a booking online, as the hon. Minister is himself, what is preventing the tour operator to use a taxi that is based at the hotel for the service instead of providing his own car? That's all I am asking.

**Mr Gayan:** Well, I have asked that question on the tour operators, and they say that the quality of service that the tourists will get from their own services will differ from the taxi operators. In fact, the hon. Leader of the Opposition knows that there were attempts to have courses at *l'École Hôtelière* for grooming, for training of the taxi operators, but this never happened. It will have to happen.

**Madam Speaker:** Next question, hon. Dr. Joomaye.

**MINISTRY OF FINANCIAL SERVICES, GOOD GOVERNANCE AND  
INSTITUTIONAL REFORMS - MR A. D. - FORMER ADVISER**

**(No. B/544) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Financial Services, Good Governance and Institutional

Reforms whether, in regard to Mr A. D., former Senior Adviser attached to his Ministry over the period 2014 to January 2017, he will state the -

- a) total amount of remuneration and other fringe benefits drawn, and
- b) number of overseas missions attended, indicating the total costs thereof, including the quantum of per diem allowances paid thereto -

**Mr Sesungkur:** Madam Speaker, with your permission, I will take PQ No. B/515 at the same time.

Madam Speaker, I am informed that Mr A. D. was appointed adviser in the financial matters in the Ministry with effect from 02 March 2015. He resigned on 31 December 2015 to take up employment as Consultant at the Financial Services Commission with effect from 04 January 2016 and this till 31 January 2017.

I am also informed that, in accordance with the terms and conditions of his contract as adviser at the Ministry, he benefited from a total amount of Rs1,142,012.90 during that period.

I am further informed by the FSC that, as Consultant, Mr A. D. drew a remuneration of Rs3,408,311. Mr A. D. was also a member of the FSC Board from 22 April to 05 October 2015 and he has been paid Rs143,864.

During his period of appointment, Mr A. D. was also, at some point in time, the Chairperson of the Staff Sub Committee of FSC Board with no additional remuneration.

Mr A. D. has also been the Chairman of the FSCPA for the period October to December 2016 and has derived fees amounting to Rs210,000.

Madam Speaker, Mr A. D. has proceeded on overseas mission on eleven (11) occasions and the total cost incurred was Rs2,391,789.76 including per diem allowances.

The total sum disbursed for the period 2015-2017 is therefore Rs7,295,977.66

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

**Dr. Joomaye:** Thank you Madam. I would like to ask the Minister if the Senior Advisor was accompanied by the Minister in all the missions.

**Mr Sesungkur:** Yes Madam Speaker, practically in all the missions.



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

**Dr. Joomaye:** I would like to ask the Minister, if he would have additional information regarding the total costs of all these missions, the 11 missions.

**Mr Sesungkur:** Let me check. The hon. Member means the former Minister? Yes. I have the information. The former Minister travelled on a period of 24 months on 19 occasions for a total cost of Rs7,925,249.54.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you Madam Speaker, may I know from the hon. Minister whenever the advisor went on mission, was the mission approved only by the Minister of Financial Services or did he also require the clearance from the Minister of Finance?

**Mr Sesungkur:** On most occasions, I think that this was approved by the Ministry itself.

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

**Mr Mohamed:** Thank you, Madam Speaker.

Madam Speaker, could the hon. Minister tell us - because I do recall, and all those who have been Ministers would recall - that whenever a Minister of the Republic is to undergo a foreign mission, he requires not only clearance from the Ministry of Finance with regard to cost issues but first and foremost and the most important clearance that he requires is the permission, approval, consent to travel given by the Prime Minister, the Head of Government and for the adviser as well it is always the Prime Minister? Therefore, is he telling us that those 90 or so times that the travel was done, it was done with the approval, therefore, of the now Minister Mentor, former Prime Minister and the actual - well not the actual because he ran away at the time when he became Prime Minister - Minister Mentor approved every single travel of that Minister, pigeon voyageur together with the adviser?

*(Interruptions)*

**Mr Sesungkur:** Madam Speaker, I do not have this information.

*(Interruptions)*

**MINISTRY OF FINANCIAL SERVICES, GOOD GOVERNANCE AND  
INSTITUTIONAL REFORMS - MR A. S. - FORMER ADVISER**

(No. B/545) **Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Minister of Financial Services, Good Governance and Institutional Reforms whether, in regard to Mr A. S., former Adviser/Senior Adviser attached to his Ministry, he will state the –

- (a) total amount of remuneration and other fringe benefits drawn, and
- (b) number of overseas missions attended, indicating the total costs thereof, including the quantum of *per diem* allowances paid thereto over the said period.

*(Withdrawn)*

**CORPORATE SOCIAL RESPONSIBILITY COMMITTEE - FORMER CHIEF  
EXECUTIVE OFFICER - REMUNERATIONS**

(No. B/546) **Mr S. Rutnah (Third Member for Piton & Rivière du Rempart)** asked the Minister of Social Integration and Economic Empowerment whether, in regard to Mr R. P., former Chief Executive Officer of the Corporate Social Responsibility (CSR) Committee, he will, for the benefit of the House, obtain from the CSR Committee, information as to the date of appointment and of the termination thereof, respectively, indicating the total remunerations and other benefits drawn during his tenure of office.

**Mr Wong Yen Cheong:** Madam Speaker, I am informed that Mr R. P. was appointed as Chief Executive Officer of the Corporate Social Responsibility Committee from 19 July 2010 to 16 August 2011. He was drawing a monthly salary of Rs125,000, a travelling allowance of Rs35,000 and a telephone allowance of Rs3000 which makes a total of Rs163,000 per month plus two months gratuity which was paid on completion of 12 months satisfactory performance. If my calculation is right, during his tenure of office as Chief Executive Officer of the CSR Committee, he was paid an amount of approximately Rs2,369,000 for his 13 months.

## METRO EXPRESS PROJECT - COST

**(No. B/547) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Metro Express Project, he will –

- (a) give details of the latest estimated construction cost thereof, indicating that of the–
- (i) stations, and
  - (ii) per kilometer of line, and
- (b) state if a comparison exercise has been carried out with similar projects implemented in other countries in recent years and, if so, indicate the outcome thereof.

**Mr Bodha:** Madam Speaker, there is no latest estimated construction cost for the project. I will refer the hon. Member to the figure I have always mentioned in the House earlier, that is, Rs17.7 billion. The exact cost will be known once the contract is awarded.

With regard to part (a) of the question, I am advised that the Singapore Cooperation Enterprise Consultants, who have worked on the feasibility study and preliminary design and alignment of the Metro Express have indicated that the cost per kilometer of the Metro Express Project in Mauritius will be lower than that of comparable Metro & Light Rail Systems implemented in other countries. Research carried out has revealed that the cost per kilometer of similar light rail projects in other countries is as follows -

- in the United Kingdom, it is around US\$ 26.7 m.,
- in Australia, it is to the tune of US\$ 31.8 m., and
- for the Midland Metro in the UK the cost was US\$ 23.7 m.

The average cost can be said to be around US\$ 25 m. and the Singapore Cooperation Enterprise has assured us that the cost for the Metro Express Project will be lower.

There will be 19 stations and 6 urban terminals over a distance of 26 kilometres. The stations will be constructed by the contractor of the Metro Express Project whereas the 6 urban terminals will be set up by private investors.

With regard to part (b) of the question, Madam Speaker, the Singapore Cooperation Enterprise, in its preliminary feasibility study, carried out a benchmarking exercise with

similar projects, in other countries, in recent years. The specifications have been drafted accordingly to provide Mauritius with a modern Light Rail System at par with those in major cities worldwide.

Madam Speaker, furthermore, I wish to inform the House that the evaluation of the bid is still going on and is nearing completion. It is expected that the contract will be awarded by the end of July 2017, that is, by the end of this month.

On award of the contract, as I stated in this House itself, I will give all the necessary information in relation to the project including the cost of the contract.

**Madam Speaker:** Hon. Osman Mahomed!

**Mr Osman Mahomed:** Since the hon. Minister has referred to the example of Australia, can I refer him to the example of Canberra where the cost started at 1.0, slowly progressing to 1.5 and now 2.5 times the original cost. We cannot stop something that we have started. Now, there is a difference between business cost, contractual cost and final cost. What mitigating measures have been taken by the Ministry at contractual level so that we don't end up in cases like in countries where overruns have been tremendous?

**Mr Bodha:** Well, I totally agree with the hon. Member. We have to see to it that in the contract there is going to be no overrun.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Linked with this Metro Project, Madam, some preliminary works have started in Port Louis, I think the removal of some old buildings. Can the hon. Minister inform the House how much these works cost?

**Mr Bodha:** This is another question but I think it cost a few million, less than five million.

*(Interruptions)*

**Madam Speaker:** No crosstalking, please! Hon. Osman Mahomed!

**Mr Osman Mahomed:** I will now move to another aspect which is opportunity cost. There is the risk of revenue being low and the cost of operation being high with the Metro Express. Can I ask the hon. Minister what mitigating measures have been taken at this level?

**Mr Bodha:** Madam Speaker, I answered this question some time back. We are updating the feasibility study and the feasibility study will be laid down on the Table of the Assembly as soon as it is done.

**Mr X. L. Duval:** May I ask the hon. Minister whether I understood correctly that the cost in the contract, the contract will be for a fixed price with no variable elements so that we will know from the start, whatever happens, how much the Metro Express will cost?

**Mr Bodha:** This is what we are aiming at.

**Madam Speaker:** Hon. Osman Mahomed!

### **PORT LOUIS 2030 PROJECT - IMPLEMENTATION**

**(No. B/548) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the proposed implementation of the Port Louis 2030 Project, he will state where matters stand.

*(Interruptions)*

**Madam Speaker:** Please hon. Minister, I said no crosstalking because it disturbs the works of the House!

*(Interruptions)*

**Mr Bodha:** Madam Speaker, the Port Louis 2030 Project comprises a number of projects which are being implemented jointly by the Municipal City Council of Port Louis, the MPI, my Ministry, and a number of other Ministries and Departments and the private sector. It includes -

- (i) the renovation of Port Louis Theatre;
- (ii) the construction of parking space at Champ de Mars for 1,000 vehicles;
- (iii) redevelopment and embellishment of Place D'Armes and Sir William Newton Street;
- (iv) Porlwi by Light, including Design Competition for Fountains;
- (v) relocation of hawkers at Victoria Terminal and Immigration Terminal, and
- (vi) Port Louis Waterfront Regeneration.

The status of the projects is as follows, it is very detailed so I will just go through it.

(i) Renovation of Port Louis Theatre

I am informed by the Municipal City Council of Port Louis that the project is being implemented in two phases. Phase 1 consists of securing the building and carrying out waterproofing works. Bid documents have been prepared and submitted to the Central Procurement Board for approval.

(ii) Parking space at Champ de Mars

This project is also under the aegis of the Municipal City Council of Port Louis. I am informed that a Request for Proposal was launched in February 2017 but there was no response. We have been advised that the rent proposed was, in fact, too high. So, the City Council is now considering to launch a fresh RFP with revised specifications and conditions.

(iii) Redevelopment and Embellishment of Place D'Armes

In order to alleviate the traffic congestion at Place D'Armes, a re-engineering of the traffic at this location and surrounding streets is under consideration by my Ministry and we are going to implement a number of measures in the months to come.

(iv) Porlwi by Light

As you are aware, there were two editions and we are going to have a third edition this year.

(v) Relocation of hawkers at Victoria and Immigration Terminals

The relocation of the hawkers currently operating at Victoria and Immigration squares will be taken care of in the Redevelopment and Modernisation of the two terminals. The new Victoria Terminal will accommodate some 1,200 hawkers in a secured and visually aesthetic environment. The proposal from a potential promoter for the Victoria project has been retained after a Request for Proposal exercise and the promoter is working on the detailed design of the project for eventual approval by Government. They are going to make the presentation to Cabinet in a few weeks.

(vii) Port Louis Waterfront Regeneration

This project comprises two phases and the project is being engineered by Landscape Mauritius Ltd. Phase 1 consists of the renovation of existing coaster sheds, the esplanade and the Astrolabe building as well as the North and South underpasses.

Following a tendering exercise, the contract for consultancy has been awarded this month and I am also informed that the works are scheduled to start in early 2018. As regards Phase II, it will consist of the development of the Granary in an art zone.

Madam Speaker, in addition to the above Government-led initiatives, the private sector is planning to embark on a number of development projects under the Port Louis Development Initiative. These projects which have been presented to me and which will be implemented under the supervision of promoters from the private sector and the civic society are as follows -

- (i) A suspended walkway across the Ruisseau du Pouce;
- (ii) A suspended walkway across the Volcy Pougnet drain segments;
- (iii) A digital mobile application to map cultural events in the city;
- (iv) An Urban Observatory for Port Louis, and
- (v) Numerous other projects on an urban scale including the Jummah Mosque and Chinatown's rejuvenation.

**Madam Speaker:** Hon. Osman Mahomed!

**Mr Osman Mahomed:** Thank you, Madam Speaker. I will go through later on what you have just stated. Can I ask the hon. Minister whether he is aware - and I have tabled it in Parliament here - there is a huge protest against the Champs de Mars parking for which 1,600 people have signed a petition *en bonne et due forme*, whether the Government is still going ahead notwithstanding this petition?

**Mr Bodha:** From the understanding I have from the Municipal Council of Port-Louis, the answer is yes.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. On 15 January of last year, 2016, the then Minister of Finance and Economic Development, hon. Lutchmeenaraidoo, in presence of hon. Bodha, announced the mega project of Rs52 billion for Port Louis. So, one and a half years later, can I know from the hon. Minister how much money has been secured from the private sector out of the targeted Rs52 billion?

**Mr Bodha:** Well, the Rs52 billion comprise the port development, the expansion of the port, the fishing port, the cruise terminal, the Port-Louis Development Initiative, all the

projects of the terminals and the projects which are going to be implemented in the course of the Metro Express. Landscape Phase I is Rs350 m., Phase II is Rs3 billion. So, that is from what I have understood. When we had this Press Conference, we gave a figure of Rs52 billion over years. It was to be implemented in phases by the Government, by Ministries, by Landscape and by the private sector.

**Madam Speaker:** Hon. Osman Mahomed!

**Mr Osman Mahomed:** In his speech on the Budget for this year, the hon. Minister, in referring to Victoria and Immigration urban terminals, had stated that on 20 June, will be presented to Cabinet the details of this project. Now, I have looked out for this decision, neither have I found it on 30 June nor on 03 July, neither on 07 July nor on 10 July. Have I missed something?

**Mr Bodha:** In fact, we had Parliament on that day. So, we have requested another meeting and the meeting is going to be done on either next Friday or the Friday coming.

**Madam Speaker:** Time is over!

## MOTION

### SUSPENSION OF S.O. 10(2)

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

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

*Question put and agreed to.*

## STATEMENTS BY MINISTERS

### AQUACULTURE FARMS – SETTING UP

**The Minister of Ocean Economy, Marine Resources, Fisheries, and Shipping (Mr P. Koonjoo):** Madam Speaker, with your permission, I would like to make the following statement regarding the aquaculture projects in Mauritius and the setting up of aquaculture farms in and outside the lagoon. I would like to thank the Fourth Member for Mahebourg and Plaine Magnien for having raised this issue in the House at our sitting of 04 July 2017.

Madam Speaker with regard to Sharks Attacks, referred to by the hon. Member, my Ministry had extensive consultations on this subject amongst others with the –



- Indian Ocean Rim Association;
- University of Mauritius;
- Institut de Recherche et Développement, Direction de la Coopération Régionale - (France/Réunion).

They have all been unanimous that there is no correlation between aquaculture and shark attacks.

*(Interruptions)*

**Mr Koonjoo:** Let me repeat!

**Madam Speaker:** Please proceed!

**Mr Koonjoo:** They have all been unanimous that there is no correlation between aquaculture and shark attacks. This statement has been confirmed by a study carried out by *the Institut de Recherche et Développement* at Reunion Island in 2015...

*(Interruptions)*

**Madam Speaker:** Hon. Shakeel Mohamed! I think that is too much! That is too much because I have been very patient with those interrupting! Please, allow the Minister to proceed with the Statement!

Please, hon. Minister do not be distracted by interruptions!

**Mr Koonjoo:** This statement - Sorry Madam! He is born like that! What can we do?

*(Interruptions)*

This statement has been confirmed by a study carried out by the *Institut de Recherche et Développement* at Reunion Island in 2015 on "*Etude de comportement des requins bouledogue et tigres*".

*(Interruptions)*

*Oui, requins bouledogue.*

Furthermore, I wish to mention here that there has not been any single shark attack till date around the fish farming site at Mahebourg which exists since 2002.

Madam Speaker, researches and studies carried out....

*(Interruptions)*

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

*(Interruptions)*

Yes, but you are listening! To whom are you talking? Yes, hon. Minister!

**Mr Koonjoo:** Madam Speaker, researches and studies carried out by the University of Mauritius showed that the remaining of fish feed disintegrate into smaller particles which eventually are eaten by marine organisms. Moreover, according to these studies, it was noted that fish farming does not affect our corals. Indeed, it was observed that those particles help coral species in their growing process near the cages or even in the cages.

I would also like to highlight that all 20 sites prescribed for aquaculture in Mauritius have been identified following an ecological survey and have been chosen according to their poor biodiversity and lack of coral cover. As to date, no adverse impact has been observed in the vicinity of those sites.

Madam Speaker, the industrial aquaculture farming will be beneficial to the small fish farmers.

In fact, many persons living in the region of Mahebourg are working for aquaculture projects and earn a living therefrom. My Ministry is at the same time sensitising the fishermen towards their duty to protect the ocean and the need for sustainable fishing.

In order to sustainably and effectively manage the usage of our maritime space and zone, Government is adopting an integrated planning and management approach in establishing a co-ordinated Marine Spatial Plan.

I wish to state that there will be no industrial aquaculture project in Le Morne as stated by the hon. Member.

Madam Speaker, with a view to dissipating the concerns of people, my Ministry will work out with stakeholders and organise sensitisation campaigns on these projects.

Madam Speaker, I thank you for your attention.

(4.28 p.m.)

**GOLIVA COURT, SOCIÉTÉ P. JHUGROO & NPF BUILDING - FIRE  
CERTIFICATE**

**The Minister of Local Government and Outer Islands (Mr P. Jhugroo):** Madam Speaker, with your permission, I wish to make the following statement.

During the course of the Private Notice Question of this morning, the hon. Leader of the Opposition stated that the Goliva Court, Société P. Jhugroo and NPF Building do not hold a Fire Certificate.

In regard to Société P. Jhugroo & Compagnie at St Paul Road, Vacoas, I wish to inform the House that the Société has been issued with a Fire Certificate by the Mauritius Fire and Rescue Service on 10 May 2010 in accordance with the provision of section 76 of the Occupational Health & Safety Act 2005. The Certificate states that the building in question is –

- (a) provided with the means of escape in case of fire specified in the schedule hereto and on the plan(s);
- (b) provided with the means (other than means for fighting fire) for securing that the means of escape with which the premises are provided can be safely and effectively used at all material times specified on the plan(s) and in the Schedule hereto, and
- (c) provided with the means for fighting fire, and with the means for giving to persons in the premises warning in case of fire specified in the Schedule hereto and on the plan(s).

I am tabling a copy of the Fire Certificate.

Madam Speaker, in regard to Goliva Court in Quatre Bornes, I have to inform the House that the Fire Certificate issued on 06 September 2011 was revoked on 27 May 2014 following a fire outbreak on 16 May 2014. The Ministry of Labour has been informed accordingly on 27 May 2015.

In regard to the NPF building in Rose Hill, the Fire Certificate has not been issued and the application is being processed awaiting compliance of fire safety requirement by the owner.

Thank you, Madam Speaker.

(4.30 p.m.)

## **PUBLIC BILLS**

### *First Reading*

*On motion made and seconded the Finance (Miscellaneous Provisions) Bill (No. X of 2017) was read a first time.*

### *Second Reading*

## **THE FINANCE (MISCELLANEOUS PROVISIONS) BILL**

### **(NO. X OF 2017)**

*Order for Second Reading read.*

**The Prime Minister:** Madam Speaker, I move that the Finance (Miscellaneous Provisions) Bill (No. X of 2017) be read a second time.

Madam Speaker, the Bill provides for the implementation of measures announced in the Budget Speech as well as in its Annex and for matters connected, consequential or incidental thereto.

Madam Speaker, Budget 2017/18 is about **RISING TO THE CHALLENGE OF OUR AMBITIONS** – our ambitions to -

First, transform Mauritius into a high income country by 2023;

Second, achieve greater inclusiveness, eliminate absolute poverty and reduce inequality, and

Third, making of Mauritius a country where there is sustainable development.

The implementation of many of the measures and policies announced in the Budget and in its Annex, requires an appropriate and supporting legal framework.

To this end, Madam Speaker, the Finance (Miscellaneous Provisions) Bill 2017 brings amendments to 59 enactments.

I will highlight some of the key amendments in the Bill. Explanatory Notes providing greater details on the amendments have been circulated to Members of the House.

### **Bank of Mauritius Act and Banking Act.**

I will start with the Bank of Mauritius Act and the Banking Act, which are amended at Clauses 3 and 4 respectively, to allow the Central Bank to invest in currencies as it may determine; license and regulate the issue of commercial papers and issue Shariah-compliant instruments and to raise the minimum capital of commercial banks from Rs200 m. to Rs400 m.

### **Borrower Protection Act**

Clause 5 amends the Borrower Protection Act to provide for the lender to be debarred from claiming from the guarantor any arrears left unpaid where the lender has failed to inform the borrower within 2 months following the default.

### **Build Operate Transfer Projects Act 2016**

Clause 6 amends the Build Operate Transfer Projects Act to include Build, Own and Operate (BOO) models within the definition of the BOT Project, to align the Act with the Public Procurement Act and to broaden and consolidate the functions of the BOT Projects Unit.

**Building Control Act**

Clause 7 amends the Building Control Act to provide for the exemption from the requirement of a Building and Land Use Permit (BLP) in respect of building works involved in the setting up of greenhouses for crop production on agricultural land.

**Civil Service Family Protection Scheme Act**

Clause 8(a) amends the Civil Service Family Protection Scheme Act to expand the definition of marriage so as to include not only civil marriages but also religious marriages.

**Clinical Trials Act**

Clause 9 amends the Clinical Trials Act to enable clinical trials of medical devices.

**Commissions of Inquiry Act**

Clause 10 amends the Commissions of Inquiry Act by deleting Section 11(5)(b). The Intermediate Court will not be able to revoke the licence of a bank in the event that the bank has not provided information to the Commission of Inquiry.

**Companies Act**

Clause 11 amends the Companies Act in order to -

- a) allow the Registrar to keep a register of beneficial owner/ultimate beneficial owner;
- b) allow Islamic financial institutions and Islamic banks to adopt accounting standards issued by the Accounting and Auditing Organisation for Islamic Financial Institutions, and

- c) require companies to include a Corporate Governance Report in their Annual Report.

### **Customs Act**

Madam Speaker, the Customs Act is being amended at Clause 12 to align customs processes with international standards; improve efficiency in processing Bills of Entry, promote electronic clearance of goods, give more enforcement powers to the MRA while ensuring that the MRA provides services efficiently and on a timely basis, and to facilitate trade generally.

The customs measure announced in the Annex to the Budget Speech relating to duty-free purchases at a down-town duty-free shop by a departing Mauritian is being implemented by way of Regulations.

### **Customs Tariff Act**

Clause 13 amends the Customs Tariff Act to remove customs duty on imported animal feed; sterile water used for surgical operations; raise the value of goods on which customs duty exemption is granted, when imported by post or courier services, and to provide for customs duty exemption on scaffolding, shuttering, propping or pit-propping equipment made of wood or plastic used by job contractors.

### **Employment Rights Act**

Clause 14 amends the Employment Rights Act in Section 2 by inserting the definition of “commission” in relation to Section 49(5)(a)(ii) to mean commission of an amount not exceeding Rs1.2 m. per annum. I should here explain that currently, the calculation of remuneration for the purpose of pension payment includes commission paid in the final year but does not set a limit even if commission has been accrued over a number of years or there is an exceptional commission paid during that year of retirement.

Therefore, to protect the pension funds from potential abuse the amendment puts a cap on the commission figure to be used to compute the gratuity on retirement.

### **Excise Act**

Clause 15 amends the Excise Act to –

- a. validate the Financial Resolution passed in the National Assembly on Budget Day relating to increase in excise duty rates on alcohol and cigarettes and correct certain anomalies;
- b. incorporate into the rates of excise duty the contribution to the Build Mauritius Fund of Rs4 per litre of mogas and of gas oil, following the decision to integrate all revenues and expenditures of the Build Mauritius Fund into the Consolidated Fund;
- c. change the definition of a “classic or vintage” motor car, and
- d. implement the measures relating to full excise duty exemption on a single/double space cabin vehicle purchased by a small tea grower, and a double space cabin vehicle purchased by a Trade Union Confederation.

The excise measure announced in the Annex to Budget Speech relating to an allowance of up to one per cent to be granted on irrecoverable damaged tax stamp affixed on alcoholic products and cigarettes is being implemented by way of Regulations.

### **Fair Trading Act**

Clause 16 amends the Fair Trading Act to increase the fines as well as years of imprisonment for failure to display the country of origin on products that are being sold on the local market with a view to protecting traditional handicraft from counterfeit products.

### **Finance and Audit Act**

Madam Speaker, the Finance and Audit Act is being amended at Clause 17 to provide for–

- a) additional annual financial statements in the context of gradual adoption of the International Public Sector Accounting Standards (IPSAS);
- b) instructions to be issued in respect of the Capital Project Process Manual (CPPM) by the Minister of Finance instead of the Minister of Public Infrastructure, and



- c) delegation of powers in specific cases of approval for disbursement of funds such as advances on car loans for better administrative efficiency.

### **Financial Services Act**

Clause 20 amends the Financial Services Act to increase the number of members on the Board of the Financial Services Commission, excluding the Chairperson and Vice Chairperson, from 5 to 7.

### **Fisheries and Marine Resources Act**

Clause 21 amends the Fisheries and Marine Resources Act in Section 74 to regulate the allocation of fishing rights including conditions on catch and fishing quota, characteristics of vessels and management measures.

### **Freeport Act**

Clause 22 amends the Freeport Act in the First Schedule to provide for the removal of Zone 17, of an extent of 593.49m<sup>2</sup>, from the freeport area situated in Plaine Magnien, as it is no longer used for freeport activities.

### **Gambling Regulatory Authority Act**

Madam Speaker, I now come to the Gambling Regulatory Authority Act which is being amended at Clause 23.

The amendment to this Act is mainly aimed at curbing money laundering through gambling activities. The amendment provides for -

- a) the banning of cash betting transactions, as may be prescribed;
- b) introduction of an account-based betting together with a player card program/system;
- c) making it mandatory for licensees/operators earning Rs10 m. or above to report and file suspicious transactions to relevant authorities, and
- d) introduction of the Personal Management Licence for the horse racing and gaming sectors.

The amendments at Clause 23 also makes it mandatory on every licensee, other than a collector or an operator of dart games to prepare and submit his financial statements in accordance with the International Financial Reporting Standards (IFRS) and have them audited by an auditor who is licensed by the Financial Reporting Council and also to submit

the financial statements not later than 6 months after the end of the financial year to the GRA and the MRA.

### **Human Resource Development Act, National Pensions Act and National Savings Fund Act**

Clauses 24, 38 and 39 amend the Human Resource Development Act, National Pensions Act and National Savings Fund Act respectively, to provide for exemption from surcharges for non-payment of the contributions to the National Pensions Fund, the National Savings Fund and the Training Levy by an insurance company and its related companies, in respect of which a Special Administrator has been appointed.

### **Income Tax Act**

I will now elaborate on the amendments relating to income tax policies. Clause 26 brings the necessary amendments to the Income Tax Act for implementing the income taxation policy measures that have been announced in the Budget Speech. It also gives effect to the various income tax administration measures that have been listed in the Annex.

### **Negative Income Tax**

A new Part XII A is added in the Income Tax Act for introducing the negative income tax system. The beneficiaries will be the employees who earn less than Rs9,900 monthly and who meet certain set criteria. They will receive a financial support from Government in the form of a negative income tax of up to Rs1,000, that is, Rs12,000 in a year.

The negative income tax will be effective as from 01 January 2018 and paid for such period and on such time as may be prescribed.

### **Solidarity Levy**

As regards the Solidarity Levy, Clause 26(d) provides for its implementation as from income year starting 01 July 2017. For enforcement purposes, it is deemed to be part of income tax so the assessment and recovery powers of the MRA as well as the penalty provisions will apply.

Dividends from foreign source are already taxable on a remittance basis and will thus be included in chargeable income.

### **Income Exemption Thresholds**

Clause 26(g) and Part I of the Seventh Schedule to the Bill give effect to the increases in the income exemption thresholds as announced in the Budget.

### **Household employee**

Clause 26(i) allows an individual to deduct from his yearly taxable income, the wages paid during a year to his household employee, up to a maximum amount of Rs30,000, provided he is fully compliant regarding his social security obligations towards the employee. The same ceiling will apply in the case of a couple where both spouses are liable to income taxation.

### **Medical or health insurance policy**

Regarding deductions for medical or health insurance policies, the maximum allowable amounts are raised in Part II of the Seventh Schedule to the Bill, as announced in the Budget Speech.

### **Corporate tax incentives**

Clauses 26(b), (j), (k), (l), (x) and (zn) give effect, as from 01 July 2017, to application of a reduced corporate tax rate of 3% on profits that are derived from export of goods.

Similarly, the investment tax credit granted to those companies for investment in new plant and machinery will be pro-rated in accordance with a formula to be prescribed.

Clause 26(zp)(ii)(D) makes provision for an 8-year tax holiday for income derived from -

- (a) intellectual Property Assets which are developed in Mauritius by a company set up on or after 01 July 2017 involved in innovation-driven activities;
- (b) manufacture of pharmaceutical products, medical devices and high tech products by a company incorporated after 08 June 2017, and
- (c) use of Deep Ocean Water for providing air conditioning installations, facilities and services.

Clause 26(zn)(vi) provides for concessions to a company investing or spending on innovation and on improvement or development of a process, product or service.

Clause 26(zp)(i) makes provision to be exempt from income tax the interest income derived by both individuals and corporates from debentures or bonds issued to finance renewable energy projects (“Green Bonds”) which have been granted tax-exempt status by the Director-General of the MRA.

### **Tax Administration**

I now turn to amendments relating to tax administration.

Clause 26(zg) makes it mandatory for banks and non-bank deposit-taking institutions to submit to the MRA, as from 2018, an annual Statement of Financial Transactions on or before 15 August of every year. The legal provisions have been worked out after consultations with the Mauritius Bankers Association Ltd, the Insurers Association and money changers. This will in particular be helpful for the MRA to track the cash transactions of drug dealers.

These institutions will have to give information on an individual, except for a non-resident, a *société* or succession who made, in the previous year, a deposit exceeding Rs500,000 or aggregate deposits during the year exceeding Rs4 m.

In the case of corporations, with a view to keeping the information flow manageable, the reporting trigger will be a deposit exceeding Rs1 m. or aggregate deposits exceeding Rs8 m. in the preceding year. The reporting requirements do not cover a company holding a Global Business Licence, a listed company, its subsidiaries and associates. A money changer or foreign exchange dealer will have to report on a person who has bought or sold foreign currency equivalent to Rs200,000.

As regards an insurance company, it will have to provide MRA information in respect of a person who has paid life assurance premiums exceeding Rs500,000 in the preceding year.

Clause 26(zh)(i) provides for the derogation of the confidentiality provisions under the Data Protection Act and the Companies Act, when the Director-General of the MRA requests information on a case to case basis to make an assessment, collect tax or comply with any request for exchange of information under the Double Taxation Avoidance Agreement.

Furthermore, the confidentiality provision in the Information and Communication and Technology Act is being derogated to enable the Director-General of the MRA, on a case to case basis, to -

- (a) ascertain the identity and address of a person using an information and communication technology equipment for business purposes such as e-commerce transactions, and
- (b) have access to information recorded by a person in business digitally through an information and communication technology network, especially in the case of online betting and information recorded via cloud services.

Madam Speaker, there are other amendments to the Income Tax Act which have been explained in great details in the Explanatory Notes that has been circulated.

### **Information and Communication Technologies Act**

Madam Speaker, following the recommendation of the National Audit Office regarding management of surplus funds of the Information and Communication Technologies Authority (ICTA), the ICT Act is being amended at Clause 27 to provide for the statutory transfer of part of the funds from the ICTA to the Consolidated Fund.

### **Insolvency Act**

Clause 28 amends the Insolvency Act in section 204 to provide that where a company is in receivership, the amount unpaid in respect of PAYE, TDS or VAT shall not form part of the property of the debtor and shall be paid in full to the Director-General of the MRA before payments are made to other creditors. Similar provisions have been made in the Income Tax Act and Value Added Tax Act. These amendments will come into operation on a date to be fixed by proclamation.

### **Investment Promotion Act and Immigration Act**

Clause 29 amends the Investment Promotion Act, in section 12, to provide for investors who wish to operate a food processing plant, to be registered with the Board of Investment. Furthermore, the Schedule to the Investment Promotion Act is being amended to

—

- (a) provide that high technology machines and equipment will be considered as part of the minimum investment of USD100,000 required for an investor to be registered with the Board of Investment (BOI);
- (b) add a new category of investor for innovative start-ups, and

- (c) provide for a retired non-citizen to transfer at least USD2,500 per month to be eligible for registration with the BOI for obtaining a residence permit.

As far as the investor for innovative start-ups is concerned, the Immigration Act is being amended, at clause 25, to provide for the granting of an occupation permit to this category of investor.

### **Land (Duties and Taxes) Act**

Clause 30 amends the Land (Duties and Taxes) Act to empower the Minister to remit or refund Registration Duty, Land Transfer Tax and Tax on Transfer of Leasehold Rights in State land. This will apply only in certain specific cases and is subject to the written recommendation of a joint Committee of officials under the Chairmanship of the Registrar General set up specifically to examine representations received from the public.

Clause 30(c) amends the Eighth Schedule of the Act to provide for exemption -

- (i) from payment of the tax on Transfer of Leasehold Rights in State lands on the first acquisition of an immovable property under the Invest Hotel Scheme to cover a resale;
- (ii) from land duty and taxes in full or in part where the Minister has deemed such a transfer to be in the public interest, and
- (iii) from registration duty and Land Transfer Tax on the acquisition of a building or acquisition of land for construction of a building used primarily for high-tech manufacturing activities specified in the Schedule to the Act.

### **Local Government Act**

Clause 31 amends the Local Government Act to –

- a) provide that plan approvals from Central Electricity Board, Central Water Authority and Wastewater Management Authority will not be required when applying for a Building and Land Use Permit in respect of a building or land within a morcellement which is for residential, commercial or industrial purposes. However, the conditions of the Morcellement Permit and the guidelines issued by the relevant local authority must be respected;
- b) provide in the case of an alteration to the valuation list prior to 01 July 2016 for the writing off of unpaid claims that have already been issued in respect of financial years up to 2015/2016, and

- c) all new claims issued by the Municipal Councils, being effective as from Financial Year 2016/17.

### **Mauritius Cane Industry Authority Act**

Clause 33 amends the Mauritius Cane Industry Authority Act to -

- a) specify that the contribution to be made by a distiller-bottler, importer or manufacturer should be computed on the basis of potable alcohol made from cane and cane products;
- b) allow for the contribution be collected by MRA Customs instead of the Mauritius Sugar Syndicate, for ease of administration, and
- c) empower the Mauritius Cane Industry Authority to recoup any arrears of contribution from a distiller-bottler, an importer or a manufacturer.

### **Mauritius Revenue Authority Act**

Clause 34 amends the Mauritius Revenue Act to provide, amongst others, for the following –

- a) re-introduction of the Expeditious Dispute Resolution of Tax Scheme (EDRTS) for another 3 years, and
- b) registration of Tax Agents with the MRA.

### **Morcellement Act**

Clause 35 amends the Morcellement Act in the First Schedule in the context of business facilitation to provide that no morcellement permit will be required if in case of an excision of land where the excised lot and what remains of the original lot exceeds 5 hectares, subject to –

- a) prior approval of the relevant local authority is obtained, and
- b) not more than 8 excisions are made out of the original lot.

### **National Heritage Fund Act**

Clause 36 amends Section 12 of the National Heritage Fund Act to allow the Minister, after consultation with the Board, by regulations, to cancel the designation of a National Heritage where the national heritage has ceased to exist or would no longer serve the public interest that the national heritage remains so designated; or in the case it needs such major

repairs that the cost would be onerous. This will, however, be subject to the Board having considered all possible means of preservation with relevant stakeholders.

### **National Identity Card Act**

Clause 37 amends the National Identity Card Act to allow reading of card data by both private and public bodies as may be determined by the Minister of Technology, Communication and Innovation.

The definition of biometric information is being deleted at Section 2 to ensure that references to biometric information do not appear in the Act and that the only type of biometric data that can be captured for the purpose of issuing the card are fingerprint images and minutiae. After the card has been issued, all information in the database is deleted. Only the fingerprint minutiae is kept in the card.

Finally, under Section 10A(3), the fine and term of imprisonment for not applying for the ID Card is being reduced from Rs100,000 to Rs25,000 and from 5 years to 2 years, respectively.

### **Non-Citizens (Employment Restriction) Act & Non-Citizens (Property Restriction) Act**

Madam Speaker, I will now elaborate on the amendments made to the Non-Citizens (Employment Restriction) Act and the Non-Citizens (Property Restriction) Act at Clauses 40 and 41, respectively.

These amendments provide for the issuance and renewal of a work permit to be made within 15 working days of the effective date of the application for the permit. And a retired non-citizen will be allowed to acquire life rights in a residential care home or similar facility.

### **Pensions Act**

Clause 42 amends the Pensions Act to –

- a) review the composition of the Public Pension Advisory Committee (PPAC) given that the academic or professional qualifications and proven experience required from members have proved to be restrictive for the choice of representatives of some Ministries as well as of Trade Unions, and
- b) empower the PPAC to appoint a technical committee comprising relevant experts in the field of pensions to assist it in the performance of its functions.

### **Public Debt Management Act**



As regards the Public Debt Management Act, it is being amended at Clause 43(b) to establish gross debt as the public sector debt ceiling, rather than net debt. This Clause also amends the Act to require that public sector debt should not exceed 65% of Gross Domestic Product (GDP) in any fiscal year and should be reduced to 60% or less by end of fiscal year ending 30 June 2021 as per the Schedule to the Act.

Clause 43(c) extends the coverage of Government guarantees in respect of repayment of borrowed funds to include any institutions providing services to Government or to any public sector entities deemed to be in the public interest.

Presently, such guarantees may be provided to the Rodrigues Regional Assembly, local government and to public enterprises.

Clause 43(d) deletes the Schedule to the Act as this will no longer be relevant with public sector debt ceiling computed on the basis of gross instead of net debt.

### **Public Procurement Act**

The Public Procurement Act is also being amended at Clause 44 to -

- a) re-classify the definition of “foreign State” from Section 3(1D) to Section 2 for the definition to apply to the entire Act;
- b) specify, as may be prescribed, the types of works contracts and values that may be reserved for small and medium enterprises. “Microenterprise”, “small enterprise” and “medium enterprise” will have the same meaning as in the Small and Medium Enterprises Development Authority Act;
- c) allow a Public Body, in a bidding exercise, to exclude a bidder whose performance in the previous public contract has been deficient or has failed to deliver goods, works or services satisfactorily notwithstanding the fact that the bidder is not disqualified;
- d) empower the Director of the Procurement Policy Office to suspend or debar a potential bidder or supplier from participation in procurement proceedings in accordance with Section 53, and
- e) reinforce the powers of the Director, Procurement Policy Office to enforce debarment procedures.

### **Registration Duty Act and Stamp Duty Act**

Clause 46 amends the Registration Duty Act to –

- a) change the definition of “classic or vintage motor car” as in the case of Excise Act and Road Traffic Act;
- b) exempt a first time buyer of an ex-CHA residence or of a residence originally acquired from the NHDC from registration duty even if the property is on leasehold land or situated in a complex not governed by a ‘*règlement de copropriété*’, with effect from 31 December 2016, and
- c) clarify that the Registration Duty exemption granted on a secured housing bank loan of up to Rs2 m. is also applicable on a loan agreement that is drawn up by a notary.

### **Sale of Immovable Property Act**

Clause 48 amends the Sale of Immovable Property Act –

- a) to provide for the Sale of Immovable Property Act not to be applicable for a period of 2 years from the date of the intention to serve a notice of date of sale. This applies in the case of a worker who has been made redundant on economic grounds and whose mortgaged immovable property is his sole residence, and
- b) to fix the ‘*mise à prix*’ at a price which is not less than 50% of the value of the property mortgaged.

### **Securities Act**

Clause 49 amends the Securities Act in Section 70 to allow for the requirements pertaining to a prospectus as set forth under the Securities Act 2005 and Securities (Public Offer) Rules 2007 be no longer applicable for companies holding a Global Business Category 1 (GBC1) Licence which are also listed in another jurisdiction. Only the requirements under the SEM Listing Rules will apply.

### **Statutory Bodies (Accounts and Audit) Act**

Clause 52 amends the Statutory Bodies (Accounts and Audit) Act to –

- a) provide for parent Ministries to have yearly performance/output agreement established with their statutory bodies;
- b) require every statutory body in the preparation of their Estimates not to enter into financial obligations in excess of its present and future financial capacity;
- c) align date for submission of Annual Report with financial year ending June;
- d) provide for the Supervising Officer of the parent Ministry to monitor any non-compliance in respect of submission of Report on Performance, Annual Estimates and Annual Report, and
- e) seek prior approval of the relevant Minister where the remuneration and fringe benefits of the staff of a statutory body is not governed by the Pay Research Bureau, subject to the concurrence of the High-Powered Committee.

### **Statutory Bodies Pension Funds Act**

Clause 53 amends the Statutory Bodies Pensions Fund Act to provide for SICOM to report to every statutory body, on a yearly basis, information in relation to pension contributions on employees and beneficiaries. The objective is to enable a statutory body to better monitor performance and financial situation of its pension fund and its administration by SICOM.

### **Sugar Insurance Fund Act**

In order to prevent certain planters who have ceased planting cane to make use of their registration cards to obtain benefits, Clause 56 amends the Sugar Insurance Fund Act to make it compulsory for all planters to register their plantation for insurance purpose every year instead of every 5 years.

### **Value Added Tax Act**

Madam Speaker, I now come to the Value Added Tax.

Clause 57 amends the VAT Act to implement the Budget measures as well as plug loopholes, clarify certain clauses and reinforce penalty provisions as well as to provide better services to taxpayers.

Other VAT measures announced in the Budget are being implemented by way of Regulations.

### **Repeal**

Clause 59 makes provision for the repeal of –

- a) Government Payable Orders Act to stop the issue of Government payable orders. Henceforth, all payments will be made through cheques, and
- b) Tax Reserve Certificates Act which has become outdated with the introduction of PAYE.

Madam Speaker, with your permission, I propose to move certain minor amendments at Committee Stage to a few Clauses of the Bill, namely -

- i. Clause 8 to -

- align the preparation and submission of accounts with the provisions of the Statutory Bodies (Accounts and Audit) Act;
  - correct a cross reference, and
  - delete the word ‘civilly’ to ensure that a surviving spouse receives a pension whether civilly or religiously married, and
- ii. Clause 23 to specify that suspicious transactions are to be reported to the FIU instead of the GRA;
- iii. Clause 26 to correct a cross reference, and
- iv. Clause 37 to delete the words “fingerprint images” as the Identity Card does not keep any fingerprint images.

### **Commencement**

The various amendments being brought by the Finance (Miscellaneous Provisions) Bill 2017 will come into effect on different commencement dates, namely on a date specified in the Bill or on Proclamation or on the date of Gazetting.

Madam Speaker, I now commend the Bill to the House.

*(Interruptions)*

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

**The Leader of the Opposition (Mr X. L. Duval):** Madam Speaker, I move that the debate be now adjourned.

**Mr Baboo rose and seconded.**

*Question put and agreed to.*

*Debate adjourned accordingly.*

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

*At 5.14 p.m. the sitting was suspended.*

*On resuming at 6.12 p.m. with Madam Speaker in the Chair*

*Second Reading*

**THE ALLIED HEALTH PROFESSIONALS COUNCIL BILL****(NO. IX OF 2017)***Order for Second Reading read.*

**The Minister of Health and Quality of Life (Dr. A. Husnoo):** Madam Speaker, I move that the Allied Health Professionals Council Bill (No. IX of 2017) be read a second time.

It is a privilege for me to bring this Bill to the House particularly as its gestation started as far back as 2010 and proved to be difficult and complex.

Madam Speaker, as announced in the Government Programme 2015-2019, Government is committed to providing good quality health care. Health care taken in its wide and broad context apart from medical and nursing care covers a range of other forms of care. There is, for example, the involvement of the Clinical Scientists and Medical Laboratory Technologists for carrying out laboratory tests and analyses to facilitate diagnosis and treatment. After an accident or serious injury or as a result of surgical intervention, to facilitate convalescence and recovery, frequently we need rehabilitation by a physiotherapist.

A number of children are born with cleft lip deformities. Such birth defects can be treated through plastic reconstructive or maxilo-facial surgery. After surgical operation during the healing process there is need for speech correction. It is here where the speech therapist comes into play. There are a number of cases of hearing impaired children. Specialised professionals namely audiologist/speech therapist and psychologists are required to attend to such sensitive cases.

We all know of patients who suffer from dysfunctioning of the skeletal system. In this case, the specialized care of an osteopath is essential.

With the growing incidence of non-communicable diseases (NCDs) especially diabetes, a number of patients are in need of proper foot care to avoid deterioration of their condition which may even lead to amputation. To look after such cases, the services of a podiatrist who specializes in the care of the foot and its diseases are required.

There are some examples of the range of treatment offered by the Allied Health Professionals.

Previously there were no trained or qualified persons to attend to such health problems. However, with development and advance in medicines, specialized courses are now available, and a number of trained professionals in different fields are now available to help the patients reach their maximum potential after a severe illness or accident.

For the time being, we have legal framework for regulation of the medical, dental, pharmacy, optician and nursing professions. There is no professional council to make sure that the allied health professionals abide by prescribed professional norms and practices.

A number of health professions are being exercised but they are not governed by any legal framework. I consider that the Allied Health Professionals Council legislation is a landmark. It will be the first time that we will have a comprehensive legislation covering a range of allied health professions. According to a survey carried out, there exist for the time being almost 18 different allied health professions. It will be appreciated that it has not been an easy task to hold consultations and discussions with associations of varying health-allied professionals, each with its inherent particularities to get the consent and concurrence to be regulated under a holistic legal framework.

For this reason, the services of an expert namely Mr Kurt de Freitas from Commonwealth Secretariat were made available to assist the Ministry of Health and Quality of Life to prepare and lay the foundation for the Allied Health Professionals Council legislation in 2014. It was no mean task. It was a pioneering work involving meetings, discussions, consultations to get the views, contributions, comments and inputs of different professions in the public as well as the private sector. Being given that it was the first time that such a legislation was being framed and prepared, each profession wanted to make sure that the specificities of their profession would be taken on board in the legal framework.

In most developed and developing countries the tendency has been that the Allied Health professionals be regulated by a distinct, separate regulatory body. Besides the medical practitioners, the dental professionals, the range of health personnel in the nursing category, the pharmacists and opticians, other health professionals are currently exercising without any regulation and control. There is need for a register of the different allied health professionals. Their qualifications, their mode of operation, soon after obtaining their qualifications, experience needed to be reckoned as competent professionals had to be streamlined. With the assistance of the World Health Organization (WHO), a programme is underway to look into the aspect of patient safety. It is becoming a growing concern to provide for safeguard against malpractice and improper health care. With the proliferation of different types of allied health professionals, it is high time to develop a legal framework for Allied Health Professionals.

### **Background on preparation of legislation**

In October 2010, a Task Force was constituted at the level of the Ministry comprising representatives of different health professions from both the public and the private sectors with the objective to come up with a harmonious and integrated Allied Health Professionals Council. The aim of the Council was to register health professionals other than practitioners in the area of medical, dental, pharmacy, nursing and ophthalmology. The Task Force team had thorough discussions, sessions over an 18-month period. A workshop was held to seek views and comments on the establishment of the Council and associated adoption of code of ethics, level of proficiency and competency. A first draft of the Allied Health Professional Council Bill was prepared in June 2012.

With the assistance of Mr Kurt de Freitas from Commonwealth Secretariat an elaborate draft legislation with supporting regulations was produced in February 2014.

Following processing and formalities, the draft Bill was placed on the website of the Ministry on 10 February 2015 in order to call for views, for proposals as is the practice with any draft legislation. There were meetings with stakeholders to examine the proposals. The Bill was further reviewed, streamlined and simplified according to the Singapore model and it was aligned with the Medical Council Act 2000 as well as the latest Pharmacy Council Act of 2015. A revised draft Bill was posted on the website of the Ministry on 01 March 2016. Stakeholders were given a period of 45 days to give their comments on the Bill. After extensive discussions with stakeholders, a fresh draft Health Professionals Council Bill was vetted by the Attorney General's office.

After obtaining approval, in principle, of the Cabinet for the introduction of the Bill in Parliament, the draft Bill has been placed on the website of the Ministry as from Friday 30 June, 2017. The First Reading was done on Tuesday 4 July, 2017. Following representations from Allied Health Professionals, I chaired a meeting with representatives of Allied Health Professionals on 06 July 2017. Minor amendments and clarifications on definitions and qualifications have been made. Based on the proposals, after consultation with the State Law Office, an amended version of the Bill is being circulated.

Madam Speaker, the establishment of the Allied Health Professionals Council of Mauritius with a view to regulate the Allied Health Professionals such as audiologists, chiropractors, clinical scientists, counsellors, dieticians, radiographers and so many has been a long process. The list of Allied Health Professionals is given in the First Schedule. It is



proposed to come up with regulations on the detailed definition of each Allied Health Professional.

The Bill accordingly provides that the Allied Health Professionals Council will *inter alia*-

- (i) register the allied health professionals;
- (ii) regulate the professional conduct of the allied health professionals;
- (iii) promote the advancement of the allied health professionals, and
- (iv) approve, conduct or cause to be conducted examinations, training courses, programmes, lectures, seminars or conferences, including continuing professional development courses or programmes for the allied health professionals.

### **Functions of the Council**

According to clause 5, the main functions of the Council will be to -

- (a) register allied health professionals;
- (b) temporarily register non-citizens other than non-citizens who are residents of Mauritius and who may be on visit for implementation of a scheme approved by Government or funded by the World Health Organisation (WHO) or any other similar international organisation;
- (c) exercise and maintain discipline in the allied health professions;
- (d) prescribe an appropriate code of practice on standards of professional conduct and ethics;
- (e)
  - (i) approve conduct or cause to be conducted examinations, training courses, programme including continuing professional development;
  - (ii) approve the institutions or persons who will conduct examinations, training courses, programmes, lectures, seminars including continuing professional development.

- (f) cooperate with any other institution having objects wholly or partly similar to the objects of the Council;

### **Composition of the Council**

According to clause 7 of the Bill, the Council will be chaired by an Allied Health Professional with at least 5 years of experience and who will be chosen from among the Allied Health Professionals.

Currently there are a number of allied health professions. To avoid that the Council becomes unwieldy and cumbersome, the related health professions have been grouped in clusters. A list of the clusters has been given in the Second Schedule. A representative from each cluster will be chosen as member of the Council. It is understood opportunity will be given to each profession in a specific cluster to be represented as member of the Council on a rotational basis.

### **Vacancy in membership**

Provision has been made in accordance with clause 8 of the Bill that when vacancy will arise, for instance by resignation of a member, consultation will be held with the relevant professions for a suitable appointment to be made to fill the vacancy.

### **Committees**

Provision is made under clause 10 for the setting up of committees for discharging the functions of the Council. It must be brought out that the committees will have the possibility to coopt any appropriate health professional for the smooth conduct of its work.

### **Discipline**

Under part V of the Bill, explicit and elaborate procedures have been laid down in relation to representations about malpractices, negligence or misconduct. In a serious case where a health professional fails to exculpate himself, the matter may be referred to a disciplinary Tribunal. Provision has been made under clause 27 for the Prime Minister to appoint 2 members of the Tribunal one from the public sector and one from the private sector. Strict measures have been taken for the enforcement of discipline.

## Regulations

Provision is being made for making of regulations under clause 39 for the formulation of code of ethics, code of practice, and laying down of proficiency and competency levels for different health professions. Our endeavour is to make sure that the health care and service extended will be in line with international norms and standards.

## Transitional provision

Arrangements have been made for the insertion of transitional clause 40 to ensure that there is smooth transition at the commencement of the Act. Instances may arise where an Allied Health Professional who may have practiced for a number of years but may not have the necessary qualification or experience. During the transitional period, the Council may conduct appropriate examinations with the collaboration of an internationally recognised institution for dealing with such exceptional cases. Consideration will be given for reasonable monitoring to upgrade qualification to be eligible for registration with the Council.

Madam Speaker, if you would allow me, I am going to say a few words about the proposed amendments to be moved at Committee Stage -

“(a) in clause 2, in the definition of “Code of Practice” , by inserting, after the words “Code of practice”, the words “, for each allied health profession,”;”

It is obvious because each profession may have different specificities, they may need different code of practice.

“(b) in clause 5 -

(i) in paragraph (d), by inserting, after the word “prescribe”, the words “, for each allied health profession,”;”

The same argument as before.

“(ii) in paragraph (e) –

(A) in subparagraph (i), by inserting, after the words “to be conducted”, the words “examinations,”;”

Because the Committee can approve to have examinations done to upgrade the profession.

“(B) in subparagraph (ii), by inserting, after the words “conduct the”, the words “examinations,”;”

Because an approved institution can conduct examinations as well as give courses and all that.

“(c) in clause 9 –

(i) in subclause (3), by inserting, after the words “one of the members”, the words “, who is an allied health professional,”;”

Clause 9 refers to Chairperson –

“(3) where the Chairperson is absent from a meeting of the Council, the members present shall elect one of the members - who is an allied health professional - to chair the meeting.”

This is just to make it clear.

“(ii) in subclause (4)(a)(ii), by deleting the figure “5” and replacing it by the figure “7”;

This is about –

“(4) (a) A special meeting of the Council –

(ii) shall be convened by the Registrar within 7 days of the receipt of a request in writing signed by not less than 7 members.”

Instead of 5.

In clause 17, here what we have done we have deleted clause 17(1)(a)(iv). I understand that this clause is normally inserted in this kind of Bill. We have been told that now it is some time demeaning for these people to be treated as such, that is why we have removed that subclause.

In clause 17 subclause 4(b) we have deleted the word 90 and replaced by 30: ‘The Council shall, within 30 days of the receipt of an application, grant or reject the application or reject the application or request for additional information and it shall notify the applicant of its decision.’ Previously, it was 90 days, we find that 90 days is a bit too long. If somebody who is newly graduate comes to Mauritius, he will have to wait for 90 days, 3 months to be

told that he has been appointed as a member of the profession. I think it was a bit long. So, we have to put it at 30 days provided naturally he submits all his papers.

Same applies to clause 18, in clause 18 4(b), again we have replaced 90 days by 30 days for the same reason. One of the most important changes that we have brought about is the transitional provisions, clause 40. I am going to go through it –

“(1) A person who, on the commencement of this Act, has, to the satisfaction of the Council, practised an allied health profession but does not hold the qualification and experience specified in the First Schedule in respect of that profession –

(a) may, notwithstanding this Act, continue to practise that profession for a period of 5 years from the commencement of this Act.”

Why have we given that? It is because now we have people who are in employment. If we say that after this Act they cannot work, it is going to be difficult for these people. So, these people who have been in job for one or two years, we are giving them a bit of time so that they can continue to work, but we make sure that they will have, within five years, to take the exams and get the proper qualifications. That is for the amendment, Madam Speaker.

Madam Speaker, with the Bill, we will usher into a new era. After holding discussions and consultations for a number of years, the vision for a comprehensive Allied Health Professional Council framework will now materialise. The legal framework will provide for conditions and procedures for registration as Allied Health Professionals. There has been an expectation for quite long for a well-established regulatory body similar to other professional bodies. I consider the new legal framework will remedy a number of problems that we are facing at present. A regulatory body will see the day to oversee the proper functioning of each allied health profession. It will henceforth be mandatory for each Allied Health Professional to be registered with the Council to practise. The Council will come up with a code of practice for different professions. There will be provision for training, continuing professional development to keep abreast of development. This will be a paradigm shift. It will instill a culture of professionalism in this field.

The immediate beneficiaries will be the health professionals and the Ministry of Health. I consider that the health sector in general will gain from the legal and institutional structures to regulate health practice. Increased registered health professionals will no doubt ensure quality health care delivery. The public and patients, as end users, will certainly

benefit from the practices of quality service within the health sector. It will lead to improved health care outcome at national level. It will develop confidence among patients, create dynamism and contribute to overall development of the health sector.

Madam Speaker, I would wish to seize the opportunity to convey my heartfelt thanks to the Chairperson and members of the Task Force for their painstaking work and relentless effort in coming up with this Bill. I also wish to express my gratitude to the Associations, stakeholders, NGOs for their constructive proposals. I also wish to thank all the Members who have helped with the pertinent suggestions to fine-tune this Bill.

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

**Mr Gayan rose and seconded.**

(6.33 p.m.)

**Mr P. Bérenger (Third Member for Stanley & Rose Hill):** Madam Speaker, the MMM welcomes this Bill. It is a good thing that whilst until now we have had the Medical Council to regulate and represent General Practitioners and Specialists, now we are going to have a second Health Council, the Allied Health Professionals Council. I would not repeat the long list of the Allied Health Professionals that are concerned by this piece of legislation. It is, therefore, a very good thing for all these categories of Health Professionals to have a Council.

But, I think the hon. Minister should have put as much emphasis on the fact that such a Council is not there just to regulate. It is there to regulate and it is a good thing for the professionals themselves and for the public, but to represent them also. It is important that we lay emphasis on both aspects of things. I have been reading comments by the professionals concerned and they are all happy because they will feel represented, what they have to say, what they have to propose they will do it through this Council in a structured way.

Therefore, we welcome this new Council, we welcome this Bill as far as the MMM is concerned because it both regulates and represents the health professionals concerned, defined as the Allied Health Professionals. This having been said, Madam Speaker, we all know that this new Health Professionals Council is being set up at a time when the existing one, the Medical Council itself is going through very difficult times. I would not try and place the blame on the Council itself or the Ministry or the Minister. But the fact is, as far as I am concerned, after all the trouble that the Medical Council has gone through, lessons have not

been learned, that would have been very useful in providing in this piece of legislation for the Allied Health Professionals better provisions than in the Medical Council.

My main criticism, after having welcomed the Bill, but in a way I am very sad that the Bill that I welcome, I find is seriously flawed and will lead us to more trouble, if not revised. It can still be revised, it can still be improved, but if not revised, we are going to land ourselves in more trouble in due time than with the existing Medical Council. What do I mean? I mean that there is literally *une mainmise du ministère ou plutôt du ministre, une mainmise d'avance sur le Allied Health Professionals Council*. Why do I say that, Madam Speaker? Because when we look at the provisions of the Bill how the Council is going to be appointed and how it is going to function.

The fact is that on 13 Members, 12 will be under the control in a way of the Minister. Why do I say that? Because four are civil servants. They do a great job; civil servants are civil servants. And civil servants, therefore, cannot be considered to be independent of the Minister. It is quite the contrary. So, four are civil servants.

Two members of the Council will be not Allied Health Professionals appointed by the Minister. That's four plus two. Then, there will be six because there are six clusters, as the hon. Minister has explained, six clusters of different Allied Health Professionals. So, these six clusters will be represented by one representative each. Not elected! Why not elected? Appointed by the Minister again! Granted the law provides that the Minister will have to consult, but we all know - I have been Leader of the Opposition a good number of years - we know what consultations can mean unfortunately.

So, you have four civil servants. You have two persons who are not Allied Health Professionals appointed by the Minister and six Allied Health Professionals representing the six different clusters, but, again, appointed by the Minister. I don't think that is healthy at all. That is why I used - not in a pejorative way - the expression '*mainmise*'. And, as I said, why we have not followed or improved on what the Medical Council Act provides? As we know, as far as the Medical Council is concerned and in spite of that, they are having the problems that they are having, but in the Medical Council Act a majority are elected through the Electoral Commissioner's Office in a very professional way, in an independent way. So, why have we not followed that *précédent*. Already, as far as the Medical Council is concerned, there are accusations of *mainmise du ministère*. *Mainmise ! Ingérence du ministre!* I am not saying that it is totally justified. I am just saying that already we have that problem and now

we are creating a new Allied Health Professionals Council that is going to be completely under the control of the Minister concerned. Nothing personal meant, of course! On the contrary, I congratulate the hon. Minister for having come forward with this Bill. I did it earlier and I repeat it.

En passant, as far as these six professionals to be appointed by the Minister after consultation- it has happened in other bills, again, it says: “they will be appointed after consultation with the Association or group”. In the singular! Surely, it can’t be in the singular. We are dealing with six different clusters, therefore, the consultations that are being referred to must be in the plural, with the ‘associations’. It is a minor point, but it is worth making the point with the ‘associations or groups’ and not in the singular. So, that is my main – and I say that with a sad heart - criticism that there is a total *mainmise du ministre* on this new Allied Health Professionals Council that we are setting. We could have avoided that. We should have avoided that and we can still improve. I really can’t understand why it is like that, why it is provided like that in the Bill and I appeal to the Minister, to Government that we should review that as soon as possible.

My second remark is the Chairperson. The Bill provides that the Council shall consist of (i) a Chairperson having at least five years’ experience as an Allied Health Professional - no problem - and elected, and the hon. Minister said ‘chosen’, but the law provides for election, not the choice by the Minister or by whoever. The law provides for elected from among Allied Health Professionals. But surprisingly there is absolutely nothing - I looked carefully - in the Bill to tell us how is that Chairperson going to be elected. Not a word! It is clearly *une lacune* that we have to repair urgently to provide for that Chairperson.

In the case of the Medical Council - and the Minister reminded us of that - the members of the Board elects somebody from among themselves. That is straightforward. But, here, we provide that the Chair will be elected from among

Allied Health Professionals without mentioning at all how this election is to take place.

I am raising those points because I wish well. I would wish to see this new Allied Health Professionals Council perform, deliver much better than the Medical Council. My appeal is to improve on what the Medical Council already provides and not to make matters worse. The facts are there. I am not being nasty. I am just saying the fact is that on 13 members, 12 will be appointed by the Minister or civil servants.



I do not appreciate much the fact that after the Bill - it is my last remark and it is not that important, but it is not normal that all this time has gone by, the Bill has been circulated and so on, and why wait for 4 o'clock this afternoon for 7 amendments to be circulated. Honestly, I refuse to work like that. I refuse between 4 o'clock and now to go and consult. It is not the way of doing parliamentary business. We should have, at least, circulated that a few days ago. We would have had time. I have looked rapidly at the amendments. There is nothing fundamental in it. I have no fundamental disagreement, but *c'est la manière de faire*, and regularly this Government does it. Regularly we wait for the last minute. The day the Bill is being debated, then last minute amendments are circulated. It is not a good way. *Ce n'est pas une bonne manière de faire*. I appeal to Government more generally to stop doing that and to prepare the Bill, circulate the Bill with the amendments, and if there are further amendments, do it not on the day that the Bill is being debated.

I wish well, good luck, *bonne chance*. It is an important institution for Allied Health Professionals that we are setting up. My remarks aim at giving this new Allied Health Professionals Council the means, better than the Medical Council Bill, of both regulating and representing the professionals concerned.

Thank you, Madam Speaker.

**Madam Speaker:** Hon. Gayan!

(6.46 p.m.)

**The Minister of Tourism (Mr A. Gayan):** Thank you, Madam Speaker. Madam Speaker, I am happy that there is consensus in the House with regard to this Bill which is long overdue. In fact, I am taking the floor because I myself worked on the Bill earlier when I was Minister of Health and Quality of Life and I know quite a number of things about this Bill. So, let me respond to what the hon. Bérenger said about the Bill being seriously flawed with the *mainmise* of the Minister and all this.

Let me say, Madam Speaker, that when the hon. Minister mentioned the consultant from the Commonwealth Secretariat, Mr De Freitas, he came; he made a report and his original proposal whether there should be one Council for each Allied Health Professional, and when we looked at it, it would have been so cumbersome, that was impossible. And this is why this Bill has done away with most of the things that were recommended by the Commonwealth Secretariat. We said that it was not possible to have so many Councils, so

many bodies dealing with one single profession. *En passant*, I may also mention that in this Bill, we have made reference to the tribunal with regard to discipline and all this.

*En Passant*, I may also mentioned that, in this Bill, we have made reference to the Tribunal with regard to discipline and all this, and we call the Tribunal of the Medical Council to help. The reason being that we have a Tribunal that deals with cases of medical negligence and malpractices and the idea is that we must have an independent Tribunal eventually that will deal with all cases of medical malpractice, whether it is dentist, pharmacist, or whoever; and remove it from the Medical Council and have a single body that will deal with this kind of things. This is why there is a reference to the Medical Council Act with regard to a Tribunal, but the idea is to have an independent body that will deal with all cases of medical negligence.

Madam Speaker, in fact, what hon. Bérenger said is right with regard to the Council being totally not under the *tutelle*. It is impossible for this kind of body not to have this kind of Council because otherwise we go back to what De Freitas proposed - to have to single Council for each profession. This is not possible. Of course, it is amazing that for so many years, almost on the eve of 50 years of independence, we have had so many professions being practised in Mauritius without any regulatory framework. This is why this Bill is so important because, at least, we bring under the umbrella of the law these professions. I am sure my colleague, the Minister of Health, still gets complaints from people who practise these professions and they create all sorts of havoc with the members of the public. Now there will be, at least, this regulatory framework. This Bill provides for the standards which are required before a person is registered, before his licence. So, there is need for the education, for the qualification, for training. There are also standards set for the entry into a profession. There are mechanisms for dealing with people who act against the standards, who are fit to practise and how are complaints dealt with.

These are all things that are required in a Bill of this nature. Of course, it is not a perfect Bill, and I am sure that, as we learn from the implementation of this law, there will be adjustments, there will be amendments that will have to be made, but a beginning has to be made, and this is why...

*(Interruptions)*

I have just been passed with regard to the question asked by hon. Bérenger. Clause 7(1)(a) of the Bill states that 'a Chairperson, is elected from allied health professionals on the Board of the Council'.

I believe that a mechanism will have to be worked out on how this person is elected. I know the Medical Council has its own procedure for the election of members, but in a Bill of this nature, it is impossible because there are so many different bodies, so many different professions, and this is why clusters had to be made.

Madam Speaker, I think it is good because we are dealing with something new that I'll address some of the issues that are relevant for the proper understanding of this Bill. I think the Council will have its powers as set out in the Law. It will also have powers to conduct examinations to any courses and programmes. The aim, Madam Speaker, is to give to these professions, at least, a basis for further training. This is why CPD (Continuous Profession Development) is also part of this architecture that is being put in place.

The other thing that we need to mention is that many of these professionals, who are practising, have earned their qualifications somewhere else and it is very often the case that somebody comes to Mauritius to practise. For example, today, in Mauritius, we have psychologists practising and there is no regulatory framework covering their work. They just come and practise, but there is no law that governs the practice of psychologists. This is why in paragraph, in Clause 17 (1) (c) – ‘any applicant wishing to be registered must satisfy the Council that his qualifications are recognised in the country where he has studied and would have entitled him to practise as an allied health professional in that country’.

So, at least, we have the guarantee that with the qualification that he wants to register, that qualification will entitle him to practise as an allied health professional in a country of registration. This is not something that is new. In fact, all countries that have this kind of law provide for this reciprocity in qualification. We need to have a basis to know that this person, who claims to be a professional in a particular field, has the relevant experience and the qualifications before he does that. The Council will have to look at all the qualifications before they can allow anybody to be registered.

The other problem, Madam Speaker that we came up with when we were drafting the law was with regard to non-citizen. Many non-citizens are practising in Mauritius in these fields and the question arose whether they should be allowed to continue to practise and what will be the conditions under which they will be allowed to practise. Clause 18 deals with this issue of non-citizens and I quote -

‘(1) A non-citizen may be temporarily registered as a foreign allied health professional where he –

- (a) undertakes to work in a company or other body where the relevant expertise required in the allied health profession is not available in Mauritius;'

I am sure that there are problems we encounter on a daily basis. Mauritians, who come back after studies, say that they have no jobs; foreigners are getting jobs. This is why it was important to regulate this particular part of the profession that, in the field where we do not have the expertise then foreigners can be registered otherwise we will not be giving, not priority but, at least, due consideration to our own nationals. This is also important that we bear in mind.

The transitional provisions have been dealt with. There is no need for me to deal with that. Discipline - I have already touched about the possibility of Medical Council, but, in these professions, we have those who work in the public sector and those who work in the private sector. This is why the PSC Rules which apply in the Medical Council, for example, would also be applicable in this particular case.

Now the question which arises is - if somebody is convicted of an offence, Clause 29

–

## **29. Other disciplinary measures**

- (1) Without any of the proceedings provided for in – the previous clauses – the Council may, where an allied health professional has been convicted of an offence and is serving a sentence of imprisonment or penal servitude –
- (a) suspend him(...); or
- (b) give him an opportunity to show cause why he shall not be deregistered as an allied health professional.

Now, in some countries, the mere fact of being convicted does not automatically entail a deregistration, but this is for the Council to decide according to rules and guidelines that it will have to make depending on the seriousness of the offence, depending on the antecedents of the person, etc. Of course, whenever any person is aggrieved by a decision taken by the Council, there is the possibility of going to Court by way of judicial review.

There is another thing that I would like to mention, Madam Speaker. Hon. Bérenger mentioned about the amendments, but these are minor amendments they are not major ones. They are very simple amendments. In fact, there is no major amendment except for the transitional provision which deals with the five years, but I think this is easily understood.

One of the things that people talk about is: why should there be in the case of psychologists the need for a Master 2 level in Psychology or *Diplôme d'Études Supérieures Spécialisées (DESS)* level in Psychology, Master's Degree in Psychology? Madam Speaker, this is because for clinical psychologists the practice is for countries like Australia, UK and France, to have a Master's Degree before somebody can practice Psychology. However, for the post of Counsellor, at page 4 of the amendment, a Bachelor Degree or a licence level in Psychology would be adequate for somebody to work as a Counsellor. So, I think it is good that we understand why it is a Master's Degree for Clinical Psychologist and why it is only a Degree for someone to be a Counsellor.

I am just mentioning this because in the course of the discussions we had in the preparation of this Bill, lots of these issues came up but I must say, Madam Speaker, and I am sure that the hon. Minister will confirm, when we put the first version of the Bill on the website for people to comment, I think we got two or three comments. We renewed the time limit for comments and suggestions from the professionals. It is something which I find very difficult to accept because we are dealing with professionals who know, we put notices in the papers and all this and still they do not come forward. It is only when the Bill is in the House that people rush and start saying all these things. They were given all necessary time and opportunities to comment, to make suggestions and this is why this Bill is not the best Bill but it is the best Bill in the circumstances and I think it is time for these particular allied health professionals to be regulated and this is a good beginning.

I thank you, Madam Speaker.

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

(7.00 p.m.)

**Dr. R. Sorefan (Fourth Member for La Caverne & Phoenix):** Madam Speaker, I thank you for allowing me to say a few words on this Bill. From the outset, I would like to thank the hon. Minister of Health and Quality of Life and the ex-Minister of Health and Quality of Life for coming with this Bill. They worked very hard. As we can see this has been circulated for the last three years on the website and in associations. They did a good job but still, as a professional in the medical field especially in the dental field I got a few suggestions, positive criticisms, if I may say so.

Madam Speaker, why such a Bill? After three years people have been commenting on it and they came with this Bill today. Why? Madam Speaker, so as to protect the public and to set the standard of conduct and behaviours through the code of professional conduct. Madam Speaker, health professionals' obligation is to act in the best interest of the patients and public and having ethical principles. That is why we are here to set up all these parameters for the health professionals.

Madam Speaker, allied health professionals provide a wide range of services to the public in both health and social care sectors and have a duty to promote and protect the health and safety of patients at all times. Madam Speaker, registered allied health professionals are expected to always - I stress on this word "always" –

- (i) to act in the best interest of the patients and the public;
- (ii) respect the patients' privacy and maintain confidentiality of information;
- (iii) respect the patients' choice and right to refuse or choose their treatment and obtain informed consent to give treatment;
- (iv) communicate effectively with the patients, caregivers and other professionals;
- (v) ensure that any advertising one does or support is truthful, accurate and does not induce unnecessary demands for one's services;
- (vi) act within the limit of one's knowledge, skills and experience and, if necessary, refer the matter to another professional.

Madam Speaker, other functions that are expected from the allied professionals should be–

- (i) limit one's work or stop practising if your performance or judgement is affected by one's health or other reasons;
- (ii) keep accurate and adequate patients' record;
- (iii) engage in professional development, and
- (iv) keep the professional skills and knowledge up to date, amongst others.

Madam Speaker, there are exactly 18 such allied professionals that are listed and I will not go through it. But, all those that are on the list deal directly with human beings. So, that is why we want to regulate, to protect the patients. But, there are two cases or probably more in Mauritius, we have the *esthéticiennes*. I did ask a parliamentary question on them. They deal with the skin of patients. They prescribe and use many types of make-up for facials *et cetera*. Some people get allergies especially women. I did go for one and thank God I did not get any allergy from my facial treatment!

*(Interruptions)*

I do to keep me young! Why not! They treat patients but they get allergies with the medical stuff that they use. What more? Now, they are using lasers on the skin and there are skin burns. Here, the *esthéticiennes*, for me are mandatory to be the nineteenth on the list. It is not exhaustive, we can always add. I will add the next one to make it 20 so that the Minister can round it to 20 instead of 18. The *esthéticiennes*, for me, should be on this list to be regulated. Anyone cannot deal with the facial skin or skin on any other part of the body.

The next one is acupuncture, the traditional Chinese medicine. Some doctors are qualified and they train themselves to do it so they are under the control of the Medical Council but some people in the Port Louis corners, with reservation I won't mention, but they do acupuncture. They are not doctors and they are not qualified. Acupuncture, they put needles in you on certain points. So, they are dealing with human bodies. Here also they should be regulated and this makes the list number 20. I wish if not now but later come with amendments to include these two on the list to be regulated.

Madam Speaker, I will not make it 21, but people may ask about dental technicians because dental technicians are not on the list. When the draft was circulated, the Mauritius Dental Association, knowing that I was in Parliament, called me to brief a bit and they said they wanted the dental technicians to be on that list to be regulated and I told them no. Why? Because they do not deal with patients, they do not deal with human beings.

They do prosthesis for the dental surgeon to fit on the patient. So, they agree with me that dental technicians should not be on the list. Just in case if somebody says why dental technicians should be on the list.

Madam Speaker, there is one issue regarding the Continuous Professional Development (CPD). Let me say, it is so easy to put it in a Bill. We did put CPD in the Bill of

Medical and Dental Council. Let me say to the House, it is so easy to put a CPD on a Bill, but to put it in practice it is very, very difficult. We have about 400 dental surgeons - correct me - the Minister of Health can say, for doctors is it 2,000 or 3,000 doctors? It was an amendment through a Financial Bill, 3 years or 4 years ago, it was approved but they could not implement it. It took 3 years to implement it. Why? Because they did not know how to proceed. They did not have the manpower to give that training. They had a lot of problems. It is only last year that it was proclaimed. It was only last year, August 2016 that they said: 'you must have so many points to be registered' and some doctors do not have 3 or 4 points. Per year, we should have 12 points and so are lawyers also, they have their way of doing the CPD.

From August to December, we could not have 4 points. They made an amendment saying: 'Okay, have 5 points to come and register.' Even the dentists did it. The dental surgeons managed to get their 5 points, but the doctors could not, they had to have amendments to be a registered.

So, now we are coming with the allied profession. Each allied profession, out of the 18, has to follow CPD and if you take all the 18 allied professionals, I am sure it does not come to 400 members of the allied professionals. If I am a psychologist or a medical laboratory technician, I would not be interested to go and follow another allied health professional course. For certain allied professionals, probably, there are only 10 members in Mauritius; you do not get 150, like a dental surgeon 400 in one cluster. To organise a CPD, some time you try to get a professional from abroad; it costs money and for those 10 or 15 members it will be difficult to contribute.

In my experience for the dental part, the CPD is a business. Those people organise it, get people from abroad and come to talk to us. One came from America, he was talking of the American dentistry to me. I told him: 'Sorry, Sir, you are in the wrong place. You are in Mauritius, talk about Mauritian dentistry. America is America.' He was quacked, he said: 'You are quite right but they told me to come'. I paid, Madam Speaker, Rs6,000 for 2 days and there were 125 members present; my mathematics, I do not want to be wrong, I leave it for Members to say how much that cost. That is why I say it is a business.

*(Interruptions)*



Okay, you got it very good! What I am trying to say is CPD becomes business. So, here also, it will be very difficult to implement. So, the Minister, through regulations, I do not know whether he can do it, that the CPD should not be compulsory. Let it be voluntary, let the Members among themselves give tutorials, give talks to their group and later on, when it is well established, 3 or 4 years, we will start with a compulsory CPD, Madam Speaker.

Now, let me talk about the composition of a Council. If the Council - like hon. Paul Bérenger had mentioned, all the Members have just mentioned - it will be difficult for the Minister to choose one member from a cluster to represent in the Council. I am sure the Minister would not know all the Members. Why do we have election? Because we, dental surgeons - I talk for the Dental Council - more or less, know our Members. When we meet, we know our friends, colleagues. So, we go for election. We want to put Mr X in that Council, we get him elected. We send our representative.

The Ministry of Health send public officers, even then the public officers also are elected by the dental colleagues. So, it becomes more democratic, it is not one way. If one day there is a problem with this type of composition of this Council, if there is a Court case, there may be that this Council was biased because there are 2 persons who are non-allied, are in the Council. There may be a representation. The composition of this Council on the legal matters can say: 'Okay, it is not fair; it was only one-sided'. That is why if we have elected people there, they would protect their colleagues and the patient also. So, on this side, personally, I would go to organise election for representative of one of each allied professionals.

Madam Speaker, nothing is mentioned about trainee allied professionals in this Bill. When there is somebody who is following training, it would be nice to have a register that certain persons are following such training and the Council is keeping an eye. Mr X, Y, Z are in such field, they are being trained. That is one! The last thing, Madam Speaker that I would like to say is that I am a bit, *comme on dit en Créole, sifoné par* the amendments that are brought today. In Clause 40, by deleting subclause 1 and replacing it by the following subclause, I read it, Madam Speaker -

“A person who, on the commencement of this Act (...)”

That means the Act is on. Nobody can do illegal practice. He must be registered -

“A person who, on the commencement of this Act, has, to the satisfaction of the Council (...)”

And I would come back to that satisfaction of Council, which is very subjective.

“(...) has, to the satisfaction of the Council, practised an allied health profession (...)”

We have a tendency to call them ‘quack’ when they are not registered and do that kind of practice.

“(...) practised an allied health profession but does not hold the qualification and experience specified in the First Schedule in respect of that profession –

- (a) may, notwithstanding this Act, continue to practise that profession for a period of 5 years from the commencement of this Act, and
- (b) shall, where he wishes to be registered with the Council as an allied health professional, pass such examination as may be conducted by an internationally recognised institution.”

If someone has no qualification, no experience, I don’t know how the Council will be satisfied that Mr X is practising allied profession and the Council will let him work for five years without being registered. To me, this amendment defies the objective of this Bill because we want them to be registered and now you are giving way leave for five years. You don’t have a qualification, you don’t have experience, you go for work and get experience for five years without registration, it does not go to me. The way it has been put forward, I am not happy. Okay! Because it says –

“(...) shall where he wishes to be registered when he is practising (...)”

When the Act is on,

“(...) without registration and then he decides to get registered and take an exam”.

I am a bit...

*(Interruptions)*

*Chiffonné! Franchement!*

It really defies the purpose of this Act.

Madam Speaker, I just had to bring my contribution to it. I know that on this side, we are agreeable to this Bill, but a Bill is never the end, amendment can always come with regulation.

On this, I thank you, Madam Speaker.

**Madam Speaker:** Hon. Jhuboo!

(7.20 p.m.)

**Mr E. Jhuboo (Third Member for Savanne & Black River):** Thank you, Madam Speaker. I would like to thank you for giving me the opportunity to intervene on the Allied Health Professional Council Bill, a Bill, which is long overdue as rightly pointed out by the former Minister of Health, hon. Gayan and many Allied Health Professionals.

Madam Speaker, we are very happy on this side of the House as far as the Labour Party is concerned that this Bill is today presented to the House. I shall be brief and I will make only a few comments on certain specific issues.

First of all, l'intitulé du projet de loi qui se lit de la manière suivante *'The Allied Health Professionals Council'*. Le terme *'professionals'* est utilisé dans un seul pays au monde. L'Ouganda! Partout, il est fait mention d'*Allied Health Professions Council*. Ce qui indique la pluralité des professions au sein du conseil et au sein de l'ordre car comme son nom l'indique, il s'agit d'une multitude de métiers et non pas une multitude de professions.

Le deuxième point, Madame la présidente, concerne l'Article 2. En effet, le terme *'Allied'* n'a pas été correctement défini. *As it stands, it means 'a profession specified in the first column of the First Schedule'*. Cependant, il est fondamental - j'ai vu l'amendement qui a été circulé - pour garantir le respect des différentes pratiques et l'indépendance des professionnels que ce soit correctement énoncé. Une proposition est la suivante –

“The Allied Health Professions means any member as set out under the Second Schedule being part of the primary health care professions, direct access health care professions, technical health care professions and/or health professions involved in a scientific activity other than medicine, dentistry, pharmacy, nursing or traditional medicine.”

Concernant un autre point, Madame la présidente, et, à ce titre, j'ai vu qu'un amendement a été circulé. Il concerne le *code of practice*, notamment les Articles 2, 5 et 39. Tel que cela est présenté, il est supposé un *code of practice* commun et unique à tout le monde. Je crois qu'il est nécessaire d'avoir des différents *codes of practices* spécifiques pour les différentes pratiques en particulier. Donc, même si ces dernières ont une base ou un socle commun. Je crois que la même logique s'applique concernant le *code of ethics*.

Dans le texte présenté, il est juste envisagé la création de comité *set up by the Council*, cela reste très flou dans la mesure où il y a aujourd'hui dans ce projet de loi qui ait mis en place six *clusters*. On ne parle plus de panel. Le ministre Gayan la fait ressortir, Docteur De Freitas avait fait des propositions au sujet de comité. Donc, on ne parle plus de comité. On parle plus de panel. Donc tout cela est mis de côté.

Concernant l'Article 7, le conseil - et là je rejoins *the former Prime Minister*, l'honorable Bérenger - comme proposé dans ce texte de loi est composé de 13 membres. Or, sur ces 13 membres, seulement six sont des professionnels, un professionnel choisit par le ministre dans chaque *cluster*. Dans un cas particulier si on prend les *clusters* qui sont proposés. Donc, on prend le *cluster 1*, il est composé de cinq professions -

- Occupational therapist;
- Orthopaedic Technician;
- Physiotherapist;
- Podiatrist, and
- Sports Therapist.

Donc, en cela, il y a un gros problème de représentativité de chaque profession au niveau du futur conseil qui va être mis en place. D'où les provisions comme recommandées par le Dr. De Freitas pour des panels, pour une meilleure représentativité de tous les corps de métiers que composent les *Allied Health Professions*.

Un autre point, Madame la présidente - et là encore je rejoins l'honorable Bérenger - est le mode d'élection des représentants. Je pense que dans un souci de transparence, dans un souci d'indépendance, il est impérieux que ce soit rotatif, mais aussi électif et non pas nominatif. Donc, cela est une autre proposition.

Quelques petits points que j'aimerais encore soulever est la présence d'un représentant du PMO sur ce conseil. Est-ce vraiment utile ? La présence de deux personnes

qui ne sont pas des *Allied Health Professionals*, mais choisies par le ministre, est-ce que cela est vraiment utile? Je pense qu'il faut rationaliser tout cela et peut-être donner plus d'espace et plus d'autonomie aux professionnels dans la gestion de leurs conseils.

Un petit point sur la prudence concernant l'Article 40 *Transitional Period*. On s'expose à un risque de reconnaître des professionnels non-compétents, légitimisés par cet article, sachant que dans les autres professions médicales, dentistes et pharmaciens, ils n'ont pas encore introduit cette mesure transitionnelle. Donc, un point de prudence.

Madam Speaker, one lady, Mrs Linda Hindle, she has led the Allied Health Association in the United Kingdom and she said the following –

“The Allied Health Professionals are the next major public health workforce. Allied Health Professions number more than 145,000 in the UK and are involved in Government, education, private and voluntary positions all across the country. In the United States, the Allied Health Professionals number more than 60% of all health care providers, according to one source. More than 80 different professions qualify as Allied Health Professionals. Additionally, these numbers are expected to grow as nearly all Allied Health Professions have a 15% to 20% expected increase by the year 2020.”

Madam Speaker, preventive medicine will be more important in the future than it has ever been before and with roles at every stage of health care treatment. Allied Health Professionals can have a unique impact on creating positive change.

Ce qui est important, Madame la présidente, pour ce secteur, c'est de jeter les bases d'un partenariat solide dans la durée afin d'assurer la pérennité de ce secteur et la sécurité et la qualité de traitement que les patients reçoivent. Il est important de légiférer, mais aussi de donner de l'espace à ces professions afin qu'elles opèrent en marge du conservatisme de certains.

Un petit exemple pour illustrer mon propos. J'avais soulevé une question à l'Assemblée Nationale ce matin concernant les psychologues. Nous avons aujourd'hui à Maurice 274,000 élèves, nous avons un psychologue pour 12,000 élèves. Pas plus tard que la semaine dernière, le Board of Investment a refusé des permis pour des psychologues étrangers d'opérer à Maurice donc encore une fois une contradiction par rapport à ce que l'État veut mettre en place et la réalité derrière.

En tout cas, madame la Présidente, les Allied Medical Practitioners ont un rôle important à jouer. Ils ont un rôle important crucial dans le cadre du développement du medical hub. Donc nous accueillons favorablement ce projet de loi.

Merci.

**Madam Speaker:** Hon. Leopold!

(7.28 p.m.)

**Mr J. Leopold (Second Member for Rodrigues):** Thank you, Madam Speaker. I am rising today to participate in this debate just to give support to this Bill and I will not repeat what has been said already. As it has already been stated in this Bill the setting up of a regulatory framework will allow the Allied Health Professional to be on register, that is, a professional register and it will regulate the professional conduct, promote the profession and enhance their professional development.

I will focus on the second goal, that is, the regulation of their professional conduct. If we look at those professions that we are regulating tonight, amongst them are audiologists, medical laboratory technologists, psychologists, psychomotor therapists, and so on; those professionals do not deal with ordinary clients. They are more often dealing with the most vulnerable. So, in a way, this law is coming to provide protection to the most vulnerable.

As we all know, the major groups in today's health services are older people and the number will keep on rising. That is why this piece of legislation is so important. This legislation will provide guidance to the professionals so as to create a health care system where there is zero tolerance, abuse or disrespect of vulnerable people, be it children, elderly or mentally ill people. This piece of Legislation is very important to protect the health and well-being of the public.

How will this be done? It is by setting standards of education, training, conduct and performance of those allied healthcare professionals. So that will be the objective of this Council and in this law, provision is made for the Council to hold the register of those who are qualified and meet those professionals standards. In case of professional misconduct and poor performance, the Council will have the duty to investigate and take action where necessary so as to protect health and well-being of the public.

Once again, Madam Speaker, as I have said, I had focused on one of the four main goals that the law has provided, that is, the regulating of the professional of allied health

professions. What is it? It is all about the competence in professional practice. What the Council will want or what the Council will be able to do by enforcement of this law is that the allied health professionals will come and protect the health and well-being of public, as I had said, by acting within the limits of their knowledge, skills and experience. That is why I wanted to intervene just to give my support to the Minister and I thank you.

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

(7.33 p.m.)

**Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac):** Thank you Madam Speaker for allowing me to debate on this Bill, the Allied Health Professional Council Bill. I would like also to thank the hon. Minister of Health for bringing this piece of legislation to the House in view of making of Mauritius a regional medical hub and pursuing the development of medical tourism. It was about time to redefine the contours of practice of all the related services comprised in global health care.

In the early days of medicine, the practice of the latter was very simple. There existed only basic disciplines like general medicine, general surgery, pharmacy and dental care. With the development of medical service and progress in technology, things have evolved; medicine has been compartmentalized in specialities, sub specialities and super specialities. Research has brought in new avenues to explore. In the past, the practice of allied health professions was not well defined; was approximate, not adequately codified in such a way that it was not valued as it should have been.

We are now in a situation where professionals of medicines are fully conscious of the necessity of these activities as support in view of improving the state of health of affected people. Modern medicine should be focused on quality of life as opposed to what was done in the past where saving lives was the main concern irrespective of the general condition of the patient after having been affected by some disease. Delivery of health care is now global; we just need to have a global approach.

The necessities of intervention of the allied health professionals are undeniable. Let us take the example of an elderly patient suffering from a cerebral vascular accident with limb paralysis, inability to walk and speech impairment. This is very common in Mauritius due to the high prevalence of diabetes and hypertension. Once this patient is treated and is out of danger, we have to consider reinserting him in normal life taking into consideration the social, familial and professional aspects.

He will, therefore, need a physiotherapist to help him get out of bed to walk again; a speech therapist to improve his communication, a dietician to advice on diet to control diabetes and hypertension. All these conditions would probably have caused a lot of stress and, in the end, stress management would require the intervention of a psychologist to help the patient overcome the difficulties caused by this new condition imposed by the disease. So this is how much important these allied professionals are to us, doctors.

The object of this Bill is to give an appropriate and internationally accepted code of practice for all those professionals listed in the First Schedule. By codifying this, the interests of both the duly qualified professionals and the patients are safeguarded. Now, one who is not qualified cannot claim to be a psychologist or a physiotherapist. All those professionals would be licensed. An awareness should be created in the public as well for them to consult only registered professionals with the Council.

We have encountered stories of some charlatans in the past which have been reported to the Police or to the Medical Council. This Government is going a step further in the interest of the patient by properly structuring healthcare delivery. The Pharmacy Council Bill had been voted and passed in 2016. It is very important that a framework is being given to report any illegal practice of these disciplines. The role of the Government is to provide appropriate legislation to protect the patients.

The biggest challenge for the Council, once it is set up, is to firstly ensure the prescription of a code of practice of each discipline; secondly to ensure that there is no overlapping in the practice of different disciplines.

Thirdly, to ensure the level of practice of the practitioners by promoting continuing professional development programmes. This Bill is fully comprehensive and takes into account all aspects of the topic dealt with. Any council would be fully operational only if the members are fully devoted and cooperative. The disciplinary arm should be enforced whenever necessary otherwise it would make no sense.

The aim is to make those who are under-delivering, improve and respect the rules of practice in the higher interest of the patients. Nowadays, auto regulation among professionals is the best way to ensure that the profession is well regulated and practised. We should get rid of corporatism and undue solidarity among professionals which is detrimental to patients or clients. It is only then that they will gain respect and we will get a functional council, not a



*bouledogue sans dents* as once was qualified the Medical Council and more recently the same words have been used to qualify the Bar Council by one of its former president.

Specialisation or compartmentalisation in any discipline gives the best service to the client and it implies that the professional masters all the aspects of the subject. The golden years of the Jack of all trades are gone and we, as legislators, have to get rid of that mindset too. We have to ensure that the services delivered by professionals are up to the norms and international level. There is a need to differentiate between basic general practice delivered by anyone professional and highly specialised service needing specialised skills or knowledge.

Breakdown of disciplines is now well accepted. Just as in other fields, we now have, commercial architects, hospital architects, airport architects, mechanical engineers, civil engineers and electrical engineers. I have no doubt, Madam Speaker, that this new piece of legislation will only enhance the level of healthcare in Mauritius. And furthermore, it will give more incentive and a new career perspective to our youths who would have such vocation.

This new Council is very similar to the Medical and Dental Council as well as the Pharmacy Council. It is not expected to have major functional issues. I would agree that it is a fact that when there are nominees by the Minister on the board, the balance is not in favour of independence of the council. But we have noticed in the past, myself being a doctor, professionals have a tendency to create obstacles and become corporatists, sometimes counteracting and preventing others to penetrate the system especially foreign professionals. It can be very difficult to balance the implementation of vision of the Ministry as regards public health strategy and the interest of a specific group of professionals. This can lead to a deadlock and become counterproductive. That is what is happening today in the Medical Council. There is no ideal model, but we have to start somewhere and we have started.

I thank you for your attention.

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

(7.41 p.m.)

**Mr S. Abbas Mamode (Fourth Member Port Louis Maritime & Port Louis East):** Thank you, Madam Speaker. Indeed, it is a very important piece of legislation and we welcome the Bill which is long overdue.

*(Interruptions)*

However, we note that this Bill is better than the one presented by the former Minister which was on the website last year. However, we still find room for improvement. We are proposing that Part III – Management of Council, sections 1(a) and 1 (g) be amended and that ‘five years’ be replaced by ‘ten years’. Why? Many orators on the other side of the House have spoken about the importance of having such a body, but at the outset we must find somebody who has more experience in the field of Allied Health Professional. But I hope the Minister *va éclairer la Chambre concernant* the composition of the Council where a Chairperson having at least five years’ - we propose 10 years - experience as an allied health professional and elected from among allied health professionals. Who will be the electors, those already registered or those who has not been able to register? We need to know who will be the electors.

We are also proposing that the different clusters, the different professions listed in the Bill get the chance to elect its own representative so that there will be a balance to those nominated directly by the Minister. Being given that the professions are of vital importance, it must work in complete independence and transparency. Let it not face the same fate as the Medical Council is facing today.

Creating a new body, this Council must be a more democratic one as well as being better represented within the different clusters. We wish the hon. Minister well for the Council, for the new legislation. Improvement - I heard hon. Gayan himself said that he is agreeable to amendments being made for the population to have better services because they will be the first to beneficiate from this very important Council.

The hon. Leader of the MMM and my good friend hon. Jhuboo talked lengthily on the Bill and I do conquer with what they stated on this very Bill. So, I will just be waiting for the hon. Minister to reply to the suggestions we just made for the interest, for the betterment of this Council.

Thank you, Madam Speaker.

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

(7.45 p.m.)

**Dr. Husnoo:** Madam Speaker, first of all, I would like to thank all the hon. Members who have taken part in the debate on both sides of the House, the Government side and the Opposition side, for their constructive criticisms. Firstly, I would like to say that this Bill has been in gestation for a long time. Why for a long time? I won't be long!

(Interruptions)

Why? Because it was difficult to get consensus among all the different groups of professionals and in which direction we are going. That is why it has taken seven years. When I look at all the suggestions that we have heard this evening, it can just remind me of what has been going through for the last seven years. But one thing I would like to say - I mean, this Bill - it is the first time we are setting up this Council. But the work does not stop here. As we go along, we have to improve. We are going to improve because it has taken a long time. Believe me, it has not been easy to get the agreement of all the professionals. Imagine, Madam Speaker, we have 18 different groups of professionals!

The 18 groups, some of them are in the private sector and some of them are in the public sector and you have different opposing views. Lots of them are qualified from different countries across the world. They have different approaches and trying to bring all these groups together to work on a Bill, believe me, it has not been easy. It has been very difficult and that is why it took a long time, as I said. But we have made the start and we are going to improve on it. That is the most important thing. That is the most difficult thing. The first step is the most difficult. We have made the first step and with the help of each and every hon. Member in this House, we are going to work on it and try to improve it gradually.

As I said, we have 18 groups. We have separated them into seven clusters because it is difficult to work in one organisation with 18 groups, each coming and telling you what to do. That is why we have had compartmentalisation.

We have different clusters so that then we can. Some of the related professionals in one cluster, second cluster, third cluster. At least, then we have a group that is workable, we can work them. Because if not, believe me, 18 groups in one Committee with all the other

members, it is impossible to get a decision taken. That is why we have worked along these lines.

Having said that, I would like to make one or two comments. The good thing is that, I think, I find this Bill has been acceptable by all the Members from both sides of the House, which I think is very important.

I think, firstly, I would like to take one or two points. I have been told by hon. Bérenger that there is a *mainmise* of the Minister on this Council. I would like to make it clear. These seven representatives of the seven clusters would be appointed by the Minister, but on recommendations of each cluster. It is not for me to appoint, it is for the cluster to tell me whom they want to represent their cluster, then I am going to appoint. That is very important, I am not going to appoint, choose one. No! They decide themselves who is going to represent them and then I am going to appoint him on the Council. That is very important to a member. That is number one.

Coming to election of Chairperson, again, the Chairperson would be elected by the Allied Health Professionals on the Council, not by me. It is in the Bill. It is not going to be appointed by me, but the Allied Health Professionals on the Council are going to elect their Chairperson, it is not for me to elect. So, to say that I have got *mainmise*, I think maybe it was a bit hard.

Now, the previous Leader of the Opposition also mentioned that circulation of the amendments was a bit late.

*(Interruptions)*

No, sorry, it is nothing personal. I just want to...

**Madam Speaker:** Hon. Minister, no cross talking, please!

**Dr. Husnoo:** Sorry, Madam Speaker! Hon. Bérenger mentioned that the amendments that I circulated was a bit late. Believe me, after the Bill has been circulated first time, second time, after the First Reading, last Thursday I had a meeting with the different groups and, again, there was a lot of suggestions. Imagine yourselves after the First Reading was done, there was a lot of discussions going on! I had a meeting with them last Thursday, trying to solve, to sort out the problem. That is why I was a bit late to come with the amendments, because we worked over the weekend, we worked last week, we have been working the

whole of yesterday to get the amendments ready to come to the Assembly. It has not been easy to work with that Bill; I can assure you. Anyway, that explained why the amendments were a bit late.

I have talked about the Chairperson who is elected by the allied Council. Hon. Dr. Sorefan was talking about *esthéticienne*. Now, let me tell you, these 18 groups are not cast in stone. Tomorrow, if we have an additional group, suppose now we are going to have nuclear physicists, they would want to be on that Council, obviously, we will have to get them on board. You know it is *évolutif*. I mean, we are going to change as we go along. Do you know what I mean? It is a new profession coming and we will take them on board. It is not a closed shop. Hon. Dr. Sorefan mentioned again about ethics and standards; that will be catered by the regulations; so, that we are going to sort it out.

In the amendment, we come for the Code of Practice for each allied professional, because we cannot have one for the whole 18 professionals. Obviously, we cannot have one, because each group would have their own specificity, their own problems. So, we are going to work on that.

As I tell you, the most important thing that I want to say is that we are at the beginning; we have taken the first step. I appreciate that; I mean we have a long way to go, but gradually, we are going to work on the regulations; we are going to improve them. If need be we will have to come to the House and amend the law as we go along.

Well, with this, Madam Speaker, I would not make a long speech. I thank you very much for your attention.

*Question put and agreed to.*

*Bill read a second time and committed.*

## **COMMITTEE STAGE**

*(Madam Speaker in the Chair)*

### **THE ALLIED HEALTH PROFESSIONALS COUNCIL BILL**

**(No. IX of 2017)**

*Clause 1 ordered to stand part of the Bill.*

*Clause 2 (Interpretation)*

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

**Dr. Husnoo:** Madam Chairperson, I move for the following amendment in clause 2 -  
 “in clause 2, in the definition of “Code of Practice”, by inserting, after the words  
 “Code of Practice”, the words “, for each allied health profession,”;”

*Amendment agreed to.*

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

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

*Clause 5 (Functions of Council)*

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

**Dr. Husnoo:** Madam Chairperson, I move for the following amendments in clause 5 -

- “(i) in paragraph (d), by inserting, after the word “prescribe”, the words “,  
for each allied health profession,”;
- (ii) in paragraph (e) –
  - (A) in subparagraph (i), by inserting, after the words “to be  
conducted”, the words “examinations,”;
  - (B) in subparagraph (ii), by inserting, after the words “conduct  
the”, the words “examinations,”;

*Amendments agreed to.*

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

*Clauses 6 to 8 ordered to stand part of the Bill.*

*Clause 9 (Meetings of Council)*

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

**Dr. Husnoo:** Madam Chairperson, I move for the following amendments in clause 9 –

- “(i) in subclause (3), by inserting, after the words “one of the members”,  
the words “, who is an allied health professional,”;

- (ii) in subclause (4)(a)(ii), by deleting the figure “5” and replacing it by the figure “7”;

*Amendments agreed to.*

*Clause 9, as amended, ordered to stand part of the Bill.*

*Clauses 10 to 16 ordered to stand part of the Bill.*

*Clause 17 (Registration as allied health professional)*

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

**Dr. Husnoo:** Madam Chairperson, I move for the following amendments in clause 17

- “(i) in subclause (1)(a), by deleting subparagraph (iv), the word “and” being deleted at the end of subparagraph (iii) and the word “and” being added at the end of subparagraph (ii);”
- (ii) in subclause (4)(b), by deleting the figure “90” and replacing it by the figure “30”;

*Amendments agreed to.*

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

*Clause 18 (Temporary registration as foreign allied health professional)*

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

**Dr. Husnoo:** Madam Chairperson, I move for the following amendment in clause 18 -

“In clause 18(4) (b), by deleting the figure “90” and replacing it by the figure “30”;

*Amendment agreed to.*

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

*Clauses 19 to 39 ordered to stand part of the Bill.*

*Clause 40 (Transitional provisions)*

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

**Dr. Husnoo:** Madam Chairperson, I move for the following amendments in clause 40

“In clause 40, by deleting subclause (1) and replacing it by the following subclause –

“(1) A person who, on the commencement of this Act, has, to the satisfaction of the Council, practised an allied health profession but does not hold the qualification and experience specified in the First Schedule in respect of that profession –

- (a) may, notwithstanding this Act, continue to practise that profession for a period of 5 years from the commencement of this Act; and
- (b) shall, where he wishes to be registered with the Council as an allied health professional, pass such examination as may be conducted by an internationally recognised institution.”

*Amendments agreed to.*

*Clause 40, as amended, ordered to stand part of the Bill.*

*Clause 41 ordered to stand part of the Bill.*

*First Schedule*

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

**Dr. Husnoo:** I move in terms of the following amendments to be made to the First Schedule -

“by deleting the First Schedule and replacing it by the following Schedule –

### **FIRST SCHEDULE**

[Sections 2, 17 and 40]

#### **ALLIED HEALTH PROFESSIONAL**

#### **QUALIFICATIONS**

- |           |             |   |
|-----------|-------------|---|
| <b>1.</b> | Audiologist | Bachelor Degree in Audiology                        |
|           |             | or  |
|           |             | Bachelor of Audiology and Speech Language Pathology |
|           |             | or  |
|           |             | Bachelor of Speech and Hearing Science              |



2. Chiropractor

(1) General Chiropractor

Chiropractic Degree (BAC or HSC + 5-6 years' study) issued by an institution accredited by the Council on Chiropractic Education (CCE) Europe, USA, Canada or Australia

(2) Chiropractic Specialist

A General Chiropractor qualification

and

Post-graduate Diploma (2 years) issued by a recognised Board of Specialist Chiropractors

or

Master's Degree (3 years) issued by an institution accredited by the Council on Chiropractic Education (CCE) Europe, USA, Canada or Australasia

3. Clinical Scientist

Master's Degree in the field of Biochemistry, Cytology, Haematology, Histology, Immunology, Microbiology or Virology

or

Bachelor Degree in the field of Biochemistry, Cytology, Haematology, Histology, Immunology, Microbiology, Virology or Biomedical Sciences + at least 3 years' clinical training in the field

4. Counsellor
- Bachelor Degree/licence level in Psychology, Social Work or Education and 2 years' specialisation in counselling from a recognised institution (minimum 400 hours)
- or
- Bachelor Degree in counselling from a recognised institution (minimum 900 hours effected over a period of 4-5 years)
- or
- Master 2 or DESS level (BAC or HSC + 5 years' studies) in Counselling or Pastoral Care and Counseling
5. Dietitian
- Bachelor Degree in Human Nutrition and Dietetics, or Dietetics
- or
- Bachelor Degree in a science subject with a 2-year post-graduate Diploma or higher Degree in Dietetics, including 300 hours' or 6 months' full-time clinical training
6. Medical Imaging  
Technologist/  
Technician  
(Radiographer)
- Certificate in Diagnostic Radiography from a recognised institution equivalent to the Certificate in Radio-diagnosis issued by the Ministry of Health and Quality of Life
- or
- Diploma in Medical Imaging Technology from the University of Mauritius
7. Medical Laboratory  
Technologist
- Bachelor Degree in Biomedical Sciences with one year's experience in a medical laboratory
- or

- Diploma in Medical Laboratory Technology from the University of Mauritius + 10 years' experience in a medical laboratory
- or
- Diploma in Biomedical Sciences + at least 5 years' experience in a medical laboratory provided registrants follow BSc upgrading from a recognised institution within a non-renewable 5-year period post-registration
- 8. Nutritionist** Bachelor Degree in Human Nutrition
- or
- Degree in Home Science or Home Economics + post-graduate qualification in Dietetics or Diet Therapy
- 9. Occupational Therapist** Diploma in Occupational Therapy obtained before 2012 and recognised by the World Federation of Occupational Therapist
- or
- Degree in Occupational Therapy recognised by the World Federation of Occupational Therapist + 1,000 hours of clinical training, during or after academic years
- 10. Orthopaedic Technician (Prosthetist/Orthotist)** *Brevet de Technicien Supérieur* in Orthopaedic Appliances
- or
- Diplôme Universitaire Supérieur de Technologie (DUST)* in prosthesis/orthosis

- 11. Osteopath** Minimum of 4 years' study for a Diploma in Osteopathy from a recognised osteopathic training school approved by the Ministry of Health of the country in which courses are dispensed
- 12. Physiotherapist** Diploma in Physiotherapy before 1990  
or  
Degree in Physiotherapy including 1,000 hours of clinical training during or after academic years
- 13. Podiatrist/Chiropracist** *Diplôme d'État de Pédicurie-Podologie*  
or  
Bachelor Degree in Podiatry  
or  
*Bachelier en Podologie-Podothérapie*
- 14. Psychologist** Master 2 level in Psychology  
or  
*Diplôme d'Etudes Supérieures Spécialisées* (DESS) level in Psychology  
or  
Master's Degree in Psychology
- 15. Psychomotor Therapist** *Diplôme d'État de Psychomotricien* from France  
or  
Bachelor Degree in Psychomotor Therapy from Belgium, Switzerland or Portugal  
or  
Certificate of Capacity in Psychomotricity from Germany or Italy  
or

## Equivalent qualifications

- |            |  |  |
|------------|--|--|
| <b>16.</b> | Psychotherapist  | Degree in psychotherapy from a recognised institution with a minimum of 900 hours training effected over a maximum period of 4-5 years   |
| <b>17.</b> | Speech and Language Therapist/<br>Pathologist<br><i>(Orthophoniste/<br/>Logopédiste)</i> | Bachelor Degree in Speech and Language Pathology<br>or<br>Bachelor Degree in Speech and Language therapy<br>or<br><i>Certificat de capacité d'orthophoniste</i><br>or<br><i>Gradué en logopédie</i><br>or<br>Bachelor of Audiology and Speech and Language Pathology<br>or<br>Bachelor of Speech and Hearing Science |
| <b>18.</b> | Sports Therapist   | Bachelor Degree in Sports Therapy<br>or<br>Post-graduate Diploma in Sports Therapy from an institution recognised by the Society of Sports Therapists of UK”   |

*Amendments agreed to.*

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

*Second Schedule ordered to stand part of the Bill.*

*The title and the enacting clause were agreed to.*

*The Bill, as amended, was agreed to.*

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

#### *Third Reading*

*On motion made and seconded, the Allied Health Professionals Council Bill (No. IX of 2017) was read the third time and passed.*

### **ADJOURNMENT**

**The Vice-Prime Minister, Minister of Housing and Lands (Mr S. Soodhun):**  
Madam Speaker, I beg to move that this Assembly do now adjourn to Friday 14 July 2017 at 3.00 p.m.

**Mr Bodha rose and seconded.**

*Question put and agreed to.*

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

*At 8.00 p.m., the Assembly was, on its rising, adjourned to Friday 14 July 2017 at 3.00 p.m.*