



SIXTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

(UNREVISED)

FIRST SESSION

TUESDAY 07 NOVEMBER 2017

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Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Minister Mentor, Minister of Defence, Minister for Rodrigues
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Hon. Anil Kumarsingh Gayan, SC	Minister of Tourism
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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
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MAURITIUS

Sixth National Assembly

FIRST SESSION

Debate No. 24 of 2017

Sitting of Tuesday 07 November 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.

Prime Minister's Office

(a) Certificate of Urgency of the following Bills (In Original) –

- (i) The Code de Commerce (Amendment) Bill; and
- (ii) The Small and Medium Enterprises Bill.

(b) Annual Digest of Statistics 2016.

ORAL ANSWERS TO QUESTIONS**DOMESTIC VIOLENCE**

The Leader of the Opposition (Mr X. L. Duval) (*by Private Notice*) asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to domestic violence, she will –

- (a) for the benefit of the House, for period December 2016 to date, obtain information as to the number of –
 - (i) cases reported to the Police and to the Family Support Bureaux, respectively, indicating the categories thereof and the number of convictions secured in relation thereto;
 - (ii) arrests effected under S11A(3)(a) of the Protection from Domestic Violence Act, and
 - (iii) Occupation and Tenancy Orders issued, and
- (b) state if the remaining measures, identified in the Report of the –
 - (i) Advisory Committee on Reinforcement of Framework for Protection against Domestic Violence, and
 - (ii) National Coalition against Domestic Violence Committee, will be implemented.

Mrs Jeewa-Daureeawoo: Madam Speaker, first of all, I would like to thank the hon. Leader of the Opposition for addressing this Private Notice Question on the issue of domestic violence. This gives me an opportunity to highlight the measures being taken by my Ministry.

We cannot deny that domestic violence continues to be a serious problem in the Mauritian society. There are a number of causes for this, ranging from conflicts between partners and spouses, financial issues, or even substance abuse.

While the cases reported to my Ministry receive the full support of our officers, it remains a fact that it is necessary to break the taboo around the issue of domestic violence and first encourage victims to come forward and speak up about their problems.

There is, indeed, a legal framework in place; the Protection from Domestic Violence Act which has, in fact, been reinforced in 2016, and which makes provision for greater support and assistance to victims.

But any law can only be fully successful if supported by a number of other measures, such as the full collaboration of all parties concerned, raising awareness on the issue of domestic violence, educating our young people, and bringing about a change in mindset at all levels.

In order to address the problem, we must first take stock of the existing situation.

According to the report of a study carried out by the University of Mauritius on Intimate Partner Violence which was validated in May 2017, the findings revealed that –

- (a) the incidence for women who experience intimate partner violence in the extreme case is 43 times on average for a victim, approximating one episode every 7 to 8 days;
- (b) women who are victims of intimate partner violence suffer silently without any supporting network such as parents, friends, colleagues and others;
- (c) for women victims in the occasional group, an intimate partner violence episode spills over three days of work while for women in the extreme group, the number of unproductive days is four on average, and
- (d) the study has estimated that monetary value of the burden of intimate partner violence in the form of physical, psychological and sexual abuse on the economy is at Rs2 billion.

Given the seriousness of the issue, my Ministry is currently finalising an Action Plan on Intimate Partner Violence whereby a series of measures focusing on four main pillars will be implemented. These are strengthening of the existing legislations, prevention, capacity building of stakeholders among others.

Madam Speaker, regarding part (a)(i) of the question, I am informed that for period 01 December 2016 to date 3,250 cases have been reported to the Police and 1,616 cases have been reported to the six Family Support Bureaux operating under the aegis of the Ministry. The cases relate to offences under the Protection from Domestic Violence Act including breach of Protection and Occupation Orders. For the same period, I am further informed by the

Commissioner of Police that 382 persons have been convicted. However, I wish to inform the House that for period January 2015 to December 2015, 1,626 cases of domestic violence were reported to the Ministry and from period January 2016 to December 2016, 2,709 cases were reported.

As regards part (a)(ii) of the question, I am informed by the Commissioner of Police that under S11 A (3) of the Protection from Domestic Violence Act 60 persons have been arrested.

As regards part (a) (iii) of the question, for period December 2016 to date, I am informed by the Commissioner of Police that there has been no application for occupation and tenancy orders. During the same period, only 4 occupation orders were issued following applications made by my Ministry.

As regards part (b) (i) of the question, I wish to inform the House that most of the measures mentioned in the Report of the Advisory Committee on Reinforcement of Framework for Protection against Domestic Violence have been implemented. These are –

- (i) In May 2017, additional temporary emergency shelters to cater for victims of domestic violence and their children are operational and a capitation grant of Rs400 and Rs341 is being paid daily to the NGOs accommodating women victims of domestic violence and their children;
- (ii) My Ministry has also reinforced its capacity building programme and as at date 450 Police Officers and 45 Magistrates have been trained to enable them to better deal with victims of domestic violence;
- (iii) In June 2017, a capacity building programme on strengthening multi-agency response to address domestic violence was organised by my Ministry in collaboration with the US Embassy for all stakeholders dealing with domestic violence cases including Rodrigues;
- (iv) The Police Department has issued a circular letter for the streamlining of actions to be taken and procedures to be followed by the Police to handle cases of domestic violence.

As regards part (b) (ii) of the question regarding remaining measures of the Report of the National Coalition against Domestic Violence Committee, I am informed that the following are being implemented –

- (i) An Integrated Support Services Centre will be shortly set up at the level of the Ministry. This Centre will operate through a hotline and will provide immediate care and counselling to victims. In addition, mobile technology will be used to locate victims. Specifications for this Centre are currently being finalised by the Ministry in collaboration with the Central Informatics Bureau;
- (ii) Consultations are ongoing with all stakeholders for the setting up of the Observatory on Gender Based Violence. This Observatory will have as objectives to understand the reality and the evolution of Gender Based Violence in Mauritius and make recommendations to improve the services and facilities offered by public institutions to victims of gender based violence.

Madam Speaker, in addition to the measures enunciated in these two Reports, my Ministry is implementing a number of other measures all aimed at curbing domestic violence and supporting victims of domestic violence. These are –

- (i) An action plan on Intimate Partner Violence is being finalised by my Ministry with a view to have better coordination among all stakeholders dealing with victims of domestic violence;
- (ii) A protocol to promote interagency collaboration for the better handling of cases of domestic violence is being prepared;
- (iii) An aggressive media campaign with billboards, posters, TV and radio spots is being finalised and will be launched shortly;
- (iv) Consultations are ongoing with the Commissioner of Police to strengthen our intervention strategies and collaboration with the Police Family Protection Unit, and lastly
- (v) A rehabilitation of perpetrators of domestic violence programme is being set up with a view to making perpetrators accountable for their actions and changing their behaviour for the safety of victims of domestic violence.

Thank you.

Mr X. L. Duval: Madam Speaker, I thank the hon. Minister for the relatively shorter reply. However, I would ask in Part (a) (i) for the different categories of domestic violence if she could provide the figures. The law provides a dozen or so different categories: talking, intimidating, a lot of these and the statistics are not available and are not published by Statistics Mauritius. Can the hon. Minister table perhaps from this question the detailed statistics today and secondly, arrange for Statistics Mauritius on a quarterly basis to publish these figures so that everybody concerned can see whether measures that are being taken are working or not?

Mrs Jeewa-Daureeawoo: Well, Madam Speaker, I have no qualm in tabling the information, but with regard to victims of domestic violence, we have cases of physical abuse, psychological abuse, verbal abuse, harassment, intimidation, but sure, I will table the information.

Mr X. L. Duval: Thank you, Madam, and perhaps arrange with Statistics Mauritius for a quarterly. Madam Speaker, the United Nations considers that, and we all consider, I am sure, that domestic violence is a gross violation of human rights and Gender Links have said that, in fact, it is fifteen times more often than it is actually reported. So, why have not we got up to now, a massive radio/TV poster campaign to encourage people to come forward and denounce domestic violence and also to prevent further occurrences?

Mrs Jeewa-Daureeawoo: Well, we do have sensitisation campaign which is being done at the level of the Ministry. I may say aggressive sensitisation campaign all over the country, be it in the Community Centres, in the Social Welfare Centres and at the Women Shelters. We are also having talks at all levels of the country with the youth and with all stakeholders. As I have said in my reply earlier, we will have a Press conference on Thursday this week and we will come up with the launching of a whole programme. It will be on billboard, radio, so that we can attend the public at large.

Mr X. L. Duval: We look forward to this campaign. Madam Speaker, the website of the Ministry is totally inadequate. It does not even have the recent changes in the law last year. It is in English, not in French, not in Creole. Can the hon. Minister look at the website, and make sure that it reflects the wishes of the Ministry which is to propagate all the things that can be done, all the different aspects of the law, etc?

Mrs Jeewa-Daureeawoo: The hon. Leader of the Opposition is talking about the recent changes of...

Mr X. L. Duval: I am talking about the Ministry's website.

Mrs Jeewa-Daureeawoo: Well, we have already started a work. With regard to the amendment that has been brought in the Domestic Violence Act of last year, well, we are in the process of coming up with some changes and implement them.

Mr X. L. Duval: Madam Speaker, it has been more than a year - a year and a half - since the law was changed. That is not a good excuse to say that we are implementing changes to the website now. Can the Minister please have a look at it urgently?

Now, as far as the number of arrests following physical injuries are concerned, the Minister has not given the figures, but it is usually around 800 a year. Now we have 60 arrests only whereas the law is very specific. Each case of physical injury should be arrested, or can be arrested provided an Assistant Superintendent of Police provides the information. Why is not the law applied? Why are not perpetrators of physical violence arrested and taken to the Magistrate next day?

Mrs Jeewa-Daureeawoo: It is for the Police officer to decide. If a case of victims violence has been reported to the Police, there is an enquiry which is ongoing and it is up to the Police. If it is an arrestable offence, I am sure the Police will do his work. Since I took office in 2017, I must say I have had several meetings with the Police officers. I am regularly having talks with the Commissioner of Police and I have explained to the Commissioner of Police that the perpetrators cannot get away easily and that we have to apply the law whenever it is necessary. With regard to some cases, it all depends on the enquiry too.

Mr X. L. Duval: Madam Speaker, surely it cannot be satisfactory that with about 800 cases of physical violence less than one tenth of the people are arrested whereas the law says quite specifically that they should be. So, can the hon. Minister see to it that arrests are made systematically - like drink driving systematically - for cases like that because these women mostly are living a daily hell. The hon. Minister said herself that every seven or eight days, there is a case. So, it may not be a severe injury, but it is very frequent and that is where the gravity of it is.

Mrs Jeewa-Daureeawoo: Well, I don't think that arresting only will be the best solutions.

(Interruptions)

Let me answer, please! I don't think that arresting the perpetrator will be the only solution. It is essential that we work to bring about a change of mindset, in our society. This is very important. I firmly believe that education is an important tool. We must educate our boys to respect girls and women. We have to teach them that violence against women in any form is a violation of human rights. If we have to start at the base, if we have to look at the root of the problem, it is not only a question of applying the law. We might have the best of law. We might have the best legal framework, but if there is no change in mindset, if there is no change in attitude, I don't think we will be able to curb domestic violence. This is very important, and let me here, with your permission, Leader of the Opposition say something.

Madam Speaker: No, with the permission of the Speaker, not...

Mrs Jeewa-Daureeawoo: Thank you, Madam, with your permission too. Sorry about that! Well, domestic violence is not only the concern of the Government, domestic violence is not only the concern of the Opposition, domestic violence is not only the concern of the Speaker, domestic violence is across board. Domestic violence concerns each and every one because we all want to live in a peaceful country. We want to have good human beings. So, I would like here to seize this opportunity to say that I am not at all happy with the behaviour of politicians and some of the MPs. You know some of them have used inappropriate and vulgar language and displayed dishonoured behaviour, I firmly condemn...

(Interruptions)

Let me finish please. This also is very important. We need to lead by example. If we are talking of domestic violence here today, this is a national topic, and we are not talking of our own behaviour. So, we need to lead by example. We have to set example. Let me here congratulate our Prime Minister because I have listened to him on radios and television. The Prime Minister has time and again emphasised...

Madam Speaker: Hon. Minister, can you please reply factually to the question which has been asked. Come back to the question!

Mrs Jeewa-Daureeawoo: Okay. Time and again, saying that we have to respect women and saying that respecting women is a sign of modernity. Thank you very much Prime Minister. I do hope that all Members of this Assembly follow this example.

Madam Speaker: Hon. Minister, please! Can I ask you to reply factually to questions which are being asked because otherwise we lose time.

Mrs Jeewa-Daureeawoo: Well, let me come to the hon. Leader of the Opposition's question. I don't think it is to the Minister...

(Interruptions)

I don't know why you are laughing! This is a serious matter. So, please!

(Interruptions)

It is not at all for the...

(Interruptions)

Well, let me answer...

Madam Speaker: Order! Order, please!

Mrs Jeewa-Daureeawoo: It is not at all for the Minister to decide whether to arrest a person or not. The decision lies on the evidence of the case.

Mr X. L. Duval: Madam Speaker, I really do not want to get into cases of protection orders issued against Government Ministers. I hope the Minister does not take me down that road. It would be a very bad road for the Government. I hope the hon. Minister doesn't, and let's respect the question, Madam Speaker.

What I want to ask the hon. Minister is about breaches of protection orders, the very protection orders we are talking about now. Breaches of protection orders are common, the sentence is small, few hundred rupees in most cases. It takes years for this to go to the Court anyway. I would like to ask the hon. Minister, since she is talking about changes in the law, whether she envisages toughening the law against the breach of protection orders and removing - we had put it ourselves, I agree - this provision that Magistrates may give a fine and make it mandatory for prison sentences - a few days, a few weeks - as overseas for breaches of protection orders because women are dying every week.

Mrs Jeewa-Daureeawoo: Well, that is why I say that we have to look at the root of the problems. We are analysing all the causes, why is it that there are so many cases of domestic violence. Of course, if need be, we will have to bring changes, but we have to take into consideration that changes in the law have been brought last year, we have to bring more changes to support, to give assistance, to curb this increase of domestic violence, surely we will do so.

Mr X. L. Duval: I am disappointed, Madam Speaker. Still, let me ask now the hon. Minister, in order to protect women who may go into relationship with God knows who, whether she is going to have a Domestic Violence Disclosure Scheme, so that the women may find out from the Police or the DPP or whatever whether a man has had previous instances of violence against women.

Mrs Jeewa-Daureeawoo: Well, we have to think about this particular measure, and then we will decide. We have to think about it.

Mr X. L. Duval: Madam Speaker, I am surprised because it is in the report. She obviously has not read fully the Domingue Report, it is there.

Mrs Jeewa-Daureeawoo: I have.

Mr X. L. Duval: If the hon. Minister will check it, it is there. I would like to ask the hon. Minister where is the Command Centre - that was a kingpin or whatever it is, a key part of the Domingue Report - she has not mentioned it in her reply.

Mrs Jeewa-Daureeawoo: I have mentioned it in my reply. So, we are working on it. As the hon. Leader of the Opposition knows, everything cannot be done overnight. We need time. We are working on it. I am here since January 2017. We are working on it seriously and it will come.

Mr X. L. Duval: We are working on the website, we are working on this, we are working on that! Madam Speaker, regarding Occupation and Tenancy Orders, I am sure the hon. Minister is well aware of the daily hell that women have to go through when they have to live in the same house as the person who verbally or whatever, beats them and denigrates them. So, can I say why during all this period the Police, the Family Service Bureaux, as far as I remember, have not

asked any or a very small amount of Occupation and Tenancy Orders according to the figures that the hon. Minister herself has given?

Mrs Jeewa-Daureeawoo: It depends on the victims of domestic violence. If the victim of domestic violence does not want to come forward to apply for Occupation Orders, what can we do? This is a simple answer! This is why I have said in my reply - and I continue saying this – that victims of domestic violence must come forward and report. We must say that domestic violence is less taboo now, yes. We are, indeed, encouraging victims to come forward. They must report, they must denounce, they must apply. We cannot force them. It is for them to come forward and the rest would follow.

Mr X. L. Duval: Madam Speaker, had we had a massive information campaign, they would have been aware of their rights. Let me ask one question to the hon. Minister concerning Protection Orders, whether the law when it is changed will ensure that Protection Orders will include orders for financial assistance? The woman is gone and then there is financial assistance given so that she may live properly. Giving Rs400 a day, that may not be sufficient.

Mrs Jeewa-Daureeawoo: Well, at this stage, we do not give financial assistance. But what we do is liaise with some NGOs. For example, *Passerelle* is giving a very helpful hand. *Passerelle* will give some training to those women so that they can stand on their own feet again and face life. We are liaising with some other NGOs to give a helping hand too because, as I have said, for domestic violence cases we need all stakeholders and partners on-board.

Mr X. L. Duval: On the case of *Passerelle*, I would like to ask the hon. Minister whether she is aware that *Passerelle* asked for funding from the National CSR and this funding was refused. Is the hon. Minister aware of that and, if she is now aware of it, will she talk to her colleague and ensure that *Passerelle*, whom she has just lauded the action, receives money from the National CSR?

Mrs Jeewa-Daureeawoo: I am not aware of it. I will look into it and then come back to the hon. Leader of the Opposition.

(Interruptions)

Maybe he will have to come with a substantive question or I will look into it and then come...

(Interruptions)

Why is the hon. Leader of the Opposition saying ...

(Interruptions)

Madam Speaker: Hon. Leader of the Opposition, the hon. Minister is replying, please allow her to finish then you will ask your question. Yes, hon. Minister!

Mrs Jeewa-Daureeawoo: Hon. Leader of the Opposition, I am not happy at all with your behaviour.

(Interruptions)

This is...

(Interruptions)

Madam Speaker: Complain to the Speaker!

(Interruptions)

Hon. Minister, please sit down! If there is anything to do with the behaviour of the hon. Leader of the Opposition I will draw attention immediately. Please, continue!

Mrs Jeewa-Daureeawoo: Madam Speaker, the hon. Leader of the Opposition has come with a PNQ. He is putting questions, this is his rights. But I have the right to answer. I don't know why he has to say 'shame on you'!

(Interruptions)

Madam Speaker: Hon. Minister, whatever word he has pronounced, if he has said 'shame on you' and you wish him to withdraw these words then you can stand up and ask that he withdraws these words. This is the proper channel to address it.

Mrs Jeewa-Daureeawoo: Madam Speaker, I would very much like the Leader of the Opposition to withdraw these words because I am doing my job. I am not that kind of person who is hiding. I am doing my job, so, I want people to respect me.

(Interruptions)

Madam Speaker: Hon. Leader of the Opposition!

Mr X. L. Duval: I do not want to waste time. I have no problem.

Madam Speaker: Hon. Leader of the Opposition, please sit down! Did you say these words and are you prepared to withdraw? Please, if you said it there is nothing wrong in withdrawing. We can then pursue with our PNQ, otherwise, we are losing time!

Mr X. L. Duval: With pleasure, Madam. I withdraw it, but I maintain that the hon. Minister is not doing anything that is expected of her to get this problem sorted out. I maintain this and I am not withdrawing that ever, Madam Speaker! Now, there are no shelters in the North of the island at all. You can imagine if a family has a problem in the North - many have - they have to move elsewhere with their children, school etc. What is she doing to encourage the setting up of a shelter in the North?

Mrs Jeewa-Daureeawoo: Madam Speaker, I am here, as I have said, since January 2017. Before me, there was another Minister...

(Interruptions)

Two years! So, I would very much like to know...

(Interruptions)

Madam Speaker: Order! *Order, on this side, please!*

Mrs Jeewa-Daureeawoo: I would very much like to know what the former Minister has done during these two years!

(Interruptions)

Let me answer...

(Interruptions)

Madam Speaker: Order, please!

Mrs Jeewa-Daureeawoo: It is so easy to come and say that I have done so much. I have done so and so! I am talking of what I have been doing since January 2017. Well, this year, we have two additional shelters which are already operational.

Mr X. L. Duval: She should have known that! Madam Speaker, let me ask the hon. Minister whether it is planned to have also rehabilitation centres for abusers so that they may

leave the family home and leave the victims at home. Is she planning to have rehabilitation centres for abusers, not just for victims?

Mrs Jeewa-Daureeawoo: The hon. Leader of the Opposition has not listened carefully to my answer. I have already said in my reply that we have started programmes for the perpetrators. I have said it, this is very important ...

(Interruptions)

Well, shelter...

Madam Speaker: Hon. Mrs Aurore Perraud, please do not raise your voice especially when you are in a sitting position!

(Interruptions)

Mrs Jeewa-Daureeawoo: Well, if need be, we will have. All these require time and budget. If we have to, we will come with it. But you have to understand that things have to be done properly and we need time also.

Mr X. L. Duval: She was not aware of shelters in the North, she is not going to give...

(Interruptions)

Madam Speaker: Hon. Jhugroo!

Mr X. L. Duval: ... rehabilitation centres for abusers! Madam Speaker, I would like to ask the hon. Minister a question which was raised by the previous Leader of the Opposition concerning marital rape, express inscription, inclusion in the Criminal Law and also I would like to add this question of if you witness an act of adultery, you can ask to be excused. These two pieces of legislation are urgent. This amendment to the Criminal Code – the hon. Minister is herself, I think, a lawyer - when is she going to come up with these changes or is she also working on this?

Mrs Jeewa-Daureeawoo: We cannot change things overnight. So, for two years the former Minister was there and the Leader of the Opposition did not think it necessary for needful to be done. It is only now that I am here that we are coming up with all sorts of measures which have to be taken or which ought to be taken. So, we are analysing, but a study has to be carried out first and then, if need be, we will come with it.

Madam Speaker: Time is over!

Mr X. L. Duval: A last question, Madam?

Madam Speaker: But time is over! It is already 30 minutes I have given you. The Minister replied for only 10 minutes. You should have asked your last question!

(Interruptions)

Questions addressed to the hon. Prime Minister! Hon. Members, the Table has been advised that Parliamentary Question B/670 in regard to the proposed construction of a multi-complex building at Rivière du Rempart will be replied by the hon. Minister of Local Government and Outer Islands. Hon. Ameer Meea!

Mr Ameer Meea: Madam Speaker, I would like to raise a point of order in relation to my Parliamentary Question No. B/667. I would like to ask your guidance and explanation why this Parliamentary Question has been curtailed and to prove what I am saying...

Madam Speaker: No, hon. Ameer Meea, please sit down!

Mr Ameer Meea: Please allow me to make my point!

Madam Speaker: Please sit down! No! This is not a point of order. The hon. Member is asking why his question has been curtailed. This is not a point of order!

(Interruptions)

But he is asking...

(Interruptions)

No! The hon. Member is saying why his question has been curtailed. This is already...

(Interruptions)

I am stopping...

(Interruptions)

Mr Ameer Meea: Let me give my explanation!

Madam Speaker: You can give your explanation. But your question...

(Interruptions)

No! Hon. Member, please sit down! Let me tell you. You have already said that you are raising a point of order and that you are saying why your question has been curtailed.

Mr Ameer Meea: I have not finished! I have said only a few words and you stopped me!

Madam Speaker: But this is not a point of order! Unless you have another point of order!

Mr Ameer Meea: Madam Speaker, I would like to raise a point of personal explanation. What I am saying is this PQ, where a similar question was brought by hon. Bhagwan, this year, in the case of Mr Gérard Sanspeur, the question was on the agenda, answered by the hon. Prime Minister, giving all the information about the salary, the perks, the *per diem*, the overseas travelling, just name it. How, in the case of Mr Sanspeur, the question was allowable, was answered and, in my case, in the case of Mr Dev Manraj, the question has been unfairly curtailed? What is your explanation? And to prove what I am saying, I am tabling my original question.

Madam Speaker: Hon. Ameer Meea, please sit down! Let me just remind you that this is neither a point of order nor a point of personal explanation. You have been in this Parliament for several years now and, according to Standing Order 21(4) - I wish to draw your attention to Standing Order 21(4) - which clearly states, and I am quoting from the Standing Orders –

“When a question has been refused or amended, and the Member concerned wishes to make representations to the Speaker on the matter, these must be made privately to the Speaker and not raised by way of a point of order in the Assembly.”

And at the same time, I wish to draw your attention again to Standing Order 21(5), which says that –

“The Clerk shall have full power to sub-edit questions.”

Mr Ameer Meea: Madam Speaker, how come then that...

Madam Speaker: No! This is my ruling! My ruling is final!

(Interruptions)

You cannot raise any point of order again on a ruling which has been given by the Speaker. If you want to pursue this matter further, as I said, and as stipulated in the Standing Orders, then you come to see me privately in my office and we will deal with the matter as stated in the Standing Orders. I am not prepared to depart from the Standing Orders.

Mr Ameer Meea: It is a matter of deep regret because we are talking of taxpayers' money.

Madam Speaker: No comments, please!

Mr Ameer Meea: Yes! It is a matter of tax...

Madam Speaker: Again, on a ruling given by the Speaker, I draw...

(Interruptions)

Please sit down! Hon. Ameer Meea! No comments should be made again on my ruling.

(Interruptions)

Mr Ameer Meea: It keeps on changing, Madam Speaker!

(Interruptions)

Madam Speaker: Hon. Ameer Meea!

(Interruptions)

Madam Speaker: Hon. Bhagwan, please allow the hon. Member to put his question!

FINANCIAL SECRETARY – MR D.M. - APPOINTMENT

(No. B/667) 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.M., Financial Secretary, he will state –

- (a) his present terms and conditions of appointment, indicating the
 - (i) salaries and benefits drawn since 09 October 2013 to date, and
 - (ii) make and model of car allocated thereto, and

- (b) since January 2015 to date, the overseas missions undertaken, indicating the countries visited, composition of delegations and cost of air tickets, *per diem* and allowances.

The Prime Minister: Madam Speaker, as regards part (a) (i) of the question, the Public Service Commission has, in exercise of the power vested in it by section 89 of the Constitution, appointed Mr D.M. as Financial Secretary with effect from 09 October 2013. His appointment was on a contractual basis for an initial period of two years.

The salaries and benefits he has drawn since 09 October 2013 were totally in compliance with those prescribed by the Pay Research Bureau for the post of Financial Secretary and are same as the terms and conditions and benefits applicable for Senior Officials in the Public Service.

In December 2014, when this Government took office, Mr D.M. was kept in his post as Financial Secretary on the same terms and conditions.

The contract of appointment was then renewed by the Public Service Commission, for a further period of two years, with effect from 09 October 2015 and September 2017 on the same terms and conditions as for the initial contract and including an additional responsibility allowance of Rs40,000.

These terms and conditions of appointment were revised in compliance with the PRB Report of 2016. His basic salary is now Rs164,000.

As regards part (a) (ii) of the question, in accordance with the Ministry of Civil Service and Administrative Reforms Circular letter No. 57 of 2013, the Financial Secretary has been provided with a car, namely an Audi A6.

As regards part (b) of the question, the information is being tabled.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Madam Speaker, can I ask the hon. Prime Minister if he has information in relation to at least the FSC, whereby Mr Manraj sits there as Chairman? Does he have this information?

The Prime Minister: This question is not related to this substantive question.

Madam Speaker: Yes, hon. Ameer Meea!

Mr Ameer Meea: Since the hon. Prime Minister is not ready to answer all the questions that I am asking, I have no further supplementary.

The Prime Minister: Madam Speaker, let me reply. I did not say...

(Interruptions)

Madam Speaker: Please, order!

(Interruptions)

The hon. Member said that he did not have any question. Hon. Prime Minister, you said that the question that the hon. Member has requested does not form part of the main question. So, I understand that he should have come with another question and, if he comes with another question, you are going to reply. Is that so?

The Prime Minister: Yes, but the hon. Member has made an allegation towards me, saying that I am not willing...

(Interruptions)

Madam Speaker: Hon. Bérenger, please! Please!

(Interruptions)

Hon. Bérenger, please! Allow the hon. Prime Minister to make his point!

(Interruptions)

Allow the hon. Prime Minister...

(Interruptions)

Allow the hon. Prime Minister to make his point! If he has...

(Interruptions)

He has a point of order to raise! Allow him to raise!

(Interruptions)

Order, please! Hon. Prime Minister, if you have a point of order, you raise your point of order!

The Prime Minister: I want to react to what the hon. Member said as allegation.

(Interruptions)

I am ready to reply! I am ready to reply, Madam Speaker, provided...

(Interruptions)

Madam Speaker: Hon. Prime Minister...

(Interruptions)

Order, please! Hon. Prime Minister, please, if you have a point of order, you raise your point of order.

The Prime Minister: Just to say that I am ready to reply provided the right questions are being asked.

(Interruptions)

Madam Speaker: Order, please! Order!

(Interruptions)

Hon. Uteem! Hon. Baloomoody!

(Interruptions)

Hon. Baloomoody! Please! I have already given the floor to hon. Osman Mahomed!

Mr Osman Mahomed: Thank you. With regard to part (b), will the hon. Prime Minister indicate to the House whether he has approved - I am sure he will recall - any mission for the Financial Secretary to go to Kenya to deal with the Britam case, for which there is a strong perception of conflict of interest because he has himself appointed Mr Lutchmeeparsad, PS, to deal with that file? Has Mr Dev Manraj travelled on behalf of the Ministry of Finance to Kenya to deal with the Britam case? This is my question.

The Prime Minister: Well, let me look at the list of missions. I see that in...

(Interruptions)

Madam Speaker: No! Hon. Ameer Meea!

(Interruptions)

Hon. Baloomoody, it is the last time I am calling you to order!

(Interruptions)

Hon. Baloomoody and hon. Ameer Meea! It is the last time that I am calling you to order!

(Interruptions)

Hon. Ameer Meea! I have said that it is the last time I am calling you to order!

(Interruptions)

Hon. Bérenger, don't talk, please!

(Interruptions)

Stop making remarks from a sitting position! Allow the hon. Prime Minister to reply! Yes, hon. Prime Minister!

The Prime Minister: I think these Members do not listen properly! I have said that I am tabling this list of missions.

(Interruptions)

Hey, zorey pa bon! Alle fer soigner ! Alle fer soigner do bouffon!

Madam Speaker: Can we have some order, please and allow the hon. Prime Minister to reply!

(Interruptions)

The Prime Minister: Yes, you need an ENT expert to unblock this.

(Interruptions)

Madam Speaker: Hon. Bhagwan!

(Interruptions)

Hon. Bhagwan, please! Order! Order!

(Interruptions)

You want to continue! Hon. Bhagwan!

(Interruptions)

Hon. Bhagwan, please!

(Interruptions)

Order on this side and do not provoke! Let me deal with this side!

(Interruptions)

Hon. Bhagwan! Hon. Bhagwan, it is the last time I am calling you to order!

(Interruptions)

Please, sit down!

(Interruptions)

Please, sit down! Please, sit down! Will you sit down when I am on my feet! Right! I have said...

(Interruptions)

Now, are you arguing with me, hon. Bhagwan? Are you arguing with me, hon. Bhagwan?

Mr Bhagwan: Yes...

(Interruptions)

Madam Speaker: You are arguing with me! Then withdraw what you have just said, otherwise I am not prepared to accept.

(Interruptions)

Mr Bhagwan: ... what he has said!

Madam Speaker: No, I am not prepared! Please, sit down!

(Interruptions)

Hon. Bhagwan, unless you withdraw those words that you have just said!

(Interruptions)

Mr Bhagwan: You are protecting him!

(Interruptions)

Madam Speaker: Are you prepared to withdraw these words? I give you a chance to withdraw these words that you have just said, that I am protecting, and this is very outrageous.

(Interruptions)

Hon. Bhagwan, no! I can't accept this!

(Interruptions)

Hon. Bhagwan, I won't accept this!

Mr Bhagwan: I say it that you are protecting the Prime Minister!

(Interruptions)

Madam Speaker: Hon. Bhagwan, I have tried my best ...

(Interruptions)

Hon. Prime Minister!

(Interruptions)

Hon. Bhagwan, I have never protected anyone! I have no other alternative, I have tried my best to keep you in this House, but what you have said

(Interruptions)

Hon. Bhagwan, I have no alternative. I am asking you to withdraw from the House, unless you are prepared to withdraw your words. I give you one more chance.

(Interruptions)

Hon. Bhagwan, one last time!

(Interruptions)

Hon. Bhagwan, I order you out!

(Interruptions)

Hon. Bhagwan, I order you out! I order you out!

(Interruptions)

I order you out! Okay! I suspend the sitting and I will come back.

(Interruptions)

At 12.20 p.m. the sitting was suspended.

On resuming at 1.31 p.m. with Madam Speaker in the Chair

Madam Speaker: Please, be seated!

Mr X.L. Duval: Madam Speaker, before we start, I have a point of order.

Madam Speaker: Can I give my ruling first? With regard to the incident which has occurred earlier, I understand that both the hon. Prime Minister and hon. Bhagwan have something to say. Hon. Prime Minister!

The Prime Minister: I withdraw the words that I uttered towards the hon. Member of the Opposition from the MMM side.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: I withdraw, Madam Speaker.

Madam Speaker: In view of the fact that hon. Bhagwan has withdrawn the words that have been uttered towards me and the hon. Prime Minister has withdrawn the words uttered, I understand that there is an arrangement and my order which I gave earlier has now been cancelled. Yes, hon. Leader of the Opposition!

Mr X. L. Duval: It was, in fact, relating to this issue. So, I withdraw the point of order.

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

At 1.32 p.m. the sitting was suspended.

On resuming at 3.08 p.m. with Madam Speaker in the Chair.

Madam Speaker: Next question, hon. Oree!

Mr Oree: Thank you, Madam Speaker - PQ No. B/668.

The Prime Minister: Madam Speaker, may I ask for a clarification because hon. Mahomed had asked for a question that is already on record. Now, do I answer or we just leave it as it is?

Madam Speaker: Well, hon. Prime Minister, when we started, hon. Osman Mahomed was not there. I was looking for hon. Ameer Meea also who was not there. So, that is why I did not ask you to reply to that question. So, then we passed on to the next question.

(Interruptions)

No, you were not there!

(Interruptions)

No! I am sorry, when we started you were not there, that is why! Would you like your question to be replied? Okay then, reply, hon. Prime Minister!

The Prime Minister: Just to mention with regard to his mission to India which he had asked...

(Interruptions)

To Kenya! No, I don't see any mission whereby he had gone to Kenya.

Madam Speaker: Do you have any supplementary? No! Next question then!

BATHURST CANAL - UPGRADING

(No. B/668) Mr G. Oree (Second Member for Port Louis North & Montagne Longue) 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 Bathurst Canal, in Ste Croix, in Constituency No. 4, Port Louis North and Montagne Longue, he will state if the National Development Unit is envisaging the upgrading thereof and, if so, when.

The Prime Minister: Madam Speaker, I am informed that following a bidding exercise under its Framework Agreement for Roads for the upgrading of the road and drain at Bathurst Canal, Ste Croix, the National Development Unit has issued a works order to the tune of Rs9,676,965.38 to the selected contractor on 03 November 2017.

Works are expected to start on 20 November 2017 and be completed by 20 April 2018.

Madam Speaker: Next question, hon. Rutnah! Not there? Hon. Uteem!

REAL ESTATE PROJECTS - Mr A. S. - APPLICATION

(No. B/671) **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 Mr A. S. and his group of companies, he will, for the benefit of the House, obtain from the Board of Investment, information as to if it is in presence of any application therefrom to invest in real estate projects in Mauritius and, if so, indicate the –

- (a) date of application;
- (b) project location;
- (c) investment value, and
- (d) outcome thereof.

The Prime Minister: Madam Speaker, I am informed by the Board of Investment that Mr and Mrs A. S. have acquired a residential property on 16 November 2016 under the Real Estate Development Scheme (RES) from Hyde Properties Ltd, a development within the Royal Park Balaclava for an amount of Rs56.1 m.

As regards Vango Property Ltd, a company incorporated in Mauritius on 20 June 2016 where Mr A. S. is the sole shareholder, it has acquired land of an extent of 3,838m² on 15 November 2016 at Ébène for a total consideration of USD1,240,000 to develop a Science, Technology and Innovation park.

I am further informed that on 22 August 2017, Vango Property Ltd has submitted an application to BOI for an authorisation to acquire 12 residential properties at Balaclava from Le Loiret Ltd under the Property Development Scheme for a total consideration of MUR355.25 m. It is understood that the properties, once acquired, will form part of rental pool agreement managed by the vendor.

The application was approved by the Board of the BOI and the Vango Property Ltd was issued with an authorisation to acquire 12 residential properties on 21 September 2017 subject to terms and conditions imposed by the BOI Board.

Madam Speaker: Hon. Uteem!

Mr Uteem: Thank you, Madam Speaker. Is the hon. Prime Minister aware if the Board of Investment had sought any legal advice before allowing Vango Properties to invest in the Real Estate Project?

The Prime Minister: Yes, I have been informed.

Mr Uteem: Is the hon. Prime Minister aware that two Senior Counsels from the private sector had advised against granting permission in view of the reputation of risk that Mauritius may face if Vango was allowed to invest in this real property?

The Prime Minister: There have been three advices tendered, two from two Senior Counsels and one from the SLO. And it is not correct to say that two Senior Counsels have advised against. There is one Senior Counsel who has advised against.

Madam Speaker: Hon. Uteem!

Mr Uteem: May I know from the hon. Prime Minister the reason why the Senior Counsel had advised the Board of Investment not to go ahead and approved this investment?

The Prime Minister: Well, it is, Madam Speaker, for the BOI who had sought the advice of three Counsels. It was for them to look at all the advices that were tendered. I understand that there was discussion with regard to the advice that was tendered and eventually they came up to a decision and they allowed the application.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Madam Speaker, can I know from the hon. Prime Minister following what has been stated and what happened - everybody knows - concerning Sobrinho, is the Government still giving, I would say, international crook, red carpet treatment, VIP facilities, official cars on his visits in Mauritius? Is this policy still applying to Mr Sobrinho?

The Prime Minister: Well, I have just answered with regard to BOI, that question pertains to whether there has been an application with regard to acquisition of properties. So, I have given the answer.

Madam Speaker: Yes, hon. Shakeel Mohamed!

Mr Mohamed: Thank you, Madam Speaker. The hon. Prime Minister has made reference to legal advice which was referred to by hon. Uteem. Would he kindly table all the

legal advice that was obtained, and, at least, let us have the names of all the counsels who gave legal advice, and the name of the counsel who finally gave a different advice to the first senior ones?

The Prime Minister: The hon. Member is fully aware that we normally do not table legal advice that have been tendered more so that I am informed that it would not be appropriate for BOI to have the legal advice to be communicated, to be tendered.

Mr Mohamed: The hon. Prime Minister does not have to tell, but the names of the counsel!

The Prime Minister: The names: Mr Maxime Sauzier, Mr Rishi Pursem, and one from the SLO.

Madam Speaker: Hon. Baloomoody, next question!

AIR FLIGHTS - CANCELLATION

(No. B/672) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to air flights, he will, for the benefit of the House, obtain from the Civil Aviation Department, information as to the number thereof which were either cancelled and/or rescheduled over the past two months, indicating the names of the airline companies concerned therewith.

The Prime Minister: Madam Speaker, I am informed by the Director of Civil Aviation that, out of the 3695 arriving and departing scheduled flights at Sir Seewoosagur Ramgoolam International Airport which were planned for the past two months, 59 have been cancelled and 75 rescheduled.

The airlines concerned were Air Austral, Air Madagascar, Air Mauritius, Air Seychelles, Corsair-Fly, South African Airways and Turkish Airlines.

Mr Baloomoody: Can the hon. Prime Minister confirm that, following the problem we had with the pilots at Air Mauritius, several flights have been either cancelled or rescheduled?

The Prime Minister: Well, it is public knowledge that, yes, as a result of a concerted action by some pilots of Air Mauritius, several flights could not take off and, therefore, I am being informed that some have been cancelled and some have been rescheduled.

Madam Speaker: Next question, hon. Lesjongard!

BAIE DU CAP – PROJECT - SOCIAL IMPACT ASSESSMENT

(No. B/673) Mr G. Lesjongard (Second Member for Savanne & Black River) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the major project being implemented in the region of Baie du Cap, called *Amba Laba*, he will, for the benefit of the House, obtain from the Board of Investment, information as to the –

- (a) name of the promoter and of the nationality thereof
- (b) details thereof and
- (c) if a social impact assessment thereof has been carried out.

The Prime Minister: Madam Speaker, I am informed by the Board of Investment that Bouigue Developpement (Maurice) Ltée was issued with an IRS certificate on 31 July 2014 for a project under the Integrated Resort Scheme under the brand name '*Amba Laba*' at Baie du Cap.

Project implementation has been delayed due to technical reasons and it is now planned for construction works to start in the first quarter of 2018.

Regarding part (a) of the question, the promoter of the project is Mr Gilles Bouigue of French nationality and his four children.

As regards part (b) of the question, the project comprises 56 villas, 18 apartments, a mini supermarket, a wellness centre and an apart hotel of 60 rooms on 51 *arpents* of freehold land. The promoter has also leased around 1 *arpent* of State land for the purpose of setting up a kitesurfing school, a craft market, an art gallery and other facilities. The project will necessitate an investment of Rs3.5 billion and is estimated to create over 500 jobs.

With regard to part (c) of the question, Bouigue Developpement (Maurice) Ltée has submitted to the Board of Investment a social impact assessment and a social needs analysis for the implementation of social programmes in the region of Baie du Cap. Implementation of the

programmes will be for an amount of MUR 14.8 m. representing the mandatory social contribution of the promoter under the scheme once the villas and apartments are sold.

Madam Speaker: Hon. Lesjongard!

Mr Lesjongard: Thank you, Madam Speaker. When one refers to the *dossier de presse* of the project which has been made public, we see that they are going to set up an integrated village which will be found just behind the village of Baie du Cap. I have got two questions for the hon. Prime Minister.

Madam Speaker: One by one, please!

Mr Lesjongard: Okay. The first one is whether that integrated village will be gated?

The Prime Minister: Well, I don't have this information, Madam Speaker, but, obviously, we can find out, and I will let the hon. Member know.

Mr Lesjongard: Why I have put that question, Madam Speaker, is that I wish to know whether the inhabitants of the Baie du Cap Village will have access to the integrated village which will be built under the IRS project and whether those living in the village also will have access to the Baie du Cap Village?

The Prime Minister: I am sorry, I don't have this information. So, I don't want to venture, but I will certainly find out.

Madam Speaker: Next question, hon. Lesjongard!

BLACK RIVER GORGES - MATALA INTEGRATED RESORT PROJECT - IMPLEMENTATION

(No. B/674) **Mr G. Lesjongard (Second Member for Savanne & Black River)** asked Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the Matala Integrated Resort Project being implemented in Black River Gorges, he will, for the benefit of the House, obtain from the Board of Investment, information as to –

- (a) the name of the promoter and of the nationality thereof
- (b) if the project has been completed

- (c) if the social plan in relation thereto has been implemented, and
- (d) if the promoter thereof has fulfilled all his obligations towards the Government of Mauritius and, if not, why not.

The Prime Minister: Madam Speaker, I am informed by the Board of Investment that Matala Properties Ltd. is currently developing an IRS project at Black River. The project was issued with an IRS Certificate on 08 April 2011 for the setting up of 70 villas, a club house, spa, and a restaurant on freehold land of an extent of some 45 *arpents* at Rivière Noire.

As regards part (a) of the question, the shareholders of the company are Société Mohun Ramdenee represented by Messrs Mohun, Ashok and Kamlesh Ramdenee, all of Mauritian nationality and BEES Investments Limited which is commonly known through its business name '*Seeff Properties*'.

The shareholders of BEES Investments are -

- (a) Flare Investments (Proprietary) Limited, a South African company holding 54 percent;
- (b) Compagnie Mauricienne de Textile, a Mauritian company holding 27 percent;
- (c) Fanucci Patrick Gerard of Mauritian nationality holding 11 percent;
- (d) Pietersen Theo Johan of South African nationality holding 8 percent.

Regarding part (b) of the question, as of date, the project is still under implementation with 44 villas constructed and sold out of a total of 70 units.

With regard to parts (c) and (d) of the question, as per the requirements of the IRS Scheme, following the sale of 44 villas, the promoter has a social fund of Rs8.8 million for the implementation of social projects and I am informed that the funds are yet to be disbursed due to financial liquidity constraints faced by Matala Properties Ltd. The promoter entered a case in the Supreme Court in 2015 against its main contractor with regard to payment issues and the contractor refused to complete construction of the villas. As a result, new contractors were appointed to complete the construction works and this led to additional costs of around Rs300 m. following the delay in delivery of the 44 villas.

The Vice-Prime Minister, Minister of Housing and Lands together with the Board of Investment are following closely with the promoters on the implementation of social programmes.

Mr Lesjongard: Madam Speaker, may I ask the hon. Prime Minister since that social plan forms part of the package of the scheme, that is, the IRS, what measures do we take in such cases whereby the promoter has not completed his project since 2011 and the social plan has not been implemented until today?

The Prime Minister: Well, this is a problem because there is the need for them to contribute that amount and because they are facing a financial problem, we have discussed. I know that we have informed them that, at least, there must be part contribution for this fund. As I said, the Vice-Prime Minister is following up on this matter and hopefully we will be able to settle this.

Madam Speaker: With regard to questions addressed to hon. Ministers, the Table has been advised that PQ No. B/685, in regard to the contract awarded to Messrs Hyvec Partners Ltd., will be replied by the hon. Attorney General, Minister of Justice, Human Rights and Institutional Reforms. Hon Rughoobur!

CEB - WASTE TO ENERGY PLANT - CONSTRUCTION

(No. B/675) Mr S. Rughoobur (Second Member for Grand'Baie & Poudre d'Or) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the proposed construction of a waste to energy plant by the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to if bids have been launched therefor and, if so, indicate the outcome thereof.

The Deputy Prime Minister: Madam Speaker, in my reply to PQ B/779 of 19 July 2016, I informed the House that on 01 July 2015, the CEB had invited Expressions of Interest for the installation of renewable energy technologies for power generations.

The CEB received 339 Expressions of Interest out of which 17 were related to waste to energy projects. The CEB was not proposing to construct a waste to energy plant. The Expressions of Interest envisaged the construction of the plant by private promoters for the sale of electricity to the CEB.

Subsequently, on 11 April 2016, the CEB issued a Request for Proposal to the 17 firms. This was based on confirmation from Solid Waste Management Division that 600 tonnes of Municipal solid waste would be made available for generation of electricity. One of the mandatory requirements of the RFP was that the bidders should submit an interconnection study by 10 June 2016. Only five bidders submitted the interconnection study at the scheduled date and became eligible to submit bids.

At the closing date, on 19 October 2016, only one bidder namely Synnove Energy submitted an offer which was found to be non-responsive.

Mr Rughoobur: Let me thank the hon. Deputy Prime Minister for his reply. In February 2016, a consultant appointed by the Ministry, one Mr Manuel Fuentes, proposed that MARENA carries a feasibility study on this waste to energy plant. May I know from the hon. Deputy Prime Minister if this feasibility study was carried out and if there is the possibility to table it, please?

The Deputy Prime Minister: I will have to look into it further before I am able to answer.

Mr Rughoobur: The power generation plant 2013-2022 clearly points out that 4% of the production of energy from waste to energy would form part of that 35% total renewable energy in 2025. Based on the reply of the Deputy Prime Minister, may I know from him, how does Government contemplate to fill the gap of 4%?

The Deputy Prime Minister: This has been a troubling question. We have had consultation with the Ministry of Environment. The whole question revolves about the availability of waste. If we take the question of Synnove Energy, they were prepared to do it on condition that we provide 1,100 tonnes of waste. Well, we cannot, we do not have that quantity of waste. Available waste is only 600 tonnes. For the moment, we are producing electricity from the Mare Chicose Landfill. We do contemplate going further with the Waste to Energy programme. There are other proposals on the table. We shall see how to deal with this, but our commitment remains the 4% target.

Mr Osman Mohamed: There were 70 companies that showed an interest to do Waste to Energy Projects in Mauritius, but this was reduced to 5, then to 1 and then to zero. Can we have

an indication from the hon. Deputy Prime Minister why there was such a lack of interest along the way for Waste to Energy Projects in Mauritius?

The Deputy Prime Minister: There was not a lack of interest. We have several people who are interested. The question is the quantity of waste and the price of the electricity. It all comes down to a question of price. So, at 600 tonnes, the price of electricity is too high.

Madam Speaker: Next question, hon Rughoobur!

DESALINATION PLANTS - FEASIBILITY STUDIES

(No. B/676) Mr S. Rughoobur (Second Member for Grand’Baie & Poudre d’Or) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the proposed supply and fixing of desalination plants in Mauritius, he will, for the benefit of the House, obtain from the Central Water Authority, information as to if feasibility studies have been carried out therefor and, if so, indicate the findings and recommendations thereof and, if not, why not.

The Deputy Prime Minister: I am informed by the Central Water Authority that it has not undertaken any feasibility study on desalination plants in Mauritius. As a matter of policy, the priority of the Government is to replace the old water pipes and to reduce water losses in the distribution system and increase the water storage by constructing new dams and increasing the capacity of existing reservoirs.

In the context of the Integrated Water Resources Management Project financed by the United Nations, office for project services, a consultant has prepared guidelines for desalination plants. He had wide consultations with various stakeholders and submitted the guidelines in September 2017.

My Ministry and the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development are presently working on the implementation of the guidelines.

Mr Uteem: Is the hon. Deputy Prime Minister aware if promoters of hotel projects are required to have desalination plants because it was the policy previously that if you were coming to build a hotel, you need to have a scheme for desalination?

The Deputy Prime Minister: Let us be careful on the issue of desalination. There are hotels which already have desalination plants. Some of them are working, others are not

working, but all of them keep these plants for operation only in the dry season. The reason is that, at the level of the water tariffs as they are until today or for the next few days, the cost of producing desalinated water is more expensive than taking CWA water. That is the first point.

The second point is the environmental cost of desalination. First of all, all these plants for desalination use electricity and that means heavy fuel oil which is used.

Secondly, there is environmental damage. That can be done in Rodrigues although they have had teething problems. But in Rodrigues they will have eventually four desalination plants.

In Mauritius, we have a population of 1.2 million; we have rainfall of 3,700 million meter cube. If you compare to a country like Israel, with a population of 7 million and a rainfall of 300 million meter cube, you obviously see the problem of desalination. I can go on and say for instance that the problem is not storage of water. Our problem is the loss of water. Why should we desalinate to lose 50% in the water pipes? So, all these are problems which have made us shy away from desalination plants in the island of Mauritius. I am not talking of Agaléga. I am not talking of Rodrigues.

Madam Speaker: Next question, hon. Rughoobur!

LA NICOLIÈRE RESERVOIR – WATER SUPPLY

(No. B/677) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to La Nicolière Reservoir, he will, for the benefit of the House, obtain from the Central Water Authority, information as to if consideration will be given for the capacity of the filtration plant thereof to be increased to improve the supply of potable water in the north and, if so, when and, if not, why not.

The Deputy Prime Minister: I am informed by the Central Water Authority that it is already implementing a project for increasing the capacity of La Nicolière Water Treatment Plant from 66,000 meter cube per day to 100,000 meter cube per day. The project is listed in the Public Sector Investment Programme with a project value of Rs430 m.

I am further informed by the CWA that on 09 September 2016, it appointed a consultant, Hydra Tech of the C Tech Group, in association with Servansingh Jadav & Partners to carry out the feasibility study and detailed design for the upgrading of the water treatment plant. The

consultant is expected to submit the detailed design in December 2017. The CWA is planning to launch the bids for the construction of the treatment plant by February 2018.

I wish also to inform the House, that is, with the view to improve water supply in the north, my Ministry is implementing a project to increase the capacity of Nicolière Reservoir.

In August 2017, it has appointed a consultant, SMEC, to carry out the feasibility study. The report of the study will be submitted in November 2018.

Mr Rughoobur: The Deputy Prime Minister has elaborated on the long-term solution to the problem we have in the north. May I know from the hon. Deputy Prime Minister what are the measures that are being taken to solve the issue that we are having presently in the north in the regions like Grand Gaube, Grand' Baie, etc., please?

The Deputy Prime Minister: Well, you are asking a totally different question from the one which you asked. If you want me to answer a question on Grand' Baie, I will gladly do so, but please give me notice.

Mr Rughoobur: Well, the Government has approved a series of PDS and IRS projects in the north. Based on the high demand these few months and in the coming months, may I know from the Deputy Prime Minister how is the CWA contemplating once again to solve this acute shortage of water supply in the region?

The Deputy Prime Minister: I am sorry, Madam Speaker, but may the hon. Member be reminded that I can only answer questions which arise from the main question. The main question is on the filtration plant. It has nothing to do with Grand' Baie or whatever.

Madam Speaker: Hon. Rughoobur, next question!

WASTE WATER – SEWER PIPES

(No. B/678) Mr S. Rughoobur (Second Member for Grand' Baie & Poudre d'Or) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Waste Water Management Authority, he will, for the benefit of the House, obtain therefrom, information as to the extent of waste water pipes laid during each of the years ending 2013, 2014, 2015 and 2016, respectively.

The Deputy Prime Minister: Madam Speaker, with your permission, I shall reply to PQs B/678 and B/704 together.

I thank my two colleagues for these two questions, as they give me the opportunity to explain, even as some length, the performance of the Wastewater Management Authority.

For a proper understanding....

Madam Speaker: Hon. Deputy Prime Minister, can you tell me how long it will be, since you mentioned 'with some length'?

The Deputy Prime Minister: I have not done a trial...

Madam Speaker: But at least you know. Five minutes, six minutes?

The Deputy Prime Minister: Five to eight minutes. I have four pages.

Madam Speaker: Because two questions are combined. I can give you up to a maximum of eight minutes.

The Deputy Prime Minister: I can table my answer.

(Interruptions)

Alright, I will try to do it!

For a proper understanding of the evolution of projects between 2013 and 2016, I would need to draw attention to the history of sewerage projects since the setting up of the Wastewater Management Authority. I shall, therefore, crave your indulgence, Madam Speaker, if I take longer than I usually take.

The 1991-95 Government had set up the National Sewerage Master Plan in 1994. The Authority was set up in 2001 with the object of implementing the Master Plan. Between 1995 and 2001, nothing was done...

(Interruptions)

Madam Speaker: Can I know whose phone it is? I would ask you immediately to take your phone and go out. Please!

The Deputy Prime Minister: Since the creation of the Authority in 2001, the Authority has been engaged in three major projects to implement the Master Plan. These are the Grand'

Baie Sewerage Project Phase 1, the Baie-du-Tombeau Sewerage Project and the Plaine Wilhems Sewerage Project.

As at 2013, the Grand' Baie Project Phase 1, which was financed by *Agence Francaise de Développement* and the Baie du Tombeau Project, partly financed by an Indian Line of Credit, had been completed.

As for Phase 1-B of the Grand' Baie Project, it was decided in 2010, that it would be funded by JICA, the Japan International Corporation Agency. The agreement with JICA was signed in 2012, consultancy services started in 2013. This was for the laying of 80 kilometres of sewer lines in the region of Cap Malheureux and Pereybere. The studies are now completed.

However, the discussions with JICA are still not completed. A mission from JICA was in Mauritius a month ago, and two main issues have arisen with regard to the replacement of water pipes and the upgrading of the treating plant. JICA is still considering the matter. The result is that no contract has been awarded up to now. This cannot be done until JICA gives its final green light.

I now turn to the Plaines Wilhems Sewerage Project, which was also a question by hon. Ramano.

The project was initiated in 2003 when Montgomery Watson was appointed as consultant for the concept, design and preparation of tender documents for the whole project.

A second consultant, Lotti, was appointed in 2006 for design and supervision. The project was for the laying of about 250 kilometres of sewer pipes. The project was divided in four lots. Lot 1A north, lot 1A south, 1B and 2. I am tabling a map, if I may, indicating location of these lots.

For lot 1A North, between 2009 and 2012, 52 kilometres of pipes had been placed. In 2013, 20 kilometres were placed. In 2014, some 17.5 kilometres were placed. The project was to be completed in 2014, but was delayed. That is why 9.5 kilometres of pipe were laid in 2015 and 2.26 kilometres in 2016.

As at 2013, Lot 1B, a total of some 37 kilometres, was completed. For Lot Number 2, which is Quatre Bornes Centre, works started in January 2008, originally for 87 kilometres.

This was increased to 99 km. 86.6 km were completed between 2008 and 2012, the rest being 13.2 km was completed in 2013 and 2014.

In 2015, my Ministry drew my attention to adverse remarks made by the Director of Audit with respect to Lot 1A. The project had been delayed by three years and the scope of works expanded from 102 km to 140 km with an additional Rs1 billion above the original contract value.

In order to stop this unacceptable bleeding of Government resources, Government decided on 27 March 2015 that the works for Lot 1A South should be closed, save for the completion of 12 km of pipes at a cost of Rs285 m. This was completed in November 2016. The defects liability period will expire in November 2017.

As for the rest of Lot 1A South, that is, Palma-Bassin-La Source-Kennedy and a small part of Pierrefonds - I am left of one minute, Madam Speaker - same will be included in the next year's budget.

There is also the Pailles-Guibies Sewerage Project which is for a total of 3.2 km for the main sewer line from Guibies to GRNW and the construction of a pumping station at GRNW. 2.7 km were completed in 2016.

In the years 2014 and 2015 a total of 2.7 km were installed for the Parisot Sewerage Project Phase 1. Other smaller priority projects completed in 2015 and 2016 for a total of Rs6.7 km are Verger Bissambar, Marcel Cabon, Alfred Gelle and Cipaye Brulée.

As regards part (a) of Parliamentary Question B/704, the Plaine Wilhems Sewerage Project includes the construction of –

- (i) trunk sewer from Curepipe to Saint Martin;
- (ii) a treatment plant at Saint Martin;
- (iii) consultancy and reticulation network for Lots 1A, 1B and Lot 2.

The House may wish to note that in his report of 2007-2008 the Director of Audit had indicated that the initial cost of the Plaine Wilhems Sewerage Project had been revised from Rs2 billion to Rs7 billion. In addition, prior...

Madam Speaker: Has the hon. Deputy Prime Minister almost finished?

(Interruptions)

10 seconds? Okay!

The Deputy Prime Minister: In addition, prior to 2015 this figure had reached Rs9.4 billion which the Authority was already committed to pay. To this amount we must add the amount of Rs285 m. which I mentioned above.

I am tabling the details of these amounts, Madam Speaker.

Madam Speaker: Hon. Rughoobur!

Mr Rughoobur: Madam Speaker, my question was based on the kilometre of pipes laid, but I see that the hon. Deputy Prime Minister has given a description of the projects. Anyway, may I know from the hon. Deputy Prime Minister, if he has information as to the kilometres of pipes laid for the years 2013 to 2016?

The Deputy Prime Minister: Well, all this is included in the answer. I have given it.

Madam Speaker: Yes, the Deputy Prime Minister has given all those already. Yes, hon. Rughoobur, you have got a second question?

Mr Rughoobur: Based on the description of the projects that the Deputy Prime Minister has been enumerating and based on the monitoring that has to be undertaken at the level of the Wastewater Management Authority, may I know, if following the suspension of almost 7 Engineers, how are the works being monitored currently?

The Deputy Prime Minister: Well, again, I will appeal through you, Madam Speaker, to the hon. Member to ask a substantive question. This is not a surprise game! This is Parliamentary Question!

Madam Speaker: Hon. Rughoobur, I will just draw your attention to the fact that any supplementary question which is being asked has to come from the main question. If you have got a question which does not come from the main question then I will not allow you.

Mr Rughoobur: Again, the question is based on the kilometre of pipes laid and how the monitoring is being done in the absence of seven Engineers who have been suspended at the Wastewater Management Authority.

(Interruptions)

Madam Speaker: Again, hon. Rughoobur I don't think this question stands from the main question! So, unless the hon. Deputy Prime Minister wants to reply, I don't think that I would allow this question. Hon. Armance!

Mr Armance: Thank you, Madam. The hon. Deputy Prime Minister in his reply mentioned that pipes are being laid in the region of GRNW which relates to the Pailles Sewerage Project. May I know from the hon. Deputy Prime Minister where matters stand with the project of Phase 1 and when is Phase 2 starting for the project? Has there been any delay in this project?

The Deputy Prime Minister: I am waiting for the answer for the exact date; if I can, I will gladly oblige.

Madam Speaker: Hon. Deputy Prime Minister, in the meantime, can we take another question? We have got some few questions here. Hon. Adrien Duval is not there. Hon. Bhagwan!

Mr Bhagwan: The hon. Deputy Prime Minister has given us a long list. We will take cognizance of the list of the length of pipes which has been laid. Can I ask hon. Deputy Prime Minister - if he does not have the reply now, he can circulate it. There is a lot of frustration from the inhabitants of Lower Quatre Bornes, Palma and La Source region where there have been pipe laying, but the problem is the house connection. What about the house connection? These people have been waiting since January 2015; pipes have been laid and they are still having problem with the house connection and they have to pay lorries for the emptying of the septic tanks.

The Deputy Prime Minister: Let me, first of all, reply to hon. Armance. The Phase 1A, as I have said in my reply, will finish at the end of December 2017. For Phase 2 the bidding process will start next year in March.

For the house connections, we will do it under ongoing framework agreements. It is being contemplated by now.

Madam Speaker: Yes, hon. Osman Mahomed! No? Hon. Jahangeer!

Mr Jahangeer: Thank you, Madam Speaker. With reference to the Plaine Wilhems Sewerage Project, I would like to know if the hon. Deputy Prime Minister can inform us about the contractor who executed the project and if he is still bagging contracts from the same Ministry?

The Deputy Prime Minister: First of all, I believe the contractor was Sotravic and whether they are getting contracts again, this is under the control of the Central Procurement Board and not under the control of the Ministry. They have not been banned; nothing has been done against them. So, I am tied by the Central Procurement Board which functions independently.

Madam Speaker: Next question, hon. Osman Mahomed!

BRAMER BANKING CORPORATION LTD – LICENCE - REVOCATION

(No. B/679) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Financial Services and Good Governance whether, in regard to the revocation of the licence of the Bramer Banking Corporation Ltd. in 2015 by the Bank of Mauritius and the consequential collapse of the BAI Group, he will state if any risk assessment on the State of Mauritius was performed by the authorities concerned therewith and, if so, by whom and when and, if not, why not.

Mr Sesungkur: Madam Speaker, with your permission, I will reply to Parliamentary Questions No. B/679 and B/680 together as they both refer to the same issue.

Madam Speaker, I wish to refer the hon. Member to the Statement made by the Minister Mentor, Minister of Defence, Minister for Rodrigues on 30 June 2017.

Madam Speaker, as regulators, both the Bank of Mauritius and the Financial Services Commission have the responsibility to ensure financial stability and to safeguard public interest. Both institutions make regular risk assessments and conduct micro-prudential supervision of individual financial institutions as well as conduct macro-prudential surveillance of the financial system as a whole. The two are related and closely coordinated to provide a comprehensive approach to preserving a stable and sound entire financial system.

The licence of the Bramer Banking Corporation Ltd was revoked by the Bank of Mauritius on 02 April 2015 under Section 17 of the Banking Act 2004 in the public interest. The Bank identified a number of significant deficiencies in the management of the Bramer Banking Corporation Ltd.

Bramer Banking Corporation Ltd had been experiencing large withdrawals of deposits placing it in a precarious liquidity situation. That was further worsened by its difficulty to raise funds on the interbank market.

The Bank of Mauritius considered that the Bramer Banking Corporation Limited had been carrying on business in a manner which was detrimental to the interests of its depositors and the public. I am tabling a copy of the communiqué issued by the Bank of Mauritius.

Madam Speaker, after revoking the banking licence of the Bramer Banking Corporation Limited, the Bank of Mauritius appointed nTan Corporate Advisory Pte Ltd to make an examination on the affairs of the BAI Group. The report of nTan revealed that the BAI Group was technically bankrupt as far back as in 2010. In fact, the cumulative losses calculated by nTan for the four years, 2010-2013, were a massive Rs14.7 billion. The liabilities of the BAI Group far exceeded its assets by approximately MUR 12 billion.

The nTan report stated that the BAI Group projected an image of being sustainable, profitable and financially strong when it was, in fact, insolvent. The report concluded that through its various schemes, such as inflating the value of its assets, the BAI Group was able to conceal its massive losses and obscure its true financial position. However, the accumulated deficit continued to grow such that in 2015 the BAI Group inevitably collapsed under the weight of its huge losses and the unsustainable liabilities.

On 03 April 2015, the FSC invoked its powers on the Insurance Act 2005 to appoint Conservators to BA Insurance followed by the appointment of Administrators.

Madam Speaker, the Government took prompt action to manage a crisis of national magnitude to protect the depositors of ex-Bramer Bank from being ruined by safeguarding the interests of the policyholders and investors of the BA Insurance, maintaining employment of a majority of staff working for the group, and, most importantly, protecting our country from a systemic risk.

I am convinced that our Government acted promptly without fear and favour to tackle this massive scam which otherwise could have resulted in a social calamity.

Thank you.

Madam Speaker: Yes, hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. My first question pertains to the risk assessment on the State of Mauritius. May we have a copy tabled of the risk assessment that was performed in that particular case because the hon. Minister has mentioned about generic risk assessment, but for that particular case, because of the magnitude of the problem, can we have a copy of that particular risk assessment being tabled in this Assembly?

Mr Sesungkur: Madam Speaker, I just mentioned that the regulators generic an assessment of the system, and there were no specific risk assessment made at that particular point in time. So, there is only the work which the regulators did on their own.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: This is why the end does not justify the means. But can I ask the hon. Minister what is the cost to the taxpayer so far because of this whole issue. What has been the cost implication so far to the taxpayer?

Mr Sesungkur: Madam Speaker, the whole exercise was to rescue the depositors, the investors of the Bramer Banking Corporation and the BAI. It was an important action to protect our country from a systemic risk which was there, which was looming ahead. So, the question of what it cost to the taxpayers is a secondary issue compared to the main problem which was to protect, firstly, the depositors of the bank which were going to collapse and the investors and policyholders, which were over 100,000 policyholders which were involved at that time, who were in the BAI. So, it was a question of national interest which was there.

Madam Speaker: Yes, hon. Osman Mahomed!

Mr Osman Mahomed: My question, Madam Speaker was: what was the cost implication? The hon. Minister has not answered. Well, we know from what has been articulated in the public, Rs3.5 billion for MauBank and Rs2.5 billion to pay back the Super Cash Back Gold owners. Is that correct? Is that factual? At least, can the hon. Minister give an indication of the figure?

Mr Sesungkur: Before we make that calculation, I will draw the attention of the hon. Member to the figures I gave. There were Rs12 billion of deficit as per the report of nTan. Rs12 billion of deficit! And that deficit had to be made good somewhere. So, what we did is try to work out a global plan to safeguard the interest of depositors, policyholders and investors. So,

overall, what we expect to achieve is when we have disposed the assets of the ex-BAI, of the Bramer Bank, we expect that this will nullify hopefully, otherwise it was a really big issue, big problem for the country, for the system and somewhere there is a social cost which...

Madam Speaker: Hon. Uteem!

Mr Uteem: The question is very simple. The hon. Minister said that according to nTan, there was a deficit of Rs12 billion, that is, liabilities exceeded assets by Rs12 billion. So, the question which the hon. Member is asking and I am asking is: out of these Rs12 billion, how much of it comes from the pocket of the taxpayers, and how much will be borne by the creditors?

Mr Sesungkur: This exercise is yet to be done. The hon. Member should appreciate that we are not yet at the end of the problem. What we are trying to do is take a phased approach to the problem. There was a deficit of Rs12 billion. We cannot just take Rs12 billion, pluck it from somewhere and put it here. This has to be worked out. So, what we are trying to do is work out a solution which will facilitate everybody.

Madam Speaker: Hon. Rutnah!

Mr Rutnah: Thank you, Madam Speaker. In relation to the financial risk that prevailed at the time, the financial risk of the bank itself, the depositors and the economic risk that existed and prevailed at the time, can the hon. Minister state whether the BAI Group at that time were able to, at least, maintain the requisite cash preserve ratio with the Bank of Mauritius?

Mr Sesungkur: No, the bank was really in a bad situation and not only the bank, but the whole BAI Group. And this was highlighted by several reports. One of them was the IMF Report which drew attention of Government that if we do not tackle the problem of BAI, that will represent a major systemic risk for our financial system, for the financial stability of our country. So, Government acted in the national interest by adopting a proactive approach rather than waiting that the problem crops up in the coming months.

Madam Speaker: Hon. Ramful!

Mr Ramful: Madam Speaker, again, I am referring to the second question. The hon. Minister has answered, but he has not given a figure with regard to the drop in the asset value of the BAI Group. Can we have a figure? Has there been a calculation following the sale of the assets? What is the drop in the asset value of the BAI Group?

Mr Sesungkur: As I said, the exercise is still on-going. There are several assets which are not yet sold. So, we cannot ascertain the loss at this stage. But suffice it to say that the nTan Report confirmed that there was a deficit of Rs12 billion which had to be made good. So, there was a deficit and as we go along when we will dispose the assets, we will know what is the end situation.

Madam Speaker: Last question, hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. It is clear that we have nationalised a problem that has costed Government and has entailed the closure of a bank and an insurance company. Now, what assessment has the hon. Minister made on these two particular sectors because when international investors are going to look at Mauritius after what we have done surely our image has taken a deep blow? So, what is assessment that has been done so far on these two important sectors of the economy?

Mr Sesungkur: Madam Speaker, I do not know what the hon. Member wants to say by nationalising because what Government has done is to find a solution to a major problem which was there and which was threatening our financial stability. What we can say is our Government is a centre-left Government which promotes private initiative, but, at the same time, we need to protect and safeguard the interests of the vulnerable groups. That is what we have done so far.

Madam Speaker: Next question, hon. Osman Mahomed!

BAI GROUP - ASSET VALUE

(No. B/680) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Financial Services and Good Governance whether, in regard to the BAI Group, he will state the drop in asset value thereof as a consequence of the revocation of the license of the Bramer Banking Corporation Ltd. in 2015 by the Bank of Mauritius.

(Vide Reply to PQ No. B/679)

INKERMAN STREET, PORT LOUIS - SEWER PIPES

(No. B/681) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Inkerman Street at its junction with China Street, in Port Louis, he will,

for the benefit of the House, obtain from the Waste Water Management Authority, information as to if reported cases of clogged sewer lines thereat have temporarily been attended to and, if so, indicate the long term measures being envisaged.

The Deputy Prime Minister: Madam Speaker, I am informed by the Wastewater Management Authority that the sewage system in Port Louis has been built more than 70 years ago. Improvements were brought to the Port Louis system in the late 60s and early 70s. It needs to be rehabilitated throughout the City and would not necessitate huge investments.

I am informed by the Wastewater Management Authority (WMA) that, at the junction of Inkerman and China Streets, there have been recurrent clogging problems because it has been difficult to carry out preventive jetty. This is due to the accessibility problems along narrow lanes and especially because houses have been constructed over sewer pipes.

The WMA has received 31 complaints regarding clogged sewer along Inkerman Street, Port Louis between January and October 2017. It has intervened in all the cases to resolve the problem. Until a full scale project for Port Louis would be ready for implementation, the Wastewater Management Authority is proposing to implement a project to divert the sewer pipes so as to facilitate preventive maintenance in that region.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Thank you, Madam Speaker. This is a major public health issue because it is in the heart on my Constituency, I am aware of it. Can I have an indication of the timeframe from the hon. Deputy Prime Minister for this project?

The Deputy Prime Minister: I would not want to commit myself on that issue. Let us leave it to the Authority. They are working on it. It needs to divert all the sewer pipes. I have looked at the map and it is a pretty hard problem. The hon. Member and hon. Mrs Roubina Jadoo-Jaunbocus are all very keen on this corner. I believe hon. Uteem as well must be interested in this. So, we are working on it.

Madam Speaker: Hon. Uteem!

Mr Uteem: Just a classification from the hon. Deputy Prime Minister. He mentioned two projects -

- (i) a temporary diversion of the pipe, and then

(ii) the Master Plan for Port Louis because it is more than 70 years.

So, at least, with regard to the second phase, is there any timeframe for the major work?

The Deputy Prime Minister: Absolutely not! I am not going to venture into that sort of project until I have been provided with correct advice and correct studies.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: As a temporary relief - and I am going to go a little bit in the sewer business, what has happened is a lot of stones have clogged the pipes there as well and mere rodding which is commonly done is not appropriate because the truck that is supposed to be responsible for Port Louis region is out of order.

Madam Speaker: Ask your question!

Mr Osman Mahomed: Is the hon. Deputy Prime Minister aware that? There is a special truck that deals with this kind of problem.

The Deputy Prime Minister: The jetting truck had broken down. It had been sent to the agent for repairs, I believe. Let me check whether I am correct. It is now, back to work. Yes, it is correct!

Madam Speaker: Next question, hon. Osman Mahomed!

PORT LOUIS SOUTH & PORT LOUIS CENTRAL - STREET LIGHTING

(No. B/682) Mr Osman Mahomed (Third Member for Port Louis South & Port Louis Central) asked the Minister of Local Government and Outer Islands whether, in regard to Constituency No. 2, Port Louis South and Port Louis Central, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if cases of faulty street lighting thereat have recently been reported thereto and, if so, indicate the number thereof, indicating in each case –

- (a) the reasons therefor, and
- (b) if remedial actions will be taken and when.

Mr Jhugroo: Madam Speaker, I am informed by the Municipal City Council of Port Louis that 44 complaints were received during the month of October from residents of Constituency No. 2 regarding faulty street lighting in their region.

All these complaints have been attended to and remedial actions have been taken accordingly.

With your permission, Madam Speaker, I am tabling the list of the 44 complaints which the Council has received and attended to during the month of October.

I am further informed that one complaint has been received on 03 November 2017 from one, Mr Javed, regarding two faulty street lightings at Lenepveu street and that appropriate action is being taken by the Council in this respect.

Madam Speaker, I would like to point out that this Government has set up, since April 2017, the Citizen Support Portal, whereby citizens may register their complaints online or through their mobile device on a 24/7 basis and they can track the status of their complaints at any point in time.

I would, therefore, invite the hon. Member to inform his constituents that they may make use of the portal and follow on their complaints and queries.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Well, thank you, Madam Speaker. Since the time I asked the question and until now, I do reckon that a lot of problems have been solved. The department has contacted me and a lot of problems have been solved.

So, I will move to a more systemic question. Is the hon. Minister aware that the streetlights are faulty with bulbs getting burned after a few days because of their poor quality. Also the intensity is a problem and, at some places, the streetlight remains on 24 hours a day because the solar censor does not work and that leads to the system getting faulty very fast. Is the hon. Minister aware of this and what is he doing together with the Council and all other Councils to resolve this problem?

Mr Jhugroo: Thank you for that supplementary question, my hon. friend. I have taken this matter with the Chief Inspector of Works in my office yesterday and he told me that all the

necessary steps are being taken to look after these complaints and needful will be done also to replace the former CFL bulbs by the LED ones.

Madam Speaker: Hon. Uteem!

Mr Uteem: Thank you, Madam Speaker. Is the hon. Minister aware of the procurement issues relating to the supply of electrical bulbs in the Municipal Council of Port Louis, which is one of the reasons why there are repeated delays to replace bulbs when they are worn out?

Mr Jhugroo: Madam Speaker, I am not aware at any moment of what is being done with regard to procurement, but I will raise this issue with the Municipal Council of Port Louis.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: Is there a team in place that goes around and inspect whether the system is working properly at night because this is when they are supposed to function or does the Council rely only on complaints to function in so far as street lightings are concerned?

Mr Jhugroo: Madam Speaker, following the meeting I had yesterday, I have been informed that they have not been able to pay overtime and I think that they do it two or three times a week.

Madam Speaker: Next question hon. Jahangeer!

Mr Jahangeer: Thank you, Madam Speaker. PQ B/683!

Madam Speaker: The Minister is not here. Next question hon. Jahangeer!

Mr Jahangeer: Thank you, Madam Speaker. PQ B/684!

RIVIERE DES ANGUILLES SWIMMING POOL - CONSTRUCTION

(No. B/684) **Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Minister of Youth and Sports whether, in regard to the proposed construction of the Rivière des Anguilles Swimming Pool, he will state where matters stand.

Mr Toussaint: Madam Speaker, for the current financial year, a sum of Rs1.8 m. has been provided for the budget to cover for preliminary design and tender procedures for the project. The land has already been identified and I am informed that a preliminary design based

on a previous survey has been completed in July and is now on the basis of discussions between stakeholders.

Furthermore, consultations have been held with the Mauritius Swimming Federation and all technical documentations have been forwarded to the Ministry of Public Infrastructure, Land Transport and Shipping for them to finalise their submission.

Madam Speaker: Order Please! You are interrupting the hon. Minister.

Mr Toussaint: I am also informed that the Ministry of Housing and Lands has also vested 1500 m² of additional land for parking purposes. The project is being closely monitored.

Madam Speaker: Next question, hon. Jahangeer!

(Interruptions)

Order please! Finish with this one and then we will come back to the other question.

MELROSE PRISON – CONSTRUCTION - CONTRACT

(No. B/685) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac) asked the Minister of Financial Services and Good Governance whether, in regard to the contract awarded to Messrs Hyvec Partners Ltd. for the construction of the Melrose Prison, he will state where matters stand as to the inquiry carried out in respect of the cost overrun thereof.

The Attorney General, Minister of Justice, Human Rights and Institutional Reforms (Mr M. Gobin): Madam Speaker, with your permission I shall reply to this question.

I wish to refer the hon. Member to PQ B/719 for the sitting of 12 July 2016 where the Prime Minister informed the House that the contract for the construction of the Eastern High Security Prison at Melrose was awarded to the joint-venture, Beijing Zhuzong-Hyvec Partners for the sum of Rs1,491,686,781 VAT inclusive.

Subsequently, the cost of the construction works of the prison was revised to Rs2,134,890,869. The variation in the original cost was due to a major change in the scope of works following a policy decision of the then Government to enhance the security measures of the prison as recommended by the security consultants.

Madam Speaker, I am informed by the Commissioner of Prisons as well as the Office of Public Sector Governance that no enquiry has been conducted in respect of the cost overrun.

Madam Speaker: Hon. Jahangeer!

Mr Jahangeer: Thank you, Madam Speaker. The Melrose Prison has its roof leaky, still leaky, CCTV camera not working since the construction. Now, my question to the hon. Minister...

(Interruptions)

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

Mr Jahangeer: Firstly, if the hon. Minister will consider having an enquiry on the way the contract was allocated, and secondly with regard to the stakeholders like the QS and the consultant, their role in approving the variation order?

Mr Gobin: Madam Speaker, I wish to point out that I am replying to the question from the point of view of the responsibility of the Office of Public Sector Governance. I cannot reply for the Quantity Surveyor and the construction part of the supplementary question. However, having heard the hon. Member, I will look into the matter from the point of view of the OPSG.

Madam Speaker: Hon. Rutnah!

Mr Rutnah: Madam Speaker, given the answers of the hon. Minister, can he ,at least, consider referring this matter to the hon. Minister for Financial Services and Good Governance to ascertain, at least, whether there has been any fraudulent transaction and that is why the overrun took place?

(Interruptions)

Madam Speaker: Hon. Bhagwan!

Mr Gobin: What we have so far, Madam Speaker, is that variation in the original cost was due to the enhanced security measures that were recommended by the then security consultant. However, having said so and as I have already replied to the previous supplementary question, I will look into the matter from the OPSG angle of things.

Madam Speaker: Next question!

CEB - ELECTRICITY PRODUCTION - GRID

(No. B/683) Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to electricity, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the quantity thereof produced and exported to the grid between 2016 and 2017, respectively, in respect of -

- (a) bagasse;
- (b) coal;
- (c) heavy fuel;
- (d) light fuel, and
- (e) hydro power stations.

The Deputy Prime Minister: Madam Speaker, I do apologise for not having been here when the hon. Member put his question. With regard to the question, I am tabling the information.

Madam Speaker: Does the hon. Member have a supplementary question?

(Interruptions)

Mr Jahangeer: With regard to the Hydro Power Station.

(Interruptions)

Madam Speaker: Don't take your time!

Mr Jahangeer: Thank you, Madam Speaker. The core business of CEB is to produce clean and reliable electricity 24/7, not to be a provider of Internet or Call Centre. With regard to hydropower energy produced, is the hon. DPM aware that at Tamarin Hydro Power Station, 1 unit of 4 MW has been down since 6 months ...

(Interruptions)

Madam Speaker: Don't shout, please!

Mr Jahangeer: ... and Magenta Hydropower Station has been down since 2 years and 1 MW minus, totalling *un manque à gagner de 5 MW*?

Madam Speaker: Before asking his question, let me tell the hon. Member that the object of a supplementary question is to ask for further elucidation of the matter from the hon. Minister concerned and not to provide information.

Mr Jahangeer: Madam Speaker, the question is: if he is aware of the situation prevailing right now in these 2 power stations? We are talking about new gas turbine construction and we are not managing the proper assets of CEB right now.

(Interruptions)

Madam Speaker: Order!

The Deputy Prime Minister: Madam Speaker, the hon. Member is perfectly entitled to raise the matter at adjournment, but he cannot come and provide information and make a debate at the time of question. I am not prepared for these answers right now.

Madam Speaker: Yes, hon. Ameer Meea!

INTEGRITY REPORTING SERVICES AGENCY - REPORTED CASES

(No. B/686) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Financial Services and Good Governance whether, in regard to the Integrity Reporting Services Agency, he will, for the benefit of the House, obtain therefrom, information as to the –

- (a) number of cases reported thereto since March 2017 to date and the number thereof reported to the Integrity Reporting Board and where matters stand in each case, and
- (b) value of the properties forfeited as at to date.

Mr Sesungkur: Madam Speaker, I wish to refer the hon. Member to the reply I made to PQ B/27 at the sitting of 28 March 2017 on the Integrity Reporting Services Agency.

I am informed by the Integrity Reporting Services Agency that the agency has received referrals and investigated on its own initiative 30 cases since March 2017.

The Agency decided not to proceed in 10 cases and referred 20 cases amounting to approximately Rs1.4 billion to the Integrity Reporting Board.

However, the Board has directed that no further action should be taken in 17 cases either because it was satisfied that the source(s) of funds used to acquire the properties were legitimately obtained or that the origin of the source(s) of funds used to acquire the properties fell outside the 7-year time limit in accordance with section 3 of the Good Governance and Integrity Reporting Act 2015.

I am also informed that the Board is considering further action regarding the three remaining cases and that the agency does not disclose the values of property which may be subject to forfeiture nor does it comment on individual cases in line with section 21 of the Good Governance and Integrity Reporting Act 2015.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Can I ask the hon. Minister whether those cases that were reported to the Board, are there any cases that relate to the Super Cash Back Gold or to drug dealings?

Mr Sesungkur: Madam Speaker, unfortunately, I can restrict myself to only information which can be divulged under the Act. So, I cannot give the details of cases which were referred.

Madam Speaker: Yes, hon. Ameer Meea!

Mr Ameer Meea: Yes, but I would rather ask the hon. Minister whether he will not find it proper, in light of good governance and transparency, that the Board gives reasons why such and such persons or cases have not prosecuted like in the case of the DPP when cases are being strikeout or not going forward; whether it would be good for the Board, in the name of good governance and transparency, to issue any communiqué or things like that.

Mr Sesungkur: Madam Speaker, the hon. Member has a valid point. I propose to take this matter with the Board in future.

Madam Speaker: Hon. Uteem!

Mr Uteem: Thank you, Madam Speaker. The hon. Minister started by saying that 20 cases were referred to the Board, totalling Rs1.4 billion. And then, he said there were only three cases where further action is being taken, but he cannot tell us how much these are worth. So, why is it that for the 20 cases that have not been prosecuted, Rs1.4 billion, he is able to say it, but for the three cases that are being prosecuted, he is not able to give us the figures?

Mr Sesungkur: 30 cases give *un ordre de grandeur*, whereas when it comes to three cases it is easy to...

(Interruptions)

I do not have the information, unfortunately.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: Can the hon. Minister tell in the public interest, because the population wants to know whether there is one case which concerns the brother of a very senior adviser of the Prime Minister's Office, also known as Mr Pran Kass...

(Interruptions)

... whether there has been any political intervention? Because that person whose case was there is a specialist in shirt manufacturing or whatever singlet manufacturing. How come so many millions have been allowed in the net? Has the Minister enquired with the Board? Has he discussed with the Chairperson?

(Interruptions)

Mr Sesungkur: Madam Speaker, possibly that case should be there, but I must say that the Board constitutes of very senior members of the legal profession, and unfortunately, I cannot give details of cases. That is as per the law.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Following the previous PQ that the hon. Minister mentioned, that is, PQ B/27, whereby he said, I quote –

“The Board has agreed to meet at least once every month (...)”

Can I ask the hon. Minister, since the inception of the Board and more specifically from March 2017, how many times did the Board meet?

Mr Sesungkur: Madam Speaker, the Board is chaired by Lord Philips, who is a well-known figure. I know that he comes to Mauritius from time to time whenever there are cases to be reviewed. I do not have the information as to how many times they have met.

(Interruptions)

Yes.

Madam Speaker: Last question on this issue, hon. Rutnah!

Mr Rutnah: Thank you, Madam Speaker. Madam Speaker, in relation to the three cases that have been recommended by the Board to proceed with, can I ask the hon. Minister whether he is aware or at least give some indication as to the stage of proceedings that those three cases have reached yet?

Mr Sesungkur: Unfortunately, I cannot give that information. I am restricted.

METRO EXPRESS PROJECT - PORT LOUIS TERMINALS

(No. B/687) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Infrastructure and Land Transport whether, in regard to the urban terminals proposed for construction in Port Louis under the Metro Express Project, he will state the locations thereof, indicating in each case the –

- (a) cost estimate thereof;
- (b) number of hawkers to be relocated thereat, and
- (c) expected start and completion dates thereof.

Mr Bodha: Madam Speaker, with the advent of the Metro Express Project, it is proposed to modernise and redevelop the existing bus terminals along the Port Louis-Curepipe corridor, including the two terminals in Port Louis, namely at Victoria Square and Immigration Square.

In regard to the Victoria Square Urban Terminal, I wish to inform the hon. Member to the reply I made to Parliamentary Question B/549 at the sitting of the National Assembly on 11 July 2017. I informed the House that following a call for Request for Proposal in December 2016 for the project on a design, finance, build, operate and maintain basis, one proposal had been received from a consortium of six companies.

According to the proposal submitted by the selected consortium, the project is expected to cost Rs1.7 billion and to be funded by the consortium. The project would comprise, *inter alia*, a secured controlled space to accommodate around 1,200 hawkers.

Evaluation has been completed and a Letter of Intent with the terms and conditions has been issued to the consortium. We are awaiting their response, which is expected by the end of this week. Upon agreement, works are expected to start early 2018 for a duration of two years.

As regards the immigration Square Urban terminal, the Request for Proposal has been finalised and is expected to be launched very soon on the same terms and conditions as the Victoria Terminal. The project would cater for the accommodation of some 1,200 hawkers and will also comprise various facilities, including parkings, a green area, a business hotel, office and commercial space and other services.

The cost estimates of the project would largely depend on the design to be proposed by the successful promoter. Should everything proceed smoothly, the project is expected to start by the end of the first quarter of 2018 and will be completed within a period of two years.

Mr Ameer Meea: The hon. Minister gave the information that there has been a consortium of six companies. May I ask the hon. Minister what will be the financing structure for this project? I understand that it will be a PPP. But what will be Government stake in it? How will the project be financed and what would be, in terms of percentage company-wise, Government's involvement in this project? Because the hon. Minister said in his answer that it would cost Rs1.6 billion. Who will bring this money?

Madam Speaker: One by one! One question by one question!

Mr Ameer Meea: Is it Government? Is it the consortium or is it a mix of it?

Madam Speaker: I think you have sufficiently asked your question!

Mr Bodha: The investment is totally private, Madam Speaker. What Government is doing is leasing the space for 60 years.

Mr Ameer Meea: Since the investment is private, may I ask the hon. Minister what are the names of the six companies that are concerned with this project?

Mr Bodha: I cannot give the names now, but I can give it later. Once the project has been finalised and approved, I will give the names of the six companies. In fact, basically, they are the companies which are actually present in the vicinity of Caudan and in the Victoria Square.

Mr Ameer Meea: Madam Speaker, the hon. Minister said that it is the companies which are in the vicinity of Caudan, but he cannot give the names. Do you find it normal...

Madam Speaker: He does not have the names for the time being!

Mr Ameer Meea:...for a Minister to tell that x company is there, but I cannot give the names? Come on, it is a public project! So, why cannot the hon. Minister give the names? What the heck behind it?

Mr Bodha: As soon as it is approved, I will give the hon. Member the name of the project. I can mention: you have Caudan; you have IBL; you have Innodis; all the companies which are around. So, I will give you the list of the others.

(Interruptions)

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: My question pertains to part (b) - hawkers. Now, street vendors, street hawkers have been relocated to Victoria and Decaen. Will they be relocated again, and if so, to where and for how long, and what arrangements will be made for them to have customers to come over if it is in a remote place, for them to be able to survive during construction?

Mr Bodha: The Municipality of Port Louis is working on the arrangements we made for the relocation of the hawkers during the period of works, which is going to be about two years. We are working on it.

Madam Speaker: Hon. Armance!

Mr Armance: Madam Speaker, am I given to understand that the funding of the urban terminal will be 100% by the private sector and that there will be no funds from the grant that has been given from the Government of India? I would like to know whether this project is going to be subject to a proper EIA certification.

Mr Bodha: The funding is going to be private; it has nothing to do with the grant.

Mr Ameer Meea: Since the funding is going to be from private and we know that the private sector is here to make profit, it is common knowledge. There are also genuine concerns among the hawkers on the cost of the stalls. There have been rumours - I say it well, rumours - that the cost would be around Rs5,000 per stall. So, can the hon. Minister reassure the hawkers what would be the cost of each stall?

Mr Bodha: We have worked with the Federation of Workers. It is going to be about Rs3,000 per month.

Mr Abbas Mamode: The work will be for two years, Madam Speaker. I would like to know whether the Minister has engaged negotiation with the hawkers to see where it will be better for them to work during these two years?

Mr Bodha: We have been working with the Federation of Workers about the quantum and the possibility of relocation. It is the Municipality of Port Louis which is working on that. We will have to see to it that they are relocated for the two years that the works are going to last. In fact, there are other works, because already you have now the entry into Port Louis at Decaen and then you will have the Metro coming. So, we will have to relocate all of them.

Mr Armance: I am afraid the hon. Minister has not answered the last part of my question which relates to the EIA certification.

Mr Bodha: The project will be subject to an EIA, of course.

Madam Speaker: Hon. Ms Sewocksingh!

SC & HSC 2016 & 2017 - FEES - PAYMENT

(No. B/688) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the Cambridge School Certificate and Higher School Certificate for the year 2016 and 2017, respectively, he will, for the benefit of the House, obtain from the Mauritius Examinations Syndicate, information as to the number of students who have been required to pay the fees on sitting therefor, indicating the amount collected as at to date in respect of each year.

Mrs Dookun-Luchoomun: Madam Speaker, in my reply to PQ B/326 on sitting of 25 April 2017, I had informed the House that all school candidates sitting for the first time for the Cambridge, GCE and HSC examinations, will, subject to their meeting the 90% attendance requirement, benefit from sponsorship of their examination fees by Government.

Madam Speaker, I am informed by the Mauritius Examinations Syndicate that in respect of the year 2016, out of the 22,341 school candidates, first timers, who sat for the Cambridge School Certificate examination and Higher School Certificate examination, some 1,356 candidates paid their examination fees amounting to some Rs18,070,772 which has already been collected. The remaining 1,699 candidates have not yet refunded to the MES the 2016 examination fees amounting to some Rs20,384,639. For year 2017, out of the 20,277 school

candidates who first sat for the SC/HSC examinations, some 1,713 did not satisfy the attendance criteria. Out of these, 1,700 students have paid their exam fees amounting to Rs19,943,258.

Madam Speaker, the attendance level has improved considerably and this new policy has yielded positive results in terms of promoting a culture of regularity and discipline among students. This will undoubtedly impact on performance levels.

Ms Sewocksingh: The hon. Minister mentioned in her reply that 90% of presence is required for the students to benefit from the exam fees. May I know how this 90% has been calculated and who has the responsibility of computing same?

Mrs Dookun-Luchoomun: The 90% has been calculated by taking away the number of days that they sit for exams, the number of days given for study leave and school holidays etc. Normally, we give 15 days per year, that is, 15 days of absences in Lower VI and in Upper VI or in Form IV and Form V. It has been decided by the MES; it is calculated by the school, that is, the School Clerks.

Ms Sewocksingh: I would like to thank the hon. Minister for her reply. But, may I ask the hon. Minister if she can try to reconsider, as we feel that 90%, and especially for the two years, seems to be a little bit tight? As we all know, the third term means a lot of revisions...

Madam Speaker: Ask your question!

Ms Sewocksingh: Can the hon. Minister reconsider the 90%? Also, I would like to ask her...

Madam Speaker: No, one question at a time, please! You have asked one question.

Mrs Dookun-Luchoomun: Madam Speaker, if the hon. Member is stating that 90% of attendance is too much for students, I think this is a very serious question because Government spends Rs46 m. solely for secondary schooling on a daily basis. I think that after spending so much resources on the sector and all the supports being provided at the level of the schools, it is quite normal for us to require students to show discipline and to attend schools so as to improve performance.

Mr Baloomoody: Can I ask the hon. Minister whether for the sitting of the SC and HSC exams for the year 2016 and 2017, all the students have been awarded their certificates?

Mrs Dookun-Luchoomun: Madam Speaker, if I am not mistaken, some 1,300 students did not come to collect their certificates from the MES. They were requested to call on the MES to collect their certificates and they were expected to make the payment for the exam fees, but about 1,300 students have not done so.

Mr Rutnah: In relation to those students who have failed to pay their exam fees, can the hon. Minister state whether there is going to be any enforcement action against those students or is the Government going to consider to write them off?

Mrs Dookun-Luchoomun: Madam Speaker, I must say that we are trying to instill a sense of discipline on our students. Now, we have not taken any action as yet for the students of last year, but I must say that this year the problem did not arise. However, the MES will certainly decide upon the way forward.

Mr Uteem: The hon. Minister said that no action has been taken, but, obviously, those who have not paid yet, have not received their certificates.. So, that's already an action taken. My question is: would the hon. Minister consider reviewing the limited number of cases of excused absences? There is a guideline as to what would amount to excused absences, for example, the illness certificate, but it does not include bereavement, it does not include people who take leave to go on religious pilgrimage and so on.

Mrs Dookun-Luchoomun: Madam Speaker, we have thought very carefully about the whole issue and we have come to the decision that the students should be at school and any other, let us say, decision to go for religious ceremonies, etc. could be done within the 15 days allotted to them or on holidays.

Madam Speaker: Yes, hon. Ms Sewocksingh, last question!

Ms Sewocksingh: Thank you, Madam. Can the hon. Minister indicate to the House when responsible parties or students who are taking or will be taking part in SC/HSC exams are informed about the conditions?

Mrs Dookun-Luchoomun: The conditions were given to them as from the year they entered Form IV and Lower VI, that is two years back.

Madam Speaker: Hon. Baloomoody!

Mr Baloomoody: Can I make an appeal to the hon. Minister? This year we are not having any problem because it is clear, students are aware with regard to the percentage of their attendance. There was a *cafouillage* in the last two years. Some said 15%, 85%, 90%. Communication was bad between the MES and the colleges. Can I make an appeal to the hon. Minister to do away, forget about these last two years, give the certificates to those students who have not yet collected same, because they will need the certificates for further education and let us start anew this year as this year we are not having any problem?

Mrs Dookun-Luchoomun: Madam Speaker, I will leave it to the MES to decide what action to take. We do agree that there are certain students; we have called them to collect their certificates, but they did not turn up. I must say that most of them are students who have sat for Form V, but we will see because the time will come when we can ask them to come and make their payment or otherwise we will decide. I leave the MES to decide on that matter.

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

At 4.45 p.m. the sitting was suspended.

On resuming at 5.18 p.m. with Madam Speaker in the Chair.

Madam Speaker: Hon. Ms Sewocksingh!

AIR POLLUTION - CONTRAVENTIONS

(No. B/689) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to air pollution, he will state the number of contraventions booked in respect thereof, since January 2016 to date.

Mr Sinatambou: Madam Speaker, I first wish to highlight that Mauritius is considered to be among the countries having the best quality of ambient air in the world.

In its endeavour to protect the environment from the pollution, my Ministry applies various enforcement and compliance mechanisms principally under the Environment Protection Act and the Road Traffic Act.

Enforcement and compliance mechanisms applied by my Ministry under the Environment Protection Act to regulate air pollution are programme approvals, enforcement notices, prohibition notices and stop orders.

The enforcement and compliance mechanism used by my Ministry under the Road Traffic Act is the issue of notices pursuant to Section 142 (1) (b) (vii) of the Act. It is only in the event of non-compliance with the above enforcement mechanisms that contraventions are established under the above-mentioned legislation.

I am informed that since January 2016 to date, the *Police de l'Environnement* has served 1,678 notices to drivers of vehicles emitting heavy black smoke pursuant to Section 142 (1) (b) (vii) of the Road Traffic Act.

No contravention has, however, been established as there has been full compliance by all the parties involved subsequent to the 1,678 notices served.

I am further informed that my Ministry has issued 10 notices under the Environment Protection Act of 2002 during the period under report as follows –

- 1 prohibition notice has been issued under Section 72 of the Act regarding black smoke emissions from a textile factory;
- 2 programme notices have been issued under Section 70 of the Act regarding black smoke emissions from a laundry and a textile factory, and
- 7 stop orders have been issued under Section 73 of the Act regarding dust nuisances, especially from rock quarries.
- 2 contraventions have also been established under Section 385 (g) of the Criminal Code for the setting of fire to waste at a distance of less than 50 meters from a residential area.

Madam Speaker, it is also worthy to note that the National Environmental Laboratory of my Ministry regularly conducts ambient air quality monitoring exercises for the early detection of potential sources of air pollution in order to apply the enforcement mechanisms in place at the earliest.

15 ambient air monitoring exercises have been carried out since January 2016 and ambient air quality standards were exceeded in three cases.

Ms Sewocksingh: I would like to thank the hon. Minister for the reply. Following a reply to a PQ on a similar issue last year, the then Minister of Environment, hon. Wong Yen Cheong informed the House that monitoring of air quality in the vicinity of two of the bus terminals, that is, Curepipe and Rivière du Rempart will be conducted. Will the hon. Minister let us know where the matter stands?

Mr Sinatambou: I will, unfortunately, need notice of the question because I do not have the details at hand, Madam Speaker.

Ms Sewocksingh: Can the hon. Minister state to the House as to how people who are having issues with air pollution, can inform his Ministry or if there can be any hotline? Is there any hotline?

Mr Sinatambou: Once again, I would need notice of the question, but what I can say is that regularly, for example, there is one Parliamentary Question which is coming today also, where I know that three complaints were made to the Department of Environment and 10 complaints to the *Police de l'Environnement* and these were followed by 9 inspections. So, there is a system although I cannot say for now exactly what it is. There is one.

Madam Speaker: Hon. Armance!

Mr Armance: Thank you, Madam Speaker. With regard to air pollution in the region of La Tour Koenig, the industrial zone, there is a metal foundry there that is causing much harm to the residential area of Pointe aux Sables. There have been several complaints to the Ministry of Environment and the *Police de l'Environnement* and I would like to know what actions...

Madam Speaker: The hon. Member must ask the question. I want to know whether the question relates to the main question.

Mr Armance: Yes, it relates to air pollution.

Madam Speaker: No, it relates to air pollution, the question is, he will state the number of contraventions booked. Right!

Mr Armance: I am coming to that, Madam Speaker.

So, I would like to know from the Minister whether he has taken any contravention to the owner of the factory because his officer has been visiting the factory on several occasions.

Mr Sinatambou: In fact, Madam Speaker, the hon. Member is actually referring to part of my reply just before. It is exactly that particular instance where I mentioned that there had been nine inspections, I think, by my Ministry where steps have been taken. In fact, we have even now started an ambient air monitoring exercise to ensure, to find out whether the air standards are actually being respected. In that particular respect, since I don't think we will reach that question, I would like to inform the House that, if need be, my Ministry would even consider relocating that site.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: I have two questions, Madam Speaker. Can I ask the hon. Minister whether ...

Madam Speaker: One and then...

Mr Bhagwan: One by one, yes. The hon. Minister has mentioned bus terminals. I would like to know whether any survey has been carried out at Place Margeot Bus Terminal recently and what has been the outcome of the test which has been carried out with regard to air pollution.

Mr Sinatambou: I will need notice of that question, please.

Madam Speaker: Hon. Osman Mahomed!

Mr Osman Mahomed: How many smoke meters does the Ministry have at the moment, and how many staff are there, and how often do they do spot checks at certain locations?

Mr Sinatambou: I would request the Member to please come up with a substantive question on that.

Madam Speaker: Hon. Baloomoody!

Mr Baloomoody: Thank you, Madam Speaker. Just to follow up with the question of my friend with regard to pollution at Pointe aux Sables, the hon. Minister just mentioned that, if need be, the site will be relocated. Can I know whether an EIA licence was given to that actual company prior to its operation?

Mr Sinatambou: That particular undertaking is not a prescribed undertaking for the purposes of EIAs. It requires a PER approval which, I understand, was actually granted in 2016.

Madam Speaker: Next question, hon. Ms Sewocksingh!

PRISONS - MOBILE PHONES - SEIZURE

(No. B/690) Ms M. Sewocksingh (Third Member for Curepipe & Midlands) asked the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the prisons, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to the number of private mobile phones seized thereat since March 2017 to date, indicating if inquiries have been carried out thereinto and, if so, indicate the –

- (a) outcome thereof, and
- (b) additional measures put in place to prevent the entry of private mobile phones thereat, if any.

Sir Anerood Jugnauth: Madam Speaker, I am informed by the Commissioner of Prisons that since March 2017 to date, 230 mobile phones have been seized in prisons.

(Interruptions)

With regard to part (a) of the question, I am informed that inquiries have been carried out by the Prison Intelligence Unit regarding mobile phones secured in prisons. The inquiries have revealed the following –

- (i) most of the mobile phones secured are pelted over security walls by persons purposely hired and paid by detainees or relatives. Pelting is more common as most of the prisons are found within public residential areas;
- (ii) pelting is resorted to mostly during the nights and weekends and many pelted mobile phones do not reach the detainees as they fall into the no-man's land around prisons and are picked up by officers on patrol;
- (iii) some mobile phones somehow reach the detainees, for example, through vehicles conveying goods and services to prisons and through body cavities of prisoners when coming back from court;
- (iv) following internal investigations and, where required, secured mobile phones together with their SIM cards are handed over to the Police (Anti-Drug Smuggling Unit) for further inquiry. Those found on high profile detainees are handed over to investigators of the Commission of Inquiry on Drug Trafficking.

As regards to part (b) of the question, the following measures have been taken by the Prisons Department to prevent the entry of mobile phones in prisons –

- (i) all Senior Officers calling for night check in any prison are searched by the Night Orderly Principal Prisons Officer in the presence of the Gatekeeper prior to entering the prison and entries are inserted in the search book accordingly;
- (ii) walk-through mobile phone detectors are used during search operations to detect any person trying to smuggle mobile phones;
- (iii) sniffer dogs are randomly used to sniff and detect prohibited articles, for example, mobile phones retrieved in slippers received from relatives;
- (iv) on the basis of reliable sources of information, regular strip searches are carried out on officers highly suspected to be introducing prohibited articles;
- (v) all officers posted on towers are searched prior to proceeding to their posts. Surprise checks and searches are also carried out on officers prior to entering towers as well as those already on their post on towers;
- (vi) all vehicles leaving and returning to any prison compound are subject to a vehicular patrol prior to entry into the prison compound;
- (vii) the vehicles used at Beau Bassin Prison and Eastern High Security Prison, Melrose for conveying of canteens goods and collecting garbage are kept in a place under CCTV coverage on a 24-hour basis before final delivery;
- (viii) regular reshuffling of officers is resorted to in different sections, and
- (ix) procedures have been initiated for the procurement of new high-tech equipment including jammers and body scans.

In addition to all these, I have asked the Commissioner of Prisons to consider prohibiting the use of these phones inside the prisons.

Ms Sewocksingh: I would like to thank the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues for the reply. I could hear from his reply that many measures are being taken concerning Prison Officers. Can the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues inform the House if there is any kind of protocol that is in place

with regard to these officers using their mobile phones during working hours within the premises of the prison?

Sir Anerood Jugnauth: Well, I have no idea. I don't have that information.

Madam Speaker: Hon. Ms Sewocksingh!

Ms Sewocksingh: Thank you, Madam. Concerning also the signal jammers, can the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues tell us if all the jammers are in service? Do we have the signal jammers, first of all?

(Interruptions)

May I repeat the question, then? Can the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues inform the House whether the Prisons Services are equipped with signal jammers for mobile phones?

Sir Anerood Jugnauth: I have no idea, I don't know.

Madam Speaker: Yes, hon. Jhuboo!

Mr Jhuboo: Thank you, Madam Speaker. I would like to refer to a press article, Madam Speaker, and it reads as follows, it is, in fact, a testimony from a former prisoner –

«Ce sont essentiellement des gardes-chiourmes qui agissent comme transporteurs. Nous devons leur remettre R10,000, ils agissent alors comme intermédiaires avec nos proches qui leur remettent des téléphones cellulaires. »

So, I would like to ask the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether there has been any disciplinary committee or whether any prison guard has been suspended or interdicted?

Sir Anerood Jugnauth: I have questioned the Commissioner of Prisons on that and I have been told that no person had been arrested for this offence.

Madam Speaker: Hon. Adrien Duval!

Mr A. Duval: Thank you, Madam Speaker. Being the Minister Mentor, I am quite shocked by his answer that 230 mobile phones were thrown over the prisons walls only last year. What if these were hand guns or knives or anything of that sort? Would not we be facing a

catastrophe? So, what is the Minister Mentor doing to monitor the walls of the prisons, the gardens of the prisons and access of things in the prisons?

Sir Anerood Jugnauth: I think I have answered this. I have given lots of particulars concerning this. I must say that I, myself, suspect that some of these phones must have been taken by officers there and given to these people who are in prisons but, unfortunately, we have had no evidence. It is only a guess.

Madam Speaker: Hon. Baloomoody!

Mr Baloomoody: Thank you, Madam Speaker. Last week I raised the issue of a team known as 24/7 and the Rt. hon. Minister Mentor told me he was not aware and he would look into it. I hope during that one week now that we have a question on prisons he can give a reply. Is he aware that there is a team called 24/7 who entered the prisons especially in Melrose and Beau Bassin? They are allowed to enter at any time and they do not go through the apparatus to be checked and they can leave at any time without any check. Is he aware of that and, if so, can we know what action is being taken to ensure that these people, themselves, do not carry any prohibited articles in the prisons?

Sir Anerood Jugnauth: This is being looked into. I have spoken with the Commissioner of Prisons.

Madam Speaker: Hon. Uteem, you have a question?

Mr Uteem: Thank you Madam Speaker. Since we cannot control the access of mobile phones in the prison, would the Rt. hon. Minister Mentor consider liaising with the Minister of ICT and installing those jamming machines so that even if the mobile phones are there, they cannot be used?

Sir Anerood Jugnauth: Well, I do not know whether this can be done, but I will ask the Commissioner to consider.

Madam Speaker: Next question, hon. Abbas Mamode!

**PORT LOUIS MARITIME & PORT LOUIS EAST – SOCIAL SECURITY
OFFICE**

(No. B/691) Mr S. Abbas Mamode (Fourth 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 Constituency No. 3, Port Louis Maritime and Port Louis East, he will state if consideration will be given for the setting up of a Social Security Office thereat and, if so, when and, if not, why not.

Mr Sinatambou: Madam Speaker, I wish to inform the House that until about ten years ago, there used to be a Social Security Office in Constituency No. 3, Port Louis Maritime and Port Louis East, namely at Plaine Verte. However, following burglaries and constant threats to the safety and security of the officers posted at that office, it was deemed proper in 2006 to centralise the provision of services for that catchment area to the regional headquarters of Port Louis situated at the Astor Court Building.

The regional headquarters caters for four catchment areas of Port Louis as follows -

- (i) Catchment Area Central A which covers Sainte-Croix, Roche Bois and Plaine Verte;
- (ii) Catchment Area Central B which covers Vallée Pitot, Champs de Mars, Tranquebar and Cité-la-Cure ;
- (iii) The Eastern Catchment Area which covers Route des Pamplemousses and Vallée des Prêtres, and
- (iv) The Western Catchment Area which covers Sorèze, Pailles, Camp Chapelon, Vallijee, Grande Rivière Nord Ouest, Cassis, Ward IV and Bain des Dames.

Madam Speaker, in view of the fact that the regional headquarters is providing satisfactory and timely services to the beneficiaries of the Port Louis region, my Ministry considers that there is currently no need for the setting up of a Social Security Office to cater specifically for the beneficiaries of Constituency No. 3.

Madam Speaker: Hon. Abbas Mamode!

Mr Abbas Mamode: Thank you, Madam Speaker. I thank the hon. Minister for his answer. But being given that the persons who are beneficiaries of these old- age pension and the hurdle from Constituency No. 3 to Astor Court, traffic jam and all that, I think that your Ministry ...

(Interruptions)

Madam Speaker: Ask your question!

Mr Abbas Mamode: ... not in the region of Plaine Verte, but in the region of Constituency No. 3, there may be alternative places where this can be done.

Mr Sinatambou: I will look into the matter, but surely if you look at the distances, there may be a stronger case for Sorèze, for Pailles, for Camp Chapelon and for Grande Rivière Nord Ouest. So, we will look into it. As it appears now, the regional headquarters are providing satisfactory and timely services to the beneficiaries, but indeed, I will look into the suggestion. Thank you.

Madam Speaker: Hon. Shakeel Mohamed!

Mr Mohamed: Thank you, Madam Speaker. The same answer that has just been given, Madam Speaker, by the now hon. Minister was the answer that was given back in 2007 or 2008 when the then Minister of Social Security, Madam Sheila Bappoo, answered the very same question put to her in this August Assembly. Therefore, nothing has changed ever since 2007, 2008, now we are in 2017. Could the hon. Minister consider carrying out a proper study, not as far as satisfaction from the officers of the centralised office but the requirements of the inhabitants of Constituency No. 3 and also those in Camp Chapelon and Pailles? So, to find out what are the exact requirements, what are the difficulties they are facing, that would justify the setting up of local offices within those regions?

Madam Speaker: This is your question?

Mr Mohamed: Yes, that is the question.

Madam Speaker: This is your question.

Mr Sinatambou: Well, I do not mind looking into the matter. But certainly I did not know of any reply by any former Minister regarding this question. I got the reply from my

Ministry without referral to any Minister's reply last time. However, we must realise that we already have 38 Social Security Offices and if you leave it to people, there will always be a need to have a Security Office because everyone would like one by his or her place. So, I am prepared to look into it, but from my standpoint, the Ministry already spends Rs23 billion for the welfare of people and as it is considered that timely services are being provided by the Regional Head Office, I do not think that we will change the policy.

Madam Speaker: Next question, hon. Abbas Mamode!

SAINT FRANÇOIS XAVIER DISPENSARY - RELOCATION

(No. B/692) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Quality of Life whether, in regard to the proposed relocation of the Saint François Xavier Dispensary, he will state where matters stand.

The Minister of Technology, Communication and Innovation (Mr Y. Sawmynaden): Madam Speaker, with your permission I will answer to this question.

As announced in the Budget Speech 2017-2018, a provision has been made for the construction of a new Community Health Centre to relocate the Saint François, ex Eastern Suburbs Community Health Centre, which is currently accommodated in a rented building.

The Ministry of Housing and Lands has vested a plot of State land to the extent of 935m² at Eastern Suburbs, Penang Street, Port Louis in my Ministry, with effect as from 21 August 2017, for the construction of a new Community Health Centre. A survey plan of the site with dimensions level and all relevant details will be submitted in due course. The Ministry of Public Infrastructure and Land Transport is working on the preliminary designs, scope of works and estimated costs of the Community Health Centre Project.

Madam Speaker: Next question, hon. Abbas Mamode!

PUBLIC TRANSPORT – STAFF – ASSAULTS

(No. B/693) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Infrastructure and Land Transport whether, in regard to assaults/attacks on staff working in public transport, he will state the number of reported cases thereof since May 2016 to date, indicating -

- (a) the precautionary measures taken in relation thereto, and
- (b) if compensations have been paid to the victims thereof.

Mr Bodha: Madam Speaker, I would like to thank the hon. Member for putting this question. In fact, we are very concerned with the issue of assaults against bus industry workers.

According to Police records, there have been 128 cases of assaults on public transport employees reported between the period of May 2016 to October 2017 as follows –

- (i) Assaults against bus drivers – 32
- (ii) Assaults against bus conductors – 74
- (iii) Assaults against taxi drivers – 22

With regard to part (a) of the question, I am apprised by the Commissioner of Police that several measures are in place to prevent and detect such cases, such as having several meetings by the Deputy Commissioner of Police in charge of operations with bus operators, taxi owners, representatives of their Trade Unions to devise corrective measures for the safety and security of employees of the Public Transport System. There is an operation of a toll-free, an anonymous Police hotline: 148.

We have an implementation of a hotspot policing strategy which focuses on small crime prone areas. The deployment of special units at strategic locations such as traffic centres, bus stands, remotely located bus stops. Provision is made as per condition 14 of the Road Service Licence for all buses to be equipped with a securely affixed safe for the deposit of cash collected, and more and more transport providers are equipping their fleet of vehicles with CCTV cameras and GPS trackers to discourage acts of vandalism and for easy tracking of offenders.

Madam Speaker, I am also informed that at present, alleged offenders are liable to punishment under sections 228 and 230 of the Criminal Code Act. We are having consultations with the Police Department and the Attorney General's Office to make the law more stringent as regards assaults on public transport workers.

Furthermore, it has been reported that besides assaults on bus crews, some passengers indulged in acts of vandalism and cause material damages to the amenities inside the public buses. The Road Traffic (Conduct of Passengers) Regulations date back to 1967. So, we are

considering the possibility of providing stricter penalty against defaulters. In this respect, a meeting with all stakeholders has been held with the National Transport Authority, the Police and representative of workers; a plan of action has accordingly been formulated, a code of conduct for passengers, conductors, drivers has been devised and a campaign is going to be launched by my Ministry shortly.

As regards part (b) of the question, I am informed that there is currently no mechanism in place at the level of the bus companies for payment of any compensation to the employees of the bus industry which are victims of assault. However, at the level of the Rose-Hill Transport Bus Service Ltd, victims are provided with psychological support. I have also been advised that the NTA will initiate discussions with bus operators to look into the implications of introducing an insurance cover in cases of assault in favour of their employees.

Madam Speaker: Hon. Adrien Duval!

Mr A. Duval: With regard to the CCTV cameras and GPS tracking, this is already the case for companies like Rose-Hill Transport. But can the hon. Minister confirm whether this will be the case soon for the National Transport Company for the GPS tracking and also secondly...

Madam Speaker: Well, one question!

Mr A. Duval: If you can give me a second one.

Madam Speaker: Okay!

Mr Bodha: This is going to be the case. I think this is part of the solution, but I think the best solution is going to have a cashless system with a card, so that the conductors do not carry money in the buses.

Madam Speaker: Hon. Jhuboo!

Mr Jhuboo: Thank you, Madam Speaker. In Europe, most of the buses are equipped with panic buttons and there is also a rapid intervention squad, that is, on a standby basis. So, could these two propositions be envisaged by your Ministry?

Mr Bodha: This is a very valuable proposal and I think that we should also consider it for the Metro.

Madam Speaker: Hon. Fowdar!

Mr Fowdar: Thank you, Madam Speaker. Madam Speaker, I have seen in the UK that the buses are equipped with CCTV cameras which are linked with a Control Room and we also have the cashless system. I think the Minister should look into it as quick as possible.

Mr Bodha: The solution at the end of the day is the cashless system, that is, the electronic card.

Madam Speaker: Hon. Rutnah, last question!

Mr Rutnah: Madam Speaker, again in relation to the issue of the CCTV cameras, it is all good to say that buses will be equipped. Can the hon. Minister at least consider bringing legislation to make it mandatory for all bus companies to be equipped with CCTV cameras and a Command and Control Centre somewhere so that evidence can be gathered in a professional manner to secure convictions?

Mr Bodha: This is another valuable suggestion, Madam Speaker.

Madam Speaker: Last question!

Mr A. Duval: Yes, thank you, Madam Speaker. The Minister is talking about cashless system. This involves people who are here to rob the bus. But what about assaults in the bus that are perpetrated on women, that is so often the case and that leads to fighting on the bus? How will the cashless system remedy that?

Mr Bodha: The cashless system is as regards to those who are very interested with the money which has been collected during the day. Assaults in buses or in the public transport have to be treated like assaults anywhere else, except that there are a certain number of minor crime prone areas like bus stops, the bus terminals, and we have to consider these in the future. There is also the possibility that some of these assaults occur at certain times, at night, and in some areas. So, we have to work with the police. This is what we are doing with the Commissioner of Police, Madam Speaker.

Madam Speaker: Next question, hon. Ameer Meea!

CSR - NGOs – FUNDS ALLOCATION

(No. B/694) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Social Integration and Economic Empowerment whether, in regard to Corporate Social Responsibility, he will –

- (a) state the guidelines laid down for the allocation of funds received in terms thereof, and
- (b) obtain from the National Corporate Social Responsibility Foundation, information as to the quantum of funds allocated to each Non-Governmental Organisation having benefitted therefrom as at to date.

Mr Wong Yen Cheong: Madam Speaker, with regard to the first part of the question, the National CSR Foundation, in line with its charter, intervenes in the following 10 priority areas –

- (i) socioeconomic development;
- (ii) educational support and training;
- (iii) social housing;
- (iv) supporting persons with disabilities;
- (v) dealing with health problems;
- (vi) family protection, including gender-based violence;
- (vii) leisure and sport;
- (viii) environment and sustainable development;
- (ix) peace and nation building, and
- (x) road safety and security.

Based on the philosophy of a charter, the Foundation has worked out the guidelines for the allocation of funds to NGOs for the implementation of projects. The guidelines, which are available on the website of the National CSR Foundation, comprise, *inter alia* –

- (i) relevance of projects;
- (ii) effectiveness of projects;

- (iii) expertise, experience of the NGOs, and
- (iv) sustainability of the project.

Madam Speaker, with your permission, I am tabling a copy of the guidelines.

As regards the second part of the question, the National CSR Foundation invited NGOs to apply for funds for project. The project proposal was assessed as per the guidelines. As at date, the National CSR Foundation has dispersed Rs82,42,787 to 170 NGOs, representing a first instalment against an approved amount of Rs160,682,637.

Madam Speaker, once again, the list of the NGOs that have benefited from funding and the corresponding approved amount is available on the website of the National CSR Foundation.

With your permission, Madam Speaker, I am tabling a copy of thereof.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Yes, thank you, Madam Speaker. In the priority areas of intervention, there has been a G.N. Notice 2017 on it. There are 11 items, but two items mentioned there, and I think that it would not be fair to use CSR money for areas such as road and safety security because we have a budget with the RDA of more than Rs1 billion ...

Madam Speaker: Ask the question you want to ask!

Mr Ameer Meea: ... and also for peace and nation building. What does CSR, Corporate Social Responsibility ...

Madam Speaker: Ask your question!

Mr Ameer Meea: My question is: Will the hon. Minister agree with me that these two items, 'peace and nation building' and 'road and safety security', should form part of a separate budget, but not from Corporate Social Responsibility?

Mr Wong Yen Cheong: Madam Speaker, I believe that I answered that question in some other questions before. Concerning road safety, it is of national importance because we know the number of people that are dying on the streets and we have to do the education at school. So, we have implemented it and it is working very well. So, this is what we are doing.

Madam Speaker: Hon. Armance!

Mr Armance: Thank you, Madam Speaker. So, in regard to the disbursement of funds or that will be disbursed, I would like to know from the Minister how his Ministry is going to monitor the implementation of the project?

Mr Wong Yen Cheong: Madam Speaker, we are already building a team that is very soon going to follow up the project everywhere across the island.

Madam Speaker: Hon. Ameer Meea!

Mr Ameer Meea: Madam Speaker, since the hon. Minister answered, in relation to peace and nation building and road and safety, that it is working very well, can I ask the hon. Minister how much has been spent for peace and nation building and road and safety security out of the CSR Fund? Since he answered it is working very well, I suppose he must have the answer.

Mr Wong Yen Cheong: The answer has already been tabled.

Madam Speaker: Hon. Adrien Duval!

Mr A. Duval: Thank you, Madam Speaker. There was an article two months ago in *Sunday Times* with regard to an Association in your constituency, hon. Minister, that received approval for five projects, totalling Rs3.3 m., when the guidelines state that only three projects will be given approval and funding. Can you please explain if this is the case and state why it is the case that this Association in your constituency has been given such a jackpot?

Mr Wong Yen Cheong: Madam Speaker, I am sorry to say here again that it was sensation that the Press wanted to do. In fact, we made a communiqué - if the hon. Member has taken notice of it - which says it was a bug that was on the website, and it was retrieved after that. The Press has taken that into consideration and has published it completely.

Madam Speaker: Hon. Mrs Perraud!

Mrs Perraud: I would like to ask the Minister if he could explain why some NGOs, which are catering for women and children in distress, are not entitled for CSR.

Mr Wong Yen Cheong: Madam Speaker, if the hon. Member would come with a substantive question because there are so many funds that have been disbursed for women. In fact, most of the money has been disbursed mainly for women and children.

Madam Speaker: Next question, hon. Quirin!

Mr Quirin: Merci, Madame la présidente. Je vais aller pratiquement dans le même sens que l'honorable Perraud. Ce matin, la ministre de l'Égalité du Genre, en répondant à la *PNQ* du leader de l'opposition, a fait référence à l'ONG 'Passerelle' comme étant une ONG qui s'occupe des femmes battues. Est-ce que l'honorable ministre est au courant que cette ONG éprouve d'énormes difficultés à recueillir les fonds du *CSR* pour faire fonctionner leur centre ? Ils sont pratiquement au bord de l'asphyxie financière. Est-ce que l'honorable ministre est au courant de cette situation ?

Mr Wong Yen Cheong: Madam Speaker, in fact, I asked to get some information and I was informed that the NGO, in fact, has applied for the implementation of a project entitled '*Unabri pour elle*' for a requested amount of Rs2,800,000. The project was not approved, as to be eligible for funding an NGO should register with the foundation and that the NGO '*Passerelle*' is not registered with the NCSR foundation, given that it does not satisfy the eligibility criteria for registration, that is, two years of existence.

Madam Speaker: Next question, hon. Bhagwan!

(Interruptions)

Hon. Bhagwan, ask your question!

**TRUST FUND FOR SPECIALISED MEDICAL CARE - CHAIRPERSON & MEMBERS
– APPOINTMENT**

(No. B/695) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Minister of Health and Quality of Life whether, in regard to the Trust Fund for Specialised Medical Care, he will, for the benefit of the House, obtain therefrom, information as to the name of the Chairperson and of the members thereof, indicating in each case the –

- (a) date of appointment, and
- (b) remuneration and other benefits drawn.

The Minister of Technology, Communication and Innovation (Mr Y. Sawmynaden): Madam Speaker, the name of the Chairperson and members of the Trust Fund for the Specialised Medical Care as well as the date of appointment and remuneration and benefits drawn are as follows –

- (i) the Chairperson, Mr Shafik Hoossen Abdulla Syed Cassim Jeehan appointed on 01 June 2017 and has a remuneration of Rs29,925 monthly;
- (ii) as member, we have the Permanent Secretary of the Ministry of Health and Quality of Life, appointed on 01 June 2017 with a remuneration of Rs890 per sitting;
- (iii) as member, we have the Ag. Director General Health of Services, Ministry of Health and Quality of Life, appointed on 01 June 2017 with a remuneration of Rs890 per sitting;
- (iv) as member, an Assistant Permanent Secretary, representing the Prime Minister's Office, also appointed on 01 June with the same Rs890 per sitting;
- (v) as member, the Lead Analyst, Ministry of Finance and Economic Development, appointed on 01 June, remunerated Rs890 per sitting;
- (vi) as member, the representative of the Ministry of Social Security, appointed on 01 September 2017 with a remuneration of Rs890 per sitting;
- (vii) as member, Mr Moostakin Soodhun, appointed on 01 June 2017 with a remuneration of Rs890 per sitting, and
- (viii) as member, Ms Pascalina Dorella Mariette, appointed on 01 June 2017 with Rs890 per sitting plus Rs220 as travelling.

Madam Speaker: Hon. Bhagwan!

Mr Bhagwan: The Minister is not the substantive Minister, he is replacing. The Trust Fund for the Specialised Medical Care has recently been under a very bad publicity. Can the Minister confirm to the House whether that Chairperson is the Adviser of the Minister of Health and Quality of Life?

Mr Sawmynaden: Unfortunately, I just have the name of the Chairperson, I don't know whether he is Advisor or not.

Mr Bhagwan: I confirm that he is the Advisor of the Minister.

(Interruptions)

Ask your colleague !

Madam Speaker: Hon. Bhagwan, ask your question!

Mr Bhagwan: Madam Speaker, you have been Minister of Health and Quality of Life previously, you know that this Trust Fund has done quite a very good job, everybody knows and even outside Mauritius. Recently, we have had the case of one lady who was the Executive Director and there is an enquiry. Is the Minister aware - he can, at least, enquire with his colleague - that this Chairperson has been involved in a very scandalous, I would say, activity, involving the Trust Fund, where the Trust Fund organised a Seminar at one of the main resort in the North? He was supposed to represent the Trust Fund the whole weekend and, instead of participating in the Seminar, he had a full picnic with his family, staying the whole weekend at this resort without even participating in that Seminar. Is the Minister aware of that? Can he pass on this message to his colleague Minister and make a statement to the House later on?

Mr Sawmynaden: The hon. Member will agree with me that this is not pertaining to this question, but I will definitely pass on the message to my colleague Minister.

Mr Bhagwan: One last question! Can the Minister, at least, transmit to his very able friend who is more than a Minister of Foreign Affairs, because very often he is not here – which I have noticed, I can give the name, date and time. Again, this Trust Fund for Specialised Medical Care - I am asking the Minister the question through the Prime Minister. We have actually an enquiry on Ms Samputh. I have asked a question recently and we are expecting the outcome of the enquiry. Will the Minister inform his colleague to have the urgent necessity of removing that Adviser at the Head of this Specialised Unit in the interest of the people who go there to attend for health reasons because it is becoming an orgy there?

Mr Sawmynaden: The hon. Member is surely aware that the appointment of the Chairman is done through the Minister himself. I think it will be best to discuss the matter with the substantive Minister.

PLAINES WILHEMS SEWERAGE PROJECT – MONEY SPENT

(No. B/704) Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes) asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Plaine Wilhems Sewerage Project, he will, for the benefit of the House, obtain from the Waster Water Management Authority, information as to the –

- (a) amount of money spent as at to date, and

- (b) regions of Quatre Bornes that have not yet been covered, indicating the reasons therefor.

(Vide Reply to PQ No. B/678)

Madam Speaker: Time is over!

MOTION

SUSPENSION OF S.O. 10(2)

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

The Deputy Prime Minister rose and seconded.

Question put and agreed to.

STATEMENT BY MINISTER

WORLD BANK - EASE OF DOING BUSINESS REPORT 2018

(6.00 p.m.)

The Prime Minister: Madam Speaker, with your permission, I would like to make a statement following the publication of the Ease of Doing Business Report 2018 by the World Bank on 31 October 2017.

This year, the World Bank has ranked Mauritius 25th out of 190 economies in the Ease of Doing Business Report 2018, representing an unprecedented quantum leap of 24 places in just one year.

Mauritius has consolidated its position as the leader in Africa, ahead of Rwanda, Morocco, Kenya, Botswana, and South Africa. Furthermore, we are 4th among the upper-middle income economies.

The World Bank's Ease of Doing Business Report measures the attractiveness and competitiveness of a country in the global business environment. It, therefore, has a crucial role to play in boosting domestic and foreign investment.

Last year, when the World Bank ranked Mauritius 49th out of 189 countries in the Ease of Doing Business 2017 report, I said in the National Assembly that my Government is strongly

committed to improving the business climate in the country and will leave no stone unturned to restore the position of the country among the leading economies for doing business.

A Steering Committee was set up under my initiative. The Committee of which I was the Chairperson was supported by several Technical Working Groups at the level of the Board of Investment (BOI). These Technical Working Groups brought together Ministries, public sector agencies and the private sector, to identify bottlenecks and come up with the proposals for reforms.

Subsequently, after intensive consultations with stakeholders, I introduced the Business Facilitation (Miscellaneous Provisions) Bill in the House, and same was adopted in May 2017. The Act amended no less than 26 legislations.

Simultaneously, several administrative reforms were implemented to remove bottlenecks, expedite processes and reduce cost of doing business. These encompassed, amongst others, reforms at the level of the Mauritius Revenue Authority, the Registrar General's Department, the Registrar of Companies and Public Utilities.

Madam Speaker, as a result, Mauritius has progressed in 8 out of the 10 indicators. Moreover, the World Bank has acknowledged that there have been major reforms, namely in Starting a Business, Dealing with Construction Permits, Registering Property and Trading Across Borders.

Mauritius is ranked amongst the top 10 economies in the world in 2 indicators, namely dealing with Construction Permits and Paying Taxes. This is another major and encouraging achievement for our country.

In the Registering Property Indicator, Mauritius gained 63 places moving up to the 35th position from the 98th position last year.

Our overall performance on the ease of doing business is reflected in the record level of FDI that we are expecting this year. Indeed, for the first six months of this year, we have already registered an FDI figure of Rs9.7 billion, which represents an increase of 22.2% over the corresponding period last year.

A conducive business environment means more investment and, Madam Speaker, more investment, as you know, translates into more jobs.

Madam Speaker, in a bid to constantly build on our strengths and address our weaknesses, other key projects have been identified and are in the pipeline.

With the financial assistance of the European Union, the Ministry of Finance together with the Board of Investment is working on the National e-Licensing Project. This platform will be the central point of entry for all permits and licences. Other projects to streamline procedures are under implementation at the level of the Mauritius Revenue Authority, the Ministry of Local Government and the Registrar General's Department.

Thank you, Madam Speaker.

PUBLIC BILLS

First Reading

On motion made and seconded the following Bills were read a first time -

- (i) *The Code de Commerce (Amendment) Bill (No. XIV of 2017)*
- (ii) *The Small and Medium Enterprises Bill (No. XV of 2017)*

Second Reading

THE COPYRIGHT (AMENDMENT) BILL

(NO. XIII OF 2017)

Order for Second Reading read.

The Minister of Arts and Culture (Mr P. Roopun): Madam Speaker, I move that the Copyright (Amendment) Bill (No. XIII of 2017) be read a second time.

Madam Speaker, the Creative Industry has the potential to become an economic pillar. Mauritius is poised at this crossroad in its quest for sustainable development, to create an enabling environment for creativity to flourish.

Perenity will be possible only if the important role that artists play in every society is fully acknowledged. Their contribution to the economy is duly recognised and appreciated. And if they are provided with the appropriate tools, necessary support and a conducive ecosystem to enable their full artistic potential to bloom.

In a document prepared in September 2014 by my Ministry entitled “Creative Mauritius Vision 2025”, the contribution of the creative economy to the GDP is estimated around 8 to 10 billion rupees representing between 2.5 and 3% of the GDP. While in developed countries it ranges around 6 to 10%. Madam Speaker, this is the benchmark we can achieve.

One of the major priorities of this Government, as clearly enunciated in the last budget is to support artists by better integrating them in the mainstream of economic development. At the same time, optimise the potential of the creative sector for economic growth and social inclusion while ensuring better treatment for our artists through proper legislation and programmes.

In Government Programme 2015-2019 at Paragraphs 80 and 81, it is stated, I quote -

“Government will review the regulatory framework for the Rights Management Society for better representations of rights holders.

The Status of the Artist project will be implemented to ensure recognition of the professional, social and economic status of artists.”

Madam Speaker, these are not vain words. Concrete actions have already been taken to meet those objectives.

While we are presenting the Copyright (Amendment) Bill in this august Assembly, since the last two weeks and for the second time this year, two experts delegated by UNESCO having extensive consultations and working sessions with artists, officials of various Ministries and other major stakeholders to ensure that the foundation is set for the elaboration of the Status of Artist legislation.

They are expected to complete their assignment by the end of the year and hopefully, the drafting of the legislation will start during the course of 2018.

Madam Speaker, coming back to this present Bill, the House should be reminded that in March 2014, a new Copyright Bill was presented. It provided for a complete overhaul of our law which dated back to some 17 years. It was supposed, I quote the then Minister -

“to herald a new era for creators in this country (...) and widen the circle of opportunities by creating further rights for creators”.

The new law was considered a step in the right direction. But there was a general feeling that it was an unfinished business. To put it in the words of the then Leader of the Opposition, who stated during the debates -

“Further amendments will need to be made after things have settled down”.

I also wish to add that after the 2014 Bill was passed, nothing concrete, unfortunately, was done for the election of the three artists who were to sit on the Board of the Rights Management Society. It was only in June 2015 when the new Government took Office that the Rules for Election were Gazetted.

However, there was a legal challenge by one of the members of the Society and this led to a deadlock as the Ministry was faced with the blunt reality that further amendments had to be brought to the Act. I do not want to put the blame on anybody, but this situation gave rise to lots of uncertainty and incomprehension among the stakeholders.

In December 2015, there was an unfortunate clash between local artists and hawkers in Port Louis followed by a pacific walk. A request was made for the setting up of a High Powered Committee to review the Copyright Act 2014.

On 29 January, the following year, 2016, Government set up a High Powered Committee. It comprised of the Assistant Solicitor General as Chairperson as well as representatives of artists, officials of the Anti-Piracy Unit, the Rights Management Society, the Prime Minister’s Office, as well as the Ministry of Arts and Culture together with other stakeholders.

The Terms of Reference were to -

- review the Copyright Act 2014;
- examine the weaknesses of the existing Act so as to safeguard the interest of artists, and
- bring the necessary amendments, as far as possible to the existing Act in light of suggestions made by the stakeholders.

The High Powered Committee met on not less than 16 times since January 2016.

The assistance from the World Intellectual Property Organisation (WIPO) was also sought. An expert, Mr Robert Hooijer was delegated. The latter had working sessions with all

stakeholders. The proposals of the expert were discussed at the High Powered Committee in June last year and his proposals were given due consideration while drafting the Amendment Bill.

In November 2016, comments were also received from the International Federation of the Phonographic Industry (IFPI). These were discussed at the level of the High Powered Committee.

In February this year, the draft Amendment Bill was uploaded on the website of the Ministry to secure views of all stakeholders. These were again discussed at the level of the High Powered Committee in June 2017.

It is against this backdrop, Madam Speaker, that we are coming with this present Bill, which incorporates the recommendations of the High Powered Committee.

Twenty sections of the Copyright Act are being amended; three sections have been replaced and two new sections are being added. Furthermore, a schedule is being included to provide for Rules of Election of the Society.

Amendments are being brought to various sections of the Act with –

Firstly, redefining and better safeguarding the interest of copyright owners, and

Secondly, to create a new regulatory framework for the society for a better representation of rights holders as stated in our Government Programme.

Madam Speaker, let me start by dealing with the salient features of the amendments which are being made for better safeguarding the right of copyright owners.

Section 2 of the principal Act is amended to give a broader definition to the term “broadcasting organisation” instead of limiting it to the “Mauritius Broadcasting Corporation” (MBC) or such other organisation as may be prescribed, this shall now cover any legal entity engaged in the broadcasting of signal to the public such as web stations, private radios, digital media, amongst others. This will ensure that broadcasting entities operate while respecting the interest of copyright holders.

Clause 4 of the Bill amends section 7 which deals with ‘moral rights’. As the House is aware, there are two components in copyright: the economic right and the moral right. While the economic right is transferable, the moral right remains with the author with whom it cannot be

dissociated nor alienated. This amendment clarifies and qualifies expressly that this moral right is exercisable by the heirs.

Producers of phonograph are being given the same protection as audio-visual works. This clarification will act as an incentive for producers to invest in creative works of such a nature.

An important amendment is being brought for the extension of copyright protection from a period of 50 to 70 years. This is a landmark decision as we are aligning with the European Union's directives of 2006 and 2011. The minimum standard required by the Berne Convention, which is the cornerstone for copyright, is merely 50 years.

This will not only benefit the artist during his lifetime, but also his heirs. We are sure this will act as an incentive to artists to create works of art bearing in mind that its economic benefit can be handed down to the coming generation. The extension by 20 years will enable to reap higher benefits before it falls within public domain.

Madam Speaker, there is yet another important amendment that will undoubtedly benefit all actors in the Creative Industry and the community of artists at large. Provisions are being made to ensure that actors of the cultural industry can perceive an equitable remuneration on their works.

This is a request they had been making for years. With technical advances, artists have become helpless victims of infringement of their rights whereby their works are being shared without due remuneration as it is extremely difficult to control each and every reproduction.

Consequently, provisions are made to perceive an equitable remuneration from importers and manufacturers of equipment or material support used for reproduction.

Before, as per the Act, it was the responsibility of the producer to collect such equitable remuneration and distribute same to performers. However, no collection of fees could be possible as there was no consensus regarding the distribution between performers and producers.

Henceforth, such equitable remuneration shall be collected by the Society and distributed to the producer and performer as per agreement entered between them or by default, in equal amounts.

Madam Speaker, I do not propose to elaborate further on each and every amendment brought. I shall just mention a few others –

- (i) it is now mandatory to seek a written authorisation from the copyright owner or the Society prior to make any use thereof;
- (ii) consumers are being encouraged to purchase originals by making it an offence to purchase infringed copies;
- (iii) the Society is given legal mandate to act on behalf of copyright owners, file any complaint and represent them in criminal proceedings.

To prevent schemes by fraudsters who would intentionally miss out mandatory particulars required for protection of the work and, in all impunity, make pirated copies thereof, amendments are being made so that copyright owners shall not be deprived of such protection, even when required details are missing.

Madam Speaker, I wish now to elaborate on the new framework that is being put in place at the level of the Society, established under Part VIII of the Copyright Act, for a better representation of right holders as enunciated in our Government Programme.

The appellation of the Society is now being reverted from the 'Rights Management Society' to 'Mauritius Society of Authors' (MASA). In 2014, the intention to change the appellation was so that we can clear the wrong perception that the Society under the appellation of MASA caters only for the rights of authors and publishers and not for producers and performers.

One may wonder what's in a name. However, it is a matter of regret that it was only after the proclamation of the Copyright Act in July 2014, that the International Confederation of Authors and Composers Societies (CISAC) was consulted and a request to transfer the membership from MASA to RMS was made. It is then that it came to light that a change in name brings technical complexities of reviewing all the arrangements in the contracts as well as on international registries that record and calculate the amount payable as rights.

Furthermore, CISAC was not agreeable to consider any change so long as pending administrative issues had not been cleared. These concern, *inter alia*, submission of audited financial statements and annual reports on income and expenditure as well as issues regarding membership.

I stand advised that any change of appellation would take around two years before approval of CISAC can be obtained. This will undoubtedly result in considerable delay in the

collection and distribution of royalties for both our local and foreign artists, thus directly impacting on the activities of the Society.

On the other hand, I am informed that the membership of the Mauritius Society of Authors at CISAC is still valid up till June 2018.

The previous appellation of Mauritius Society of Authors is being reverted, the more so, as the Society under the previous appellation has reciprocal agreements with more than 230 sister Societies around the world.

May I also hasten to add that, as per information gathered, all financial statements and annual reports of income and expenditure are being finalised and will be ready by mid-November.

Another central amendment is that, henceforth, there will be only one Collective Management Organisation in Mauritius, that is, the MASA, to administer the rights of Artists.

Given the size of Mauritius, an array of societies administering copyright will lead to confusion regarding collection and payment of copyright fees.

However, it should be noted that this would not restrict right owners to become members of foreign societies.

The functions of the Society has been widened from collection of copyright fees to administer the economic rights of its members. Furthermore, the Society is being given clear authority to collect all relevant charges from stakeholders in addition to copyright fees. The collected fees will be distributed among its members.

Madam Speaker, major changes are also being brought to section 43 of the Principal Act insofar as the composition of the Board is concerned. Same is being increased from 11 to 16 members.

Henceforth, shall be included –

- (i) a representative of the Ministry responsible for the subject of information and communication technology as well as a representative of the Ministry responsible for finance;

- (ii) under the current Act, representatives not below the rank of Deputy Permanent Secretaries, Principal State Counsel, Principal Customs Officer and Principal Industrial Property Officer are on the Board.

When such officers are not available, no other officers could replace them, thus, resulting in lack of quorum, hampering the smooth running of the Society. With the proposed amendments, there will be more flexibility for the designation of those ex-officio members.

The community of artists will surely be pleased to know that the number of artists elected to sit on the Board is being increased from 3 to 7. The election thereof, shall be governed by the Rules set up under the new Schedule to this Act.

I shall, Madam Speaker, at Committee Stage, be coming with amendments to provide for a fair representation of all the different categories of artists in the same spirit as the present rule. In addition, there are provisions which will contain regarding the appointment of any elected Board members in case of vacancy during the term of office.

The election of those 7 members shall, in the first instance, be held within a statutory period of 3 months from commencement of the Act. In order to ensure that the election process is organised in a transparent manner, same will be conducted by the office of the Electoral Commissioner.

Madam Speaker, there is now a specific provision for the appointment of a Secretary to the Board. This will ensure that there is a dedicated person to call Board meetings, prepare minutes and follow-up actions accordingly. This would also ensure a clear segregation of duties between the Director and the Secretary in line with the principles of good governance, transparency and accountability. A new section has been included so that the Minister responsible for the subject of Copyright, can give to the Board of the Society written directives of a general character which he considers necessary in the public interest. The Minister may also request the Society to furnish such information as he thinks necessary in respect of its activities.

Madam Speaker, with these amendments, fundamental changes are being brought to the society. My earnest hope is that we may now find things moving. The amendments brought are very technical and I must thank the Chairperson and members of the High Powered Committee as well as all artists for their contribution.

Madame la présidente, l'EMS anciennement, est maintenant redevenu la *MASA* a souvent été sous les feux des projecteurs. Ce projet de loi jette ainsi les bases pour un véritable changement au sein de cette institution régulatrice des droits d'auteur. Je souhaite personnellement que bien vite les choses vont commencer à bouger, que les élections vont se faire dans le plus bref délai, dans le but d'avoir un conseil d'administration représentatif et pleinement opérationnel. Cela facilitera, Madame la présidente, la prise des décisions majeures restées en suspens depuis belle lurette comme la révision des tarifs tant attendue par la communauté depuis 2008, opérer d'une manière efficiente afin de diminuer les coûts administratifs qui bouffent une bonne partie des revenus de la société ou encore régler une fois pour toutes le litige sur le cas du Directeur pour assurer le renouvellement à la tête et enfin redorer les blasons de l'institution et la remettre sur les rails. Si le besoin se fait sentir, je solliciterai l'assistance du *Public Sector Governance* pour la restructuration de l'institution en question.

Madame la présidente, avec ce projet de loi, nous voulons démontrer un véritable acte de foi dans la promotion des artistes mauriciens. Beaucoup ont crié sur les toits. Personne ne les a entendu. On a fait semblant de ne pas comprendre leur souffrance. Ce gouvernement, Madame la présidente, a donné leur dignité aux artistes que ce soit lors des consultations budgétaires ou à travers ce projet de loi. Une forêt qui pousse fait beaucoup moins de bruit qu'un arbre qui tombe. Le geste est concret, pas dans un discours seulement. La forêt, c'est le gouvernement. Je n'en dirai pas plus sur l'arbre qui tombe. L'histoire retiendra, Madame la présidente, qu'à travers ce projet de loi, c'est un pas énorme qui vient d'être franchi dans l'établissement d'une politique culturelle qui profitera à long terme aux artistes.

Je remercie tous ceux et celles qui ont pleinement contribué à la préparation de cette nouvelle loi, la présidente du *High Powered Committee* et ses membres, le *State Law Office*, les officiers de mon ministère et aussi les artistes. Je terminerai avec cette citation de John Mason –

“You were born an original. Don't die a copy.”

Merci, Madame la présidente.

Madam Speaker: Hon. Baloomoody!

(6.29 p.m.)

Mr V. Baloomoody (Third Member for GRNW & Port Louis West): Thank you, Madam Speaker. I have listened carefully to the hon. Minister and he has made several references to a High Powered Committee where there was representation of each and everyone concerned with the artists, but unfortunately this High Powered Committee report has not been made public. It is not true to say that all the recommendations of the High Powered Committee are in that Amendment Bill. Not all the recommendations! I have had the opportunity to consult members of the High Powered Committee. Not only not all recommendations are not in that Bill, but there are things in that Bill which were recommended by the High Powered Committee. If the hon. Minister wants to be ...

(Interruptions)

Oh my God!

(Interruptions)

Madam Speaker: Order!

(Interruptions)

Order please!

(Interruptions)

Hon. Baloomoody, please continue!

Mr Baloomoody: In fact, it is an insult to the artists to have that gentleman walking when we are debating such an important debate.

(Interruptions)

Yes, I was saying that not all the recommendations of the High Powered Committee are in that Bill and what is worse is that we have in that Bill clauses which were not recommended by the High Powered Committee.

Madam Speaker, before I come to the Bill. Let us look at the MMM stand when the Bill was debated in this House on 01 April 2014. It is true that the then hon. Leader of the Opposition, hon. Bérenger, took the floor, he said –

“We welcome the Bill, but we have certain reserves especially with the elected members on the Board and other issues regarding its administration.”

The Bill then did not satisfy our requirements. We raised certain issues which today in the Bill are being addressed to and some which are being addressed, but in a different direction. We are going back to the name of MASA. In fact, during the debate, one of our Members, hon. Mrs Randegonde, claimed at the time. She did put the question: “Are we doing the right thing?” “Have we consulted *la Confédération Internationale des Sociétés d'Auteurs et Compositeurs (CISAC)* ?” She was aware, we were aware of the danger. But, unfortunately, this was not replied by the then Minister.

Today, after four years, when we have not been able to sign any bilateral agreement, we have not been recognised by *CISAC*. We have lost hundreds or thousands of royalties and we are going back to the MASA. Because at that time, as the Leader of the Opposition said: ‘Don’t throw the baby out with the bathwater.’ This is what we did. I will come to the hon. Minister later when I will come to the composition of the Board. The hon. Minister then did have an opportunity to address the House on the issue. His approach was then to the international trend which is still today, that is, we should have an association of artists which will start whilst teething, having the support of Government and in the end to be merely a private concern.

This is what the hon. Minister - now Minister - said when he was in the Opposition. I quote –

“We have the Copyright Bill of 1958, if I am not mistaken, where MASA was set up for the first time and the idea was to create an organisation which ultimately would become private and for some time Government officials were going to accompany those artists, but having in mind to make this organisation a merely private concern.”

This is how it is in most of the countries, be it in France, be it in UK. It is the artists themselves who manage with the association, appoint their members, appoint professional members on the Board and agree among themselves how to distribute the revenue because they are all artists. It is easy for them to get on together and to come with a solution. We have just heard the hon. Minister say that money has not been able to be distributed because there has been dispute on the Board, because of the composition of the Board, which I will come to later. So, we are here again

today with an amendment which does not satisfy the requirement of not only the artists, but also the requirement of the international institutions.

Madam Speaker, having said that as an introduction, let me come to the Bill itself. Let us look at the object of the Bill. We do not have any problem with the objectives –

- “(a) make better provisions regarding phonograms;
- (b) increase the length of the duration of copyright”

To 70 years now, which is the international norm.

- “(c) make better provisions regarding the payment of equitable remuneration;”

This is dealt with in section 8 of the Bill. But I have listened to the hon. Minister! How are we going to make better equitable distribution of the remuneration to the artists? The hon. Minister has not said anything. When it comes to the issue of –

- “(3) (a) where a reproduction concerns an audiovisual work or a work embodied in a sound recording, other than the reproduction of a single copy by an individual (...)”

What are we referring to? When we speak about the introduction of other equipment, are we referring to mobile phone? I understand that the Committee came with a proposition that we are going to put a levy now on mobile phones, on pen drives and on all these instruments which store music. Are we coming with that? The hon. Minister should be clear! If we are coming, stand up and say it! Why don't we mention it now? We are voting the law. All the equipment which will bring a source of revenue for the Society, either it is instead or it is clear in the law. The hon. Minister has been quiet, and this was one of the recommendations of the High Powered Committee.

The Minister does not come with the details of how we are going to collect money because he does not want the public to know that there will be a levy on mobile phones or the youngsters to know that there will be levy on pen drives, but he puts it in the Bill and comes with a nice way - 'equitable distribution of income'. So, we should be clear because tomorrow this Board, the MASA, will not function if it is not explicit in the law how we are going to collect our revenue. It has not been functioning in the past because this has been the dispute. When they want to put a levy on such institution, there is no mention in the law, and the civil servants who are majority on the Board go strictly according to the law and there is no way forward. And we

know when you are talking about 'equitable distribution' - let me refer to a PQ that I have put recently, last year - 30% of the revenue goes into the administration. 30% of the money of our artists goes only in administration. 7% goes to their *fonds de pension* and only the rest is distributed. What is worse? Since the beginning of MASA, each and every author, singer or artist received 68 cents per song aired on the radios or the TV, and it has remained 68 cents up to today. When I asked the question: 'Why has that remained 68 cents today?' 'Because we are a minority on the Board!' This has always been the reply. And the majority are Civil Servants and people nominated by the Ministers, they do not want to take up the decision to increase their fees.

Another recommendation which the High Powered Committee has insisted is that the IBA Act should be amended so that there should be a condition to each and every radio and our national television - if I can call it our national television - your national television to have, at least, a minimum percentage of local music that they have to play. In other countries, in France, I think, it is about 40% to 60%; they have to play local music. Okay, I can understand that 25 years ago there were not so many artists, so we could not play 40% to 60% of our local music on our radios. But today, not only Sega, in all the communities now, we have local people singing Bhojpuri, Tamil, Hindu, Telugu. All! And they do not only speak in their Oriental Language, but even in English and French. When you go to the hotels and when you see the local artists singing Mexican songs, Mauritian people - they have composed. There is a group, I know they are going to sing local Chinese songs in hotels. We have artists today. Why is there no condition on the radios? Before we give them a licence, there should be that condition. If you want our artists to earn why they deserve, to have a decent living, to have a decent pay for their work, they will have to play their music. This was one of their recommendations: why is it that we do not have this one condition in the licence of our radios. 40% or 50% of your music should be by local people. No, it is not in the law!

The question of the composition of the Board is the one which the artists have publicly denounced. Okay, now we have had an amendment that there will be seven and it will be distributed among the artists, the producers, the musicians, etc. But when we look at the composition of the Board, hon. Minister, do not want us to believe that there are no senior Civil Servants available...

Madam Speaker: Do not address the Minister!

Mr Baloomoody: Okay, Madam Speaker. He does not want us to believe that there are no senior Civil Servants who can sit on the Board of MASA. So, MASA is not of interest for the Civil Servants! *Non, bane segatiers sa, bane ti-dimounes sa, laisse zotte, pas bizin envoy ti-fonctionnaires !*

This is the attitude we are taking today! When we know the previous Board, with regard to each and every member from the Civil Service, they were not below the rank of Deputy Permanent Secretary. At the Attorney General's Office, it was not below the rank of the Principal State Counsel. At the Ministry responsible for Industry and Commerce, not below the rank of a Deputy Permanent Secretary; at the Customs Department, not below the rank of the Principal Customs Officers; at the Industrial Property Office, not below the rank of the Principle Industrial Property Officer. So, we have senior members because we wanted to give that MASA a professional standing. Now, we have reduced the level to only a representative from a Ministry responsible for finance, responsible Ministry for the subject of Industry, a representative from the Ministry of Technology, Communication and Innovation, a representative from the Customs Department. So, we are talking about any Civil Servant to be on that board! There are only two reasons for that - which people believe. The Civil Servant is better or we don't care about the MASA, we don't care about the artists, so we don't bother to send top officials who can advise them!

Or, on the contrary, we send junior civil servants so that the Government and, more especially, the Minister, who may dictate, who may manipulate. It is easier to give directions and he/she will comply if she is one year, two years or three years in the civil service than to give direction to a senior civil servant not below the rank of a Permanent Secretary. And the reason put forward by the hon. Minister, they are too busy. So, it's clear that this Government is looking down on our artists and on that MASA institution. I would wish the hon. Minister to clarify matter on the seven members. What are the eligibility criteria?

In the amendment Bill there is a rule for election; there is only one phrase for eligibility. And it is in the negative. No person shall be eligible to stand as candidate for election as a member of the Board unless on nomination day he is a member of the society. This is what the law says. But when one looks at the rules for election of the Rights Management Society

Government Notice 121 of 2015, what does it mention about eligibility? This concerns the mode of the election, notice of election etc, but when it comes to eligibility, a member is eligible - this is the positive - to stand as candidate in any one of the categories A, B and C. If any person who has been found guilty of the breach of copyrights shall not be eligible for 5 years, it's okay.

Members have to charge their own category, subscription fees have been paid, knowledge in management copyright and related Acts. So, one has to be an expert, one has to have expert knowledge to be candidate. But what is worst, and this is revolting when we are talking about having our Mauritian Creole taught at schools, taught at universities; you have a degree, the question is, why not here. To be a member of that Board, you have to be fluent in English and French. And you expect our artists to be fully fluent in English and French! They have to be fluent in English and French to be on the Board of MASA, a Board which has got the mission of promoting our language, our culture, our artistic values. You have to be fluent in English and French to be a candidate. And you expect this to function and you expect all members of MASA, all artists to be able to participate in that society when you have already put a bar for them to participate?

I know of very good artists in my constituency, excellent artists whose segas, whose songs are being translated, but they are not fluent in English and French and these people won't be eligible to sit on this Board.

Now, let me come to the issue which the artists themselves have gone public to say that they don't agree. And they are right to say so! When in all the international institutions, in all the developed countries which genuinely recognise the values, the rights of their artists, the Government is moving away from it, slowly and slowly they are moving away.

Like I said earlier, in many countries like in France, it is a private organisation; it is a private sector, for the artists by the artists, run by the artists. The Minister mentioned that in 2014 and, today, unfortunately, Madam Speaker, this Government is taking a trend of having a *main mise* on all the Boards or the councils which each and every law we have voted has created. Let me list but a few. We voted the Mauritius Renewable Energy Agency Act of 2015. Here again, the Minister has the power to direct the Board.

The Pharmacy Council Act of 2015! Here again, the Minister has the power to direct and they should abide by what the Minister said. The National Women's Act of 2016, again, the

Minister gives instruction and the Board should abide. The National Wage Consultative Council Act of 2016, again, the Minister - there is a provision that the Minister can direct the Board and the Board should abide. The Land Drainage Authority Act - in this one we have an authority – again, the Minister can direct the Board and the authority should agree. Last one, the Allied Health Professional Council Act of 2017, again, the Minister.

So, why do we have all these Boards, dominate people on the Board, give them the liberty to take decisions, but, at the end of the day, it is the Minister who will decide. First of all, in these Boards there are *ti copains ti copines*. The removal of Permanent Secretary is to put - you know - *ti copains ti copines* in the Ministry! And now, we are having the Minister who personally can interfere, and it is most objectable.

There is no other Copyright institution where the Minister gives instructions. And tomorrow, let us say, they manage to convince the Board, to tell the MBC to play 60% of local songs or films, the Minister says: “No, I don’t agree. MBC is my property, I decide ‘no’. MBC is not going to give 60% of our local songs or films.” If the Board decides that as from now per each song instead of 68 cents, it should be R1.00 or Rs1.50, the Minister comes and says: “No, it should be 25 cents.” The Board will have to agree.

So, the power we are giving the hon. Minister, unfortunately, Madam Speaker, we have known the first MASA. It has been a mess. We have known the Mauritius Rights Management Society, the actual one. It has not been able to function and most of the artists have not been paid. I am afraid with this amendment, especially with the power given to the Minister and the people we are going to name on the Board because they are not qualified, there is no limitation to their qualification, anybody can be on the Board, I doubt - I hope I am wrong. We sincerely believe that our artists deserve much better, but, unfortunately, this amendment does not go in that direction.

I have done, Madam Speaker.

Madam Speaker: Hon. Henry!

(6.56 p.m.)

Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien): Thank you, Madam Speaker. It would be unfair for me today to talk against this Bill as it is the longly

awaited relief of our Mauritian artists who have been fighting for their due rights for years. It is a fact that the Copyright Act 2013 was a superb masterpiece. Unfortunately, it was...

(Interruptions)

I would say it was so in theory only.

Madam Speaker, some of the issues raised by artists had been the name changed from MASA to MRMS which was highly criticised by artists and they were not being recognised internationally since the change was only made locally and not at an international level. Also, the standard of living in Mauritius has kept on increasing. However, nothing in terms of increasing royalties or improving the status has been considered for the artists.

Madam Speaker, in practice, the Copyright Act 2013 was too difficult to implement. The problems the Mauritian artists have been encountering for years remain the same. Those artists, song writers and producers were encountering so many problems due to piracy of their piece of work. So much that they built up frustration which resulted in a road fighting in December 2015 *à la gare du nord*.

Well, in Government, we do not delay to intervene and to end this unfairness prevailing among the artists. It was unacceptable not to understand the plight of the artists who could not only earn their living during the December festive season to run their households, fulfil the needs of their children and still having hindrances like piracy affecting the sale of their CDs.

Madam Speaker, upon my consulting him, I would say that the previous Minister of Arts and Culture, hon. Baboo did a marvellous groundwork in taking prompt action and bringing this issue to Cabinet in January 2016. Cabinet decision was taken for a High-Powered Committee to be set up to review the Copyright Act. We did not want to bring along a Bill compiled by public officers, but one of the main artists' voice was heard and considered. It is under hon. Baboo's guidance that the High-Powered Committee worked, which comprised artists as well as Civil Servants. It took several months to come up with the amendments and the members also were paid for their sittings and viable contributions whereby now we are having the Bill being passed. I have had the opportunity to discuss with some Mauritian artists. They are very optimistic about this amendment. Finally, their voices have been heard. They will be represented in the Board with 7 Board members being artists.

Another showcase that PMSD *pas ziste cozé mé donn reziltat lor reziltat.*

(Interruptions)

It is clear that the current Minister is enjoying the fruits of the tree which was planted, watered and nurtured by his predecessor.

(Interruptions)

Zordi pe declare piti pas pou li!

(Interruptions)

Madam Speaker: I have allowed Creole language for the time when we are free.

(Interruptions)

Mr Henry: Even when we are...

(Interruptions)

Madam Speaker: Hon. Henry, please! I have allowed you some few words, but do not go on in Creole, please!

Mr Henry: Even when we are in Opposition now, this Government is still enjoying the fruit of our work.

(Interruptions)

What Copyright Act can this slack Ministry bring?

(Interruptions)

What Copyright Act can this slack Minister bring?

He, who could not move a thing in his previous Ministry; when he, himself, cannot figure out how to set the Indian Flag; the biggest protocol we set for our patriotic Indian friend. Such a shame on this Minister and this Government...

(Interruptions)

Madam Speaker: Hon. Thierry Henry!

Mr Henry: ...for putting the Mauritian people...

Madam Speaker: Hon. Thierry Henry, please sit down!

(Interruptions)

I am sorry, Indian flag has nothing to do with this Bill, and you should refrain from mentioning it!

Mr Roopun: Madam Speaker, on a point of order. I don't think that I am the one who is being debated today. Is it a vote of no-confidence against the Minister? It is irrelevant, Madam Speaker!

Madam Speaker: No. Look, this is not a point of order because it has nothing to do with Standing Orders. But hon. Thierry Henry, I would ask you to debate on the Bill, and not to consider side issues.

(Interruptions)

Mr Henry: *Pas fer mwa cozé twa!*

So, Madam Speaker, it is upon hon. Baboo's guidance and hard work that the *geet gawai* has been listed and his delegation also backed the Indian Government at UNESCO for the enlistment of Yoga in the list of Intangible Cultural Heritage.

(Interruptions)

Atan, pas pressé! The first time that the *geet gawai* dossier was not retained and had to be reworked. It is the reason why we are having recently, even the Yogi Adityanath.

Madam Speaker: No, I will not allow you! Hon. Thierry Henry, please sit down! Yogi Adityanath has nothing to do with this Bill!

(Interruptions)

If you continue, then I will have to stop you.

(Interruptions)

I am sorry; if you are irrelevant, then I will have to stop you!

(Interruptions)

Mr Henry: *Attan twa! Pas exciter?*

Mauritius is part of the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage of UNESCO.

(Interruptions)

You talked about UNESCO, hon. Minister.

(Interruptions)

It is a Sixth Session of the General Assembly of the States Parties in 2003, Convention for the Safeguarding of Intangible Cultural Heritage at UNESCO Headquarters that the member States elected Mauritius among the 12th new members.

Madam Speaker: Yes. So, what has this to do with the Bill?

Mr Henry: We will also...

Madam Speaker: Now, hon. Thierry Henry! The Minister, when he mentioned it, related it to the Bill. So, when you are mentioning it now relate it to the Bill.

Mr Henry: We will also be seeing a lot of *tamtam* to be made by this Government for the inscription of sega tambour Rodrigues on the UNESCO list. Again, another achievement for our Rodriguan brothers and sisters by the ex-Minister and the PMSD...

(Interruptions)

He is doing the last session of UNESCO...

(Interruptions)

Madam Speaker: Now, order, please! Order! I have told you...

(Interruptions)

Hon. Thierry Henry, please, sit down! I have told you that you should...

(Interruptions)

Please, sit down! I have told you that you should be relevant to the Bill. There is an Explanatory Memorandum; you have got clauses of the Bill, so debate the clauses of the Bill instead of going into irrelevancy.

(Interruptions)

Hon. Thierry Henry, please, proceed!

Mr Henry: What else can we say that this current hon. Minister is still shamelessly repealing the cool air on the ongoing motion on the electric fan after being switched off from electricity. Last week what did we hear. The Prime Minister is boasting his great *initiative* and intention to have the sega Chagos through enlistment as intangible cultural heritage by UNESCO. Unfortunately, this is a stale news, this proposal was already announced by the previous Government.

Madam Speaker: No, no, no! Hon. Thierry Henry, no, no, no! I am sorry!

(Interruptions)

I am sorry, hon. Thierry Henry! I have given you enough leeway. I have been very attentive to what the Minister also said. Whatever he said was related to the clauses being amended in the Bill and I want to know to which clauses you are referring to when you are intervening, if you say you are being relevant.

Mr Henry: I was talking in general like the Minister.

(Interruptions)

We have left this Government and the Ministry of Arts and Culture to a different level. In this digital age, an Act by itself will not do miracles. We, at the time in Government, had at heart the good interests of the artists. The previous Minister had already decided to visit Estonia to bring the latest technology to help the artists from piracy.

(Interruptions)

It is relevant, *mo pe dire*.

Madam Speaker: On what he is saying, you have to say - what he is saying now is relevant.

(Interruptions)

Mr Roopun: On a point of order!

Madam Speaker: Hon. Thierry Henry, you are prepared to give way. Okay!

Mr Roopun: Madam Speaker, with due respect to the hon. Member, I do not think again, Madam, it is fair either to go outside the province of the Bill. If I may here refer to Standing Order 47 –

‘47. The Speaker or the person presiding, after having called the attention of the Assembly,(...), to the conduct of a Member, who persists in irrelevance,(...)’

Again, I am not in debate, Madam Speaker. I indulge your comprehension so that the debate goes according to what we have under the Standing Order.

Madam Speaker: Let me tell, hon. Minister, you referred to Standing Order 47. I have several times already asked the hon. Member not to be irrelevant. Right! I will try to see how many times he is being irrelevant, but what he just said was relevant and I cannot stop him. I have to be fair. Now, if you start being irrelevant again, I will have to stop you. I have already given you a warning on that issue.

Mr Henry: So, he had already decided to visit Estonia to bring the latest technology to help the artists from piracy. I do not know if the current Minister has any clue about this since he only knows to swallow what his predecessor has proved.

Madam Speaker: No, no, no. No, this is not acceptable! I am sorry! No, no, no, hon. Thierry Henry, please. This is not acceptable because this is...

(Interruptions)

No, no, no. The way you have worded it, it is an insult to the Minister and I am not prepared to accept this. Please, withdraw these words!

Mr Henry: Okay, I withdraw. What else can we expect from this Government than *assize gagne casse?*

Thank you, Madam.

Madam Speaker: Yes, hon. Lesjongard!

Mr Lesjongard: Thank you, Madam Speaker! Madam Speaker, I beg to move that the debate be now adjourned.

Mr J. Leopold rose and seconded.

Question put and agreed to.

Debate adjourned accordingly.

(7.12 p.m.)

ADJOURNMENT

The Deputy Prime Minister: Madam Speaker, I beg to move that this Assembly do now adjourn to Tuesday 14 November 2017 at 11.30 a.m.

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

Madam Speaker: The House stands adjourned. Adjournment matters! Hon. Osman Mahomed is not here. Hon. Uteem!

MATTERS RAISED

RELIGIOUS INSTITUTIONS & CHARITABLE BODIES - WASTEWATER CHARGES

(7.13 p.m.)

Mr R. Uteem (First Member for Port Louis South & Port Louis Central): Thank you, Madam Speaker. I would like to raise a matter addressed to the hon. Deputy Prime Minister. It relates to the Wastewater Authority charges that have been claimed to religious institutions and charitable bodies.

Madam Speaker, for years, these institutions were not claimed anything for water supply and for years they had been sent bills for wastewater, but that has never been enforced and there has been an unwritten convention between those charitable institutions, those religious bodies that because they are doing social work, they are doing positive things for the society, they would not be charged. Then, suddenly, now they are being claimed millions of rupees and they

are being threatened that if they do not pay the wastewater charges, their water supplies would be cut.

Now, the hon. Minister, having been a Senior Counsel himself, knows that one cannot claim after three years for bills which are periodical payments, it is already time-barred. But I would ask him exceptionally if there is a change in policy now and that the Government is going to henceforth require all charitable institutions to start paying wastewater charges, but to give a moratorium, to give a grace period and he'll come up with, if he has to, a special tariff because these charitable institutions/religious bodies do not earn money, they live on donations, they live on contributions.

Madam Speaker: Before you reply, hon. Deputy Prime Minister, can I make an appeal to hon. Members to be very brief because I have got a long list of those who want to intervene for adjournment, we have got only 30 minutes. So, can I ask hon. Members to be very brief.

The Deputy Prime Minister: Of course, I would have been happier if it had been a Parliamentary Question. Let me just say one or two things. It is not true that there is an unwritten rule about the payment of wastewater charges. Very few charitable and religious institutions and they are of all religions and of all communities and not of one particular religion as we want people to believe they are very few, hundred or so. The real defaulters are about five or six, others they pay. What has happened when they hear that the others are not paying, they have stopped payment.

The unwritten rule, let me tell you what is the rule. In 2002, there was a Cabinet decision that wastewater connections would be free of charge. Water supply would be free of charge, but wastewater would be paid because that was the only way to regulate consumption of water and because of the high cost of managing wastewater.

Secondly, in 2012, the Minister of Finance at that time, knowing the situation, repeated through Cabinet that these charges would have to be paid. There is no change in policy, the policy has remained the same. As we are talking, let me say that after we had appealed to the institutions to come to pay, many of them, at least 60, have come forward to make offers. What you have said about the limitation period is absolutely right in law, but it is up to the debtor to claim the limitation and not to the wastewater. So, if the people come and discuss the payment of the claim, we shall, of course, be ready to discuss all terms, because first of all we are no

Shylocks, secondly these people are no culprits. But we have got to agree. Billions of rupees have been squandered through the Wastewater Management Authority.

Under my watch I need to have good management. So, let us put some order. Of course, moratorium, I have taken note. So, the way in which my hon. colleague has raised the question, moratorium, of course, on a case to case basis, we have granted already to about 50-60 a number of moratoria, but they must come forward. They can't, when they receive a claim, refuse to call at the office by saying: '*non, nous pas pou payer*'. This is not on. We have got to have some conversations, dialogues. If my colleague can help me, I will be very grateful.

Madam Speaker: Hon. Baloomoody.

CWA - BILLS - COMPLAINTS

Mr V. Baloomoody (Third Member for GRNW & Port Louis West): Thank you Madam Speaker. Madam Speaker, I will raise an issue, in fact, I put a question today, but, unfortunately, time did not allow. I thought it was a question of regional interest concerning only my constituency, but when I listened to the radio I found that across the island, there is that problem of the CWA bill.

I have got many complaints in Pailles, in my Constituency, but recently I have got quite a lot of complaints in Quatre Bornes as well. In many places where we have installed the new water meters, the bill has gone up ten times. Not one time, ten times! I have in my hand a bill, for the month of October, it was Rs875.41 and for the month of November, it is Rs8,727.81.

(Interruptions)

I will table it. I have got many people who have approached us, and even on the radio many people across the island are complaining about the installation of the new meters where their bill has increased tremendously.

So, may I ask the hon. Deputy Prime Minister to look into the matter and come with a solution to that issue?

The Deputy Prime Minister: Madam Speaker, 70,502 new meters have been installed. There have been 3,388 complaints from consumers who claimed that their bills have increased, not necessarily as a result of the new meters, but there has been an increase. What happens?

The CWA sends a team, we verify the meters. In very few cases, in fact, perhaps two cases I understand it is found that the meter is not functioning. In most cases, what was happening is that, since people were paying their water according to an estimate worked out by the meter reader, the bill was very low. Now, the meter is recording actual use of water, and the problem is that we have discovered that there were leakages in the systems. And now, of course, it hurts. So, in these cases we advise the customer, we tell him what he should do. 245 bills have been adjusted downwards and this had increased due to unnoticed leaks. In these cases, we make arrangements and we make sure that satisfactory solutions are found. There are 44 bills which had increased due to various technical and administrative problems and they are solved. If there is such a case, please ask them to report not to me, in the Assembly, I do not run the CWA. Ask them to report the matter to the CWA.

Madam Speaker: Hon. Ameer Meea.

HASSEN SAKIR STREET, PORT LOUIS - WASTEWATER LEAKAGE

Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East):

Thank you, Madam Speaker. It is a problem in relation to a wastewater leakage at Hassen Sakir Street, in my constituency, Constituency No. 3. It is a recurrent problem since three to four years, and many times your officers have attended this problem, but yet to no avail.

I would like to convey this message to the hon. Deputy Prime Minister that this problem of leakage is causing much distress and discomfort to the inhabitants of the locality and the more so that there is a mosque in the corner of Hassen Sakir Street and Paul et Virginie Street. It is called the Shaukat Islam Mosque. So, I would urge the hon. Deputy Prime Minister to look into the matter urgently so as to remedy the situation. Thank you.

The Deputy Prime Minister: Is it my day today!

(Interruptions)

The problem had been raised some time ago by the hon. Member, I regret that he did not give me notice of this matter, contrary to my good friend, hon. Uteem, I would have been able to do the response immediately, but I will look into it and will inform the hon. Member accordingly.

Madam Speaker: Hon. Quirin.

PETITE RIVIERE – DISPENSARY- OLD BUILDING

Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière): Merci, Madame la présidente. Ma requête ce soir s'adresse à l'honorable ministre de la santé par intérim et concerne le bâtiment qui abrite l'ancien dispensaire de Petite Rivière, et qui depuis huit mois est devenu un repère des malfaiteurs ou paraît-il, d'après les habitants, il y a une libre circulation de drogues et autres trafics illicites qui se passe.

Donc, la cour de ce bâtiment est devenue un vrai dépotoir, un véritable *eyesore*, car le bâtiment se trouve sur la route principale à Petite Rivière, à côté du collège St Mary's West. Donc, comme je le dis, les habitants sont très préoccupés par cette situation et le dispensaire a été transféré dans une petite salle qui se trouve à l'arrière du Centre Social de Platform, un peu plus loin.

Donc, le dispensaire actuellement, le service est totalement inadéquat et largement insuffisant pour une région telle que Petite Rivière. Donc, la promesse qui avait été faite par l'ancien ministre de la santé, l'honorable Gayan, à l'effet qu'une médi-clinique serait aménagée rapidement, donc cette promesse se fait toujours attendre, pas réaliser encore. Donc, il faudrait rapidement, Madame la présidente, qu'on agisse, et qu'on démolisse, si besoin est, ce vieux bâtiment qui abrite le dispensaire, et bien sûr qu'on fasse le nécessaire, afin que cette médi-clinique soit aménagée dans le plus bref délai. Merci.

The Minister of Technology, Communication and Innovation (Mr Y. Sawmynaden): I would like to thank the hon. Member. Despite not being the substantive Minister, I am well aware of this project because hon. Gayan and hon. Aliphan have been closely monitoring this project. I can assure the hon. Member that all the plans have been finalised with the Ministry of Public Infrastructure and Land Transport and, if I am not mistaken, the tender document has either been launched or will be launched shortly and the construction will start soon.

As regards the problem that the inhabitants of Petite Rivière are facing right now regarding people going into that old building, I will look into it and will talk to the ACP who is in charge of the area so that they can have a close monitoring of the area there. Thank you.

Madam Speaker: Hon. Ms Sewocksingh!

CUREPIPE – FORUM MARKET FAIR – BUS SHELTER

Ms M. Sewocksingh (Third Member for Curepipe & Midlands): Thank you, Madam Speaker. In fact, some time back, at adjournment time, I raised an issue concerning the setting up of a temporary bus shelter at Forum Market Fair in Curepipe and the hon. Minister replied that needful would be done. But, unfortunately, nothing has been done and, last Wednesday, I had some pictures where we could see that people are having a lot of problems to take the bus at the market fair. I urge the hon. Minister if he could kindly look into the matter and take this up as soon as possible. Thank you.

The Minister of Local Government and Outer Islands (Mr P. Jhugroo): Madam Speaker, last time, I raised the issue with the Department concerned, but today we hear that nothing has been done. So, tomorrow, I will take up the matter again.

Madam Speaker: Hon. Mrs Perraud!

CONGOMAH, BLACKBURN ROAD – LAND SLIDING

Mrs A. Perraud (First Member for Port Louis North & Montagne Longue): Thank you. I would like to draw the attention of the hon. Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development but, unfortunately, the Prime Minister is not here. But, since it is a very urgent matter, I think that somebody else from the Government will reply.

Madam Speaker, it concerns a serious problem of land sliding at Blackburn Road, Congomah. There is water running from the mountain, eroding roadsides and compound walls of inhabitants.

In May, this year, an old woman, Mrs Ramrichia, of 65 years old, fell down due to this problem. She had several serious injuries and she stayed in the hospital for days. My office talked to the officers of the NDU and one officer said that the NDU is looking into the matter, but up to now, nothing has been done.

This problem needs an urgent consideration for the reinstatement of retaining walls and drain water system. So, I would like to ask the Government where matters stand. Thank you.

The Deputy Prime Minister: The hon. Prime Minister has asked me to take note of this matter. But let me say one thing. 65 years old is not old!

(Interruptions)

I will, of course, pass on the request to the hon. Prime Minister.

Madam Speaker: Hon. Ramful!

MAHEBOURG MARKET – ILLEGAL SELLERS

Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien): Thank you, Madam Speaker. I have an issue for the Minister of Local Government and Outer Islands concerning the...

Madam Speaker: Sorry, I see protest over there! Hon. Armance, I have a list. Your name is not on the list. But, in spite of the fact that your name is not on the list, I will allow you because you have the right to raise any matter within the 30 minutes. You do not have to protest for this. Hon. Ramful!

(Interruptions)

Mr Ramful: Thank you, Madam Speaker. So, it concerns the Mahebourg market, and I have received various complaints. In fact, there were repeated complaints from the lawful stallholders, vegetable sellers, who are regular with their licence fee, and they are apparently facing illegal and unfair competition from illegal sellers who would come there, especially on Mondays. They would place their goods at the entrance of the market and this is causing great difficulties to these lawful sellers.

Also, there are complaints about stallholders who have their stalls and shops on the first floor, and on Mondays what they do is they bring their goods downstairs, they place their goods at the entrance of the market, there again causing difficulty to those lawful sellers within the precincts of the market. They have made complaints to the local authority. Unfortunately, nothing has been done.

May I press upon the hon. Minister to kindly request the Chief Executive of the Grand Port District Council to see to it that his inspectors do regular visits and enforce the law, if need be? Thank you, Madam Speaker.

The Minister of Local Government and Outer Islands (Mr P. Jhugroo): Thank you. Madam Speaker, this issue had been raised by myself with the Chief Executive and we are well

aware of this situation. So, I will take it up myself. I will call a meeting with the Police and the Chief Executive of the District Council of Grand Port.

Madam Speaker: Yes, hon. Armance!

POINTE AUX SABLES – PUBLIC BEACH - TOILETS

Mr P. Armance (First Member for GRNW & Port Louis West): Thank you, Madam Speaker. My request goes to the Ministry of Environment, namely the Beach Authority. It is regarding the public toilets at the public beach of Fisheries at Pointe aux Sables. It has been built for some time now and every time it is closed. I have been there personally during the weekend, on Saturday and Sunday, and the toilets are always closed. Could the hon. Minister look into the matter?

The Minister of Local Government and Outer Islands (Mr P. Jhugroo): Madam Speaker, I will take up this issue with my colleague.

At 7.31 p.m., the Assembly was, on its rising, adjourned to Tuesday 14 November 2017 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

RIVIÈRE DU REMPART - MULTI-COMPLEX BUILDING - CONSTRUCTION

(No. B/670) Mr S. Rutnah (Third Member for Piton & Rivière du Rempart) asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the proposed construction of a multi-complex building at Rivière du Rempart, as announced in the 2017-2018 Budget Speech, he will state where matters stand.

Reply (Minister of Local Government and Outer Islands): The project for the construction of a Multipurpose Complex at Rivière du Rempart, with a project value of Rs50 m., has been included in the Estimates 2017/2018.

The House may wish to note that a plot of land along New Railway Road, Rivière du Rempart, which is unoccupied and is in an abandoned state, was initially identified by the District Council of Rivière du Rempart for implementation of this project.

On 29 June 2017, the Ministry of Housing and Lands was requested to initiate procedures for the acquisition of this plot of land. However, given that the owners of the plot of land are untraceable, the Ministry of Housing and Lands has advised that the procedures for acquisition will be time consuming.

In this context, a meeting was held on 26 October 2017 under the chairmanship of hon. S. Ramkaun, Parliamentary Private Secretary with all concerned stakeholders to look for an alternative plot of land for this project.

A plot of land of the extent 6 arpents 50 perches located at the opposite side of the existing CNT Depot at Rivière du Rempart and belonging to the Sugar Investment Trust has now been identified.

The Council has, at its meeting on 27 October 2017, decided that a request be made to the Ministry of Housing and Lands to approach the Sugar Investment Trust with a view to releasing 3 arpents 50 perches, out of this plot of land, for implementation of this project.

My Ministry has already transmitted the request of the Council to the Ministry of Housing and Lands.

As soon as the land issue is finalised, the District Council will embark on the implementation of the project.

SCHOOLS & UNIVERSITIES - NATIONAL COUNCIL FOR SPORTS – SETTING UP

(No. B/699) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the setting up of the National Council for Sports in schools and universities, pursuant to section 31 of the Sports Act, he will state where matters stand.

Reply: The National Council for Sports in schools and universities has already been constituted and had its first meeting on 31 October 2017.

**ATHLETES (RETIRED) - STATE RECOGNITION ALLOWANCE SCHEME -
BENEFICIARIES**

(No. B/700) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Youth and Sports whether, in regard to the proposed State Recognition Award for retired athletes, as announced in the 2017-2018 Budget Speech, he will state –

- (a) if same has been implemented and, if so, give the list of the beneficiaries, discipline-wise, indicating the respective monthly quantum of allocation thereof, and
- (b) the eligibility criteria therefor.

Reply: The State Recognition Allowance Scheme for Retired Athletes has already been implemented and since 03 October 2017, 65 eligible former athletes, of whom six are of Rodriguan origin, and whose past performances have been confirmed by their respective federations, are receiving their monthly allowance with retrospective effect from July 2017.

These 65 former athletes satisfy the following set criteria in that they -

- (a) are Mauritian citizens;
- (b) have won gold, silver or bronze medals in Olympic Games, Paralympics Games, World Championship, Commonwealth Games, Francophone Games, the All African Games/Championships in either an Olympic or non-Olympic discipline, since 12 March 1968;
- (c) have reached 35 years of age, and
- (d) are no longer participating in local or international competitions or have a valid licence from the Federation.

Those athletes who qualify for the scheme but have retired before the age of 35 will have a deferred payment as soon as they reach 35 years old.

In addition, the athletes convicted of criminal offence and having brought disrepute to the Sports Sector and the Motherland are disqualified from this scheme.

The Scheme will be gradually rolled out to all former athletes who have registered performances at Continental and World levels, in accordance with the criteria I have just mentioned.

A further list of 30 former athletes is being processed and as soon as finalised, payment will be effected.

The list of beneficiaries covers the following disciplines -

1. Athletics
2. Badminton
3. Boxing
4. Boxe Française
5. Judo
6. JuJitsu
7. Karate
8. Table Tennis
9. Volleyball
10. Weightlifting
11. Wrestling
12. Swimming
13. Triathlon.

As regards the detailed list of beneficiaries and the quantum payable, I was advised that it would not be appropriate to disclose it given the confidential nature of the information requested.

MUNICIPAL COUNCILS - PROJECTS - IMPLEMENTATION

(No. B/701) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière) asked the Minister of Local Government and Outer Islands whether, in regard to the capital grant of Rs500 million to be allocated to local authorities to carry out outstanding minor infrastructural works in their respective localities, as announced in the 2017-2018 Budget Speech, he will, for the benefit of the House, obtain from each Municipal Council, a list of the projects identified for implementation, including the cost estimate thereof in each case, indicating if the funds have been disbursed.

Reply: I seize this opportunity to thank the hon. Prime Minister once more for his special effort in the Budget 2017-2018 by providing an exceptional capital grant for Rs500 m. to the local authorities to address long outstanding minor infrastructural works.

With reference to the question, I wish to inform the House that the amount of Rs500 m. announced in the Budget Speech, has been allocated as follows –

- (i) Rs400 m. for “Construction and Upgrading of Amenities”;
- (ii) Rs89 m. for “Construction of Drains”, which, in fact, is meant for completion of outstanding drain works in flood prone areas as a result of the flood which was caused by the torrential rainfall of February 2016, and
- (iii) Rs20 m. for “Cleaning, Rehabilitation and Upgrading of Drains, Bridges and Rivers”, which is allocated to the local authorities prior to the start of the heavy rainfall season, to allow them undertake cleaning, rehabilitation and upgrading works to minimise the risk of flooding in flood prone areas.

The list of projects identified by each Council, including their respective costs, has been compiled and is being placed in the Library of the National Assembly as it is a bulky document.

As regards expenditure on the minor capital projects, I am informed that an amount of Rs15,387,788.85 has, as at date, been disbursed to the local authorities.

The House may wish to note that funds are disbursed, as and when required, to the local authorities for payment to their respective contractors on submission of relevant documents.

STC - BETAMAX LTD - APPEAL LODGED

(No. B/702) Mr R. Uteem (First Member for Port Louis South and Port Louis Central) asked the Minister of Industry, Commerce and Consumer Protection whether, in regard

to the appeal lodged in the case opposing the State Trading Corporation and Betamax Ltd. for the termination of the contract of affreightment, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to the –

- (a) names of the legal representatives thereof, indicating the procurement method used for the appointment thereof and
- (b) amount of expenditure incurred in relation thereto.

Reply: I am informed by the State Trading Corporation (STC) that its legal representatives in the appeal lodged in the case opposing the Corporation and Betamax Ltd are -

- Mr Ravindra Chetty, Senior Counsel;
- Mr André Robert, Senior Attorney;
- Rajah & Tann Singapore LLP;
- Mr James Guthrie QC, and
- Mr Alain Choo-Choy QC.

As regards the procurement method used by the STC, procurement comes into play when expenses for the services exceed the prescribed amount in the schedule to the Public Procurement Act, i.e. Rs100 m. per relevant contract. As such is not the case, the STC had recourse to the direct procurement method.

In so doing, the STC enlisted the services of the same legal persons who had appeared for the Corporation in the Arbitration case, i.e. Mr Chetty, SC, Mr Robert SA and Rajah & Tann Singapore LLP.

Additionally, for the appeal the STC has also retained the services of Mr Guthrie QC and Mr Choo-Choy QC. Mr Guthrie QC has advised and acted in many matters from Mauritius since 1992. Mr Choo-Choy QC, who was born and brought up in Mauritius, is practicing from one of the established sets of chambers practicing commercial law in London.

Regarding part (b) of the question, as the case is not yet over, the amount of fees to be paid to the legal representatives of the STC is not available now. They will be released at the opportune time. The STC will duly account for these fees in its accounts.

SCHOOLS – DIGITAL TABLETS & EDUCATION SOFTWARE - CONTRACT

(No. B/703) Mr R. Uteem (First Member for Port Louis South & Port Louis Central) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the contract for the supply of digital tablets and education software for grade 1 and 2 students, she will state the –

- (a) contract value thereof, indicating the amount claimed and paid as at to date, and
- (b) scheduled delivery date thereof.

Reply: In the context of the Government to Government Agreement reached between the Government of Mauritius and that of India, a Memorandum of Understanding was signed between the Ministry of Education and EDCIL, a Government of India Enterprise, on 10 March 2017. The total cost of the project for phases I and II amounts to 22.4 M USD (Rs784 m.) and is funded through a grant of 14 M USD (Rs500 m.) from the Indian Government and a matching grant of 8.4 M USD (Rs294 m.) from the Mauritian Government.

A provision of Rs250 m. was made in Budget 2016-17 for the first phase of the project comprising purchase of 26,800 tablets, projectors, rack chargers and projector screens for Grade 1 and 2 students. Officials of my Ministry have been working closely with the Indian Government, through EDCIL India for the last three months.

The cost for phase I of the project, including warranty period and two years maintenance cost amounts to 11.6 M USD. As per the terms of payments stipulated in the Memorandum of Understanding, a first installment of 15% of hardware cost to the tune of 1.5 M USD has been paid to EDCIL on issuance of tender documents. A second installment of 2.5 M USD has been paid upon award of contract to the successful bidder. A third payment of 15 % amounting to 0.9 M USD is currently being processed.

With regard to part (b) of the question, tablet, PCs and related accessories along with projectors and rack charges will be shipped in several lots between the 09 and 23 November 2017. The commissioning exercise is scheduled simultaneously over the same period and the project is planned to start at the beginning of the next academic year in January 2018.

SUGAR CANE PLANTERS – MOLASSES - PRICE

(No. B/707) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien) asked the Minister of Agro-Industry and Food Security whether, in regard to the mechanism set up for

the determination of the price of molasses accruing to sugar cane planters for the production of ethanol and other derivatives, he will –

- (a) state the recommendations of the technical committee of the Control and Arbitration Department of the Mauritius Cane Industry Authority and table copy thereof, and
- (b) ensure that a fair and reasonable price be accrued to sugar cane planters.

Reply: I am informed that the Mauritius Cane Industry Authority had commissioned a study in 2014 for the determination of a new price mechanism for molasses and the contract was awarded to Strategic Networking Partners and Consulting Ltd (SNPC) to develop and recommend a new price mechanism for molasses.

The report by SNPC, submitted on 07 January 2015, proposed three options-

- (i) the existing Landbouw Economist Institute(LEI) mechanism;
- (ii) the Rectified Ethanol Neutral Spirit (T2REN) Rotterdam, and
- (iii) the Return of Assets (ROA).

These options were considered by the Control and Arbitration Committee, which is chaired by the Solicitor General. However, no consensus was reached among the planting community. Under such circumstances, the Control and Arbitration Committee decided to set up a Technical Committee comprising officers the Control and Arbitration Department and the MCI, to -

- (a) use the existing LEI method to determine the price of molasses for a transitional period for Crops 2014, 2015 and 2016, and
- (b) establish an appropriate mechanism for crop 2017 and onwards, based on the report of the consultants.

The Technical Committee submitted its report in July 2017 to the Control and Arbitration Committee and recommended three options, namely-

- Option 1 - a price of Rs2, 078.84 to planters based on a calculated F.O.B. price of Rs1, 833.
- Option 2 - a price of Rs2, 621.49 to planters based on a predicted F.O.B. price of Rs2, 455.
- Option 3 - a mean of Options 1 and 2 with a price of Rs2, 370.99 to planters based on F.O.B. price of Rs2, 144.

Once again the members of the Control and Arbitration Committee could not reach a consensus on the price of molasses to be used for payment to planters.

I am herewith tabling a copy of the report of the Technical Committee.

Since there was no consensus on the recommendations of the Technical Committee, at the request of my Ministry, the MCIA had separate consultations with representatives of millers, the Mauritius Cooperative Agricultural Federation and representatives of planters on the Control and Arbitration Committee with a view to reaching a consensus.

Thereafter, at its meeting held on 01 August 2017, the Control and Arbitration Committee agreed on a figure of Rs2,242.89 per tonne of molasses and payment was effected accordingly on the basis of this figure for crop 2016.

The House will note that in addition to the price of molasses, planters are also eligible for the bottler's fee. For crop 2016, the bottler's fee was Rs1, 292.00 per tonne of molasses, bringing the total payment to Rs3, 535.00 per tonne of molasses which has already been effected to all planters. For crop 2015, planters have received Rs2, 074.58 plus a bottler's fee of Rs699.52 per tonne of molasses, which amounted to a total payment of Rs2, 774.10.

As regards part (b) of the question, the Sugar Industry Efficiency Act was amended in December 2016, to make provision for the price of molasses to be derived from a basket of prices as may be determined by the MCIA. The basket of prices comprises revenue obtained from -

- (i) deemed F.O.B price for molasses exported and molasses used to produce alcohol for export;
- (ii) 1.75 times deemed F.O.B price for molasses used to produce alcohol for domestic market, and
- (iii) distiller/Bottler's contribution of Rs40 per litre of absolute alcohol.

In fact, the main objective of introducing a basket of prices for molasses is to ensure that sugar cane growers obtain a fair and reasonable price of molasses and at the same time provides price visibility to the buyers of molasses to produce value added products. Presently, the MCIA is holding consultations with stakeholders of the cane industry in order to finalise the price of molasses for Crop 2017.

Furthermore, Government has already taken the decision for the mandatory blending of ethanol with Mogas. In this regard, the MCIA is currently in the process of finalising the Ethanol Framework.

LA TOUR KOENIG - FOUNDRY - HEALTH HAZARDS

(No. B/710) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development Whether he will state if he is aware of the health hazards posed by pollution being caused by a foundry in La Tour Koenig having allegedly resulted in inhabitants of Morcellement Rey and of Morcellement Petit Verger at Pointe-aux-Sables being hospitalized according to the Morcellement Rey Welfare Association and of the holding of a meeting of citizens, including an adviser to a Honourable Minister and of a Honourable Member of the Opposition on Monday 23 October 2017 in protest thereof and, if so, indicate if urgent measures will be taken in relation thereto

Reply: My colleague, the Minister of Social Integration and Economic Empowerment, who is also a Member of Parliament for Constituency No. 1, Port Louis West and Grand River North West has drawn the attention of my Ministry to the effect that a significant number of complaints have been made by the inhabitants of Morcellement Rey and of Morcellement Petit Verger at Pointe-aux-Sables pertaining to odour and fumes nuisances arising from the activities of a foundry located at La Tour Koenig.

I also received complaints from the Third Member of Constituency No. 4, Port Louis North and Montague Longue, Parliamentary Private Secretary, hon. Mrs Marie Claire Monty who is a resident of the locality.

I am informed that a Preliminary Environmental Report application for the setting up of a metal foundry by Tradeway International Ltd at La Tour Koenig was received on 20 April 2016 at my Ministry. A Preliminary Environmental Report Approval was issued on 20 July 2016. The reported distance between the foundry and the nearest residential development is about half a kilometre, in fact, 475 m to be more precise.

The PER Approval was subject to a set of 21 conditions, including the following ones:

Condition No. 5 which states that necessary bunded walls shall be provided around the storage facilities of any hazardous sludge/waste, sodium hydroxide, chemical, ash, furnace oil, waste oil, fuel and heavy fuel oil to cater for accidental spillage and leakage.

Condition No. 6 which states that necessary measures shall be taken during heavy rainfall to prevent contamination of the underground and surface water by hazardous wastes, chemicals, sludge, heavy metals, oil, sodium hydroxide, organic contaminants and fuel. As such, necessary perimeter drains shall be provided around the site which will channel uncontaminated surface run off through mud/silts/grease/oil traps and hydrocarbon separators prior to open discharge to the receiving environment. All drainage infrastructures provided on site shall be to the satisfaction of the District Council of Black River.

Condition No. 7 which states that all domestic and process wastewater generated shall be directed to the existing sewer line. No construction shall be carried out on the existing sewer line. The effluent discharging into the sewer line shall comply with the standards for discharge into the sewer line set under the 4th Schedule of the Wastewater Regulations 2004. One week after the start of operation the promoter shall apply for an Industrial Discharge Permit (IDP) at the Wastewater Management Authority in accordance with the Wastewater Regulations 2004.

Condition No. 8 which states that slag production shall be minimised through efficient design of the plant and proper sorting of scrap metals. Any slag generated shall be reused as far as possible.

Condition No. 11 which states that all the industrial processes shall be carried out inside a closed workshop. The plant shall be professionally maintained and operated.

Condition No. 12 which states that all electric motors such as stand by generator, air compressors and other noise generating equipment shall be housed in noise attenuating structures so that the noise level emanating therefrom shall be within the permissible limits as per the Environment Protection (Environment Protection for Noise) Regulations 1997.

Condition No. 13 which states that the proponent shall ensure that no noise nuisances are generated during the handling of waste metals at the time of delivery and transfer from stack to the furnace.

Condition No. 14 which states that all emissions from the plant shall comply with the Environment Protection (Standards for Air) Regulations 1998 promulgated under the Environment Protection Act 2002.

Condition No. 15 which states that flue gas analysis shall be carried out by an accredited body and the results of the analysis shall be submitted to my Ministry on a bi-annual basis or as determined by the Director of the Department of Environment.

As at date, 3 complaints have been received at the Department of Environment of my Ministry against the foundry pertaining to odour and fumes nuisances. These were dated 29 May 2017, 31 May 2017 and 19 July 2017 respectively, whereas 10 complaints have been received by the *Police de L'Environnement*.

Following these complaints, including those of the Minister of Social Integration and Economic Empowerment, Member of Parliament for Constituency No. 1, Port Louis West and Grand River North West, hon. Wong Yen Cheong and the Parliamentary Private Secretary, Third Member of Constituency No. 4, Port Louis North and Montague Longue, hon. Mrs Marie Claire Monty, inspections were carried out on site on the following dates -

By the Department of Environment on 09 June, 14 July, 08 August and 17 October 2017,
and

By the *Police de L'Environnement* on 05 June, 08 July, 12 August, 09 October and 03 November 2017.

Subsequent to these inspections the proponent was instructed to implement remedial measures. Accordingly, the proponent has taken the following measures -

Firstly, the workshop has been enclosed to prevent dispersion of fumes and odour into the surroundings.

Secondly, a line of communication has been established with complainants to initiate prompt actions in case of complaints.

Thirdly, the proponent has adopted a number of housekeeping practices, including landscaping activities and pest control.

Fourthly, since July 2017, the proponent has been liaising with the Mauritius Cane Industry Authority (MCIA) and accordingly a stack monitoring exercise has been scheduled on 11 November 2017.

In addition, the proponent has, since August 2017, acquired a more powerful air extraction system with larger hoods and piping systems to enable a more effective extraction of fumes and channelling of same to the air treatment unit comprising a cyclone and a wet scrubber. Installation work is ongoing and is expected to be completed this week.

In view of the complaints of health hazards and air pollution as stated above, the National Environmental Laboratory of my Ministry has started an ambient air monitoring exercise within Morcellement Rey Residential area since Tuesday 31 October 2017. This exercise will be carried out until conclusive results are obtained. Preliminary results obtained for the period 31 October 2017 to 06 November 2017 indicated that the ambient air quality is within the set standards.

As per information obtained from the Ministry of Health and Quality of Life, no admission due to health hazards posed by pollution from the foundry located at la Tour Koenig has been recorded at Dr. A. G. Jeetoo Hospital.

CEB - ST LOUIS POWER STATION - SMOKE EMISSION TESTS

(No. B/711) Mrs D. Selvon (Second Member for GRNW & Port Louis West) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the St Louis Power Station, he will state if consideration will be given for smoke emission tests therefrom to be carried out to provide detailed results thereof, including the respective amounts of various substances released into the atmosphere above the densely inhabited region in the wake of the coming into operation of the new installed generators.

Reply: In line with condition 7 of its EIA licence dated 01 August 2013 and the Environmental Monitoring Plan submitted on 21 September 2017 in relation to the redevelopment of the St Louis Power Station, the Central Electricity Board has installed an online monitoring system which measures the quality of flue gas from the stack and same is already operational.

My Ministry, as enforcing agency for air, carries out independent ambient air quality monitoring within the residential area in the vicinity of the St Louis Power Station to assess the ambient air quality. The last monitoring exercises which were carried out by the National Environmental Laboratory were on 16 to 23 March 2017 at 250 m from St Louis Power Station and on 13 to 27 April 2017 at 400 m from St Louis Power Station. The test results show that the ambient air quality were well within the limits prescribed under the Environment Protection (Standards for Air) Regulations 1998.

Another monitoring exercise is due before the end of this month.

POLYTECHNICS - SETTING UP

(No. B/712) Mr V. Baloomoody (Third Member for GRNW & Port Louis West) asked the Minister of Education and Human Resources, Tertiary Education and Scientific Research whether, in regard to the setting up of Polytechnics in the wake of the implementation of the Nine Year Basic Education Programme, she will state –

- (a) the total estimated cost thereof, indicating the amount of funds disbursed as at to date;
- (b) the expected date of coming into operation thereof, and
- (c) if appropriate staff have been recruited and, if so, give a list thereof.

Reply: Funds provided for Financial Year 2017/18 in regard to the setting up of Polytechnics amount to Rs130 m., out of which Rs60 m. has been earmarked for Capital Expenditures and the remaining Rs70 m. for Recurrent Expenditures.

Given that the Polytechnics Board has been set up in December 2016 and has started operating only in January 2017, the sum disbursed as to date stands at Rs2.1 m. only. Since then, a number of strategic decisions have been taken for the full operationalisation of the institution. As such, the remaining amount will be utilised for staff costs, payment of partnership fees, purchase of equipment and furniture and funds for the running of courses which are due to start at the end of the month and thereafter.

With regard to the second part of the question, I am glad to inform the House that the Polytechnics Mauritius Ltd will start with the running of the National Diploma in Nursing before the end of this month. Applications for the course have been received and a selection exercise for the enrolment of students has been planned for the coming week. This course will be run in collaboration with the Central School of Nursing and the Mauritius Institute of Health. An MoU has already been signed with the Ministry of Health and Quality of Life to that effect.

In addition, discussions are ongoing with CCNB in New Brunswick, Canada and WINTEC in New Zealand. MoU's have already been signed with these two partners. Courses in the field of Tourism and Hospitality and IT should start before the end of the first quarter of 2018. Further discussions have started with HTMI in Switzerland and is progressing satisfactorily. A team from HTMI is expected in Mauritius on 14 November 2017 to finalise discussions.

With regard to the third part of the question, 5 Managerial Staff have been recruited since 16 October 2017, namely, the Chief Executive Officer, the Administration and Human Resources Manager, the Finance Manager, the Students Affairs Manager and the Facilities Manager. Interviews are currently being carried for the filling in of the 3 posts of Administrative Officer. Call for applications have already been launched for the posts of Programme Leader, Nurse Educator and Procurement and Supply Officer. Interviews will be carried out soon and the positions will be filled before the end of November 2017.

BAMBOUS SOCIAL SECURITY OFFICE (FORMER) – PULLING DOWN

(No. B/715) Mr G. Lesjongard (Second Member for Savanne & Black River) asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the abandoned Government owned building which formerly housed the Bambous Social Security Office, he will state if measures will be taken to restrict access of strangers thereto.

Reply: I wish to inform the House that since 06 July 2015 the former Social Security Office at Bambous had to be vacated in view of the fact that there were cracks in the walls and roof. However, with a view not to disrupt the services being provided in that catchment area, my Ministry has relocated the Social Security Office in rented premises at Corner of Allée Tamarin and Geoffroy Road, Bambous.

According to the inhabitants living in the vicinity of the abandoned premises, antisocial activities are unfortunately being carried out unabated despite regular police patrols.

Accordingly, arrangements will be made by my Ministry to pull down the building with a view to warding off the use of same for any type of antisocial activity.