



**SIXTH NATIONAL ASSEMBLY**

**PARLIAMENTARY**

**DEBATES**

**(HANSARD)**

**(UNREVISED)**

**FIRST SESSION**

**TUESDAY 28 NOVEMBER 2017**

**CONTENTS**

**PAPERS LAID**

**QUESTIONS (*Oral*)**

**MOTION**

**BILLS (*Public*)**

**ADJOURNMENT**

## THE CABINET

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

Hon. Pravind Kumar Jugnauth	Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development
Hon. Ivan Leslie Collendavelloo, GCSK, SC	Deputy Prime Minister, Minister of Energy and Public Utilities
Hon. Sir Anerood Jugnauth, GCSK, KCMG, QC	Minister Mentor, Minister of Defence, Minister for Rodrigues
Hon. Mrs Fazila Jeewa-Daureeawoo	Vice-Prime Minister, Minister of Local Government and Outer Islands
Hon. Seetanah Lutchmeenaraidoo, GCSK	Minister of Foreign Affairs, Regional Integration and International Trade
Hon. Yogida Sawmynaden	Minister of Technology, Communication and Innovation
Hon. Nandcoomar Bodha, GCSK	Minister of Public Infrastructure and Land Transport
Hon. Mrs Leela Devi Dookun-Luchoomun	Minister of Education and Human Resources, Tertiary Education and Scientific Research
Hon. Anil Kumarsingh Gayan, SC	Minister of Tourism
Dr. the Hon. Mohammad Anwar Husnoo	Minister of Health and Quality of Life
Hon. Prithvirajsing Roopun	Minister of Arts and Culture
Hon. Marie Joseph Noël Etienne Ghislain Sinatambou	Minister of Social Security, National Solidarity, and Environment and Sustainable Development
Hon. Mahen Kumar Seeruttun	Minister of Agro-Industry and Food Security
Hon. Ashit Kumar Gungah	Minister of Industry, Commerce and Consumer Protection
Hon. Maneesh Gobin	Attorney General, Minister of Justice, Human Rights and Institutional Reforms
Hon. Jean Christophe Stephan Toussaint	Minister of Youth and Sports
Hon. Soomilduth Bholah	Minister of Business, Enterprise and Cooperatives

Hon. Marie Roland Alain Wong Yen Cheong, MSK	Minister of Social Integration and Economic Empowerment
Hon. Premdut Koonjoo	Minister of Ocean Economy, Marine Resources, Fisheries and Shipping
Hon. Soodesh Satkam Callichurn	Minister of Labour, Industrial Relations, Employment and Training
Hon. Purmanund Jhugroo	Minister of Housing and Lands
Hon. Marie Cyril Eddy Boissézon	Minister of Civil Service and Administrative Reforms
Hon. Dharmendar Sesungkur	Minister of Financial Services and Good Governance
Hon. Mrs Roubina Jadoo-Jaunbocus	Minister of Gender Equality, Child Development and Family Welfare

**PRINCIPAL OFFICERS AND OFFICIALS**

Madam Speaker	Hanoomanjee, Hon. Mrs Santi Bai, GCSK
Deputy Speaker	Teeluckdharry, Hon. Kalidass
Deputy Chairperson of Committees	Jahangeer, Hon. Ahmad Bashir
Clerk of the National Assembly	Lotun, Mrs Bibi Safeena
Deputy Clerk	Ramchurn, Ms Urmeelah Devi
Clerk Assistant	Gopall, Mr Navin
Clerk Assistant	Seetul, Ms Darshinee
Hansard Editor	Jankee, Mrs Chitra
Serjeant-at-Arms	Pannoo, Mr Vinod

**MAURITIUS**

**Sixth National Assembly**

-----

**FIRST SESSION**

-----

**Debate No. 27 of 2017**

**Sitting of Tuesday 28 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 Ag. Prime Minister (Mr I. Collendavelloo):** Madam Speaker, the Papers have been laid on the Table.

### A. Prime Minister's Office

- (a) Certificate of Urgency in respect of the Bus Industry Employees Welfare Fund (Amendment Bill). (In Original)
- (b) Virement Warrant Return – Quarter 4 (April – June 2017) Nos. 9-29, 29A, 30-54, 56-61; and Retrospective Virement Nos. 62-64. (In Original)
- (c) Virement (Contingencies) Warrant - Quarter 4 (April – June 2017) Nos. 17-21, 23 and 24 of 2016-2017. (In Original)
- (d) Virement Certificate Return – Quarter 4 (April – June 2017). Vote/Sub/Head 6-10, 6-15, 5-6, 5-7, 4-11, 3-4, 9-13, 1-3, 5-10, 16-50, 3-8, 8, 10-13, 3-10, 2-6, 6-12, 3,5-7, 3-8, 19-33, 4-9, 12,13, 3-4, 3, 6-10, 12-14, 7-17, 1-8, 6-9, 2-13, 9-16, 18-21, 2, 14-32, 5, 7-8, 5-8 and 14. (In Original)
- (e) Virement Warrant Return – Quarter 1 (July – September 2017) Nos 1-6 of 2017-2018. (In Original)
- (f) Virement (Contingencies) Warrant - Quarter 1 (July – September 2017) Nos 1-3 of 2017-2018. (In Original)
- (g) Virement Certificate Return - Quarter 1 (July – September 2017) Nos. 1-2, 1, 1, 1-2, 1-4, 1, 1 and 1. (In Original)
- (h) Carry-Over Warrant Nos. 1 and 2 of 2016-2017. (In Original)

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

- (a) The Municipal Council of Quatres Bornes (Fair) (Amendment) Regulations 2017. (Government Notice No. 229 of 2017)
- (b) The Municipal Council of Quatres Bornes Collection and Disposal of Refuse (Amendment) Regulations 2017. (Government Notice No.230 of 2017)

C. **Ministry of Public Infrastructure and Land Transport**

The Black-River/Savanne Coast Road (Modification) Regulations 2017. (Government Notice No.225 of 2017).

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

The Annual Report and audited Financial Statements of the Mauritius Qualifications Authority for the year 2015.

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

The Annual Report of the Agricultural Marketing Board for the year 2015.

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

The Rodrigues Consumer Protection (Control of Price of Taxable and Non-taxable Goods) (Amendment No.43) Regulations 2017. (Government Notice No.228 of 2017)

G. **Attorney General's Office and Ministry of Justice, Human Rights and Institutional Reforms**

The Code Civil Mauricien (Rate of Interest) Regulations 2017. (Government Notice No.227 of 2017)

H. **Ministry of Ocean Economy, Marine Resources, Fisheries and Shipping**

The Fisheries and Marine Resources (Licence and Fees) (Amendment) Regulations 2017. (Government Notice No.226 of 2017)



**ORAL ANSWERS TO QUESTIONS****MAURITIUS FIRE AND RESCUE SERVICE – FRENCH GOVERNMENT - ASSISTANCE**

**The Leader of the Opposition (Mr X. L. Duval)** (*by Private Notice*) asked the Vice-Prime Minister, Minister of Local Government and Outer Islands whether, in regard to the Mauritius Fire and Rescue Service, she will state if consideration will be given for the appointment of a team of overseas consultants to review the operations, efficiency, equipment and training of its personnel and come up with recommendations in relation thereto.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands (Mrs F. Jeewa-Daureeawoo):** Thank you, hon. Leader of the Opposition. I wish to highlight that this Government has continuously increased the funds allotted to the Mauritius Fire and Rescue Service.

In 2015/2016, an amount of Rs461 m. was allotted to the Mauritius Fire and Rescue Service. In 2016/2017, this figure was increased to Rs533.7 m.

For the year 2017/2018, the budget was further increased to Rs570 m.

The Mauritius Fire and Rescue Service has a workforce of 944 firefighter cadres. It is organised as follows: comprising one Chief Fire Officer; three Deputy Chief Fire Officers; five Assistant Chief Fire Officers; seven Divisional Officers; 11 Senior Station Officers; 72 Station Officers; 55 sub-officers, and 790 firefighters, including 14 female firefighters.

To ensure the smooth operation of the Mauritius Fire and Rescue Service, the 10 Fire Stations are spread out across three divisions as follows -

Division A - Port Louis, Triolet and Piton;

Division B - Coromandel, Quatre Bornes, Flacq and Tamarin;

Division C - Curepipe, Mahebourg and St Aubin.

Construction of a new Fire Station at Rose Belle has started. There are plans for the construction of new stations at Goodlands and Montagne Blanche. A project for the relocation of the Quatre Bornes and Port Louis Fire Stations is also under consideration.

The Mauritius Fire and Rescue Services has also set up a Special Operations Division, which comprises several specialist intervention units staffed by trained personnel.

These units are specially equipped to deal with unusual and highly hazardous incidents, where the threat to life is very high.

These specialised units are the Aerial Firefighting and Rescue Unit, High Angled/Rope Rescue Unit, Swift Water Rescue Unit and Hazardous Materials Response Unit.

The operations of the Fire Services include, among others: to prevent, fight, control and extinguish fires, protect persons, animals, property and the environment against fire or any other emergency. They also assist relevant authorities in promoting safety in buildings.

It should be noted that from 2015 to 2016, the number of the fire incidents and special assistance incidents attended to by the Fire Services increased by 18%, from 9,847 to 11,572.

With regard to the equipment of the firefighters, it should be noted that the time taken to repair some of the firefighting vehicles is due to the fact that the majority of the vehicles under repair are above 15 years old.

These are old and highly specialised vehicles, whose spare parts are not readily available on both the local and international markets.

These parts have to be ordered and specially manufactured overseas and despatched to Mauritius. In some cases, this process may take up to one year.

Concerning the 14 firefighting and rescue vehicles which are currently under repair, the needful has already been done for the procurement and ordering of spare parts from abroad. We are now awaiting delivery of the spare parts.

A wide range of firefighting, pumping, personal protective equipment and rescue gears is available and maintained in a high state of readiness through regular tests and standard check procedures.

I wish to remind the House that to improve the services, an amount of Rs200 m. has been provided under the Indian line of credit for the acquisition of 20 firefighting vehicles and Rs30 m. for the purchase of two high volume water pumps. Moreover, another high volume water pump is being received in or about December this year.

The staff of the Mauritius Fire and Rescue Service has been trained by external resource persons in the following fields –

- (a) first responder advanced life support from the Mauritius Institute of Health;

- (b) hazmat incidents by Devon & Somerset Fire and Rescue Service, UK;
- (c) incident command and control by Devon & Somerset Fire and Rescue Service, UK;
- (d) high angled/rope rescue by Devon & Somerset Fire and Rescue Service.

These training sessions have been held in several batches over the period of October 2014 to June 2017.

It should also be noted that last year a total of 104 new firefighters were recruited.

This year, an additional 93 firefighters will be recruited and trained. Recruitments have already been advertised.

I have to point out that, as far back as July 2014, the then Minister of Local Government and Outer Islands approached the French Government for technical assistance for a complete restructuring of the Mauritius Fire and Rescue Service. The scope of the technical assistance would be as follows –

- (a) an audit of the present infrastructure of the Mauritius Fire and Rescue Service, including the number and location of the Fire Stations, the equipment and lorries currently available;
- (b) an examination of the present institutional and organisational set-up;
- (c) an audit of the human resources;
- (d) an assessment of the fire risks and fire risk mapping throughout the island, and an analysis of the present set-up and resources available to address these risks.

A meeting was held with all relevant stakeholders and the French Embassy on 22 August 2017. Now, I will pursue the matter with the current French ambassador based in Mauritius.

Madam Speaker, in order to better ensure the security of the public, the Mauritius Fire and Rescue Service has already started to carry out visits in shopping malls and supermarkets. These inspections will continue throughout the month of December and the month after to cater for better security, especially during the festive season when shopping centres will be crowded. I would like to stress that this is a matter that we take very seriously.

The objective is to make sure that such public places are compliant with the safety measures prescribed, which can be categorised in three parts –

- (i) a means for escape in case of fire;

- (ii) a means of firefighting, and
- (iii) a warning system in case of a fire outbreak.

As such, since Friday 24 November, the Mauritius Fire and Rescue Service has already carried out enforcement inspections in 11 shopping centres across the country. Where shopping centres are found lacking in terms of fire security, they will be served with an improvement notice.

The firefighters will work closely with the owners of these complexes to make sure that they understand the measures that need to be taken to improve fire safety, and follow-up inspections will be carried out to ensure compliance with the measures.

The Mauritius Fire and Rescue Service has also carried out inspection in 55 residential care homes since February 24 November and served improvement notices where required.

We realise that there is always room for improvement. That is why we are looking into the possibility of getting assistance from the French Government, amongst other measures, to improve the work carried out by the Fire Services.

Thank you.

**Mr X. L. Duval:** Madam Speaker, this is my third PNQ on Fire Services because I am very concerned about the risks, especially with the coming festivities and the general *laxisme* that exists at the Ministry and the Fire Services.

Madam Speaker, the hon. Vice-Prime Minister seems very conversant with figures. Last year's budget, Rs91 m. for Capital, this year's budget, Rs116 m. Can she tell us how much has actually been spent?

**Mrs Jeewa-Daureeawoo:** Well, I do not have the exact amount for the time being. I will look at it and then inform the hon. Leader of the Opposition accordingly.

**Mr X. L. Duval:** Madam Speaker, I thought the Vice-Prime Minister knew how much money had been spent after so much talk!

Now, Madam Speaker, I am going to ask the Vice-Prime Minister - last week only, she replied that the cladding on the high-rise buildings, 100% in Mauritius, were compliant with the latest safety norms. Is she aware that in the UK, Mrs Theresa May answered that 100% of the tests in the UK were not compliant with safety features there? Now, what were

the tests done by the Fire Services for her to be so sure that every high-rise building with cladding is safe in Mauritius?

**Mrs Jeewa-Daureeawoo:** Well, I have already given instructions to the ...

*(Interruptions)*

**Mr X. L. Duval:** What tests are we doing?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, I am in this Ministry since last Friday. The hon. Leader of the Opposition should understand that changes cannot happen overnight; I need time. I have already answered a PNQ last week. I will always champion good practices. I need time. This is logic, this is rational.

**Mr X. L. Duval:** Is the hon. Vice-Prime Minister telling us that the previous Minister did no work? I am going to table a copy of a cladding on sale in Mauritius, Madam Speaker. It burns like hell, and the hon. Vice-Prime Minister is playing with fire when she informs this House and the public that every single building in Mauritius is safe and she cannot tell us what tests were done to ensure that they were safe. For her information, Madam Speaker, I would tell her that, in the UK, the equivalent of the MSB did the test on the cladding.

**Madam Speaker:** Ask your question!

**Mr X. L. Duval:** What tests did the Fire Services do in Mauritius to tell us that the buildings are safe? What tests?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, I have never said last week or now that all the buildings are safe in Mauritius. What I have said is that there is room for improvement. There are certain things which have been done. There are certain things that are in the pipeline and there are new measures which have to be taken to improve the system. Then we can have a more efficient and professional service. This is what I have said.

**Mr X. L. Duval:** Madam Speaker, the hon. Vice-Prime Minister said here - it is in the Hansard, she should not mislead this House - that 100% of the tests were made and they were safe. Now, this House wants to know, the nation wants to know, the people who live and work in these buildings want to know what tests were made for her to tell this House that these buildings and the claddings were safe, and I am tabling an actual piece of cladding, here, in this House. What tests were made?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, I will repeat what I have said already. I have said that there are certain things which have already been done. So, I am looking at all aspects and I will come up with proposals and new measures.

**Mr X. L. Duval:** Madam Speaker, this is what the hon. Vice-Prime Minister said last week –

“No such claddings are used in the country. We don’t use it. So, this is as per the officer.”

So, I would like her, now, to please ask the officer again, whether this is the case and what were the tests made?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, if the hon. Leader of the Opposition is so concerned about the Fire Services, I cannot understand why when he was the Minister of Finance, he reduced the budget. Today he is coming ...

*(Interruptions)*

**Madam Speaker:** Order!

*(Interruptions)*

Hon. Henry!

**Mrs Jeewa-Daureeawoo:** Madam Speaker, it is so easy to come with brilliant ideas. They think that you have a magic wand and you will do miracles, but this is not possible. The population is not fooled. The population understands. If the hon. Leader of the Opposition is so concerned, how come he reduced the budget by Rs400,000?

**Mr X. L. Duval:** Madam Speaker, *la saison pas mwa sa li sa* is over!

*(Interruptions)*

She is picking up her salary! Every month she is picking up even a higher salary!

*(Interruptions)*

**Madam Speaker:** Order!

**Mr X. L. Duval:** And since the hon. Vice-Prime Minister has raised the question, I will inform her that during my time the *effectif* increased by 25% and the budget by Rs40 m., Madam Speaker. Now that we have finished with the cladding issue, I am going to ask the hon. Vice-Prime Minister, immediately after the sitting, to ban the sale - this cladding is

openly on sale in Mauritius - and import of such things, to ban the use of such cladding in high-rise buildings, Madam Speaker, and to get the MSB to test every single cladding in Mauritius, there are tens and tens of buildings, so that we know that our people are safe.

**Mrs Jeewa-Daureeawoo:** Madam Speaker, I have said that we have to look at all the aspects of the issue. I cannot understand how come the hon. Leader of the Opposition, who is a person of experience, can come in this House and make pointless comments. He has to come with constructive criticism.

*(Interruptions)*

He is saying that we have to do this and that...

*(Interruptions)*

**Madam Speaker:** Allow the hon. Vice-Prime Minister to reply!

**Mrs Jeewa-Daureeawoo:** I have said that we are looking at all aspects. But give us time, for God's sake!

**Mr X. L. Duval:** Sure! Madam Speaker, I want to ask the hon. Vice-Prime Minister about these periodic inspection reports. Is she aware that these periodic inspection reports are completely useless in that even though Shoprite has an inspection report, on the day of the fire, the fire hydrant was not operational, requiring lorries with water to go up and down, and the same fire hydrant was not operational at the Bahemia Building - not the same, but similar fire hydrant, was not operational? We know what are fire hydrants, Madam Speaker. It is a base cap, huge tap for the Fire Services to take water. These two fire hydrants were not working.

**Madam Speaker:** Is this your question?

**Mr X. L. Duval:** These inspection reports are useless ...

**Madam Speaker:** Ask your question!

**Mr X. L. Duval:** ... and this is why – just to finish - we need overseas consultants.

**Mrs Jeewa-Daureeawoo:** Madam Speaker, I have to laugh. Everything is useless, we are doing nothing! The hon. Leader of the Opposition is so clever that is why he is on the other side of the House! He is so clever! He knows everything! I have said, Madam Speaker, in my reply last week that there are a number of things that we will have to look at. Do you think that I can do miracles? I have said that there is certain equipment which needs repairs.

But we have to understand also that most equipment is not only old, they date back to more than 15 years. They are old and they are specialised equipment and the spare parts cannot be bought in Mauritius, so we have to order them abroad. They have to be manufactured and then dispatched to Mauritius. So, all this needs time. The Leader of the Opposition has put a PNQ last week and he is coming with a new PNQ to which I am replying. I am stating facts, but everyone would understand that I cannot do miracles.

**Madam Speaker:** Okay!

**Mr X. L. Duval:** This is a *motion de blâme* against her predecessor, but still, the hon. Vice-Prime Minister is talking about figures all the time. Can she tell us what is the budget for the maintenance of fire fighting equipment this year and why it has been reduced by Rs1 m. since last year? Tell me that!

**Mrs Jeewa-Daureeawoo:** Well, the hon. Leader of the Opposition should have come with one sub question in his PNQ....

*(Interruptions)*

**Madam Speaker:** Order!

**Mrs Jeewa-Daureeawoo:** ...or with a substantive question; I will answer.

*(Interruptions)*

**Madam Speaker:** Hon. Henry! Hon. Henry, this is the second time!

**Mrs Jeewa-Daureeawoo:** Madam Speaker, I am stating facts. I will be more than happy to answer to this question, but the hon. Leader of the Opposition should come with a substantive question. His question is general. He cannot now come with specific questions when I don't have the facts and figures.

**Mr X. L. Duval:** The hon. Vice-Prime Minister is the one who is mentioning figures all the time, now she doesn't know what is her own budget. She knows about my budget four years ago! Madam Speaker, if she has so much money, why have not the firemen been issued with new uniforms for the last two years? I have seen firemen with holes in their uniforms.

**Mrs Jeewa-Daureeawoo:** Madam Speaker, this is not to my knowledge. To my knowledge, I have been informed that all personal equipment has been given to firefighters. I am not aware of whether there are holes in their uniforms.



**Mr X. L. Duval:** Is the hon. Vice-Prime Minister, at least, aware that the morale is very low in the Fire Services? This is why we are getting so much information. The morale is very low in the Fire Services because of -

- (i) no uniforms, and
- (ii) the allowance for lead firemen which is due to these firemen, who have been fighting fire for years, have not been given in Mauritius, whereas in Rodrigues it has been given.

Why is morale so low in the Fire Services?

**Mrs Jeewa-Daureeawoo:** This is not to my knowledge. This is not true. If the hon. Leader of the Opposition has something in writing communicated by the firefighters that their morale is low, he has to produce it, then I will look at it and answer.

**Mr X. L. Duval:** How can I produce a morale? I think the hon. Vice-Prime Minister is joking!

*(Interruptions)*

**Madam Speaker:** Order!

**Mr X. L. Duval:** Madam Speaker, I wanted to ask ...

**Madam Speaker:** Order! Hon. Henry, you continue in spite of my warning!

*(Interruptions)*

**Mr X. L. Duval:** Madam Speaker, I want to ask the hon. Vice-Prime Minister - she does not know anything so far; she has been two weeks in the job, I know more than her about the Fire Services.

**Mrs Jeewa-Daureeawoo:** Of course, you need to know more than me.

**Mr X. L. Duval:** Madam Speaker...

*(Interruptions)*

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

**Mr X. L. Duval:** Madam Speaker, I want to ask the hon. Vice-Prime Minister from what I read this morning in the paper about the undermanning in the Fire Inspection Service; only 13 people for field work for the whole of Mauritius. She must have read that. What did

she do when she read that this morning? Has she arranged for an increase or just nothing at all?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, every week same charade - you know nothing, you are doing nothing, but let me inform the Leader of the Opposition that I am higher than this, *je me suis réveillée d'un bon pied, d'un bon œil*. So, I am doing my work, I am stating facts, I am serious and I have said that there are certain things which have to be looked at. Of course, the Leader of the Opposition knows better than me. Of course, I am new in this Ministry, only one week! And the Leader of the Opposition is here since more than 10 years.

*(Interruptions)*

This is not arrogant. When he answers, Madam Speaker...

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

*(Interruptions)*

**Mrs Jeewa-Daureeawoo:** Madam Speaker, when the Leader of the Opposition puts a question and when I answer the question, he says that I am arrogant. People know me. People know I am not arrogant.

**Madam Speaker:** Yes!

**Mr X. L. Duval:** Humility comes with ignorance, not arrogance.

**Madam Speaker:** No, this is out of question. This is not a question.

**Mr X. L. Duval:** Madam Speaker, I want to ask the hon. Minister, Vice-Prime Minister apparently, she told us last week...

*(Interruptions)*

She told us last week...

*(Interruptions)*

*Chiwawa, keep quiet! Taler mo fer toi galouper!*

*(Interruptions)*

**Madam Speaker:** Order!

*(Interruptions)*

Order!

*(Interruptions)*

Order, please!

*(Interruptions)*

**Mr X. L. Duval:** She told us last week, hon. Vice-Prime Minister...

*(Interruptions)*

**Mrs Jeewa-Daureeawoo:** You have to withdraw what you have said!

*(Interruptions)*

**Madam Speaker:** Please sit down! Hon. Leader of the Opposition, please sit down. I believe this side is saying that you said “apparently she is the Vice- Prime Minister”. So, please just withdraw this “apparently”!

**Mr X. L. Duval:** She is drawing a very higher salary now, we know that, still no work is being done. Madam Speaker, she informed us last week that this famous one remaining turntable ladder was working; she told us that. Two days later, there was a big fire, eight storeys Bahemia Building with no Fire Certificate. Where is the turntable ladder? It is broken down at the garage, at the supplier. Why did she tell us last week that the machine was operational when clearly it was not?

**Mrs Jeewa-Daureeawoo:** Madam Speaker, what was the hon. Leader of the Opposition doing during those past 10 years? What was he doing if he is so much concerned about the Fire Services? He has put the question, now let me reply! Please, allow me to reply! I think the Leader of the Opposition should watch his language. Before answering, I will ask the Leader of the Opposition to withdraw what he has said “apparently I am the Vice-Prime Minister.”

**Madam Speaker:** No, this has been withdrawn already.

*(Interruptions)*

**Mrs Jeewa-Daureeawoo:** Okay. Yes, Madam Speaker!

**Madam Speaker:** I said this has been withdrawn already.

**Mrs Jeewa-Daureeawoo:** Okay. So, I have said, Madam Speaker, that I am looking at some aspects of all the issues of Fire Services. I have said that there are certain measures

which have already started. There is certain equipment which is under repairs. There is certain equipment which we have already ordered from abroad. We are recruiting new firefighters; we have increased the budget; inspection is being ...

**Mr X. L. Duval:** Madam Speaker, time is going, I have only 6 minutes left, she is going on. I asked a specific question, that ladder was not operational when she replied here that it was operational. That is what I asked.

**Mrs Jeewa-Daureeawoo:** Well, I was informed that the ladder was operational.

**Mr X. L. Duval:** Madam Speaker, on that date, it was not operational and don't challenge me, because otherwise I will produce the information.

**Madam Speaker:** No, this is the information.

**Mrs Jeewa-Daureeawoo:** Madam Speaker, if it was not operational, so it was not operational.

*(Interruptions)*

It has to undergo servicing. There is wear and tear and there is the usual usage. If it was under repairs, what can I do?

**Mr X. L. Duval:** Madam Speaker...

**Mrs Jeewa-Daureeawoo:** I have said, Madam Speaker, that we are looking at all aspects because we all agree that we need to have a more efficient and professional service. But to reach there, there are certain things which have to be done and I have already started consultation with all stakeholders concerned and we will look at all the aspects.

**Mr X. L. Duval:** Madam Speaker, she informed the House that the ladder was operational last week, whereas most of last week until Friday that ladder was not operational.

Now, I would come to something else, Madam Speaker. Is she aware - she is apparently in charge of that Ministry; she has talked about the high volume pump - that there are lots of questions about the procurement of this high volume pump and that a letter has been sent to ICAC? I will table that letter and the letter has been sent also to her Ministry to talk about lots and lots of issues, apparently corruption, I say apparently, regarding this high volume pump. Is she at least apparently aware of this letter?

**Mrs Jeewa-Daureeawoo:** This is not to my knowledge. No, I am not aware of this. If he can table the letter, then I will have a look at it.

**Mr X. L. Duval:** She is apparently not aware, also I see “cc” myself and the Permanent Secretary of her Ministry, Madam Speaker. Is she talking about the service? We talk about different things, about the service, is she aware that the Port Louis - where people died in flooding - Firemen, whom we all love, we all love Firemen, they have no life jackets? Even now, there are so much hundreds of millions and no time for the purchase of life jackets for the Port Louis Firemen?

**Mrs Jeewa-Daureeawoo:** Can the Leader of the Opposition just inform the House since when the firefighters do not have life jackets? I am not aware of this.

*(Interruptions)*

**Madam Speaker:** Hon. Leader of the Opposition, you have three more minutes for your question.

**Mrs Jeewa-Daureeawoo:** Madam Speaker, let me see from the officers if they have the answer.

*(Interruptions)*

**Madam Speaker:** Hon. Rutnah!

*(Interruptions)*

Hon. Mrs Perraud! Please! Yes!

**Mrs Jeewa-Daureeawoo:** No, they do not all have it for the time being.

**Madam Speaker:** The Vice-Prime Minister does not have the reply.

**Mrs Jeewa-Daureeawoo:** Yes.

*(Interruptions)*

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

**Mr X. L. Duval:** Madam Speaker, is the hon. Vice-Prime Minister aware that - I will use that word apparently again; she likes so much - the fire hydrant at Shoprite which is now reopen, that fire hydrant is it now repaired? Is it now working because it is open and it was not working on the day of the fire? Is that something that she has cared to worry about?

**Mrs Jeewa-Daureeawoo:** Well, I have said with regard to Shoprite Mauritius Ltd, there are three enquiries which are ongoing, so, let us wait for the outcome of the enquiries and then we can decide on ...

*(Interruptions)*

**Mr X. L. Duval:** That is nothing. Do not hide behind any enquiry! The Shoprite is open now. I want to know whether the fire hydrant is operating now.

**Mrs Jeewa-Daureeawoo:** Well, Madam Speaker, they do not have the fire hydrant, but they use the water from the river.

*(Interruptions)*

**Mr X. L. Duval:** Madam Speaker, how can we reopen the Shoprite shopping centre, thousands of people flocking there, with no fire hydrant operating, how can that be done?

**Mrs Jeewa-Daureeawoo:** Well, Madam Speaker, we have issued a new Fire Certificate to Trianon Shopping Park, but, at the same time, we have listed a series of equipment which they will need for the good operation of the said commercial centre. We have given them time to procure all the equipment and then we will see. We will have another inspection and we will see.

**Mr X. L. Duval:** Madam Speaker, is the hon. Minister aware that apparently most of the air compressors belonging...

**Madam Speaker:** That is the last question.

**Mr X. L. Duval:** Last question?

**Madam Speaker:** This is the last question.

**Mr X. L. Duval:** Time has come so quickly, Madam Speaker. Most of the air compressors at the Fire Services are not working and were it not for air compressor belonging to the airport, there would have been a disaster at Shoprite during the fire. Is she aware that most of these air compressors at the Fire Service are not working. Were it not for the air compressor belonging to the airport, there would have been a disaster at Shoprite during the fire! Is she aware that most of these air compressors - despite the millions that she has apparently - are not working, and that the 20 floating pumps which have been purchased for *inondations*, if they come - God help us - are also not working? Is she aware that this is the state of the current Fire Service at the moment?

**Mrs Jeewa-Daureeawoo:** Well, the officers have informed me that it has already been repaired, but with regard to the previous question which has been put to me, I understand that Shoprite has its own fire hose.

*(Interruptions)*

Yes, it has its own!

*(Interruptions)*

The building itself!

**Mr X. L. Duval:** We are not talking about the fire hose. *Pas pé coze tuyau là! Pé coze the fire hydrant* which is a tank of water with an outlet...

**Madam Speaker:** Okay!

**Mrs Jeewa-Daureeawo:** Madam Speaker, I have said that it does not possess a fire hydrant, but, as I have said...

*(Interruptions)*

... Madam Speaker, we are looking at all the aspects and then we will see to it that...

*(Interruptions)*

Madam Speaker, I have said that there is always room for improvement. There are things which have to be improved. We are doing the needful. I find it strange that the hon. Leader of the Opposition was on this side of the House for the past three years, and during those three years he did not find it necessary to come with those ideas. I think if those ideas had been there three years back, we would have gone far.

**Madam Speaker:** Time is over!

*(Interruptions)*

Hon. Members, the Table has been advised...

*(Interruptions)*

Silence, please! The Table has been advised that PQ B/850 in regard to the credit facilities granted by the Bank of Mauritius to the National Property Fund will be replied by the hon. Minister of Financial Services and Good Governance. Hon. Shakeel Mohamed!

**MEMBERS OF PARLIAMENT - FAMILY MEMBERS - GOVERNMENT/  
PARASTATAL BODIES - EMPLOYMENT**

**(No. B/848) Mr S. Mohamed (First 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,

he will state if consideration will be given for the introduction of legislation to provide that family members of Members of Parliament shall de facto be disqualified to –

- (a) hold any position in Government and/or parastatal bodies, and
- (b) obtain employment, contracts and consultancy positions with Government and/or parastatal bodies.

**The Ag. Prime Minister (Mr I. Collendavelloo):** Madam Speaker, I understand that the hon. Member is suggesting that no family member of any Member of Parliament should be employed or continue to be employed in the Public Service or in parastatal bodies. I also understand that, henceforth, no such person should, still as suggested by the hon. Member, hold contracts or consultancy position. I note that the hon. Member pointedly refrains from mentioning the obtention of permits such as permits for land development which, at least, one Member of the Opposition has obtained under this Government.

Madam Speaker, the term ‘family member’ is a very loose concept. I am entitled to presume that the hon. Member has knowledge of our law, which already refers to the concept of relative, for instance, in the Prevention of Corruption Act or associates, for example, in the Companies Act. The Declaration of Assets Act has refrained from giving an interpretation to family and the legislator preferred to refer to specific persons, namely the spouse, minor children and grandchildren.

The hon. Member assumes that family members necessarily share the same political views. Mauritius politics is replete with examples of members of the same family sharing completely different political views going to the extreme of even entering court cases against each other and even reneging their own name. It is also an enormous mistake to presume that Mauritians will bow to the dictates of their family members when in public office or even outside public office.

I have to unambiguously state that Government does not intend to bring such legislation. If adopted, such legislation would be repugnant to the constitutional rights of our citizens to be treated fairly and equitably. This Government will never agree to any law which would violate the fundamental rights entrenched in our Constitution. Such law, as is envisaged by the hon. Member, would be discriminatory of itself or of its effect thus violating Section 16(1) of the Constitution.

The introduction of such a measure would create havoc in our Public Service and within our system of law. This would imply that, for instance, career civil servants or even



officers of junior rank would need to be retired from office just because of a family member whom he probably does not even know and whose political beliefs he does not necessarily share has been elected to Parliament. This would also imply that family members of civil servants would no longer wish to be candidates at General Elections. Numerous civil servants, judicial officers and other grades are directly related to politicians. In their vast majority, they perform their duties in strict independence, and with diligence and loyalty to the State.

Madam Speaker, the appointments of persons to officers in the Public Service, their promotions and even their dismissal rest exclusively in the Public Service Commission which, in proper cases, may delegate its powers to a Commissioner or to a public officer.

I should also mention the Disciplined Forces Service Commission, the Judicial and Legal Service Commission and the Local Government Service Commission. The only political interference for which our Constitution provides is under section 89(4) of the Constitution in cases of appointments to the grade of Permanent Secretary and above which require the approval of the Prime Minister. As far as contracts are concerned, these are governed by specific procurement legislation which require that evaluation be carried out in accordance with well established procedures, and that all awards of contracts and a summary evaluation report be placed on the Public Procurement website.

The Public Sector is not only under the media scrutiny, but is also amenable to judicial process. Decisions of all public bodies are amenable to judicial review. Decisions of the Service Commissions are subject to appeals before the Public Bodies Appeal Tribunal.

With regard to the award of contracts, they may be reviewed under conditions by the Independent Review Panel, and eventually by the Supreme Court. The Ombudsman and the Equal Opportunities Commission are further forms of protection against administrative malpractice. Attention is also drawn to the provisions of the Prevention of Corruption Act which cover interference or *traffic d'influence* by a Member of Parliament.

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

**Mr Mohamed:** Madam Speaker, I thank the hon. Deputy Prime Minister for his very long answer...

**Madam Speaker:** The Ag. Prime Minister!

**Mr Mohamed:** The Ag. Prime Minister, sorry. I do apologise. The fact remains in that the population are not satisfied with the state of affairs as they are or have been for a few years now or many years now, and that is the reason why I put the question. The issue is one that is hotly debated and has been made law in other jurisdictions and the recent one is in France where we are talking about the moralisation of public life...

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

**Mr Mohamed:** So, the reason I put that question...

**Madam Speaker:** Please ask your question!

**Mr Mohamed:** I would like ask something else. So, since the population is not happy with the state of affairs of today because precisely there are a lot of Members of Parliament who have their own relatives named in positions of power in the Executive or have contracts, as I have said in the question. What does he suggest, therefore, that this Government can do in order to try to emulate what is being done in other jurisdictions in order to clean up politics, in order to raise the standard of ethics within politics because the situation today is not to the satisfaction of the people?

**The Ag. Prime Minister:** First of all, I do not share the opinion of the hon. Member about the manner in which the population generally approaches this matter. Secondly, with regard to foreign jurisdictions, in the United States and in France what we have is legislation which prohibits a public official from appointing his own relative. Like in the United States, you have a code of conduct. I have just looked at it, No. 3100 which says –

“You should not appoint your own relative to a position in an agency which is under your control.”

That happened when John Kennedy appointed Robert Kennedy to be his own Attorney-General and yet it was found to be legal. In France, this happened after the scandals which occurred very recently with Fillon scandals, etc, and the codes which were inserted are again that ‘when this public official is appointing, he should not appoint a relative.’ But, here, in Mauritius, appointments are not made by Members of Parliament. Members of Parliament do not have this Cabinet Office. We appoint advisers, etc, but all appointments in the Civil Service are made by an independent body, the Public Service Commission, and I have talked about it.

**Mr Mohamed:** Madam Speaker, there are appointments that have been made in parastatal bodies that obviously does not see the involvement of the Public Service Commission or the Local Government Service Commission. So, what does the Ag. Prime Minister consider he can do, if it is not legislation and, in his view, it would be against the very basic principles of the Constitution as he is exposed? What would he consider, for instance, at least, imposing the necessity for a declaration of interest, even when someone is being appointed as a family member, a declaration of interest, even if it is in a parastatal body and even if it is a colleague Minister helping out to appoint another relative of another colleague Minister because this is exactly what is happening.

**The Ag. Prime Minister:** Now we are far remote from the question.

*(Interruptions)*

Wait please!

**Madam Speaker:** Hon. Shakeel Mohamed, you have asked your question.

**The Ag. Prime Minister:** It is remote. If we will carry on like this, he will just go on.

**Madam Speaker:** You should be fair. Allow the Minister to reply!

**The Ag. Prime Minister:** Let me say that as regards parastatal bodies, there is a law which sets up a Board and, normally, this law contains a section as to the recruitment of staff. It is that Board which takes responsibility. Now, the hon. Member tells me it is a Minister who protects the son of another Minister to put in the proper context. Therefore, he needs the protection of the Minister, he needs the protection of the HR and the protection of the Board. He also needs the protection of the Equal Opportunities Commission, he needs the protection of a Judge of the Supreme Court because all these are the safety net provisions to forbid abuse. In case that situation occurs, and I am not saying that it does not occur, there are all sorts of provisions in our law as safeguard provisions.

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

### **VOTERS - REGISTRATION**

**(No. B/849) 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 citizens reaching 18

years of age, he will state if consideration will be given for the automatic compulsory registration thereof as voters at the time of application for the issue of the National Identity Card and, if so, when and, if not, why not.

**The Ag. Prime Minister:** Madam Speaker, under sections 4 and 4(a) of the Representation of People Act, every year a register of persons, entitled to be registered as electors, is compiled for every electoral area.

Now, section 42 of the Constitution provides that all Mauritians and Commonwealth citizens having resided in Mauritius for, at least, two years and who are aged 18 or over are qualified to be registered as voters. I stress the word 'qualified' as stated in the Constitution.

Now, a person is not entitled to be registered as an elector in more than one constituency and in any constituency in which he is not resident on the prescribed date, that is, 01 January.

Every year, the Office of the Electoral Commissioner has recourse to a house-to-house enquiry. This starts in January and lasts for about 15 days. Information is collected regarding new electors and electors who are no longer qualified or have passed away, etc. Not only those who have reached 18 are registered, but also those who would have reached 18, at least, on 15 August of the canvassed year. The registers are thereafter compiled from the data collected on the field.

Following that stage, two provisional lists of electors are compiled. One being the register in force with the deletion of names of electors no longer qualified and, the second one, being a list of newly qualified electors. Then, we have between 16 to 30 May each year, registration centres which are opened to electors and then everyone can verify and inform the Office of the Electoral Commissioner in case of absence or incorrect registration. Then, the electors' list and the list of those who have registered themselves at the registered centre are merged for the compilation of the final register of electors which should be completed at latest by 14 August. The legislation does not provide for compulsory registration in Mauritius. It is the citizen's choice to decide not to be registered as an elector and that freedom to be registered is accompanied by a right not to be registered.

I am informed that as from 2018 onwards, the Civil Status Division will provide to the Office of the Electoral Commissioner a list of all persons who will have attained the age of 18 years as at 15 August of each year before the start of the house-to-house enquiry. This list will be handed over to canvassers who will be carrying out the house-to-house enquiry. The

Office of the Electoral Commissioner will also carry out an extensive campaign targeting the youth.

Madam Speaker, in view of the legal and practical implication, it is felt that the proposal of the hon. Member, while quite appealing to have a system of automatic compulsory registration of voters at the time of application for the issue of a National Identity Card, is not feasible, at least, for the moment.

**Madam Speaker:** Hon. Armance!

**Mr Armance:** Thank you, Madam. As the Ag. Prime Minister is aware that there are many people who have been having houses from NHDC or squatters who have been relocated in different regions in Mauritius. Can he consider having a registration desk at the level of the Electoral Commission where it can register these people? Because a lot of them want to be registered, not compulsory, but they want to be registered to be able to vote and they do not know where to go.

**Madam Speaker:** But this is not in line with the question, hon. Armance, I am sorry! Next question, hon. Bhagwan!

#### ***PARI MUTUEL URBAIN - OPERATION***

**(No. B/851) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to the *Pari Mutuel Urbain*, he will, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to the date of issue thereto of the license to operate in Mauritius, indicating the –

- (a) date of application therefor;
- (b) date of Board Meeting when same was discussed, indicating the names of the members present thereat;
- (c) terms and conditions of the license, and
- (d) places of operation thereof.

**The Ag. Prime Minister:** Madam Speaker, the Gambling Regulatory Authority informs me that in regard to the *Pari Mutuel Urbain (PMU)*, the application emanated from a company, Peerless Ltd., which submitted its application on 21 September 2017. The

management of GRA examined the application and its annexed documents, including the betting rules. They were found to be in order. Eventually, the application was referred to the GRA Board for a decision.

As regards part (b) of the question, I am informed that the Board of GRA met on 04 October 2017. At that meeting, it considered the application and it approved the issue of the licence of Foreign Pool Promoter to Peerless Ltd. The following Board members were present -

- (a) Mr R. Gulbul, the then Chairperson;
- (b) Mr Maharaj, Vice-Chairperson;
- (c) Mr Dabee, Solicitor-General;
- (d) Mr Moolye, Deputy Permanent Secretary of the Ministry of Tourism;
- (e) Mr Jhugroo, Deputy Commissioner of Police;
- (f) Mr Beekharry, Senior Advisor of the Prime Minister's Office, and
- (g) Mr Ujoodia.

As regards part (c) of this question, following the meeting of the Board on 04 October 2017, Management of the Authority issued the licence on 06 October 2017, in accordance with section 53(2) of the GRA Act 2007. The terms and conditions are included in the licence. I am tabling a copy of that licence as well as the terms and conditions.

As regards part (d) of the question, I am informed that as at 24 November 2017, Peerless Ltd is operating its pool betting business through 127 collectors which have been duly licenced by the GRA in November 2017. I am tabling the list of the collectors and their respective business addresses.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Another *scandale du siècle*, if I can say so.

Madam Speaker, it is clear right from the outset, since the Finance Bill, that this project was *taillé sur mesure*; red carpet treatment. Can I know from the hon. Ag. Prime Minister...

**Madam Speaker:** Ask your question!

**Mr Bhagwan:** Can I know from the hon. Ag. Prime Minister whether he has been made aware right from the start, that *PMU Moris*, which has been allowed to operate only on two days, Saturdays and Sundays, has started operation on Friday, - and I can lay copy of a document - where its outlet at Rivière du Rempart on Friday 17 November sold *paris*? I am tabling this document.

Can I know from the Ag. Prime Minister whether he is aware, he will enquire from the GRA the reason why, instead of Saturday and Sunday, two days, they have started with three days?

**The Ag. Prime Minister:** The hon. Member is suggesting that they were authorised for two days.

**Mr Bhagwan:** They have been allowed, in the permit, for two days, Saturdays and Sundays, and they have started on Friday at Rivière du Rempart.

**The Ag. Prime Minister:** Let me, first of all, table the licence and the conditions of the licence, as the hon. Member asked in his question. Let me also table the list of the collectors so that we know what we are talking about.

Now, what I understand from the CEO of the GRA, who is here, of course, is that the operation on Friday was only for the testing of the system and nothing more.

*(Interruptions)*

Well, we can believe or not believe!

**Mr Bhagwan:** I have another question, Madam Speaker. I still maintain this is another *scandale du siècle*. Can I ask the Ag. Prime Minister what is the role of SMS Pariaz, the *paravent*, Mr Lee Shim, in the PMU? The official communiqué from PMU talks about Integrity Sports Ltd as PMU partner. Yet, on the pool collector licence from the GRA - we will see afterwards - affixed at the point of sale, it is mentioned SMS Pariaz as the licensee acting on behalf of both Peerless Ltd and J. S. Henry Ltd. Is this not a case of using multiple companies, a trick by Mr Lee Shim, SMS Pariaz, who is very close to the Prime Minister and the MSM ...

**Madam Speaker:** Please do not make comments!

**Mr Bhagwan:** ... to create confusion in order to divert information and attention from the authorities, another trick to make millions and put it in the coffers of the Sun Trust building?

**Madam Speaker:** Please do not make comments!

**The Ag. Prime Minister:** No, I think the hon. Member is confused to say...

*(Interruptions)*

No, he is confused! Listen to me! And that is why he comes to a conclusion which is unjustified. First of all, from what I know - I have looked at the file before I came here today - Peerless Ltd is controlled by a Mr Doomun. Mr Doomun, we all know him, was in Vernons Pool before and is Peerless today. He was in the pools business for 50 years or so, very long time, or his relatives, and then there was an amalgamation of Little Woods and he lost his licence and he concluded this new arrangement with PMU.

SMS Pariaz has got nothing to do with it, except that SMS Pariaz - and if the hon. Member has taken the pain to look at the documents I have tabled, we will see his name appears somewhere as a pool collector, out of the 200 or so pool collectors which we have all over the place. They are a pool collector.

Integrity Sports Ltd controls the fixtures. Just as you have sports data feed for football, you have Integrity for horseracing. Now, Integrity Sports has got nothing to do. It is, I understand, a company controlled by the old treasurer of the Labour Party, and that are their commercial businesses, I do not know. So, I do not know where SMS Pariaz or Lee Shim, etc., fits in there.

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

**Mr Bhagwan:** Madam, this whole issue of PMU stinks corruption. Everybody knows the very special link between the owner of SMS Pariaz, Mr Lee Shim...

**Madam Speaker:** Please!

**Mr Bhagwan:** I am coming to my question, Madam Speaker.

**Madam Speaker:** Put it in a question form!

**Mr Bhagwan:** ...and the Prime Minister, the MSM. Can I ask the Ag. Prime Minister whether it will not be in the public interest - the population is asking it; there is so much confusion - how Mr Bheekarry, Senior Advisor at the Prime Minister's Office, who is also member of the Board...

**Madam Speaker:** Please, ask the question!



**Mr Bhagwan:** I am asking! He is the one who piloted that project at the Board of the GRA, and at the Head, the famous Mr Gulbul! I will not say anything about him. Everybody knows his fame. Without any due diligence! Can I ask the hon. Ag. Prime Minister whether Government will not be afraid - if Government is afraid, it will not agree - to put a Commission of Inquiry, presided by an ex-retired Judge, to look into the whole issue of the allocation of the contract, the licence to *PMU Moris*, the link between Mr Lee Shim, the Prime Minister, Mr Bheekarry, the MSM and the Government? Because Mr Lee Shim is their financier! So, if they are afraid...

**Madam Speaker:** Do not impute motives, please! Ask your question!

**Mr Bhagwan:** ... of putting up a Commission of Inquiry presided by an ex-judge! Can I also ask the Ag. Prime Minister to lay on the Table of the Assembly, even later on, all the documents relating to the application? I am sure there are so many documents missing there!

**Madam Speaker:** Okay!

**The Ag. Prime Minister:** I am not too sure what is the question I have to answer!

*(Interruptions)*

The hon. Member talks and talks and talks! No!

*(Interruptions)*

**Madam Speaker:** Please calm down!

**The Ag. Prime Minister:** The hon. Member cannot just talk! I do not intervene at all when he is talking. I make it a point to remain seated and not to make a remark. At least, may I ask the return of the same courtesy? It is not because cameras are on that we do this!

*(Interruptions)*

**Madam Speaker:** Please, hon. Bhagwan!

**The Ag. Prime Minister:** You calm down and you listen to me! The hon. Member has to listen to me! These are rules of the game. Now, the hon. Member...

**Madam Speaker:** Silence! Hon. Bhagwan!

*(Interruptions)*

Hon. Bhagwan!

*(Interruptions)*

Hon. Bhagwan, now I am on my feet!

*(Interruptions)*

No, hon. Bhagwan, please do not make comments from a sitting position! You have asked the question. Expect a reply and do not make comments!

*(Interruptions)*

Hon. Ag. Prime Minister, have you finished with your reply?

*(Interruptions)*

Hon. Bhagwan, please do not continue! I am trying to be very patient now! Does the Ag. Prime Minister have a reply?

**The Ag. Prime Minister:** I cannot see...

*(Interruptions)*

**Madam Speaker:** Hon. Bhagwan, you continue? Hon. Ag. Prime Minister, please reply, and I expect hon. Bhagwan to remain quiet when you reply.

**The Ag. Prime Minister:** It does not matter, he can shout as much as he wants. I don't mind! It is not my problem! The statement which he has made is confusing and confusion as well. Is he asking for a Commission of Inquiry? Well, let it come with a motion with the basic facts instead of...

*(Interruptions)*

What is his question? His question is completely disjointed! I will be able to reply as from the time he asks a proper question.

*(Interruptions)*

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

#### **FOREIGN MEDICAL PRACTITIONERS/SPECIALISTS - WORK PERMITS**

**(No. B/852) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development whether, in regard to foreign medical practitioners/specialists, he will, for the benefit of the House, obtain from the

Board of Investment, information as to the present number thereof issued with residence/work permits, indicating the –

- (a) nationality thereof;
- (b) field of practice thereof;
- (c) rates of fees each can charge;
- (d) places where they are allowed to work, and
- (e) if it is in in presence of representations from Mauritian medical practitioners/specialists of unfair competition therefrom.

**The Ag Prime Minister:** Madam Speaker...

**Madam Speaker:** I hope the Ag. Prime Minister does not have a long reply, because time is so limited.

**The Ag. Prime Minister:** Well, I am going to go as fast.

According to records kept at the Passport and Immigration Office, a total of 59 foreign medical practitioners specialists hold a valid Occupation Permit and 9 others hold a valid Permanent Residence Permit.

In regard to part (a) of the question, out of the 59 valid Occupation Permits –

- (i) 28 have been issued to Indian Nationals;
- (ii) 12 to French Nationals;
- (iii) 6 to South Africans;
- (iv) 3 to Belgians;
- (v) 3 to Filipinos, and
- (vi) the remaining to one individual, each from the United States of America, Ethiopia, Japan, Lithuania, Malaysia, Turkey and Serbia.

Moreover, eight Indians and one Serbian medical doctors, respectively, have been issued a Permanent Resident Permit for 10 years.

Concerning part (b) of the question, I am tabling a list of the fields of practice of the expatriate medical practitioners specialists, including the name of the companies employing them.

In regard to part (c), the question does not arise as foreign medical practitioners specialists are recruited and employed by health institutions and are paid a salary as provided in their respective contracts of employment. They are not allowed to take up alternative employment or to be engaged in any other form of profitable or remunerative employment.

Insofar as part (d) of the question is concerned, these doctors holding an Occupation Permit or Permanent Residence Permit provide their services to their respective employers and work in private health institutions registered with the Ministry of Health and Quality of Life.

As I mentioned earlier, the details are found in the list which I will table.

Furthermore, according to the information obtained from the Ministry of Health and Quality of Life, there is no policy concerning the fees charged by the Mauritian medical practitioners.

Madam Speaker, as regard part (e) of the question, I am informed by the Board of Investment and the Ministry of Health and Quality of Life that no representation from Mauritian medical practitioners specialists has been received regarding unfair competition from their counterparts.

Madam Speaker, I will table the list.

**Madam Speaker:** Okay! Hon. Bhagwan!

**Mr Bhagwan:** Can I know from the Ag. Prime Minister whether he has been made aware that the Orthopaedic Association of Mauritius has expressed concern in a letter addressed to the Senior Chief Executive of the Ministry of Health and Quality of Life concerning this situation and the unethical advertisement made by these foreign medical practitioners working in private clinics? Lots of advertisement! Poor Mauritians go and see them and they are fleeced and, ultimately, they don't get the treatment as it should have been. Can the Ag. Prime Minister, at least, liaise with the Minister of Health and Quality of Life to have an inquiry carried out in all the big publicities which were made where Mauritians are taken for a ride?

**The Ag. Prime Minister:** I am not aware, but I am sure that the hon. Minister of Health and Quality of Life who is present today, will have noted this remark and will do the needful and will do the inquiry.

**Mr Bhagwan:** Can I ask the hon. Ag. Prime Minister whether, following an inquiry, he will also see to it how these foreign, I would say, supposedly Specialists, continue to get their residence or work permits, whether there is a connivance between the people of the BoI and the clinics concerned and also some crooked minds?

**The Ag. Prime Minister:** I think it is dangerous and probably it would lead to certain drastic consequences to see harm everywhere you walk! Not everything is harmful, crooked, corrupt etc. These specialists bring added value to Mauritius. At least, this is the view which the Medical Council or the Ministry of Health and Quality of Life believes in. There are about 60 of them and I understand they do some good work in Mauritius; I cannot see what could be very crooked or corrupt in this.

**Madam Speaker:** Time is over! Hon. Members, the Table has been advised that Parliamentary Question No. B/895 in regard to the public beach at Debarcadère in Pointe-aux-Sables will be replied by the hon. Minister of Ocean Economy, Marine Resources, Fisheries and Shipping.

The Table has been advised that the following Parliamentary Questions have been withdrawn: B/884, B/862, B/867, B/868 and B/869. Hon. Jahangeer!

#### **CEB - DIESEL GENERATING UNIT - CONTRACT**

(No. B/857) **Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the diesel power plants built over the past 15 years, he will, for the benefit of the House, obtain from the Central Electricity Board, information as to the respective –

(a) life span thereof, and

(b) names of the contractors and subcontractors thereof, if any, indicating the contract value thereof

**The Ag. Prime Minister:** Madam Speaker, I am informed by the Central Electricity Board that the lifespan of a diesel generating unit is generally 25 years, but, if properly maintained, can extend up to 30 years.

With regard to part (b), I am informed that in the last 15 years, six thermal power stations have been built. All of these contracts were awarded to Burmeister & Wain Scandinavian Contractor (BWSC) which subcontracted certain civil works to Padco. I am tabling the list containing the details of these contracts.

**Mr Jahangeer:** Thank you, Madam Speaker. It is a...

**Madam Speaker:** Please, wait for the hon. Ag. Prime Minister to sit down! Yes, hon. Jahangeer!

**Mr Jahangeer:** Thank you, Madam Speaker. It is a very awkward situation! For the past 15 years, both in Mauritius and Rodrigues, we see the same contractor BWSC...

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

**Mr Jahangeer:** The same subcontractor Padco and the same CEB Planning Officers dealing with the consultant...

**Madam Speaker:** Put it in a question form!

*(Interruptions)*

**Mr Jahangeer:** I am coming.

**Madam Speaker:** Put it in a question form!

**Mr Jahangeer:** Madam Speaker, on a point of clarification, if I remember well, before we started each question...

*(Interruptions)*

... we were allowed two minutes to ask a question. So, I am not done with my two minutes.

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

**Mr Jahangeer:** So, I was saying that the same CEB Planning Engineer instructing the same consultant, that is tailor-made contract! In spite of the BWSC, in each year of this project, were the highest bidder and they still won the project. So, in order for me to connect the dots, I am kindly requesting the Ag. Prime Minister...

**Madam Speaker:** Don't make a statement, ask your question!

**Mr Jahangeer:** Yes, I am asking...

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

**Mr Jahangeer:** I am kindly requesting...

**Madam Speaker:** Put it in your question form and ask your question!

**Mr Jahangeer:** ...if he will table the Tender Analysis Report for each of these projects?

**The Ag. Prime Minister:** Well, that cannot be a supplementary. Let me correct one or two things. The hon. Member tells us that this contractor was always the highest bidder when, in fact, it is not so. This is not true as a matter of fact. I do not know about previous years because I was not involved. It so happens, let us not forget, that since 2004, these matters are not within the hands of CEB or of the Ministry. These are matters which was under the old Tender Board and now the Central Procurement Board. They have their way of dealing with things. But I know about the St Louis engine.

When the tender was launched before me, the Central Procurement Board found that the bidder, Meister, was not responsive. When it came back to my desk, and I looked at it, I asked the African Development Bank to appoint an independent expert. He was the one to help in drawing the specifications. Then, tenders were launched. After the tender had been allocated, a few tenderers challenged this before the IRP and the IRP found - one of them withdrew the case and two others lost the case, and they got the contract. There are procedures, if we are not happy, we go to Court.

**Madam Speaker:** Hon. Jahangeer!

**Mr Jahangeer:** Thank you, Madam Speaker. The hon. Ag. Prime Minister just said that he asked the African Development Bank to appoint an independent somebody to look after the contract. Can he confirm that this independent somebody was actually an ex-cadre of CEB?

**The Ag. Prime Minister:** Of course, not. There were persons emanating from wherever they were, Tunisia, at the Bank. He was not an official of the CEB. We cannot just spread false rumours like this. This is not true at all.

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

**Mr Osman Mahomed:** Thank you, Madam Speaker. With regard to the St Louis Power Station which the hon. Ag. Prime Minister has just referred to, can he confirm the following to the House, that there was an Irish Consultant that prepared the initial tender document that was not found to be responsive and that, subsequently, when he took office, that same tender was floated and that the same contractor won the tender, which is the Scandinavian...

**Madam Speaker:** This is what he said.

**Mr Osman Mahomed:** Yes. And at a cost which is almost half a billion higher than what it was tendered for prior to the elections of 2013. Is that a fact?

**Madam Speaker:** Hon. Osman Mahomed, please ask your question!

**The Ag. Prime Minister:** What you call the Irish Consultant is probably Mott Macdonald you are referring to. Mott Macdonald did whatever work they had to do. Never mind! I am not going to comment on them, but if I want to, one day, I will. Mott Macdonald did their report. What happened is that when the first tender came out, the specifications were for a machine which would have been at a lower price. Of course, when they put in the second bid, since they met the high specifications which had been approved by the Central Procurement Board, of course, it was more expensive because, for instance, you had to have more PPM like the carbon that goes out of the chimneys; you had to have strict compliance with the noise levels, etc. with regard to the engine. So, the price was higher and the Central Procurement Board - and do not forget, we were financed by the African Development Bank which followed each and every stage of the procedure.

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

**BATIMARAIS/RIVIÈRE DU POSTE COMMUNITY CENTRES -  
COMMUNITY SUPPORT OFFICER**

(No. B/858) **Mr B. Jahangeer (Third Member for Rivière des Anguilles & Souillac)** asked the Minister of Gender Equality, Child Development and Family Welfare whether, in regard to the Community Centres at Batimaraïs and Rivière du Poste, she will state the reasons why no motivators are presently in post thereat.

**Mrs Jadoo-Jaubocus:** Madam Speaker, I am informed that there is no post of Motivator on the establishment of the Sugar Industry Labour Welfare Fund. In fact, Motivators were formerly employed by the Sugar Industry Labour Welfare Fund to, *inter alia*, motivate people at grass root level to participate in activities, organise for the benefit of the community, assist in running appropriate courses and canvass members to attend activities.

For Rivière du Poste Community Centre, one Motivator was recruited, Madam Speaker, in September 2006. However, the latter was temporarily transferred in 2016 to palliate the shortage of staff in other Community Centres where there is a large number of activities. One Community Support Officer is however posted there thrice a week to ensure the smooth running of that centre.



As regards Batimara Community Centre, I am informed that there is a Community Support Officer who is posted thereat thrice a week and that Community Support Officer ensures the smooth running of the centre.

Madam Speaker, one vacant post of Community Support Assistant, ex-Motivator, was advertised in December 2017 for the Batimara Community Centre. I am informed that interviews for this post will be held very shortly. Once the selection exercise is completed, the post will be filled.

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

**CHAGOS ARCHIPELAGO - INTERNATIONAL COURT OF JUSTICE -  
ADVISORY OPINION**

**(No. B/859) Dr. Z. Joomaye (Second Member for Rivière des Anguilles & Souillac)** asked the Right hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the Chagos Archipelago, he will state where matters stand as to the advisory opinion sought from the International Court of Justice.

**Sir Anerood Jugnauth:** Madam Speaker, as the House is aware, the UN General Assembly adopted on 22 June 2017 by an overwhelming majority a resolution requesting an Advisory Opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965.

In the resolution, the UN General Assembly has asked the International Court of Justice to give an Advisory Opinion on the following two questions -

- (a) “Was the process of decolonisation of Mauritius lawfully completed when Mauritius was granted independence in 1968, following the separation of the Chagos Archipelago from Mauritius and having regard to international law, including obligations reflected in General Assembly resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967?”
- (b) “What are the consequences under international law, including obligations reflected in the above-mentioned resolutions, arising from the continued administration by the United Kingdom of Great Britain and Northern Ireland of the Chagos Archipelago, including with respect to the inability of Mauritius to

implement a programme for the resettlement on the Chagos Archipelago of its nationals, in particular those of Chagossian origin?"

The International Court of Justice, to which the resolution was transmitted, adopted on 14 July 2017 an Order setting the following time-limits for written submissions on the questions in respect of which an Advisory Opinion has been requested -

- (a) 30 January 2018 for any State, including Mauritius, to present written statements on the questions, and
- (b) 16 April 2018 for States and organisations having, by 30 January 2018, presented written statements, to submit written comments on the written statements presented by other States and organisations.

In this context, the written statement to be submitted by Mauritius to the International Court of Justice by the deadline of 30 January 2018 is currently being prepared, with the assistance of our team of external lawyers.

Mauritius proposes to subsequently make, by the deadline of 16 April 2018, written comments on the written statements which will be submitted by other States and organisations.

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

**Mr Bérenger:** Can I ask the Rt. hon. Minister Mentor whether the Judges of the International Court of Justice, who will sit on the Mauritius case, whether the Judges have been chosen, have been designated? How many of them will be or have been designated? And if they have not yet been designated, what is the procedure that is provided for those Judges to be designated? If they have not yet been designated, what is the procedure that is provided for those judges to be designated, especially now that we know that there is a judge from India who has just been elected to sit on the International Court of Justice?

**Sir Anerood Jugnauth:** Up to now, we do not know who will be the judges. They have not been designated yet.

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

**Dr. Joomaye:** Thank you, Madam Speaker. I would like to ask the Rt. hon. Minister Mentor, since the vote is in our favour since 27 June 2017 in the United Nations General Assembly, if there have been some new moves from the British and the Americans Diplomatic Quarters to try to influence us still not to go to the ICG?

**Sir Anerood Jugnauth:** Well, the Britishers have always been trying to persuade us not to proceed further, but, of course, we are not going to listen to them. We have started the proceedings. We will go up to the end.

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

**NATIONAL FOOTBALL ASSOCIATION - COACHES**

**(No. B/860) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the National Football Teams, he will, for the benefit of the House, obtain from the Mauritius Football Association, information as to the names of the national coaches and assistant coaches for Club M and Lady Club M, respectively, indicating in each case the –

- (a) terms and conditions of appointment thereof, including salaries drawn and duration of contract, and
- (b) date of employment thereof.

**Mr Toussaint:** Madam Speaker, I am informed by the Mauritius Football Association (MFA) that the national coach and the assistant coach for the Club M are Mr Joachim Francisco Filho and Mr Geraldo Mark respectively. For the Lady Club M, the national coach is Mr Pierre-Yves Bodineau and the assistant coach is Mr Mahen Sollick.

As regards parts (a) and (b) of the question, I am further informed by the MFA that Mr Filho started with the national team in August 2017 and Mr Bodineau as from September 2017 and they both are serving voluntarily on a two years' engagement. The MFA only meets their expenses when they come and stay in Mauritius or accompany the national teams abroad.

As regards Mr Geraldo Mark and Mr Mahen Sollick, they do not have a specific contract of employment and they assist since October 2017 and February 2016, respectively, against payment of an allowance.

I wish to point out that my Ministry was never consulted on any of these appointments.

**Madam Speaker:** Hon. Quirin!

**Mr Quirin:** Merci, Madame la présidente. L'honorable ministre vient d'affirmer dans sa réponse que le Club M est dirigé par le Brésilien Joachim Filho et que la sélection féminine est entraînée par M. Bodineau. Donc, un constat qui est à faire c'est que, ces derniers temps, les résultats de ces deux formations ont été catastrophiques. Le Club M lors de sa dernière sortie contre le Togo a connu une lourde défaite et la sélection féminine a été laminée dans le tournoi de la COSAFA Cup en septembre dernier au Mozambique. De ce

fait, Madame la présidente, l'honorable ministre ne pense-t-il pas qu'il y a lieu de remettre en question les compétences de ces deux entraîneurs à la tête de nos sélections nationales?

**Mr Toussaint :** Madame la présidente, le football demande une révolution, demande une structure de la base afin de pouvoir trouver des résultats dans plusieurs années. Et c'est dans cet optique que le ministère a relancé le Centre Technique National François Blaquart et nous travaillons en étroite collaboration avec la MFA afin de trouver une solution en ce qu'il s'agit du Club M. Donc, la semaine dernière nous étions dans une réunion afin de voir la situation et demain encore une fois, il y aura une autre réunion avec la MFA en vue de voir qu'est-ce qui a besoin d'être fait surtout dans le cadre des Jeux des Iles qui arrivent très vite.

**Mr Quirin:** Madame la présidente, en fait le ministre a pas répondu à ma question, mais passons. De ce fait, peut-il confirmer si l'entraîneur de la sélection féminine, M. Bodineau, est celui-là même qui avait accompagné la sélection nationale au Mozambique récemment et peut-il confirmer aussi s'il est toujours en poste?

**Mr Toussaint :** Madame la présidente, d'après le *mail* reçu de la MFA, donc, je n'ai pas ce renseignement.

**Mr Quirin:** C'est bizarre, Madame la présidente, que l'honorable ministre ne reçoive pas les informations requises. Très dommage! Peut-on savoir si, au niveau de son ministère, ses officiers étaient au courant des conditions dans lesquelles se sont déroulées toute la préparation de la sélection féminine juste avant la COSAFA Cup et aussi en ce qui concerne le choix de M. Bodineau, au moins est-ce qu'il était au courant de ce choix ?

**Mr Toussaint :** Madame la présidente, j'ai dit dans ma première partie que, en ce qu'il s'agit de la nomination des différents entraîneurs, la MFA, qui est une fédération indépendante, n'a pas consulté le ministère. Donc, par rapport à la première partie de la question, je ne sais pas exactement de quelle condition l'honorable membre est en train de parler.

**Madam Speaker:** Last question!

**Mr Quirin:** Dernière question, Madame la présidente. Il y a un constat qui est à faire. A chaque sortie de nos sélections nationales de football, il y a un nom qui revient constamment dans les articles de presse, il s'agit de M. Jonathan Bru. L'honorable ministre peut-il dire si ce dernier est adjoint au DTN ou entraîneur national?

**Mr Toussaint :** Oui, Madame la présidente. La personne nommée est l'assistant DTN.

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

*At 1.01 p.m. the sitting was suspended.*

*On resuming at 2.37 p.m. with Madam Speaker in the Chair.*

**Madam Speaker:** Hon. Quirin!

### **NATIONAL SPORTS FEDERATIONS & SPORTS ORGANISATIONS – REGISTRATION**

**(No. B/861) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Youth and Sports whether, in regard to the reorganization of the national sports federations, he will state if his Ministry has withdrawn the recognition of some thereof and, if so, indicate the ones concerned therewith, indicating the reasons therefor, in each case.

**Mr Toussaint:** Madam Speaker, there has not been any reorganisation of the National Sports Federations nor any withdrawal of recognition by my Ministry.

That said, the Sports Act 2016 has eliminated the dual recognition by both the Registrar of Associations and my Ministry as was the case under the previous Act of 2013. Consequently, since January 2017, National Sports Federations are only required to be registered with the Registrar of Associations subject to compliance with the provisions of section 4 of the Sports Act 2016.

Kyukushinkai, Ringball and Brazilian jiu-jitsu were formerly considered as National Sports Federations under the Sports Act 2013 and it is no longer the case as they do not comply with section 4 part 2 (a) of the Sports Act 2013. They can only operate as Sports organisations registered with the Registrar of Associations.

However, my Ministry is still providing financial assistance to these organisations to allow for their development at national level only. Their requests for State funding are considered on case to case basis, subject to availability of funds.

**Madam Speaker:** Hon. Quirin!

**Mr Quirin:** Madame la présidente, dans le cas du jiu-jitsu brésilien, il y a récemment deux athlètes qui ont brillé au niveau international et dont un a remporté la médaille d'or.

Peut-on savoir ce que le ministère de la Jeunesse et des Sports a remis avant leur départ, quelle a été la contribution du ministère afin d'aider ces athlètes à participer à cette compétition ? Peut-on savoir quelle est la somme qui a été remise ou quels sont les efforts consentis par le ministère financier bien sûr et à leur retour peut-on savoir qu'est-ce qu'ils ont reçu comme récompense du ministère ?

**Mr Toussaint:** Madame la présidente, je n'ai pas ces éléments de réponses spécifiques en ma possession, mais toutefois comme je viens de le dire dans la partie principale de ma question, les trois fédérations que j'ai citées, qui étaient considérées comme des fédérations sportives d'après le *Sports Act 2013* ne le sont plus avec le nouveau *Sports Act*. L'assistance financière est donnée à ces trois fédérations pour qu'ils puissent développer leur sport au niveau national, au niveau local. Donc, en ce qu'il s'agit de compétition internationale ce n'est pas le cas.

**Mr Quirin:** Dans ce cas, peut-on savoir quelle est la somme qu'a reçu le jiu-jitsu brésilien, allons dire au courant de cette année financière, de la part du ministère bien sûr ?

**Mr Toussaint:** Madame la présidente, comme je viens de le dire, je n'ai pas ces éléments de réponses spécifiques mais je pourrais les déposer après.

**Mr Quirin:** Madame la présidente, je trouve cela aberrant et ce n'est pas la première fois. Ma question est totalement claire et le ministre dans sa réponse à fait référence au jiu-jitsu brésilien. Comment peut-on faire référence à une fédération, à une association et quand on pose des questions au ministre concernant cette même association, il n'a pas les réponses à donner ici dans cette assemblée ? Je trouve cela totalement inacceptable et ce n'est pas la première fois que cela se passe. Donc, est-ce que le ministre continue à ne pas répondre ? Et je vais dire ici dans cette Chambre qu'à leur retour ces athlètes qui ont participé à la compétition du jiu-jitsu brésilien, Madame la présidente ...

*(Interruptions)*

**Madam Speaker:** Hon. Quirin, please ask your question! The object of question time is for you to ask questions to the respective Ministers so that they can provide information to you. So, put your question to the Minister, if he has got elements for reply he will, if he does not have, he will have to say so.

**Mr Quirin:** Est-ce que l'honorable ministre peut confirmer qu'à leur retour de cette compétition internationale avec médaille d'or en poche, ces athlètes ont reçu du ministère R5000 chacun comme récompense ? Est-ce que le Ministre peut confirmer cette chose ?

**Mr Toussaint:** Madame la présidente, si je prends le temps de regarder bien la question principale posée par l'honorable membre qui parle de réorganisation de *Sports Federations and if my Ministry has withdrawn recognition*. Par rapport au...

*(Interruptions)*

**Madam Speaker:** Hon. Minister, please sit down ! If you do not have the reply, please say so. Say that you do not have the information. Because you have mentioned the name of the federation as rightly pointed out by the hon. Member. So, if you do not have the element for reply, just say so.

**Mr Toussaint:** Madame la présidente, ce n'est pas que je n'ai pas l'élément de réponse, mais je constate que cette question supplémentaire n'est pas *relevant* à la question principale.

**Madam Speaker:** You had mentioned it, hon. Minister. You had opened the debate on this issue because you have mentioned it. In your reply, you have mentioned that Federation.

**Mr Quirin:** Madame la présidente, puisque le ministre n'est pas en mesure de répondre, je n'ai pas d'autres questions supplémentaires.

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

#### **AFRICAN UNION - MALABO PROTOCOL – MAURITIUS RATIFICATION**

**(No. B/862) Mr F. Quirin (Fourth Member for Beau Bassin & Petite Rivière)** asked the Minister of Foreign Affairs, Regional Integration and International Trade whether, in regard to the ratification by Mauritius of the Malabo Protocol of the African Union purporting, *inter alia*, to grant legislative powers to the Pan African Parliament, he will state where matters stand.

*(Withdrawn)*

#### **MAURITIUS MEAT AUTHORITY - RECRUITMENT**

**(No. B/863) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Agro-Industry and Food Security whether, in regard to the Mauritius Meat Authority, he will, for the benefit of the House, obtain therefrom –

- (a) information as to the name of the General Manager thereof, indicating the qualifications held and terms and conditions of appointment thereof, and



- (b) the list of persons recruited thereat since January 2015, indicating the respective –
- (i) post occupied, and
  - (ii) qualifications held.

**Mr Seeruttun:** Madam Speaker, the General Manager of the Mauritius Meat Authority is Mr Bhagwat Parsadsing Daumoo.

He is holder of a B.Com (Hons) Degree from Delhi University. He is well conversant with the administration of Public Bodies for having been the Chairperson of the then Grand Port/Savanne District Council in the years 1983, 1987 and 1988. He has also served as Chairperson of the Mauritius Shipping Corporation from 1991 to 1995 and from the year 2000 to 2005.

The General Manager has been appointed for a period of three years by the Mauritius Meat Authority Board held on 27 May 2015 following a Cabinet decision.

His remuneration is as per the Pay Research Bureau report, with a monthly salary of Rs110,000 per month and petrol allowance of Rs11,300, driver allowance of Rs8,400 and telephone allowance of Rs2,000.

Madam Speaker, with regard to part (b) of the question, 7 persons has been recruited by the Board of the Mauritius Meat Authority since January 2015. I am advised that the recruitments have been made following public advertisement.

I can assure the House that all the recruitment procedures have been followed.

I am tabling the list of those persons recruited since January 2015.

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

**Mr Ameer Meea:** Madam Speaker, can I ask the hon. Minister if he is aware of a letter sent by an employee of the Meat Management Authority to l'ACIM on various cases of mismanagement at the Meat Authority? Is he aware of the existence or does he have a copy of the letter that has been sent to l'ACIM?

**Madam Speaker:** Does the copy of the letter you mentioned concern the General Manager?

**Mr Ameer Meea:** Yes, the General Manager.

**Madam Speaker:** It concerns the General Manager!

**Mr Seeruttun:** I am not sure that I have received a letter with regard to this particular case the hon. Member is mentioning. If the hon. Member could mention the name of the person who has written that letter, probably that could recall my memory. I am not aware of any letter received in this particular case.

**Mr Ameer Meea:** Does the list that the hon. Minister has tabled include a list of relief workers as well?

**Mr Seeruttun:** In fact, Madam Speaker, with regard to the Mauritius Meat Authority, given the nature of the work, besides the recruitment of personnel who are on the establishment, they have recourse to casual workers, which is allowed according to the report of the PRB published in 2016. They can recruit casual workers who are registered with the MMA. I can provide, if the hon. Member wishes, a list of employees who are on that casual contract with the MMA. From the list that I have here, there are some 30 employees who are regularly asked to offer service to the MMA.

*(Interruptions)*

Only three! 19 from the Port Louis region, I must say! Just to clear the air, I make it to the point to reassure the hon. Member that, of the 30, 19 are from the Port Louis region and none from No. 8.

*(Interruptions)*

**Madam Speaker:** Hon. Minister, when somebody stands up and asks question, then you reply! Hon. Ameer Meea!

**Mr Ameer Meea:** Madam Speaker, since the hon. Minister is in the mood of giving all the information, can I ask him whether the General Manager was the Campaign Manager in his constituency in the last elections campaign?

*(Interruptions)*

**Mr Seeruttun:** Well, during the last elections, there were so many people who were willing to help the Members...

*(Interruptions)*

Can I just put it that half of the Mauritian people were behind our team to support us.

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

**POINTE D'ESNY ROAD - REHABILITATION**

**(No. B/864) Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Royal Road, in Cité Lachaux, he will state the expected start and completion dates of Phase III of the renovation works thereof.

**The Minister of Social Security, National Solidarity, and Environment and Sustainable Development (Mr E. Sinatambou):** With your permission, Madam Speaker, I shall reply to this question.

I am informed that the Road Development Authority is implementing a project for the rehabilitation of the Pointe d'Esny Road B87 over a stretch of about 1.3 km starting from Loretto Convent Mahebourg through Cité La Chaux, up to the entrance of Le Preskil Beach Resorts Hotel, in three phases.

Phase 1 of the project, which comprises the reprofiling of the road from Loretto Convent Mahebourg to the neighbouring fish landing station over a road stretch of about 750 metres, to the tune of Rs16 m., has been completed in August 2016.

As regards Phase 2 of the project, it will comprise the construction of new drains over a stretch of about 350 metres from the fish landing station to the Ramsar site to collect surface water accumulating at the Pointe d'Esny road and disposal of same in the adjoining wetland.

I am informed by the Road Development Authority that necessary clearances from the National Ramsar Committee and the Environment and Sustainable Development Division of my Ministry has been obtained, and the contract for the second phase will be awarded soon under the new RDA Framework Agreement for Road Maintenance and Minor Works.

As for Phase 3 of the project, Madam Speaker, it will comprise the construction of a rock-armoured structure with an associated retaining wall and road widening works from the Ramsar site to the entrance of Le Preskil Beach Resorts Hotel over a stretch of about 150 metres, to protect the road structure from being washed out by wave action.

I am informed by the Road Development Authority that the necessary clearance is being sought from the Environment and Sustainable Development Division of my Ministry, and as soon as same is secured, the works under Phase 3 will be included in the programme of works for the next financial year.

**Madam Speaker:** Hon. Henry!

**Mr Henry:** Merci, Madame la présidente. Ce projet date de plus d'un an déjà, et en ce qui concerne la route qui passe à Cité La Chaux, il y a eu un *site visit* qui a été fait avec l'honorable Jhugroo, moi-même, et les ingénieurs de la RDA. Il y a un problème avec un pont...

**Madam Speaker:** Do not make statement! Ask your question!

**Mr Henry:** On a constaté des dégâts avec le pont...

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

**Mr Henry:** Je voudrais savoir de l'honorable ministre si les ingénieurs...

*(Interruptions)*

Si vous avez envie de dormir, vous pouvez partir !

**Madam Speaker:** Hon. Henry, please do not make any remarks!

*(Interruptions)*

Please, hon. Henry, ask your question!

**Mr Henry:** Est-ce que la RDA a pris ce point-là en considération, parce que cela devient un problème grave car le pont commence à céder ? Il y a une partie de la route qui commence à tomber.

**Mr Sinatambou:** Well, as I am only substituting the Minister today, I am not aware of that problem, but I will pass on the message to the relevant officers and I will ensure that they do the needful, Madam Speaker.

**Mr Henry:** En ce qui concerne le bout à côté de l'hôtel Preskil, la RDA a déjà fait un travail là-bas pour refaire la route. Mais il y a des roches qui ont été laissées sur le bord, dans l'eau. Est-ce que l'honorable ministre pourrait voir avec ses ingénieurs s'ils peuvent amener un projet, faire une promenade ou aménager un peu pour ne pas laisser cela comme un *eyesore* là-bas, s'il vous plaît?

**Mr Sinatambou:** I will just pass on the message to the relevant officers, Madam Speaker.

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

**CARREAU ACCACIA, CAMP CAROL & LE BOUCHON - PIG BREEDERS -  
RELOCATION**

(No. B/865) **Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien)** asked the Minister of Agro-Industry and Food Security whether, in regard to the pig breeders of Carreau Accacia, Camp Carol and Le Bouchon, respectively, he will state when and where they will be relocated.

**Mr Seeruttun:** Madam Speaker, at the outset, I wish to inform the House that questions pertaining to this same subject were set in July 2016 and again at last week sitting.

As already stated in my previous replies, I further confirm that a site over an extent of 35 hectares on lands presently under the control of the Rose Belle Sugar Estate Board at Le Val has been identified by the Ministry of Agro-Industry and Food Security.

Consultations with relevant authorities and other stakeholders are now in progress to confirm suitability of the subject site with regard to environmental and other planning exigencies.

With regard to the part of the question dealing as to when the breeders will be relocated, Madam Speaker, I wish to highlight that accommodation on the subject site can only be considered as feasible once it would have been supplied with basic facilities and equipped with all production infrastructures.

I further wish to inform the House that the development process implies several critical steps. Albeit retrocession and vesting in the Ministry of Agro-Industry and Food Security, permits and clearances from relevant authorities would have to be secured prior to start of construction works.

These are not only tedious steps, but very often turn out to be very lengthy also, and my Ministry does not have full control thereof.

**Mr Henry:** Madame la présidente, je voudrais savoir de l'honorable ministre s'il est au courant qu'un *site visit* a été fait le 22 août 2017 avec tous les responsables et ces éleveurs à Le Val. J'aimerais savoir de l'honorable ministre qu'est-ce qui s'est passé depuis.

**Mr Seeruttun:** Madame la présidente, effectivement, il y a eu une visite qui a été effectuée dans le cadre de pouvoir assurer que le site est convenable, et comme je viens de dire dans ma réponse, il y a plusieurs avis qu'on attend de plusieurs autorités pour pouvoir

aller de l'avant avec le projet. Donc, il y a une dizaine de différentes autorités qui doivent donner leur avis avant qu'on puisse implémenter le projet sur le site identifié.

**Mr Henry:** Madame la présidente, d'après les renseignements qu'on a eus, il y a certains endroits dans ce terrain qui sont marécageux. Est-ce que l'honorable ministre est au courant ?

**Mr Seeruttun:** Encore une fois, Madame la présidente, il y le ministère de l'Environnement qui est aussi concerné pour donner son avis sur ce projet. Donc, on attend leur décision finale afin qu'on puisse, effectivement, mettre en place le projet sur ce site.

**Mr Ramful:** I have received representations from the pig breeders that the extent of land which is being proposed to them is not sufficient for them to conduct their pig breeding operation. May I request the hon. Minister to reconsider the extent of land that is being proposed to those pig breeders?

**Mr Seeruttun:** Well, Madam Speaker, the extent of land that has been identified at Le Vale amounts to about, like I said, 35 hectares which is about 83.35 *arpents* which is based on the number of breeders that we have registered and that are concerned with that relocation. According to our technicians, the land that has been put to their disposal would be more than enough to cater for that particular activity.

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

#### **DRUGS (SYNTHETIC) - SENSITISATION**

**(No. B/866) Mr T. Henry (Fourth Member for Mahebourg & Plaine Magnien)** asked the Right hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to synthetic drugs, such as "*C'est pas bien*", "*Rambo*", "*batte dans la tête*", containing a mixture of different substances excluding synthetic cannabinoids or other substances listed under the Dangerous Drug Act, he will, for the benefit of the House, obtain from the Commissioner of Police, information as the

- (a) measures taken to prevent the proliferation thereof amongst youngsters, and
- (b) number of prosecutions initiated in connection therewith, since 2015 to date, and the outcome thereof.

**Sir Anerood Jugnauth:** Madam Speaker, I am informed by the Commissioner of Police that the following measures have been taken to prevent the proliferation of synthetic drugs amongst youngsters and the general public –

- (i) Sensitisation of youngsters and members of the public on the ill-effects of drugs. From January 2015 to date, 9,252 sensitisation sessions have been carried out in educational institutions, youth centres and place of work among others;
- (ii) Use of Social Media through the Police Website and Facebook to reach wider segments of the population, including youngsters;
- (iii) Organisation of Courses on drug use prevention in collaboration with the Ministry of Youth and Sports during school holidays for the benefit of school children. Youngsters are sensitised on the consequences of substance abuse and its impact on society. They are also encouraged to participate in volunteering activities and to report suspicious activities occurring in their neighbourhood and school premises through the Police hotline 148, which is anonymous, and toll free;
- (iv) Regrouping of youngsters living in vulnerable regions and initiating them in music to help them keep away from the drug scourge;
- (v) Strengthening of the Police Scout Movement whereby children of Police Officers as well as volunteers from the general public are engaged in activities aiming at instilling civic values among the youth, and
- (vi) The Police is collaborating with NGOs, religious bodies and other social workers with a view to preventing the proliferation of dangerous drugs through Community Policing Forums.

Madam Speaker, I am further informed that the following measures have been taken by the Ministry of Education and Human Resources, Tertiary Education and Scientific Research, Ministry of Youth and Sports and the Ministry of Health and Quality of Life -

- (a) Identification and close monitoring of schools with high incidence of drug abuse;
- (b) Management of cases involving students found in possession of dangerous drugs or found to be in a state suspected to be related to consumption of an illicit substance through an established protocol;
- (c) A Youth Pocket Guide, with information pertaining to public and private institutions, including NGOs working on substance abuse prevention, treatment

and rehabilitation of young addicts is being prepared and is expected to be launched by mid-December 2017;

- (d) Implementation of an outreach programme by way of “*Caravane de l’Espoir*”, in risk regions to sensitise young people on the ill-effects of drugs, using “*Témoignages*” among other strategies, and
- (e) Talks and training sessions are being carried out through the “in-and-out” school youth programme to build new and to strengthen existing protective factors, and reverse or reduce risk factors, particularly among the youth.

As regards part (b) of the question, I am informed that since 2015 to date, 163 cases have been prosecuted. In one case, the offender has been sentenced while a fine has been imposed for 89 cases. One case has been struck out and 73 are still pending in Court.

**Madam Speaker:** Hon. Henry!

**Mr Henry:** Merci, Madame la présidente. Je remercie le ministre pour sa réponse. Dans sa réponse, le ministre a dit qu’il y a beaucoup d’amendes qui ont été faites pour ces gens-là pour des délits pareils. J’aimerais savoir du ministre, est-ce qu’il ne faudrait pas venir avec des amendements au niveau de la loi pour pouvoir arrêter ces marchands de la mort ? Parce que cela attaque beaucoup les jeunes de notre pays et, malheureusement, ils s’en sortent avec une malheureuse amende.

**Sir Anerood Jugnauth:** Well, I cannot say, I have not looked it up whether there is only a fine. In many cases, there are imprisonments or fines. It is up to the Judiciary to see in the circumstances in Mauritius, whether the Court has to be severe or not. Just passing the law, if it is not put into practice, well, what is the use?

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

**Mr Osman Mahomed:** Thank you, Madam. The six preventive measures that the Rt. hon. Minister Mentor has referred to is collaboration between NGOs and the Police community policing. Only today, the NGOs are saying that there are 6,000 minors who are drug addicts because there is ...

**Madam Speaker:** What is your question?

**Mr Osman Mahomed:** Can the Rt. hon. Minister Mentor inform the House whether the lack of a full-fledged Rehabilitation Unit like NATreSA was, is not the cause for the



country today to have 6,000 minors who are drug addicts and that the Government can do something about it, at this stage?

**Sir Anerood Jugnauth:** Well, I am not aware that there are 6,000. Nobody has written to me, but I am satisfied that the Police is doing everything possible in order to see to it that the young people especially, stop being victims of drugs.

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

**Dr. Joomaye:** Thank you, Madam. I would like to ask the Rt. hon. Minister Mentor if he can confirm that the Forensic Scientific Laboratory of the Police has the adequate means to identify all the synthetic derivatives of Cannabis?

**Sir Anerood Jugnauth:** I am not aware of this.

**Madam Speaker:** Hon. Mrs Perraud, last question!

**Mrs Perraud:** Merci. Je voudrais demander au ministre quelle est la politique du gouvernement quant aux soins pris en charge et la réhabilitation des jeunes consommateurs de drogues, surtout de drogues synthétiques ?

**Sir Anerood Jugnauth:** I need a specific question for that.

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

**Mr Henry:** Madam!

**Madam Speaker:** No, next question!

**Mr Henry:** Madam, one question!

**Madam Speaker:** Hon. Henry, this question has been sufficiently canvassed.

*(Interruptions)*

No! It has been sufficiently canvassed.

*(Interruptions)*

I am sorry, it has been sufficiently canvassed. Hon. Leopold!

*(Interruptions)*

Hon. Henry, please, sit down! I am sure you know that, according to the Standing Orders, the number and the relevance of questions is to the discretion of the Speaker. I have

taken the time as from when we have started questioning and I feel that this question has been sufficiently canvassed. So, that is why I am moving to the next question. Hon. Leopold!

*(Interruptions)*

Order, please!

#### **MILITARY ROAD - METHADONE - DISTRIBUTION**

**(No. B/867) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to Methadone, he will state the reasons why the distribution centre thereof has been moved to the highly residential area, in Plaine Verte at Military Road, indicating –

- (a) if the inhabitants thereat and in the vicinity thereof have been consulted prior thereto, and
- (b) the number of users thereof attending the said distribution centre and where they come from.

*(Withdrawn)*

#### **NHDC - SOCIAL HOUSING UNITS - ALLOCATION**

**(No. B/868) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Housing and Lands whether, in regard to social housing units, he will, for the benefit of the House, obtain from the National Housing Development Company Ltd., information as to the number of applicants who –

- (a) are on the waiting list for the allocation thereof, and
- (b) have been allocated therewith over the past three years, indicating where they come from.

*(Withdrawn)*

#### **PROCESSED FOOD - LEGISLATION**

**(No. B/869) Mr S. Mohamed (First Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, in regard to processed food, he will state if consideration will be given for the toughening of the legislation to –

- (a) eliminate trans fats content therein;
- (b) reduce salt content therein;

- (c) provide additional information on added sugars and artificial dyes content therein on the labels thereof, and
- (d) introduce new restrictions on the commercial marketing of unhealthy foods and beverages targeting children.

*(Withdrawn)*

#### **STATE RECOGNITION ALLOWANCE SCHEME - ELIGIBILITY CRITERIA**

**(No. B/870 Mr J. Leopold (Second Member for Rodrigues))** asked the Minister of Youth and Sports whether, in regard to the State Recognition Award, he will state where matters stand as to the implementation thereof, indicating the eligibility criteria therefor.

**Mr Toussaint:** Madam Speaker, the State Recognition Allowance Scheme for retired athletes has already been implemented. Since 03 October 2017, 65 eligible former athletes 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 are –

- (a) 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 their 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, 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.

**Madam Speaker:** Hon. Leopold!

**Mr Leopold:** Yes, thank you, Madam Speaker. Can I ask the hon. Minister, out of those 65 beneficiaries, how many Rodriguans have been benefitting from those awards?

**Mr Toussaint:** We have six sports people of Rodriguan origin.

**Madam Speaker:** You have a question, hon. Quirin.

**Mr Quirin:** Oui, merci, Madame la présidente. J'avais adressé une question similaire à l'honorable ministre le 07 novembre dernier, B/700 et dans sa réponse, il avait terminé sa réponse, c'était une réponse écrite, je vais rapidement lire la réponse –

“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.”

Est-ce que le ministre, aujourd'hui, dans sa réponse à la question posée par l'honorable Leopold, maintient toujours sa position de ne pas dévoiler la liste des bénéficiaires et du montant alloué à chaque bénéficiaire?

**Mr Toussaint:** Oui.

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

### **RODRIGUES - SALE BY LEVY PROCEEDINGS**

(No. B/871) **Mr J. Leopold (Second Member for Rodrigues)** asked the Attorney-General, Minister of Justice, Human Rights and Institutional Reforms whether he will state if he is aware that sale by levy procedures in respect of immovable property in Rodrigues are held in Mauritius and that same cause considerable inconveniences to the people concerned therewith and, if so, indicate if consideration will be given for such procedures to be held in Rodrigues.

**Mr Gobin:** Madam Speaker, sale by levy proceedings are governed by the Sale of Immovable Property Act and the conduct and management of judicial sales form part of the duties of the hon. Master and Registrar by virtue of Section 19 (2) (b) of the Courts Act.

Sale by levy proceedings in respect of properties situated in Rodrigues always take place before the Supreme Court of Mauritius presided over by the Master or Deputy Master and Registrar.

There is no provision in the Courts Act, the Sale of Immovable Property Act or the Court of Rodrigues Act giving jurisdiction to the Magistrate of Rodrigues to conduct and manage judicial sales in Rodrigues. On the contrary, Section 40 of the Sale of Immovable Property Act provides that a purchaser has to elect domicile in Port Louis and Section 227 (2) (c) of the Sale of Immovable Property Act provides, in respect of outer islands, that the deed witnessing a loan shall specify the domicile elected by the borrower in Port Louis.

On the other hand, in divorce cases, Section 20A of the Divorce and Judicial Separation Act specifically provides that in any action for divorce or judicial separation entered outside the island of Mauritius, the functions exercisable by a Judge or the Court shall be performed in Rodrigues by the Magistrate of Rodrigues.

There are no similar provisions in the Sale of Immovable Property Act.

Madam Speaker, I am informed by the hon. Master & Registrar that according to statistics, there has been only an average of 5 sale by levy cases per year for the past 10 years in respect of properties situated in Rodrigues. In the circumstances, despite the inconvenience caused to those concerned, it is not recommended at this stage to introduce legislation in the House for procedure of sale by levy to be held in Rodrigues.

**Madam Speaker:** Hon. Baloomoody!

**Mr Baloomoody:** I have listened carefully to the hon. Minister. He mentioned only five. We are talking about the properties of an individual, and if that person cannot come to Mauritius to see the advertisement, when it is advertised, to see the publication at the Supreme Court and he cannot afford to come to bid for his own property, does he not find this to be unfair and that we should try to amend the law?

**Mr Gobin:** There are other avenues, Madam Speaker, like, for example, the appointment of a *mandataire ad litem*. The hon. Member knows very well. It is not necessary that everything has to come through an amendment of legislation. *Mandataire ad litem* is just one of the other options.

**Madam Speaker:** Yes, hon. Rutnah.

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

Madam Speaker, can the hon. Minister, at least, consider that the legislation that restricts people from Rodrigues to defend their cases, is contrary to the very spirit of Article 6 of the Human Rights Act in relation to fairness to trial. Because, in effect, it is a trial that is going on; it is a proceeding. Can I ask the hon. Minister to consider, at least, amending certain sections of the law so that these people from Rodrigues, even if it is five, have the equality of arm in order to deal with these types of cases because, at the end of the day, property right is protected under the Constitution?

**Madam Speaker:** Okay, hon. Rutnah. Okay. Yes.

*(Interruptions)*

No comments, please! Now, do not provoke the Chair, please!

**Mr Gobin:** Madam Speaker, the question concerns sale by levy proceedings. I have explained why, at this stage, legislation is not being contemplated, but in a wider context, because this - having sale by levy proceedings in Rodrigues - will entail a number of other considerations. It is not just jurisdiction conferred to a Magistrate and that's it. There are other considerations surrounding it, all put together, including one of them, namely the statistics has led me to say that at this stage it is not being contemplated. I say, I stress, at this stage. Thank you.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. There has been a Commission of Inquiry which made recommendations about the sale by levy. Is the Attorney General prepared to come up with amendments to cover all these recommendations made by the Commission of Inquiry?

*(Interruptions)*

**Madam Speaker:** Hon. Henry, you are addressing me? Are you? If you have to address me, then you stand up and address me properly, please.

**Mr Henry:** Excuse me, Madam Speaker.

**Madam Speaker:** Yes.

**Mr Henry:** Madame la présidente, je trouve ça pas *fair* du tout, parce que tout à l'heure-là vous aviez arrêté ma question.

**Madam Speaker:** No, is that a point of order or are you addressing the Chair?

**Mr Henry:** C'est la quatrième question que vous prenez et moi je ne trouve pas que c'est *fair*.

**Madam Speaker:** If it is a point of order, then you say so. Hon. Henry, allow me to draw your attention to the Standing Orders. I think you have just got the Standing Orders. I will draw your attention to Standing Order 26 (1).

**“Supplementary Questions –**

26. (1) Supplementary questions may only be put for the further elucidation of the information requested, and shall be subject to the ruling of Mr Speaker, both as to relevance and number.”

I think this puts an end to the matter. Thank you.

Yes, hon. Leopold.

*(Interruptions)*

Yes. You have not finished. Yes.

**Mr Gobin:** Madam Speaker, the question of the hon. Member concerns the Commission of Inquiry on Sale By Levy. Indeed, there were a number of recommendations and a number of them have been implemented. I just don't want to go over them again. I can refer the hon. Member to a past Parliamentary Question answered in the House, it was B/288.

But, there were no specific recommendation in the Commission of Inquiry as regards the holding of sale by levy, if my memory serves me right regarding the Sale By Levy proceedings being held in Rodrigues. However, in the wider context of reform on the sale by levy proceedings, I shall have a fresh look in the matter indeed.

**Mr Leopold:** Madam Speaker, the inconveniences are that Rodriguans need to move back and forth for the proceedings. How about the people who will buy the property, and the properties are immovable. So, with technology, we have video conferences and everything. Will the Minister be able to inform the House with the coming amendment on this law whether he will be able to, at least, do the proceedings by video conferences and use technology?

**Mr Gobin:** With regard to the point made as to going back and forth, I can just reiterate the option of appointing a *mandataire ad litem*. As regards the holding of video

proceedings, if I may say so, I shall have consultations with the honourable Master & Registrar on the point and come back to the House at the appropriate stage.

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

**HONOURABLE K. T. – MS L. D. A. - COMPLAINTS**

**(No. B/872) Mr R. Uteem (First Member for Port Louis South & Port Louis Central)** asked the Right hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the complaints of Ms L. D. A. against Honourable K. T., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if any –

- (a) investigation has been undertaken in relation thereto, and
- (b) person has been arrested in connection therewith.

*(Interruptions)*

**Sir Anerood Jugnauth:** Madam Speaker, I am informed by the Commissioner of Police that Ms L. D. A. has reported three cases against Honourable K. T. and inquiry into all the three cases has been initiated and is still ongoing.

With regard to part (b) of the question, I am informed that no person has been arrested in these cases.

*(Interruptions)*

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Yes, thank you, Madam Speaker. The allegations were made on 02 October and on 16 October hon. Tarolah went and gave his statement. So, may I know from the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether he has received information from the Commissioner of Police as to why, being given the very serious nature of the allegations which carries imprisonment, which is an arrestable offence, up to now the Commissioner of Police has not arrested hon. Tarolah?

*(Interruptions)*



**Sir Anerood Jugnauth:** I don't think it would be fair to arrest somebody just on a complaint made to the Police.

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

**Mr Uteem:** Yes, precisely, Madam Speaker, because we know that when the former Vice-Prime Minister went and made an allegation against Mr Rohumally. He and his wife were arrested immediately...

*(Interruptions)*

... he even had a heart attack because of all this! So, why is it when it comes to a Member of this Government there is a double standard?

**Sir Anerood Jugnauth:** I can't answer for the case that has just been mentioned. There must have been evidence for the Police to act.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can the Rt. hon. Minister Mentor, Minister of Defence, Minister for Rodrigues give assurance to the House that there will not be any intervention by any higher quarters from Government to have a cover-up in that matter?

*(Interruptions)*

**Sir Anerood Jugnauth:** I don't control anybody in this House!

**Madam Speaker:** Hon. Baloomoody!

**Mr Baloomoody:** On the same issue, Madam Speaker, this was an incident which happened in the Parliament. Can I know whether Parliament, through you or a representative of Parliament, has made a statement to the Police?

**Madam Speaker:** I am sorry, hon. Baloomoody, you cannot ask question to the Chair! If...

*(Interruptions)*

It concerns the Chair...

*(Interruptions)*

**Mr Baloomoody:** Can I know whether the Police has recorded any statement from an official of Parliament?

**Madam Speaker:** Put your question properly!

**Mr Baloomoody:** As it is a breach of the rules of Parliament.

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

**FINANCIAL SERVICES COMMISSION – MANAGEMENT COMPANIES –  
COMPLAINTS**

**(No. B/873) Mr R. Uteem (First Member for Port Louis South and Port Louis Central)** asked the Minister of Financial Services and Good Governance whether, in regard to complaints against management companies and trust companies, he will, for the benefit of the House, obtain from the Financial Services Commission, for each of the years 2014, 2015, 2016 and 2017, information as to the –

- (a) number thereof received, and
- (b) actions, if any, taken by the Commission in relation thereto.

**Mr Sesungkur:** Madam Speaker, as regards part (a) of the question, I am informed by the Financial Services Commission that no complaint has been received against trust companies.

However, as regards management companies, 25 complaints have been received from 2014 to 2017 as follows –

- 2014 – 2;
- 2015 – 4;
- 2016 – 1, and
- 2017 – 18.

With regard to part (b) of the question, I am informed by the Financial Services Commission that these complaints relate to delay in transfer of client files, poor services provided by management companies and the claiming of exit fees by management companies for which complainants were not aware at the time of incorporation.

I am also advised that, except for 7 complaints received in 2017 which are still under inquiry at the Financial Services Commission, all the other complaints have been resolved.

Madam Speaker, I also wish to inform the House that, following additional measures taken in 2017 by the Financial Services Commission, particularly regarding the mandatory handing over and transfer of files by outgoing management companies, many companies have reported cases of delay and unacceptable fees structure claimed by outgoing management companies.

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

**Mr Uteem:** Thank you, Madam Speaker. To take up where the hon. Minister has left, being given that there is a cost and delay involved in handing over what has the FSC done? The question is: what action has the FSC taken in relation to this?

**Mr Sesungkur:** The FSC has issued new directives effective as from 2017 onwards to all offshore management companies as to the way they should proceed with the transfer of files.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** May I know from the hon. Minister whether any consideration will be given for the setting up of a compensation fund for any victim of management companies who loses out as a result of the fault, negligence or fraud of the management companies?

**Mr Sesungkur:** Madam Speaker, I will take up the matter with Financial Services Commission.

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

#### **PERSONS WITH DISABILITIES - EMPLOYMENT**

**(No. B/874) Mr R. Uteem (First Member for Port Louis South and Port Louis Central)** asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the disabled persons, he will, for the benefit of the House, obtain from the Training and Employment of Disabled Persons Board, information as to the –

- (a) number thereof currently on the register of disabled persons;
- (b) number of employers currently on the register of employers, and
- (c) number of employers which do not employ the required number thereof, indicating the actions, if any, taken by the Board against them.

**Mr Sinatambou:** Madam Speaker, the Training and Employment of Disabled Persons Board is regulated by the Training and Employment of Disabled Persons Act of 1996 as amended in 2012. The registration of disabled persons is governed by section 11 whereas the registration of employers is governed by section 12 of the Act.

With respect to part (a) of the question, I am informed that there are presently 1060 persons with disabilities registered with the Training and Employment of Disabled Persons Board.

With respect to part (b) of the question, I am informed that there are presently 1031 employers registered with the Board.

As regards part (c) of the question, I am informed that there are presently 695 non-compliant employers, that is, employers who have not recruited any person with disabilities and 274 partly compliant employers, that is, employers who have recruited less than 3 per cent of persons with disabilities although they had a workforce of 35 employees or more.

According to law, every person with a disability who is willing and able to work may apply for his or her registration with the Board. The applicant is then examined by the Assessment Committee and upon being satisfied, the Committee recommends that the name of the applicant and his particulars be entered in the register.

The House may wish to know that, prior to 2012, there was no provision in the Act to effectively deal with the non-compliance of employers. In an attempt to deal with this issue, the Act was amended in 2012 to make provision for the setting up of a Hearing Committee with a view to giving an employer the opportunity to substantiate why he cannot employ persons with disabilities in his establishment.

As per section 13 of the amended Act, the Hearing Committee, after the completion of the hearing, determines whether the employer can or cannot reasonably be expected, having regard to the nature of his business, to provide suitable employment or to create suitable employment opportunities for the employment of disabled persons.

The Board may, in the light of the determination of the Hearing Committee, give such directions to an employer as it may consider reasonable and proper in all the circumstances. This include the direction that the employer shall pay to the Board, Rs4,000 monthly for each disabled worker not yet recruited to meet the quota of 3%. The Board can also exempt the employer from his obligation to employ disabled persons.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** Thank you, Madam Speaker. Last week, the hon. Minister asked for advanced notice to give the information about who is the General Manager and the qualifications of this Training and Employment of Disabled Persons Board. One week later,

may I know from hon. Minister whether he has this information as to who is the General Manager and what are her qualifications?

**Mr Sinatambou:** Well, I must say that this question does not arise from the PQ itself. But, however, I managed to get some information about that. I am told that on 23 March 2016, the Board was informed that Mr Choytun resigns as officer in charge. After discussion and taking into consideration that there was no precise indication as to when the new legal framework for the disability sector would be put into place, the Board decided that the responsibility as officer in charge be assigned to one Mrs K. Gowreesungkur who was the Secretary to the Board and who had been a Higher Executive Officer on the Board from 2003 to 2006.

I am told that the latter reckoned long and loyal years of service in the organisation and she was very knowledgeable about the management of the centres. The Board also decided that this lady would be assisted by one Ms Jaunky, who is a Disability Employment Officer for purely technical matters. Thus, a combination of the administrative and technical skills of the two ladies would, according to the Board, constitute the best formula to manage the activities of the organisation.

**Madam Speaker:** Hon. Uteem!

**Mr Uteem:** This Mrs Gowreesungkur was a former Confidential Secretary. From the answers given by the hon. Minister, it would appear that above 90% of employers are either not compliant or only partially compliant with the 3% employment. So would the hon. Minister consider amending the law so that the penalty for non-compliance is increased because it is unacceptable that we pass a law and 90% of employers do not comply with the law?

**Mr Sinatambou:** I must say that following the Parliamentary Question of last week and that of this week, I have been able to delve into the workings of that Board. However, I would disagree with the hon. Member that there is a need to increase penalties under the Act because already those employers, under section 18 of the Act which creates the offences for not complying with the Act, are liable to a fine not exceeding Rs75,000 and to imprisonment not exceeding six months. I think the problem lies elsewhere much more in the enforcement side. And I must say that I should thank the hon. Member for coming up with this question because I think that we will be able, in fact, to look at an area where there is some dissatisfaction.

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

**Mr Osman Mahomed:** The Training and Employment of Disabled Persons Board has a training centre for disabled persons at Calebasses. Is that correct? And if so, is it working because for a long time the building was not functioning. Is it working now and is it training disabled persons to enhance their employability?

**Mr Sinatambou:** Well, I must say that question does not arise from that PQ. But, at least, Madam Speaker, from what I recollect from last week, I did explain that there is indeed one training centre in Calebasses where there are eight employees who are providing some sort of training to disabled people. But I am only speaking from memory.

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

**Mr Uteem:** Thank you, Madam Speaker. The law provides that in case of non-compliance by an employer, the Board would refer the matter to a Hearing Committee. So, may I know from the hon. Minister how many hearings have been held by this Hearing Committee this year and last year?

**Mr Sinatambou:** Madam Speaker, indeed a Hearing Committee was set up as far back as November 2012 after the amendment of the Act. Now, I am told that 18 private companies and 10 parastatal bodies were referred to the Hearing Committee then. I must say that from the information received, I understand that the Hearing Committee has met, under this Government, on four occasions. That is the information I have. But, indeed, I must say that having had the opportunity now to delve into the workings of that Board, there are indeed some areas of dissatisfaction in which I shall be looking into.

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

#### **PRIVATE MOTOR VEHICLES FITNESS CENTRES - EXAMINATION FAILURE RATE**

**(No. B/875) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the Private Motor Vehicles Fitness Centres, he will, for the benefit of the House, obtain from the National Transport Authority, information as to the number of vehicles examined in each one, indicating, the examination failure rate, since the respective coming into operation thereof to date.

**The Minister of Social Security, National Solidarity, and Environment and Sustainable Development (Mr Sinatambou):** Madam Speaker, with your permission I shall be replying to this question.

The three private vehicle examination stations, namely SGS Ltd in Forest Side, Autocheck in Plaine Lauzun and Eastern Stone Crusher Ltd in Laventure came into operation on 03 November 2016.

I am informed by the National Transport Authority that the total number of vehicles examined at the three stations since 03 November 2016 to 31 October 2017 is 192,343 of which 168,452 vehicles have passed the Road Worthiness Test and 23,891 vehicles have failed. The combined failure rate for the vehicles examined during that period is 12.4%.

The disaggregated data for vehicles examined and failure rates for each station is as follows: Out of the 74,863 vehicles examined at Autocheck Ltd, 6,887 vehicles, that is 9.2%, failed the fitness test; out of the 57,598 vehicles examined at SGS Ltd, 8,870 vehicles, that is 15.4%, failed the fitness test and out of the 59,882 vehicles examined at Eastern Crusher Co. Ltd, 8,264 vehicles that is 13.8%, have failed the fitness test.

**Mr Ramful:** Madam Speaker, I know the hon. Minister is not the substantive Minister. But then, Madam Speaker, currently the monitoring of the examination is being done by NTA officers and this is being done physically and we know the number of complaints that we have had in the past with regard to NTA officers. Now, there was a proposition for the setting up of video cameras to monitor the examination of those vehicles. May I know from the hon. Minister whether this has already been put in place or not?

**Mr Sinatambou:** Well, I do not have the exact answer to that question, but what I would like to share with the House is related to, at least, the substance of the idea behind this question. I think the House needs to know, Madam Speaker, that prior to the privatisation of the Vehicle Examination Stations, fitness tests were being conducted solely and incredibly on the basis of visual examination. And according to records obtained from the National Transport Authority in view of the subjectivity of the system which prevailed, the rate of failure to fitness tests was around only 0.4%. So, there has been a substantial increase, at least, in the assessment of road worthiness, but indeed I will pass on the message regarding the need for CCTV cameras.

**Madam Speaker:** Hon. Baloomoody!

**Mr Baloomoody:** Can I ask the hon. Minister - I know he is not the substantive Minister - whether the test itself is standardised and whether we have the same tests in Curepipe, Port Louis and other places because I know of one case which I am prepared to give the name of the owner and the car number.

On the same day, he went to Curepipe in the morning, he failed the MOT test, and when he drove to Port Louis - in Curepipe he failed -, with no alteration to the vehicle, he passed the test in Port Louis. I am prepared to give the name, the date, and the plate number of the car.

**Mr Sinatambou:** I think that the hon. Member should give the name, because what I am told here is that vehicles are examined by trained vehicle testers with the use of electronic equipment, and the examinations are based on clear technical guidelines issued by the National Transport Authority, in conformity with the Road Traffic Act and the Road Traffic (Construction and Use of Vehicles) Regulations of 2010. So, if that is the case, I would really recommend that the hon. Member does provide the name for an examination of the matter.

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

#### **TAXI OPERATORS - LICENCE**

**(No. B/876) Mr D. Ramful (Third Member for Mahebourg & Plaine Magnien)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the taxi owners who have been granted duty concessions, he will state if, at the request of the Mauritius Revenue Authority, the National Transport Authority is currently carrying out inquiries with a view to establishing if they are eligible thereto and, if so, indicate the number of cases investigated into and the outcome thereof.

**The Minister of Social Security, National Solidarity, and Environment and Sustainable Development (Mr E. Sinatambou):** With your permission again, Madam Speaker, I will reply to this question.

I am informed by the National Transport Authority (NTA) that on 21 March 2017, the Mauritius Revenue Authority (MRA) submitted a list of 42 taxi operators and requested for confirmation as to whether their licences are in order and in line with the provisions of the Road Traffic (Control of Taxi Operations) Regulations of 2011. According to the MRA, 17 of those operators are deriving income from either parastatal bodies or from private companies and 25 of them serve as either president, councillors or members of committees of local authorities and are earning revenue therefrom.



I have to highlight that I am told that there is no legal provision which disqualifies any member of the local authority from holding a taxi licence, provided that, at other times, he operates his taxi in compliance with the conditions of his licence.

I am advised by the NTA that enquiries have been initiated in all the 42 cases. The enquiries revealed that in 21 cases, the licence holders are providing a full-time and regular service from their respective bases of operation although they are District or Village Councillors. According to the NTA, the involvement of the taxi owners at these local authorities do not prevent them from providing regular taxi services or to comply with the conditions attached to their Public Service Vehicle, that is, taxi licence, as meetings at District or Village Councils are held once or twice a month, and these meetings last only for a couple of hours. In fact, the operators are not employees of the local authorities and are only paid a fee as councillor.

I am further informed that subsequent to the enquiries conducted, one licence has been revoked by the Authority on 10 August 2016 and one licence has been surrendered by the operator on 18 November 2016. The MRA has been informed accordingly. The NTA has also completed enquiry in another case where the licensee has undertaken to surrender his licence.

As at today, 18 cases are still under enquiry. Upon completion of those enquiries, the cases will be referred to the Authority for decision and the MRA will be notified accordingly.

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

**AQUACULTURE - GROWFISH INTERNATIONAL (MAURITIUS) LTD – EIA  
LICENCE**

(No. B/877) Mr E. Jhuboo (Third Member for Savanne & Black River) asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to aquaculture, he will state if –

- (a) Growfish Ltd. has been issued with an Environment Impact Assessment license to carry out same and, if so, indicate the terms and conditions attached thereto, and
- (b) the AHRIM and other Non-Governmental Organisations have expressed to his Ministry their serious concerns in relation to the implementation thereof and, if so, indicate if consideration will be given thereto.

**Mr Koonjoo:** Madam Speaker, in regard to part (a) of the question, I am informed by the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development that an EIA licence was issued to Growfish International (Mauritius) Ltd on 06 October 2017 in accordance with Part IV of the Environment Protection Act 2002. There are 24 conditions attached to the licence, and these can be consulted online from the website of the Ministry of Environment and Sustainable Development.

As regards part (b) of the question, I have to inform the House that AHRIM has orally requested my Ministry to arrange for a meeting with Growfish International (Mauritius) Ltd to obtain more information on its aquaculture project with a view to enabling them to submit their views on the EIA report.

On 17 July 2015, a meeting was held at my Ministry with representatives of AHRIM, Growfish International (Mauritius) Ltd and Board of Investment. Following clarifications sought by the representatives of AHRIM, the representatives of Growfish International (Mauritius) Ltd confirmed that it was not going ahead with the development of the site at Le Morne. It will develop only at sites Bambous 1 and Bambous 2. The sites chosen by Growfish International (Mauritius) Ltd at Bambous are in depths of more than 400 metres and are located at 1.8 kms from the coast outside the lagoon. There is no tourism related activity in this specific part of the ocean and the region which is situated outside the lagoon, as I have said.

I am also informed that after the issue of the EIA licence on 06 October 2017, AHRIM and the Sea Users Association have submitted an appeal before the Environment and Land Use Appeal Tribunal. As the issue is subject to an appeal before the Environment and Land Use Appeal Tribunal, it would not be appropriate for me to provide detailed information on this matter.

**Madam Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** Thank you, Madam Speaker. Madam Speaker, on one hand, we have the tourism industry that generates Rs68 billion and employs over 100,000 jobs and, on the other hand, Growfish, which is going to employ 500 people only, and we do not know what is the turnover that it is going to generate. So, my question to the hon. Minister is whether we can take such a risk, we can embark on such a project without a proper assessment, without a proper scientific survey on aquaculture and its unintended consequences on our economy and ecology.

**Mr Koonjoo:** Madam Speaker, this question of aquaculture is becoming very, very popular all around the world. I came back from South Africa on Saturday and there are also and everywhere in the world people are talking about aquaculture, and this is important. I understand the preoccupation of the hon. Member, but we know that, in this sector, the Government has created a Ministry for Aquaculture, especially - Blue economy - and I believe that this is the future. We have taken the decision to make the ocean economy a ...

*(Interruptions)*

**Madam Speaker:** Please, do not interrupt the Minister!

**Mr Koonjoo:** ... pillar of the economy, and we mean it. My good Friend, I am sure, would agree with me that at this time - and in the future also, especially - many countries are suffering from famine and food security is becoming a very, very important problem for the whole world. Everywhere people are talking about aquaculture, and it is giving results. I will tell you one thing. For the information of my Friend, they will start with five tons and, in five years, they will come to about 45 tons of fish, and it is good for the people. People will earn money. They will have jobs and ultimately many people will also get rid of the question of food security.

**Madam Speaker:** I think you have answered the question, hon. Minister. Next question, hon. Jhuboo! You have another question?

**Mr Jhuboo:** Yes, thank you, Madam Speaker, it concerns Bambous I and Bambous II, the site that was identified for the installation of the cages. In his EIA, Growfish Ltd acknowledges the issue regarding the proliferation of sharks and one of its mitigating measures is to install stronger nets around the aqua-culture farm. So, my question to the hon. Minister is concerning the security of our fellow citizens around the region of Flic en Flac, how is he going to protect the security of our citizens?

**Mr Koonjoo:** There is a rumour in Mauritius, especially since the PMSD...

*(Interruptions)*

Yes, the day you left the Government, the next day there were the problem of sharks in the country!

*(Interruptions)*

You better check it.

*(Interruptions)*

**Madam Speaker:** Hon. Armance, please! Order, please!

*(Interruptions)*

No, please don't engage in any conversation, hon. Minister! Hon. Minister, please don't engage in any conversation with any other Member! Please give your reply to the question!

*(Interruptions)*

**Mr Koonjoo:** Bigger shark he has ever seen! I don't know whether he has seen you two hunting ...

*(Interruptions)*

**Madam Speaker:** Please, don't interrupt the Minister I have said! Hon. Henry, don't interrupt the Minister please. Hon. Mrs Perraud!

**Mr Koonjoo:** There is no proof in Mauritius as far as I know that there has been any attack of sharks in the lagoon, especially in the lagoon.

**Madam Speaker:** Hon. Koonjoo, you have finished?

**Mr Koonjoo:** Not yet.

**Madam Speaker:** Please don't take much time, reply specifically to the question which has been asked.

*(Interruptions)*

**Mr Koonjoo:** *Requin moustache p rode moustache dans parlement ici !*

*(Interruptions)*

**Madam Speaker:** Don't make remarks!

**Mr Koonjoo:** Yes, Madam Speaker. This is only a rumour and we are taking all the precautions because we mean business and we don't want any person, especially the people working in the tourism sector to be afraid of sharks. We never had after independence a single attack of shark in Mauritius.

**Madam Speaker:** Next question, hon. Adrien Duval!

**Mr A. Duval:** Thank you, Madam Speaker. In light of what the hon. Minister has said, the rumour, is he aware - because it is in his answer - that only one month ago in Grand

Gaube, next to the aqua-culture of Grand Gaube in the lagoon, about a 100 metres from two hotels there were caught two sharks of two different breeds reputed to attack humans.

In Reunion, for example, Madam Speaker, the Pont shark and the Tiger shark are the top killers and these sharks of over 2 metres in length were caught on the said night on buoys with hooks, next around the ...

**Madam Speaker:** Hon. Adrien Duval, don't provide information. Ask the question to the hon. Minister!

**Mr A. Duval:** Is the hon. Minister aware of this incident? Is he aware that this is becoming a recurrent factor and is he prepared to do a study, as hon. Jhuboo suggested, and review his policy about giving permits of fish farming inside the lagoon, especially close to hotels?

**Madam Speaker:** Don't be too lengthy in your question!

**Mr Koonjoo:** I will ask my friend from the other side of the House to come with a substantive question and I will give all the details about the 2 persons, especially in Grand Gaube *cette fois-ci*. I understand that I have got all the information.

*(Interruptions)*

The hon. Member should come with a substantive question and I will give the answer.

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

**Mr Ramful:** Madam Speaker, there have been recently a lot of questions with regard to those aqua-culture projects. Now, before the obtention of an EIA license, I am given to understand that the applicant needs to produce an Ecological Impact Assessment Report. Given all these questions that have been raised, would the hon. Minister be prepared to make public or table before the Assembly, the Ecological Impact Assessment Report in all these cases where aqua-culture licenses have been given, including this one?

**Mr Koonjoo:** Yes, there is no problem in that, Madam Speaker.

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

**Mr Ganoo:** Can the hon. Minister inform the House whether there has been a complaint by different associations with regard to the location near to these cages as this site is a preferred site for divers and snookers?

**Mr Koonjoo:** I didn't follow the last part of the question, Madam Speaker.

**Madam Speaker:** Do you want the hon. Member to repeat this question briefly?

**Mr Ganoo:** I am repeating my question. I would like to know whether there has been a complaint by various associations to the effect that the area which has been chosen to place these cages, is a place which is preferred by swimmers, divers and snookers.

**Mr Koonjoo:** Yes, Madam Speaker, there were some protests in Le Morne for the Growfish Company. Le Morne and Bambous were chosen as two places. Ultimately when there was a meeting in my Ministry with the persons concerned, the Growfish Company agreed to shift from Le Morne; there would not be any further development in Le Morne, but all will shift to Bambous 1 and Bambous 2.

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

### **BAIN DES DAMES - FISHING PORT PROJECT**

**(No. B/878) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to the proposed fishing port project of LHF Marine Development Ltd. at Bain des Dames, he will state where matters stand as to the implementation thereof, indicating the –

- (a) expected starting date of operation of the –
  - (i) fish processing factory, and
  - (ii) seafood market thereat, and
- (b) terms and conditions of the land lease allocated thereto.

**Mr Koonjoo:** Madam Speaker, the Luhafeng (LHF) Marine Development Ltd submitted to the Ministry of Fisheries on 30 July 2013, an application for a fishery project comprising -

- a. The construction of a modern fishing port;
- b. Cold chain logistics;
- c. Fish processing facilities; and
- d. Operation of a tuna fishing fleet of 5 to 10 purse-seiners.

The then Ministry of Fisheries issued a Letter of Intent on 01 August 2014 for the fishing fleet and the processing plant. On 14 September 2015 the Board of Investment (BOI) issued a letter of comfort to the promoter for the construction of the fishing port. One of the conditions is that the approval of the Mauritius Ports Authority (MPA) should be sought for the 4.5 hectares of land at Fort William.

In regard to parts (a) and (b) of the question, I am informed by the MPA that it has earmarked on 14 September 2015 a plot of land of the extent of 4.5 hectares at Fort William for the fishing port and other ancillary facilities.

At the request of the Promoter, the earmarked period was extended twice to enable LHF Marine Development Ltd to comply with the pre-requisite conditions of MPA's offer, including the submission of a detailed project proposal.

After a follow-up meeting held with the Promoter on 18 April 2017, LHF Marine Development Ltd has, on 24 April 2017, applied for a further extension of the earmarked period by another period of six months, so as to submit the requested information/clarifications. The earmarked period was finally extended up to 13 September 2017.

As the promoter failed to submit the requested information, the earmarked period was not extended beyond 13 September 2017, and the offer lapsed away.

Madam Speaker, on 19 April 2017, the promoter has submitted to my Ministry a request for the registration of six fishing vessels, as initially I said. My Ministry is awaiting for the survey report from the China Classification Society prior to registration of these vessels. Thank you.

**Madam Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** Thank you, Madam Speaker. Can the hon. Minister confirm to the House that the land vested to LHF, the lease has been cancelled?

**Mr Koonjoo:** I cannot say exactly whether the lease has been cancelled, but the offer has fallen down. They were not serious. They have not asked for more extension of the period. They were given four times' extension, but they never responded. Unfortunately, the delay was lapsed.

**Madam Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** Madam Speaker, Government has applied to the European Union for an exemption of 4,000 tonnes of tuna from the European Union because we do not have enough tuna in our economic zone to supply our own factories. On the other hand, we are granting now 6 fishing licences to LHF. I would like to know from the hon. Minister whether a proper assessment of our fish reserves has been conducted before granting any permit.

**Mr Koonjoo:** I think it is better to come with a substantive question, I will reply. But I can tell the hon. Member that for this 4,000 tonnes of tuna, there is derogation and, so far, I have learnt that it is on the good way. Let's hope that we will be at the derogation. But the question of tuna has decreased in the ocean, this is totally untrue.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Is the hon. Minister aware or has his attention been drawn by his senior staff that some of the Directors of the LHF Marine Development Ltd. have been and are still under the scrutiny of ICAC for corruption cases, and the Police as well?

**Mr Koonjoo:** ICAC, I have not learnt about that, Madam Speaker. I am sorry.

**Mr Bhagwan:** Will the hon. Minister enquire and inform the House accordingly?

**Mr Koonjoo:** I say it loud I will enquire, Madam Speaker.

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

**Mr A. Duval:** Madam Speaker, it is very concerning what the hon. Minister is saying. He seems to be very out of touch with the reality. He is saying that there is...

**Madam Speaker:** Do not make comments!

**Mr A. Duval:** This is a question! The hon. Minister said that the tuna population is not being depleted. It is completely untrue, Madam Speaker.

**Madam Speaker:** No. Look, hon. Adrien Duval, this has nothing to do with the main question, but I authorised the question because the hon. Minister wanted to answer!

*(Interruptions)*

Right! So, it has nothing to do with the main question. I would request you to come with a question which arises from the main question.

**Mr A. Duval:** Similarly to what hon. Jhuboo has asked, has a study been made or has the hon. Minister taken cognizance of international studies that are being made on a daily basis by all the world organisations, alerting Governments of the dire situation of fish population? In light of these studies, public information, does he not think that there needs to be a change in policy in order to protect the fish population in the Indian Ocean, especially in our economic zone?



**Madam Speaker:** No. Hon. Adrien Duval, I am really sorry, this has nothing to do with the main question. Hon. Baloomoody!

**Mr Baloomoody:** If I heard the hon. Minister clear, this project will not go ahead at Bain des Dames, but I understand that works have already started. So, may we know what will happen to that land which has been vested to the promoter where they have already started certain works, where fishermen have been banned to enter certain zones near that site?

**Mr Koonjoo:** This, I have already answered, Madam Speaker! If the hon. Member has got a new question, I am going to answer.

**Madam Speaker:** You do not have the information now!

**Mr Koonjoo:** No.

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

#### **CLEAR OCEAN HOTEL AND RESORTS LTD - LAND LEASED**

(No. B/879) **Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Housing and Lands whether, in regard to the proposed St Felix Clear Ocean Hotel Ltd. Project, he will state where matters stand as to the implementation thereof, indicating if consideration will be given for the retrieval of part of the land allocated therefor with a view to restoring part of the Pomponette beach to the public.

**The Minister of Business, Enterprise and Cooperatives (Mr S. Bholah):** Madam Speaker, in the absence of the substantive Minister, I will reply to this question.

I am informed that the Ministry of Housing and Lands has leased a plot of State land of an extent of 30Arpents 32Perches at St Félix to Clear Ocean Hotel & Resorts Limited for the setting up of a Five Star Sheraton hotel. The Lease Agreement was signed on 15 August 2017.

According to Article 3 of the Lease Agreement, the lessee has to start construction within a period of 3 months as from 07 August 2017, that is, by 06 November 2017, and complete all constructions within a period of 36 months as from the date of the signature of the Lease Agreement, that is, by 14 August 2020.

The lessee has requested for an extension of the delay till 08 January 2018 to start construction, and the request is being examined accordingly.

I am further informed that out of the 30Arpents 32Perches of State land leased to Clear Ocean Hotel & Resorts Limited, 13Arpents 96Perches is subject to an application before the Supreme Court for a judicial review. This pertains to the decision of the Ministry of Housing and Lands deploclaiming Bel Air public beach and in order to allocate same to Clear Ocean Hotel & Resorts Limited.

At this stage, it is premature to consider retrieval of the 13Arpents 96Perches leased to Clear Ocean Hotel & Resorts Limited as there is a Court case and we need to await the outcome of the judicial review.

**Mr Jhuboo:** I know the hon. Minister is not the substantive Minister, but my question was in relation to Pomponette beach, suite à la levée de boucliers des ONGs sur le statut de la plage de Pomponette, le gouvernement viendrait avec une proposition de reprendre une partie du bail afin de le remettre justement à l'État et au public.

**Mr Bholah:** What is the question then!

**Mr Jhuboo:** Whether the hon. Minister would retrieve part of Pomponette beach and give it back to the public?

**Mr Bholah:** As I said, there is a Court case. I understand, it is Mr Moonsamy Gounden & Others moved to the Supreme for an order granting applicant for a judicial review on 20 January 2017.

**Madam Speaker:** Hon. Bhagwan!

**Mr Bhagwan:** Can the hon. Minister inform us, if he has the information in his file, who are the promoters of this Clear Ocean Hotel and Resorts Ltd. project? Are they Mauritians or foreigners?

**Mr Bholah:** According to available information in the file, Clear Ocean Hotel and Resorts Ltd. is a private company incorporated in Mauritius, 29 having as shareholders; Pelangi Resorts Holding Limited with 70% shares...

*(Interruptions)*

... and incorporated in the Republic of Seychelles and Boutique Grand Surface Co. Ltd. with 30% shares and incorporated in Mauritius. The Directors are Mrs Miranda Hartzenberg, Mr François Daniel Conradie and Mr Rocky Boodhoo.

**Madam Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** Merci, Madame la présidente. Selon l'association AKNL, *Aret Kokin Nu Laplaz*, le promoteur serait en infraction de l'Article 6 du *State Land Act* qui stipule qu'un site ne peut être utilisé comme un *dumping ground* et qu'il doit être nettoyé et que cette infraction pourrait entraîner la résiliation du bail. *So, can we know from the hon. Minister whether* il y a une avancée à ce sujet?

**Mr Bholah:** I am sorry, I do not have any information in the file for the moment.

**Madam Speaker:** The Table has been advised that PQ No. B/888 has been withdrawn. Next question, hon. Jhuboo!

### **BEL OMBRE & ST. FELIX - LAND LEASES**

**(No. B/880) Mr E. Jhuboo (Third Member for Savanne & Black River)** asked the Minister of Housing and Lands whether, in regard to Bel Ombre and St. Felix, he will state if additional sites thereat have been allocated for the implementation of hotel projects since 2016, and, if so, indicate the –

- (a) names of the promoters thereof, and
- (b) terms and conditions of the land leases allocated therefor.

**The Minister of Business, Enterprise and Cooperatives (Mr S. Bholah):** Again, I will reply to this question, Madam Speaker.

Madam, as already stated in my reply to PQ B/879, a plot of State land of an extent of 30Arpents 32Perches at St Felix has been leased to Clear Ocean Hotel & Resorts Limited for the setting up of a Five Star Sheraton Hotel. Since 2016, no additional sites have been leased in this region.

I am informed, however, that the Ministry of Housing and Lands has issued Reservation letters in favour of two promoters namely –

- (i) West Coast Leisure Ltd over a plot of land of an extent of 14 Arpents at Bel Ombre for the development of a hotel resort, and
- (ii) KPMM (Mauritius) Ltd over a plot of land of an extent of 15 Arpents 86 Perches at Bel Ombre for the development of a 200-Key-Five Star Hotel Resort.

With regard to part (b) of the question, I am tabling a copy of the Lease Agreement for Clear Ocean Hotel & Resorts Limited for the 30Arpents 32Perches of land which has been leased.

**Madam Speaker:** Hon. Jhuboo!

**Mr Jhuboo:** Thank you, Madam Speaker. As the hon. Minister mentioned, the two letters of reservations had been signed for two new promoters, I would make a humble request to the Minister, to the Ministry and to the Government that, before granting a permit, a final authorisation to a hotelier, could the Government or the Ministry embark on a wide consultation exercise with all the stakeholders before granting the permit?

**Mr Bholah:** I will convey this information to the substantive Minister upon his return.

**Mr Ganoo:** In the case of these two promoters where reservation letters have been issued, can the hon. Minister inform the House whether the sites allocated to these two new promoters have been deproclaimed and were utilised as public beach before?

**Mr Bholah:** No, I do not have this answer.

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

### COMPULSORY ACQUISITION

(No. B/881) **Mr A. Ganoo (First Member for Savanne & Black River)** asked the Minister of Housing and Lands whether, in regard to the Land Acquisition Act, he will state if consideration will be given for the introduction of proposed amendments in the House thereto with a view to –

- (a) enhancing the protection of citizens against the compulsory acquisition of private properties by Government, and
- (b) ensuring fair compensations therefor and reviewing the procedures prior to the payment thereof.

**The Minister of Business, Enterprise and Cooperatives (Mr S. Bholah):** Madam Speaker, with your permission, I will reply to this question.

I am informed that, at this stage, the Ministry of Housing and Lands is not considering to bring any amendment to the Land Acquisition Act. With regard to part (a) of the question, Section 8(1) of the Land Acquisition Act stipulates that any compulsory acquisition should satisfy Section 8(1)(a) and (b) of the Constitution, relating to “Protection from deprivation of property” and this already safeguard the rights of the private land owners from whom land is being acquired.

With regard to part (b) of the question, payment of compensation is governed by Part III of the Land Acquisition Act. The quantum should be adequate as provided by

Section 8(1)(c)(i) of the Constitution. The compensation is based on the assessment of the Government Valuation Office.

Furthermore, the Land Acquisition Act has been amended in 2013 to allow the payment of the compensation as assessed by the Government Valuation Office, pending the determination of the appeal before the Board of Assessment. This measure took effect on 25 May 2013.

**Mr Ganoo:** May I ask the hon. Minister whether, in view that our Land Acquisition Act dates back to 1973 and in view of the fact that in other countries, in other jurisdictions like in Australia and UK, the law has evolved, he will consider, for example, amending the law with regard to making the Board of Assessment which is set up by our legislation more of a permanent nature; whether other amendments should be brought to the law to enable people, who are not necessarily owners, but who are employees or who are tenants, be paid a compensation and whether a disturbance allowance should not also be given...

**Madam Speaker:** Too many questions in one question, hon. Ganoo; one by one.

**Mr Ganoo:** This is my last part - a disturbance allowance should not also be given to the owners of land which has been compulsorily acquired in addition to the value of the property which has been...

**Madam Speaker:** Such a long question - your question is of excessive length.

**Mr Bholah:** I have taken note of your question.

**Mr Mohamed:** Thank you, Madam Speaker. With regard to the second part of the question which is put in by hon. Ganoo which is reviewing the procedures prior to the payment thereof, what I would like to get at here is that the time that it takes. Because an example, Madam Speaker, which the hon. Minister should be made aware of are people in the Constituency of hon. Ganoo, in La Ferme, for instance, where a lot of them have been told to leave and compensations are still not being finalised. Could he, therefore, consider advising Government, the substantive Minister that there is the need to review the speed at which matters have to be sorted out, not to cause trauma to people unnecessarily?

**Mr Bholah:** Of course, I will convey this message to the substantive Minister.

**Mr Uteem:** Can the hon. Minister also convey to the substantive Minister whether, whilst reviewing the whole system, provisions can be made that if the land is no longer

important for public use, so if the Government is not going to use this land, there is a procedure that this land can be sold back to the owners within a certain time period?

**Mr Bholah:** I do not have the answer now, but this can be considered surely.

**Mr A. Duval:** On the same issue, if the hon. Minister could convey to the substantive Minister with regard to the procedure whenever they are evaluating the property of someone. Sometimes, like in the case of the Metro Express, they take part of the house; for example, the kitchen goes, they only compensate the person for part of that house, but the value of the loss of use is much bigger and sometimes adequate amendments to the house cannot be made. Will he look into the specific cases that have happened and will he pass it on to the substantive Minister as a recommendation?

**Mr Bholah:** Okay, this is very technical, but I take note.

**Mr Ganoo:** Can the hon. Minister, I know he is not the substantive Minister, also pass on the message to the substantive Minister, the need of providing more consultation between the person whose land has been compulsorily acquired, and the authorities and the Board of Assessment, that is, there is negotiation which is not provided for in our law so that before going to the Board of assessment, the matter might be settled?

**Mr Bholah:** I'll do so.

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

#### **DRUG OFFENDERS - REMISSION ON PAROLE**

(No. B/882) **Mr A. Ganoo (First Member for Savanne & Black River)** asked the Right hon. Minister Mentor, Minister of Defence, Minister for Rodrigues whether, in regard to the prisoners convicted of drug offences, he will, for the benefit of the House, obtain from the Commissioner of Prisons, information as to if during the years 2015, 2016 and 2017, any of them has been released before the end of the respective term of sentence thereof either on parole or by way of prerogative of mercy and, if so, indicate the number thereof and details of the offences committed.

**Sir Anerood Jugnauth:** Madam Speaker, I wish to inform the hon. Member that section 51A of the Reform Institutions Act (1989) does not allow any remission on parole to drug offenders. As such, no detainee convicted for drug offences has been released on parole.

However, as regards the release of detainees convicted for drug offences by way of prerogative of mercy, I am informed by the Commissioner of Prisons that, in the years 2015,

2016, 2017, the number of detainees released were 2, 13 and 14 respectively. I am tabling the details of the offences committed by these detainees.

**Mr Ganoo:** Can I ask the Rt. hon. Minister Mentor whether, in the case of the prisoners released by way of Prerogative of Mercy, these prisoners were convicted of drug dealing offences?

**Sir Anerood Jugnauth:** All that information are in the paper I have just tabled.

**Mr Baloomoody:** Last week when I intervened on the Bill for the amendment of the Equal Opportunities Act, I made reference to the case before the Prerogative of Mercy, that application was done on 26 December 2016 and it is only last week that the pardon was granted. So, can I ask the Rt. hon. Minister Mentor to look at the staff - I understand that there is only one person full-time there - of that Prerogative of Mercy Board so that things can go quicker, because one cannot wait for 11 months to get a pardon, to get a job subsequently.

**Sir Anerood Jugnauth:** I will look into the matter.

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

**Mr Mohamed:** Madam Speaker, looking at the question and listening to the Rt. hon. Minister Mentor's answer, could he, please, tell us, whether at any stage, any prisoner going by the name of Peroomal Veeren, at some stage, had benefited from some grace, if I may call it that way, from the prerogative of mercy, in spite of the fact that, he had been convicted for a drug-related offence, because according to Press reports, of his relation with a very close friend of Government, who is counsel Raouf Gulbul, has mentioned before the Commission of Enquiry recently? Could he comment on that?

**Sir Anerood Jugnauth:** We do not come here to comment. I am not aware of it.

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

**Mr A. Duval:** Thank you, Madam Speaker. With regard to transparency and the procedure, can the Rt. hon. Minister Mentor inform the House whenever the Prerogative of Mercy Committee takes a decision to grant mercy, whether this is in some way gazetted or published? How are we supposed to know, how is the public supposed to know who is being granted?

**Sir Anerood Jugnauth:** Well, if they do not publish, I suppose the law has not provided to make them publish.

**Madam Speaker:** Last question, hon. Ganoo.

**Mr Ganoo:** I have a last question, Madam Speaker. Can I ask the Rt. hon. Minister Mentor, since he, himself, rightly so, to the law which forbids the release of a prisoner either on remission or on parole when he is convicted of a drug offence, this is the law, but should not Government think now about the possibility of not allowing prisoners who are convicted of drug trafficking and drug dealing to be released even by way of prerogative of mercy, since this is the case for remission and release on parole, please?

**Sir Anerood Jugnauth:** I, personally, fully agree with that.

**Madam Speaker:** Time is over!

## MOTION

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

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

**Sir Anerood Jugnauth rose and seconded.**

*Question put and agreed to.*

## PUBLIC BILLS

### *First Reading*

*On motion made and seconded the Bus Industry Employees Welfare Fund (Amendment) Bill (No. XVIII of 2017) was read a first time.*

(4:18 p.m.)

### *Second Reading*

## THE SMALL AND MEDIUM ENTERPRISES BILL

### (No. XV of 2017)

*Order read for resuming adjourned debate on the Second Reading of the Small and Medium Enterprises Bill (No. XV of 2017).*

*Question again proposed.*



**The Minister of Civil Service and Administrative Reforms (Mr E. Boissézon):**

Madam Speaker, at the outset, I shall congratulate the Minister of Business, Enterprise and Cooperatives for the presentation of the Bill.

First of all, I will say that during the debate, the hon. Member of the Opposition who spoke before me, once again, in his endeavour to downplay the role of Government, spoke about *obiter dictum* and observation incident to the Small and Medium Enterprises Bill rather than the objectives of the Bill.

Once again, nothing has been said about the objectives except mere mockeries about Members of Government regarding the intention of Government, words like self-proclamation etc. Not a single word of encouragement for the entrepreneurs of the *PME* who were thriving very hard to earn a living and create jobs. Not a single proposition! And it is the same orator, who during the debates on the last Budget Speech, ironically expressed his feeling about SMEDA, I quote –

“SMEDA which was supposed to be one-stop shop set by hon. Lutchmeenaraidoo, is going to be replaced by another entity called SME Mauritius. But what’s in, they are just changing name.”

Today, this same hon. Member is praising SMEDA. Clearly, he has been briefed by employees of SMEDA who fear that they will lose their jobs. He can rest assured that no stone will be left unturned to ensure that employees have a fair treatment.

My Ministry is carrying out a survey with a view to assessing what are the existing opportunities for the gainful redeployment of employees concerned to any other public sector organisation.

Madam Speaker, both orators before me have read the ten-year plan ordered by the Minister of Business, Enterprise and Cooperatives and, unfortunately, in a report of more than 200 pages, they have chosen only one paragraph regarding the incorporation of SME Mauritius. It would seem to me that both of them were not well inspired to insinuate that the main aim of the Minister to propose a private company was for the fine-tuning of the environment and the structural necessary changes for the development of the SME sector in Mauritius.

They implied that it was a mere gimmick to protect friends and avoid control by the national auditors. I understand the Minister in his endeavour to have a more efficient and

effective organisation capable of greater coherence, a one-stop shop, properly managed with good principles and best practices and cut red tape.

Presently, SMEDA is already a statutory body and has not been able to perform as expected. Before SMEDA, there was SMIDO, the National Handicraft Promotion Agency and all statutory bodies, unfortunately, which have not achieved expectations. We are speaking of trust, the hon. Member of the Opposition said somewhere that Government must trust the SME and when Government proposes a level playing field, both SMEs who are members of the private sector, the regulator and mentor speak the same language, opponent find evils everywhere.

Madam Speaker, critics about the weaknesses of SMEDA does not date since December 2014. There were so much critics that the Office of Public Sector Governance was asked to make an audit of this institution and make recommendation for more effectiveness. In their report on the Restructuring of the Small and Medium Enterprises Development Authority in June 2013 - I repeat, in June 2013 - severe critics were highlighted and I quote –

“Strategic Plan and Action Plan - the Act of 2009 provides at Section 21 that the Board once set up should prepare a year strategic plan and an action plan for the new SMEDA.”

This has never been done. SMEDA should consider this as a priority if it wants to have a real impact on the SME sector. Nothing has been done today.

The same report that SMEDA should be more performance oriented, the report stated that SMEDA should gradually decentralise its activities to its regional offices and move closer to the SME.

I am asking myself when the last annual account of SMEDA was laid on the Table of this august Assembly. In fact, Madam Speaker, in his speech, the previous Member of the Opposition said that, according to him, no account has been deposited here. I believe that a private company, fully owned by Government, will be more prompt to react to the necessary changes the SMEs have to face today.

Madame la présidente, aujourd’hui Maurice est pris dans la trappe économique des pays à revenu intermédiaire, ce qui veut dire qu’elle n’est pas compétitive contre les pays à faible revenu qui appliquent la politique de bas prix, et d’autre part, nous n’avons pas les ressources nécessaires pour financer des équipements et installation des technologies qui

nous permettraient de bénéficier de l'économie d'échelle. Aussi, nous devons revoir nos moteurs de développement dans notre entreprise de faire de Maurice un État à revenu élevé.

Un de ces moteurs du développement est la petite et moyenne entreprise. Tous les responsables publics sont unanimes à penser que les petites et moyennes entreprises et l'entrepreneuriat contribuent le plus possible à la création d'emplois, qui est aussi nécessaire pour que le gouvernement puisse poursuivre le développement économique et la création de la richesse nationale. Malgré le fait que le gouvernement et d'autres gouvernements précédents aient introduit des lois, des incitations économiques et réformes, malheureusement les PME n'arrivent pas toujours à tirer profit de ces avantages, alors que les grosses entreprises savent en utiliser à bon escient pour augmenter leur compétitivité et bien sûr leur part du marché au détriment des PME.

Aujourd'hui, nous avons plus de 125,000 petites et moyennes entreprises. Cela peut paraître positif, mais une étude minutieuse nous fait découvrir que seulement 47% de ces entreprises arrivent juste à subvenir aux besoins de leurs propriétaires. Les PME sont obliquées vers les entreprises à faible revenu et n'emploient pas beaucoup. 61% ont des revenus annuels de moins de 2 millions de roupies et emploient moins de cinq employés. 7% des PME emploient plus de 20 personnes et ont un revenu de moins de 10 millions de roupies. 1% seulement des PME emploie plus de 50 personnes.

Madame la présidente, les PME sont tournées vers le marché domestique plutôt que vers l'exportation. Les PME n'ont pas de stratégie d'expansion. Les propriétaires sont souvent des artisans qui sont à leur propre compte. Ils ont le savoir-faire technique ou artisanal ; ils ne sont pas formés, et n'ont aucune notion de la gestion. Ce manque de formation les empêche de progresser. Les statistiques indiquent que le taux de productivité dans les grandes entreprises est de 85% comparé à 50% difficilement atteint par les PME. Le manque de progression les empêche de croître, et ainsi elles ne bénéficient pas d'économie d'échelle ; les coûts fixes ayant toujours une part importante dans la computation des coûts fixes et du coût marginal. Elles éprouvent beaucoup de difficultés à recruter les plus talentueux.

D'autre part, il y a ce dysfonctionnement entre les connaissances et le savoir-faire des employés et les tâches qu'ils sont appelés à faire. Le volume de production étant moyen, un employé est appelé à faire plusieurs tâches. Ainsi, il n'arrive pas à exceller et maîtriser

complètement une tâche, d'où encore une raison du faible taux de productivité. Comme dit le proverbe : pierre qui roule n'amasse pas mousse !

Madame la présidente, je réitère mes félicitations au ministre du *Business, Enterprise and Cooperatives* qui a commandité la préparation d'un plan de 10 ans pour les PME. La préparation du plan nous a permis de voir les faiblesses de certaines institutions. Aujourd'hui, si nous voulons un changement dans la façon de créer la richesse nationale, nous devons avoir une approche innovante, hardie, une politique forte et un leadership fort. Nous avons six institutions de support aux PME, soit la *SMEDA* et *MyBiz, the National Women Entrepreneur Council, the National Institute of Cooperative Entrepreneurship, Enterprise Mauritius* et le *Board of Investment* qui ont un rôle de catalyseur et de facilitateur pour s'assurer que les PME puissent s'intégrer, s'épanouir, et créer une pérennité dans le marché local, régional et global.

Mais, hélas, certains organismes n'ont pas donné les résultats et atteint les espérances mises en eux. Le besoin d'une réforme s'est avéré nécessaire. Oui, de ce côté de la Chambre, nous accueillons la *SME Mauritius Ltd*. Cet organisme sera un centre de renseignements et de formation d'affaires commerciales de standard international, un centre d'expertise pour les PME. La *SME Mauritius Ltd* devra être un vrai *one-stop shop*, car malheureusement *MyBiz*, qui avait cette vocation, n'a fait que loger plusieurs représentants des institutions régulatrices et agents de support sans pour autant être capable de créer ce mécanisme de coordination, capable d'offrir un service en chaîne de qualité aux différents prestataires.

Quant au personnel, il faudrait avoir un recrutement judicieux. Nous savons que la *SMEDA* a un pourcentage élevé de personnel administratif au détriment du *Business Development Officers*. L'organisme devra se doter de ressources et de qualités intellectuelles nécessaires pour identifier les besoins des PME. Les experts devront travailler en étroite collaboration avec les prestataires de services, qu'ils soient publics ou privés. Il n'est pas nécessaire que la *SME Mauritius Ltd* recrute de façon permanente une cinquantaine d'experts, mais construise une base de données de contractuels qui seront disponibles pour d'éventuelles assignations.

Comme je l'ai dit précédemment, les PME se sont orientées vers le marché domestique. À ce jour, la stratégie d'*Enterprise Mauritius* a été de faciliter ces efforts pour la promotion d'organisations déjà établies et orientées vers l'exportation. Cette politique a restreint le développement et la capacité d'exploitation du secteur de la PME. *SME Mauritius*

*Ltd* devra s'appliquer à créer des supports aux PME, afin qu'elles s'orientent vers l'exportation. Les PME devront élargir leur marché, trouver des niches dans la région et sur le continent africain. Afin d'exporter, les petites et moyennes entreprises devront être formées quant à la qualité et à la diversité des produits et du service client. Nous ne devons pas seulement vendre des produits, mais notre maîtrise, notre savoir-faire et notre savoir-être. *SME Mauritius Ltd* devra créer un espace, afin de permettre aux petites et moyennes entreprises de rencontrer les acheteurs éventuels et, pourquoi pas, d'investisseurs. Le temps des expositions sur les parkings publics est fini.

Madame la présidente, à ce jour, nous savons que le *CEO* de *SME Mauritius Ltd* a été recruté et que nous avons en conseil d'administration en transition. Je souhaite que le conseil soit composé d'un bon dosage de représentants du service public et des représentants du secteur privé, après consultation avec les différentes organisations représentant ce secteur.

Madame la présidente, la *SME Mauritius Ltd.* est vouée à un succès avec la mise en place du *Master Plan* de dix ans. Le Gouvernement a mis en place une stratégie engendrant une philosophie qui peut se résumer à développer un écosystème où les PME seront habilitées à opérer efficacement dans un environnement libre, propice au développement et à l'épanouissement commercial, d'une réorientation stratégique, de se départir du soutien des PME par le secteur public vers un secteur privé à la demande du secteur privé ; libérer des ressources pour mieux supporter l'émergence d'une nouvelle génération de PME tournée vers la croissance élevée et orientée vers l'exportation.

Je tiens à remercier toutes les petites et moyennes entreprises qui ont travaillé dans ce pays depuis plus de cinquante ans, et pour terminer, je citerai un extrait d'un journal. Il s'agit du *Chief Executive of the Association of Mauritian Manufacturers*, et je cite –

« (...) *SME Mauritius* ne devra pas être gérée de manière «pyramidale», mais plutôt fonctionner comme une «plateforme fédératrice» pour faire émerger des entrepreneurs qui seront capables d'incarner le changement tant attendu du secteur.

L'innovation que l'on attend au sein de *SME Mauritius* devra commencer par la culture de l'entreprise, les valeurs, les modes de *management* au service d'une stratégie cohérente et durable, (...) la nouvelle organisation devra être dotée d'une équipe composée de meilleurs professionnels (...) »

Et la *SME Mauritius* sait répondre à la demande de l'Association of *Mauritian Manufacturers*.

Je souhaite longue vie à *SME Mauritius*.

Merci.

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

*At 4.37 p.m., the sitting was suspended.*

*On resuming at 5.16 p.m. with the Deputy Speaker in the Chair.*

**The Deputy Speaker:** Hon. Jhuboo!

**Mr E. Jhuboo (Third Member for Savanne & Black River):** Thank you, Mr Deputy Speaker, Sir, for giving me the opportunity to intervene on the Small and Medium Enterprises Bill.

M. le président, je ne souhaite pas m'engager dans de la critique stérile, basique, primaire ; critiquer pour juste critiquer n'a jamais été mon fort et je ne pense pas non plus souffrir du syndrome tant décrié par le ministre Sinatambou du '*narien pas bon*.'

Cependant, après avoir lu, relu et re-relu ce texte de loi, je vais vous faire une confidence, M. le président. J'ai peine à trouver, j'ai du mal à comprendre en quoi *this piece of legislation is business-friendly, modern and that this Bill is an appropriate Legislative Framework for the Small and Medium Enterprises Sector*.

Pour commencer, ce qui est choquant c'est la chose suivante: cette autorité qu'est la SMEDA va désormais être privatisée. Elle va désormais passer sous l'égide d'une compagnie privée avec pour résultat que nous, parlementaires de cette Chambre, ne pourront exercer ce pour quoi nous avons été mandatés. Nous avons été mandatés pour s'assurer du bon fonctionnement de nos institutions ; nous avons été mandaté pour poser des questions sur la performance de cette compagnie en devenir ; nous avons été mandatés pour poser des questions sur l'état de ses finances ; nous avons été mandatés pour poser des questions sur sa politique de recrutement ; nous avons été mandatés pour poser des questions sur sa stratégie. Et avec cette nouvelle structure donnée à la SME Ltd, nous serons amputés, nous serons privés de ce droit.

Et la réponse qui nous sera donnée est la suivante, car elle est connue d'avance :

*“State-owned Companies like other companies are governed by Companies Act and by their own Memorandum of Understanding and Association. Consequently, they already have their own framework of accountability.”*

M. le président, nous ne pourrions donc nous assurer que cette compagnie soit redevable pour chaque roupie dépensée par le contribuable mauricien. M. le président, cela a été dit et archi dit. Déjà avec un arsenal comme le *National Audit Office*, the *Public Accounts Committee*, le Ministère de la Bonne Gouvernance, l'Ombudsman, le Parlement, nous n'arrivons pas à endiguer cette culture de gaspillage, cette culture d'impunité qui se répète d'année en année, et cela malgré la surveillance de toutes ces institutions.

A une réponse d'un parlementaire, le Premier ministre d'alors, l'actuel *Mentor Minister* répondait de la chose suivante. Je vais vous lire la question de ce parlementaire -

*“Whether in regard to the directly or indirectly State-owned companies, he will state if Government proposes to amend the Legislation to allow Parliamentary oversight thereof, including through Parliamentary Questions and the examinations of the audit reports thereof by the PAC Committee with a view to ensuring the good governance, transparency and control thereof.”*

Et quelle était la réponse du Premier ministre d'alors? Je cite –

*“Should any governance issues arise in any State-owned company, the matter may be referred for appropriate enquiry to the Ministry of Financial Services, Good Governance and Institutional Reforms.”*

Et le Premier ministre rajoute –

*“I would like to add that the Ministry of Financial Services, Good Governance and Institutional Reforms, which has the responsibility for good governance portfolio is already working on a methodology to look into the recommendations of the National Audit Office.”*

*M. le président*, as at today, as we speak, not a single meeting was held between the Ministry of Good Governance and the National Audit Office to, at least, assess of a roadmap of the way forward. *Rien du tout!*

Mr Deputy Speaker, Sir, we are talking about public funds. Would not you agree that this House has the right to know how public funds are being used, how public funds are being invested, making those companies answerable to Parliament? We are asked today to vote for the creation of another private company which will be funded by taxpayers' money over which we will have no control whatsoever.

M. le président, c'est une erreur. Faire des erreurs a des conséquences graves, mais le plus grave c'est de répéter les mêmes erreurs. Et nous répétons aujourd'hui les mêmes erreurs avec ce projet de loi ! Je suis, donc, fondamentalement contre la proposition de privatiser cette institution qu'est la SMEDA.

Au-delà des barrières administratives, du manque d'accompagnement, - je reviendrai là-dessus - du problème d'accès au capital, il faut se poser les bonnes questions et réaliser que le problème est systémique. Il est inhérent et ancré dans le système. On l'a bien vu pas plus tard que quelques semaines de cela, avec la réponse d'un honorable membre du gouvernement, le ministre d'alors, le Premier ministre venait annoncer la chose suivante, qui est un exemple quand même très révélateur sur le rôle joué par la *DBM*. La *DBM* a déboursé, en 2015, R 78 millions et, en 2016, R 21 millions. C'est une banque dont le but est supposément d'oxygéner en cash les petites et moyennes entreprises, d'être le poumon des *SMEs*.

A une autre interpellation, qu'est-ce qu'on voit ? MyBiz : R 1.3 milliards de projets proposés. Juste R 270 millions déboursées pour diverses raisons ! Donc, il y a là un problème fondamental. Le secteur lui-même est en panne, M. le président. Avec ce projet de loi, qu'est-ce qu'on voit ? La *SME Mauritius Ltd* devient le *Board of Investment* des petites et moyennes entreprises, ce qui n'est pas une mauvaise chose en soi. Mais cela est voué à avoir des résultats mitigés et diffus.

Ce qu'il faudrait, c'est greffer cette institution sur le *EDB (Economic Development Board)* et avoir là-bas un comptoir dédié aux PME. Pourquoi au *EDB* ? Pour la simple et bonne raison que le *Board of Investment* d'aujourd'hui, qui est appelé à devenir le *EDB* de demain, a acquis, au fil des années, une compétence, une réelle expertise. Elle est gérée par des professionnels qui ont fait la synthèse de ceux que ce pays a besoin. C'est une institution qui perdure indépendamment des gouvernants et c'est à mon avis là-bas que doit être piloté le comptoir des PME et non pas ce qui est en train d'être fait.



L'honorable Rughoobur, entrepreneur qu'il est, l'a aussi bien remarqué et il a bien identifié le problème et il se résume aux femmes et aux hommes qui dirigent nos institutions. Nous ne faisons pas appel aux meilleurs d'entre nous et cela à tous les niveaux. Et ce qui est encore plus grave, M. le président, c'est que ce projet de privatisation va à l'encontre du *10 years Master Plan* des SMEs, commandité par l'Etat lui-même.

Je voudrais quand-même finir sur quelques notes positives à défaut de juste critiquer, de venir proposer quelques idées. M. le président, une législation est une charpente sur laquelle repose un édifice. Mais l'élément le plus important de cet édifice reste et demeure la fondation sur laquelle cette dernière repose. Alors quel est cet élément essentiel ? Quel est cet élément fondateur des PME, du secteur des petites and moyennes entreprises ? Cet élément est l'entrepreneuriat, plus spécifiquement la culture de l'entrepreneuriat. Maurice Nation d'Entrepreneurs, ce projet avait été annoncé par le grand argentier il y a quelques années de cela. Qu'en est-il ? Ou en sommes-nous ? Pour créer, M. le président, une nation d'entrepreneurs, il faut des valeurs d'entrepreneurs. Et pour avoir ces valeurs d'entrepreneurs, il y a deux choses : ces valeurs, soit elles se transmettent, soit elles s'apprennent. Et si nous voulons que ces valeurs soient apprises, il faut de la pédagogie et donc cela commence à l'école.

Regardons ces valeurs que nous mauriciens transmettons à nos enfants. Pour la plupart, le symbole de la réussite c'est devenir médecin, devenir avocat ou devenir haut fonctionnaire. Depuis la plus tendre enfance, on vous oriente dans une direction et cela est désormais une culture chez nous. C'est quelque chose qui est ancré. Il faut briser cela, casser les clichés. N'importe qui dans ce pays peut entreprendre.

M. le président, quatre facteurs distinguent l'esprit d'entreprise –

- (i) avoir des prédispositions, des capacités et des connaissances pour se lancer en affaires ;
- (ii) avoir un esprit innovant ;
- (iii) être en présence de modèles entrepreneuriaux, et
- (iv) savoir contenir sa peur de l'échec, se libérer de ce frein en particulier.

On oublie souvent que les premières sociétés créées par Bill Gates, Steve Jobs ou encore Richard Benson ont fait faillite à leur début. Mettons la question de la culture entrepreneuriale.

M. le président, la France s'est lancée dans un plan national pour l'entrepreneuriat et pour l'innovation. Elle s'est embarquée dans ce grand défi qu'est celui de distiller ses valeurs et de créer une nation d'entrepreneurs et cela commence à l'école. En effet, un appel à projet a été lancé le 22 décembre 2014 qui vise à développer une culture de l'innovation et de l'entrepreneuriat auprès des jeunes de tous niveaux scolaires. Son objectif augmentait significativement la part de chaque classe d'élèves sensibilisés à l'esprit d'entreprendre et à d'innover. Cette démarche est proposée aux enfants scolarisés dès le premier degré, aux élèves de la sixième à la terminale, aux jeunes en formation dans le cursus scolaire ou universitaire.

M. le président, on veut un secteur des PME florissant. On veut une nation d'entrepreneurs. Il faut commencer par les fondations, c'est-à-dire, imbiber chez chaque jeune mauricien la culture d'entreprendre dès le plus jeune âge et cela est absent dans ce projet de loi.

Par ailleurs, pour créer une nation d'entrepreneurs, il faut comprendre, analyser, cibler et accompagner. Il faut accompagner sur la stratégie digitale. Il faut des mesures d'accompagnements à l'export pour les PME. Il faut du conseil en *branding*, en *merchandising*, en *packaging*, en *web designing*, et j'en passe, mais le plus important, M. le président, c'est de comprendre le secteur. Quels sont les jeunes qui entreprennent dans notre pays? Ce sont plus les hommes. Ce sont plus les femmes. Quelle est la tranche d'âge d'entrepreneurs mauriciens? L'entrepreneur mauricien habite-t-il en ville ou en campagne? Dans quel secteur l'entrepreneur mauricien investit-il? Quels sont les freins? Y a-t-il les endroits ou des régions où certaines personnes entreprennent plus que d'autres? Il faut une analyse en détail du secteur des PME, pas seulement une analyse financière ou administrative ou une vision parcellaire, mais il faut une vision d'ensemble.

Un exemple révélateur pour illustrer mes propos d'où ma réflexion, mon analyse de l'esprit d'entreprendre en relation avec la zone géographique, le lieu, l'endroit, son histoire et son évolution. Deux villages de ma circonscription, Le Morne et La Gaulette, dans un secteur bien spécifique, le tourisme informel, l'allocation de chambres, de maisons chez l'habitant qui a connu un développement sans précédent dans la région. Deux villages côtiers avec un

avantage au Morne plus authentique, plus retiré avec de plus belles plages, une industrie, le *kite surfing* à vos pieds. Pourtant la quasi-totalité des touristes louent à La Gaulette ces maisons, ces chambres, ces voitures et vont au restaurant. Pourquoi? Qu'est-ce qui explique cela? Une des raisons - plusieurs générations d'habitants de La Gaulette ont eu des frottements avec l'industrie touristique en tant que manager, réceptionniste, serveur, cuisinier, *beach hawk* dans nos grands hôtels du littoral ouest. Quelques-uns avec un soutien financier de l'audace ont pris le risque d'investir dans ce secteur qui est aujourd'hui l'industrie la plus florissante de ce village.

Ce modèle, M. le président, peut être facilement répliqué au Morne, mais il faut accompagner ces personnes qui souhaitent se lancer pas seulement dans leur montage financier, mais aussi dans leur choix architectural de leur bâtiment, dans le choix de leur mobilier, dans le *design* de leur *web site*, de leur présence dans les grands salons touristiques, en bref des mesures ciblées qui auront un impact direct.

M. le président, si ce modèle marche à La Gaulette, imaginez une seule seconde, ce modèle se répliquait dans tous les villages côtiers de notre île et l'impact sur la création d'emploi sera phénoménal. C'est pourquoi il nous faut revoir complètement notre approche à l'entrepreneuriat et c'est ce que j'appelle les mesures d'accompagnements. Et là c'est un seul secteur. Imaginez-vous maintenant le secteur de l'habillement, de la confection, de l'artisanat, de l'agroalimentaire. Si nous savons accompagner, nous réussirons ce pari ambitieux de transformer ce pays. Au-delà des barrières administratives, du manque d'accompagnement, du problème de l'accès au capital, la culture entrepreneuriale ne peut être étudiée sans référence à la pédagogie qui la permet de se développer. L'enseignement de l'entrepreneuriat est différent de celui du *management* et il faut commencer par le commencement. Une once d'action vaut mieux qu'une tonne de théorie. Ce projet de loi est rempli de théories et très peu d'action. C'est dommage!

Merci de votre attention.

**The Deputy Speaker:** Hon. Mrs Selvon!

(5.29 p.m.)

**Mrs D. Selvon (Second Member for GRNW & Port Louis West):** Merci de m'accorder la parole, M. le président.

M. le président, c'est le gouvernement qui doit prendre des petits et moyens entrepreneurs et non l'inverse et c'est ce que j'expliquerai plus loin dans mon discours.

J'interviens sur ce projet de loi en tant que parlementaire qui a proposé à cette auguste Assemblée l'année dernière durant les débats sur le budget, un projet de société pour le plein emploi basé sur le développement du secteur de micro, petites et moyennes entreprises. Cela alors que le gouvernement se concentrait sur des projets pharaoniques comme les *Smart Cities* qu'il a dû abandonner avec le changement de Premier ministre. L'ex-ministre de l'Environnement, l'honorable Raj Dayal et son équipe, avait proposé des PME, des pêcheurs, des planteurs et d'artisans pour produire des plantes médicinales, des sacs pour remplacer 300 millions de sacs en plastique, des fruits de mer comme les bécotiers et les huîtres, mais on n'en parle plus. Mon projet de société qui peut donner son sens véritable au projet de loi qui est devant nous, s'appuie en fait sur les PME d'avenir dans l'acro business, le bio et l'énergie verte, y compris la culture de plantes à fibres, par exemple, la ramie, qui donne jusqu'à trois récoltes par an.

Entre-temps, il y a eu l'initiative de l'honorable ministre du Business, des Entreprises et des Coopératives, de commanditer un projet de réforme sur 10 ans pour les PME et les micro-entreprises.

Mon projet était basé essentiellement sur les PME comme alternative au projet pharaonique, aujourd'hui défunt, je pense qu'on peut atteindre le plein emploi en espace d'environ 36 à 50 mois et je l'avais décrit en grand détail dans mon intervention sur le budget de l'honorable Pravind Jugnauth.

Je dis donc oui à des changements législatifs pour créer un cadre propice pour donner un nouvel essor aux PME et aux micro-entreprises. Mais derrière ce projet de loi, il n'y a rien de concret. Ce projet de loi ne suffit pas largement. Outre une loi sur les PME, il faudrait une loi bien élaborée où la production bio est une infrastructure importante pour la certification bio aux meilleures normes internationales dans l'agroalimentaire et la création de laboratoires bien équipés pour une telle certification.

Le projet bio est une des nombreuses promesses non tenues par le gouvernement qui est toujours en attente de, je ne sais quoi, de la part des ministères concernés et c'est un gouvernement qui n'a que 24 mois de sursis. Je dis bien 24 mois de sursis.

Notre mission avec le projet de loi sur les PME est de créer le cadre pour que Maurice échappe à une situation bloquée qui ne nous permet pas actuellement de sortir du piège des pays classés comme les *middle-income countries* par la Banque Mondiale. C'est ce que rappelle d'ailleurs à la page 52, le rapport intitulé le « *10-Year Master Plan for the SME Sector in Mauritius* ».

Ce *Master Plan* relève que Maurice a privilégié dans les années 2010 des projets pharaoniques ainsi étant donné l'espace économique limité dans une petite île et la récession globale de 2008 alors que le secteur clé comme le textile et celui de l'hospitalité reculaient, les occasions de nouveaux investissements sont devenues rares. Je cite le rapport ici, M. le président -

“This situation forced the emergence of two alarming trends, namely –

- (i) at the lower end, there has been a growing number of survival own-account workers and people in low paid jobs who are facing social disenfranchisement, and
- (ii) the middle class is trapped in a state of stagnation with little career prospects for the subsequent generations of post-independence youth, whether in entrepreneurial endeavor or in the private sector.

Ce rapport nous recommande que Maurice se donne les moyens d'un changement ambitieux de 2016 à 2026, il propose, je cite ici la page 2 du rapport –

- (i) raising SMEs' contribution to GDP from 40% to 52%;
- (ii) raising SMEs' share of total national employment from 55% to 64%, and
- (iii) increasing current exports from less than 3% to about 18%.

M. le président, le rapport ne le dit pas mais les PME ont toujours existé à Maurice depuis l'époque hollandaise jusqu'aujourd'hui. Même lorsqu'elle était esclave ou coulis, nouvellement libérée, cette population produisait une grande abondance de produits. Des esclaves malgaches libérés plantaient au XIXe siècle le riz sur les flancs de Trou aux Cerfs à Curepipe et ailleurs ; se spécialisaient dans l'élevage, l'artisanat, la pêche. Des engagés libérés de leur côté devenus eux aussi d'excellents petits cultivateurs et éleveurs ce qui fit que le marché de Port-Louis, M. Le président, et les marchés dans d'autres régions furent

littéralement inondés de leur produits alimentaires et Maurice était autosuffisante dans certains secteurs grâce, je dis bien grâce, à ces PME.

Aujourd'hui les petits cultivateurs reculent, le pays n'est plus autosuffisant alors que de petits planteurs abandonnent des dizaines, je dis bien des dizaines de milliers d'arpents de plantations de canne à sucre. M. le président, mon projet est fondé sur des PME opérant dans des domaines de la production d'électricité solaire et de la production agro-industrielle; le tout soutenu par l'informatique et autres récentes technologies. J'ai proposé que nous nous inspirons aussi du projet rural de smart Eco Villages mis au point par l'union européenne et du projet des villages thermaux solaires Gemma Solare existant depuis 2011 en Espagne.

Aujourd'hui, les petits producteurs incluent une grande variété d'entreprises de services et de produits dans le domaine de l'informatique, la création de sites web au niveau des technologies avancées ; tout cela en sus de milliers d'artisans, de pêcheurs artisanaux, de marchands de quatre saisons, et la petite et moyenne alimentation. C'est un vaste secteur employant plus de la moitié de la main-d'œuvre nationale. La loi qui est devant nous et comme l'ont dit l'honorable membre du MMM, l'honorable Reza Uteem et aussi un député du gouvernement mon collègue Sudesh Rughoobur, ne reflète pas ce que propose le plan de 10 ans pour relancer les PME.

Le projet de loi comporte des lacunes dont le principal est qu'alors que le plan de 10 ans propose la création d'un SME Mauritius comme une *parastatal body* à la page 127 du rapport, le projet de loi propose SME Mauritius comme une compagnie privée ; une compagnie privée sans aucune transparence publique. Le directeur a été nommé même avant le vote de la loi. Je rappelle au ministre que le rapport propose –

“a board constituted equally of private and public sectors' representatives and has a clear mandate to provide targeted and differentiated support to SMEs. It should have sufficient resources to focus on its core objective, be a real and effective one-stop-shop and be professionally managed in line with good governance principles and best practices.”

Toutefois l'honorable Ministre vient avec des intentions à première vue bonne, si c'est pour encourager les PME à se faire enregistrer et à avoir un accès plus facile à une assistance dans leurs activités. Le projet de loi contient des articles qui m'ont paru étonnants. Tout d'abord l'honorable Ministre se donne un pouvoir quasi judiciaire de juger des appels sous l'Article 10 contre les décisions prises par un de ses propres fonctionnaires lorsqu'elles seront contestées.

Ainsi le Ministre, pour être traîné devant le judiciaire par un appel contre son jugement sur l'appel qui lui est été fait. Par respect pour le judiciaire et pour le principe de la séparation des pouvoirs, ce pouvoir d'être juge et partie à la fois dans des décisions de son propre ministère est inutile. Le Registrar des PME n'est autre qu'un de ses officiers selon l'Article 3 qui dit qu'il sera une personne qui sera, je cite –

« ...within the Ministry ».

Que le ministre peut donc hire and fire. Il faudrait que les offenses punies par une amende de R.60,000 plus une peine d'emprisonnement allant jusqu'à 2 ans soient mieux définies. La loi parle d'amende *and imprisonment* et non pas d'amende *or imprisonment*. Quels types d'offenses, M. le Ministre seront punies aussi sévèrement avec amende plus prison. Le projet de loi n'est pas clair et précis à ce sujet. Maintenant j'en viens à l'accueil qu'a reçu ce projet de loi dans les milieux spécialisés des PME. Dans l'Express du 23 novembre 2017, on peut relever les critiques suivantes par ces spécialistes.

Le *Chief Executive* de l'Association of Mauritian Manufacturers qui comprend de nombreux PME, Madame Catherine Gris, explique que SME Mauritius est le bienvenu mais ne devrait pas être gérée de manière pyramidale mais comme une plate-forme fédératrice pour rendre possible le changement qui est attendu. Elle ajoute ceci, je cite –

«la nouvelle organisation devra être dotée d'une équipe composée de meilleurs professionnels «qui ont déjà fait leurs preuves en entreprises et qui auront les coudées franches pour tester de nouvelles méthodes et des approches disruptives».

Le ministre a fait le contraire comme l'a dit l'honorable Rughoobur. De son côté, Jessen Marden, président de l'association régionale synergie regroupant des entrepreneurs de l'océan Indien, est très sceptique du fait qu'on garde en place l'équipe de SMEDA pour, dit-il, un changement de vitrine seulement. Le président de la fédération des PME, Amar Deerpalsing, est pour sa part catégorique - la façon dont SME Mauritius a été créée est un non-sens. Avec un statut de compagnie, un *board* composé uniquement de hauts cadres du gouvernement contrairement ce que préconise le plan directeur pour les PME et un CEO qui n'a pas encore d'équipe, il est d'avis que la nouvelle organisation est partie du pied gauche et ne pourra nullement apporter une quelconque relance au secteur.

Mr Deputy Speaker, Sir, the Bill, at Section 16(3), clearly provides that every employee of SMEDA can opt to be transferred to SME Mauritius.

The law is clear. The employee has the choice. It is his decision. Unfortunately, I have been informed that there is a breakdown in communication between the staff and the Ministry. I

am informed that a few days ago, Mr Bizlall, the representative of the employees of SMEDA, had to effect a walk-out at a meeting with the Ministry of SME because of the attitude of the Ministry of SME.

I have further been informed that yesterday the representatives of the Ministry of SME have held a meeting with the staff of SMEDA. During that meeting, the representatives told the staff that SME Mauritius will pick and choose which employee will be transferred from SMEDA to SME Enterprise after interview. It is clearly against the provisions of this Bill. This is causing distress on staff, Mr Deputy Speaker, Sir. Therefore, I urge the hon. Minister to take a solemn commitment to this House that no pressure will be exercised on staff of the SMEDA, and whoever harped to go to SME Mauritius, should be employed by SME Mauritius Ltd as provided in this Bill.

Pour conclure, je reviens à une suggestion que j'ai faite plusieurs fois dans mes discours au Parlement, M. le président, à savoir que nous devons aller vers une plus grande intégration de l'économie informelle à l'économie nationale. Dans ce contexte, l'honorable ministre a raison d'essayer d'obtenir l'enregistrement des micro-entreprises parfois dirigées par des personnes qui n'ont pas été à l'école. Mais on ne pourra pas se rapprocher de cet objectif s'il y a des articles dans la loi qui imposeront une bureaucratie excessive à ces micro-entrepreneurs dans des secteurs comme les *dholl puris* ou les gâteaux piments.

En vérité, comme je l'ai souvent souligné, il y a des dizaines de milliers de *self-employed* et autres petits entrepreneurs que le gouvernement et le bureau des statistiques ne connaisse pas. Ce sont autant d'emplois qui ne sont pas comptabilisés dans le cadre de nos efforts contre le chômage. Le secteur des PME et des micro-entreprises est le plus gros employeur de main-d'œuvre du pays avec 55 % de la main-d'œuvre nationale. Il faudrait donc une approche qui encouragerait ce secteur au lieu d'introduire une bureaucratie lourde, excessive pour les toutes petites micro-entreprises des *self-employed* qui les inciteraient à rester invisibles officiellement. Je conseille donc à l'honorable ministre de revoir sa copie et d'y apporter des retouches nécessaires.

Pour terminer, je conseille à l'honorable ministre de s'inspirer du génie mauricien en matière d'innovation en rendant hommage et en prenant exemple sur des entrepreneurs que je vais mentionner ici en matière d'agro-industrie, notamment Gérard et Josiane Cangy qui ont introduit avec succès la culture de cacao à Maurice en 2002, et de Vinay Kanhye qui, depuis 2014, est devenu une référence internationale dans la culture et d'exportation de la brède



mouroum ou moringa, des plantes qui font fureur dans le domaine de la santé et de l'alimentation à travers la planète.

Comme je l'ai dit au début, c'est le gouvernement qui doit apprendre des petits entrepreneurs et non l'inverse. Ce sont eux qui représentent l'avenir, pas un gouvernement qui ne peut pas tenir ses promesses. Pour cela, il doit que les ministres écoutent attentivement ces personnes.

Merci, M. le président. Je remercie la Chambre de m'avoir écouté.

**The Deputy Speaker:** Hon. Fowdar!

(5.48 p.m.)

**Mr S. Fowdar (Third Member for Grand'Baie & Poudre d'Or):** Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, we can see hon. Members of this House and even outside the House are all concerned with the issue of SME. I think we all want the SME to grow and we all want the SME to contribute to the GDP and to the creation of jobs. I fully understand the concern of hon. Members and also the stakeholders outside and I do conquer with their concern with regard to the growth of SME.

Mr Deputy Speaker, Sir, I will give some facts, 95% of enterprises across the world are SMEs, and on average 60% to 70% of jobs are created by SMEs. Around 52% of GDP contribution comes from SMEs on average. Near to us, Mr Deputy Speaker, Sir, in South Africa, the SME contributes from 52% to 57% to the GDP. In Ghana, 92% of businesses are SMEs, and they contribute to 70% to the Ghanaian GDP. But here in Mauritius, we are still at 40% of contribution to the GDP, and only 3% of our exports are from the SMEs. Yes, we can definitely do better, and this is why we are here to discuss this SME Bill.

Mr Deputy Speaker, Sir, definitely we reckon that there is a problem. I think this is why the Government is bringing a Bill. This is why they have gone for a study, the 10-year plan. They want to sort out the issue of SME. But right from the beginning, the Government announced a budget of Rs2 billion to be allocated yearly to the SME sector, that is, a budget of Rs10 billion over a period of five years. That was a very ambitious move, but it did not realise. There should be many reasons for that. But we don't have more reasons to waste time, and we need to act quickly. Three years are gone, after three years we are bringing a Bill, we want to revamp and we want to revisit the SME. Let us do it, Mr Deputy Speaker,

Sir! But why is the SME stagnating? Why are they not growing? Is it the fault of the Government? Is it the fault of the environment? Is it the fault of the laws? Is it the fault of the SMEDA? Why the SMEs are stagnating?

We all know that the SMEs face major problems and one of them is financing. Finance is a major hurdle for SMEs to move ahead. Now, there is a paradox here. The banks are not willing to give loans to SMEs and the main reason is because they do not have collateral security or they have insufficient collateral security and in cases where the loans are granted, they have to pay a very high rate of interest because it involves high-risk. But then, SME becomes unattractive and nobody wants to start SME because it is costly and risky.

In many countries, Mr Deputy Speaker, Sir, Government is helping the SMEs financially directly and Government is intervening in many other ways to support the SMEs. In some countries, Governments are putting in place mandatory schemes for banks or interest rate subsidies to support the SMEs. Mr Deputy Speaker, Sir, Philippines, Bangladesh and India are few examples. In India, they recently announced that the banks are required to observe a credit ratio of 7.5% of their total credit to the SME sector, thus forcing the banks in some way to lend to the SMEs. But then, Mr Deputy Speaker, Sir, finance is not the only hurdle for the SMEs. The second biggest hurdle, and we all know about this in this country, is the regulatory burden, the administrative burden that SMEs or the entrepreneurs face in Mauritius and also elsewhere. This remains a major obstacle.

Although Mauritius has gained substantial merits on the Ease of Doing Business, yet our SME sector is struggling. Entrepreneurs keep complaining about the excessive time taken to process their files where too many documents, too many information are needed before things are sorted out. A lot of hurdles, Mr Deputy Speaker, Sir!

The institutions involved have been severely blamed in the past and they are even blamed today. There is too much bureaucracy. The *main actors* involved are the SMEDA and the Ministry itself. The main problem remains the SMEDA, Mr Deputy Speaker, Sir, and we all agree about this. SMEDA has done its time under stringent rules and lengthy procedures and cannot help the SME anymore. They cannot be regulator and facilitator at the same time. Now, they are regulator and facilitator. I am happy that the Bill differentiates between regulatory function and the facilitation function.

Moreover, I believe that the SMEDA has been a dumping ground. This is true; I will prove it to you, Mr Deputy Speaker, Sir. The SMEDA has been a dumping ground for politicians in the past. Mr Deputy Speaker, Sir, out of 104 employees in SMEDA, only 35% are technicians, 65% of their employees are manual workers. Now, you tell me, Mr Deputy Speaker Sir, this is an advisory body: how can more people be employed as manual workers than technical staff? Why so many manual workers are working in an advisory body? How come the manual workers have been recruited in SMEDA? Yet, it is a parastatal body and they are governed by rules. Therefore, it is obvious, Mr Deputy Speaker, Sir, that this cannot continue anymore. A new framework is needed to tackle the issue of SME. I do not know whether their new framework will work. I cannot vouch it, but a new framework has to be put in place, Mr Deputy Speaker, Sir.

Now, having listened carefully to the Members of the Opposition, Members on this side of the House and also to the stakeholders, what is the main point of contention today with this Bill? It is only one thing, Mr Deputy Speaker, Sir. That it is going to be a private institution. This is the main point of contention. Everybody is saying why SMEDA, which it is parastatal body, is being replaced by a private institution. The other thing which I read below the lines - and it has been said also - is accountability. Their main worry is accountability. I do share my worries for accountability. Of course, it is true! But what do we do, Mr Deputy Speaker, Sir? How far SMEDA, as a parastatal body, has been accountable? How many reports against SMEDA have been issued by the National Audit Office? How many reports have been discussed in the Public Accounts Committee about the SMEDA? I do not think there has been any report. Why? Although there is 65% of the staff, they are manual workers in a technically advisory institution.

If a parastatal body gives us so much confidence, Mr Deputy Speaker, Sir, then how come so many private companies operating now, which have been privatised, which were Government institutions, are doing so well, but still SMEDA is struggling? If SMEDA has been successful, why do the entrepreneurs keep complaining about the bureaucracy, the lengthy time taken to process the file? Where is the efficiency expected from that parastatal body?

Mr Deputy Speaker, Sir, it is not a lie; it is a truth. We had, in the past, the now Mauritius Housing Company, the SICOM, which were parastatal bodies, and they were privatised. What are they doing today? They are excellent companies, they are top 100

companies; they are doing so well! And what more, their services are excellent. The two Government-owned companies, Mr Deputy Speaker, Sir, are on top. Their financial position is envious. All companies want to be in their position.

I had the privilege to work; I was an employee of the Mauritius Housing Company, Mr Deputy Speaker, Sir. I know, in the past, an application for loan would take six months or could be a year to be processed and to be approved. Today, Mauritius Housing is a private company and it takes only a couple of days to process files and to approve loans. This can be verified, Mr Deputy Speaker, Sir, I am not telling a lie. So, why so much hatred for private companies? Why are we so against a private company? Why don't we give it a chance? Let us give it a try!

Mr Deputy Speaker, Sir, the other concern of the Opposition, which I want to raise, is the National Audit, and that was raised by my good friend, hon. Reza Uteem. The concern is the National Audit is not going to audit the accounts of the new company, that is, new enterprise or whatever they call it. But the fact is: who audits the accounts? They are professional accountants. Be they in the private sector or in the public sector, they are governed by professional ethics, Mr Deputy Speaker, Sir. They have got a code of good practice to be observed. I am sure my good friend, hon. Uteem, is also under the purview of code of good practice for barristers. So, am I, Mr Deputy Speaker, Sir. As an account, I need to follow the code of good practice. So, why are we discriminating? We are differentiating between accountants in the private sector and accountants in the public sector. I think they are all qualified accountants and they have gone to the same school, Mr Deputy Speaker, Sir. I have no doubts that the private auditors who are auditing the private companies these days, they are not to be blamed! One thing we need to point out here, Mr Deputy Speaker, Sir, the National Audit, they are freelancers, they work for themselves, they have got no audit to be done on them, whereas the private auditors are subject to so many checks and balances. So, I would go for private auditors. They are more professional and they are equally responsible as the National Audit.

Mr Deputy Speaker, Sir, the audit is not an issue. Being a private company is not an issue. I do not know what is the issue, why we do not want to give it a try. I have been very rude to the Minister in the past. I was myself against the way things have been handled in the Ministry. We were all unhappy. But why are we still unhappy when things are moving, when

there are certain positive moves? They have gone through the 10-year plan and now they are bringing a Bill in order to put order into the SME.

Mr Deputy Speaker, Sir, I love my country and I want my country to grow. I know the SME is a major contributor to the GDP and to the creation of jobs. I trust the Ministry; I trust the Minister and the staff that this organisation will be most transparent. There cannot be the issue of opacity there; it has to be transparent. There would be checks and balances - the issue of procurement.

What is happening to procurement in DBM? What is happening to procurement in MHC and to the other Government-owned institutions? Are they not carrying on? There is no problem, Mr Deputy Speaker, Sir! Believe me, these days - people cannot still anymore - there are too many watchdogs, people watch everybody. Even in this House, they know. Last week, I was telling one of the Ministers here, 'Beware and be careful, everybody is watching you. Don't ever think or dare to touch a penny because you will be caught.' So, what the fuss about procurement in one new private company?

Mr Deputy Speaker, Sir, I think the SME sector needs new blood. They need new blood, new mindset, Mr Deputy Speaker, Sir. If what has not worked in the past, do not insist, do not persist. Let's change it, and let's go for new mindset, new blood, Mr Deputy Speaker, Sir. Let this sector be re-invented. They need to bring research, innovation. Let it work, bring new people. Let's do away with this mindset of nine to four, let's bring people with good qualifications with motivation, people who are going to work for the sector, not those who are looking after their job, those who are ensuring whether they will redeployed.

I fully agree the Minister has promised and that he has given his word in this House. He said last week that everybody in the SMEDA is going to be redeployed. There is nothing to worry about this. But let's bring new people in this organisation and let's bring new mindset; we need well qualified people, Mr Deputy Speaker, Sir.

Rigid pay packets and rigid works conditions are not going to apply these days. The new generations want to be freelancers, they want to work free hand, with independence and you cannot get people like this if you are in the public sector, governed by the PSC, LGSC. We need to have the freedom to employ good people, qualified people, pay them good money, Mr Deputy Speaker, Sir, and let them do the work.

Mr Deputy Speaker, Sir, we all agree that this sector needs a strong push, a very strong antibiotic to heal it. It's the time now. Sitting in the office, writing reports is not going to work anymore, they need to go out on the field, meet the people, look at their personal issues, sort out the cases one by one and listen to the entrepreneurs. That is going to bring results! If you sit in the office and you think things will happen, look at statistics and reports, nothing will happen. Go down to the field and meet the entrepreneurs, listen to them and rectify, and you will make the SMEs succeed.

I am confident, Mr Deputy Speaker, Sir. I think we are giving a chance to the Ministry, to the Minister in particular, because I think this is the big game for him. This Bill and what is going to happen is the biggest game for him. I wish him good luck and I hope he will succeed.

I thank you, Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Hon. Ms Sewocksingh!

(6:07 p.m.)

**Ms M. Sewocksingh (Third Member of Curepipe & Midlands):** Thank you, Mr Deputy Speaker, Sir, for giving me the floor.

Mr Deputy Speaker, Sir, it is with great concern that I am addressing the House today on this Bill. Being a woman entrepreneur myself, though I am not directly associated with the SMEDA, I am very much passionate when it comes to Small and Medium Enterprises. I have seen both success stories and failures all throughout the way.

Mr Deputy Speaker, Sir, this Bill has only incorporated the current business sector, but failed to capture the true entrepreneurial ambitions of our people. On the very outset, Mr Deputy Speaker, Sir, allow me to say that with this Bill there is no chance for Mauritius to be amongst the first ten countries in the world for ease of doing business.

Small and Medium Enterprises contribute a lot to the growth of a country, and they are also considered as the driving force of a modern economy. But, Mr Deputy Speaker, Sir, to my disappointment, when I go through this Bill, I find it inappropriate, instead of helping or assisting SMEs, the Government is putting more hurdles and stress on them. Allow me to say why I say so.

But first, Mr Deputy Speaker, Sir, I would like to refer to that famous quote that the hon. Minister referred the last week, when he said, and I quote –

“If you always do what you always did, you will always get what you always got”.

It is sad, Mr Deputy Speaker, Sir, to note that while preparing the Bill, the hon. Minister forgot to apply the very purpose of the same.

Coming to the core of the Bill, Mr Deputy Speaker, Sir, people might get confused with it. On the one hand, the Bill is proposing to have a Registrar within the Ministry and, on the other hand, we are talking of SME Mauritius Ltd. that would take over the functions of SMEDA. This contradicts the very purpose of a one-stop shop though for the time being SME Mauritius Ltd. is having the same office address as the concerned Ministry.

The hon. Minister himself mentioned in his speech last week that the SME one-stop shop will cease to exist, but this is very inherent flaw in this Bill Mr Deputy Speaker, Sir. In the Economic Development Board Act 2017, Clause 21, the Government is talking about Business Facilitation one-stop shop for enterprises which have a project value exceeding Rs20 m. This is totally unfair to all those enterprises which have a project value not exceeding Rs20 m. and they are not eligible to a one-stop shop.

Mr Deputy Speaker, Sir, this Bill also provides interpretation for enterprise in page 2 Section 2(a), and the same interpretation as that in the SMEDA Act 2009. This is crucial, as this is where we can notice another inherent flaw in the Bill. The interpretation of enterprise as per Clause 2(a), which reads as follows –

“Enterprise means any form of trade, business or manufacture, craft, cultivation of fruits, vegetables or flowers, livestock breeding, or activity approved as such by the Ministry.”

Mr Deputy Speaker, Sir, the part of the interpretation that reads as ‘or activity approved as such by the Ministry’ is very vague and it gives a clear indication that there is no vision, and that this Government cannot even provide a comprehensive list that will give entrepreneurs proper visibility and facilitate public officers in their task. Allow me to explain, Mr Deputy Speaker, Sir.

Some weeks back, during a PNQ, the hon. Prime Minister was confused about the definition of *inter alia*. So now, Mr Deputy Speaker, Sir, how can we expect public officers

who may put their job at risk or other persons to decide by themselves if an activity can be categorised as enterprise with such unclear interpretation. This SME Bill must not only provide facilities to entrepreneurs but to those who are implementing the policies. Mr Deputy Speaker, Sir, this will ensure transparency in granting or rejecting an application.

The hon. Minister in his speech last week clearly mentioned that the Registrar will be responsible to register an enterprise as an SME on the condition that the enterprise satisfies the required criteria to be considered as such, and he even said that this function is presently performed by SMEDA.

Mr Deputy Speaker, Sir, on 04 August 2017, the Cabinet approved that the SME Mauritius Ltd. will take over the functions of SMEDA. So, how come now a Registrar is being appointed to register enterprises as SMEs? Page 4 Section 3 (1) of this Bill reads as –

“There shall be, within the Ministry, a Registrar of small and medium enterprises who shall be a public officer.”

Which means that the Registrar will call office at the Ministry; and today, we have a Bill which is making that a private company undertakes the registration process and the Ministry will do the register. This is another *lacune* that I find in this Bill, Mr Deputy Speaker, Sir.

Page 4 Clause 4(1) of the Bill stipulates –

“Every person who operates a microenterprise, small enterprise or medium enterprise may apply to the Registrar, in such form as the supervising officer may approve, for that enterprise to be registered as an SME.”

Mr Deputy Speaker, Sir, in the absence of a standardised form, there is no fair and equal chance to all these applicants. What I mean is that there might have certain cases where *ti copains* and *ti copines* might be favoured. But knowing the hon. Minister Bholah, I am quite assured that this will not happen in his tenure but let us not give way to these kinds of things.

*(Interruptions)*

The same applies to page 5 clauses 5(2) and (7)(b)(ii) with respect to the registration certificate and all other clauses where especially fees are referred to. I would humbly request the hon. Minister to let us know how under this current structure, the SME Bill, he would ensure transparency of these procedures.



Mr Deputy Speaker, Sir, let us not forget that there is a reason why today we have the Prevention of Corruption Act 2002 and this reminds me of the speech that hon. Fowdar gave right now. We would not wish to see all these things happening especially here.

Mr Deputy Speaker, Sir, this Bill also introduces, as contrary to the SMEDA Act 2009, an expiry date to the registration certificate. The hon. Minister, in his Speech, stated that this Bill allows the Ministry to know from a monitoring perspective at the time of renewal whether the SMEs were active or dormant and whether they have, in the meantime, graduated from micro to small and small to medium, etc. But, Mr Deputy Speaker, Sir, sections 27 and 28 of the SMEDA Act 2009 already took into consideration this monitoring perspective. But it was without an expiry date. With this kind of measure, I would like to know if it will be in favour of enterprises or in favour to financially sustain the SME Mauritius Ltd. as I believe that there will be fees for that.

Another very important point, Mr Deputy Speaker, Sir, in section 8 of the Bill provides measures with respect to provision of support and information. It is very good to provide support and assistance, but there is no specification on the time frame that the Registrar or the Economic Development Board will provide a reply to the entrepreneurs. And, here, Mr Deputy Speaker, Sir, I have a doubt concerning the intellectual property right where a person may come to discuss a project, idea, with the Registrar, and suddenly, we see someone else or an institution coming up with the same project. Though I do agree, I do understand that there may be similar projects, but nowhere is it mentioned in the Bill that the entrepreneur will be protected against any copyright.

Mr Deputy Speaker, Sir, referring to section 30 of SMEDA Act, and I quote –

“Any person who –

(c) wilfully obstructs or hinders an officer acting in the exercise of his functions, or, without reasonable excuse, fails or refuses to give to an officer any information required of that person,

shall commit an offence.”

This is a very pertinent point, Mr Deputy Speaker, Sir. This measure has been completely omitted in the Bill. We have heard through the Press that officers are not at ease at all with this Bill. They say that their jobs will be at stake. For the benefit and the protection of the public officers, I will request the hon. Minister to please consider this stand.

Also, Mr Deputy Speaker, Sir, there is no mention at all in the Bill about whether the Registrar or SME Mauritius Ltd. is going to provide appropriate legal advice. Everyone is aware in this House that not all enterprises have qualified or appropriate staff with legal know-how or have the capacity to financially afford legal consultations. As such, page 8 section 12(1)(b) must be reviewed. This further justifies to what I mentioned earlier on having a standardised form with the proper jargon.

With respect to the transitional and saving provisions, I urge the hon. Minister to clarify on what will happen to the already contributed premiums of the officers of SMEDA who wish to be transferred to the SME Mauritius Ltd. Mr Deputy Speaker, Sir, for the purpose of page 12 Clause 16(3)(c), I urge the hon. Minister to specify and justify when the date of retirement on ground of abolition of office will start.

Referring to the Bill, again, Mr Deputy Speaker, Sir, page 13 section 16(11) reads as

—

“All proceedings, judicial or otherwise, initiated before and pending at the commencement of this Act, by or against SMEDA, shall be deemed to have been initiated, and may be continued, by or against SME Mauritius Ltd.”

Mr Deputy Speaker, Sir, I do hope the wordings ‘may be continued’ will not be favour for some categories of people as I have mentioned earlier.

In my humble opinion, Mr Deputy Speaker, Sir, I don’t find this Bill will bring more advantages to SMEs. But, instead, this will put their jobs, their enterprises at risk, at stake. The entrepreneurs would like to see more practical, effective, quick approach where you can have very good results and this reminds me - of course, I will fail in my duty if I do not say that - I still remember when the actual Leader of the Opposition was the Minister of Finance, there were schemes like the SME Park, Ébène Accelerator where websites were given free to them. Things like that used to ease these entrepreneurs. So, we would like to have all these kinds of things which will definitely ease the lives of these people out there. We need to create a more conducive environment for them.

Mr Deputy Speaker, Sir, to help the SMEs to be successful, we need less red tape and not more. The Bill must provide clear interpretation and procedures for safeguarding the public officers. It is of prime importance to bring forward ways to support and encourage our

entrepreneurs. The acts and doings of our stakeholders who express themselves on different media are clear indications that this Bill is not well received at all, Mr Deputy Speaker, Sir!

Mr Deputy Speaker, Sir, I will convey a message directly to this House. Let us come forward without a single iota of acting and speak the truth that this Bill is a non-vision, non-event one. This Bill does not reflect at all the 10-year Master Plan that is there already. Today, in this House we are debating on the SME Bill after the already incorporation of the SME Mauritius Ltd. I hope that this Bill does not have a negative impact on the existing 40% SMEs contribution to the GDP.

Mr Deputy Speaker, Sir, entrepreneurs who are dealing or will be dealing with the SME Mauritius Ltd have their lives very, very much comfortable, their jobs comfortable. People who are working with them in the enterprises, they are comfortable. I will just take a clause of hon. Fowdar's speech when he said: we do not only have the financial problem with entrepreneurs. We have many other problems. We have to assist them. We have to give them a very conducive environment so that they can deliver well.

Thank you Mr Deputy Speaker, Sir.

**The Deputy Speaker:** Hon. Mrs Boygah!

(6.25 p.m.)

**Mrs D. Boygah (Second Member for Vieux Grand Port & Rose Belle):** Thank you Mr Deputy Speaker, Sir. At the very outset, I wish to congratulate the hon. Minister to bring this Bill to the House which will be a big achievement to the SME sector.

Mr Deputy Speaker, Sir, Vision 2030 presented by Sir Anerood Jugnauth highlighted the SMEs to be the engine of growth towards propelling our country to the status of high-income economy. As at present, the SME sector looks well anchored and quite promising. More than 125 micro small and medium enterprises form the landscape of this so vital sector of the economy. SMEs contribute up to 40% of the GDP and account for nearly 55% of the total labour workforce of our country. The 10-year Master Plan masterminded by the Ministry of Business, Enterprise and Cooperatives has set up an ambitious target whereas the SMEs contribution to our economy is expected to rise from 40% to 52% of the GDP, 3% to 18% of our total export and a comprehensive increase from 55% to 64% of the labour force during the next ten years.

Ever since coming to power, this Government has introduced many fiscal measures in successive national Budgets to encourage the SMEs to be innovative so as to address the new challenges facing the SMEs. A recent survey carried in view of elaborating the 10-year plan has shown that 47% of the SMEs are operating at almost subsistence level of a turnover of less than Rs2 m. employing less than five workers. Almost one out of two has cashflow problems and difficulties to get credit facilities. The SME landscape comprises of too many fragile enterprises screwed towards low value addition and with no prospect of adding jobs in large numbers and creation of job is a major concern of this Government, Mr Deputy Speaker, Sir. Ever since the 80's during the year of the first *miracle économique*, Mauritius has benefitted from a nation imbued with a spirit of entrepreneurship contrary to what was stated by hon. Jhuboo, that *la valeur entrepreneur n'existe pas ou la culture d'entreprenariat n'existe pas*. And we have also benefitted from a favourable business environment, some *filet de protection*, and above all, a strong political will to achieve a real high target.

Mr Deputy Speaker, Sir, time has come for a change. Needless for me to portrait the present business and economic landscape, Brexit, staggering rate of exchange, the dismantlement of treaties are some of the new obstacles in our way. It is the law of the jungle

out there, Mr Deputy Speaker, Sir, only the fittest survives, multi-dimensional challenges lay ahead. A new impetus needs to be brought to the SME's sector. If no corrective measures are taken, Mauritius will remain caught in the mid-income trap and the growth model, one so successful, will run out of steam, Mr Deputy Speaker, Sir. It is most laudable for the Ministry to come forward with a 10-year Master Plan. Since being elected in office, Government has set itself the task of changing things for the better. First, it was important to identify the problem affecting each sector and those dysfunctional bodies and entities. These were crumbling on the debts accumulated because of a general *léthargie* and glaring mismanagement after which necessary actions were taken to bring in appropriate remedial measures. We have so many examples but I have a few out here where we have loads of success. We have succeeded in many chinking ties at the MBC, for example; DBM, the Mauritius Duty Free Paradise Shop, Air Mauritius, Casino de Maurice, among many others.

Credit has been given to the successive leaderships, of course, of Sir Anerood Jugnauth and the hon. Prime Minister, hon. Pravind Jugnauth. This Government has introduced many pro-business reforms, yet SMEs have not really benefitted fully. Why should the reform apply elsewhere? As mentioned earlier, succeed while the SMEs have been unable to yield positive results from those reforms? This is the question, Mr Deputy Speaker, Sir. Bureaucratic constraint, one, an inadequate legal framework as portrayed by the inefficiency at the SMEDA seems to be the major root cause for the stagnation of our SMEs. It was unanimously agreed that the SMEDA could no more respond to the challenges of an ever changing business environment.

Mr Deputy Speaker, Sir, many bureaucratic constraints - its legal and institutional framework does not respond positively to the present challenges that Mauritius is facing. Its status as a parastatal entity is an obstacle. The ratio of the marginal position to that of the technicians is glaringly disproportionate. Consequently, the spirit of entrepreneurship, the *débrouillardise mauricienne* is dying a slow death.

Le Master Plan, Mr Deputy Speaker, Sir, commandité par le très apprécié ministre Bholah, a identifié les faiblesses dans le secteur de PME avec beaucoup de lucidité et a proposé des mesures courageuses pour apporter les solutions appropriées. La volonté politique est présente pour une feuille de route qui fera de ce secteur la force motrice de notre économie. Mais pour y parvenir, M. le vice-président, il nous faut sans doute, sans trop

tarder, apporter des réformes courageuses, les changements sporadiques et cosmétiques ne suffissent plus.

This Government, Mr Deputy Speaker, Sir, has through the 10-year Master Plan committed itself to re-engineer, I repeat to re-engineer the SME sector to enable it to breed opportunities for new business ideas and create a more healthy and business friendly environment, and this give the answer to hon. Jhuboo where he stated that we need a more user friendly environment for entrepreneurs to excel. The engine is bound to restart Mr Deputy Speaker, Sir, afresh so that to sustain economic activities. Mauritius is fast on track towards a rising growth and relies on the SME sector to eventually attain the league of high income countries as set by Vision 2030.

A good reply to hon. Sewocksingh whom I just heard, I was very stunned when hon. Sewocksingh came up with saying that the ease of doing business in Mauritius - I think hon. Sewocksingh is not aware of the recent report of the World Bank. The recent report of the World Bank very well mentioned that Mauritius, which was on the 49<sup>th</sup> rank, today ranks 25<sup>th</sup> in the Report and 1<sup>st</sup> in Africa *s'il vous plait*. First in Africa! And if we are first in Africa, why not with the new SME Bill coming up, we can be in the first 10<sup>th</sup> rank!

One more thing that astonished me, Mr Deputy Speaker, Sir, I just heard hon. Ms Sewocksingh saying, none vision, none event etc., but let me tell you, Mr Deputy Speaker, Sir, ...

*(Interruptions)*

**The Deputy Speaker:** order!

**Mrs Boygah:** ... that we cannot build a skyscraper when the foundation itself is shaky. We have to change the mindset. We have to bring reform in each sector so that there is a change in the economy of Mauritius. If we have to bring a real change, Mr Deputy Speaker, Sir, we have to address the root cause of the ills affecting the SMEs.

**The Deputy Speaker:** Hon. Lepoigneur, please!

**Mrs Boygah:** To achieve this goal, we need to do away with the obsolete SMEDA. We need a Body which will be fully empowered to accompany ...

**The Deputy Speaker:** Hon. Ms Sewocksingh, please!

**Mrs Boygah:** ... entrepreneur from the very start of his or her dream till the fulfilment of his or her project. *Accompagner, comme bien préciser l'honorable Jhuboo, avec toutes les techniques importantes pour l'implémentation.*

The Small and Medium Enterprises Bill (No. XV of 2017) provides the SMEs ...

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mrs Boygah:** ... with the most appropriate, modern business-friendly legislative framework. The appointment of a Registrar within the Ministry will help to harmonise the implementation of the policymakers.

Mr Deputy Speaker, Sir, the few followers of their gurus, obviously, will profess the *narien pas bon meme* philosophy, will tax as a mainmise of the Minister on the SME sector. But let the enlightened ones comprehend and applaud and the public in general will applaud this Government for bringing the new SME Bill to this House.

Today, Mr Deputy Speaker, Sir, after years of negativity and certain *léthargie* perpetrated by very few investment, the private sector is buzzing with more than Rs200 billions of investment. The Government now expects the SMEs to claim their rightful status to the National Business Framework. The Small and Medium Enterprises Bill is called upon to regulate the SME sector to enable it to operate ...

**The Deputy Speaker:** Hon. Ms Sewocksingh, please!

**Mrs Boygah:** ... in full transparency. I repeat in full transparency and with more visibility, Mr Deputy Speaker, Sir. This new legal framework will undoubtedly favour a better coordination at all level under one umbrella.

M. le président, ce gouvernement travaille assourdîmes pour améliorer la vie du commun citoyen. Nul doute que ce gouvernement terminera son mandat plus que précisé par l'honorable Mme Selvon, plus que 24 mois, plus que deux ans, plus qu'un mandat, plus que deux mandats aussi, pourquoi pas. Et pour répondre à l'honorable Mme Selvon, je crois qu'elle n'a pas les renseignements voulus quand elle a fait mention du secteur Bio qui n'a même pas démarré à l'île Maurice. M. le président, l'information que je dois donner à la Chambre, dans ma circonscription, à Britannia, on a déjà le *Biozone* et plus de 60 arpents de

terre sont déjà cultivés, déjà récoltés et déjà sur le marché avec une Certification de *MauriGap Level 1*. C'est une simple information que l'honorable Membre doit connaître.

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mrs Boygah:** Notre Premier ministre, M. le président, investit en permanence pour faire progresser notre pays. Je lance un pressant appel au sens du patriotisme de tout un chacun.

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mrs Boygah:** Excusez-moi, pour répondre aux membres de l'Assemblée ...

*(Interruptions)*

**The Deputy Speaker:** Hon. Members, order, please! Hon. Mrs Boygah, please resume!

**Mrs Boygah:** Pour répondre aux questions des Membres de la Chambre, M. le président, je suis la PPS de la Circonscription No. 13 à Britannia et je connais ma Circonscription très, très bien. Merci !

Notre Premier ministre investit en permanence, M. le président, pour faire progresser notre pays. Je lance un pressant appel au sens du patriotisme de tout un chacun dans cette Chambre et à toute la population de ne rien faire pour mettre en péril l'harmonie sociale et à ne rien entreprendre pour mettre des bâtons dans les roues. La roue du progrès est en train de tourner comme le Métro Express, tant de cris, mais maintenant faisant l'unanimité, M. le président.

**The Deputy Speaker:** Hon. Ms Sewocksingh, I have listened attentively to your speech, now allow me to listen to the speech of hon. Mrs Boygah!

**Mrs Boygah:** M. le président, je suis vraiment attristée parce que quand l'honorable membre parlait, j'étais très attentive. Très, très attentive ! Mais laissez-moi répéter, c'est très important, la roue du progrès, M. le président, est en train de tourner comme le Métro



Express et ça va tourner. Tant de cris, mais maintenant faisant l'unanimité, exception faite d'un roi jaunâtre perdu quelque part dans les rues de Quatre Bornes.

Merci, M. le président.

**The Deputy Speaker:** Hon. Sesungkur!

(6.40 p.m.)

**The Minister of Financial Services and Good Governance (Mr D. Sesungkur):** M. le président, permettez-moi d'ouvrir mon intervention dans la langue de Molière contrairement à mon ami Shakespearien.

*(Interruptions)*

**The Deputy Speaker:** Order !

**Mr Sesungkur:** Avant de continuer, je voudrais féliciter mon collègue, l'honorable Mme Boygah, pour sa brillante intervention et comme on dit à Maurice *sa Zomme!*

*(Interruptions)*

Pour revenir à ce projet de loi, je voudrais féliciter le ministre pour son ...

*(Interruptions)*

It was a joke, Mr Deputy Speaker, Sir. I was just joking!

Donc, je voudrais féliciter mon collègue, l'honorable ministre Bholah, pour cette initiative de venir avec ce projet de loi qui est très important pour le développement de notre secteur de PME. Il y a eu plusieurs critiques. Les principales critiques de l'opposition ont été...

**The Deputy Speaker:** Hon. Rutnah!

**Mr Sesungkur:** ... l'initiative du ministère de venir avec une compagnie Itée pour remplacer l'ancienne SMEDA ; ...

*(Interruptions)*

**The Deputy Speaker:** Hon. Baboo, no crosstalking!

**Mr Sesungkur:** ... le manque de transparence et également il y a eu l'appréhension des employés de la SMEDA et en même temps nous avons aussi entendu les critiques de l'opposition concernant le manque d'action pour propulser ce secteur à des niveaux plus élevés, principalement l'intervention de l'honorable Uteem, qui est d'avis que le gouvernement n'a rien fait jusqu'à présent et que nous manquons dans notre ambition, dans notre vigueur pour ce secteur.

M. le président, à la hauteur de mon expérience de plus de 25 ans dans le domaine des affaires et des finances, je dois dire que c'est vrai que les gouvernements successifs, qui ont eu l'initiative d'apporter l'attention voulue à ce secteur, n'ont pas réussi dans leur ambition, parce que c'est un secteur qui est très difficile.

Depuis les années 90, il y a eu des projets multiples pour ce secteur. Dans les années 90, il y avait ce qu'on appelle la *SIDO (Small Industries Development Organisation)*. Et puis, a transformé cet organisme en ce qu'on appelle la *SMIDO (Small and Medium Industries Development Organisation)*. Et puis, il y a eu le *SEDA (Small Enterprise and Handicraft Development Authority)*. Par la suite, la *SMEDA (Small and Medium Enterprise Development Authority)*. Pendant tout ce temps, presque 34 ans, les efforts qui ont été fournis par divers gouvernements, c'est vrai que nous n'avons pas pu atteindre les objectifs voulus. Ce n'est pas par la faute des autorités ; ce n'est pas par la faute du gouvernement en place. C'est parce que ce secteur est très compliqué, et je vais vous expliquer pourquoi.

Des fois, on dit qu'il n'y a pas suffisamment de financement pour les petites et moyennes entreprises. Les banques refusent de financer certains projets. C'est vrai que notre gouvernement avait placé la barre très haut. On voulait venir avec un plan vraiment ambitieux pour transformer ce secteur. Le gouvernement a l'appétit pour soutenir ces entrepreneurs qui veulent entreprendre. Mais très souvent, c'est difficile lorsque ces projets partent à la banque. Les banquiers qui ont sous leur responsabilité l'argent des déposants doivent trancher, doivent prendre les décisions qu'il faut, surtout sur la viabilité des projets, sur la rentabilité de ces projets.

Il faut que ces projets tiennent la route. L'argent qu'ils empruntent, à la fin de la journée, à la fin de leur projet, ils doivent pouvoir le rembourser. Le gouvernement a étudié, a analysé ce problème, et nous avons développé plusieurs mécanismes dans le passé. Il y a eu le *National Equity Fund*, par exemple. C'est un mécanisme qui a exploré d'autres moyens

pour financer des projets, autres que des prêts, en termes d'*equity*, l'apport de capitaux dans des projets.

Même ces mécanismes n'ont pas fonctionné. Mais l'ambition est là. Le gouvernement veut transformer ce secteur, professionnaliser ce secteur, et faire en sorte que nous ayons des entrepreneurs qui vont de succès en succès. Mais c'est vrai que tout le monde ne peut pas avoir du succès ; tout le monde ne peut pas devenir des entrepreneurs à succès du jour au lendemain. Ça demande un travail de longue haleine. Il y a certains membres qui ont souligné l'importance de former ces gens-là en finance, en marketing, en stratégie, sur la stratégie du marché. Donc, il y a un travail de longue haleine à faire.

Mais aujourd'hui, le projet de loi concentre principalement sur la mise en place d'une structure. C'est ça le vrai débat aujourd'hui. C'est la mise en place d'une structure moderne, d'une structure plus efficiente et plus efficace, comparée à ce qu'on avait dans le passé. Régulièrement, les petites et moyennes entreprises ont protesté contre toutes sortes de bureaucratie, toutes sortes de lourdeurs administratives, le manque d'attention que ce secteur a eu. C'est à travers ce nouvel organisme que le ministère est en train de mettre en place - une société privée - qu'on pourra atteindre un meilleur rendement, un niveau d'efficacité, un niveau d'efficience voulue par le gouvernement.

Donc, pour moi, je pense que c'est une très bonne initiative de la part du ministre. On ne pouvait certainement pas remplacer un corps paraétatique qu'on avait par un autre corps paraétatique. C'était un non-sens ; on ne pouvait pas le faire. C'est la raison pour laquelle on vient avec cette nouvelle structure qui aura une certaine souplesse, une certaine aisance pour prendre des décisions. Donc, l'esprit d'efficacité, l'esprit de l'efficience est là. On veut progresser ; on veut prendre des décisions ; on veut promouvoir ce secteur. C'est ça l'objectif.

L'autre critique que l'opposition a faite, c'est le manque de transparence. Mon collègue, l'honorable Fowdar, a bien ciblé ce problème. La compagnie qui va être mise en place tombera sous le *Companies Act*. Donc, il y a des dispositions légales sous le *Companies Act* pour assurer que la gestion des affaires de cette société est bien entretenue. Il y a précisément la section 143 de la *Companies Act* qui met beaucoup d'emphasis sur la responsabilité des directeurs ; comment il faut gérer les affaires d'une société ; leur responsabilité, leur *care and skills, diligence*.

Donc, il y a les garde-fous nécessaires sous la loi, sous le *Companies Act*, pour permettre qu'il y ait la transparence nécessaire, *les checks and balances*, comme on dit, et pour le *board* qui sera composé, je comprends bien, des membres du secteur privé et du secteur public également. Donc, moi, je n'ai aucune appréhension concernant l'aspect de la transparence.

L'autre principal souci, c'est la précarité, c'est-à-dire l'emploi des salariés actuels. Je pense qu'il y a suffisamment de provisions sous le *transitional provision* pour sécuriser les emplois des employés existants. Il y a différentes options qui ont été offertes à ces gens. Donc, il n'y a aucune crainte à avoir de leur part, parce que comme on dit, on est *a caring Government*. On veut transformer, on veut réformer, mais on veut en même temps préserver les acquis des employés. Nous sommes un gouvernement de centre-gauche. Nous croyons dans les initiatives, nous pensons qu'il faut laisser le secteur privé prendre des initiatives, mais en même temps on veut également avoir un contrôle sur ce qu'on appelle sur le bon déroulement de ce secteur, le bon fonctionnement.

Donc, ceci dit, M. le président, je ne vais pas être très long, parce que les autres orateurs ont quand même couvert pas mal de points que j'avais. Pour moi, il ne suffit pas de naître. Il faut grandir aussi, et vivre et s'épanouir.

La peur du changement ne doit pas être là parce que vous avez un gouvernement qui est là pour protéger les intérêts des employés. Donc, je souhaite bonne chance à mon collègue dans son objectif pour mettre cette structure et nous pensons tous que ce sera une bonne chose pour le secteur des PME.

Merci.

**The Deputy Speaker:** Hon. Ramano !

(6.54 p.m.)

**Mr K. Ramano (Third Member for Belle Rose & Quatre Bornes):** M. le président, le *SME Bill* qui est devant la Chambre aujourd'hui a pour objectif de remplacer le *Small and Medium Enterprises Development Authority Act with a modern, more business friendly and appropriate legislative framework for the Small and Medium Enterprises sector*. L'emphase est mise ici sur le *modern and more business friendly framework*.

La finalité aujourd'hui c'est qu'on se retrouve avec la création d'un *SME Mauritius Ltd.*, a *Government-owned company incorporated and registered under the Companies Act*. Il est un fait largement reconnu aujourd'hui que les petites et moyennes entreprises jouent un rôle primordial dans le secteur de l'emploi tout comme la production nationale du pays.

Depuis 2005, nous avons adopté une stratégie à faire des *SMEs* des organismes ...

*(Interruptions)*

Je peux continuer, M. le président ?

**The Deputy Speaker** : Hon. Ramano, please !

**Mr Ramano** : Merci. Depuis 2005, nous avons adopté une stratégie à faire des *SMEs* des organismes capables de générer l'emploi, d'encourager l'esprit d'entrepreneuriat, bref se trouver avec des entreprises pourvoyeurs d'emplois. La situation au niveau de l'emploi a grandement influencé l'orientation politique du gouvernement. Ainsi la création du *SEHDA*, le *Small Enterprises and Handicraft Development Authority* en 2005 prévoyait seulement pour les *small enterprises and handicraft operators*. On s'est ainsi retrouvé avec une hausse sensible d'entreprises opérant à une petite échelle avec un réflexe de subsistance plutôt qu'un plan d'innovation et d'expansion ou même de la création d'entreprise à haute valeur ajoutée. Ce réflexe de survie il faut le reconnaître, ne dure en moyenne que pour trois ans. Ces entreprises sont livrées, malheureusement, à une mort certaine dans le court terme.

Avec le *SEHDA*, il existait un vide quant à l'encadrement et au support à être apporté aux *medium sized enterprises*. En 2010, on passa de la *SEHDA* au *SMEDA* avec pour objectif d'encadrer aussi les *medium enterprises*.

De tout ce plan d'encadrement aux petites et moyennes entreprises, il serait un oubli monumental de ne pas considérer le personnel et toute l'administration de ce passage de la *SEHDA* au *SMEDA*, d'où mon intervention, M. le président.

La *SMEDA* a fait l'objet de nombreuses critiques. Le ministre du *Business, Enterprise and Cooperatives*, l'honorable Bholah a été lui aussi partie prenante dans ces critiques vis-à-vis de la *SMEDA*. Et nous avons vu une campagne contre la *SMEDA*, ce que je qualifierai de *blame and shame*. Une des critiques adressée à la *SMEDA* a été la grandeur organisationnelle de la *SMEDA*. Je ne parle pas ici du *capacity building* qui ne semble pas

être à l'agenda de l'honorable ministre actuellement, mais tout simplement de la cacophonie organisationnelle de la SMEDA.

Il faut se rappeler que la SEHDA prit naissance suivant le *merger* en 2005 de la SMIDO, le *Small and Medium Industries Development Organisation* et du *National Handicraft Promotion Agency*. Avant le *merger*, la SMIDO avec 45 employés et la NHPA avec 67 employés. Il faut le reconnaître que depuis ce *merger* aucun gouvernement successif n'est venu de l'avant avec un plan d'intégration digne de ce nom, un plan organisationnel avec la reconnaissance et la motivation à être apporté au corps administratif de l'organisation. Comme-ci la stratégie était déjà en place pour assumer une mort certaine à la SMEDA afin de légitimer et asseoir l'objectif de privatisation de ce corps paraétatique.

Le présent gouvernement, dans le but de pallier cette politique fragmentée des SMEs, est venu de l'avant en décembre 2015 avec le lancement du *SME one-stop shop* sous la gérance de la SMEDA, connu sous le nom de MyBiz - tel que cela a été dit par mes collègues de la Chambre.

Tel que conçu à l'époque, MyBiz devait avoir 7 *Business units* : *General Business Services Development Unit*, le *Licensing Permits Unit*, entre autres. Tous les *stakeholders* ont déploré la lenteur et l'inefficacité de MyBiz. Les raisons se trouvent aussi sur le fait que le ministère du *Business Enterprise and Cooperatives* a adopté a *piecemeal and fragmented approach*. Il est à déplorer que bien que ce même ministère eut recommandé la création de nouveaux postes dans le *PRB Report* de 2016 pour une opération optimale du *SME one-stop shop*, ce même ministère décide de ne pas donner suite à ces recrutements, favorisant ainsi le *merger* comme annoncé dans le *Budget Speech 2016/2017*. Le *merger* annonçait dans le budget de la SMEDA, *Enterprise Mauritius*, Le *National Women Enterprise Council* avec pour résultat que seulement 2 des 7 *Business Units* sont opérationnels chez MyBiz. Avec pour résultat l'inefficience décriée par tous les *stakeholders* et de la communauté des entrepreneurs ! La communauté des entrepreneurs a du mal à comprendre les contradictions d'approche du ministère. Ainsi les quatre *SMEDA regional offices* situés à Curepipe, Rose Belle, Bon Accueil et Triolet ont été fermés pour laisser la place à six autres six mois plus tard. Une véritable cacophonie ! Six nouveaux *regional offices* à Mahebourg, Coromandel, Bel Air Rivière Sèche, Goodlands, St Pierre et Henrietta ! Le *trial and error approach* continue de plus belle avec la fermeture de la branche de St Pierre après seulement neuf mois d'opération.

Ce mal-être à la *SMEDA* se reflète aussi pour la perception des entrepreneurs. Ainsi, selon un sondage effectué par *Empretec Mauritius* dans le contexte du *10-Year Master Plan* du *SME sector*, seulement 54% des 410 *SMEs* étaient au courant des services offerts par la *SMEDA*. 17 % des intéressés ont trouvé le service *substandard*. Et cela bien que le *SME sector* a connu une hausse de plus de 30% sur 10 ans en terme de création d'emplois et une hausse de plus de 90% en terme de valeur ajoutée. Le mal-être de la *SMEDA*, M. le président, c'est aussi la politisation à outrance de cette institution. Depuis 2006 la *SMEDA* a eu 5 *Managing Directors*, tous des *political nominees* à un poste qui requiert un savoir-faire et une maîtrise des technicités du secteur. Le temps que ces *political nominees* s'adaptent au secteur, leur mandat a déjà expiré. C'est tout le secteur avec des milliers d'employés qui se trouvent ainsi victimisés. Le *backbone* de l'économie mauricienne !

Doit-on être surpris aujourd'hui que malgré l'annonce en fanfare du magicien Lutchmeenaraidoo, faiseur du deuxième miracle économique pour la mise à la disposition des *SMEs* d'une somme de R 10 milliards sur cinq ans, avec un *share capital* de R 200 millions et d'une ligne de crédit de R 2 milliards pour la première année d'opération, seulement 20 applications ont été considérées avec un déboursement de seulement R 74 millions.

Doit-on être surpris que malgré l'injection de R 3,7 milliards à la MauBank, dont la vocation première aurait été au service des PME, 273 projets ont été approuvés pour un chiffre de R 1,2 milliards par la *SMEDA*, seulement 94 projets ont reçu le financement pour une somme médiocre de R 274 millions de la MauBank.

Le personnel de la *SMEDA* vit aujourd'hui dans la frayeur, dans l'incertitude. Un changement de cette envergure sur une base relationnelle suppose des consultations à tous les niveaux. Beaucoup de membres de cette Assemblée ont été surpris d'apprendre que le ministère n'a rencontré le staff qu'une seule fois, le 10 juillet 2017, pour annoncer que *SME Mauritius Ltd.* sera géré par 50 membres du personnel sur une base contractuelle pour ceux qui seront choisis après un exercice d'interview pour se joindre au *SME Mauritius Ltd.* Ça c'était la première option.

La deuxième option, un possible redéploiement dans d'autres institutions gouvernementales et, option 3, un *Early Retirement Scheme* pour ceux dont les postes seront abolis.

Le manque de considération, le manque de discussion est à déplorer. Ce n'est que le 15 août 2017 que le *Permanent Secretary* du ministère a trouvé nécessaire et, aussi sur convocation du ministère du Travail, de venir annoncer que 40% du staff seront *on loan* à SME Mauritius Ltd.

Il existe aujourd'hui une pratique troublante au niveau du *Ministry of Business, Enterprise and Cooperatives* qui s'apparente beaucoup à un cas de trafic d'influence. Le 25 Octobre 2017, le *Permanent Secretary* du ministère s'est permis de sélectionner unilatéralement, en présence du *Managing Director* de la SMEDA, quelques employés de la SMEDA pour *kick-start* SME Mauritius Ltd. Il s'est permis de dire que ces staffs seront *on loan* à SME Mauritius Ltd. où ils auront droit à un *allowance*.

Il est à souligner, heureusement, que lors de sa réunion en date du 31 Octobre 2017, le *Board* de la SMEDA a refusé d'endosser ce *pick and choose exercise* et s'est même permis de dire que cela est contraire à la bonne gouvernance.

Il convient, M. le président, de souligner que tout changement de conditions de travail doit se faire en transparence et par respect des relations industrielles et des droits acquis de ces employés. Que cela soit clair, M. le président, ceux qui seront transférés à SME Mauritius Ltd. seront *pension off*. Ces employés auront leur temps de service et conditions de service à zéro. La SMEDA étant corps paraétatique et la SME Mauritius Ltd. une compagnie privée sous le *Companies Act* auront deux *Pay and Grading Structures and conditions* et services différents. Il va sans dire que les conditions de service prévues par le *Pay Research Bureau* n'existeront plus.

La question de pension est un autre sujet préoccupant pour les employés. Les *pension benefits* des SMEDA staff ne seront pas automatiquement transférés au SME Mauritius Ltd. Il va sans dire que le taux de contribution et les types de *pensionable benefits* seront différents. Et là, il serait bien que le ministre vient nous éclaircir sur ce sujet.

Les membres du personnel qui optent pour le redéploiement sont dans le flou car il n'existe aucune indication que le ministère a procédé à un exercice de *matching of grades* - tant *general* que technique - avec les autres départements gouvernementaux de différents ministères avec les mêmes technicités. La technicité attachée aux tâches des employés de la SMEDA fait que le *matching* sera un exercice très difficile. Il existe une technicité particulière aux officiers attachés à la SMEDA. Ce qui fait craindre à ces employés, ces pères



et mères de famille qu'ils n'auront aucune option que la retraite forcée en raison de l'*abolition of post*.

M. le président, il existe aujourd'hui une pratique à outrance de privatisation des départements dépendant du gouvernement. On a tort à croire que le but ultime c'est d'assurer l'efficacité. Lorsqu'on pense de privatisation, on a toujours en tête ce besoin, cette soif d'efficacité. Mais, ici, le but est tout autre, M. le président.

Avec la création de SME Mauritius Ltd., une compagnie privée, il n'existe aucune obligation à se plier aux règles de *good governance* comme c'est le cas pour le *Public Bodies*. Les livres de comptes de SME Mauritius Ltd., une compagnie privée, ne seront aucunement soumis au *National Audit Office*. Donc, il n'existe aucune nécessité que les comptes de SME Mauritius Ltd. soient déposés à l'Assemblée nationale ou encore soient soumis au contrôle du *Public Accounts Committee*.

M. le président, j'espère que le Parlement se rend compte aujourd'hui que SME Mauritius Ltd. doit son budget des fonds publics, mais le Parlement n'aura aucun moyen de venir questionner le fonctionnement ou même les comptes de cette compagnie privée en devenir. Pourquoi doit-on accepter une telle énormité M. le président ?

M. le président, lors du dernier budget, une enveloppe de R 100 millions a été allouée sur une période de trois ans à la SMEDA pour suivre la restructuration. Cette somme sera automatiquement transférée au SME Mauritius Ltd. Est-il normal, M. le président, que le *Public Procurement Act* ne sera pas appliqué pour le *tendering exercise* pour la bonne et simple raison que SME Mauritius Ltd. sera une compagnie privée.

Avec le présent projet de loi, le ministère du *Business, Enterprise and Cooperatives* se dote aujourd'hui d'un *Registrar* pour les petites et moyennes entreprises. La SMEDA est aujourd'hui privatisée dans un souci d'efficacité alors que le ministère s'alourdit davantage avec la création d'un poste de *Registrar*, avec le but principal de l'enregistrement des *micro-enterprise, small enterprise and medium enterprise*.

M. le président, ce qui plombe ce gouvernement aujourd'hui c'est la duplication des fonctions par des différents organismes gouvernementaux qui assument les mêmes fonctions. Cette même fonction d'enregistrement aujourd'hui est assurée par le département de *Business Registration* du ministère des Finances où toutes les entreprises opérant de manière formelle sans tenues à être enregistrées de manière formelle et il suffisait tout simplement de redéfinir

le rôle du *Business Registration Department* du ministère des Finances pour s'assurer que le nécessaire soit fait en toute transparence.

Il aurait été plus raisonnable pour le ministère de se concentrer uniquement sur l'élaboration des politiques et de suivi. De quelle efficacité parle-t-on aujourd'hui alors que le présent projet de loi parle d'un délai de 15 jours pour considérer les applications alors que la SMEDA dans la pratique entretienne les applications dans moins d'une semaine.

Autre manquement du *Bill*, M. le président, c'est la définition actuelle des PME dans le *Schedule*, qui est basée uniquement sur leurs chiffres d'affaires, alors que les nouvelles définitions proposées à la page 120 du plan directeur, le *Master Plan*, qui recommande que les classifications des entreprises tiennent compte, pas uniquement de leurs chiffres d'affaires mais aussi de leur nombre d'employés et de leurs actifs totaux, ce qui est conforme à la norme internationale. Ce n'est, malheureusement, pas le cas, M. le président. La seule définition touche seulement les chiffres d'affaires.

Autre aberration, M. le président, avec le présent SME Mauritius Ltd, contrairement à la SMEDA, ne sera pas exempté du paiement des frais tels que le droit d'enregistrement, taxe, tarif, tel que prévu à la section 23 du SME Act de 2009.

M. le président, les *stakeholders* se posent aujourd'hui beaucoup de questions, et lorsque je parle des *stakeholders*, il y a toutes ces petites et moyennes entreprises qui suivent avec beaucoup d'attention ce présent projet de loi. Les *stakeholders* sont aussi les employés. Il y a quelques questions que je me suis posées et je me permets de les répéter maintenant et je souhaite avoir une réponse de l'honorable ministre.

C'est la question qu'on se pose de ce côté de la Chambre. Le SME Mauritius Ltd. a été incorporée comme une compagnie privée et cela est contraire au Master Plan pour le secteur du SME. Il est mentionné aussi, ce qui est d'autant plus grave, que ce même Master Plan a été approuvé par le Conseil des ministres le 24 mars 2017. Est que le SME Mauritius Ltd. va générer des revenus comme une entité commerciale?

Deuxième question: pourquoi adopter une politique de deux poids et deux mesures en ce qui concerne d'une part, la création de l'Economic Development Board comme un corps-paratatique, et d'autre part, l'incorporation de SME Mauritius Ltd. comme une compagnie privée ? Pourquoi autant de duplication sous deux entités différentes, et avec deux différents principes d'*accountability*?

Pourquoi SME Mauritius Ltd. a été incorporé bien avant l'abrogation du SME Act, et même que son Chief Executive Officer soit recruté avant. Pourquoi le Board du SME Mauritius Ltd. est actuellement constitué selon les *filings* qui ont été faits au Registrar of Companies? Il est clair aujourd'hui que SME Mauritius Ltd. est actuellement constitué de seulement cinq directeurs, tous du secteur public, et contrairement à la recommandation du plan directeur qui préconise une parité de nombre de représentants du secteur public et secteur privé.

Autre question : qu'est-ce qui arrivera aux employés de la SMEDA qui choisiront de ne pas travailler pour la compagnie privée et qui n'auront pas le redéploiement dans le secteur parapublique et publique, et est-ce qu'il y a un exercice de *matching* qui a été fait pour s'assurer que ces personnes-là ne perdent pas leur emploi. La promesse qu'aucun employé ne perdra son emploi a été publiquement faite par le ministre de tutelle.

Est-ce que SME Mauritius Ltd. sera sujette à des dispositions du Public Procurement Act, étant donné que cette enveloppe d'aide de Rs100 million a été allouée sur une période de trois ans dans le dernier budget pour implémenter le *Master Plan*.

Avec ces nombreuses questions, M. le président, je vous remercie pour votre attention.

**The Deputy Speaker:** Hon. Rutnah!

(7.17 p.m.)

**Mr S. Rutnah (Third Member for Piton and Rivière du Rempart):** Thank you, Mr Deputy Speaker, Sir.

Before I start my intervention, I would like to say that I adopt everything that had been said by previous orators on this side of the House and I am diametrically opposed to the criticisms raised against the Government and against the presentation of this Bill today in the House, to the extent that we have been criticised that there is going to be this formation of a private company that is going to be corrupt, that the Registrar is not accountable and so on.

Mr Deputy Speaker, Sir, let me take from where hon. Mrs Selvon left earlier on, when she referred us to the historical event of how, during the Dutch period, the slaves used to be entrepreneurs in our country. I have got no first hand knowledge about how these entrepreneurs were those days, however I remember when I was a kid, people in my village in Rivière du Rempart and other villages around in those days when an egg was sold at 10 cents. People used to rear chicken at home, at least 20 of them, whereas today when an egg is sold at Rs5 people have stopped rearing eggs. I still remember the days when a pound of chicken, meat was sold at Rs2 and the people in the villages were rearing chicken. Today when chicken is sold at Rs75 a pound, people in the villagers have stop rearing chicken. I still

remember the days when, in each household, people were cooking *farata* when a *farata* was sold at 10 cents in Port Louis Market. Today when a *farata* is sold at Rs15 or Rs10 at least, people have stopped cooking *faratas* in their home.

We are, Mr Deputy Speaker, Sir, a nation of entrepreneurs and it is inane in us. It is within our biological formation, because we, Mauritian people, are a resilient nation; we are a nation that is capable of creating wealth and make progress for the future.

Mr Deputy Speaker, Sir, I am today taken aback when I hear all kinds of unfounded criticisms, but I will deal with those criticisms one by one. Before doing so, let me go back a little bit on what those, who were in Government then, and sit on the other side, did. For example, if I take, Mr Deputy Speaker, Sir, the Government Programme speech of 2005 Government, at paragraph 56, they stated –

‘Government will revamp initiatives to stimulate entrepreneurship development. The Small and Medium Enterprises will be strengthened. Initiatives will be introduced to consolidate High Performing Growth Enterprises to trigger domestic investment. Greater efforts will be made to spark a potential Nation Brand Image to sell Mauritius more vigorously.’

2005, this is what the Government programme was. Now, Government programme 2010-2015, at paragraph 293 –

‘SMEs will continue to be key drivers of the socio-economic development and democratisation process started in 2005.’

We know, in that democratisation process, who actually pocketed wealth in this country, and we know where money was found after the 2014 election.

‘Government will continue to promote and nurture their progress to make SMEs the number one job provider and increase their contribution to GDP in a substantial manner by 2015.’

This was not done. Now, Budget Speech I have a few, 2012/2013. Unfortunately none of the front bench of the Opposition Members are here today to listen to what I have to say - hon. Uteem is right to draw my attention - the main Opposition parties front bench, in particular the Leader of the Opposition, who was the then Minister of Finance. At paragraph 184, it starts during his Budget Speech and he says –

‘Mr Speaker, Sir, I spoke earlier about every sector of the economy having its own specificities. The micro and SME sector is one of them.’

And then he goes on talking about the GDP etc. and, in particular, at paragraph 188 of his Budget Speech, he stated the following –

‘A number of actions have been taken in the past to address the issue of SME financing. The results have been limited at best.’

It is a confession. The results have been limited at best.

‘Admittedly it is a tough issue to crack.’

I always knew that the nut is always tough to crack, but here the issue has been tough to crack.

‘But this Government will not let up.’

I know that Government do not give up, but, here the word ‘let up’ has been used.

If we go further down in the same Budget Speech, at paragraph 194 –

“In addition, it covers both investment and working capital. Furthermore, there will be no red-tape or inordinate delays and no need to interface with Government.”

Mr Deputy Speaker, Sir, these are some of the highlights of the 2012-2013 Budget Speech of the then Minister of Finance, today Leader of the Opposition.

Then we have the Budget Speech of 2013-2014 again presented under the same aegis of the then Minister of Finance and today the Leader of the Opposition. At paragraph 130 -

“Mr Speaker, Sir, small and medium enterprises are crucial to this Government’s resolve to democratise our economy.”

And, I have made the comments that I made about democratisation of our economy and who reaped the benefits of the democratisation of economy when they were in power. One of my hon. friends is saying that there was an issue about *cotomili* but I am not going to dive into *cotomili* plantation for the moment.

At paragraph 142, Mr Deputy Speaker, Sir –

“Mr Speaker, Sir, there are a multiplicity of schemes for SMEs that are leading to confusion. We are regrouping and rationalising them.”

And, a number of other promises then at paragraph 149 –

“SMEDA will develop the Mauritius “Made with care” label and the National Heritage Trust Fund Act will be amended to enable protection and control of importation of such products.”

And these were reference to products that were supposed to be imported.

There is a history of incompetence demonstrated by the previous Government and they have not been able to address the issues and they knew, at all material time, that SMEDA was an institution that was not working just like many other parastatal bodies in this country have failed this nation prior to 2014.

I will now compare and contrast the different kind of attitude that was projected by this Government when we came into power and I will refer and remind everybody what hon. Bholah said in his budget speech on 14 June 2017. He said, in relation to SMEs –

“However, to effect transformation in our economy, our SMEs and cooperatives have to embrace change and be change agents themselves although they individually lack the skills to make the investment necessary to cope with the changes taking place and to benefit fully from resulting opportunities. Since my assuming office as Minister, I have launched numerous projects to pedal the spirit of entrepreneurship among entrepreneurs and members of cooperative movements.”

And these are important -

“Several key measures have been initiated, the major ones being as follows -

- four business development and facilitation centres set up in 2016 followed by two others for training in 2017; business diagnostic services introduced as a grant to SMEs for the services of business consultants to conduct a diagnostic of the business in identified areas;
- two MoUs signed with ACCA Mauritius and Microsoft respectively to provide support to SMEs in terms of training and consultancy services;
- a handicraft training academy set up to promote the development of handicraft as a viable and sustainable business;
- several key workshops are organised on export readiness and opportunities, and
- the SME innovation award recently launched to reward SMEs that stand out in product and process innovation.”

And then he went on to say –

“Such actions are, however, not enough to give the impetus necessary for the sector to be the driver of economic growth. A more in-depth intervention was highly needed (...)”

And he goes on to say –

“A key action recommended by the SME Master Plan is a change in direction in terms of the institutional framework for SMEs.”

And, I am sure when I read this today my very good friend, hon. Bholah, does not even remember that he said all these things in relation to SMEs and he is pointing me out, he has a copy there. And he goes on to say –

“Mr Deputy Speaker, Sir, to be able to propel this sector to the forefront of the economic landscape, we need the most adapted and dynamic institutions which are composed of technical and specialist competencies with previous hands-on industry experiences to provide proactive and quality support services to SMEs.”

So, these are just a few highlights to what hon. Bholah said and today, Mr Deputy Speaker, Sir, when I see the content of the Bill presented in this House today it is consonant with his strategy, his vision for this country and for the SMEs and for the microbusinesses in this country.

But, I would like to remind everybody what hon. Uteem said as well during the Budget Speech in relation to SMEDA. He said the following –

“And also, another landmark, there will be a new SMEDA which will be replaced by SME Mauritius. SMEDA which was supposed to be a one-stop shop set up by hon. Lutchmeenaraidoo is going to be replaced by another entity called SME Mauritius. But what’s in a name? They are just changing names! They are just changing institutions! They are not going to the fundamentals! The fundamental is we have people in this country that need financial assistance to grow. We have an SME who is in dire need of finance. They have good ideas, they have good products, but they do not have the money. They do not have the money because they do not have the collateral to get the money. And Government must, once and for all, start trusting these people. They should start trusting our SME! They should start going and backing our SME sector!”

And hon. Uteem is quite right, in fact. But, he can't burn the candle at both ends. And when I will reply to hon. Uteem now, I will be, at the same vein, replying to the criticisms raised by a Member of this side of the House, hon. Rughoobur. So, I am going to kill two birds with one stone!

*(Interruptions)*

**The Deputy Speaker:** Order!

**Mr Rutnah:** I am going to deal with the cock party later on!

*(Interruptions)*

So, because we are a transparent Government, at all material time, people in this country knew that SMEDA was going to change, as rightly pointed out by my very able and learned friend, hon. Uteem, that there is going to be change and there is going to be something called SME Mauritius. And, he is wrong today to say: "What's in a name? They are just changing names!"

No, it is not! When you look at the Bill today, it is not just cosmetic. It is not just changing name, it is a Bill that is coming with the principle of appointing a Registrar and the Registrar will be empowered to ensure that the SMEs are looked after properly. The SMEs will be entitled to make application and he will be under a duty to consider those applications within a time frame. And now we know that everybody is aware and were at all material time aware that there is problem with SMEDA. To actually deal with SMEDA, there were institutions that were so fragmented that it was almost difficult for ordinary people of this country to set up a small-scale enterprise, and we could not continue like that, and that is why this change, this innovation.

If I may now deal, before I go any further, with what the object of this Bill is. I am going to quote, I am going to read because a lot is being said without even paying attention to what the object of this Bill is, because lots of people are not understanding. I am afraid to say that there are things said that make belief out there, but let me read it to those who are watching from home what this Bill is all about –

“The object of this Bill is to repeal the Small and Medium Enterprises Development Authority Act and replace it by a modern, (...)”

The operative words are –



“(...) modern, more business friendly and appropriate legislative framework for the small and medium enterprises sector. Consequently, the Small and Medium Enterprises Development Authority (SMEDA) shall cease to exist and the functions of SMEDA shall be taken by SME Mauritius Ltd, a Government (...)”

I repeat –

“(...) a Government-owned company incorporated and registered under the Companies Act.”

of Mauritius.

Secondly –

“The Bill further provides, (...)”

amongst other things

“(...) for a Registrar of small and medium enterprises, a public officer (...)”

The operative word in this sentence is ‘public officer’.

“(...) a public officer from the Ministry, who shall –

- (a) be responsible for the registration of SMEs;
- (b) upon request by a person who intends to set up an enterprise having a project value not exceeding 20 million rupees, provide support and information to facilitate the obtention of any registration, permit, licence, authorisation or clearance which the enterprise may require.”

So, we are talking about modernisation. We are talking about a *rupture*, as we say it, from the old way of doing business, because the people of this country trusted us when they voted for us in 2014, when we said that we are going to modernise this country, when we gave undertaking that this country, the landscape, economic landscape of this country should change. And these are the kinds of legislation, together with other legislation setting up the Economic Development Board, Business Facilitation Act, etc., that go towards revamping our institutions and revamping our economic sectors, and more business friendly and appropriate legislative framework. And today, when we look at this legislative framework, and then when we are criticised, when are told, “oh, goodness gracious me! SME Mauritius

Ltd is going to be a private company!” And to use the words of hon. Ramano, “*privatisation à outrance ! Aucune obligation à adhérer au good governance!*”

Let me remind hon. Ramano who is a very respectable notary public, who is very well known in Mauritius, and I am sure he is conversant with the Companies Act. I suggest that everybody reads section 143 of the Companies Act, which gives details about how company Directors should behave, what is due care and diligence. So, it is wrong to say that, simply because this is a private company, there is not going to be any accountability. Are we saying that we, a Nation where we have got private companies and public companies working together for the economy of this country, that all those private companies today are corrupt companies, that our economy is based on a corrupt economy? Is that what we are saying? It is very wrong to suggest.

When I started my intervention, I started by saying that we are a Nation that is resilient. We work hard. People who work in the private sector work very hard. People who work in the SME sector, they work very hard. People with micro businesses work very hard. Equally, people who work for the public sector work very hard. And today, we are going to say that our hard-working Nation creates corrupt wealth? Is that the signal that today’s Opposition is sending out there to investors or to those who are interested in our financial sector? This is wrong, and there is difference between those who work for their country as countrymen and those who are traitors. Only traitors use language of this nature!

*(Interruptions)*

I do not care, hon. Henry! I am not like the Opposition Members there...

*(Interruptions)*

**The Deputy Speaker:** Order!

*(Interruptions)*

**Mr Rutnah:** I am not like the Opposition Members there! Whenever they think that they have actually done a boom shakalaka, they look up at the Press gallery whether they are looking at them or not, paying attention, whether they are taking notes or not. I do not care! I care about my people out there! I care about those children who are watching today and listening to the debates today! This is what I care about!

*(Interruptions)*

**The Deputy Speaker:** Order, please!

**Mr Rutnah:** I do not want to look up there just like they do, whether they are checking or not! I am not interested with that!

Duplication; *duplication des fonctions* under this registrar. But if you read the object, it says –

“(...) provide support and information to facilitate the obtention of any registration, permit, licence, authorisation or clearance which the enterprise may require.”

All these will be done under one entity. You do not need any more to go ten places for a permit.

Mr Deputy Speaker, Sir, let me say a few thing things about this apparent fear that there is going to be loss of jobs; this perception out there which is being created that people are going to lose jobs because this is going to be a private company. Earlier on, my good friend, hon. Fowdar, gave example of a few companies like SICOM. You know, when SICOM makes profit, it shares it with its employees. Not only SICOM. If we look at MyT Mauritius Ltd, a private company, today flourishing. Air Mauritius is a private company owned by the State. But, of course, when you have Government of the kind that we had prior to 2014, then, of course, massacre of the economy will happen. But when you have...

*(Interruptions)*

**The Deputy Speaker:** Hon. Henry, please withdraw the words you have just used!

**Mr Henry:** I withdraw!

**Mr Rutnah:** Thank you, Mr Deputy Speaker, Sir. I was just making the point, Mr Deputy Speaker, Sir, that if you have a responsible Government, if you care about your people, about your Nation, about the future of the children of this country, of course, you will work for the benefit of the country! You will create wealth, you will create employment and you will care for your people, but if you do not care, you will take the money and put it in the coffers down there and send it to Italy or elsewhere.

Now, Mr Deputy Speaker, Sir, in relation to the fear of loss of employment, if I may take everybody to the relevant part, clause 16 (3) -

“(3) Every person who, at the commencement of this Act, is employed on the permanent and pensionable establishment of SMEDA may, within 30 days from the date of commencement of this Act, opt –

(a) to be transferred to SME Mauritius Ltd on new terms and conditions which shall not be less favourable than those of his previous employment;”

I stress on the word ‘shall.’ ‘Shall’ is mandatory. And then it goes on to say –

(b) to be redeployed, so far as is practicable, to any Ministry or statutory body where vacancies in a similar position are available, on terms and conditions which shall not be less favourable than those of his previous employment; or

(c) for retirement on the ground of abolition of office and be paid his pension benefits in accordance with the Statutory Bodies Pension Funds Act and regulations made thereunder, and the recommendations of the Pay Research Bureau Report 2016.”

And subsection (4) –

“(4) No person employed on the permanent and pensionable establishment of SMEDA who exercises an option under subsection (3) or who fails to exercise any such option shall be entitled to claim that his employment has been terminated or adversely affected in breach of any enactment.”

This is what we are doing. This is what the Minister has been doing and this is what the Minister is proposing to do with employment of those who are today secured under the SMEDA. So, there is no fear of job losses like any other Government-owned companies when they make profit. In fact, these employees in future will be in a more financially advantageous position than employees of the public sector as with the employees of Air Mauritius, SICOM and MyT, and many others.

Mr Deputy Speaker, Sir, there is no trial and error approach and the other criticism in relation to the fact that there is going to be no accountability. There is in the Bill one more provision about ‘Appeal’. If you are not happy with the way your appeal has been dealt, what do you do? You don’t just sit down and cry - Jesus Christ! - that you have no way left in life

and no hope in life. In clauses 9 and 10 of this Bill provision has been made for how the Registrar is going to deal with the application.

In clause 9, it says as follows –

“Where an SME, in respect of which a registration certificate has been issued, ceases to meet the criteria to be considered as a microenterprise, small enterprise or medium enterprise, or where the SME ceases its business activity, either temporarily or permanently, the holder of the registration certificate shall inform the Registrar in writing within 15 days of the cessation.”

Clause (10) deals with the appeal procedure and it is very simple. It is for the first time that I am reading the drafting of a law in such simple English, which any man out there can pick up and understand. The Appeal –

“(1) any party aggrieved by decision of the Registrar to –

- (a) refuse an application for the issue or renewal of a registration certificate;
- (b) cancel or vary a registration certificate,

may, within 21 days of the date on which he is informed of the decision of the Registrar, appeal to the Minister and shall, at the same time, serve a copy of the appeal on the Registrar.”

So, we can see that the Registrar is not going to be a one-man show. He has to be accountable somewhere. Besides, the Registrar is not going to be any Tom, Dick or Harry. He is going to be a public officer who has taken oath to work for the benefit of this country just like we have got the Registrar of Companies, the Registrar of Association. We have got various Registrars who are public officers and work in this country.

Mr Deputy Speaker, Sir, we have today in the history of our economic development reach a phase where change in the way of doing business is roaring from out of there and people will have no more need to go to ten institutions in order to get their business registered. Change is roaring from out there and change is coming to everybody who wishes to set up a business. Those days are gone when everybody would dream to work in the public

sector. Those days when hens were laying eggs and people were selling an egg for 10 cents, then, in those days all parents were encouraging their children to actually go and study hard, so that they can secure employment in the public sector. Those days have gone! We are living in an era, and I say it time and time again, where things are supposed to be met with speed and intelligence, and not just ordinary speed, I will not say at Metro Express speed, but I will go in line with my very good friend, hon. Sawmynaden, that it should be at high Internet speed. It should be at Internet speed so that people will live the changes that are coming.

I seize this opportunity today to heartily thank my friend, hon. Bholah, for bringing this historical Bill to this House, despite the fact that he has faced criticisms in this House. But people out there know full well that today he is making history for this country, for the children of this country who are going to be entrepreneurs as it is in our culture, in our tradition to be entrepreneurs from the time of the Dutch occupation. Till now we are hard-working people; resilient Mauritians and we want progress in our country.

Thank you, Mr Deputy Speaker, Sir.

(7.53 p.m.)

**Mr G. Lepoigneur (Fifth Member for Beau Bassin & Petite Rivière):** Thank you, Mr Deputy Speaker, Sir. Mr Deputy Speaker, Sir, this newly station has for object to repeal the Small Enterprises Development Authority also known as SMEDA, which will be replacing by SME Mauritius Ltd. As far as I understand, Mr Deputy Speaker, Sir, this change is due to the unsatisfactory performance of the SMEDA.

According to the Minister where he mentioned in his Budget Speech that 100 people employed are over needed and that only 1% of SMEDA staff is on the field to service SMEs, which means that the SME Mauritius Ltd. will offer better services with less employees. But my great concern, Mr Deputy Speaker, Sir, is that Government has failed completely in its own project, whereas the hon. Prime Minister, Minister of Home Affairs, External Communications and National Development Unit, Minister of Finance and Economic Development with the hon. Minister of Business, Enterprise and Cooperatives wasted public funds for what they call a 10-year Master Plan for the SME Sector in Mauritius, accelerating SMEs in relation to growth.

The 2016/17 national Budget already proposed the merger of Enterprise Mauritius, Small and Medium Enterprises Development Authority and National Women Entrepreneur

Council into an organisation for greater coherence, more efficiency and effectiveness. This aspect, Mr Deputy Speaker, Sir, is destroyed by this Bill. From SME's point of view, small investors are self-job creators and self-job generators will face serious problems due to the rigidity of new applications and registrations mentioned in this Bill.

SME partners facing risk of imprisonment and fine due to administrative compliance is a 50-year old backward step. This Bill is showing clearly that Government is not willing to help empowerment of SMEs. Government is strengthening its support to big and multinational capital by killing SMEs. This Bill is moving towards extermination of SMEs. This Bill is perpetration of business *sous-contracteur* to keep the SMEs taking social risks of employability of craftsmen with big capital and big profit.

The MauBank needs to be closed as it is taking public funds officially designated for SMEs but refusing to act as the SME Bank, Mr Deputy Speaker, Sir. The MauBank has up till now cleared up toxic loan only. The MauBank has disapproved loan approved by Mybiz. What will happen to all applications which are in process and what will happen to SMEs who were registered at SMEDA and who already had a certificate?

M. le président, je souhaiterais parler des problématiques que rencontrent les petites et moyennes entreprises qui n'arrivent pas à avoir un soutien adéquat qui, par la suite, se retrouvent en difficulté et qu'il y en a qui se retrouvent fichées à MCIB et doit mettre la clé sous le paillason.

L'un des problèmes majeurs pour les entreprises au cours de ces dernières décennies consiste un accroissement permanent de la maîtrise de leur environnement. Le phénomène de mondialisation joue un rôle majeur sur l'activité des PME. Le commerce, les technologies, la vie sociale culturelle ainsi que le fonctionnement des structures politiques dans les différentes parties du monde sont ainsi affectés et soumis à ce mécanisme de transformation. Aujourd'hui, les PME à vocation exportatrice sont évidemment touchées par cette transformation environnementale, mais aussi les PME qui n'avaient à l'origine qu'une vocation nationale.

Certaines questions problématiques demandent à être posées, M. le président. La mondialisation met-elle en danger l'activité des PME ? doit-on craindre une disparition progressive de la Petite et Moyenne Entreprise au profit d'un développement massif des grandes entreprises multinationales ? La réponse classique à cette question bascule de plus en

faveur d'une vision alarmiste liée au mouvement de concentration, pressant un nombre croissant de secteurs. Le développement massif des stratégies du coup de la tendance *big is beautiful* à l'échelle mondiale ont engendré le développement des géants internationaux contre laquelle la PME a vu ses parts du marché réduites progressivement à la peau du chagrin allant même souvent jusqu'à sa disparition.

Les PME dépendent trop des grandes entreprises en agissant en sous-contractuelles avec une marge minime alors que les grosses entreprises agissent juste comme un maillon entre la production et la vente. Aussi au cœur d'une telle analyse retrouve-t-on la notion de jeu, nous sommes nuls où l'un gagne ce que l'autre perd, M. le président. Cette vision archaïque mais, néanmoins, toujours d'actualité dans certaines analyses, qui mène le débat vers un constat inquiétant qui souligne la supériorité du plus fort, c'est-à-dire les grandes entreprises conduisant à une diminution permanente et définitive du plus faible, c'est-à-dire la PME.

Cette vision présente cependant un caractère restrictif fatal à sa pertinence. Le succès de la PME ne dépend pas de la faillite des multinationales. Les Petites et Moyennes Entreprises de carence en termes de capacité d'internationalisation de ce fait accumulent un retard majeur sur les marchés mondiaux. Les faiblesses d'entreprises ne sont pas un fait immuable, il est possible d'y remédier afin d'en assurer sa survie. Par ailleurs, c'est une caractéristique des PME qui confère des forces non-négligeables en ce qui concerne l'acquisition d'une position concurrentielle meilleure bien qu'honnêtement plus importante.

La globalisation et l'apparition des firmes multinationales et de grand nombre ont remis en question le positionnement de la PME. Pour cette dernière, les enjeux sont vitaux et il y va de sa pérennisation ou de sa disparition. Afin de mieux comprendre les relations complexes existantes entre mondialisation et PME, il faut un indicateur clé. Les entretiens passés avec les chefs d'entreprises, des PME devraient apporter des réponses concrètes aux différentes motivations à certains nationalisés liés à une telle décision.

Les hommes et les femmes interrogés impliquent quotidiennement leurs problématiques liés aux petites structures ont souligné comme premier point de personnel en effet dans le cadre d'une internationalisation, la PME doit faire face à des réglementations administratives nombreuses qui nécessitent des connaissances élargies notamment en termes de droits. La seconde insuffisance désignait un investissement financier trop conséquent et



des lacunes en termes de soutien et de conseil. Ces deux marques indiquent une insuffisance en information institutionnelle qui prive l'entreprise de multiples soutiens existants.

La MauBank ne joue pas son rôle de facilitateur comme je disais plus haut. Les PME ont besoin de financement externe important. Si elles ne parviennent pas à trouver des solutions financières, elles ne peuvent se permettre une internalisation. Il apparaît, en effet, de plus que l'entreprise est petite, plus elle a besoin de financement externe importante. La part des fonds propres dans le total d'un bilan nous donne des indications importantes à ce sujet.

D'une manière générale les parts de fonds propres dans le bilan des Petites et Moyennes Entreprises sont légers que les grandes entreprises. Cela indique un besoin important des PME de se financer auprès de différents prêteurs et leurs difficultés à trouver ces financements.

Ainsi la PME n'a toujours pas accès à des moyens financiers qui leur convient afin de réaliser leur projet. Bien que le marché financier à l'île Maurice soit développé très rapidement au cours de ses dernières années, les Petites et Moyennes Entreprises ne parviennent toujours pas à un financement qui leur convient. Le micro finance pourrait être une solution intéressante pour les PME mais sont, malheureusement, trop souvent mal informées à ce propos et, par conséquent, le recours est très rarement aux financements existants ou les taux d'intérêt sont beaucoup trop élevés. Nous avons la MCB qui s'est lancée dans la micro finance après l'ouverture de la MauBank qui avait déjà aidé beaucoup de PME.

Je connais beaucoup de PME qui ont des dossiers qui traînent depuis plus de deux ans à la MauBank. On entend par micro financement le poids de crédit faible montant de la prestation d'autres services financiers à des personnes qui exploitent les très petites entreprises souvent sous la forme d'entreprise individuelle. L'emprunt bancaire est également une solution fortement utilisée par les PME, c'est une solution intéressante, sûre et plutôt efficace pour financer une croissance internationale.

Cependant, les petites et moyennes entreprises ont souvent bien des difficultés à faire face à un banquier exigeant. La principale raison des difficultés des PME à obtenir des prêts bancaires est le manque de garantie pour le banquier et la dotation valable limitée en capital. Les banques sont très réticentes à prendre des risques et réclament des garanties. Si celle-ci n'est pas satisfaite des performances de la PME elle accordera le prêt difficilement.

Une PME ayant un bilan plutôt négatif des pertes ou encore des liquidités insuffisantes pourra rarement obtenir un prêt, M. le président.

Le manque d'expérience commerciale du chef d'entreprise peut parfois être suffisant pour faire naître des réticences de la banque quant à une demande de prêt. On constate que le manque de garantie suffisante est la principale raison en ce qui concerne les entreprises de taille moyenne. Les entreprises de plus de 50 salariés ne subissent que très peu de contraintes lorsqu'elles ont besoin d'un financement. Plus une entreprise est grande moins la garantie problématique. En revanche des performances économiques et le flux d'information convenable à la PME prennent de l'importance.

Le flux d'information est, par ailleurs, souvent problématique pour les PME. En effet, celles-ci éprouvent des difficultés à fournir une information adéquate afin d'obtenir un prêt, M. le président. Les documents le plus couramment demandés sont le bilan de compte, des résultats. Malheureusement, beaucoup de PME n'arrivent pas à fournir ce type d'information. La fourniture de l'ensemble des documents requis sont souvent une condition indispensable à l'accord d'un prêt. En observant la liste des informations demandées par les banques et la liste des documents fournis par les PME, la communication apparaît alors comme un frein majeur à l'obtention d'un prêt.

En plus, d'une information générale et rétrospective, il est souvent demandé de fournir des informations financières mises à jour de même que des informations stratégiques. Ces informations n'existent parfois même pas sur papier dans les petites entreprises. Le PME ne procède toujours pas à l'établissement clef à son stratégie. Certains PME ont un département comptable très restreint voire inexistant.

Les entrepreneurs, eux-mêmes, peuvent manquer de savoir financier ou administratif. Ils sont souvent très impliqués dans le quotidien et négligent, par conséquence, les documents demandés par la banque. Mais les informations fournies par la banque sont aussi bien souvent insuffisantes et nécessiteraient une amélioration importante en terme de qualitatif et quantitatif. Il serait donc essentiel pour les PME de formaliser leurs travaux stratégiques en terme de résultats à défaut de quoi, ils prennent le risque de ne pas remplir les conditions préliminaires à une demande de prêts. Là, encore certaines entreprises financières profitent des faiblesses des PME pour avoir leur part du profit lorsqu'ils récoltent les PME, c'est-à-dire, les institutions payent les factures des clients, des PME et ils récoltent un pourcentage sur la facture. Les PME sont obligés d'accepter pour ne pas avoir un problème de cash-flow.

Mr Deputy Speaker, Sir, to facilitate SMEs' financial problem, I will suggest the Government to act as a regulator, developing strategies to finance the SME sector through perhaps regulatory reforms and a new funding scheme. For the banks, the advance and technological innovation provide the opportunity to introduce new banking solutions and a digitalised future.

Under the Financial Inclusion Agenda, therefore, this is where we see strong and positive leakages in economic growth; financial stability and financial reforms going forward to SME sector. Mr Deputy Speaker, Sir, you would agree that encouraging growth of SMEs access to financial services could create jobs in our country, ensure steady income flow, reduce vulnerability because of proper risk management tool increase investment in human capital. Ignoring this sector, Mr Deputy Speaker, Sir, will have negative consequences resulting in greater disparities that lead to wider economic and social gaps in our communities.

M. le président, avec le *Negative Income Tax*, là encore c'est un autre problématique qui est venu s'ajouter au problème des PME, car il y a beaucoup de PME qui emploient des personnes comme contracteurs, ce qui leur évite encore des charges sociaux tel que le plan national de pension et autre. Mais depuis la création de la *Negative Income Tax*, les personnes qui travaillent dans les PME veulent se faire enregistrer pour en bénéficier ce qui amène à des licenciements. Un autre problème qui risque de s'ajouter sur le salaire minimum qui sera bientôt en vigueur où beaucoup de PME risquent de se retrouver avec une réduction de personnel.

Pour conclure, M. le président, je souhaite que les démarches administratives à l'ouverture de la PME et les demandes d'aide financier auprès de la MauBank soient simplifiées et activées dans un délai raisonnable qui va grandement aider la PME à s'épanouir.

Je vous remercie, M. le président.

**The Deputy Speaker** : Hon. Members, Madam Speaker will now resume the Chair.

*At this stage, Madam Speaker took the Chair.*

**Madam Speaker**: Please be seated. Hon. Wong Yen Cheong!

(8.08 p.m.)

**The Minister of Social Integration and Economic Empowerment (Mr A. Wong Yen Cheong):** Madam Speaker, thank you for giving me the floor, and thus the opportunity to add my voice to the debates on this important piece of legislation which is the Small and Medium Enterprises Bill.

At the very outset, I would like to lay stress that I personally welcome this Bill. Right from the start, in the Explanatory Memorandum, it is stipulated that the SME Bill caters for a Registrar who shall provide support and information to facilitate the process of registration and to ease the issue of permit, licence, authorisation or clearance required by a person who intend to set up an enterprise having a project not exceeding Rs20 m. And going further, we see that ‘enterprise’ ‘means any form of trade, business or manufacture, craft, cultivation of fruits, vegetables or flowers, livestock breeding, or activity approved as such by the Ministry’; and it also includes the co-operative society.

Nowadays, Madam Speaker, the Small and Medium Enterprises sector is considered to be one of the main economic pillars with its high contribution in job creation. It has been proved across the world that the reduction in the unemployment rate is largely tributary to the development of SMEs which boost the economy with an active labour force which, itself, contributes to economic growth.

With the setting up of the SME Mauritius Ltd., a new landscape for the SME sector is glooming on the horizon. A modern and more business friendly framework will be set up and better results are expected. The Small and Medium Enterprises Ltd. Bill does not cater only for those who are already operating in the SME sector. Madam Speaker, the Small and Medium Enterprises Bill is being introduced at an opportune moment of our history as it caters also for those who wish to start a business or for those who are operating in the informal sector.

It is here an opportunity for informal SMEs such as street hawkers or people operating micro businesses at home to regularise their situations within a well-structured framework with well-defined parameters. We are all aware to what extent SMEs in Mauritius play a vital role in terms of economic growth and employment. Without SMEs, our unemployment rate will surge to two digits and the economic growth will witness a plunge with the consequences that we know. Therefore, with the introduction of such a Bill, SMEs’ contribution will further create opportunities for those who, may be, have no big academic qualifications, but have the willingness, the determination and the positive attitude to make a difference in life.

Madam Speaker, I am talking about the people who have the skill, who have the talent to develop micro-projects, but who obviously are lagging behind because of the lack of support from the authorities. The setting up of the SME Mauritius Ltd. and the appointment of a Registrar of small and medium enterprises as presented in this piece of legislation open new avenues to people of low income groups who can hope for a better future. The SME Bill also make provision for microenterprise, that is, a microbusiness with an annual turnover not exceeding Rs2 m.

Madam Speaker, when it comes to microenterprises, I feel deeply concerned as my Ministry's mission is to advocate for and promote the empowerment of the needy, those underprivileged who are striving for a living. Empowerment is a key to open the door for a better future. Mauritius abounds in talents with people showing great interest in microenterprises touching various sectors such as handicraft, agro-activities, agriculture of fruits, vegetables and flowers, livestock breeding, woodcarving and sculpture works.

The forthcoming SME Mauritius Ltd. will be a paramount support to poor people wishing to get out of the poverty trap through the setting up of their own micro-businesses. I am confident that when they are given the chance to transform their dreams into reality, these people will do their utmost best to contribute to their own social enhancement. The SME Mauritius Ltd. will for sure bring innovation in terms of technology, thus easing the task of start-ups in the issue of permit, licence, authorisation and clearance to SMEs through a diligent track.

Madam Speaker, the Small and Medium Enterprises Bill also makes provision for the formula of cooperative society which in itself is a laudable initiative as it departs from individual commitment by privileging collective efforts. Collective efforts, through the cooperative society concept, is yet another form of empowerment which is essential for those who are struggling to make ends meet and it helps in achieving sustainable and inclusive growth.

One of the advantages of a cooperative society is the sharing of responsibilities between its members as a result of the elimination of intermediary persons, thus promoting the economies of scale through cost reductions and, thereby, increasing its market opportunities through reasonable profit margin with reasonable selling price of its products. In short, a cooperative society is more economically resilient than the other forms of businesses.

Furthermore, cooperative companies have societal goals and utilise part of the profits to respond to the needs of the community. Madam Speaker, be it a micro-enterprise or a small or a medium enterprise, sustainability should be high on the agenda. Of these businesses, as very often, some SMEs do not survive after two or three years of existence.

The SME Mauritius Ltd. should have the means to provide sufficient support to help SMEs flourishing. SMEs should be properly advised on the implementation process of the businesses with training and assistance in terms of investment, quality of products, marketing, just in time delivery concept, human resource management, financial management and administration and also on change on the marketplace.

Today's access to finance by SMEs is a longstanding constraint of SME's growth as entrepreneurs are facing credit restrictions from the banking and financial sector. Through the bottom line of the financial institutions display huge profits after taxation, I would make a humble appeal to the concerned authorities so that they come with new policy measures and new approaches to support access to finance by broadening the range of schemes or programme addressed to SMEs, particularly to those wishing to develop a micro-enterprise business which will promote empowerment as a means to exit from poverty.

Madam Speaker, the challenge not only resides on the SMEs, the financial - I mean the lending - institutions will have an important role to play, to improve access and conditions for SME finance by providing working capital or seed capital in flexible and prompt terms, but above all, transparency, willingness, determination and compliance should be the motto of SMEs if they want to take success. And above all, nobody can succeed, we have to tell the people how they need discipline, they need sacrifice, as the Government on its own will never be able to accomplish these things. The people themselves have to come to us and do these things. They need the discipline that this country needs.

Once again, I thank the hon. Minister for having the courage to bring the Bill, to make that wind of change, to take a new breath with the SMEs.

Thank you very much. With these words, I thank you for your attention.

**Madam Speaker:** Hon. Baboo!

(8.18 p.m.)

**Mr S. Baboo (Second Member for Vacoas & Floreal):** Madam Speaker, thank you. Well, before I comment on the Bill, I have heard my good friend, hon. Rutnah, speaking

about that, discussing as a good lawyer. Well done! But, I, myself, being an MBA, Chairman and Director before in eight companies abroad, I know what difficulties people are facing. He is talking about the children of tomorrow, it is good, but we will discuss this Bill now.

Madam Speaker, thank you for giving me the opportunity to speak on this Bill today. We have heard the Minister's *exposé* on all the good intentions of this Government through this Bill to save the small entrepreneurs and to boost up this sector and bring it to a next level.

We also appreciate the initiatives of the Minister in coming with the SME 10-Year Master Plan early this year in order to trigger the ecosystem and culture of entrepreneurship and with major shifts aiming at an entrepreneurial economy, a roadmap meant to be a game changer in steering the new development path for the country's small and medium enterprises until 2025.

If we look at the Master Plan, it proposes a series of initiatives and actions aiming to improve the general small business environment beneficial to all SMEs providing targeted measures that support the transformation of others into innovative, more competitive and export ready SMEs, bold measures for high-growth potential start-ups to emerge and to develop.

The objectives of the Master Plan are meant to be achieved through the following six strategic thrusts –

- (1) Improving the Institutional and Regulatory Environment;
- (2) Instilling an Entrepreneurial Attitude;
- (3) Reinforcing Human Capital and Skills Development;
- (4) Encouraging Innovation, Technology Transfer and Greening of SMEs;
- (5) Improving Access to Finance and Equity Participation;
- (6) Improving Marketing and Regional Exports Capacity.

Madam Speaker, this is definitely of good omen and as the Ministers then said, an innovation-led economy demands a new breed of SMEs that can help foster market and technology-driven innovation to create more high skilled jobs in all economic sectors and for this to happen, the Government imperatively has to adopt a differentiated approach to accelerate the growth of SMEs and to provide the impetus for growth.

But, when we hear the Minister during his discourse on the provisions of this Bill, I will not go in-depth in comparing the Bill with the Master Plan as Members in this House have already explicitly appraised on the subject. I beg to defer that this Bill is in line with the

objectives of the Master Plan. We can say that the main objective of this Bill is to bring institutional reforms. We already know how difficult it is for small entrepreneurs to start up a business or to expand, develop his existing business. Now, when they were already accustomed with SMEDA and the 2-year-old MyBiz, the SME One-Stop Shop with all the amenities with its –

- (1) General Business Development Service Unit;
- (2) Licensing, permits, clearance, Registration Unit;
- (3) Specialised Business Development Services Unit;
- (4) Export International Market and Trade Promotion Unit, and
- (5) Monitoring and Evaluation Unit.

And foremost, MyBiz had aimed to provide seamless access to finance through MauBank which equates to the removal of a key obstacle in entrepreneurship growth and development.

Unfortunately, Madam Speaker, this Government is only taking the population on a ride with its reforms. Now, we hear that MyBiz is not working and, therefore, needs to be scrapped off for the setting up of a new institution, which will again be a one-roof facility for small businesses.

Hon. Uteem referred, in his intervention, to the response from a recent Parliamentary Question by hon. Rughoobur. It was understood that since May 2016, MyBiz has approved 273 projects for a total value of Rs1.2 m, while MauBank has approved a number of only 94 projects for a total amount of Rs274 m. This shows that there is no cohesion in the structuring system proposed by this Government. Hence, instead of remedying the existing flaws, it is again juggling with public money and gifting the small entrepreneurs with SME Mauritius Ltd.

Going back to MauBank, Madam Speaker, which the Government had resurfaced in the lime light, the saviour bank of the SMEs, unfortunately MauBank fails deeply in helping small and medium size enterprises meet the challenge of trading. One having a bank account open is a nightmare. How then can we expect a seamless project evaluation and financial facilities to be processed? With all that we are hearing now, it is highly believable that this bank is more apt at sheltering the *petits copains* and the financing of the newly born businesses *en temps record* instead of helping the small entrepreneurs.



How can we then, Madam Speaker, expect our SME sector to develop and grow in such an unhealthy business environment? Madam Speaker, again, with this Bill, we are seeing the same trial and error, amateurism we are getting used to by this Government. An institution, which was set up to boost up the SME sector, is now being scrapped after only two years of operation for the sake of another new born to do the same promised services, with the same objects, which are to promote and develop entrepreneurship and provide the necessary support and assistance to the micro, small and medium enterprises in Mauritius.

We have continuously heard, in this House, about the big institutional reform being envisaged by this Government with its new mergers and new bodies being set up. We have been hearing the same song year in year out with this Government: institutional reforms, new bodies being established in order to replace non-performing bodies. We cannot omit the amount of money involved in these so-called reforms.

Let us now see the two important provisions of this Bill. Firstly, replacing the SMEDA by SME Mauritius Ltd. Secondly, the setting up of a Registrar for SMEs.

Madam Speaker, we cannot do politics with such an important issue. We cannot play with our SMEs and the future generations when the SMEs are the largest employers in Mauritius, a workforce of around 300,000 people or 54.6% of our total workforce. This Bill, which should have been *un tremplin* for the SME, cannot be a law to complicate the lives of these people who are trying each day to fight and embrace all types of problems, ranging from administrative issues, high price of raw materials, endless policies, municipal council, permit issues, staff problems and supplier to financial issues for the survival of their businesses and to earn their living.

It is difficult to sit in a minister's chair and try to be in the shoes of an entrepreneur in order for an SME Bill to be able to fulfil its true *raison d'être*.

Then, it should have been done with full consultation of a pool of small entrepreneurs, covering all business spheres, with the contribution of experts from the private sector and in joint collaboration with private stakeholders. What we are seeing today is a Bill made by public officers and a new Board consisting of mainly public officers, when it should have been a combination of both public and private representatives.

On this side of the House, Madam Speaker, we are not criticising this Bill just for the sake of criticising. *L'opozition pa zis la pu critic governman*, as always affirmed by our hon.

good Friend Sinatambou. We cannot make cheap politics with the future of such an important economic sector and job creator.

Coming now, Madam Speaker, to the appointment of a Registrar for SMEs, as proposed by this Bill, a Registrar whose role would be to determine the differing denominations and definitions between a small business and a small establishment as well as to process the registrations of SMEs, I sincerely fail to understand the rationale of such an initiative. This measure will undoubtedly be bringing more red tape procedures and wastage of public funds. We fail to understand why the Government is not utilising efficiently the institutions we already have and which are well equipped like the Companies Division and the Mauritius Revenue Authority, if we really need a registry for SMEs.

Why the SME registration of these SMEs could not be housed by the Companies Division, where all data are recorded and readily available? We cannot understand why we are encouraging an entrepreneur to go from door to door and to waste 15 days in having his SME application processed. What else will this Registrar be doing? Check if SMEs are still alive, if they have graduated from micro to small and small to medium, when these monitoring can be done through the Companies Division and the Mauritius Revenue Authority.

Again, Madam Speaker, it is a problem of cohesion between public institutions probing into lack of efficiency and accountability in the whole system, and this is unfortunately only moving us backward. To add another layer on the SME burden, we are having the SME Certificate which will be now for a duration of only five years and which would have to be renewed at least three months prior from its date of expiry.

We did not hear the Minister talk about any renewal fees or penalty fees for late renewals of the SME certificate. We would appreciate if he could shed light on this issue.

Madam Speaker, when trying to uphold the SME Sector we should be practical and not just abide by the book. We cannot burden the entrepreneur, someone who has all the required talents and innovative skills, but who is held back to forego risk due to new institutions, policies being brought forward and being repealed within a glimpse. With this trend, unfortunately, this Government is far from building confidence in the SME population.

Madam Speaker, we cannot forget the echoing words of the previous Minister of Finance during the 2015-2016 Budget Speech: *'Ile Maurice, nation d'entrepreneurs'* the then

SME budgetary provisions which then consisted mainly about putting up the one-stop shop and the SME Bank, both being declared as failures today!

Madam Speaker, far from being biased, we cannot overlook the role of hon. Xavier-Luc Duval as Minister of Finance and Economic Development - in his hand in stirring up the SME sector. This is clearly reflected successively in the Budgets of 2012, 2013 and 2014 whereby he proposed practical and to the point measures to alleviate and motivate the SME sector, innovative vision and measures in stimulating investment and the Mauritian economy in general, which earned hon. X.L. Duval the African Finance Minister of the Year by Africa Investor 2012-2013.

Madam Speaker, coming back to this Bill, if the motive is to bring back all the services required by the SME under one umbrella, then why not regrouping all the economic and business driven bodies under the Economic Development Board? Why should the service of the Economic Development Board be sought essentially in cases of hindrances by the SMEs' Board and Registrar which will be more time-consuming for entrepreneurs? If we are trying to emulate the Singapore system, let us do it properly. We cannot bring a piecemeal reform if we want to sustain and develop the SME sector for the long run.

We will be having an SME Mauritius Ltd which is not accountable to Parliament although Government being its major shareholder and almost appoints its Chairman and members! We will have an institution which will run in opacity, which will result in loss of jobs and will leave room for more nepotism! We have seen the promises made by this Government with its mergers and its public sector reform programme in its endeavour to promote more efficiency to adapt to fast change and what are the stances of this reform as to date.

To end, Madam Speaker, I would say that we have today an SME sector which is ill. According to Government official figures between 2015 and 2017, more than 4,561 SMEs have closed down due to generic reasons like red tape, lack of facilities, labour cost and for being unable to be heard and supported. Some words of mouth, some SMEDA trade fairs here and there will not bring concrete solution to the SME problem. And, the hasty wiping off and injecting of new institution will further deepen the problem. Our economic development lies in small enterprises. However, this Bill will doom the system further where we will see the cycle repeating itself with SME rooting and then disappearing as quickly as they started.

Therefore, I thank you, Madam Speaker.

**Madam Speaker:** Hon. Bholah!

(8.40 p.m.)

**Mr Bholah:** Madam Speaker, I wish to thank all the hon. Members from both sides of the House who have intervened on this important piece of legislation. I also commend the mood in which the debate has taken place from all the hon. Members as from last week.

What does the Bill say today? On the one hand, we have the SME Mauritius Ltd already incorporated as a company; the Bill comes at this moment to repeal the Small and Medium Enterprises Development Authority Act and, at the same time, to put into place a Registrar of SMEs. That is all the Bill is doing.

Much has been said by hon. Members on this side of the House, namely by hon Rutnah, hon. Fowdar, hon. Sesungkur and, to a lesser extent, by other Members...

*(Interruptions)*

I will come to him, don't worry about it!

*(Interruptions)*

And, therefore, which does not leave me with much stuff as many questions have already been answered.

What is the contention of the Opposition today? That the Master Plan says it recommends a parastatal body, that we have incorporated a private company and that there will be opacity as opposed to transparency as to why we are going to appoint a Registrar of SMEs? I invite hon. Members from both sides of the House - unfortunately, hon. Rughoobur is not here. In my foreword, I said -

“The high adaptability of the proposed Master Plan is to be highlighted - far from providing a rigid code of conduct for SMEs for the coming 10 years, the Master Plan follows a ‘live plan’ concept that will remain relevant with changing times, by fine tuning to environmental and structural changes and evidence of new data.”

True it is that to avoid previous mistakes the Master Plan recommends that SME Mauritius should be incorporated as a parastatal organisation with a Board constituted equally

of private and public sectors. It recommends but it is adaptable. True it is, I brought this Master Plan to Cabinet and as hon. Uteem said last week, Cabinet approved. In fact, it took note and much debate went on from there and up to the point when the Budget was read in this House, SME Mauritius was already in the vocabulary! And, I don't know why many of the hon. Members overlooked this aspect.

Madam Speaker, SME Mauritius as a private company; it is the first ever private company that is being set up by Government and many people, and even today in the daily *L'Express* someone wrote that it is the first ever State-owned private company.

We have to go down memory lane in 2004, Madam Speaker. In 2004, when hon. Paul Raymond Bérenger was the Prime Minister - I am not here to criticise him - when Enterprise Mauritius was set up on 22 October 2004 as a company and this gave the then Minister - I think it was Mr Sushil Khushiram - this Enterprise Mauritius provided the then Minister with a formidable tool to promote and export our products at a time when there was fierce international competition on the international era. For thirteen years, Enterprise Mauritius has been used by Mauritius, by the Government, by successive Governments and, therefore, successive Ministers to promote our products, not only textile but any other products that we have to export. And Enterprise Mauritius, the Budget always comes in the Estimates every year and Members are allowed to question the Minister in this House. And the Minister, once the Budget is there, he has, at Committee of Supply, to reply to the queries and questions raised by hon. Members.

*(Interruptions)*

But, again, budgets are scrutinised. What opacity!

*(Interruptions)*

**Madam Speaker:** Hon. Ameer Meea! You had the opportunity! Hon. Ameer Meea!

*(Interruptions)*

Hon. Ameer Meea, I am talking to you! You had the opportunity to intervene. Now, you do not have to interrupt the hon. Minister.

**Mr Bholah:** I have checked with the relevant Minister. Questions have been put and answered by the different Ministers. Two weeks back, questions were put on DBM to the

hon. Prime Minister and the Prime Minister replied. Questions were put on Landscape and answers were provided.

Now, moving forward - and this one is very interesting. National Empowerment Foundation set up in July 2008 when the Labour and PMSD were in alliance and they were in Government!

*(Interruptions)*

**Madam Speaker:** Hon. Rutnah!

**Mr Bholah:** Incorporated as a private company. And what is interesting on the website and this summarises the reason behind putting up private companies and it is very interesting, Madam Speaker –

*« Compte tenu de l'ampleur des activités et de la nécessité de rendre plus flexibles les processus de décision et de mise en place des programmes, la National Empowerment Foundation est créée en juillet 2008. L'organisation de cette nouvelle compagnie publique à but non-lucratif, chargée de piloter et mettre en oeuvre l'Empowerment Programme, permet d'améliorer le fonctionnement de l'institution, de renforcer et de professionnaliser son personnel. »*

It is summarising the reason and, up to now, programme have been put and being monitored by Empowerment Foundation. SME Mauritius is not the first...

*(Interruptions)*

**Madam Speaker:** Hon. Sinatambou!

**Mr Bholah:** SME Mauritius is not the first State-owned company as said. Moving forward...

*(Interruptions)*

Polytechnics Mauritius, formerly Knowledge Park Ltd, set up in May 2013, again a private company. So, Madam Speaker, I do not know what all the fuss around private companies that so many comments have been levelled against private companies.

We are in the same position today as Enterprise Mauritius. This country is being inundated by cheap products coming from, especially far east. Small businesses are

suffering; personnel are being laid off; small entrepreneurs cannot pay their monthly instalment and banks are chasing them for payment and we need an institution just like Enterprise Mauritius did as from 2004 up to now. This is what we need today, Madam Speaker and what we are going to do again.

Many people say that it is a non-revenue generating and that audited by external auditor. Of course! Be it Enterprise Mauritius and other State-owned companies, I have just mentioned, their accounts are being audited by external auditors and I have said nothing regarding the audit of SME Mauritius. It is up to the Board. The Board of SME Mauritius will see as to whom to entrust this audit exercise of its accounts. And talking about audited accounts, Madam Speaker, it is worth noting, Members should know that the latest Annual Report laid before the National Assembly and I am talking about SMEDA, is that of 2011. We are practically at the end of 2017. 2011, this is what SMEDA has been doing so far.

When I assumed office as Minister in 2014, and in order to have a glimpse of what the SME sector is all about, and being a professional accountant myself, I was looking for the Annual Report. And to my surprise, I did not get any which could enlighten my whole view about the SMEDA, what SMEDA has been doing. And then when I inquired further, accounts were not kept. There were no data. Up to that point that they had to employ *stagiaires* to collect data in order to put up the yearly accounts, to that extent. And this is the situation with SMEDA and this is before the arrival of the present CEO or the Managing Director, Mr Servansingh.

*(Interruptions)*

I will continue. Of course, I will continue. And hon. Uteem goes to salute the Board in his speech. This is what he did.

Hon. Uteem - he is a good friend of mine anyway - talks about SMEDA not having - I do not know how it has been overlooked. If you look at the Budget Estimates for this year at page 288, SME Mauritius has Rs65m. of Budget, Rs152m. for next year and Rs147m. for the year after. And somewhere hon. Uteem said, in his speech, that the CEO has been appointed, who is going to pay, I do not know how he is paid, I do not know because there are no funds, they do not have any funds yet for SME Mauritius. For SME Mauritius!

*(Interruptions)*

**Madam Speaker:** No, hon. Bholah, you should not engage in any conversation with any hon. Member, be it from Opposition or from Government sides. Please!

**Mr Bholah:** Madam Speaker, I would like to raise the issue of Mr Puddoo, the newly appointed CEO of SME Mauritius. Mr Puddoo was already employed as a Consultant in 2012 by the Ministry of Finance and they were providing finance to SMEs. And let me say it at the outset that Mr Puddoo - because certain remarks have been levelled last week - is neither a relative of mine nor does he live in my Constituency. I came to know when only I became Minister. Since 2012, he was acting as a Consultant. When we decided to put up the one-stop shop, MyBiz, in 2015 and after an open vacancy notice, Mr Puddoo was selected and appointed as CEO of Mybiz in December 2015. And he was not the only Consultant; they were working as a team. There was around six or seven Consultants at that time.

One month later, that is, in January 2016, one of his friends, who was a colleague for so long time, but after the appointment of Mr Puddoo, he wrote a letter levelling certain charges of corrupt practices. We got the letter because the letter was written to the Ministry. Immediately after, my Permanent Secretary came to see me and I told him to report the case to ICAC. ICAC officers came and they started the inquiry. We asked Mr Puddoo to take a leave. The inquiry went on, weeks after weeks and it took some time. We took a decision at the level of SMEDA and my Ministry to lay off Mr Puddoo and to appoint another person, the one who came second on the list. From that day, Mr Puddoo disappeared. After some time, exactly in August 2016, some eight months later, we got a letter from ICAC which says - "I am directed to inform you that the investigation carried out has not substantiated elements of offences." And it was clear, but still we forgot about Mr Puddoo.

When we again published a vacancy notice, I believe in September this year, now this time for the appointment of a CEO for SME Mauritius Limited, again Mr Puddoo applied. There was a panel constituted, let me say, with Mr Bussier, who is the Director at the Ministry of Finance and Economic Development; Mr Raju Jadoo who is the Secretary-General MCCI; Mr Salehmohamed who is the Chairman of Enterprise Mauritius and Mr Ramdenee, Head of Department BOI. The panel selected Mr Puddoo on the basis of his qualifications and experience as CEO. He was appointed. Again, before appointing him, I directed my Permanent Secretary to write to the Police Department and to seek if he is a fit and proper person.



Before the intervention of Mr Uteem, on 13 October, Madam Speaker, we got the reply from the Police Department which says –

“Please refer to your letter (...)”

This is the letter we wrote.

“ (...) And I wish to inform you that, on the basis of records kept at the Crime Record Office, Mr Rajendra Puddoo, holder of NIC (...) has a clear record.”

What more can I do? What more can I go and look for?

The sad thing, Madam Speaker, last Tuesday, we were debating on the Equal Opportunities (Amendment) Bill in order to enable persons of minor offences and misdemeanours to be able to apply for a job. On that very same day, nasty remarks were levelled against Mr Puddoo who has a clear record - clear by ICAC and provided by Police and to me, it is a shame and they were telling ‘shame’ to me.

Madam Speaker, as I said I won’t be long. I have a few replies to make to Mr Rughoobur, but unfortunately, he is not here. He made a suggestion regarding the Registrar who should be someone or anybody else. But let me tell him, anywhere you go, you go to the Registrar of Cooperatives, you go to the Registrar of Associations, you go to the Registrar of Companies, they are all civil servants. They do not act on their own. This is what Mr Rughoobur said as if he issues certificates according to his whims and caprices and that this certificate will allow him to buy a 4X4. It is not the way this is done. The Registrar of SMEs will have a team and anybody who is going to submit an application to be registered as such, of course, checks will be carried out. The Registrar has a maximum of 15 days to issue the certificate. It is not 15 days.

What Mr Rughoobur said is that it should be the Board who approves? If I go according to what he suggests, that is, the Board should sit every 15 days; is it practicable? When this Government is on the move of relaxing business facilities, the ease of doing business, shall we wait for the Board to issue a certificate? How can that be, Madam Speaker? This is not possible.

Members have spoken about the OPSG report’s recommendations where it is said that we could have laid off 35 employees. This report was provided as back as June 2013, but the Government, at that time, did not have the audacity or the courage to take action like it

should be. Upon assuming office, I could have just applied the recommendations of this report and lay off 35 employees, but I did not do that. Consultation regarding employees, 100 or so employees, is on-going. I have met personally and no trade unionist can force me to meet or not to meet. I am not guided by any trade unionist. I have a feeling for the employees and since day one when we set up SME Mauritius Limited, I have been consistent by saying that none of the 100 or so employees will lose their job. I have been consistent, be it on TV, be it on radio or be it in press interviews, but I made a plea to all these employees just to facilitate the process.

My Permanent Secretary has had as many as 16 or 17 meetings implying the Ministry of Civil Service Affairs, the PRB, SICOM, that is, the company that manages the pension and we are finding ways and means how-to redeploy or to employ some of these employees because it is evident that we will not be able to employ all the employees otherwise it will be a change of name only. So, we are here to help all the employees so that, at the end of the day, they will enjoy the terms and conditions which will not be less than favourable than that they are enjoying at this time.

Madam Speaker, I won't be long. Many of my friends have already replied. To sum up, we are in a situation in which we have two options: that of creative destruction or that of destructive perpetration. With the SME Bill, the choice of Government with regard to the future of the SME is clear, but for all the reasons mentioned during my intervention, this does not seem to be the case of the critics. What has been going on until now, particularly with SMEDA, is a sad case of destructive perpetration including by those in and outside the House for having not been up to the task when it comes to the question of the financial and functional accountability of SMEDA.

I would like to draw on the latest report of the African Development Bank (AfDB) entitled 'Industrialize Africa: Strategies, Policies, Institutions and Financing' released on 17 November this year whereby there is a call for countries to take a new path for structural transformation. It advocates a rethinking of Government's economic role with a first aspect of this change being behavioural. Government cannot continue business as usual because national economies are constantly evolving, static levels of R&D and innovation are less revealing determinants of performance than the institutional framework in place to ensure constant production of knowledge and its diffusion among private agents. AfDB posits that

Governments must play an important role in building the capacity of domestic institutions to anticipate major economic trends and cope with systemic change.

Madam Speaker, this is exactly what we are doing with the inception of SME Mauritius, which will form the centrepiece of our vision and determination to spur the creation of a new and full-fledged SME framework that sets the contours for efficient policies measures and actions. Our ambition for the SME sectors is high, but attainable. Via the SME Bill, we are replacing the existing model and system of governance with a better one in view of transforming our political aspirations with regard to the SME sector into tangible outcomes. And this will be possible principally because services to be offered to entrepreneurs will from now on be free from bureaucratic inefficiencies thanks to the SOE operational model.

I am very much aware that creating a new institution will certainly not suffice. SME Mauritius will have to think and act big so as to be a strategic player linked to the ambition of creating new jobs, growth, innovation in existing and emerging industries in which our SMEs operate. SME Mauritius will have no choice but to be the preferred point of contact of entrepreneurs of all horizons when it comes to support and advice in the field of enterprise development.

Access to markets and business opportunities, this is the sole *raison d'être* of this new institution and I can assure the House that I will be intransigent about adherence to this imperative. Madam Speaker, Paul Gibbons, an English businessman wrote a blueprint entitled “The Science of Successful Organisational Change: How Leaders Set Strategy, Change Behaviour, and Create an Agile Culture” says and I quote –

“People who appear to be resisting change may simply be the victim of bad habits. Habit, like gravity, never takes a day off”

No wonder that opposition to this Bill has been emanating from a portion of chronic pessimist or from some who have been irremediably hit since quite long with *le virus de la critique permanente*, in both cases what is sure is that those expressing opposition to the Bill have a simplistic flawed understanding of the entrepreneurial ecosystem and of everything that has been said and done at the various stages of the conception of the SME Bill. All I can say is that such an attitude is a losing enterprise as we have seen that those critics have confounded themselves with their own inconsistencies. On the other hand, our action with the

SME Bill is not only a move for a courageous shift, but it is also crafted to chart the way forward for a constructive reform for the sector. While some have been talking of accountability and opacity and I have shown that they have been doing this on shaky grounds, we are talking of transparency, accountability and efficiency with SME Mauritius.

Madam Speaker, in November last year, I presented the Co-operatives Bill -one year as from now - which has provided an appropriate legal framework to pave the way for a modernised, sustainable and strong co-operative movement, notably by addressing critical issues such as good governance, mismanagement and misuse of funds, financial irregularities and liability of directors.

One year later, it is with the same visionary spirit that I am hereby presenting the SME Bill which, I am sure, will bear fruits as a stepping stone towards entrepreneurial vibrancy in the near future.

I am done, Madam Speaker, thank you.

*Question put and agreed to.*

*Bill read a second time and committed.*

## **COMMITTEE STAGE**

*(Madam Speaker in the Chair)*

### **THE SMALL AND MEDIUM ENTERPRISES BILL**

**(No. XV of 2017)**

*Clauses 1 to 14 ordered to stand part of the Bill.*

*Clause 15 (Consequential amendments)*

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

**Mr Bholah:** Madam Chairperson, I move for the following amendment in clause 15 –

“In clause 15(5), by deleting paragraph (b) and replacing it by the following paragraph -

(b) in the Schedule, in Part II, by deleting the following item –

Small and Medium Enterprises Development Authority"

*Amendment agreed to.*

*Clause 15, as amended, ordered to stand part of the Bill.*

*Clauses 16 and 17 ordered to stand part of the Bill.*

*First Schedule was agreed to.*

*Second Schedule was agreed to.*

*The title and enacting clause were agreed to.*

*The Bill, as amended, was agreed to.*

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

*Third Reading*

*On motion made and seconded, the Small and Medium Enterprises Bill (No. XV of 2017) was read a third time and passed.*

**ADJOURNMENT**

**The Ag. Prime Minister:** Madam Speaker, I beg to move that this Assembly be now adjourned to Tuesday 05 December 2017 at 11.30 a.m.

**The Vice-Prime Minister, Minister of Local Government and Outer Islands (Mrs F. Jeewa-Daureeawoo) rose and seconded.**

**Madam Speaker:** The House stands adjourned. Hon. Mrs Selvon!

**MATTER RAISED**

(9.11 p.m.)

**LIBYA – MIGRANT SLAVE AUCTION**

**Mrs D. Selvon (Second Member for GRNW & Port Louis West)** Madame la présidente, merci de m'accorder la parole. Mes propos visent à attirer l'attention du ministre des Affaires Étrangères, de l'Intégration Régionale et du Commerce International sur une grande tragédie humaine du moment.

Un combat courageux contre ce drame humain est mené par le président de l'Union Africaine, M. Alpha Condé, le Secrétaire Général au Conseil de Sécurité des Nations Unies et d'autres grandes personnalités mondiales, qui ont tous dénoncé la révélation de la chaîne indépendante d'information CNN qu'il existe un marché d'esclaves en Libye où des migrants africains capturés sont vendus aux enchères.

C'est aussi une lutte menée par le Pape François depuis son élection contre le trafic humain. Il a pris des émigrés réfugiés en Grèce pour les emmener à Rome dans son avion, il sera au Myanmar cette semaine pour prendre la défense des Rohingya, des musulmans persécutés criminellement. Il s'est rendu aussi en Afrique pour prêcher contre l'esclavage et d'autres fléaux qui y ressemblent.

Peu de gens à Maurice savent qu'il y a environ 35,8 millions d'esclaves dans plusieurs régions du monde selon un rapport produit en 2016 par le *Global Slavery Index*. Aujourd'hui, à travers le monde, il est question de l'existence de l'esclavage en Libye avec des vidéos à l'appui qui ont choqué - je dis bien, qui ont choqué - le monde entier.

Le Président de la République française, M. Emmanuel Macron, a dénoncé avec force ce scandale, mais les défenseurs des droits humains lui ont rappelé que l'Europe ayant bloqué le départ des migrants d'Afrique, des marchands d'esclaves capturent maintenant ces migrants pour les vendre dans les marchés d'esclaves en Afrique du Nord. C'est un commerce odieux, Madame la présidente, qui est digne des siècles passés où des milliards de personnes furent réduits à l'esclavage. Le trafic passait par Maurice, qui a été un pays esclavagiste au 17<sup>ème</sup>, 18<sup>ème</sup> et 19<sup>ème</sup> siècle.

Le Président Français a estimé que l'actuel trafic d'esclaves est un crime contre l'humanité. Et l'Assemblée nationale française a été unanime à condamner cette résurgence de l'esclavage des noirs lors de sa réunion du 21 novembre, où il y a une émouvante intervention d'un député de Guadeloupe, Max Mathiasin, lui-même un descendant d'esclave, qui a raconté ceci à ses collègues députés de la République Française, et à une génération près, je pourrais en dire de même moi aussi. Je cite Max Mathiasin –

« Sur la planète, il y a des passés qui ne finissent pas de passer. Ma grand-mère m'a raconté que son grand-père est né en Afrique en homme libre. Il a été capturé et vendu, il est arrivé en Guadeloupe en esclave (...) »

Madame la présidente, étant née sur camp sucrier moi-même, venue tout droit de l'époque de l'esclavage et ayant moi-même fait un pèlerinage à l'île de Gorée au Sénégal pour visiter la porte du chagrin ou porte du non-retour où sont passés des millions d'esclaves envoyés aux colonies, j'ai été très émue par ce rappel fait à l'Assemblée nationale française, où M. Mathiasin a obtenu un *standing ovation*, comme le raconte le grand journal *France Soir* le même jour, soit le 21 novembre 2017.

À la suite de tout cela, le ministère des Affaires étrangères de la Libye a émis, la semaine dernière, Madame la présidente, un communiqué annonçant l'ouverture d'une enquête et a soulevé l'indignation au Conseil de sécurité des Nations unies. J'attire l'attention de cette auguste Assemblée sur ce crime horrible qui est commis contre des personnes originaires de l'Afrique subsaharienne et appartenant à toutes les religions pratiquées en Afrique : animiste, musulman, chrétien, et autres.

J'ai pu écouter avec effroi des membres d'une famille capturée raconter comment leurs proches ont dû réunir un total de 6,000 dollars comme rançon, afin de se libérer. On a vu à la télévision, grâce à une caméra cachée, une vente d'esclaves ; une vente d'esclaves, où les prix atteignaient jusqu'à 600, 700 dollars par personne vendue à l'encan. On a entendu des migrants qui ont échappé de l'enfer de l'esclavage raconter comment ils ont été vendus à un quartier où de nombreux esclaves travaillent pour leurs maîtres en Libye. M. António Guterres a dit ceci, je cite –

*“We must act urgently to protect the human rights and dignity of migrant populations.”*

Je vais attirer, Madame la présidente, l'attention du gouvernement, en particulier le ministre des Affaires étrangères et de la Coopération régionale, sur la nécessité pour nous qui sommes des Africains à part entière de participer avec l'Union africaine et la communauté internationale à la dénonciation et à la répression de ce trafic humain.

Maurice, terre de liberté, devrait jouer un rôle actif et de premier plan, Madame la présidente, dans le combat contre ce fléau.

Je remercie la Chambre de m'avoir écoutée.

(9.18 p.m.)

**The Minister of Health and Quality of Life (Dr. A. Husnoo)** : Madam Speaker, I wish to thank the hon. Second Member for G.R.N.W and Port Louis West for raising a matter of serious concern expressed by the entire international community regarding the migrant slave auction that is operating on the Libyan territory.

Mauritius strongly condemns such practice, which is clearly in violation of the provision of the Universal Declaration of Human Rights and the African Charter on Human and Peoples' Rights.

Mauritius has lived the abomination of slavery. It cannot remain insensitive to the plight of the victims of human trafficking in Libya and elsewhere.

Slavery in Mauritius was abolished on 01 February 1835, a date which the country celebrates every year as it marks the end of a dark period in the history of our people.

Madam Speaker, I wish to inform that the Libyan authorities have already launched an investigation into the slave auction, and Mauritius encourages them to pursue the enquiries and bring the perpetrators to justice. The Libyan Foreign Ministry issued a statement on Sunday 19 November 2017, confirming that investigations will be conducted, and that all those involved in this heinous crime will be prosecuted and legally penalised.

As a member State of the African Union, Mauritius welcomes the prompt response of the Commission to send a special envoy to Libya to convey the concern of the African Union concerning the appalling act in Libya. The AU-EU Summit scheduled for 29 and 30 November 2017 in Abidjan, Côte d'Ivoire, will discuss this issue.

During the *Conférence ministérielle de la Francophonie*, which is currently taking place in Paris, Mauritius and several other delegations condemned the traffic of migrants in Libya. The Closed Session of Ministers held on Saturday 25 November 2017 adopted a Declaration condemning the trafficking of human being and called on the international community to take appropriate action for an immediate end to these criminal practices.

The Permanent Representative of Mauritius in New York, along with other African Ambassadors in New York, had a meeting with the UN Secretary-General on Monday 20 November 2017 to demand concrete and immediate action to address the issue in a



comprehensive way, including immediate condemnation and enquiry. The same day, the UN Secretary-General issued a statement expressing his horror at the news reports.

The UN Security Council, during an emergency meeting convened on Tuesday 21 November 2017, adopted a resolution urging tougher action to crack down on human trafficking and called for investigation into the migrant slave auction in Libya.

The Director General of the International Organisation for Migration reiterated the call to end the migrant slave trade in Libya and stated that its staff on the ground in Libya is working with the Libyan authorities to stop smuggling and provide assistance to victims.

Thank you, Madam Speaker.

*At 9.23 p.m., the Assembly was, on its rising, adjourned to Tuesday 05 December 2017 at 11.30 a.m.*

## WRITTEN ANSWERS TO QUESTIONS

### STATE LAND - BUILDING SITE LESSEES – APPLICATIONS

**(No. B/883) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Housing and Lands whether, in regard to the allocation of plots of State land to holders of building site leases for an amount of Rs2,000, he will state the number of –

- (a) holders who have not yet submitted applications to benefit thereunder, and
- (b) applications submitted and processed and (c) the timeframe set, if any, to benefit thereunder.

**Reply:** I presume that the hon. Member is, in fact, referring to the sale of State land as provided in section 5 of the State Lands Act. This section enables a lessee holding a building site lease to purchase the State land, other than *Pas Géométriques*, leased to him for Rs2,000, on the condition that there exists a residential unit on site and the land does not exceed 10 perches.

With regard to part (a) of the question, I am informed that there is a total of 14,965 building site lessees, out of which 12,002 have applied for purchase of their land. Thus, a total of 2,963 lessees have not yet applied. When they submit their applications and in case

they satisfy the conditions as laid down in section 5 of the State Lands Act, they will be able to purchase their land.

With regard to part (b) of the question, out of the 12,002 lessees who have applied for purchase of their land, 8,759 applications have been processed. Out of this, 6,566 applications have been approved and the lessees have been requested to contact a Notary of their choice for the drawing up of the Deed of Sale. The remaining 2,193 are not eligible, as either the -

- (i) land is on *Pas Géométriques*;
- (ii) extent of the land exceeds 10 perches, and/or
- (iii) lease is not a Building Site lease.

As regards part (c) of the question, a lessee can apply at any point in time in order to benefit from the scheme as there is no time frame set under the State Lands Act.

#### **HAJJ MISSION 2017 – COMPOSITION**

**(No. B/884) Mr S. Abbas Mamode (Fourth Member for Port Louis Maritime & Port Louis East)** asked the Minister of Arts and Culture whether, in regard to the Hajj Mission 2017, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to (a) the composition thereof, giving the breakdown of expenses incurred in relation thereto and (b) if the Hajj report is available and, if so, table copy thereof.

*(Withdrawn)*

#### **16<sup>ÈME</sup> MILLE - VILLAGE HALL - CONSTRUCTION**

**(No. B/885) Ms M. Sewocksingh (Third Member for Curepipe & Midlands)** asked the Minister of Housing and Lands whether, in regard to the request made by the Village Council of 16<sup>ème</sup> Mille for the vesting of a plot of land at Isory Lane for the construction of a village hall thereat, he will state where matters stand.

**Reply:** I am informed that as per records at the Ministry of Housing and Lands, there is no request for vesting of a portion of land at Isory lane for the construction of a village hall.

#### **MAURITIUS SHIPPING CORPORATION - LEGAL ADVISERS**

**(No. B/886) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Ocean Economy, Marine Resources, Fisheries and Shipping whether, in regard to the Mauritius Shipping Corporation, he will, for the benefit of the House, obtain

therefrom, information as to the names of the present legal advisers thereof, indicating the dates on which the services thereof were retained.

**Reply:** I am informed by the Acting Managing Director, Mauritius Shipping Corporation Ltd that in February 2015, the Board had taken the decision that Attorneys and Counsels to be appointed on a case to case basis.

I am also informed that since 2016, the Mauritius Shipping Corporation Ltd has been involved in four different legal cases and different Counsels and Attorneys were appointed.

In the fourth and last case, the services of Mr P. C.<sup>1</sup> and Mr R. G.<sup>2</sup> were retained. The Mauritius Shipping Corporation Limited won the case and leave was granted by the Supreme Court. They have already been paid for this specific assignment.

1. *Mr P C. stands for Mr Preetam Chuttoo*

2. *Mr R. G. stands for Mr Raouf Gulbul*

The Mauritius Shipping Corporation Limited has retained the services of Mr J. G.<sup>3</sup> (QC) from the United Kingdom on 22 November 2017 for the case to be lodged at the Privy Council.

3. *Mr J. G. stands for Mr James Guthrie (QC)*

### **ÉBÈNE - TRAFFIC CENTRE PROJECT**

**(No. B/887) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Minister of Public Infrastructure and Land Transport whether, in regard to the proposed Traffic Centre Project at Ébène, he will state –

- (a) where matters stand as to the design thereof;
- (b) the allocation of the site earmarked therefor, and
- (c) the expected start and completion dates thereof.

**Reply:** In regard to the proposed Traffic Centre project at Ébène, I am informed that the project for the construction of a bus terminal was planned in 2009 for which land had been identified at Ébène and proposed by the Ministry of Housing and Lands in 2010.

However, with the advent of the Metro Express, the Municipal Council of Beau Bassin/Rose Hill is planning the redevelopment and modernisation of the Place Cardinal J. Margeot Terminal at Rose Hill through the proposed Urban Terminal Project. This project will consist of a passenger terminal for buses and Metro Express and construction of a commercial complex and other amenities.

The redevelopment of Place C. J. Margeot Terminal at Rose Hill will be undertaken to link the activities of commerce to the bus station and the forthcoming Metro Express station while creating a modern and attractive connector to the Rose Hill Town Centre, taking into account the Road Decongestion Programme. The Request for Proposal (RFP) for the Rose Hill Urban Terminal is under preparation.

My Ministry has also decided to provide for a holding area of some 2000 square metres at the Ébène site to cater for 25 buses with the view to facilitate traffic flows around the proposed Rose Hill Urban Terminal. The design for the holding area is under preparation and construction works will be for a duration of two years.

#### **CWA - PONT LARDIER WATER TREATMENT PLANT PROJECT**

**(No. B/888) Mr K. Tarolah (Third Member for Montagne Blanche & GRSE)** asked the Deputy Prime Minister, Minister of Energy and Public Utilities whether, in regard to the Pont Lardier Water Treatment Plant Project (GRSE/DRBC), he will, for the benefit of the House, obtain from the Central Water Authority, information as to where matters stand as to the implementation thereof, indicating the –

- (a) expected start and completion dates thereof, and
- (b) actions taken in the short and medium term to deal with the acute water shortage in the eastern part of the country, pending the completion thereof.

*(Withdrawn)*

#### **GRNW & PORT LOUIS WEST - CHILDREN PLAYGROUNDS & THE FOOTBALL GROUNDS - RENOVATION**

**(No. B/891) Mr P. Armance (First Member for GRNW & Port Louis West)** asked the Vice-Prime Minister, Minister of Local Government and Outer Islands whether, in regard to the children playground and the football pitch in Constituency No. 1, Grand River North West and Port Louis West, she will, for the benefit of the House, obtain from the local authority concerned therewith, information as to if –

- (a) any renovation thereof is envisaged, and

(b) if it is carrying out the maintenance and cleaning thereof at regular intervals.

**Reply:** I am informed by the Municipal City Council of Port Louis that there are 16 children's playgrounds and 5 football grounds in Constituency No. 1.

With your permission, I am tabling the list of these children's playgrounds and football grounds.

Insofar as part (a) of the question is concerned, I am informed that the Council will be carrying out renovation works on the following children's playgrounds and football grounds -

- I. Renovation of fencing at the GRNW children's playground at an estimated cost of Rs125,000. Once the Council's approval would be obtained by the end of this month, the Council will invite quotation for the work to be contracted out.
- II. Removal and replacement of all defective play equipment, namely swing, merry-go-round, see-saw, at the Emmanuel Anquetil children's playground, at an estimated cost of Rs50,000. These works will be contracted out by the Council as soon as it would secure funds for the works.
- III. Reinstatement of fencing, repair to damaged equipment, levelling of ground and provision of 3 solar lanterns at Bonnefin children's playground, at an estimated cost of Rs75,000. These works will be carried out by the in-house labour of the Council, as soon as the Council would identify the source of funding therefor.
- IV. Reinstatement of lighting, with 4 solar lanterns, at Pailles Cité Dargahed children's playground, at an estimated cost of Rs40,000. Here also, I understand that once the Council would identify funding, the work will be carried out with in-house labour.
- V. Upgrading of fencing and turfing of the GRNW football ground. These works will be carried out by Sotravic Ltd. in or around end January 2018. The Company, which is carrying out sewerage project in the region, has been using the site for storage of its material.
- VI. Lighting and Upgrading of the fencing at the St Louis football ground. Following a site visit carried out on 18 May 2017, it has been agreed that the NDU will undertake the project.

VII. Some minor work will be undertaken at the Camp Chapelon, Debarcadère, Pailles Morcellement Raffray and Pailles St Louis children's playgrounds by the Council's in-house labour, as from mid December 2017.

As regards part (b) of the question, I am informed that maintenance works are carried out by the Council as and when required, whereas cleaning is done on a weekly basis.

#### **WORLD HEALTH ORGANISATION – PUBLIC HEALTH - REPORT**

**(No. B/892) Mr A. Ameer Meea (Second Member for Port Louis Maritime & Port Louis East)** asked the Minister of Health and Quality of Life whether, he will state if he has taken cognizance of the recent report of the doctors of the World Health Organisation in relation to public health and, if so, indicate the measures that will be taken to address the shortcomings mentioned therein.

**Reply:** I wish to inform the House that my Ministry has not received any report recently from the World Health Organisation in relation to public health.

#### **POINTE AUX SABLES - PUBLIC BEACH - CLEANING**

**(No. B/895) Mr V. Baloomoody (Third Member for GRNW & Port Louis West)** asked the Minister of Social Security, National Solidarity, and Environment and Sustainable Development whether, in regard to the public beach at Debarcadère, in Pointe aux Sables, he will state the actions taken for the cleaning and for the removal of the dangerous structures found thereat.

**Reply (Minister of Ocean Economy, Marine Resources, Fisheries and Shipping):** I am informed by the Ministry of Social Security, National Solidarity and Environment and Sustainable Development that the cleaning of the Pointe aux Sables (*Debarcadère*) beach is being done by its Field Services Unit. One refuse collector and one general worker are deployed permanently on site to carry out general cleaning.

On 22 September 2017, a fire broke out and burned a container belonging to the "*Association des Pêcheurs de Pointe aux Sables*". All the equipment and nets kept inside were completely burnt down.

On 24 September 2017, the officer of the Fisheries Protection Service of my Ministry responsible for the Pointe aux Sables Fisheries Post, has requested the President of the "*Association des Pêcheurs de Pointe aux Sables*" to remove the container.

On the same day, “*Police de l’Environnement*” served a notice to the President of the “*Association des Pêcheurs de Pointe aux Sables*” and requested him to remove the container within 30 days.

My Ministry is following up with the President of the “*Association des Pêcheurs de Pointe aux Sables*” to ensure that action is taken to remove the burnt container.