

ORAL ANSWERS TO QUESTIONS

**TERRE ROUGE & RICHE TERRE LAND SETTLEMENTS – PLANTERS -
RELOCATION &
ECONOMIC & TRADE CO-OPERATION ZONE**

The Leader of the Opposition (Mr N. Bodha) (*By Private Notice*) asked the Minister of Agro Industry & Fisheries whether, in regard to the land settlements at Terre Rouge and Riche Terre, he will state where matters stand in relation to –

- (a) the lease granted to the small vegetable and cane planters, their intended relocation and the facilities, if any, to be granted to them, and
- (b) the implementation of the project for the creation of an economic and trade co-operation zone thereon.

Dr. Boolell: Mr Speaker, Sir, the Tianli Economic and Trade Cooperation Zone comes at a very opportune time, after the Africa China Business Summit attended by our Prime Minister last November. The move of the Tianli Group to invest in Africa, and more particularly to have chosen Mauritius, was not an easy one. But, of course, it is in line with China's export oriented policy to develop stronger economic and trade links with the African continent. It also follows the political and economic commitment taken by His Excellency Mr Hu Jintao, with Heads of African Countries during the November summit. In fact, during that summit, China reaffirmed its determination and commitment for closer economic and trade cooperation with Africa through the creation of 3-5 economic and trade cooperation zones. Let me, right from the outset, make it quite clear that Mauritius was not in the list of countries identified for that investment. Following intensive lobbying, our Prime Minister has succeeded in convincing the Chinese Authorities to locate one of their economic zones of Africa in Mauritius.

Indeed, the development of the economic and trade cooperation zone by the Shanxi Tianli Group in Mauritius is the concrete expression of the strong bonds of friendship, economic trade and cultural ties between Mauritius and the Republic of China. The Tianli economic and trade cooperation zone will bring socio-economic benefits to the country in terms of FDI, export earnings & employment creation. In fact, this project will bring in foreign direct investment to the tune of Rs17 billion (USD500 m.) and the economic zone is expected to generate some 5,000 direct local jobs, in addition to 2,500 indirect jobs. In addition, the zone is expected to generate Rs6.8 billion (USD200 m.) in terms of export earnings annually once the zone is fully operational. Alternative sites to house the economic zone were sought with the Ministry of Housing & Lands. However, owing to the large extent of land required and the fact that the economic zone is fully export oriented, close proximity to the port was essential, hence the choice of Riche Terre and Terre Rouge land settlements. Against this background, the information sought is as follows -

In regard to part (a) of the question, Government is taking all necessary measures to ensure that planters of Riche Terre and Terre Rouge land settlements are compensated and relocated on State agricultural land to continue their activities.

Mr Speaker, Sir, I have personally met representatives of Riche Terre on five occasions and those of Terre Rouge on two occasions to explain to them the importance of the Tianli Project and the package being offered to them in terms of compensation and relocation. A Technical Committee at the level of my Ministry, chaired by the Permanent Secretary, has met three times with the representatives of Riche Terre for further discussions.

For Riche Terre land settlement, the lease of 120 planters would have normally expired in 2015. There is a provision in any Government lease that, should Government require the land at any time for any purpose before the lease expires in respect of any leaseholder, compensation is paid according to the terms and conditions of the lease agreement. In the light of these provisions, Government issued a letter, following advice from the State Law Office, to the 120 planters in March 2007, informing them of the decision to terminate the lease on 30 April 2007. A compensation per planter, as determined by the Chief Government Valuer, on the basis of acreage of land leased, will be paid to all the 120 planters irrespective of the fact that 69 of them had abandoned their plots as from 2003. The 51 active planters will, in addition to the compensation, be relocated to more fertile State land at Arsenal and Bois Marchand, which is a secure location.

The House may wish to note that lessees of Riche Terre had complained of vandalism, and this new location addresses the security aspect as well. Two site visits have been effected by representatives of the active planters. My Ministry is in contact with these planters to finalise the matter through the Technical Committee, chaired by the Permanent Secretary of my Ministry.

We have also agreed to request the Development Bank of Mauritius to reschedule any loans the planters may have, and Government, exceptionally, will write off their debts in respect of irrigation and electricity dues amounting to some Rs1.5 m.

As appropriate notice, in accordance with the terms of the lease agreement made with each lessee of Riche Terre has been given, it follows that, as from 01 May, 2007 Government has resumed possession of the 120 *arpents* leased to the

120 lessees. Signature of the lease agreement with Tianli in respect of this area will be proceeded with shortly.

With regard to Terre Rouge Land Settlement, planters concerned were informed on 07 March 2007 that their lease agreement which is due to expire on 30 June 2007, will not be renewed. Although there is no legal obligation for Government to pay any compensation, Government has decided to pay a compensation of Rs50,000 per hectare to the 103 lease holders, and to relocate them on State land at Côte d'Or. Furthermore, arrangements are being made by Farmers Service Corporation to facilitate the planters at Terre Rouge Land Settlement to harvest their cane before termination of their lease on 30 June 2007.

The Farmers Service Corporation will prepare the whole block of 193A – although the land is good land - of land at Côte d'Or on the same terms and conditions as the Field Operations and Regrouping Project with high yielding varieties to lower the cost of production. Not only would the yield be higher, but the planters would have cane fields with new planted cane.

A recent survey at Terre Rouge Land Settlement on 25 April 2007 indicates the following –

- (i) 3 lease holders are rearing animals on land allocated to them for cane cultivation;
- (ii) 15 lease holders have illegally constructed buildings on their plots. These include the 3 above who are rearing animals;
- (iii) 67 planters have cane cultivation on the land leased to them, and
- (iv) 25 plots have been found to be fallow and have not been under cane for the past 2 years.

Regarding the 15 cases of illegal construction, the matter has been referred to the Ministry of Housing & Lands for sympathetic consideration to be given to these planters. With regard to the 3 lease holders who are rearing animals, my Ministry will consider their relocation to alternative sites.

In regard to the 256.34 *Arpents* at Terre Rouge, as the lease expires on 30 June, 2007, Government will resume possession on 01 July, 2007. Government will thereafter sign the lease agreement with Tianli in regard to this portion after 01

July, 2007. Mr Speaker, Sir, this reply also takes care of the information requested in PQ B/313.

As regards Part (b), the development of this huge project will be done in phases and the promoters intend to start construction works as from 01 June 2007, once the land is cleared. Completion of all construction works on the zone is expected in five years' time.

The promoters intend to bring at least 40 Chinese companies to operate in the zone in various industrial fields, namely Light Engineering, ICT, Pharmaceuticals, Electric House Appliances, Food Processing, Tourism Souvenirs Manufacture & Garment Making.

The zone will comprise steel structure buildings and warehouses, business and office centres, staff dormitory and training centre totalling some 600,000 square metres.

To date, 14 Chinese companies have already confirmed their interest to invest in the zone to the promoter. These 14 companies are engaged in manufacture and trading of pharmaceutical products, manufacture of garments and apparel products, hardware manufacture and food processing.

I have to inform the House also that a framework agreement has already been signed between Shanxi Tianli Group and the Government of Mauritius for the setting up of an Economic and Trade Cooperation Zone on an extent of approximately 500 acres of land.

Mr Bodha: Mr Speaker, Sir, in view of the fact that in both cases we are referring to settlements, which means that people were asked to leave their location and to come and settle in those two areas, in view of the fact that at Terre Rouge the first settlers arrived in 1947, and in the case of Riche Terre, the lease starts in 1985 and is a running lease, will the hon. Minister agree with me *qu'il s'agit là d'un déracinement douloureux?*

(Interruptions)

Mr Speaker: Order!

Dr. Boolell: Mr Speaker, Sir, we are a Government who know what our obligations are towards the planters.

(Interruptions)

Mr Speaker: Order!

Dr. Boolell: The planters have rights and we will see to it that their rights are fulfilled.

(Interruptions)

Mr Speaker: Order! Order!

Dr. Boolell: Mr Speaker, Sir, let me remind them that in February 2004, for the hotel development at Bel Ombre, there was an aggregate of 8,749.49 square metres, Mr Speaker, Sir, which were occupied by planters, and they were not given any compensation.

(Interruptions)

Let alone the fact that they were relocated on a land which was not fertile.

(Interruptions)

Mr Speaker: Order!

Dr. Boolell: We are honouring our commitment. We are seeing to it that those planters of Terre Rouge be relocated to Côte d'Or. They are being given land; they are being given compensation; their loans at DBM are being rescheduled, Mr Speaker, Sir. They are being given all the technical assistance over and above that the land is going to be prepared, Mr Speaker, Sir...

(Interruptions)

Mr Speaker: Order!

Dr. Boolell: In respect of planters at Riche Terre, let me remind them that they are going to move to Arsenal and Bois Marchand, Mr Speaker, Sir, where there is security...

(Interruptions)

Mr Speaker: Hon. Bhagwan, Order! I am calling the House to order, I would request hon. Members to behave properly and let the hon. Minister answer the questions which are being put. I am asking all the Members of the House to behave properly.

Dr. Boolell: Not only will the planters have security of land tenure, but there will be watchmanship. We are honouring our obligations and we know what the rights of the planters are. We did it in the past, we are doing it and we shall continue to do it.

Mr Bodha: The hon. Minister is saying that they are honouring the rights of the planters. Let me ask him whether he is aware of the way the planters are being treated.

(Interruptions)

Mr Speaker: Order, I said!

Mr Bodha: I am taking the name of one of the planters, Mr Speaker, Sir, and strangely, her name is Mrs Santa Kumaree Ramgoolam, living in Fond du Sac. Mr Speaker, Sir, this lady...

(Interruptions)

Let us see the chronology of it. The Prime Minister went to Beijing in November...

Mr Speaker: There is no need for the hon. Leader of the Opposition to go into all the details. He should put questions.

Mr Bodha: Is the hon. Minister aware that Mrs Ramgoolam was given a letter on 15 December 2006, saying that at the Terre Rouge Land Settlement, she will have now to pay Rs4,500 per *arpent* and that this will take effect as from 01 July 2007? And we have a second letter on 07 February 2007, saying to Mrs Ramgoolam that this has been revised downwards to Rs2,000 and it will take effect as from the 03 July 2007, and then we have a third letter dated 07 March 2007, to which the hon. Minister has referred, where she is called to *lève paquet aller*, to quit, leave and vacate the land. Is this the way they are honouring the rights of the planters, Mr Speaker, Sir?

Mr Speaker: Let me remind the hon. Leader of the Opposition that this question was put in the House by hon. Guinness and an answer was given. Nevertheless, I will ask the hon. Minister to answer the question if he so wishes.

(Interruptions)

Order!

Dr. Boolell: Mr Speaker, Sir, they are game for a laugh! We all know that. We have identified lands and we have agreed to relocate those planters. They are going to be given a host of incentives and facilities, Mr Speaker, Sir. Why? There is a project which is going to create an oasis of wealth, Mr Speaker, Sir. We are going to uplift the poor, Mr Speaker, Sir, and 7,500 jobs are going to be created directly or indirectly.

(Interruptions)

Mr Speaker: Order! Order!

Dr. Boolell: I challenge anybody on the other side to come and say that when it comes to assume our responsibility, we assume it fully, Mr Speaker, Sir, and we are constantly putting planters first, Mr Speaker, Sir.

Mr Bodha: Is the hon. Minister aware that, in the Terre Rouge land settlement, the planters have been producing yields up from 50 to 60 tonnes per arpent? Because they have toiled over fifty years. Is he aware that they are going to be able to do the same in Côte d'Or far away from where they are staying now, Mr Speaker, Sir?

Dr. Boolell: Mr Speaker, Sir, I don't know on what the hon. Leader of the Opposition is basing his facts and figures. I base my facts and figures on sound scientific evidence. There is no such thing as the acreage there being borne at 30 tonnes per arpent, Mr Speaker, Sir. AREU and Farmers Service Corporation have conducted the study; and it has been found that the average yield is less than 30 tonnes per arpent. When they move to Côte d'Or, not only the land will be prepared, Mr Speaker, Sir, and they will be regrouping, but there will have a host of incentives and facilities which no Government before had given, Mr Speaker, Sir.

Mr Bodha: Mr Speaker, Sir, we have been talking about the inhuman treatment. Is he aware that, on Sunday last, on the 06 May, officers of the Irrigation Authority have gone to Riche Terre, and they have used a grinder to destroy the lock of a building where are housed the pumps? They have damaged the pumps, they taken away the pumps, Mr Speaker, Sir, which means that today the 120 planters in Riche Terre don't have any water. Is he aware of this?

Dr. Boolell: Mr Speaker, Sir, from information obtained from the Irrigation Authority, there had been pilferage; one pump had already been stolen, threats were made, Mr Speaker, Sir and there is deliberate instigation

(Interruptions)

Mr Speaker: Order! Order!

Dr. Boolell: ...to whip up unwarranted feelings, Mr Speaker, Sir. First of all, the Irrigation Authority did give notice; secondly, Mr Speaker, Sir, they were given several days; before the pump would be removed; thirdly, AREU conducted a study there. The vegetables are ready to be harvested except....

(Interruptions)

in respect of a few planters.....

(Interruptions)

Mr Speaker: I said order.

Dr. Boolell:...where vegetables are still in the vegetative process, otherwise, there is no problem. But the case was reported to the Police. We cannot tolerate pilferage, Mr Speaker, Sir. As matters stand, the Irrigation Authority has lost a lot of money.

Mr Bodha: Mr Speaker, Sir, can we tolerate the way the officers of the Irrigation Authority have treated the planters as far as the pumps are concerned? May I ask the hon. Minister....

Dr. Boolell: Mr Speaker, Sir, I won't tolerate him for sheer demagogy. This is what it tantamounts to!

Mr Speaker: I don't know why the hon. Minister is generating so much heat when he is answering the questions. I would just ask him to answer the questions with moderation.

(Interruptions)

Order! Order!

Dr. Boolell: Mr Speaker, Sir, I bow to your ruling.

Mr Speaker: Hon. Bhagwan, order, please!

Dr. Boolell: The hon. Member is suffering from hysteria, because they have been reduced to nothing, a big naught without a figure.

(Interruptions)

Mr Speaker: Order! Order! Hon. Bhagwan, order! Hon. David, order! If this continues, I am going to suspend the sitting of the House.

(Interruptions)

Hon. David, order!

Mr Bodha: May I ask the hon. Minister whether this is putting the planters first by dismantling the two pumps, tampering with the electric system, dislocating the conductor, leaking the pump, removing the water, Mr Speaker, Sir? May I ask the hon. Minister why he is using those methods instead of dialogue and consultation?

Dr. Boolell: Mr Speaker, Sir, I have stated very clearly that there had been dialogue, prior notice was given. In fact, those planters had identified their sites where they are going to be relocated at Bois Marchand and Arsenal. They are very happy. Not only will they be able to grow, harvest, but also they will be able to market their produce at Tianli when it comes on stream.

(Interruptions)

Mr Bodha: They have not consulted anybody, Mr Speaker, Sir. Let me now come to the economic zone. In view of the fact that this is a very important project...

(Interruptions)

We agree that there should be investment and job creation, but the question is: at what cost? May I ask the hon. Minister whether he will agree with me that 500 arpents today at Rs400,000 per arpent is worth Rs2 billion, that we are giving away assets at agricultural costs for Rs2 billion, Mr Speaker, Sir? May I ask him whether he is aware that by making land becoming industrial, we are multiplying by ten...

Mr Speaker: What is the question?

Mr Bodha: The question, Mr Speaker, Sir, is that we are giving away assets of Rs20 billion for ninety nine years. Can he confirm that?

Dr. Boolell: Mr Speaker, Sir, I would advise them to look in their own back garden because they have liabilities and no assets, Mr Speaker, Sir.

Mr Dayal: Can I ask the hon. Minister whether he will state if other African countries had offered Tianli much better terms and facilities such as tax holdings, financing, of onsite infrastructure facilities and land free of charge?

Dr. Boolell: Mr Speaker, Sir, African countries have given more, and if today, that investment is flowing, it is because of the long, arduous and protracted discussion which this Government and the Prime Minister had. Mauritius was not on the list of countries which would have obtained this foreign direct investment, but, Mr Speaker, Sir, we have done it and now not only will there be direct and indirect jobs created, but they are going to finance the onsite infrastructural costs by hundred million rupees. I challenge them, Mr Speaker, Sir, to come ...

Mr Speaker: Hon. Minister, there is no need for any challenge, please.

Mr Gunness: Mr Speaker, Sir, can I know from the Minister whether he is prepared to ask the Irrigation Authority to restore back the pumps unless and until the harvest is completed at least?

Dr. Boolell: As I have stated, the harvest is ongoing and is about to be completed....

(Interruptions)

Mr Speaker: Order, let the Minister answer the question which has been put.

Dr. Boolell: AREU has conducted a study, but if there is a need to have a fresh look, we will do it. I grant that this is a fair question.

Mr Bundhoo: Mr Speaker, Sir, may I ask the hon. Minister whether Tianli has agreed to contribute to onsite work for this project and, if yes, by how much? Secondly, whether outstanding debts of the planters with regard to electricity and water will be paid by Government or how are they going to be offset? And thirdly, when all the administrative procedures would be over, could the Minister inform the House whether he has already met the planters and, at a later stage, will the hon. Prime Minister meet these planters?

Dr. Boolell: Mr Speaker, Sir, I have stated, in respect of irrigation and water dues, exceptionally those will be written off; secondly, as to onsite infrastructural work, Tianli will make a contribution of Rs100 m and thirdly, once all the procedural steps have been taken, and are about to be finalised, they will have a meeting, Mr Speaker, Sir.

Mr Bérenger: The hon. Minister has told us that he has met the planters on several occasions, will he agree that to date they have nothing on paper, in particular individual planters, what land, where exactly, to what extent they are being offered? I put him a question on the 10 April, we have been just been told that Tianli will contribute to onsite works, has the proposal of a Trust Fund, to be financed by Tianli and Government with the representatives of the planters sitting on such a Trust Fund, been considered, being given that there are houses to be built - a good number of the planters live in houses - and a lot of other works to be done.

Dr. Boolell: Mr Speaker, Sir, there is not going to be any Trust Fund. It is a project between Government and Government. However, Government will honour its obligations in respect of those who even have illegal housing units there. If there is a need for relocation, the matter will be done, and it is being addressed by my colleague, the Minister of Lands and Housing. As for the planters, land has been identified at Bois Marchand and Arsenal. We are talking of good agricultural land, Mr Speaker, Sir. Market access will be no problem in respect of the produce. They will be given technical assistance and, as I have stated, all the facilities and necessary incentives will be granted to members of the planting community.

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Minister whether he is aware that there is a group of women among the planters there called the '*femmes gens de mer*' who have lost their husband at sea and that their only source of

income is through vegetable growing? Until the time the hon. Minister finalises the relocation of the planters will Government assist financially those women?

Dr. Boolell: Mr Speaker, Sir, it is a special case, the matter can be referred to the Ministry of Women's Rights. There is an entrepreneurial scheme and other welfare schemes. Money can be obtained and that can easily be done. Already, there is a lot of money that has been disbursed. So, we will entertain, Mr Speaker, Sir, provided it is a genuine case and we will do the needful.

Mrs Hanoomanjee: Mr Speaker, Sir, earlier on, the Minister said that consideration for payment of loans which planters had taken from the DBM, will be rescheduled. It appears now that he is saying that this loan will be written off. Can the hon. Minister confirm whether this loan will be rescheduled? Because when they move to their new location, they will have to take additional loans. Will he confirm whether this loan will be written off or rescheduled?

Dr. Boolell: Mr Speaker, Sir, the hon. lady understood me very well. We had been working very closely. Mr Speaker, Sir, I have stated that, exceptionally, irrigation and water dues owed by these planters will be written off. But, in respect of loans, that will be rescheduled on a case to case basis, Mr Speaker, Sir.

Mr Bhagwan: Mr Speaker, Sir, the planters have encountered loss for the purchase of water by bowsers and other means of having water. Will the hon. Minister or Government consider the possibility of compensating them for whatever loss they have incurred following the removal of their pumps?

Dr. Boolell: Mr Speaker, Sir, with all due respect to my friend, we know the circumstances under which the pumps were removed. I have asked AREU and Irrigation Authority to monitor the situation. I have stated that prior notice was given, they are harvesting their produce, Mr Speaker, Sir. Hon. Guinness put a question and I said I am going to carry out an investigation.

Dr. Mungur: Mr Speaker, Sir, this is the first time that we are on the road to lead towards core competence in many projects like light industry and the IT sector. Can I ask the Minister whether there will be a Mauritian partnership in developing core competence in the years to come?

Dr. Boolell: Mr Speaker, Sir, these are opportunities that are knocking and, of course, Mauritian entrepreneurs, in due time, will have to take the advantage.

We are talking of export-oriented markets, to use Mauritius as a springboard to capture new markets, Mr Speaker, Sir.

Mrs Martin: Mr Speaker, Sir, may I ask the hon. Minister when exactly did Government identify the agricultural land in Riche Terre and Terre Rouge for Tianli Group?

Dr. Boolell: Mr Speaker, Sir, as I have stated, in fact, there was a committee set up by the Ministries of Finance, Housing & Lands and Agro Industry. In fact, we did a lot of scouting, trying to identify land elsewhere. I suggested them to come to Rose Belle where there are 500 *arpents*, so many jobs to be created. It would have been an ideal situation. But they wanted to be close to the port. It is export-oriented and, of course, nowhere else could we identify 500 *arpents* of land. So, the site has been identified, investment will flow, jobs will be created and Mauritius will become a true pad, Mr Speaker, Sir, a board for investment.

Mr Bérenger: Mr Speaker, Sir, the vegetable planters are complaining that the land is arid and that there will be a big problem *de gardiennage*, of theft, and that is one additional reason to have a Trust Fund that may help in the *gardiennage* as far as the vegetable planters are concerned.

(Interruptions)

Mr Speaker: Order!

Mr Bérenger: And in the case of cane planters, I am sure the hon. Minister will agree that all these planters live in the North of the island. Now, it will be a real problem to travel to their fields in Côte d'Or. Therefore, can agricultural land of adequate quality not be found in the North, nearer to where they live?

Dr. Boolell: Mr Speaker, Sir, we have identified land in Arsenal and Bois Marchand. In respect of those who are at Terre Rouge, since they are sugar cane planters, we have identified the acreage required, it would be easy to regroup them and I grant hon. Bérenger may be right when he said that there will be a problem of transport. This is a problem that is being addressed by the Technical Committee and I don't expect any further problem when they will assess the yield per acreage and the host of facilities and incentives which they are going to obtain. Had they remained here, there would have been a problem of pilferage and, of course, the yield per acre is not as expected.

Mr Bundhoo: Mr Speaker, Sir, can I ask the hon. Minister whether there is any framework agreement that has been signed between Tianli Group and any authority in Mauritius, and if yes, what are the main features of this agreement?

Dr. Boolell: Yes, Mr Speaker, Sir, there was a framework agreement signed between the Government of Mauritius and Tianli Group in March 2006. I recall the question was put to my good friend, hon. Bunwaree, who highlighted the features of the agreement.

Mrs Martin: Mr Speaker, Sir, the Minister did not answer my question. My question related to the exact date when the land was identified for Tianli Group?

Dr. Boolell: I have stated, Mr Speaker, Sir, that it is in the process. We will then let the hon. Member know as to when there will be finalisation.

Mr Dowarkasing: Mr Speaker, Sir, may I know from the hon. Minister why is it that we have departed from the normal norms of granting a lease of 20 years renewable for another period of 20 years and Tianli has been granted a lease for 99 years?

Dr. Boolell: Mr Speaker, Sir, there has been no departure. It is an established practice.

Mr Bodha: Mr Speaker, Sir, in view of the fact that the project is still a principle and there has been no Letter of Intent, can we justify that we could grant 500 *arpents* worth billions for 99 years? How can they reconcile this, Mr Speaker, Sir?

(Interruptions)

Mr Speaker: This question has already been answered.

Dr. Boolell: Mr Speaker, Sir, let me inform the House that this is unprecedented. Rs17 billions, 7,500 jobs will be created, a turnover of Rs200 m., Mr Speaker, Sir, and Mauritius now has become the gateway. We will put Mauritius on the map to capture market access. We are going to attract investment, we are going to wage war against poverty. We shall break the circle of poverty, Mr Speaker, Sir.

Mr Speaker: Time is over! The Table has been advised that PQ B/262 has been withdrawn. The Table has further been advised that Parliamentary Questions

B/272 and B/273 in regard to bad weather allowance to fishermen in Rodrigues addressed to the hon. Prime Minister will now be replied by the hon. Minister of Agro Industry and Fisheries, time permitting. Questions addressed to the hon. Prime Minister.

NATIONAL FLAG, NATIONAL ANTHEM & COAT OF ARMS - REGULATION

(No. B/261) Mr L. Bundhoo (Second Member for Montagne Blanche and GRSE) asked the Prime Minister, Minister of Defence and Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he is aware that the national flag is used by private companies for product and corporate advertising and, of so, will he consider the advisability of regulating the use of the national flag, the national anthem and the coat of arms.

The Prime Minister: Mr Speaker, Sir, there are relevant provisions of the law which regulate the use of the national flag, the coat of arms and the national anthem, namely –

- section 181A of the Criminal Code
- section 76A of the Criminal Code, and
- the Copyright Act.

Under section 181A of the Criminal Code, it is an offence for any person who, by any means or in any manner, holds up to or brings into hatred or ridicule the Flag of Mauritius.

The punishment provided for under this section is a fine not exceeding 10,000 rupees or imprisonment for a term not exceeding 2 years.

As regards the prohibition on the use of the coat of arms, it shall be an offence under section 76A of the Criminal Code for a person who without the express authorization of the Prime Minister –

- (a) uses in connection with any business, trade, calling, professional or public activity, and

- (b) offers for sale or sells any article or any matter produced whether by technological means, in an electronic medium or otherwise, bearing the Arms of Mauritius.

The penalty provided for is a fine not exceeding 100,000 rupees or penal servitude.

Furthermore the Court before which a person is convicted of the offence may order any article or matter used in the commission of this offence to be forfeited.

Finally, under the Copyright Act, the State of Mauritius has ownership of copyright on the national anthem.

As regards the use of the national flag by private companies for product and corporate advertisement, there is no specific legislation which deals with the matter.

Mr Speaker, Sir, the national flag, the national anthem and the coat of arms are embodiment of the pride and dignity of the people and the Government of Mauritius. They are the symbols of the sovereignty and unity of our nation. We have to provide adequate safeguards against the inappropriate use of our national emblems.

It has been noted, for example, Mr Speaker, Sir, that the national flag flying even on some public and private buildings is not in accordance with the specified codes. For example, very often, you see, instead of blue, turquoise or pale blue when in fact it is a Royal blue that should be used.

The colour codes of our national flag should be strictly respected.

I, therefore, propose to request the Attorney-General to bring necessary amendments to the existing legislation to specifically provide for conditions governing the use of the national flag by private companies for advertising purposes and to ensure strict adherence to the specified codes of our flag.

Mr Bundhoo: Mr Speaker, Sir, until such time that a code of practice is established for the use of the national flag, would he or any competent authority liaise with the advertising and publicity agency to request them to refrain from using the national flags for publicity of private company or individual items?

The Prime Minister: In fact, Mr Speaker, Sir, the code is already there on the colours of the national flag and any interested party can get that code from the Ministry of Public Infrastructure, I am told. But I will also look into that matter.

POLICE FORCE – SPECIALISED UNITS

(No. B/262) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the Police Force, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the list of its different specialised units, indicating their respective functions and responsibilities, and
- (b) if there is any coordinating body to monitor the activities of these units and, if not, why not.

(Withdrawn)

POLICE CONSTABLES - APPOINTMENT

(No. B/263) Mrs S. Hanoomanjee (Second Member for Savanne and Black River) asked the Prime Minister, Minister of Defence and Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the Police constables recruited in September 2004, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if they have been confirmed in their appointment and, if not, why not.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that on 17 November 2004, a batch of 702 Trainee Police Constables was enlisted in the Police Department to undergo theoretical and practical training for a period of at least two years.

On successful completion of their training and subject to their being favourably reported upon, Trainee Police Constables are eligible for consideration for appointment to the grade of Police Constable or Woman Police Constable, as and when vacancies occur.

I am also informed that the two-year training programme for the new recruits was expected to be completed by the end of last year. However, as the recruits were deployed in several important events, such as the End-of-Year festivities, the Maha Shivratri Festival, the Père Laval Pilgrimage, the Independence Day Celebrations and the Rodrigues Regional Assembly Election, their training period had to be extended to April 2007.

The final examinations for the Trainee Police Constables and Trainee Woman Police Constables were held on 07 April of this year. Procedures have been initiated for the confirmation of those who have been successful in the final examinations. Trainee Police Constables who were unsuccessful and those who were unable to take the final examinations will have to re-sit on 26 May 2007.

Mrs Hanoomanjee: Can the Prime Minister confirm that in their conditions of service they were already told that they would have had to go through an examination before their official confirmation?

The Prime Minister: As far as I know, this is the usual practice. They have to take the examinations.

MR P. R – MAHEBOURG POLICE STATION – COMPLAINTS

(No. B/264) **Mr Y. Varma (First Member for Mahebourg and Plaine Magnien)** asked the Prime Minister, Minister of Defence and Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the whether one Mr P. R. of Ville

Neuve Street, Mahebourg, has been regularly making statements against other residents of the said street at the Mahebourg Police Station over the past few years and if so, the number thereof, indicating the reasons therefor.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that one Mr P. R., aged 30, Security Guard, residing at Ville Neuve Street, Mahebourg, has over the period January 2004 to October 2006 made 46 complaints against his neighbours.

According to records kept at Mahebourg Police Station, one of the main reasons given by him is that his neighbours always seek trouble with him and tease him.

I should add that this gentleman has been following treatment at Brown Sequard Hospital since 1999.

Mr Varma: Mr Speaker, Sir, is the hon. Prime Minister aware that people against whom complaints have been lodged have been prosecuted and they have had to go to Court in respect of these complaints?

The Prime Minister: In fact, there was a judgement delivered by the District Court of Mahebourg on 26 April in which there was a case of assault and the Magistrate had observed on the unreliability of the witness and, in fact, was very doubtful about the participation of the accused party who had been accused by this gentleman and even the injuries that he was supposed to have been sustained. He did then say that he accepted that he would not lie any more and further admitted that he was being treated at the hospital. Since then, instructions have been given to the Southern Division not to initiate action just by his accusations, but look at the merit of each case.

ELECTORAL & VOTING SYSTEMS – SACHS RECOMMENDATIONS

(No. B/265) **Mr E. Guimbeau (First Member for Curepipe and Midlands)** asked the Prime Minister, Minister of Defence and Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the introduction of a new electoral system, based on the recommendations of the Sachs Commission on Constitutional and Electoral Reform 2001-2002, he will state if a referendum thereon will be organized and, if so, when.

The Prime Minister: Mr Speaker, Sir, as the House is aware, the Sachs Commission has made numerous recommendations on our electoral and voting systems. However, before going for a referendum, we need, in the first instance, to have it clear in our minds, what are the recommendations that we want to implement.

As the House is aware, there was no consensus between the parties in the former Government on the main recommendations of the Commission.

In my replies to PQ B/82 and PQ B/272 I stated that the best way to proceed would be to reach as broad a consensus as possible among all stakeholders, including, of course, the Opposition. As it is, I think, Mr Speaker, Sir, we all agree it is a matter of national importance. I also said that the support of the Opposition will be needed to bring about the required constitutional and legislative changes.

I wish to reaffirm, Mr Speaker, Sir, the commitment of my Government to reform the current electoral and voting systems so as to ensure free and fair elections and to further consolidate democracy in our country, additionally following the observations made recently by the Supreme Court in its judgment in the case of Mr Raj Ringadoo v/s hon. Ashok Kumar Jugnauth on electoral bribes and the abuse of state machinery during electoral campaigns.

(Interruptions)

Mr Speaker: Order!

The Prime Minister: But I believe that we need to adopt a holistic approach and not a piecemeal implementation of the recommendations.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he has a time frame in mind?

The Prime Minister: No. I think it will be much before 2010. If we do it too late, there will always be a problem when we come right through elections. I think we should do it at some point much before the dates of the elections, before 2010.

ABERCROMBIE POLICE STATION – INTERVENTION BY AN HON. MEMBER

(No. B/266) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, one hon. Member for Constituency No. 4, Port Louis North and Montagne Longue, is alleged to have intervened at the Abercrombie Police Station, on or about 20 April 2007, with a view to obtaining the release of a person who was being held in police custody and the reasons therefor.

The Prime Minister: Mr Speaker Sir, I am informed by the Commissioner of Police that no hon. Member of the Constituency No. 4 intervened at Abercrombie Police Station on or about 20 April 2007, with a view to obtaining the release of a person who was being held in Police custody.

PUBLIC SECTOR – EMPLOYEES - EARNINGS & FRINGE BENEFITS

(No. B/267) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he is aware if there are persons in the public sector earning Rs150,000 or above monthly, and if so, will he –

- (a) table a list thereof,
- (b) give a breakdown of the other fringe benefits to which they are entitled and,
- (c) state if the salary and allowances are paid in foreign currency.

The Prime Minister: Mr Speaker, Sir, with your permission, I am tabling a statement giving the information requested pertaining to Ministries and para-statal bodies.

I am sure it must be known to the hon. Member that the earnings and fringe benefits of people at the top, or near the top, in the private sector are considerably higher than their counterparts in the public sector.

It is also true that the public sector has always been leading the private sector when it comes to remuneration at lower levels, thus reflecting a greater equity and social justice.

IBA – CHAIRPERSON & SECRETARY – OVERSEAS MISSIONS

(No. B/268) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the overseas missions undertaken by the Chairperson and the Secretary of the Independent Broadcasting Authority since January 2007 to date, he will, for the benefit of the House, obtain from the Authority, information as to if –

- (a) the missions were approved by the Board, and
- (b) they were granted any entertainment allowance over and above the *per diem* paid to them.

The Prime Minister: Mr Speaker, Sir, I am informed by the Director of the Independent Broadcasting Authority that the Chairperson and the Administrative and Board Secretary have not undertaken any overseas mission since January 2007.

The other parts of the question do not arise.

IBA – BOARD MEETINGS

(No. B/269) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the Board Meetings of the Independent Broadcasting Authority held in 2006, he will, for the benefit of the House, obtain

from the Authority, information as to the number of meetings held under the chairpersonship of the Chairperson presently holding office.

The Prime Minister: Mr Speaker, Sir, I am informed by the Independent Broadcasting Authority that the current Chairperson of the Authority chaired three Board meetings and one staff committee meeting since the Board of the Independent Broadcasting Authority was reconstituted in June 2006.

Mrs Navarre-Marie: Mr Speaker, Sir, is the hon. Prime Minister aware that, according to the IBA Act, the Authority Board shall meet at least five times a year? And this has not been the case.

The Prime Minister: As I said, there were three Board meetings and this after the Independent Broadcasting Authority was reconstituted in June 2006.

IBA - CHAIRPERSON & SECRETARY - EMPLOYMENT

(No. B/270) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the Chairperson and the Secretary of the Independent Broadcasting Authority, he will, for the benefit of the House, obtain from the Authority, information as to the terms and conditions of their employment.

The Prime Minister: Mr Speaker, Sir, with your permission, I am tabling a statement giving the information requested by the hon. Member.

SENIOR CITIZENS – DRIVING LICENCE - RENEWAL

(No. B/271) **Dr. R. Mungur (Second Member for Flacq and Bon Accueil)** asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to driving licences, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of senior citizens who are holders thereof, indicating if he will impress upon the latter the advisability of considering allowing these people to renew their licences at the police station nearest to their place of residence, instead of having to do so at the Line Barracks.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that the number of senior citizens who are holders of driving licence as at 03 May 2007 is 20,462 and their driving licences are renewed on a yearly basis.

The existing procedure for the renewal of a driving licence of any holder who has reached the age of 60 is as follows –

- (i) either the person calls at the Traffic Branch together with his driving licence and a medical certificate certifying his fitness and capability to drive the vehicle he is licensed for. The driving licence is handed over immediately after renewal which is done through a computerized system within half an hour; or
- (ii) the driving licence is sent by post together with a medical certificate for the renewal which is done on the date of receipt and returned by post on the same day.

No doubt, Mr Speaker, Sir, the forthcoming E-Business Plan of the Traffic Branch will better manage the renewal of driving licences. Moreover, instead of renewal of the driving licences on a yearly basis, I will ask the Commissioner of Police to look into the possibility of extending that interval in respect of our senior citizens.

(PQ. Nos. B/272 and B/273) – See “Written Answers to Questions”)

RODRIGUES REGIONAL ASSEMBLY – ADVISERS

(No. B/274) Mr J. R. Spéville (Second Member for Rodrigues) asked the Prime Minister, Minister of Defence and Home Affairs, Minister of Civil Service and Administrative Reforms and Minister of Rodrigues and Outer Islands whether he will state if his Office has recently appointed several advisers to be attached to the different commissions of the Rodrigues Regional Assembly and, if so, will he state their names and their areas of responsibility in each case.

The Prime Minister: Mr Speaker, Sir, upon recommendation of the Chief Commissioner’s Office and in line with the established procedures, seven Advisers have been appointed, one of whom has resigned for personal reasons on 19 April 2007. So, in fact, there are six Advisers in all.

With your permission, Mr Speaker, Sir, I am tabling the list of names and areas of responsibility of each of the six Advisers recently appointed and who are in post.

Mr Spéville: Can I ask the hon. Prime Minister whether there had been any resignation of any adviser shortly and, if so, can he give the reason thereof?

The Prime Minister: As I said, Mr Speaker, Sir, there were initially seven Advisers who had been appointed, but one of them resigned on 19 April 2007 for personal reasons.

Mr Spéville: Can I ask the hon. Minister whether he is aware that one of the appointed Advisers has been doing business with the RRA and, according to the RRA Act, such should have not been the case?

The Prime Minister: I am not aware of this, but the hon. Member can give me the information. Is the hon. Member talking of the one Adviser who had resigned?

Mr Spéville: Yes.

The Prime Minister: He has already resigned.

MBC – LIVERPOOL/CHELSEA MATCH - BROADCAST

(No. B/275) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the live coverage of International football matches, he will, for the benefit of the House, obtain from the Mauritius Broadcasting Corporation, information as to the reasons why the second leg of the semi final of the UEFA Champions League between the Liverpool Football Club and the Chelsea Football Club on Tuesday 01 May 2007 was not broadcast.

The Prime Minister: Mr Speaker, Sir, I am informed by the Director General of the Mauritius Broadcasting Corporation that the match between Liverpool and Chelsea could not be broadcast live on Tuesday 01 May 2007, because the MBC did not have the rights to do so. The rights holder for broadcast of this match was the Entertainment and Sports Programming Network (ESPN), with which the MBC has no agreement.

In the African region right holders for the broadcast of European Union Football Association (UEFA) Champions League are Entertainment and Sports Programming Network (ESPN) and Supersport of South Africa. The MBC holds the rights for only 10 matches from Supersport following negotiations by Media Materix Ltd. on behalf of the MBC.

With regard to Entertainment and Sports Programming Network (ESPN), it is represented in Mauritius through Direct Satellite Television (DSTV).

Mr Speaker, Sir, I am further informed by the MBC that the Corporation did try to negotiate broadcast of the match Liverpool v/s Chelsea with other sports marketing agencies, namely, Team Marketing, TF1, Canal France International and Canal Plus, but they did not come to an agreement.

Mr Bhagwan: The Prime Minister will agree that football is one of the main popular sports in Mauritius. So, will he agree that it was the duty of the MBC, at least, to inform the public, the supporters of the football teams of what was happening, because that caused a lot of frustration. I think, in future, the MBC should try, as they are doing for other things, to advertise and inform the general

public, in case it is not possible to give live coverage of such very important football matches.

The Prime Minister: Mr Speaker, Sir, I am not aware that the MBC actually said that they were going to broadcast the matches. But, as I said, the rights of the broadcast of the sports events are strictly controlled and they did not have the rights. I don't know whether it would be appropriate for them to advertise that they are not going to broadcast this or that.

Mr Bhagwan: Mr Speaker, Sir, what I am saying is that, whenever such live coverage is not possible, the MBC should at least inform the public ...

(Interruptions)

Mr Speaker: Order! The Prime Minister has already answered.

Mr Bhagwan: I have not finished, Mr Speaker, Sir.

(Interruptions)

Mr Speaker: Order! Put your question, hon. Member.

(Interruptions)

Order! Order, I said!

Mr Bhagwan: I am being interrupted, Mr Speaker, Sir.

Mr Speaker: The hon. Member should address the Chair.

(Interruptions)

There is no need for any comment to be made. Hon. Bhagwan, you are losing the time of the House. Put your question, please.

Mr Bhagwan: Mr Speaker, Sir, will the Prime Minister, at least, direct the MBC whenever such important matters are scheduled and...

Mr Speaker: Put the question!

Mr Bhagwan: Mr Speaker, Sir, I am asking the hon. Prime Minister to direct the MBC to inform the public, whenever it is not possible to give such live coverage.

Mr Speaker: The hon. Prime has already answered that question.

(Interruptions)

The Prime Minister: I understand fully what the hon. Member is saying. I, in fact, had got complaints...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: I am surprised the hon. Member does not have 'Parabol'. But, as I said, it would not be proper for the MBC to go and advertise every time it cannot broadcast something, but I can ask the MBC.