

ORAL ANSWERS TO QUESTIONS

BUS INDUSTRY – REMUNERATION ORDER

The Leader of the Opposition (Mr P. Bérenger) (*By Private Notice*) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether, in regard to the bus industry, he will state –

- (a) when the new Remuneration Order for the employees thereof will come into force;
- (b) the sums received by the bus industry in 2006, 2007 and during the first quarter of 2008 by way of Government grants for free travel and subsidy on bus fares, and
- (c) if bus fares will increase by more than 25% after 01 May 2008.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebejaun): Mr Speaker, Sir, with regard to part (a) of the question, the present Public Transport (Buses) Workers Remuneration Order dates back to 1988 and was last revised in December 1991. It was referred to the National Remuneration Board for revision on 20 June 2004, which published its proposed recommendations on 18 September 2007 and its final recommendations on 10 October 2007.

The National Remuneration Board recommendations incorporate the award of the Permanent Arbitration Tribunal of 2002 and provide for –

- (i) an overall wage increase varying between 29% to 36% on the different rates prescribed by the Remuneration Order 1988;
- (ii) an increase in maternity allowance from Rs500 to Rs2,000;
- (iii) an increase in meal allowance from Rs20 to Rs50 per day;
- (iv) funeral expenses being increased from Rs2,000 to Rs3,500;
- (v) increase in the payment of attendance bonus from 5% to 10%;
- (vi) increase in the refund of cost of spectacles frame from Rs800 to Rs2,500;
- (vii) the payment of wages for the actual time consumed by bus conductors for winding up their work after;
- (viii) a worker being given 8 working days' leave with pay on the occasion of his first wedding, and
- (ix) a casual worker being entitled to the payment of the attendance bonus after completion of 22 days of the month.

Mr Speaker, Sir, on 25 April 2008, Cabinet agreed to these recommendations and that a fresh Remuneration Order be promulgated to take effect as from 05 May 2008.

Mr Speaker Sir, in regard to part (b) of the question, the sums received by the bus industry by way of Government grant for free travel was Rs570 m. in 2006, Rs620 m. for 2007 and Rs155 m. for the first quarter of 2008.

Following representations made by individual bus operators for a review of the compensation payable to them, the Consultant appointed by Government to advise on the free travel scheme, International Development Partners, recommended a three-tier system based on the number of students carried on a route-wise basis served by the individual bus operators. Hence, the amount paid to them was reviewed and this explains the increase in the amount of 2007.

The grant of Rs620 m. also includes an amount paid to the National Transport Corporation in respect of routes where individual operators had ceased providing services, for example, Flacq-Grand River South East.

Mr Speaker Sir, a subsidy on bus fares was introduced in 2002 following the implementation of the PAT Award. This was applicable to National Transport Corporation (NTC), United Bus Service (UBS), Mauritian Bus Transport (MBT), Triolet Bus Service (TBS) and Rose Hill Transport (RHT). In 2006 and 2007, an annual amount of Rs30 m. was paid and for the first quarter of 2008, Rs7.5 m has been paid.

Mr Speaker, Sir, another form of subsidy to the bus industry is the Bus Companies Recovery Account, which was introduced in 2004 following the introduction of the Automatic Pricing Mechanism to compensate bus operators for the increase in the price of diesel. In 2006, an amount of Rs349 m. was paid under this scheme and in 2007 an amount of Rs415 m. was paid. For the first quarter of 2008, Rs41 m. has been paid.

An amount of Rs100 m. is still due to the operators because of the steep rise in the price of diesel and the constantly rising expenditure under the BCRA.

As regards part (c), Mr Speaker Sir, the increase in bus fares, in a letter dated 05 May 2007, the Association of Bus Operators, which groups the five bus companies namely the National Transport Corporation (NTC), United Bus Service (UBS), Triolet Bus Service (TBS), Rose Hill Transport (RHT), and Mauritian Bus Transport (MBT) and the Mauritius Bus Owners' Cooperative Federation Ltd, representing eleven Bus Owners' Cooperative Societies made a request at the time, May 2007, for an increase of 25% in the bus fares. According to the Association, since the last revision of bus fares in 01 October 2004, operating costs have increased due to CPI increases, 35% increase in the cost of new buses, 137% increase in the cost of lubricants, 100% increase in bus toll charged by the local authorities, 150% to 200% increase in insurance charges, 50% increase in the cost of maintenance works and in the cost of wages, which represent 55% to 60% of the costs of operation.

However, the request for 25% increase at the time did not take into account the impending revision of wages by the National Remuneration Board (NRB) and the subsidy paid through the Bus Companies Recovery Account (BCRA) to compensate for increases in the price of diesel.

Following the publication of the NRB report on the public transport sector in September 2007 granting a wage increase of 29% to 36%, the Association made a fresh request on 23 January 2008 for a 40% increase requesting at the same time that the subsidy on diesel be maintained.

Mr Speaker Sir, the House may wish to know that there have been three increases in bus fares between 2001 and 2004, namely -

- (i) 16.3% as from 01 July 2001;
- (ii) on 01 August 2002 - 13 months later - 14.2%, and
- (iii) in October 2004, 16% as with the setting up of the BCRA to compensate bus companies for increases in the price of diesel.

There were three increases over 2001 to 2004.

Mr Speaker Sir, the request for an increase of bus fares has been examined by my Ministry, the Ministry of Finance and Economic Development and the National Transport Authority (NTA). Without any Government subsidy and the implementation of the NRB recommendations, the bus fares would have increased by at least 65%.

Taking into consideration, the cascade effects of such an increase, Government has decided to maintain the subsidy on diesel paid to bus operators and is considering an average increase of 28% in bus fares.

Mr Speaker, Sir, I would like to underline that this is the first increase of bus fares that this Government is considering to introduce. The proposed increase of 28% compares with the 46.5% between 2001 and 2004 (16.3% in 2001, 14.2% in 2002 and 16% in 2004). Government has taken great pains to avoid a much higher increase requested in order not to cause undue hardship to the travelling public.

Mr Bérenger: Mr Speaker, Sir, concerning part (a) of my question, can I know from the hon. Deputy Prime Minister whether all the recommendations of the National Remuneration Board have been approved *in toto*?

Dr. Beebeejaun: All the recommendations have been approved. I am sure, my colleague, the Minister of Labour & Industrial Relations, will come up with all the information as and when requested.

Mr Bérenger: Mr Speaker, Sir, if I heard correctly, the hon. Deputy Prime Minister stated that the final recommendations of the National Remuneration Board were received in October 2007. Can I know why the new Remuneration Order is taking effect only in the first week of May 2008?

Dr. Beebeejaun: Mr Speaker, Sir, my colleague, the Minister of Labour and Industrial Relations, had already replied to some of the questions, but I am sure he will answer fully whenever the question is raised. There are many reasons and I leave it to my colleague Minister to reply to that part of the question.

Mr. Bérenger: As far as part (b) is concerned, Mr Speaker, Sir, we have learnt that the bus industry is receiving well above Rs1 billion of subsidies every year, when we take into consideration the grants for free travel, the subsidy on bus fares and Rs450 m. through the RDA. Can I know how is this apportioned?

Dr. Beebeejaun: Mr Speaker, Sir, to start with, let me underline, that the figure quoted include free travel, BCRA and PAT Award. The free travel is not a subsidy. It is a compensation for services rendered and it cannot be under any count considered as a subsidy.

When we come to the BCRA and the PAT Award, the BCRA, is till today, of the same basis as it was applied in the past except for one notable exception. When the BCRA was introduced, it applied only for the bus companies at a base price of Rs11.44 and, when the new Government came in the individual operators requested that they be put on the same footing and that they be considered for the BCRA. This Government gave them the BCRA to cover also the diesel expenses, not at Rs11.44, but at base price because their operating costs are quite different and lower than bus companies.

Mr Bérenger: The bus industry is receiving Rs120 m. by way of grants from free travel, Mr Speaker, Sir. It is a lot of money. We have read that there were complaints, that there is a certain amount of wastage, that the money voted by Parliament is not being apportioned as it should. Can we be told about these complaints and whether any change is being brought about for a better use of that money?

Dr. Beebeejaun: Mr Speaker, Sir, as to apportionment to the various categories, there are always questions and it has been addressed in 2007, as I have said in my reply, in a three-tier system for individual operators. This matter has been addressed and we are always reviewing any suggestion, complaint and request from individual or from the companies. I can assure the hon. Leader of the Opposition that we are constantly monitoring the free travel scheme and, if there is any amendment, it will be more in terms of service rather than apportionment of the compensation.

Mr Bérenger: May I ask the hon. Deputy Prime Minister whether there has been any proposal for a voucher system that would allow for a better use of those funds?

Dr. Beebeejaun: Mr Speaker, Sir, I am happy to have this exchange and this debate. The free travel scheme can be improved, will be improved. We have looked at the voucher and the electronic system. The electronic system is expensive to introduce, expensive to maintain and the voucher system has been considered by the NTA and will come up to Cabinet and we will decide how to operate it, whether on a pilot basis. Incidentally, I would like to inform the House that we tried to look at the system in Rodrigues which is a smaller place and we found that, maybe, we could provide a better service on the voucher system, but it is not certain. We are not rushing into it. We will look into it; we will work on it specially with the hon. Minister of Education and see whether we can improve and give a better service.

Mr Bérenger: The hon. Deputy Prime Minister has confirmed that an average 28% increase in bus fares is forthcoming. Can we know as from what date Government intends applying these new fares?

Dr. Beebeejaun: Mr Speaker, Sir, there have been persistent requests from the bus companies and the individual operators to have both the NRB implementation and the bus fares to start on the same day. If Cabinet gives the final approval on Friday, it will be implemented on 05 May, together with the Remuneration Order.

Mr Bérenger: We are to understand that this 28% increase in bus fares is going to be applied as from 05 May?

Dr. Beebeejaun: As from 05 May.

Mr Bérenger: Mr Speaker, Sir, the bus industry is receiving from Government more than Rs1 billion a year and we are now going to face as from 05 May a 28% increase in bus fares. Can I know before that decision was taken to increase the bus fares by 28%, whether a full report was obtained from the Management Audit Bureau to see whether such a massive increase in bus fares is warranted?

Dr. Beebeejaun: Mr Speaker, Sir, the request, I repeat, was for 40% and the bus companies and individual operators for the free travel had also requested an increase of 40% and we are giving only 28%. As to the question of the hon. Leader of the Opposition as to whether the MAB has looked into it, I can assure him that the Ministry of Finance with all its competencies has repeatedly looked into it together with the National Transport Authority and other stakeholders.

Mr Bérenger: Can I insist that the hon. Deputy Prime Minister should refer this case to Cabinet and see to it that there is no increase until there has been a full, thorough enquiry and report by the MAB on the use of that more than Rs1 billion a year received from the Government, and the impact of the new Remuneration Order on the financial situation of the companies.

Dr. Beebeejaun: Mr Speaker, Sir, I would like to reassure the House that this increase has not been decided *à la légère*. We have been looking at it since January; we have looked at all the possible stakeholders, we have had the Ministry of Finance involved and there has even been the question of whether we should get the MAB involved. The question has been raised and we are satisfied, at this juncture, that there is no need for the MAB to come into it.

Mr Bérenger: We are informed of the suggestion that the MAB should carry out a thorough audit of the industry, including the use of that Rs1 billion a year of funds received from Government. Can I insist that this massive increase of 28% should not come into effect until a full-fledged MAB report has been obtained?

Dr. Beebeejaun: Mr Speaker, Sir, I am sorry, I cannot give this guarantee to the hon. Leader of the Opposition. As I said, *ce n'est pas un travail baclé, c'est un travail qui a été fait au fil des mois et je suis satisfait que c'est le minimum...*

(Interruptions)

Je dois rappeler à la Chambre que l'augmentation demandée était de 40%...

(Interruptions)

Mr Speaker: Order! Order, now! Order, please!

Dr. Beebeejaun: And, if we had eliminated the BCRA, it would have come between 65 and 90 or 100%. I can assure the House that every precaution has been taken so that money is not being spent recklessly.

Mr Bundhoo: Mr Speaker, Sir, may I ask the hon. Deputy Prime Minister, since he mentioned about increases for the year 2001 to 2004, what has been the cumulative increases in the price of bus fares as compared to that of fuel?

(Interruptions)

Mr Speaker: Order!

Dr. Beebeejaun: Mr Speaker, Sir, having computed a 46% increase over three years, I think the cumulative increase would come to 50% or more.

Dr. Mungur: Mr Speaker, Sir, may I ask the Deputy Prime Minister whether the allocation of free travel for students is, in fact, an increase in the real take-home pay for family concerned?

(Interruptions)

Mr Speaker: Order!

Dr. Beebeejaun: Mr Speaker, Sir, the free travel scheme to promote education and social mobility is a first class idea; I think no one has any quarrel with the idea. The implementation, I am the first to agree, has presented problem, but we are addressing the problem as and when. The main problem has been not so much in terms of over expenditure. It is more in terms of the level and quality of service, the way that our aged people, our students are being treated. We are addressing it and we have to address it. I would ask the Opposition to agree with me that every time they have come up with a proposal for improvement, we have promptly addressed it and put it right. I think the Opposition should be the first to acknowledge this and any other improvement we can make, I will be only too happy to receive representations.

Mr A. Jugnauth: I would like to draw the attention of the Deputy Prime Minister to the fact that some individual owners are getting their allocation some 10, 15 or 20 days later every month this is causing them great difficulty. They are not very happy and this is why they are asking for an increase.

Dr. Beebeejaun: I would like to remind the House that the individual operators never got the BCRA from the previous Government. We introduced it...

(Interruptions)

Mr Speaker: Order, please!

Dr. Beebeejaun: I would like to emphasize that it is this Government which gave them the BCRA. Having said that, we have had cash flow problem, but with the proposed revised increase, they will be paid much earlier and, maybe, 2 – 8 days as long as they submit all the information needed to pay them. We have had representations from the Opposition that the individual operators are being paid late. I would make a request. When they submit their claim, they will be paid promptly, much less than the present delay of 20 days.

Mr Bérenger: Therefore, there will be an average increase of 28% in bus fares as from 05 May. Can I ask the hon. Deputy Prime Minister what is the highest – he said an average 28% - increase and what is the increase as far as stage I is concerned, that is, the shortest trip?

(Interruptions)

Mr Speaker: Order!

Dr. Beebeejaun: Let us have the full information. When Cabinet approves, I will circulate the approved rates, but, so far, the lowest has been on the longest trip which is 22% and the highest has been on the shortest trip which is between 33% and 40% for adults.

(Interruptions)

Mr Speaker: Order! Order! The Deputy Prime Minister is answering the question, please let him answer. If hon. Members want to make any comment, they can make it afterwards.

(Interruptions)

Dr. Beebeejaun: Mr Speaker, Sir, we all know the percentage game. A small increase on a low figure gives you what we call a high increase. We all know that. If the fare is low and you increase it by a little, it looks high. So, let's not play games on numbers.

Mr Speaker: Questions addressed to Dr. the Hon. Prime Minister. The Table has been advised that Parliamentary Question B/319 will be answered by Dr. the Hon. Prime Minister, time permitting.

POLICE FORCE - VACANCIES

(No. B/293) 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 in regard to the Police Force, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the present number of vacancies that exists in each grade, indicating when they will be filled.

The Prime Minister: Mr Speaker, Sir, vacancies are filled as and when the need arises. As a matter of fact 647 vacancies have been recently filled in various grades in the Force.

I am informed by the Commissioner of Police that other vacancies are also in the process of being filled.

Mr Jhugroo: Can the hon. Prime Minister table a list of the newly promoted Police Officers together with their posting presently and prior to their promotions?

The Prime Minister: Yes, I can do that.

POLICE STATIONS - VEHICLES

(No. B/294) 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 in regard to Police vehicles, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the present number thereof attached to each Police Station, indicating if consideration will be given for the provision of a minimum of two vehicles to be attached to each Police Station.

The Prime Minister: Mr Speaker, Sir, I am informed by the Acting Commissioner of Police that allocation of Police vehicles to Police Stations is made taking into account –

- (i) the geographical area covered by the Police Station;
- (ii) the number of inhabitants in the region;
- (iii) business and commercial activities;
- (iv) tourist activities, and
- (iv) number of cases and incidents reported.

As a policy, the Divisional Commander of each Division ensures that at least one vehicle is attached to each Police Station. However, whenever the need for more than one vehicle arises in any Police Station, the Divisional Commander makes arrangements accordingly by having recourse to vehicles of other units in his Division, namely the ERS and the SSU.

Mr Speaker, Sir, we all know – we have heard it many times; I remember hon. Bhagwan has asked the question many times - that members of the public complain that when they go to the Police Stations, Police vehicles are not available and we have difficulty with that. Some time back, I discussed this matter with the Acting Commissioner of Police and it has been decided that, in spite of what I have mentioned about the general policy, how it is distributed, the Police Department will try to allocate a minimum of two vehicles to certain categories of Police Station, and more than two in other categories in the future.

Mr Bérenger: Can I ask the hon. Prime Minister whether he can tell us, as at present, how many Police Stations are without a single vehicle?

The Prime Minister: According to the Commissioner of Police there are no Police Stations without Police vehicles but, I must say, Mr Speaker, Sir, that there is a misnomer. I ask this question myself. Sometimes, it is called a Police Station, but, in fact, it is a Police post. I'll give an example. At SSR Botanical Garden, there is no Police Station as such, it is a Police post, but even there, there is a Police vehicle but, in some of these posts, there are no Police vehicles available, because there is no need, it seems, for Police vehicles.

Mr Bhagwan: The Prime Minister said that instructions have been given, at least, to have two vehicles, but in many Police Stations these vehicles are not in running condition. They have problems of batteries and tyres, even the physical state of these vehicles is not good. It is not a political issue - you can go and see! Can the hon. Prime Minister, at least, have a survey carried out to find out what is the lifetime of these vehicles and whether they have fitness, at least, to be in operation?

The Prime Minister: Mr Speaker, Sir, the Ministry of Finance has drawn our attention to it that there is a lifetime for each vehicle, that we should dispose of the vehicles in time before the price drops completely. But I think the following question is on this issue.

Mr Jhugroo: Mr Speaker, Sir, can the hon. Prime Minister confirm whether the Police vehicles which are attached to Abercrombie Police Station and Montagne Longue Police Station are in good running conditions?

The Prime Minister: Mr Speaker, Sir, it is difficult for me to know, but I can inquire into it.

Mr Jhugroo: Can I ask the hon. Prime Minister how many Police vehicles are more than ten years old?

(Interruptions)

POLICE VEHICLES – REPAIRS

(No. B/295) 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, in regard to Police vehicles, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the present number thereof –

- (a) in use;
- (b) in garage for repairs, and
- (c) unserviceable.

The Prime Minister: Mr Speaker, Sir, I am informed by the Acting Commissioner of Police that the Police Department has a fleet of 1387 vehicles, allocated amongst the different Units and Divisions of the Force. Out of these, 1192 are presently in use and 61 have been sent for repairs. 134 vehicles have been declared unserviceable by the Police Mechanical Workshop and are awaiting to be assessed by a Board of Survey.

Mr Jhugroo: Is the hon. Prime Minister aware, Mr Speaker, Sir, that there have been several cases where Police Officers were requested to attend urgent cases and there were no Police vehicles for them to discharge their duties?

The Prime Minister: I don't think we should exaggerate, Mr Speaker, Sir, but there have been some cases. That is why for the financial year, provision has been made to the tune of Rs48.7 m. for the acquisition of 97 vehicles and they will be sent to the various Police Stations wherever it is needed.

Mr Ganoo: Will the Prime Minister confirm to the House whether the problem lies with the Police garage because constantly and regularly we are being told by Police Officers that in many Police Stations vehicles are being repaired; members of the CID also complain. I draw the attention of the Prime Minister to the fact that at Baie du Cap Police Station on 26 March the day of the heavy rainfall and floods, there was no Police vehicle available at Baie du Cap Police Station and the Police Officers had to hire or ask for a lift to go at Radier Macondé when it started to get flooded to prevent people from using Radier Macondé. This is true...

Mr Speaker: The question has been put, let the hon. Prime Minister reply!

Mr Ganoo: I would ask the Prime Minister to see to it that perhaps the repairs...

(Interruptions)

Mr Speaker: I will have to remind hon. Members that they cannot make statements. This is clear in the Standing Order. They can put questions.

The Prime Minister: As I said, Mr Speaker, Sir, out of the 1,192 presently in use, 61 have been sent for repairs and 134 have been declared unserviceable by the Police Mechanical Workshop. But I will look into the matter.

Mrs Hanoomanjee: The hon. Prime Minister has mentioned in his reply that the Police Mechanical Workshop is still operating. Can we know whether the Mechanical Workshop of the Police is still operating because it was scheduled to be closed by June 2007?

The Prime Minister: Mr Speaker, Sir, the procedures for the closure of the Police Workshop were initiated after the Budget Speech. And then an expression of interest was launched on 09 November 2006 whereby all owners of workshops were invited to signify their intention as to whether they will be able to undertake repairs for the Police vehicles. There was a pre-bid at the Police Headquarters, but in May of last year it was decided that for practical reasons all vehicles should be sent for servicing and repairs to their respective local concessionaries.

The reason is simple, Mr Speaker, Sir. We found that when it is sent to different garages, they don't have the same equipment as certain top garages, and then we end up paying more at the end of the day. On 31 May 2007, the Ministry of Finance & Economic Development was consulted and advised that the approval of the then CTB be obtained for repairs exceeding Rs1 m. But, on 06 June, the CTB, after considering advice of the Ministry, noted that in the absence of competitive bidding exercise, it was not in a position to give its approval. That delayed the whole matter. In August 2007, a meeting was held at my office with all the stakeholders to see whether we should proceed as requested, and it was agreed that the Police Department would prepare tender documents, inviting the respective local agents of Police vehicles to submit rates for pre-determined services as well as for periodic servicing and maintenance, and the provision of spare parts, which is also very important. On 30 November, last year, the then CTB informed that the tender document was in order and requested the Police Department to initiate procedures for launching tenders. As we can see, there was a delay because the CTB did not agree with some of these. Last year, in December, a special meeting was held at the Police Headquarters, and they prepared all the documents. On 15 January, the then CTB informed that the new Procurement Policy Office be approached to consider any new issues which might have been omitted. This is the reason for delay. But, I can say that on 04 April of this year, the Procurement Board was informed that the tender documents have been examined and required some more amendments. This is being done. Another meeting has been held on 14 April, following which amendments to the letter of invitation were brought. The Police Department is presently awaiting the launching of the tenders by the Central Procurement Bureau, and a pre-bid meeting will be organised in about two weeks' time for the floating of tenders.

Mrs Perrier: Mr Speaker, Sir, could the hon. Prime Minister use his good offices and see with the Commissioner of Police whether vehicles under repair be replaced as soon as possible so that the kind of situation which occurred on 26 March in Baie du Cap does not recur?

The Prime Minister: Mr Speaker, Sir, I will take up the matter with the Ag. Commissioner of Police.

Mr Jhugroo: Mr Speaker, Sir, can the hon. Prime Minister confirm whether there have been any adverse reports of the Audit department regarding an overstock of spare parts at the Police garage?

The Prime Minister: Mr Speaker, Sir, this complaint has been with us for a long time. When we came in Government for the first time, we had a look at this problem of spare parts. That is why during my first term, we decided to change this system and ensure that we buy models from known agents, so that we don't have this problem. This is the reason why all this has been taken into consideration when we decided to do away with the system that we have at the moment.

Mrs Martin: Mr Speaker, Sir, may I know from the hon. Prime Minister whether the workshop is still scheduled to be closed and, if yes, whether any study has been made with regard to the amount of money that will be saved by its closure?

The Prime Minister: Mr Speaker, Sir, in the long run, there will be saving of money, because the repairs, servicing are not being done properly. Sometimes, too many spare parts are bought and are not used, and the model changes. I remind the hon. Member that we did say that the workshop will be closed, but not for the special vehicles of the SMF. This is will continue.

CANDOS FIELD FIRING RANGE – RELOCATION

(No. B/296) Ms K. R. Deerpalsing (Third Member for Belle Rose & Quatre Bornes) 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 relocation of the “rifle practice grounds” of the Special Mobile Force from the now developed and inhabited area in Sodnac, Quatre Bornes, at the foot of Colline Candos, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to where matters stand.

The Prime Minister: Mr Speaker, Sir, this matter has been raised many times before, and the last time I think by the hon. Member herself.

The Candos Field Firing Range, with six firing points, is of a length of 600 metres and it was set up since the British Colonial days.

Previously, there was no human habitation within a radius of two to three kilometres. However, when members of the public started building private residences closer and closer to the location of the range, the issue of safety arose.

All the while, SMF/Police had protested against such residential encroachment not only for safety reasons, but also because it would have put into question the very existence of the Range eventually.

Nonetheless, permits were given, little by little houses were built on the right flank of the Range, inasmuch as the nearest house was as close as 150 metres from the firing range. Houses are also found in the direction of the Field Firing Range beyond the Candos Hill.

I also understand, Mr Speaker, Sir, that the local inhabitants make use of this area extensively, and many requests have been made to move this Field Firing Range from there.

I indicated in my reply to Parliamentary Question No. B/701 on 13 June 2006 that the Police will be looking for alternative sites for the relocation of the Field Firing Range.

In this connection, in June 2007, a firing range expert team from the Indian army carried out a survey to study the Candos Field Firing Range and to identify possible alternative sites for a new Field Firing Range.

Following the submission of the report of the Indian team, the hon. Member will be glad to hear that Government has now decided that in the interests of the local inhabitants and in the interests of safety, the Field Firing Range will be moved to an alternative site. A site has already been identified in the vicinity of the Midlands Dam and arrangements are being made for the relocation of the Field Firing Range.

Ms Deerpalsing: Mr Speaker, Sir, can I ask the hon. Prime Minister whether he has an indicative time frame of when that would happen?

The Prime Minister: Mr Speaker, Sir, first of all, we have to ask the hon. Deputy Prime Minister & Minister of Finance to allocate a sum, which I believe will not be so much as it will be around Rs8 m. A survey has already been done. Once all this is done, we will put in the procedures.

SECURITY GUARDS - TRAINING

(No. B/297) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) 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 private security services, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if he has conducted training and courses for the licensees thereof and the security guards, since July 2005 to date, and if so, the number thereof in each case.

The Prime Minister: Mr Speaker, Sir, the issue of a licence to a company providing security and property protection services is governed by the Police Act 1974. Under section 20 of the Police Act 1974, one of the conditions attached thereto is that the licensee should ensure that all his personnel are properly trained in security and property protection duties.

The Private Security Service Act, which was voted in the National Assembly in 2004, provides a new legal framework to regulate the activities of the private security services. However, the Act was not proclaimed.

In April this year, the Private Security Service (Amendment) Bill was voted in the National Assembly to provide, among others, for private entities to conduct training courses for security guards and private security service providers. The training course will, however, be subject to the scrutiny of the Commissioner of Police whose prior approval must be obtained. The rationale is that it would be a strain on the resources of the Police if the responsibility were to be placed on the shoulders of the Commissioner of Police to provide training for security guards and holders of private security service licences.

It is, therefore, the responsibility of security companies to provide the relevant training to their own security personnel.

Therefore, the Police have not been conducting training courses for holders of private security service licence and their security guards, except on request from AHRIM, in September and October 2007, the Police conducted short training courses for 90 security personnel working in hotels.

Mr Speaker, Sir, we need to ensure that there is a high level of professionalism within the private security industry and it is serviced by trained, qualified and competent personnel. It is proposed to proclaim both the Private Security Service Act 2004 and the Private Security Service (Amendment) Act 2008 with effect from 01 June of this year. In this respect, the regulations are being reviewed to implement both legislation.

Mrs Hanoomanjee: Mr Speaker, Sir, I have just heard the reply of the Prime Minister. Is the hon. Prime Minister aware that the Commissioner of Police may refuse to register a person - or a company - who wishes to perform the duties of security guard if he does not have the appropriate training?

The Prime Minister: That is so; he must be trained.

Mrs Hanoomanjee: Is the hon. Prime Minister aware that, in the legislation, it is there, the Commissioner may provide training and it is still there even after the Act was voted some two weeks back.

The Prime Minister: The training course, as I said, Mr Speaker, Sir, will have to be subject to the scrutiny of the Commissioner of Police; his prior approval must be obtained. As I said, the rationale will be, if the Police will have to go and train security guards – already we have a strain in the Police Force - what would happen?

Mr Varma: Can the hon. Prime Minister inform the House whether there was any such training prior to 2005?

The Prime Minister: No, except, as I said, in 2007, for ARHIM, because they are concerned with the hotel industry and tourists; in that case, Police conducted short training courses, otherwise no.

Mr Bodha: Mr Speaker, Sir, in cases where a firearm permit is given, may I ask the hon. Prime Minister whether extensive training is given to these people so that they can use their firearms whenever required?

The Prime Minister: As I said, Mr Speaker, Sir, the training is not going to be conducted by the Police themselves, otherwise, the Police will spend so much time in conducting training courses. But they will have to be trained; again, it will be under supervision. As I said, the Commissioner of Police will have to scrutinize the training procedures that they are having and then will give approval for it.

Mrs Hanoomanjee: Mr Speaker, Sir, I understand from the hon. Prime Minister that the Commissioner of Police is overburdened and can't organise these training courses. Does the hon. Prime Minister think that, at least, IVTB could organise, after consultation with the Commissioner of Police, courses on a regular basis for individuals who may, subsequently, look for jobs as security guards or employed by owners of security companies? That could be done in conjunction with the Commissioner of Police together with IVTB.

The Prime Minister: Mr Speaker, Sir, just to correct, I did not say that the Commissioner of Police is overburdened, but I did say that "The rationale is that it would be a strain on the resources of Police if the responsibilities were to be placed on the shoulders of the Commissioner of Police to provide training for security guards and holders of private security service licences." However, I will look into that suggestion and transmit it to the Commissioner of Police.

Mr Jhugroo: Can the hon. Prime Minister confirm whether the private security officers, involved in an incident in a *discothèque* at Quatre Bornes, were granted an operational licence by the Commissioner of Police?

The Prime Minister: There was a question last week on this matter, Mr Speaker, Sir. That is why when I brought the Bill, I did mention this and this is why we want to have it properly regulated.

CHAGOS ARCHIPELAGO - 'LET THEM RETURN' REINSERTION PLAN

(No. B/298) 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 Chagos Archipelago, he is aware of the 'Let Them Return' reinsertion plan, designed to allow the Chagossian community to return on the Salomon and Peros Banhos islands, and the content thereof, and if so, will he state the actions Government proposes to take in relation thereto.

The Prime Minister: Mr Speaker, Sir, I understand that the "*Let Them Return*" campaign was launched in the UK by the Vice-chairman of the all All-Party Parliamentary Human Rights Group and the United Kingdom Chagos Support Association on Tuesday 08 April 2008 in the House of Lords. At the launching ceremony, a report entitled "*Returning Home*", written by John Howell, former Director of the Overseas Development Institute, was also presented.

As far as the Government is concerned, Mr Speaker, Sir, the Chagos Archipelago is, and has always been, part of Mauritius. Mauritians are therefore entitled to travel and live in any part of Mauritius, but are barred from doing so at present in view of the sovereignty dispute between Mauritius and the United Kingdom over the Chagos Archipelago.

Mr Speaker, Sir, I should perhaps remind the House that as far back as October 1997, when I met the then Secretary of State for Foreign Affairs, the late Mr Robin Cook, I raised the issue of the Chagos Archipelago and canvassed the need for negotiations between our respective States for the resettlement of the Mauritians born in Chagos and their descendants on Peros Banhos and Salomon islands. I also stated that we could start by allowing the islanders to visit those islands not directly concerned for defence purposes. There was no clear commitment on the part of the UK Government at the time, although late Robin Cook said he was not personally against the idea and would discuss the issue with the US authorities.

In fact, this led to the visits of the islanders to Chagos Archipelago in March/April 2006. I insisted then, Mr Speaker, Sir, on a Mauritian presence being there and on both parties bearing the cost which was agreed by the British Government.

Mr Speaker, Sir, we cannot agree to any attempt by the United Kingdom Government to deal directly with any group in relation to the Chagos Archipelago since this is an issue which has sovereignty implications.

The Government of the United Kingdom should, in compliance with its obligations under International law, deal with the Government of Mauritius with regard to any plan, or scheme, to facilitate the return of the Archipelago of Mauritians, including those born in or removed from the Chagos Archipelago and their descendants.

Let me reassure the House, Mr Speaker, Sir, that my Government is leaving no stone unturned to engage in meaningful dialogue with the British Government on the Chagos issue. As a matter of fact - I think I mentioned it last time - I did talk to the British Prime Minister when I was at the CHOGM meeting. We did have a discussion on this; I followed this up by a letter to him and he had written to me some time back to say that the British Government wanted to start negotiations, but at official levels between the Mauritian High Commission and officials of the Foreign Commonwealth Office. I disagreed with him. I wrote back to him, and I also mentioned it to Baroness Amos who was here for our Independence Day celebrations, that I don't think it should be at this level. They wanted to as if clear some grounds to see what areas we are going to talk about. I said that it should have been at a much higher level. The British Prime Minister has now agreed to hold these talks and the dates for such talks will now have to be agreed by both parties. We are looking at that at the moment.

Mr Bérenger: Will the hon. Prime Minister inform us what exactly is taking place at the House of Commons and House of Lords in regard to the Chagossians? I know that there is a Select Committee of the House of Commons sitting and, supposedly, they are going to make recommendations concerning the return of the Chagossians, but the hon. Prime Minister mentioned the House of Lords. Does the hon. Prime Minister know exactly what is taking place at both the House of Commons and House of Lords in regard to the Chagossians?

The Prime Minister: We are getting direct information, Mr Speaker, Sir, through our High Commission. I mentioned the House of Lords because the Vice-Chairman of the All-Party Parliamentary Human Rights Group and the United Kingdom Chagos Support Association met in the House of Lords. Whether there are actually all Members of the House of Lords, we are not sure, but they met there and this is when they had the launching of the report of “*Returning Home*” which was written by John Howell, former Director of the Overseas Development Institute.

Mrs Navarre-Marie: Mr Speaker, Sir, will the hon. Prime Minister say whether the Mauritius High Commission in London or any other representative from the Government of Mauritius attended the launch and whether a speech was made on that occasion?

The Prime Minister: I am not aware that they attended the launch, but we have reports that there was this launch.

FLOOD VICTIMS – PUBLIC COLLECTION

(No. B/299) 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 he is aware that funds have been or are being illegally collected in the name of the flood victims, islandwise, and, if so, will he, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been carried out thereinto and the outcome thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Acting Commissioner of Police that no case of illegal public collection relative to victims of the torrential rain which occurred on 26 March 2008, has been reported to the Police.

I am also informed, however, that two applications for public collections were received by the Acting Commissioner of Police in favour of the flood victims.

The first application from the secretary of the *Action Civique de Le Hochet/Riche Terre* was authorised to organize public collections between noon on Friday 04 April to noon on Sunday 06 April at Modern Centre, Le Hochet, Terre Rouge.

The second applicant was applying for a national collection on the following day. He was advised by the Police, because it was a national collection, to seek the views of the Office of the President in accordance with Section 7 of the Public Collections Act. However, he then decided that he will not proceed further with this application.

Mrs Navarre-Marie: Mr Speaker, Sir, in view of the fact that vouchers have been distributed by some Members of the Government, does the hon. Prime Minister intend to initiate an inquiry to know from where this money come from and how were these vouchers distributed?

The Prime Minister: Mr Speaker, Sir, there is a difference between a public collection and vouchers being given for commodities. It is a different issue.

Mr Guinness: Can I ask the hon. Prime Minister whether he is aware that from the same illegal fund that we are talking about these days, some 20 vouchers of Rs500 have been given yesterday in my Constituency to victims and supposedly victims, and they are using this even for the rally of the 01 May to ask people to get in their buses?

(Interruptions)

Mr Speaker: Order!

The Prime Minister: Mr Speaker, Sir, I don't know whether the newspaper presented an untrue photograph, the hon. Member was in one of them...

(Interruptions)

There was a photograph in the newspaper where the hon. Member was present. Am I right or wrong? That's what I saw. Maybe, it was somebody who looks like the hon. Member...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: ...but, I believe the hon. Member was also aware. Secondly, Mr Speaker, Sir, I need to make the point...

(Interruptions)

Mr Speaker: Order!

The Prime Minister: ...why it is commendable for people to try to help their fellow brothers and sisters by giving vouchers for commodities. Let us not try to make political capital out of that.

(Interruptions)

This is shameful to say we will use vouchers to ask people to come. Let us say they are preparing public opinion as to why they are getting people in the meetings.

(Interruptions)

Mr Lesjongard: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he could confirm to the House that the problem faced by one Member of this House at her residence during that period was due to the fact that there was distribution of such vouchers and that no criteria was set down for the distribution of same? I am laying a copy of such vouchers on the Table of the National Assembly.

The Prime Minister: The hon. Member knows very well who pushed these people to go and protest. You can't give vouchers to everybody, obviously!

(Interruptions)

You are yourself instrumental in doing this!

Mr Bundhoo: Mr Speaker, Sir, may I ask the hon. Prime Minister whether such vouchers were distributed, not only in Constituency No. 10, but in all constituencies where people were affected by the floods?

The Prime Minister: The local MPs were trying to help people in their local constituencies.

(Interruptions)

POLICE – PROVISIONAL INFORMATION AGAINST SUSPECT

(No. B/300) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien) 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 current Police practice of lodging a provisional information against a suspect, prior to the completion of an inquiry, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if consideration will now be given for the review thereof and, if not, why not.

The Prime Minister: Mr Speaker, Sir, although not provided by the law, it has been the practice for the Police to lodge a provisional information before the Court when a person suspected of a serious offence is arrested. It is a procedure whereby the Court is informed of the reason for the arrest of an individual.

I am given to understand that the Police may well inform the Court verbally of the reason for the arrest of a suspect, but the use of a provisional information has been and is the practice in our jurisdiction. Its purpose is to bring the detention of an individual under judicial supervision and control so as to prevent an administrative detention. This enables a judicial authority to decide whether the person being detained should be released on bail or not, and if not, for how long he should be detained pending the completion of the Police inquiry. The suspect provisionally charged will then periodically appear before the Magistrate to be further remanded or to have the bail against him enlarged.

The use of provisional information has been duly recognised by the Supreme Court in the cases DPP v I.O.I.B 1989; and Alain Gordon Gentil v The State of Mauritius 1995.

However, Mr Speaker, Sir, I must state that even where the Police have powers of arrest, they cannot and should not exercise such powers as a matter of course, that is, simply because they have such a power. The discretion to arrest must be exercised in a reasonable manner, otherwise the arrest on the provisional charge may be held to be unlawful as was stated by the Supreme Court in the case of Dahoo v State of Mauritius and Commissioner of Police 2007. The Police is also expected, whenever practicable, to obtain the explanation of the individual and have enough evidence to back their suspicion before arresting him.

The liberty of a citizen must not be impeded on a mere allegation. In this respect, at the request of the Attorney-General, the Law Reform Commission is looking at all the implications of arrest and bail which also deals with the issue of provisional information. The Commission is expected to make proposals should there be any need to provide better safeguards in relation to the arrest of a suspect by the Police.

Mr Varma: Mr Speaker, Sir, can the hon. Prime Minister inform the House whether it is being envisaged to bring the concept of provision of information within the ambit of our law?

The Prime Minister: I said at the beginning of my answer, Mr Speaker, Sir, that it is not provided by the law, but it has been a practice. I think it might be a good idea, that is why I want to let the Law Reform Commission, which is looking at the implications of arrest and bail, to come up with whatever suggestions they want to make.

Mr Speaker: Questions addressed to hon. Ministers! The Table has further been advised that Parliamentary Questions Nos. B/352 and B/353 have been withdrawn.

