

ORAL ANSWERS TO QUESTIONS

**RODRIGUES – NATIONAL COAST GUARD OFFICERS –
LATE J.S & J.C.P**

(No. B/1090) Mr J.R. Spéville (Second Member for Rodrigues) 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 inquiry in relation to late J.S. and J.C.P, the Officers of the National Coast Guard who died in search and rescue operation in Rodrigues, on or about 13 May 2007, 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, I am informed by the Commissioner of Police that the inquiry into the case of late Police Constables J.S. and J.C.P. was completed and was forwarded to the Director, Public Prosecutions for advice. The Director of Public Prosecutions has advised on 15 April 2008 the holding of a judicial inquiry before a competent Court. Consequently, on 25 April 2008, the case file was forwarded to the Divisional Commander, Rodrigues and the case has been lodged on 07 August 2008 before the Rodrigues Court.

I am informed, Mr Speaker, Sir, that the heirs of J.C.P. have already been paid death gratuity, taxable sick leave and insurance policy amounting to Rs358,607.81.

With regard to late J.S., whose body is still missing, an affidavit was made under section 133 of the “Code Civil Mauricien” before the Supreme Court to declare him judicially dead. On 26 February 2008, the Court ordered the Registrar of Civil Status to declare the death of late J.S. as from 17 May 2007 judicially. The spouse of late J.S. was advised to swear an affidavit in order to establish the legal heirs of the deceased so as to enable the payment of the compensation. This has been done and consequently death gratuity, taxable sick leave, passage benefits and insurance policy amounting to Rs392,976.40 has been paid.

Furthermore I am informed that a notice made by the heirs of late J.C.P. has been served upon the hon. Attorney-General on 07 March 2008 in view of contemplating civil proceeding for damages worth 2 million rupees. With regard to late J.S. a notice has been served on 05 June 2008 for damages worth 1.6 million rupees.

Mr Speaker, Sir, in my reply to PQ B/488 on 29 May 2007, I mentioned that extra compensation would be paid under the Prime Minister's Relief and Support Fund, as is the practice in such cases and once all the formalities are done. Therefore, we are waiting for the court cases to be settled for this to be done.

Mr Spéville: Mr Speaker, Sir, concerning the payment to the families, can I ask the hon. Prime Minister whether a risk insurance, which they are entitled to, has been paid to them?

The Prime Minister: This is an administrative matter and we must know whether they are entitled to a risk allowance or whatever. As I said, under the Prime Minister's Relief and Support Fund, this is going to be done as soon as the Court cases are settled.

Mr Spéville: What I have learnt from the Police Officers is that they are entitled to a risk insurance - and not allowance - which amount to X figure. That's what I am asking the Prime Minister.

The Prime Minister: As far as the insurance is concerned, there is a personal accident insurance scheme and both of them have been given that money.

MCIT, CUREPIPE – POLICE OFFICERS

(No. B/1091) Mrs M. Martin (Second Member for Curepipe & Midlands) 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 Major Crime Investigations Team Unit in Curepipe, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the number of Police Officers posted thereat;
 - (i) in January 2006, 2007 and 2008, and
 - (ii) as at end of July 2008
- (b) the available resources for them to discharge their duties, and
- (c) the number of cases treated and solved since January 2008 to date.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that the Major Crime Investigation Team (MCIT) was set up in June 2000 and was based in Line Barracks, Port Louis. On 15 September 2005, for practical reasons, the Unit was reorganised with the setting up of the MCIT (South) at Curepipe District Headquarters, to cover the southern part of the island, that is, the Southern, Central and Western Divisions. Both units of the MCIT are under the charge of a Superintendent of Police and under the supervision of the Assistant Commissioner of Police.

The number of Police Officers posted at this Unit on a yearly basis since January 2006 to date, has been as follows -

PERIOD	NO. OF OFFICERS
January 2006	20
January 2007	21
January to July 2008	18

I am also informed that staffing at the MCIT is currently being reviewed. Personnel who are in excess and who have not been performing to satisfaction have been transferred. An exercise is presently underway to identify suitable candidates for eventual posting to the MCIT with a view to enhancing its performance and effectiveness.

With regard to part (b) of the question, adequate resources have been put at the disposal of the Unit to enable its officers to discharge their duties in an effective and efficient way.

As for part (c), I am informed that since January 2008 to date, 44 cases have been treated by the Major Crime Investigation Team based at

Curepipe. Out of these, 21 have been solved and the accused prosecuted, 20 are pending inquiry and three have been filed.

Mrs Martin: I thank the hon. Prime Minister for his answer. Can the hon. Prime Minister inform the House of the number of cars put at the disposal of the members of the MCIT?

The Prime Minister: Did the hon. Member say cars or vehicles?

Mrs Martin: Vehicles.

The Prime Minister: There are four vehicles.

Mrs Martin: Can the hon. Prime Minister say whether the members of the MCIT are now using their own private phones whereas before they were given a phone for the discharge of their duties?

The Prime Minister: I am not aware that they use their own private phones, Mr Speaker, Sir. They ought to have been given phones. I will look into this. I am not aware of this.

Mrs Martin: My information, Mr Speaker, Sir, is that the members of the MCIT are using their own private phones and, in fact, they are not even given any allowances for making their calls.

The Prime Minister: This sounds to me a bit unlikely, but I will look into it.

Mr Bérenger: Very serious allegations of protection money, *la monnaie la queue fer blanc*, all sorts of allegations are made against the MCIT since 2005 by myself, by Harish, your good friend, and by others. Can I know whether any of the members or ex-members of the MCIT has been suspended; whether action has been taken against any of them?

The Prime Minister: As far as I remember this question was put to me some time back and I know the Police have been enquiring. For example, when there was an allegation that there was a lot of money found in the safe of ex-officer in charge of the MCIT, this turned up to be absolutely false. There is no evidence. The former Commissioner of Police actually told me that this is absolutely false. He maintained that this is false. A lot of false allegations also have been made. I know the Police have enquired. I cannot

remember offhand, I think - but I must recheck and tell the hon. Leader of the Opposition - that some people have been transferred because of this. I think the investigation is going on with some people.

DANGEROUS DRUGS ACT – SCHEDULE II

(No. B/1092) Mr N. Bodha (First Member for Vacoas and Floreal) 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 drugs listed out in Schedule II of the Dangerous Drugs Act, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of possession thereof, since July 2005 to date.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that from July 2005 to date, cases of possession of dangerous drugs listed in Schedule II of the Dangerous Drugs Act have been reported as follows –

Period	No. of cases reported
July to December 2005	178
Year 2006	798
Year 2007	836
Year 2008 (up to 05.08.08)	518

Mr Bérenger: Mr Speaker, Sir, intelligence gathering in relation to such problem is very important. Can we know whether the Police, ADSU, the Commissioner of Police have tallied the rise of Subutex and how the drugs listed in Schedule II are concerned? Has there been correlation between them?

The Prime Minister: In fact, there is another Parliamentary Question on this. I can tell the hon. Leader of the Opposition that, in fact, what we are saying is: the pattern of importation of heroin is going down, because of the action that has been taken, the others are going up.

Mr Bodha: Mr Speaker, Sir, we know that the law is going to be amended as regards Subutex, to be removed from Schedule II to Schedule I.

Are there other drugs which have been considered in the same amendment, that is, to be removed from Schedule II to Schedule I?

The Prime Minister: In fact, the Leader of the Opposition pointed it out last time in a question and I did explain that because of the medicinal use of Subutex, whether we can actually take it out of this Schedule. That is why it took so long. There was a big debate going on. We have been told now that there are other drugs. We are not going to come every time in front of the House to say to add this and that drug. What we are doing, in fact, is separating from the medicinal view point with the one where the people are actually doing trafficking.

Mr Ganoo: May I ask the hon. Prime Minister whether it is not time, once again, to make it known to passengers coming to Mauritius, either it is announced on the plane or when they are filling their embarkation card, that Subutex, although it is a Schedule II class drug, is illegal to be in possession with or to import it?

The Prime Minister: But we have to be careful. For example, we have many tourists who come especially from France, where it is available on prescription, who use it. That is why we don't do this at the moment.

DRUG TRAFFICKERS – ASSETS - FORFEITURE

(No. B/1093) Mr N. Bodha (First Member for Vacoas and Floreal) 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 drug traffickers, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof whose assets have been forfeited since July 2005 to date.

The Prime Minister: Mr Speaker, Sir, I would like to outline the procedures for dealing with the forfeiture of assets of drug traffickers.

When a person charged under Section 30 (Drug Dealing) or Section 39 (Money Laundering) of the Dangerous Drugs Act of 2000 is convicted, Section 45(3) of the Act provides that the Director of Public Prosecutions shall, after the delay for appeal has lapsed, refer the matter for enquiry to the Commissioner, Drug Assets Forfeiture.

On receipt of a report the Director of Public Prosecutions may, pursuant to Section 45(7), apply to the Supreme Court for an order for the forfeiture of the possessions of the convicted person or any member of his family.

Section 45(10) provides that on receipt of an application, where the Supreme Court finds that the possessions of the convicted person or of any member of his family or any part thereof are the proceeds of unlawful dealing in dangerous drugs by the convicted person, the Supreme Court shall order the forfeiture of these possessions.

Mr Speaker, Sir, I am informed that since July 2005, the Supreme Court has made an order for forfeiture of assets in one case. There are presently five other cases before the Supreme Court, all of which are being defended.

In addition to the five cases which are before the Supreme Court, the Commissioner, Drug Assets Forfeiture has recommended forfeiture of assets in fourteen other cases.

I am also informed that the Office of the Director of Public Prosecutions is looking into these cases prior to making the forfeiture application before the Supreme Court.

Mr Speaker, Sir, maybe I should inform the House that the proposals for strengthening the implementation of the freezing orders and the forfeiture of assets will be subject to further working sessions. They have started since some time - and, of course, it is obvious that it takes too long - and the Commissioner has had working sessions with different people and these are continuing. In fact, there are constitutional implications that have to be looked into.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister whether we should not see how the law stands in other countries to see to it that we have new measures to punish unjust enrichment from drug trafficking?

The Prime Minister: In fact, this is the law as it is and passed quite some time back. But, Mr Speaker, Sir, I should tell you that since the office of Drug Assets Forfeiture under the previous Commissioners has settled it would be surprising to note - I don't want to cite names - from 1988

onwards how many cases have been actually dealt with and assets forfeited. Obviously, since then, we are seeing this pattern and that is why the relatively new Commissioner for Drug Assets Forfeiture is asking that this should be relooked at and he is having discussions with different people concerned.

Mr Ganoo: I totally agree with the Prime Minister that, in fact, there has been no one so far, no drug trafficker whose assets have been seized for various reasons, especially the law is very cumbersome and so on. May I ask the hon. Prime Minister that when the law is being reviewed - I agree with him that the law should be reviewed and streamlined - we should think about the possibility of seizing assets of drug traffickers in other jurisdictions?

The Prime Minister: Yes, of course, I think there is an obligation to actually let the other jurisdictions know about what the assets are.

Mr Bhagwan: May I ask the hon. Prime Minister what about these drug dealers or drug traffickers who have still not yet been punished. Their cases are in Court and they are building big apartments, their wealth is increasing. Is there any section of Government department to have a follow-up on these people, to trace where they actually get this wealth?

The Prime Minister: As hon. Ganoo just said, the law is too cumbersome because there are legal and constitutional implications. That is why the Commissioner for Drug Assets Forfeiture has asked that these be reviewed so that they can act in a quicker way.

Mr Soodhun: Mr Speaker, Sir, I would like to know from the hon. Prime Minister whether the Commissioner for Drug Assets Forfeiture has an office in Port Louis because we never heard about it. Are we not losing money to pay such people?

The Prime Minister: In fact, he has an office, and I must tell the hon. Member that he has done remarkable work. He has cleared the backlog, that is, 537 cases which were there. He has completed inquiry in 566 cases and referred them to the DPP compared to 49 cases between 2002-2006.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister whether there are cases where assets were frozen, but which have been released?

The Prime Minister: All this depends on the Court and not on Government or the Drug Commissioner. If the Court decides that this has to be done ...

(Interruptions)

Yes, how he handled the case! I am not even aware that this is the case, but I can look into it.

HEROIN – OFFENCES - REPORTED CASES

(No. B/1094) Mr N. Bodha (First Member for Vacoas and Floreal) 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 Heroin, commonly known as Brown Sugar, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of offences in relation thereto, since July 2005 to date, indicating the number of persons who have been prosecuted.

The Prime Minister: Mr. Speaker, Sir, I am informed by the Commissioner of Police that the number of cases of heroin that have been reported from 01 July 2005 to 05 August 2008 are as follows -

July to December 2005	-	447
Year 2006	-	400
Year 2007	-	604
Year 2008 (as at 05 August)	-	201

I am also informed that out of 1,955 persons who have been arrested in this connection, 1,337 have already been prosecuted. I am tabling the details pertaining to these cases and the outcome thereof.

Mr Speaker, Sir, as I was saying earlier, the statistics from the Police reveal that there has been a downward trend in the number of cases of heroin reported during the recent years. That is why, we think, the others are going up.

MR S. C. – TRAVEL TRIPS – JULY 2005 – 12 AUGUST 2008

(No. B/1095) 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 he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of travel trips undertaken by Mr S. C., since July 2005 to date, indicating in each case -

- (a) the countries visited, and
- (b) the airport of destination.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that since July 2005 to date, Mr S. C. has undertaken a total of 11 trips overseas. All these trips were to France and each time, the airport of destination was Charles de Gaulle Airport, Paris. The Passport and Immigration Office has no records of other countries visited by Mr S.C. during his stay overseas.

Mr Bérenger: Mr Speaker, Sir, the hon. Prime Minister met the former Comptroller of Customs yesterday, I am sure he is aware that there was a set up at the airport where a number of Customs Officers would go out to meet incoming or outgoing passengers, accompany them and go through the green passage and, of course, never stopped by other Customs Officers. Do we have evidence that Mr S. C. benefited from such services in the past?

The Prime Minister: We have no evidence that Mr S. C. has benefited from such services, But I must say that when I met Mr Cunningham yesterday, he mentioned this to me and he also went further to say that there are films and cameras. That is why we will look into all this.

Mr Bhagwan: Mr Speaker, Sir, since this person is a well-known drug trafficker, can we know from the hon. Prime Minister whether there has been any follow-up on the part of the Intelligence Service of Government as far as his whereabouts in Mauritius are concerned? Can I know whether the attention of the hon. Prime Minister and Minister of Finance has been drawn to the fact that that person goes to the casinos regularly and plays millions of rupees? This is not a new case; this has been happening for years. Can we know from the hon. Prime Minister whether this has been brought to his attention and whether there has been any follow-up from the *service de renseignements* for cases concerning this gentleman?

The Prime Minister: I have no report of how much he is playing in the casinos.

Mr Soodhun: Mr Speaker, Sir, will the hon. Prime Minister confirm whether, at any point in time, there was an objection to departure on Mr S. C.?

The Prime Minister: On 18 August 2006, there were provisional charges of possession of dangerous drugs and money laundering against him and there was a prohibition order issued against him. But since 18 August, he was granted a variation of prohibition orders by the Courts. He has been allowed to travel to France on four occasions. He travelled on a restricted passport, he had to furnish necessary securities and recognizance and, I think, his argument has been that his mother lives there and that he has a child or something like this. The Court decided that he should be allowed to travel, but every time he has come back, I must say.

POLICE OFFICERS – (UNDER INFLUENCE OF ALCOHOL) – REPORTED CASES

(No. B/1096) 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 reported cases of Police Officers under the influence of alcohol whilst on duty, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, since January 2008 to date, indicating in each case the sanctions taken, if any.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that since January 2008 to date, two cases have been reported where Police Officers were under the influence of alcohol whilst on duty.

The first case which was reported in June 2008 and involving one Police Constable, is still under enquiry at the Complaints Investigation Bureau.

As regards the recent case, the three Police Officers involved were under the influence of alcohol and have been interdicted from 01 August 2008. Police enquiry is still underway.

Mr Jhugroo: Mr Speaker, Sir, can the hon. Prime Minister considers asking higher officers of the Police to effect regular and surprise checks in several Police Stations at night?

The Prime Minister: In fact, I can tell the hon. Member that I know the Commissioner of Police himself has done this a couple of times, if not more by now, and this is being done.

(PQ No. B/1097 – See after PQ No. B/1135)

MR G. S. S – OFFENCES – POLICE INQUIRY

(No. B/1098) Mr N. Bodha (First Member for Vacoas and Floreal) 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 Mr G. S. S., he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number and nature of the cases in which he has been or is a suspect and the outcome of the police inquiry, in each case.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that one Mr. G. S. has been involved in four cases. He has been sentenced in three cases as follows –

- (i) on 18 December 1980, he was sentenced to two years probation for the offence of “Possession of property obtained by means of a crime”;
- (ii) on 26 November 1984, he was ordered by the Magistrate to furnish a surety of Rs3000 for one year good behaviour, in default to undergo one month hard labour for the offence of “Breach of the peace”; and
- (ii) on 17 May 1989, he was sentenced to three years imprisonment for the offence of “Possession of stolen property”.

With regard to the last case, following a statement made by one Mr L.T.S on 26 February 2008, Mr G. S was suspected of having participated in a case of larceny from motor vehicle and was identified as being the person who bought stolen articles. He was then arrested on 06 March 2008, and appeared before Court where he was charged with the offence of “knowingly receiving article obtained by means of misdemeanour”. He was bailed out on the same day after his surety furnished a sum of Rs10,000 and recognizance for the sum of Rs25,000.

On the same day, by virtue of a search warrant issued by the District Magistrate of Flacq Court, his house was searched by the Police, but no incriminating article was found.

Police is further investigating the matter and the case will be referred for Court action.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister to confirm whether Mr G. S. S. was the person who came to see the hon. Attorney-General?

The Prime Minister: I will have to ask him whether it was the same person.

AIR FRANCE STEWARD – SUBUTEX - POSSESSION

(No. B/1099) 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 French air steward who was recently arrested for possession of subutex, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if -

- (a) any other arrest has been effected in connection therewith in Mauritius, and
- (b) any person has been prosecuted.

The Prime Minister: Mr Speaker, Sir, I wish to refer the hon. Member to my reply to PQ No. B/422 on 22 May 2007. Therein I mentioned that two inhabitants of Goodlands were arrested on 19 May 2007, in connection with the case of the French national, crew member of Air France, who was arrested for possession of Subutex on his arrival at Sir Seewoosagur Ramgoolam International Airport on 14 May 2007.

I am informed by the Commissioner of Police that the two persons are Mauritian nationals residing in France but having a local address at Goodlands. One of them travelled to Mauritius on the same flight as the French steward on 14 May 2007. Following their arrest, they appeared before the District Court of Grand Port on 21 May 2007, on provisional charges of -

- (a) “doing an act preparatory in any place outside Mauritius for the importation of Dangerous Drug into Mauritius”, and
- (b) “money laundering”.

They were both bailed out on 21 May 2007, upon furnishing a surety of Rs15,000, and with the condition that they would report to the nearest Police Station every Monday and Friday between 0600 hrs and 1800 hrs. Upon completion of the Police enquiry on these two persons, the matter was referred to the DPP for advice. The Director of Public Prosecutions advised

no further action against the two persons on 31 January and 22 April 2008, respectively.

Regarding the French steward, I am informed that a provisional charge of “Unlawful Possession of Dangerous Drug” was lodged against him on 15 May 2007 before the District Court of Grand Port. He was remanded to Police cell up to 22 May 2007, date on which he applied for bail, but his application was set aside by the District Magistrate. Upon completion of the Police enquiry, his case file was referred to the DPP. The latter advised on 08 August 2007, that the French national be prosecuted before the Intermediate Court for the charge of “Possession of Dangerous Drugs”. The case was lodged before the Intermediate Court on 10 August 2007 and judgment has been fixed for 08 September of this year.

I am further informed that in the course of Court proceedings, the French steward applied anew for his release on bail and the Police again objected. However, upon advice of the Director of Public Prosecutions, he was allowed bail on 01 October 2007 upon furnishing a surety of Rs200,000 and a recognizance of Rs1 million. He was also ordered to report everyday to the nearest Police Station. Actually, he is residing at Riambel.

Mr Bérenger: Mr Speaker, Sir, I am sure the hon. Prime Minister is aware that we have very good officers in ADSU, but we have rotten eggs also. Has the hon. Prime Minister tried to find out why there was no control delivery in that case? From what I know there was no attempt even. In fact, things were done the other way round so that there would not be a successful control delivery.

The Prime Minister: I do not have the details with me, but I am referring to what has been said, Mr Speaker, Sir. In fact, he did not say who was going to get the Subutex, as far as I remember; I am talking from memory, because I do not have the information. But I was told that they attempted to do a control delivery, then he released the two names and they went to check on these two persons and they arrested them but, unfortunately, they were allowed to go.

Mr Bérenger: Can I ask the hon. Prime Minister whether there has been or there are these days any diplomatic moves, any moves from France, connected with the case of this French air steward?

The Prime Minister: In fact, we have given all the information to the French Authorities about these two Mauritian nationals who are residing in France. We have asked whether they have been able to have other links with other people, but they have not answered back; we have reminded them that we wanted to have the answers so that we can follow up here.

Mr Jugroo: Est-ce que le Premier ministre peut nous dire le nombre de voyages que ce steward français a effectué avant cette arrestation ?

Mr Speaker : How can the Prime Minister come to know? The hon. Member has to ask the question to Air France.

(Interruptions)

No, the hon. Member cannot! I am sorry! I have already given my ruling. This is a very farfetched question.

(Interruptions)

Mr Bérenger: Mr Speaker, Sir, can I ask a last question? Is the hon. Prime Minister aware that the fact that it is a steward of Air France and that the name of the Minister of Justice of Mauritius is all over the place, there is a team which is already here to make a film on that? Does he realize how harmful this is going to be to the image of Mauritius?

The Prime Minister: TF1 is making a film on the Attorney-General and Mauritius in general – I hope not just him! Just to add something else, Mr Speaker, Sir, I was saying from memory that, as far as I remember, there was a control delivery, but it did not work out. In fact, I can see here that there was a control delivery that was set up on 15 May.

Mr Jhugroo: Can I ask the hon. Prime Minister how many times has this steward been traveling to Mauritius?

Mr Speaker: How can the Prime Minister come to know as how many times the steward travelled to Mauritius? Is there a record? Hon. Prime Minister, do you have any answer for this question?

The Prime Minister: He is a steward on the airplane, but we do not watch all the stewards. We do not have this information.

Mr Soodhun: In fact, the stewards must go through the Immigration Office. I know that the hon. Prime Minister do not have this information offhand, but he can have the information from the Immigration Office and provide us with this information later on. It is very important to know.

The Prime Minister: I am not even sure that actually, it is the procedure, but I can look into it.

Mr Speaker: Time is over! Questions addressed to hon. Ministers.

(PQ No. B/1100 – see after PQ No. B/1135)

PHARMACEUTICAL PRODUCTS – QUALITY CONTROL LABORATORY

(No. B/1104) Mr S. Dayal (Second Member for Quartier Militaire and Moka) asked the Minister of Health and Quality of Life whether, in regard to the pharmaceutical products that are being used in the public and private health care institutions, he will state if Government is proposing to establish a quality control laboratory to ensure the quality thereof, and if so, when and if not, why not.

Mr Faugoo: Mr Speaker, Sir, appropriate measures have been taken to set up a quality control laboratory in regard to pharmaceutical products that are being used in the public and private health care institutions. The laboratory will be under the responsibility of the Government Analyst Division of my Ministry at Réduit.

The professional staff required has already been recruited. Necessary equipment needed for the quality control laboratory is currently being purchased. Staff will be trained both locally and overseas. It is expected that the laboratory will become operational early next year.

RODRIGUES – ERADICATION OF ABSOLUTE POVERTY PROGRAMME

(No. B/1105) Mr J. R. Spéville (Second Member for Rodrigues) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the Eradication of Absolute Poverty Programme, he will state the number of Rodriguan nationals forming part of the targeted 7157 families.

The Deputy Prime Minister, Minister of Finance and Economic Development (Dr. R. Sithanen): Mr Speaker, Sir, in my reply to PQ B/1088 last week, I explained that the focus of the Eradication of Absolute Poverty Programme would initially be on the 229 pockets of absolute poverty already identified by the Trust Fund. I also informed the House of the work being done by the Trust Fund, the Empowerment Programme, and the DCP in the regions outside the pockets of poverty both in Mauritius and Rodrigues.

A separate survey, Mr Speaker, Sir, will be carried out to identify pockets of poverty in Rodrigues. These pockets of poverty once identified will be included in the EAP Programme. An exercise of pairing between private firms participating in the EAP programme and the different pockets of poverty is under way and Rodrigues is included in that process.

With regard to the number of Rodriguans already identified for the EAP intervention, I am informed that there are 433 Rodriguan families living in Mauritius who are among the 7175 households initially identified in the 229 pockets of poverty.

Mrs Martin: Mr Speaker, Sir, the hon. Deputy Prime Minister mentioned a separate survey that is going to start in Rodrigues in order to identify the pockets of poverty. May we know from him when the survey is going to start?

Dr. Sithanen: The questionnaire is being finalised, Mr Speaker, Sir.

PLAINE MAGNIEN – MARKET - CONSTRUCTION

(No. B/1106) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Minister of Local Government whether, in regard to the construction of a new market in Plaine Magnien, he will state where matters stand.

Dr. David: Mr Speaker, Sir, I wish to inform the House that the project for the construction of a new market at Plaine Magnien which is estimated to cost Rs30 m. has been forwarded to the Local Infrastructure Fund Committee, set up under the aegis of my Ministry, for consideration.

MOHABEER BURRENCHOBAY PRIMARY SCHOOL – BLOCKWALL - CONSTRUCTION

(No. B/1107) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Minister of Environment and National Development Unit whether, in regard to the widening of the Rishi Dayanand Road, along the wall of the Mohabeer Burrenchobay Primary School, in Plaine Magnien, he will state where matters stand.

The Minister of Local Government (Dr. J. B. David): Mr Speaker, Sir, with your permission, I am going to answer this question.

Mr Speaker, Sir, in January 2008, the Ministry of Education decided to erect a boundary blockwall along the Mohabeer Burrenchobay Primary School. We wrote to the Ministry of Housing and Lands for delimitation of the land so as to enable us to construct the blockwall. The Traffic Management and Road Safety Unit and Grand Port Savanne District Council were subsequently written to for the prescribed clearances. The latter requested that a set-back of 1.5 metres be observed for the new wall.

In the meantime, a request was received in March 2008 from an inhabitant of Plaine Magnien for the widening of the Rishi Dayanand Road. Following the above request, the Ministry of Education wrote to the Grand Port Savanne District Council for the widening of the road in front of the school.

The District Council replied on 08 August 2008 that it is agreeable to undertake the road widening works once the new blockwall is put up, with the requisite set-back.

All the clearances for the blockwall have now been obtained by the Ministry of Education to enable its construction. It is expected that the works may start in September 2008 and to be completed in November 2008. As agreed, the District Council will then effect the widening of the road.

PLAINE MAGNIEN – TAXI STAND - CONSTRUCTION

(No. B/1108) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping whether, in regard to the construction of a taxi stand in Plaine Magnien, he will state where matters stand.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping (Dr. R. Beebeejaun): Mr Speaker, Sir, I am informed that following a site visit in March 2008 by all stakeholders, a site has been identified near the junction of Rishi Dayanand Road and Royal Road for the construction of a taxi stand.

As the land is a private property, the Ministry of Housing and Lands has been asked to initiate procedures for its compulsory acquisition.

Mr Varma: Mr Speaker, Sir, could the hon. Deputy Prime Minister inform the House when will the land be compulsorily acquired?

Dr. Beebeejaun: Mr Speaker, Sir, I have asked my colleague from the Ministry of Housing and Lands to speed it up. I hope it won't take too long.

MAHEBOURG – TAXI STAND - CONSTRUCTION

(No. B/1109) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping whether in regard to the construction of a taxi stand in Mahebourg, he will state where matters stand.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping (Dr. R. Beebeejaun): Sir, as mentioned in my reply to Parliamentary Question B/908 in July 2007, following the reconstruction of the Mahebourg market in 2003, taxi stands had to be relocated and five sites had been identified.

Consensus was reached on three sites only and arrangements were made for the parking of taxis along one site on Flammands Street, Rue des Hollandais and Rue Mariannes.

Several meetings and site visits have been held jointly by the National Transport Authority, the Traffic Management and Road Safety Unit and representatives of the District Council to locate other suitable sites, but no consensus has been reached up to now.

The taxi owners are not agreeable to move to any location away from the market.

Mr Speaker, Sir, I invite the hon. Members of the constituency to meet the stakeholders jointly with the officers of the relevant institutions to reach consensus on an appropriate site for the taxi stand.

BAIE DU CAP/BEL OMBRE – FISHERS – REPRESENTATIONS

(No. B/1110) Mr A. Ganoo (First Member for Savanne and Black River) asked the Minister of Agro Industry and Fisheries whether, in regard to the fishers of Baie du Cap and Bel Ombre, he will state if he has received representations therefrom regarding the –

- (a) difficulties they are facing in connection with the beach works being carried out at the Tamassa Hotel;

- (b) pollution caused to the lagoon by the lime kiln at Staub, Baie du Cap, and
- (c) works currently underway for the construction of the new Macondé Bridge and if so, if he has recently met them, indicating the outcome thereof.

Dr. Boolell: Mr Speaker, Sir, I wish to inform the House that in respect of part (a) –

- (i) my Ministry has not received any representation regarding difficulties fishers are facing in relation to beach works carried out at the Tamassa Hotel. However, I am aware that they have made representations to the Ministry of Environment and NDU with regard to works carried out in the lagoon in front of Tamassa Hotel by Nereide Ltd, in June 2008;
- (ii) the Ministry of Environment and NDU, after consultation with my Ministry, issued a clearance to Nereide Ltd in April 2008, for the creation of two swimming zones over an area of 30m x 23m and 30m x 75m respectively and a boat passage of 20m x 20m in the lagoon in front of Tamassa Hotel. The clearance letter included a set of conditions, one of which was that the promoter should consult and resolve any conflict that might arise with the fishers of the region prior to and during the implementation and operation phase of the swimming zones and the boat passage;
- (iii) following the representation made by the fishers, a site visit was conducted in June 2008, during which, the promoter had informed that works had been carried out manually to clear the boat passage of some loose boulders to prevent damage to boat engines. The promoter was instructed not to continue works until a programme of works is submitted to the Ministry of Environment and NDU and my Ministry and a consultative meeting with the fishermen of the region is conducted and its outcome submitted to the Ministry of Environment and NDU and my Ministry, and

- (iv) A site visit was carried out on 08 August 2008 and no works were observed either on the beach or at sea.

As regards part (b), Mr Speaker, Sir, my Ministry has not received any representations regarding pollution caused to the lagoon by the lime kiln at Staub, Baie du Cap. However, the issue on the alleged pollution in the lagoon of Macondé was raised during the Consultative Committee with Artisanal Fishers held on 26 December 2007. Officers of my Ministry conducted a site visit where it was noted that the factory has not been operating for more than 13 years and that no lime was being disposed and used in the sugar cane fields but instead used to protect the eroded road from soil erosion. Results of analyses of water samples showed that the water quality is within water quality guidelines.

A site visit was effected on 08 August 2008 and no wastewater was found to be discharged in the lagoon and the lagoon water was clear.

As regards part (c), Mr Speaker, Sir, with regard to works for the construction of the new Macondé Bridge, a representation was received in April 2008 from the President of the Association of Fishermen of Baie du Cap regarding alleged prejudice caused to fishermen of the area.

An underwater survey was subsequently carried out in May 2008 and the construction of the bridge was not causing prejudice to fishermen inasmuch as no adverse impacts were noted on the marine environment.

A site visit was made on 08 August 2008 and no disturbance to the marine environment was noted.

Mr Ganoo: Mr Speaker, Sir, I don't want to be more lengthy on this matter. I know that the hon. Minister is very accessible and known for his proximity! Would he care to meet a delegation of these fishermen because there are more problems? I know he is a busy Minister but, I am sure, he can, at least, do the needful to meet a delegation so that they can voice out several other complaints, including those I have just referred to.

Dr. Boolell: Mr Speaker, Sir, a Consultative Committee has been scheduled to take place in two weeks' time. I am sure there will be representatives and when the issues are raised, we'll take them on board.

Mr Ganoo: Can I inform the fishermen that they will be received by the hon. Minister?

Dr. Boolell: Yes.

MAURITIUS NATIONAL LOTTERY – TENDER EXERCISE

(No. B/1111) Mrs M. Martin (Second Member for Curepipe and Midlands) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether in regard to the tender exercise launched by the State Investment Corporation in relation to the Mauritius National Lottery, he will, for the benefit of the House, obtain from the Corporation, information as to the name of the successful bidder, indicating when it is expected to start operating.

The Deputy Prime Minister, Minister of Finance and Economic Development (Dr. R. Sithanen): Mr Speaker, Sir, as the House is aware, the Gambling Regulatory Authority Act 2007, provides for an “Operator” to be promoted by the State Investment Corporation (SIC) to operate the Mauritius National Lottery (MNL) on behalf of the Government of Mauritius.

Following a request for proposal issued to five consulting Firms, SIC retained the services of Deloitte & Touche as Financial Advisor in December 2007 to prepare the Request for Proposal documents and assist in the selection of a partner with which SIC would form the operating company. The partner would provide a complete solution for the MNL that would include the designing, building and operating the requisite infrastructure and systems and marketing lottery games.

On finalisation of the bid documents, SIC launched the Request for Proposals in March 2008 from Mauritian-owned companies for partnering in the operating company.

I am informed, Mr Speaker, Sir, that 13 interested parties collected the RFP documents and by the closing date of 12 May 08, SIC received five proposals.

I am informed that an evaluation committee comprising five persons and chaired by the representative of SIC submitted its report on 11 July 2008 and recommended that discussions be held with the two shortlisted bidders to allow them to top up and/or improve some key issues in their proposals.

The SIC Board met on 15 of July 2008 and decided, on the basis of the significant difference between the two shortlisted bidders, that discussions with both would not be appropriate and would not conform with standard procurement process.

In view of the fact that Lottotech was ranked first, and its offer is substantially higher as compared to the second bidder, in terms of net revenue accruing to Government over the duration of the licence, the Board selected Lottotech as the preferred bidder.

Commencement of operations will, of course, depend on successful conclusion of discussions with the preferred bidder and of the operating company ultimately fulfilling the licensing conditions.

Mrs Martin: Mr Speaker, Sir, is the hon. Deputy Prime Minister aware that Deloitte and Touche acts as an auditor for one of the companies forming the consortium? Is this ethical and in order?

Dr. Sithanen: It is a fair question, Mr Speaker, Sir. Let me say very clearly how the process happened. As a matter of fact, when we do this type of exercise and if there are few companies that bid, the chances of one of the big five winning the contract is very high. And we know who are the big five ones in Mauritius. So, the chances of this happening is quite high in a country like Mauritius.

Second, that company did declare its interest. It did send a letter and I'll read, Mr Speaker, Sir, from the letter –

“Further to our appointment (...), we would like to disclose our interest as statutory auditors of Gamma Civic Ltd., a major shareholder of Lottotech which is one of the bidders of this project. We would like to reassure the SIC that a consulting team, separate and independent from our audit team, has been established to undertake that assignment in order to avoid any conflict of interest and impairment of independence.”

Third, the Committee that assessed the relevant bids was made up of 5 persons and the person who chaired the meeting was from the SIC and not from that company.

Fourth, they did recommend, in fact, negotiations with two parties. However, the SIC, in its wisdom, decided that in view of the substantial difference on what would accrue to Government, took the decision to give the contract to Lottotech.

Mr Speaker, Sir, I must also state – because everything is known in this country - that the SIC Board, for that specific occasion, was not chaired by the Chairman of the SIC, because he had declared his interests in this particular case.

Mrs Martin: M. le président, le vice Premier ministre est sûrement au courant que, souvent, dans les *'top up exercise'*, les compagnies gardent une marge de manœuvre afin de soumettre leur proposition finale. Dans ce cas-ci, alors qu'un *'top up exercise'* avait été annoncé, est-ce que cela n'a pas finalement privé la SIC d'avoir obtenu à la fin une meilleure proposition ?

Dr. Sithanen: Mr Speaker, Sir, in fact, I did ask this question, and the two answers that came are precisely that, in this type of exercise, what we don't want to happen could happen. If you start negotiating with two, the danger, obviously, is very apparent.

The second one is that the difference between what was proposed by the first one and by the second one is huge. I don't want to reveal the figure at this point in time, Mr Speaker, Sir, because SIC is in the process of negotiating, in order to improve the bid. But, I can tell the House that the difference is huge over the lifespan of the project.

Mrs Martin: Mr Speaker, Sir, is the hon. Deputy Prime Minister aware that, since 1997, one of the companies that has been chosen as the preferred bidder, has had adverse reports, namely from the Department of Public Safety of the USA, and has been involved with transactions related to bribery cases, where even one of the directors and cofounders of the company had to resign?

Dr. Sithanen: Mr Speaker, Sir, before the evaluation committee did its exercise, it did write to that particular company. In a letter that the company wrote back to the evaluation committee, it mentioned that there were such allegations and that they were cleared of them. They went further in saying that, after these allegations and after their name has been cleared, they have secured contracts in many countries in the world.

NATIONAL COLLEGES – BASIC SPORTS AMENITIES

(No. B/1112) Mrs M. Martin (Second Member for Curepipe & Midlands) asked the Minister of Education & Human Resources whether, in regard to the national colleges, he will state the number thereof which are not equipped with basic sports amenities infrastructure and multipurpose halls.

The Minister of Local Government (Dr. J. B. David): Mr Speaker, Sir, with your permission, I am going to answer this question.

As indicated in the reply to PQ B/920, there are now 15 National Colleges. Eight of them have all basic sports amenities and multipurpose halls. As regards the remaining seven, the information is being tabled, as they have partial basic sports amenities. In schools, where partial facilities are now available, action will be initiated to provide the additional facilities required.

Mrs Martin: Mr Speaker, Sir, in schools where facilities are not available, especially the Forest Side SSS, where there is no multipurpose hall and not even basic sports amenities, can the hon. Minister say whether particular attention will be given to that school in order to, at least, give some space for the children to have that kind of activity?

Dr. David: Mr Speaker, Sir, from information I have, they have got two volleyball pitches, one handball pitch and one football ground, and two volleyball and basketball grounds are coming in May 2009.

Mrs Martin: Mr Speaker, Sir, since Curepipe is a very humid and rainy region, can the hon. Minister consider as well making facilities available for sports activities to be held indoors when the project is actually carried out?

Dr. David: Mr Speaker, Sir, I will pass on the information to the Minister concerned.

BATTERIE CASSEE & KARO KALIPTIS – CHILDREN’S PLAYGROUND

(No. B/1113) Mrs B. Juggoo (First Member for Port Louis North & Montagne Longue) asked the Minister of Local Government whether he will state if it is proposed to put up a children playground at Batterie Cassée, Karo Kaliptis and, if so, when.

Dr. David: Mr Speaker, Sir, I am informed by the Municipal Council of Port Louis that a children’s playground already exists at Cité Batterie Cassée. However, some of the playground equipment needs to be upgraded.

I am informed that appropriate remedial action will be initiated in the matter by the Council.

Mrs Juggoo: Mr Speaker, Sir, the hon. Minister would agree with me that a playground of 520 sq metres will not accommodate 150 families. Can he look into the matter and find a larger plot of land to accommodate the inhabitants of Karo Kaliptis and Batterie Cassée at the same time?

Dr. David: Mr Speaker, Sir, I will gladly do that. I’ll contact my colleague, the hon. Minister of Housing & Lands.

At 1.00 p.m the sitting was suspended.

On resuming at 2.30 p.m. with Mr Speaker in the Chair.

MONTAGNE ZACO ROAD – CHANGE OF APPELLATION

(No. B/1114) Mrs B. Juggoo (First Member for Port Louis North and Montagne Longue) asked the Minister of Local Government whether he will state if he has received any request from a socio-cultural group to change the appellation of the Montagne Zaco Road into that of the Late Beekramsing Ramlallah Road and, if so, if it will be acceded to.

Dr. David: Mr Speaker, Sir, I am informed by the Pamplemousses/Riviere du Rempart District Council that a request has been received from Messrs Kooblall & others of Valton, Long Mountain to rename Montagne Zaco Road into Beekramsing Ramlallah Road.

I am also informed that this request will be considered by the Long Mountain Village Council at its meeting scheduled for today.

Mrs Juggoo: Can I ask the hon. Minister if he could put in a word to the District Council just to inform them that late Ramlallah was born at the Montagne Zaco Road, and this is why we have done this?

Dr. David: Mr Speaker, Sir, I have great respect for late Beekramsing Ramlallah and I shall personally see to it that this is done.

Mr Speaker: Parliamentary Question No. B/1115 has been withdrawn. Next question, hon. Bhagwan!

NHDC - CITE LA CURE & LA CROISEE, VALLEE DES PRETRES – COMPLAINTS

(No. B/1115) Mrs B. Juggoo (First Member for Port Louis North and Montagne Longue) asked the Minister of Housing and Lands whether, in regard to the NHDC complex of Cité La Cure and that of La Croisée, Vallée des Prêtres, he will state if he has received complaints from the inhabitants thereof in relation to security problems they are facing within the complexes and, if so, indicate the remedial actions, if any, that have been or will be taken.

(Withdrawn)

MR S. C. – FINANCIAL TRANSACTIONS – INQUIRY

(No. B/1117) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to money laundering, he will, for the benefit of the House, obtain from the Financial Intelligence Unit, information as to if an inquiry has been carried out on the financial transactions of Mr S. C., since July 2005 to date

The Deputy Prime Minister, Minister of Finance & Economic Development (Dr. R. Sithanen): Mr Speaker, Sir, as per the provisions of the Financial Intelligence and Anti-money Laundering Act 2002 (FIAML Act), the Financial Intelligence Unit (FIU) is responsible for receiving,

requesting, analyzing and dissemination to investigatory and supervisory authorities financial information concerning suspected proceeds of crime and alleged money laundering offences.

Every bank, financial institutions, cash dealers or members of the relevant profession or occupation as defined in the Act have the obligation to make a report to the FIU of any transactions which they have reason to believe may be a suspicious transaction.

Once the FIU receives a Suspicious Transaction Report (STR), the report is analyzed and the FIU may request for further information from the reporting institution. After due examination of the information obtained, the matter is referred to its Board which may decide to disseminate same to the investigatory bodies namely: ICAC or the Police or the Mauritius Revenue Authority or the supervisory bodies, i.e the Bank of Mauritius and Financial Services Commission as it considers appropriate.

As the House is aware, Mr Speaker, Sir, pursuant to section 30(2) of FIAML Act 2002, strict confidentiality provisions applies to the FIU with respect to disclosure of information from which an individual or body can be identified, except where a Judge's order is obtained.

I am given to understand, Mr Speaker, Sir, that an application is being made by the Commissioner of Police for the obtention of a Judge's order requesting all financial institutions to disclose any such transaction or account held by the party concerned.

Under these circumstances, it will not be appropriate to reveal any matter pending the application.

PORT-LOUIS HARBOUR DREDGING WORKS – ENVIRONMENT IMPACT ASSESSMENT

(No. B/1118) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière) asked the Deputy Prime Minister, Minister of Tourism, Leisure and External Communications whether, in regard to the contract awarded to Boskalis International Ltd., for dredging works in the port area, he will, for the benefit of the House, obtain from the Mauritius Port Authority, information as to who carried out the Environment Impact

Assessment (b) if a monitoring of the works being carried out is being effected and, if so, by whom and (c) if he has received representations regarding the quality of the works being carried out thereat and the damage being caused to the lagoon.

The Deputy Prime Minister, Minister of Tourism, Leisure & External Communications (Mr X. L. Duval): Mr Speaker, Sir, in relation to the Port-Louis Harbour Dredging Works, I am informed by the Mauritius Ports Authority (MPA) that as required by the Environment Protection Act, an Environment Impact Assessment Report was prepared in September 2004, by Messrs Consulting Engineering Services (CES) (India) (Pte) Ltd., the consultants for the project. The preparation of the EIA Report was part of the contract for the consultancy services awarded to this company and the EIA Licence was granted by the Ministry of Environment and National Development Unit in March 2005.

As regards part (b) and (c) of the question, I am informed by the MPA that the dredging works project was completed in November 2006, almost two years ago. As no dredging works are presently being carried out, the other parts of the question do not seem to arise.

Mr Bhagwan: Can I ask the hon. Minister whether the MPA or his Ministry has received representations from the fishermen of the region with regard to problems arising following those works?

Mr X. L. Duval: Mr Speaker, Sir, I inquired about this and I was told that there had been no recent representations from anyone.

Mr Bhagwan: Can the hon. Minister inform the House whether a sum of money has been kept as retention money in case damages are caused?

Mr X. L. Duval: I am not aware, Mr Speaker, Sir, but I am told that there are regular visits by the Ministry of Environment in these areas and that no adverse report has been received.

Mr Bhagwan: Can the hon. Minister inform the House whether he had taken cognizance of the recent statement made by Mr Bizlall concerning the quality of work and damage caused following the dredging works?

Mr X. L. Duval: I haven't particularly. But I must inform the hon. Member that the works were carried out. There were three incidents where sill was discharged into the lagoon during dredging; one was caused by bad weather, the other two were technical problems. A compensation of some Rs9 m. were paid to the fishermen partly for this reason. As far as I know, the works were finished, the consultant gave a clean bill of health and the contract was completed successfully.

INTERNATIONAL AIR TRAVEL AGENCY BOARD – AIR MAURITIUS – REPRESENTATIVE

(No. B/1119) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Deputy Prime Minister, Minister of Tourism, Leisure and External Communications whether, in regard to the Board of the International Air Travel Agency, he will, for the benefit of the House, obtain from the Air Mauritius Ltd., information as to the name of its representative sitting thereon.

The Deputy Prime Minister, Minister of Tourism, Leisure & External Communications (Mr X. L. Duval): Mr Speaker, Sir, I am informed by Air Mauritius that Article XII of the Articles of Association of the International Air Transport Association (IATA) provides, *inter-alia* that members of the Board shall hold any one of the following, or similar positions: Chairman of the Board, President of the company, Chief Executive; or Managing Director. Accordingly, the Chairman of Air Mauritius, Mr Sanjay Bhuckory was mandated by the Company's Board to stand for election to the Board of IATA in 2007. He was unanimously elected as Governor of the Board of Governors of IATA for a term of two years at the Annual General Meeting of IATA in Vancouver, Canada on 04 June 2007. Mr Bhuckory was also elected to serve on IATA's Nominating Committee, which makes recommendations to the Annual General Meeting for appointments of members to the Board of Governors.

Mr Speaker, Sir, I am further informed that it is not uncommon for airline Chairmen to sit on the Board of Governors of IATA. Three such Chairmen are at present on that Board.

MAURITIUS SUGAR TERMINAL CORPORATION – ACTIVITIES

(No. B/1120) Mr E. Guimbeau (First Member for Curepipe and Midlands) asked the Minister of Agro Industry and Fisheries whether, in regard to the Mauritius Sugar Terminal Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to if it will cease operation and, if so –

- (a) when, and
- (b) if the acquired rights of the employees of the port, who had become redundant on its coming into operation, will be safeguarded and if so, how.

Dr. Boolell: Mr Speaker, Sir, the Mauritius Sugar Terminal Corporation came into operation in 1980 for the storage of sugar for export in bulk under circumstances which, of course, everybody knows. The Mauritius Sugar Terminal Corporation has served its purpose. The environment has now drastically changed. In fact, in order to maintain our competitiveness, following the reform of the sugar regime, the industry has to implement the measures contained in the Multi Annual Adaptation Strategy. Consequently, the future of the Mauritius Sugar Terminal Corporation has to be reviewed.

It is clear that in the new European Union market environment, Mauritius will not remain a competitive supplier of raw sugar. We therefore have no choice than to exit raw sugar production and move to refined white sugar and valued added products. This means that the logistics available at the Mauritius Sugar Terminal Corporation will not longer be required as the refineries (Belle Vue, FUEL and Société Usinière du Sud) will despatch their containers directly to the Port Terminal. The sugar will be exported to the Sudzucker Group with which the Mauritius Sugar Syndicate has signed an agreement for the supply of 400,000 tonnes of white sugar for a period of six years as from 01 July 2009. It is therefore obvious that the Mauritius Sugar Terminal Corporation will cease its operation. As for when, it should be some time after December 2009, being given that the Mauritius Sugar

Syndicate would still be needing part of the storage facilities for special sugars.

As regards part (b) of the question, the acquired rights of the employees concerned will be maintained. As regards current employees, I have already started consultations on 25 July 2008 with representatives of the Service Providing Institutions and relevant unions, including Mauritius Sugar Terminal Corporation. I have also set up a Technical Committee under the aegis of the Ministry to examine proposals made in the KMPG report on Service Providing Institutions. The Committee will meet tomorrow and will give priority of consideration to the future of the Mauritius Sugar Terminal Corporation.

Mr Bérenger: Mr Speaker, Sir, I have two questions. From what I heard, I understand that the white refined sugar is going to be exported in containers and we are going to meet with a delicate transition period. The raw sugar exported through the Bulk Terminal will be decreasing - and the number of containers. Can we have any time frame, any idea of how this transition period is going to be handled?

Dr. Boolell: There is no problem in respect of the transition period. In fact, the matter is being closely monitored by the Sugar Authority and the Ports Authority and all the logistic has been put into place.

Mr Bérenger: The Minister is referring to the acquired rights. We are talking of the livelihood of several thousand workers who agreed, in the name of the progress of the country, to lose their jobs and get an acquired pension. The hon. Minister said that the acquired rights of the employees will be maintained. Do I take it that it is a firm undertaking by Government that these acquired rights, their pensions will be maintained by Government?

Dr. Boolell: I will say loud and clear that the pensions will be maintained. Of course, pensions can be as much as Rs86.9 m., but I can say that pension in respect of the 2,141 pensioners will be maintained.

BOARD OF INVESTMENT – INVESTMENT PROMOTION - BREAKDOWN

(No. B/1121) Mr E. Guimbeau (First Member for Curepipe & Midlands) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the Board of Investment, he will, for the benefit of the House, obtain from the Board a breakdown of the investment promotion for the year 2006-2007, in terms of -

- (a) missions;
- (b) investment promotion tools;
- (c) aquaculture study;
- (d) promotional advertising, and
- (e) hospitality.

The Deputy Prime Minister, Minister of Finance and Economic Development (Dr. R. Sithanen): Mr Speaker, Sir, the information asked for regarding details of investment promotion for the year 2006-07 carried out by the Board of Investment is being tabled.

The House will note that for the year 2006-07, BOI spent a total amount of Rs19.3 m. for investment promotion of which Rs11.4 m. is with respect to missions; Rs3.5 m. for investment promotion tools; Rs3.1 m. for aquaculture study; Rs400,000 for promotional advertising and Rs600,000 for hospitality.

However, the House will also note that in the financial statements of the BOI, in the item missions amounting to Rs21.7 m. is included an amount of Rs11.9 m. representing the full participation cost of both BOI and the private sector in the Real Estate Event in Cannes. The private sector paid to BOI an amount of Rs10.3 m. representing its cost of participation in the event. This amount has been accounted as revenue in BOI's financial statements.

Mr Guimbeau: Mr Speaker, Sir, did the hon. Minister state that the total investment promotion is Rs19 m. or Rs29 m.?

Dr. Sithanen: It is Rs19.3 m. But if the hon. Member had listened to the second part of my reply, I did mention that for the Real Estate Event in Cannes the private sector paid Rs10.3 m. This has been included as revenue in the accounts of BOI. We have to add back Rs10 m.

Mr Guimbeau: Sir, when I look at the annual report of 2006/2007, it is stated Rs21 m. for missions and the total investment promotion is Rs29 m.

Dr. Sithanen: That's why I did explain. There are two ways of accounting it, either we remove it from the cost or we leave the cost as it is and we add the contribution of the private sector as revenue. Either the revenue will increase or the cost will decrease because the actual amount spent by the BOI also includes the contribution made by the private sector to attend the Cannes festival.

Mr Guimbeau: Can the Minister table a breakdown of what he is saying?

Dr. Sithanen: I will, Sir.

HAJJ ORGANISERS – SUSPENSION – PRESS COMMUNIQUÉ

(No. B/1122) Mrs L.D. Dookun-Luchoomun (Third Member for La Caverne & Phoenix) asked the Minister of Arts & Culture whether, in regard to the Hajj organizers who have been suspended, he will, for the benefit of the House, obtain from the Islamic Cultural Centre, information as to if the public has been informed of their suspension.

Mr Gowressoo: Mr Speaker, Sir, the answer is yes. I am tabling a copy of the press communiqué issued by the Islamic Cultural Centre on 05 August 2008.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the Minister to check? Because it seems that the former Hajj organisers are still having people coming to them and there is a sort of bargaining going on between the suspended organisers and those who are now registered organisers. This

is causing a lot of problems to people who are going to them; they are holding their papers and making it difficult for them to get their preparations done.

Mr Gowressoo: Mr Speaker, Sir, I will check and inform the House accordingly.

Mr Lauthan: Mr Speaker, Sir, I fully support the view of my colleague because these people...

Mr Speaker: The hon. Member should put his question, please.

Mr Lauthan: It is the same question. They are suspended, they continue to recruit and they use *prête-noms*. Can the Minister give the guarantee that this question of *prête-noms* will be prevented at all cost?

Mr Gowressoo: Yes, Sir, it will.

NATIONAL ECONOMIC AND SOCIAL COUNCIL - STUDIES – CONSULTANTS

(No. B/1123) Mrs Dookun-Luchoomun (Third Member for La Caverne & Phoenix) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the studies carried out by the National Economic and Social Council since July 2005, he will, for the benefit of the House, obtain from the Council, a list thereof, indicating in each case, if the services of consultants were retained in the carrying out thereof

The Deputy Prime Minister, Minister of Finance and Economic Development (Dr. R. Sithanen): Mr Speaker, Sir, I wish to inform the House that the National Economic and Social Council (NESC) operates within the ambit of the National Economic and Social Council Act. Its mission is to foster consensus-building through dialogue among social partners including civil society and help address economic and social affairs affecting the Mauritian nation.

The NESC also acts as an independent consultative body and it is under this capacity that it undertakes studies on socio-economic issues of

national interest. Most of these studies are initiated by the NESC. However, there are cases where Government has requested the NESC to conduct specific studies.

Mr Speaker, Sir, I am informed that since July 2005 the NESC carried out 13 studies on a wide range of issues, out of which four are ongoing. The services of consultants have been retained in respect of four studies only, out of which two have been completed and the other two are ongoing. Details thereof are being tabled.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask the hon. Minister what is the cost of these projects?

Dr. Sithanen: Sir, I can table the answer. The most expensive figure appears to be Rs3 m. and the rest ranges from Rs100,000 to Rs600,000. I'll table the information.

SC EXAMS 2007 – FACT FINDING COMMITTEE

(No. B/1125) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne & Phoenix) asked the Minister of Education and Human Resources whether, in regard to the report of the Fact Finding Committee set up to investigate into the errors in the results of the November/December 2007 Cambridge School Certificate Examinations French paper, he will state if he will now table copy thereof.

The Minister of Environment (Dr. J.B. David): Mr Speaker, Sir, with your permission, I am replying to this question.

I refer the hon. Member to the joint reply given to PQ Nos. B/796 and B/828 at our sitting on 08 July 2008.

It is not proposed to release the report of the Fact Finding Committee for reasons of confidentiality and security. The report makes ample reference to the systems and processes of the MES in carrying out examinations. It would therefore be prejudicial to the functioning of the Syndicate to render such sensitive information public.

A summary of the findings and recommendations of the Fact Finding Committee has already been made public by Cabinet.

The MES is now implementing the following course of action which has been approved by Government -

- (i) initiating disciplinary proceedings against those who have been found responsible of negligence, lack of supervision and other shortcomings;
- (ii) setting up of a Steering Committee under the chairmanship of the Director of the MES to look into the implementation of the recommendations of the FFC, and
- (iii) ensuring that a new system is in place before the 2008 SC/HSC examinations.

Mrs Dookun-Luchoomun: May I ask the hon. Minister whether he would be ready to table the recommendations in the National Assembly?

Dr. David: As I said, Sir, some of the findings have already been made public and I am ready to lay copy on the Table of the National Assembly.

SEHDA – CONFIDENTIAL SECRETARY – SCHEME OF SERVICE

(No. B/1126) Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne and Phoenix) asked the Minister of Industry, Small & Medium Enterprises, Commerce and Co-operatives whether, in regard to the Small Enterprise Handicraft Development Authority, he will, for the benefit of the House, obtain from the Authority, information as to if –

- (a) the Confidential Secretary of the Managing Director thereof
 - (i) has had her scheme of duties changed and
 - (ii) has been requested to hand over the files which were in her custody and
- (b) a reshuffling exercise of the staff is being carried out thereat.

Dr. Jeetah: Mr Speaker, Sir, with regard to part (a) of the question, I am informed that –

- (i) the scheme of service has not been changed;
- (ii) two officers hold the post of Confidential Secretary at SEHDA and are attached to the Managing Director's office and the Director's office respectively. Since 19 June 2008, the two Confidential Secretaries have been made to replace each other. Consequently, a handing-over, including confidential files, has been made.

With regard to part (b) of the question, I am informed that no general reshuffling exercise has been carried out at SEHDA.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask from the hon. Minister then why is it that one of the Confidential Secretaries has been asked to hand over all files and keys that were in her custody?

Dr. Jeetah: As I said, Mr Speaker, Sir, there has been a swapping of posts. One was the Confidential Secretary of the Director and the other offered services to the Managing Director. When they swapped position, they had to hand over files.

Mrs Dookun-Luchoomun: May I ask from the hon. Minister whether one of the officers who was asked to hand over the files had been given a new scheme of service or had she been asked to set aside all such work and to sit and wait for further instructions from her officer?

Dr. Jeetah: I have replied, Mr Speaker, Sir, that there has been no change in the scheme of service.

Mrs Juggoo: Can the hon. Minister inform the House whether there has been any case of indiscipline noted against the Confidential Secretary?

Dr. Jeetah: Mr Speaker, Sir, I took the liberty to check and I have got some information that might be of interest to the hon. Member. The person in question here, I am informed, has over a period of four years cumulated total latenesses of 578; early time-out: 242; no attendance record – no time in and no time out - 35 times. Therefore, Mr Speaker, Sir, I have instructed my Permanent Secretary to request the Board to carry out an in-depth inquiry and to take appropriate action, disciplinary or otherwise.

Mrs Dookun-Luchoomun: Can I ask the hon. Minister whether the Confidential Secretary was informed of her lateness and whether the hon. Minister has waited for 578 lateness to take action? The hon. Minister has just stated that there have been a swapping of functions. Now the hon. Minister is coming with some bad reports on that person. Which is which, Mr Speaker, Sir?

Dr. Jeetah: Mr Speaker, Sir, the hon. lady did not ask why this action was taken. In fact, I am not aware why this decision was taken. I requested for information about this person and this is the information I have received.

Mrs Dookun-Luchoomun: May I ask the hon. Minister whether he finds it normal that a person be asked to hand over files and that he obtained the first answer that the reason for it was that there was a swapping of functions and now he is coming with information stating that there were certain *manquements* in the way the person was performing her duties?

Dr. Jeetah: Mr Speaker, Sir, this information does not depend on me. The hon. Member ought to understand that the person has been late not only 578 times over four years; it is 869 over a number of years. I am grateful to the hon. Member for having asked this question. In fact, since the hon. Member asked it, we looked into it and I have asked for an inquiry. Let us look at the results of the inquiry.

Mrs Dookun-Luchoomun: May I ask the hon. Minister whether the officer was told beforehand that this was not proper?

Dr. Jeetah: That is the reason why I said, Mr Speaker, Sir, that when I found such alarming numbers, I have asked my Permanent Secretary to request the Board to conduct an inquiry. I don't know if she apologized or she was warned or not. I found these numbers alarming, I have done the needful.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, from the Minister's answers I get the impression that it is my question which is going to trigger the dismissal of the person. Is it the case?

Dr. Jeetah: It might well be the case, Mr Speaker, Sir.

Mr Speaker: The hon. Member has got whatever answer the Minister has given. But if the lady is going to be charged, she can retain the services of a lawyer and defend her rights.

Mrs Dookun-Luchoomun: Sir, may I ask the Minister whether he is aware of the number of years that that lady has been in service and whether he would state why no disciplinary action was taken on her previously?

Dr. Jeetah: Mr Speaker, Sir, the hon. Member probably knows that she was appointed in 1995 and, as I have stated, since I saw these figures, I have requested my Permanent Secretary to request the Board to conduct an inquiry. Let us wait for the inquiry and we will see the results.

Mrs Dookun-Luchoomun: Pending the inquiry, will the hon. Minister see to it that she be returned to her original post?

Dr. Jeetah: No, Mr Speaker, Sir, there is no question about that.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, will the hon. Minister confirm whether the shifting of that lady has anything to do with some instruction coming from the Ministry?

Dr. Jeetah: Mr Speaker, Sir, I must say that I don't know this gentle lady, but I must say that anybody, in his rightful mind, having seen these figures, has to take actions and I am grateful to the hon. Member for raising this matter.

Mrs Dookun-Luchoomun: Mr Speaker, Sir, may I ask from the hon. Minister whether this is the way he intends to promote small and medium enterprises by demotivating officers working there and by using punitive measures?

Dr. Jeetah: Mr Speaker, Sir, over the last five years, between 2000 and 2005, we had 428 registrations at SEHDA. As at date, we have more than 10,000. So, the hon. Member is not well placed to come and give lessons about how to motivate SMEs.

BEAU BASSIN & PETITE RIVIÈRE
– PROJECTS – FINANCIAL YEARS 2008-89 & 2009-2010

(No. B/1127) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière) asked the Minister of Environment and National Development Unit whether, in regard to Constituency No. 20, Beau Bassin and Petite Rivière, he will table a list of the projects –

- (a) to be implemented in the financial year 2008-2009 and
- (b) earmarked for the financial year 2009-2010.

Mr Bachoo: Sir, with regard to parts (a) and (b) of the question the required list of projects is being compiled and will be deposited in the Library of the Assembly as soon as it will be ready.

Mr Speaker: The Table has been informed that Parliamentary Question No. B/1129 has been withdrawn.

FREEDOM OF INFORMATION BILL - INTRODUCTION

(No. B/1129) Mr E. Guimbeau (First Member for Curepipe and Midlands) asked the Attorney-General, Minister of Justice & Human Rights whether, in regard to the proposed Freedom of Information Bill, he will state if his Ministry had held a brainstorming exercise on 31 July 2008 and if so, the outcome thereof.

(Withdrawn)

PAS GÉOMÉTRIQUES – LEASES

(No. B/1130) Mr E. Guimbeau (First Member for Curepipe and Midlands) asked the Minister of Housing and Lands whether, in regard to the transfer or substitution of leases on *Pas Géométriques*, since July 2005 todate, he will –

- (a) give a list and the number of transactions thereof, indicating the name of the transferors and the transferees in each case and
- (b) state the amount of registration duty, land transfer tax or any other tax paid in each case.

Mr Dulull: Mr Speaker, Sir, I wish to inform the House that based on records made available, it indicates that there are some 30 cases of transfer of leases on *Pas Geométriques*, most of which relate to building sites lease and *campement* sites.

Mr Speaker, Sir, the compilation of the remaining pieces of information has already been started and it will be placed in the Library as soon as it is completed and verified.

Mr Guimbeau: Can I ask the hon. Minister to look into the case of two companies ‘Zoli La Mer Limitée’ et ‘Ti La Mer Ltd’ having for director Mr Sookaye and see whether all duties and taxes have been paid on all transactions since July 2005?

Mr Dulull: Mr Speaker, Sir, I will certainly look into it.

Mr Guimbeau: Sir, I just want to confirm it, but this is common practice right now. Leases are cancelled just to avoid paying transfer tax and duties. Can the Minister look into it and make an inquiry in all the cases?

Mr Dulull: Mr Speaker, Sir, what the hon. Member is arguing is that it is not the right thing that this Government is doing. Actually we have increased the rental for the *campement* site in order to avoid transfer to industrial site lease. We have reviewed the rental of the industrial site leases and we will make sure that the industrial site leases is not a backdoor means

to avoid the *campement* site. We will look into it and make sure that each lessee pays its fair share to the State.

Mr Guimbeau: Mr Speaker, Sir, once again, I am not referring to *campement* site, I am referring to all the leases where there have been transactions, where people are not paying duties and fees to the State. I am not arguing, Mr Speaker, Sir, I am telling the truth.

Mr Dulull: Mr Speaker, Sir, I don't know what duties the hon. Member is talking about. On the leases, we have a rental. When there is a transfer, it is governed by the Registrar-General's office and there are specific rates and schedules. There is no way you can escape the taxes. If the hon. Member has got any specific case, he should come forward. We will look into it and we will make sure that they pay their fair share of taxes.

Mr Guimbeau: Mr Speaker, Sir, I have a specific case which I have just mentioned, namely "*Zoli La Mer Ltée*" and "*Ti La Mer Ltd*" which are two companies. I would like to know if the hon. Minister can make an inquiry and let us know.

Mr Dulull: I have said in my answer that I am going to make an in-depth inquiry to see whether there is any ill practice or fraudulent practice?

(Interruptions)

Mr Speaker: order!

TRAFFIC MANAGEMENT AND ROAD SAFETY UNIT - VACANCIES

(No. B/1131) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether, in regard to the Traffic Management and Road Safety Unit, he will give a list of the vacancies existing thereat, indicating the grade in each case.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun): Mr Speaker, Sir, I am circulating the list of vacancies and grade as requested by the hon. Minister. **(Appendix)**

**DR. JEETOO HOSPITAL - METHADONE SUBSTITUTION
THERAPY – PATIENTS - TRAVELLING ALLOWANCE**

(No. B/1132) **Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East)** asked the Minister of Health & Quality of Life whether in regard to the patients attending the Dr. Jeetoo Hospital for the Methadone Substitution Therapy, he will state if their travelling allowances have been stopped and, if so –

- (a) when, and
- (b) the reasons therefor.

Mr Faugoo: Mr Speaker, Sir, I am informed that the travelling expenses are being paid and they have never been stopped.

(Interruptions)

Mr Speaker: Order! I can't listen to the question!

Mr Lauthan: Mr Speaker, Sir, I thank the hon. Minister for taking the decision to pay because they have not been paid for months. Because one drug addict misbehaved vis-à-vis a lady, all the drug addicts cannot be penalised.

Mr Faugoo: The issue has been sorted out, Mr Speaker, Sir.

CWA – CHIEF WORKS OFFICER - PROMOTION EXERCISE

(No. B/1133) **Mr M. Dowarkasing (Third Member for Curepipe and Midlands)** asked the Minister of Public Utilities whether, in regard to the posts of Chief Works Officer, he will, for the benefit of the House, obtain from the Central Water Authority, information as to if any promotion exercise has recently been carried out and, if so, if they were advertised, indicating –

- (a) the mode of advertisement;

- (b) the number of employees of the Authority who have applied therefor, and
- (c) the number of workers appointed.

Dr. Kasenally: Mr Speaker, Sir, I am informed by the CWA that the last promotion exercise for the post of Chief Works Officer was carried out in December 2007.

The vacancies for the two posts of Chief Works Officer were advertised internally on 23 March and the closing date was 13 April 2007. This advertisement was made in anticipation of the retirement of two Chief Works Officers who were to retire on 13 May 2007 and 20 June 2007 respectively.

In response to the advertisement, five applications were received. The five candidates were convened for an interview on 10 December 2007 as all of them possessed the required qualifications.

Following the interview process, the selection panel recommended that two candidates in order of merit be offered temporary appointment as Chief Works Officer for a period of six months, and be substantively appointed, if favourably reported upon after that period.

The panel also recommended that the next candidate on the merit list be kept handy for consideration of appointment as and when any vacancy would arise within a period of one year, in accordance with CWA's recruitment and selection procedure.

On 23 January 2008, the Central Water Board approved the recommendations of the selection panel and the two candidates were appointed as Chief Works Officer with effect from 04 February 2008.

Following the retirement of another Chief Works Officer with effect from 02 August 2008, the third candidate on the merit list has, on 07 August 2008, been offered appointment as Chief Works Officer.

Mr Dowarkasing: Mr Speaker, Sir, I want to know from the hon. Minister whether the notice of vacancy has been tampered with and whether

it is in compliance with the job specification that is presently in practice at the CWA?

Dr. Kasenally: Mr Speaker, Sir, in fact, representations were made and I asked the CWA for information. They told me that it had not been tampered with.

Mr Dowarkasing: Mr Speaker, Sir, I have a copy of the job specification in my hand and it is very clear. For the grade of Chief Works Officer, vacancies in this grade will be filled by the promotion of serving officers who have held the rank of Senior Inspector for a minimum period of 3 years. Can I know from the hon. Minister whether this criteria has been taken on board and whether that has been respected in the recent promotion exercise?

Dr. Kasenally: Mr Speaker, Sir, I called the CWA whole hierarchy because I, myself, was not happy about certain procedures, especially, the fact that the vacancy was advertised in April and the interview was done in December. There is a long period of time and I requested them to be very diligent. As far as this requirement for three years is concerned, there have been some problems about it and I have gone deep into history. In fact, the hon. Member is quite right because in the early 70s or 80s, that was a requirement. But, however, when we go through the history of the CWA - I don't know if you would recall - there was a gentleman called Mr F. L. Simpson who was formerly colonial secretary. In 1977, he was the General Manager of the CWA and he eliminated that three-year period. The reason of it was to give a chance to young officers who are competent to be able to

accede to the post of Senior and Chief Inspector. When the CWA management went back – this was approved subsequently by the Board – and found out that this requirement was never removed, they went on the previous requirement. I don't know how it came up that they put in the three-year requirement because somebody must have drawn the attention; this three-year requirement was removed as from 1977.

Mr Dowarkasing: Mr Speaker, Sir, the hon. Minister stated in his reply that there were five candidates who applied for the job. May I get the confirmation from him whether there were five or six candidates who were shortlisted for this job?

Dr. Kasenally: There were five candidates and I have mentioned it. There was one with 21 years experience, one with 13 years experience and the third one with 12 years experience. The last two with six and seven years experience were appointed and the one with 13 years experience was put on the waiting list. There were, however, two seniors with 21 and 5 years experience respectively who were not appointed.

Mr Dowarkasing: Mr Speaker, Sir, may I know from the hon. Minister whether he finds it correct that amongst the candidates who were retained for that particular job, one of them has been promoted two times since June 2005? Does he find it normal?

(Interruptions)

Mr Speaker: This question is not in order. The hon. Member is asking the hon. Minister to make an opinion on something that he was not involved.

Dr. Kasenally: Mr Speaker, Sir ...

(Interruptions)

Mr Speaker: I have ruled out the question.

LE MAURICIA HOTEL – MR J. M. - DISMISSAL

(No. B/1134) Mr M. Dowarkasing (Third Member for Curepipe and Midlands) asked the Minister of Labour, Industrial Relations and Employment whether he will state if he is aware of the case of one Mr J. M., who has been dismissed from his job at Le Mauricia Hotel and, if so, give details thereof and the actions taken, if any.

Dr. Bunwaree: Mr Speaker, Sir. I am aware that a complaint was registered by Mr J. M. at the Labour Office, Curepipe on 17 November 2005 regarding the termination of his employment by Le Mauricia Hotel and he claimed payment of severance allowance for unjustified dismissal.

The complaint was investigated by my Ministry in the course of which, the management of the hotel had stated that it would consider the claim and inform my Ministry in due course.

Then, on 20 January 2006, the management informed my Ministry that the company's lawyer was negotiating for a settlement with the Counsel of Mr J. M.

The latter, that is, Mr J. M. also informed my Ministry on 27 January 2006 that he had indeed retained the services of a Counsel and he would no longer require the services of my Ministry.

I am given to understand that on 25 July 2008 there has been an out-of-court settlement between Mr J. M. and Le Mauricia Hotel.

COMPAGNIE MAURICIENNE DE TEXTILE LTEE - VERDUN WATER POLLUTION

(No. B/1135) Mr M. Dowarkasing (Third Member for Curepipe and Midlands) asked the Minister of Environment and National Development Unit whether he will state if his Ministry has been apprised of water pollution being caused by the *Compagnie Mauricienne de Textile Ltée*, at Verdun and, if so, will he give details thereof, indicating the actions taken, if any.

The Minister of Public Utilities (Dr. A. Kasenally): Mr Speaker, Sir, with your permission, I will answer this question.

Yes, my Ministry has been informed of a case where *Compagnie Mauricienne de Textile Ltd* is discharging improperly treated effluents in a water course.

The circumstances of the case are thus. The effluent emanating from CMT in Verdun is discharged in an irrigation canal which belongs to Mon Desert Alma, Sugar Estate, St. Pierre. In the past, water running down that irrigation canal was being used by CMT with the consent of Mon Desert Alma S. E. to dilute the treated effluent before being used for irrigation purposes. Following the promulgation of the Effluent Discharge Permit Regulations in April 2004 under the EPA (2002), CMT and Mon Desert Alma S. E. were requested to apply for an EDP under the provisions of these Regulations.

Mon Désert Alma Ltd submitted an application for an EDP on 04 August 2004. However, no permit was issued since the minimum standards for EDP were not being met and Mon Désert Alma Ltd had stopped its operations since 05 December 2007. On the other hand, on 03 August 2004, CMT had informed my Ministry that it holds a licence to operate a waste water carrier for carting away effluent from its dyeing plant in Verdun to the St. Martin Treatment Plant. As such, no EDP was issued to the company.

Irrespective of that state of affairs, my Ministry, through the CWA has been continuously monitoring the quality of the effluent from the canal and had, after analysis, drawn the attention of Mon Désert Alma Ltd on several occasions to the effect that pollution was being caused by the effluent being discharged.

On 18 December 2007, the CWA informed my Ministry of the poor quality of the effluent. Furthermore, the attention of my Ministry was drawn to the fact that the effluent could adversely be impacting on the quality of the groundwater in the nearby Telfair Boreholes (1 and 2) as evidenced by an increase in the level of chloride and conductivity together with a decrease in the PH level.

On 21 December 2007, Mon Désert Alma was warned and requested to initiate immediate action to remedy the situation. Accordingly, on 28 December 2007, Mon Désert Alma Ltd informed this Ministry that it had ceased operation since 05 December 2007 and it had referred the matter to CMT Ltd in Verdun. Since then, the situation has been closely monitored by my Ministry through frequent sampling and testing as well as through requests to CMT to monitor the effluent quality and regularly submit the tests results and propose abatement measures.

After analysis of the results from the previous monitoring exercises, it was noted that the level of conductivity and chloride was still going up. Considering the seriousness of the matter and in order to ensuring the long term sustainability of the groundwater quality and the aquifer, my Ministry has issued an Enforcement Notice on CMT Ltd in Verdun on 08 May 2008 requesting the latter to implement, amongst others, a series of measures as follows –

- implement and operate an appropriate treatment plant to abide by the effluent discharge standards within six months;
- cart away the effluent generated to Roche Bois Treatment Plant pending proper operation of its treatment plant, and
- to ensure that there is a regular monitoring of the effluent quality and appropriate returns are sent to my Ministry.

After the Enforcement Notice was served, CMT Ltd. requested for a meeting with representatives of my Ministry. A meeting, under my chairmanship, was held on 16 July 2008 where representatives of the CWA, the Ministry of Environment and National Development Unit, the Water Resources Unit of my Ministry and the CMT, including its Managing Director, were present to discuss the matter and to identify options for effectively addressing the pollution problem.

During the course of the meeting it was pointed out that following the closure of the Mon Désert Alma sugar factory, the dilution process of the effluents discharged by CMT is no longer possible. The lack of water in the irrigation canal which was being used for milling purposes by the sugar factory results into effluents being carried into the canal remaining almost undiluted.

Several options were considered and discussed and it has been agreed that the company would be allowed a reasonable period of time to apply the necessary corrective measures. However, in the short term, it was agreed that Mon Désert Alma Ltd would be approached with a request that it considered releasing water in the canal with a view to permitting dilution of the effluents pending the solutions to be proposed by CMT.

Mr Dowarkasing: Mr Speaker, Sir, the hon. Minister has just stated that in an Enforcement Notice the CMT has been given six months to operate a new treatment plant. Can we know what are the immediate measures he is taking so that this does not occur again?

Dr. Kasenally: We have discussed with it and asked it to take the measures which I have already mentioned and we are going to monitor the situation. I must say that the other alternative is to close the factory with loss of about 5,000 jobs.

Mr Dowarkasing: Mr Speaker, Sir, can the hon. Minister confirm whether certain experts have stated that the amount of damage and pollution caused to our water table in that particular region will take 30 years for flushing out those polluted zones?

Dr. Kasenally: Mr Speaker, Sir, I have not received such an information. We are monitoring it and the hon. Member is quite right if it is allowed to go after a certain level. That is why we have impressed very severely on the CMT to take mitigating measures.

TOMBEAU PERE LAVAL – PILGRIMAGE – TASK FORCE

(No. B 1097) Mr G. Lesjongard (Second 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 pilgrimage of the Bienheureux Père Laval, he will state if Government has set up a Committee for the organisation thereof and if not, why.

The Deputy Prime Minister, Minister of Tourism, Leisure & External Communications (Mr X. L. Duval): Mr Speaker, Sir, with your permission, I shall reply to the Parliamentary Question.

Mr Speaker, Sir, the answer is in the affirmative. In fact, since 2005 when this Government assumed office, a Task Force has been set up under my chairmanship to look into the preparations in connection with the annual pilgrimage to Tombeau Père Laval.

The Task Force consists of my colleagues, the Minister of Local Government, the Minister of Information Technology and Telecommunications, hon S.Rittoo, Private Parliamentary Secretary, Mrs K. Juggoo, Deputy Chief Government Whip, and comprises representatives of various Ministries and organisations.

Mr Speaker, Sir, the Task Force has been meeting for the last three years to coordinate all the necessary logistic and security arrangements and decide, in consultation with the Director of the Centre Père Laval, on the implementation of any infrastructural/upgrading works essential to ensure that the pilgrimage is carried out in the best possible conditions and to monitor the implementation thereof.

Indeed, Mr Speaker, Sir, the Director of the Centre Père Laval has, after each pilgrimage, expressed his appreciation about the arrangements made in connection with the event during the last three years and has thanked the various Government authorities for the facilities extended.

Mr Speaker, Sir, I wish to inform the House that, as a result of the deliberations of the Task Force, various infrastructural works have been carried out during the last three years in connection with the pilgrimage such as -

- (i) construction of walls;
- (ii) tarring and resurfacing of roads;
- (iii) construction of stone plinths;
- (iv) covering of drains;
- (v) lighting of roads and public areas;
- (vi) levelling of pavements;
- (vii) repairs and paintings of handrails;
- (viii) provision of fencing;
- (ix) clearing of bare lands;
- (x) provision of ramp at the entrance of the burial vault, and
- (xi) upliftment of public areas found in the vicinity of the Church

These infrastructural works have been undertaken in addition to the security arrangements made by the Police Department and the logistic arrangements provided by the Municipal Council of Port Louis such as

provision of podium, tents, *salle vertes*, mobile toilets, sound system among other facilities.

Furthermore, at the meeting of the Task Force last year, at the request of the Centre Père Laval, it was decided that the Tourism Fund would finance upgrading works at the cemetery situated near the caveau and where most of the '*Spiritains*' who came for service in Mauritius were buried.

These works are estimated to cost around Rs525,000 and will be paid for by the Tourism Fund.

I am further informed that the Centre Père Laval has already initiated action for the implementation of the said works.

Mr Speaker, Sir, as a result of our efforts, the area has been substantially improved.

In order to ensure the smooth organisation of the pilgrimage for this year as well, the Task Force will have its first meeting on Monday 18 August.

Mr Lesjongard: Mr Speaker, Sir, the hon. Minister has stated that the Task Force will have its first meeting on 18 August. Has the responsible person of Bienheureux Père Laval Church been informed of that meeting?

Mr X. L. Duval: Mr Speaker, Sir, I must say that this year we expect to have much less work. In fact, the Centre Père Laval did write a letter to the Municipality and you can see that this year there is much less work to be done compared to previous years.

Mr Lesjongard: Mr Speaker, Sir, can we get an indication from the Minister what he means by 'less work this year'?

Mr X. L. Duval: I have no problem to circulate the letter from the Father. It is basically lighting and things like that for the day itself whereas, in other years, as I mentioned, we did a lot of work in and around the vicinity. I must say that there has been considerable improvement. I presume it is in the constituency of the hon. Member and he can see it, in fact. I went there myself a few days ago just to check. There has been a considerable improvement on the site.

Mr Lesjongard: With regard to the less work to be carried out, Mr Speaker, Sir - we understand the Task Force will meet on 18 of this month and we know that the pilgrimage occurs at the beginning of next month, that is, hardly in three weeks - will the Minister explain to us how it will be carried out in those three weeks?

Mr X. L. Duval: Mr Speaker, Sir, maybe I should make myself clear. The letter was written not to me, but to the Municipality of Port Louis which has already started work. The Committee is there only to supervise and not to physically do the work.

Mr Lesjongard: If works have already started by the Municipality of Port Louis, is the hon. Minister aware that there has been no meeting between the responsible of the church and the Municipality of Port Louis?

Mr X. L. Duval: Mr Speaker, Sir, I cannot, at this stage, answer for the Municipality.

(Interruptions)

Mr Speaker: Order! The hon. Minister has answered the question. Order! Order!

(Interruptions)

Order! Order!

Mr Jhugroo: Can the hon. Deputy Prime Minister give an indication of the works to be carried out this year?

(Interruptions)

Mr X. L. Duval: Mr Speaker, Sir, we only supervise the work. There are a few things to do. I don't have it at hand, but it concerns mainly lighting and things like that. Everybody can go and visit and see how nice it is. It was a disaster, Mr Speaker, Sir, when we took office three years ago. It is a shame the way the hon. Member is reacting.

(Interruptions)

Mr Speaker: Order now! Order! Order! Order!

Mr Bhagwan: Mr Speaker, Sir, we are talking about the Père Laval pilgrimage. Apart from the region which we are talking about, there are lots of public places where the name of Père Laval has been given, for example, in Quatre Bornes and Rose Hill. Can I ask the hon. Minister since there is a Task Force to impress on the local authorities and even the district councils to see to it that these public places be upgraded for the pilgrimage.

Mr X. L. Duval: Yes, Mr Speaker, Sir, we'll look into this.

MAURITIUS PORT AUTHORITY – CHAIRPERSON – ALLEGED ALLEGATIONS

(No. B/1100) Mr G. Gunness (Third Member for Montagne Blanche and GRSE) 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 explanations being sought from the Chairperson of the Mauritius Port Authority in connection with the 25,000 USD allegedly credited in his bank account by the firm Boskalis International Ltd., he will state where matters stand.

The Deputy Prime Minister, Minister of Tourism, Leisure and External Communications (Mr X. L. Duval): Mr Speaker, Sir, with your permission, I will reply to this question.

Mr Speaker, Sir, I wish to inform the House that in a letter dated 04 August 2008, the Chairperson of the MPA Board has stated that the allegations leveled against him are unfounded and he has agreed to open up all his accounts to ICAC which is investigating into the matter.

As stated by the Prime Minister in his reply to PQ B/961, I understand that ICAC would file a preliminary investigation report within 21 days as required by law.

Mr Speaker, Sir, I wish to reassure the House that action will be taken if a *prima facie* case is established against the Chairperson of the MPA Board.

Mr Gunness: Mr Speaker, Sir, now that an inquiry has started, can I know from the hon. Minister whether he has asked the Chairman of the Mauritius Port Authority to step down, at least temporarily, pending the inquiry?

Mr X. L. Duval: Mr Speaker, Sir, as I mentioned last time, action will be taken once the *prima facie* case is established.

Mr Speaker: The hon. Deputy Prime Minister has just mentioned about it.

(Interruptions)

Mr Jhugroo: Mr Speaker, Sir, can the hon. Deputy Prime Minister confirm whether the Chairman of the MPA has lost his passport and, if so, can we know where, when and whether ...

(Interruptions)

Mr Speaker: I will have to give a ruling. This question is not related to this answer. If the hon. Member wishes to have an answer, he has to put the question to the Prime Minister who is in charge of the Passport and Immigration Office.

Mr Bérenger: Since it is the Deputy Prime Minister, Minister of Tourism, Leisure and External Communications who is answering and not the Prime Minister, the hon. Minister said that if there is a *prima facie* case established by ICAC but, for that to happen, ICAC must make use of all that is provided not only under the local law, but under the UN Convention Against Corruption. Therefore, can I ask whether it is being seen to it that collaboration between ICAC and the authorities in the countries where Boskalis is situated is being done as per the UN Convention Against Corruption?

Mr X. L. Duval: Mr Speaker, Sir, I'll certainly communicate this to the hon. Prime Minister. Government is keen to have this matter dealt with as quickly as possible for the good of the MPA and for the good of everybody. We have collaborated fully with ICAC in any possible way.

Mr Varma: Mr Speaker, Sir, could the hon. Deputy Prime Minister inform the House whether the Chairman of the MPA has said that his passport got lost in India?

Mr Speaker: I have just ruled out the question. The hon. Minister is not the Minister in charge of the Passport and Immigration Office. The question has to be put to the Prime Minister.

Mr Guinness: Mr Speaker, Sir, can I know from the hon. Minister whether the Chairman - at least, concerning the facts which is now public domain - gave any explanation about the facts, how and where he received them?

Mr X. L. Duval: Mr Speaker, Sir, I assume that he has been asked to give all the facts to ICAC. We should not have two people investigating. I have not followed a crash course in investigation to investigate. I think we have to trust ICAC and, as I said, on our part we have done everything. We have submitted all the documents, we have even wrote to Boskalis and they have replied back to us. All this has been given to ICAC.

Mr Jhugroo: Mr Speaker, Sir, on a point of order. This question was addressed to the hon. Prime Minister this morning.

Mr Speaker: Yes, I think the hon. Member is becoming too clever now. Let me tell him one thing. I am not responsible when a question is transferred from one Minister to another Minister.

(Interruptions)

Order! Order!

Mr Bérenger: Government decides to transfer the question to the hon. Prime Minister. My point is that when a question is put on a so-called lost passport, either he can answer or he says: 'I cannot answer'. But you ruled that it cannot be put to the Minister to whom the question has been referred.

Mr Speaker: Because the question relates as to whether “explanations were sought from the Chairperson of the Mauritius Port Authority (...), whether his account has been credited.” It doesn’t refer to loss of passport.

Mr Bhagwan: Mr Speaker, Sir, can I know from the hon. Minister whether he has met the Chairperson of the Mauritius Port Authority since his return and discussed the matter with him?

Mr X. L. Duval: Mr Speaker, Sir, I did not discuss the matter of the passport. We met him on the same day that he returned to Mauritius and he has denied, in the presence, I must say, of officers from my Ministry, all the charges and offered to collaborate.

Mr Soodhun: As the Minister mentioned, they are waiting for the *prima facie* case to be established. In fact, the Chairperson is in post and he has access to the file.

(Interruptions)

Mr Speaker: Let the hon. Member put his question!

Mr Soodhun: I would like to be enlightened as to whether the Chairperson would have access to the file when the inquiry is going on. I think, as Chairperson, he has the right to give certain information.

Mr X. L. Duval: Mr Speaker, Sir, right in the morning of the first working day – this issue came to light on a Saturday – that is, on a Monday, we had all the files taken to the Ministry and they were kept with the Permanent Secretary. And then, I think three days later, ICAC took them over.

Mr Bhagwan: Can we have the assurance from the hon. Minister that no major policy decision will be taken with regard to disposal and lease of land in the Port until the report comes out? Is he aware that a letter has been issued which bears the signature of the Chairperson regarding the lease of a portion of land within the Port area and, if not, whether he will conduct an inquiry as to when that letter was issued?

Mr X. L. Duval: Mr Speaker, Sir, this matter has been dealt with. The Port must carry on and continue to work. But, obviously, we are looking closely at what is happening.

Mr Guinness: Mr Speaker, Sir, the hon. Minister said that an explanation was sought from the Chairman. Can I know whether he put the question to the Chairman? Because in the facsimile that was sent, it was stated: To Mr Chady, Blockbuster Video. What about that Blockbuster video?

Mr X. L. Duval: Mr Speaker, Sir, as I mentioned, the matter is being inquired into. Once the files were no longer in our possession, we have not carried on with anything, and neither can we. We don't have the files. So, we have not carried out the investigation. As far as the Ministry is concerned, we are relying entirely on ICAC, the Police or whoever is the legal arm that will inquire. We can only say that we will fully collaborate with whatever is required, and if a *prima facie* case is established, you have my word that action will be taken.

Mr Bhagwan: Mr Speaker, Sir, can the hon. Minister inform the House whether, as per the Act, the Chairman is entitled to sign letters on behalf of the Mauritius Ports Authority, namely a letter of intent for the lease of land, or is it the duty of the Managing Director or the Director-General?

Mr X. L. Duval: Mr Speaker, Sir, that particular has been dealt with.

Mr Varma: Mr Speaker, Sir, the Chairman of the MPA was on a trip abroad. Was he on an official trip?

Mr X. L. Duval: Yes and no, Mr Speaker, Sir. I understand he was meant to spend a few days in Marseilles – the Port of Marseilles – and before and after his mission, he visited other countries.

Mr Jhugroo: Mr Speaker, Sir, as a caring Government, does not the hon. Minister think that, for the sake of transparency, the Chairman should have resigned?

Mr X. L. Duval: Mr Speaker, Sir, this is a matter for Mr Chady. If and when something comes out, we will act.

Mr Bhagwan: Mr Speaker, Sir, I come back to my question with regard to land. The hon. Minister has just stated that the matter has been dealt with. Can he confirm to the House whether a letter has been issued by the Chairperson and, if yes, if that has been discussed? Can he also lay copy of that letter on the Table of the National Assembly in the public interest?

Mr X. L. Duval: Mr Speaker, Sir, if and when there is a formal question, I will get all the information.

**MOTION
SUSPENSION OF S.O. 10(2)**

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun): Sir, I beg to move that all the business on today's Order Paper be exempted from the provisions of paragraph (2) of Standing Order 10.

The Deputy Prime Minister, Minister of Tourism, Leisure and External Communications (Mr X. L. Duval) rose and seconded.

Question put and agreed to.