

ORAL ANSWERS TO QUESTIONS

POLICE - DEOXYRIBONUCLEIC ACID TESTING

(No. B/838) Mr S. Naidu (Third Member for Beau Bassin and Petite Rivière) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to criminal offences, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if deoxyribonucleic acid testing is used by the Police in Mauritius for the elucidation thereof and, if so (a) since when and (b) the number of cases thereof elucidated through such testing.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that since 2001 deoxyribonucleic acid (DNA) testing has been resorted to as a tool in crime investigation in 107 cases.

These tests have led to the elucidation of ten cases. In three of these cases, tests were carried out abroad during the period 2001 to 2003. For the seven remaining cases, testing was done locally by the Forensic Science Laboratory during the period 2007-2008. This has been possible due to the acquisition, in May 2006, of new equipment which has enabled the laboratory to use modern and improved technology in accordance with international standards in the field of DNA Profiling.

Furthermore, I wish to refer the hon. Member to the reply I made to PQ B/224 at the sitting of the National Assembly on 15 April 2008. Therein I highlighted the importance of forensic science as a tool for investigation and prosecution of crime and spelt out the measures being taken by Government to ensure the provision of an effective forensic service.

In addition, in a fax dated 11 July, 2008, I have been informed by our High Commission in London that following a grant application made by the University of Staffordshire to the European Commission, the latter has agreed to the disbursement of an amount of € 500,000 for a Forensic Science Project for the University of Mauritius and the University of Jamaica. The project will be spanned over a period of three years and part of the funds will be used to sponsor two Mauritian candidates to pursue an MSc in Forensic

Science at the University of Staffordshire, and thereafter they will become educators in Forensic Science at the University of Mauritius. The remaining funds will be used to purchase machines, tools and equipment.

**MBC – DIRECTOR-GENERAL –
OFFICIAL CAR - ROAD ACCIDENT**

(No. B/839) 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 official car of the Director General of the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to if it was, on or about 24 May 2008, involved in a road accident and, if so –

- (a) the circumstances thereof;
- (b) the value of the damages caused, and
- (c) if an inquiry has been carried out thereinto and the outcome thereof.

The Prime Minister: Mr Speaker, Sir, as regards part (a) of the Question, I am informed by the Director-General of the MBC that his official car was involved in a road accident on 24 May 2008 at around 0655 hours along Closel Road, Vacoas. In his statement, the driver of the Director-General’s official car has reported that the accident occurred when, in an attempt to avoid colliding against a motorcycle, he knocked his vehicle against a private car coming in the opposite direction.

As regards part (b) of the Question, I am informed by the Director-General of the MBC that the costs of repairs to the damaged vehicle were met by the Insurance Company. The MBC had to pay an amount of Rs10,000, representing the “Policy Excess”.

Insofar as the last part of the Question is concerned, I am informed by the Commissioner of Police that the Police enquiry has been completed and the case file is being forwarded to the Director of Public Prosecutions for advice as to whether the driver could be charged for driving without due care and attention.

Mr Jhugroo: Can we know whether the Director-General of the MBC was in the car at the time the accident occurred, if not, where was he?

The Prime Minister: In fact, I can say he was not in the car, because he was abroad.

Mr Jhugroo: Can the hon. Prime Minister confirm to the House that it is the second time when the Director-General of the MBC is on official mission that his car has been involved in an accident?

The Prime Minister: It could well be, but I'll have to check.

Mr Jhugroo: Can the hon. Prime Minister confirm whether an alcohol test has been done on the driver?

The Prime Minister: No alcohol test was done on the driver. It was early in the morning and not being the period to be drunk, no test was done.

Mr Guinness: I understand that the year of the car is 2006. Is the hon. Prime Minister aware that the car, according to my information, has run over 175,000 kms and repairs costing ...

Mr Speaker: This question relates to an accident which occurred on a specific date. If the hon. Member is interested with this question, he can come with a substantive one.

Mr Guinness: I am coming to the part relating to the repairs of the car.

Mr Speaker: No, I am sorry. The hon. Member talked generally of the car having run 175,000 kms and it is the third, fourth or fifth time that an accident occurred. This question is of a substantive nature.

Mr Guinness: Mr Speaker, Sir, I am talking of the repairs.

Mr Speaker: The hon. Member should not have opened his question by talking generally. What is the specific question which relates to this question?

Mr Gunness: My specific question, Mr Speaker, Sir, is: whether the hon. Prime Minister is aware that repair costing over Rs1 m. have been made....

Mr Speaker: Concerning this accident?

Mr Gunness: Yes.

Mr Speaker: The question concerns repairs to the cost of Rs1m. in connection with this accident.

(Interruptions)

Order!

The Prime Minister: The repairs cost Rs277,656. This was paid by the insurance company

Mr Jhugroo: Can the hon. Prime Minister state whether the Director-General, who is entitled to an official car, also benefits from a petrol allowance, if yes, for what reasons?

The Prime Minister: I can't say what is exactly the petrol allowance, but he benefits from whatever terms and conditions existed for all Director-Generals before. That, I am sure, it is the same.

POLICE COMPLAINTS BUREAU – CASES – DEC 2005 TO JULY 2008

(No. B/840) 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 Police Complaints Bureau, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of cases reported thereat, since December 2005 to date, indicating the number thereof

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- (a) in which inquiries have been carried out and the outcome thereof, and
- (b) in which the complainants have been informed of the outcome of the inquiry.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that since December 2005 to date, 564 cases have been reported to the Complaints Investigation Bureau of which 449 cases relate to physical abuse and 115 cases for verbal abuse.

Out of the 564 cases, I am informed that 408 cases are currently being investigated by the Complaints Investigation Bureau. 7 cases have been prosecuted, 10 cases have been submitted to the Director of Public Prosecutions for advice and 12 cases have been referred to the Departmental Orderly Room for necessary action. The remaining 127 cases have been filed.

With regard to part (b) of the question, I am informed that complainants who call at the Complaints Investigation Bureau to enquire about the outcome of their complaints are informed so verbally. In instances where complainants submit official requests, they are then apprised of the outcome of their complaints in writing.

However, Mr Speaker, Sir, I must say that I have impressed upon the Commissioner of Police that they need to reduce, first of all, the backlog of complaints and also to make the necessary arrangements so that all complainants are informed in writing of the outcome of their complaints against Police officers

Mr Lesjongard: Mr Speaker, Sir, I thank the hon. Prime Minister for his answer, because there are people who are waiting for a reply since 2004. Some time back, the hon. Prime Minister stated that he was looking at an independent body to enquire into those complaints. May we know where matters stand?

The Prime Minister: I did say I was proposing to set up an independent body to investigate complaints against members of the Police. In fact, a draft Bill has already been finalised. There are some issues that need to be checked. For example, policy decisions have to be taken, Mr

Speaker, Sir, on whether the Division will be provided with powers of arrest. I must say that we have looked at the legislation in two countries, New Zealand and Trinidad and Tobago, and neither of them has powers of arrest. So, we are looking into finalising all that. The other policy issue that we have to decide is the type of cases which will be investigated and whether complaints made, for example, against Police officers who are off duty would be included. We are looking into that aspect also in the legislation. As soon as these two policy decisions are made, we will come to the House with a Bill.

Mr Bodha: May I ask the hon. Prime Minister whether he will not agree that 564 cases over two and a half years is a very substantial number and what is being done, in fact, to see to it that we don't have this perception that verbal abuse and physical abuse are being given to a certain number of people who are in custody?

The Prime Minister: In fact, in 2003 there were 405 cases. That is why I said in my answer that I have impressed upon the Commissioner of Police that we need to put more staff available for that.

FOREIGN SEAMEN - CRIMINAL OFFENCES

(No. B/841) Mr S. Soodhun (Fifth Member for La Caverne and Phoenix) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if, for the last two years, there are reported cases of criminal offences committed, in Mauritius, by members of the crew of foreign vessels who are of foreign nationality, while at berth or which are holders of a permit to fish in the Mauritian waters and if so, the number thereof, indicating the nature of the offences.

The Prime Minister: Mr Speaker, Sir, with your permission, I shall reply to Parliamentary Questions B/841 and B/843 together as they relate to the same issue.

I am informed by the Commissioner of Police that since the year 2006 to date, there have been fourteen reported cases of criminal offences committed in Mauritius by foreign seamen whilst their vessels were at berth

in the harbour, or who are holders of permits to fish in the Mauritian waters. None of these cases are related to larceny and public disturbance, but seven are related to assault.

Information regarding the nature of the fourteen cases and the outcome of the enquiries carried out is being tabled.

Mr Jhugroo: Can the hon. Prime Minister state whether regular stops and searches are carried out on these foreign seamen to detect offensive weapons?

The Prime Minister: I am not aware that regular stops and searches are carried out as a routine.

Mr Jhugroo: Can the hon. Prime Minister inform the House how many foreign seamen have been sentenced by Court and sent to jail during the past two years?

The Prime Minister: There is, in fact, one accused who has been fined by the District Magistrate for Rs3,500 in March of last year. There are cases which have been dismissed, as advised by the DPP. I think there are cases also that are waiting for advice at the DPP. In April of this year, there was the arrest of one person who was on remand. Again, in April of this year, another person was on remand. There is an enquiry which is also being carried out since the 24 where the person is on remand.

Mrs Jeewa-Daureeawoo: Mr Speaker, Sir, may I know from the hon. Prime Minister whether Mauritian Courts have jurisdiction in cases of criminal offences committed by foreign seamen in the territorial zone of foreign countries and on the high seas where the vessels have not been registered in Mauritius?

The Prime Minister: I don't think it is on the high seas. I am just saying...

Mr Speaker: I am sorry. The hon. Member is asking the Prime Minister to express an opinion. This is not permissible under our Standing Orders. It is a legal matter.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister what happens to the seamen when the investigation is on? I would like to know

whether they are allowed to leave the Ports to go, for example, on fishing expeditions or whether they have to stay in the Port area while the investigation is on. For example, in the latest case, we had two dead bodies which were recovered from a ship.

The Prime Minister: In fact, from what I see, Mr Speaker, Sir, very often, they are on remand until the investigation is over.

Mrs Martin: Mr Speaker, Sir, may I ask the hon. Prime Minister whether any information is given to those foreign seamen to the fact that it is illegal to carry offensive weapons while they are on mainland Mauritius?

The Prime Minister: I can't say whether information has actually been given to them, but, as it is said, ignorance of the law is no excuse.

CENTRAL MARKET, PORT LOUIS – FIRE OUTBREAK

(No. B/842) 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 fire that broke out at the Central Market in Port Louis, in the early morning of Friday 04 July 2008, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the circumstances thereof, and
- (b) if an inquiry has been carried out thereinto and the outcome thereof.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that on Friday 04 July 2008, at about 00 35 hrs, there was a fire outbreak in the vegetables section at the Central Market of Port Louis. The security guards thereat alerted the Fire Services who immediately reached the spot. The firemen were able to bring the fire under control promptly.

I am further informed by the Commissioner of Police that on the basis of the examination of the spot, whereby three different seats of fire have been identified, a Police investigation has been started.

On the same day, a Forensic Science Officer examined the scene for scientific evidence and has already submitted his report to the Police. Upon completion of the Police enquiry, the case will be referred to the Director for Public Prosecutions for advice.

Mr Jhugroo: Mr Speaker, Sir, can the hon. Prime Minister inform the House of the number of security guards who were present on that day?

The Prime Minister: There were 6.

Mr Jhugroo: Mr Speaker, Sir, can the hon. Prime Minister inform the House whether there has been any arrest so far?

The Prime Minister: No, because they are still waiting for the completion of the inquiry, but I am told that the inquiry is about to finish.

Mr Dowarkasing: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he has some indication as to whether this fire outbreak was of accidental nature or of criminal nature?

Mr Speaker: The inquiry will have to reveal this. The hon. Member should wait for the inquiry.

FOREIGN SEAMEN – ASSAULTS, LARCENY & PUBLIC DISTURBANCES

(No. B/843) 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 assaults, larceny and public disturbances in which foreign seamen are involved, he will, for the benefit of the House, obtain from the Commissioner of Police, for the last two years, information as to –

- (a) the number of reported cases thereof, and
- (b) if inquiries have been carried out thereinto and the outcome thereof.

(Vide reply to PQ No. B/841)

**CHAMPIONNAT D'AFRIQUE DES NATIONS –TANZANIAN
BOXING DELEGATION – ARREST**

(No. B/844) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if members of the Tanzanian boxing delegation, who attended the *Championnat d'Afrique des Nations*, in June 2008, have been arrested in connection with a drug case and, if so, if an inquiry has been carried out thereinto and the outcome thereof, indicating if they have been granted bail.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that, on 11 June 2008, following a surveillance exercise at a hotel in Quatre Bornes, two members of the Tanzanian boxing team were arrested with a black bag containing 373 pellets suspected to contain 4.8 kg of heroin. On ground of suspicion, four other members of the delegation were also arrested on the same day.

On the same day, Police carried out, what they call, a controlled delivery exercise which led to the arrest of a Kenyan national, who came to Mauritius on 10 June 2008 by the same flight as the Tanzanian team.

On 13 June 2008, provisional complaints were lodged against the seven persons arrested as follows -

- (a) “Drug Dealing with Aggravating Circumstances to wit: Importation of Heroin with averment of Trafficking” against the six Tanzanian nationals, and
- (b) “Drug Dealing with Aggravating Circumstances to wit: Procuring the Importation of Heroin with averment of Trafficking” against the Kenyan national.

I am informed that none of them has been granted bail and Police enquiry into the matter is still under way.

Mr Bérenger: Mr Speaker, Sir, has there been any diplomatic move from Tanzania in that case?

The Prime Minister: So far, no. I have not been told that this has been the case.

Mr Varma: Mr Speaker, Sir, could the hon. Prime Minister inform the House whether on 10 June, the members of the delegation were, in fact, intercepted and searched at the airport, but no drugs were found on them?

The Prime Minister: That's the case.

UNITED NATIONS OFFICE ON DRUGS AND CRIME - REPORT

(No. B/845) Mr S. Soodhun (Fifth Member for La Caverne and Phoenix) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he has taken cognizance of a recent report of the United Nations Office on Drugs and Crime, which stated that syndicates are expanding their network of transit areas which includes Mauritius and that the bulk of illicit drugs arrive in the region by sea, often concealed in container freight and, if so, state the measures he proposes to take to control the expansion thereof.

The Prime Minister: Mr Speaker, Sir, I presume that the hon. Member is referring to what has been published on the website of the Kenya Regional Office of the United Nations Office on Drugs and Crime (UNODC) which is called an 'Overview of Regional Drug Production'. The figures contained in the document in respect of Mauritius are for years 1995-1997 and therefore do not reflect the current drug situation in the country.

With regard to the control of illicit drugs which arrive in the region by sea, I would like to stress, Mr Speaker, Sir, that sea routes have become more and more popular for illicit drugs throughout the world, especially with what has happened, the increased security at airports. Sea transport is less detectable than other methods due to the large number of container ships, fishing vessels and pleasure crafts in territorial waters and on the high seas.

To address this problem, Mauritius is collaborating with countries of the region to exchange information whenever there are suspected drug related cases. In this context, an agreement was signed by all IOC Council Ministers in 2006 relating to information sharing and cooperation among IOC member States to promote regional security including international criminal activities such as transnational and organised crimes.

Agreements on cooperation have also been signed with the Republic of Mozambique on Drug Demand Reduction and Prevention of Illicit Trafficking, with the Republic of Madagascar on the fight against the illicit traffic of drugs and a Memorandum of Understanding has been signed for the Republic of Seychelles relating to cooperation in the fight against drug trafficking and related crimes.

Moreover, as a member of Interpol, Mauritius regularly interacts and exchanges information with other States whenever there are suspected drug related cases. An agreement has also recently been signed with France on cooperation regarding internal security.

Such interaction has enabled the implementation of stricter control measures at ports of embarkation as well as the identification and dismantling of international drug network. Mechanisms have also been put in place for arresting foreigners involved in drug transactions.

Mr Speaker, Sir, the United States has donated a fast patrol boat, and under the Indian Line of Credit, an offshore patrol boat will be acquired. These boats will enable the National Coast Guard to increase its sea surveillance operations.

I am also informed by the Customs Department that on its side, it is also implementing new measures to tackle the drug problem. It will relaunch its patrol boat to carry out regular patrols in and around the harbour to detect contraband smuggling.

Furthermore, the Department is also holding discussions with the Singapore and the United States Governments for technical assistance to install a sophisticated risk management software to profile and select high-risk containers, which may contain drugs, including transit and transshipment containers.

Mr Soodhun: Mr Speaker, Sir, the report states that the amount of the drugs seized by the Police does not reflect the widespread and increasing availability of drugs. Will the Prime Minister inform the House of any plan to improve the enforcement of the drug legislation?

The Prime Minister: Mr Speaker, Sir, we have already made it tougher, but in view of what is happening we'll look at whether there is the need to even do that further.

Mr Soodhun: Mr Speaker, Sir, will the Prime Minister see to it that all the commercial vessels are systematically controlled as regards the containers and cargo coming to Mauritius?

The Prime Minister: I think there is a difficulty in this because if you do that, there will be huge delay. That is why we are talking to the United States and Singapore Governments to see about – I think I mentioned it - installing another software which can then scan and make things more quicker.

Mr Lauthan: Mr Speaker, Sir, the figures mentioned by the hon. Prime Minister are more or less outdated because it is time to compile and to publish reports. I am in presence of an annual report of the UNODC for 2008 which covers the whole activities of 2007. It mentions that in West Africa, there is an intensification of trafficking for cocaine coming from South America and for eastern African region, there is an intensification of trafficking for heroin from Afghanistan and the region. May I suggest that the Prime Minister takes the first opportunity at other levels, at the AU and Interpol, to raise this question because there is a solid network being developed between the traffickers?

The Prime Minister: Mr Speaker, Sir, we are cooperating at SADC level. I know that we are aware of this problem. But I must say also that I discussed it with the French Interior Minister because of Reunion Island being next to us. We are also taking some measures, but it is probably better +not to elaborate what measures we are planning to take.

Mr Bérenger: Mr Speaker, Sir, hon. Lauthan has just referred to the United Nations Office on Drugs and Crime Annual Report, and the latest is 2008. It's a massive report. Can I ask the hon. Prime Minister whether we have a copy? If not, we should obtain one. Can I request that a copy be placed in the Library of the National Assembly for consultation by Members?

The Prime Minister: Mr Speaker, Sir, in fact, we are not in possession of the full copy. But, we have requested one, and I will ask that a copy be placed in the Library.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he can confirm that there are no sniffer dogs in the Port area?

The Prime Minister: I am sure ADSU is using sniffer dogs at the Port and the airport. I will check. I have always been told that they use sniffer dogs whenever they have to.

Mr Jhugroo: Mr Speaker, Sir, can we know in how many containers drugs have been found after scanning since January 2008?

The Prime Minister: Mr Speaker, Sir, I don't have the details. I know some of the containers have been found to contain drugs. I don't have the exact number of cases.

Mr Dowarkasing: Mr Speaker, Sir, the hon. Prime Minister has stated that now we are looking for the software. Does it mean that the X-ray scanners that are actually being operated at the Port are not equipped with that software?

The Prime Minister: Mr Speaker, Sir, as I said, the situation evolves, and we don't want to stop all the containers. That is why we are trying to see whether we can use even more sophisticated software, which apparently is being used in Singapore and the United States.

**DRUG OFFENCES, LARCENY WITH VIOLENCE CASES –
SUSPECTS ON BAIL**

(No. B/846) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence and Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number of reported cases of drug offences, larceny, larceny with violence, rape or rape with violence, committed by suspects who are already on bail in respect of two or more offences committed previously, since July 2005 to date, indicating in each case, the conditions of the bail.

The Prime Minister: Mr Speaker, Sir, I am informed by the Commissioner of Police that since July 2005 to date, 54 cases of drug offences, larceny with violence and rape have been committed by suspects who were already on bail in respect of two or more offences committed previously.

As regards the conditions of bail in each case, I am tabling the information requested by the hon. Member.

Mr Speaker, Sir, I have requested the Commissioner of Police to instruct Police Prosecutors to be more forceful in their objection to the release of persons who are already on bail, and to complete the inquiries within the least possible delay.

I should add that the Law Reforms Commission is reviewing the laws, including law on bail at the moment.

Mr Bhagwan: Mr Speaker, Sir, we know that many persons who have been accused and not found guilty yet are committing other *délits*, which are very serious offences. Even in my constituency, there are people who can be considered to be very, very dangerous, as they have got four or five cases and they are on bail. Can we know from the hon. Prime Minister whether there is a sort of follow-up, a sort of trail of these people, so that they don't commit other offences and *terroriser les gens là où ils habitent*?

The Prime Minister: Mr Speaker, Sir, the hon. Member is right to point this out. As I have just said, I have asked the Commissioner of Police to request the prosecutors to be more forceful in their objection. One of the conditions of bail – lawyers on the other side know that - must be that they don't break these conditions in the first place. We should see whether we should not be more forceful in objecting bail to them.

Mr Bodha: Mr Speaker, Sir, may I ask the hon. Prime Minister whether he is aware that, very recently, in a case in Britain, bail was granted with very stringent conditions? In fact, somebody was suspected of terrorism, and we had a 22-hour curfew. May I know whether we can consider such conditions in Mauritius, and second whether we can consider the issue of electronic tagging when it comes to people who are on bail and who have committed serious offences?

The Prime Minister: Mr Speaker, Sir, we can look at it. Since the case about London has been referred to, I don't know whether the hon. Member is talking about the same case where a policeman had been on bail and had strict curfew on him. In spite of that, he went and murdered his mother-in-law and sister-in-law. The Court will have to decide on the conditions, because there is the other side of it, that is, the liberty of the citizen must be looked at also. I think that perhaps the Law Reforms Commission can take that into consideration.

With regard to tagging, I think this was considered in the past. We will have to look at it again, and see whether it will actually work in Mauritius. We know how Mauritians are ingenious! They will find a way of undoing the tagging.

Mr Jhugroo: Mr Speaker, Sir, the hon. Prime Minister just stated that the Bail Act will be reviewed. But, he gave the same answer last year. Can we know when the new Bail Act will be operational?

The Prime Minister: Mr Speaker, Sir, we did not say that there will be a new Bail Act. Actually, we think that there has been some misinterpretation of the Bail Act. But, the Law Reforms Commission is looking at it.

Mr Varma: Mr Speaker, Sir, will the hon. Prime Minister inform the House whether it is being envisaged to amend the Bail Act, to include curfew order as one of the conditions of bail?

The Prime Minister: Mr Speaker, Sir, that's why I said that the Law Reforms Commission is looking at the whole issue.

Mr Bhagwan: Mr Speaker, Sir, can I ask the hon. Prime Minister whether Government can find ways and means, so that dangerous persons on bail with four or more cases of bail are not given VIP facilities...

(Interruptions)

Mr Speaker: Order!

Mr Bhagwan: I won't mention names. Can I ask the hon. Prime Minister...

(Interruptions)

These famous recidivists cannot...

Mr Speaker: We are wasting the time of the House! Put your question!

Mr Bhagwan: Mr Speaker, Sir, can I ask the hon. Prime Minister whether these persons can be denied access in Government House and other official Government buildings where they go and insult people?

The Prime Minister: Mr Speaker, Sir, Sir, I find it amazing that people can get easy access to Government House as if going to a shop. People manage to come in the office and insult Ministers! I can't understand that! In no country in the world, can you just drop in on a Minister! But, in Mauritius, you can! That has to change!

HIV/AIDS – DONOR AGENCIES, FUNDED ACTIVITIES, ETC

(No. B/847) Dr. R. Mungur (Second Member for Flacq & Bon Accueil) asked the Prime Minister, Minister of Defence & Home Affairs, Minister of Civil Service & Administrative Reforms and Minister of Rodrigues & Outer Islands whether, in regard to the funds received from donor agencies for the carrying out of activities in relation to HIV and AIDS, since 2006 to date, he will state –

- (a) the names of the donor agencies;
- (b) the total amount received;
- (c) details of the activities funded, and
- (d) the priority areas identified.

The Prime Minister: Mr Speaker, Sir, as regards parts (a) and (b) of the question, I am informed by the Ministry of Health & Quality of Life that, since 2006 to date, the WHO has donated a total amount of Rs715,240, and the UNDP a total amount of Rs732,522.

The National AIDS Secretariat, which was set up in May 2007 under the aegis of my Office, has received donations from the UNAIDS and the World Bank, amounting to Rs235,000 and Rs2,618,866.30 respectively.

As regards part (c) of the question, I am tabling a statement providing the information requested by the hon. Member.

As regards part (d) of the question, I am informed by the Ministry of Health & Quality of Life that, as at May 2008, 3,362 cases of HIV and AIDS have been detected among Mauritians, out of whom 75% have been contaminated through injecting drug use.

As from 2002, it was noted that the mode of transmission had begun to shift from heterosexual to injecting drug use. In fact, in the year 2000, only 2% of the newly infected cases were detected among the injecting drug users. This increased to 66% in 2003 to reach a peak of 92.4% in 2005. Therefore, in 2005, my Government, in its fight against HIV and AIDS, identified two main priority areas to minimise the transmission of HIV and AIDS among the most at risk population, in particular, injecting drug users, sex workers and the prisons' inmates, and to improve the quality of life of people infected with HIV.

Since my Government took office, Mr Speaker, Sir, several bold measures have been introduced to address the issue of HIV and AIDS. The Methadone Substitution Therapy Programme was introduced in November 2006 and to date, 819 individuals, including 94 women, have been induced into the programme.

The HIV and AIDS Act was passed in December 2006 with a view to creating an enabling environment for the implementation of the Needle Exchange Programme and to reduce stigma and discrimination against people living with the virus.

Presently, the Needle Exchange Programme is being implemented through 32 sites, out of which 25 are being run by the Ministry of Health and Quality of Life and the remaining 7 by NGOs, catering for some 2,200 individuals.

With regard to sex workers, an aggressive awareness campaign on condom use is being carried out. The female condom was introduced in 2007 and is being actively promoted. Furthermore, voluntary testing among this vulnerable group is being encouraged through outreach programme.

As far as the prison population is concerned, it is reported that 23% are infected with HIV. All new detainees are offered testing for HIV on admission to prison. In response to this situation, a Prisons AIDS Secretariat has been set up in 2007. An intensive ongoing awareness programme has also been established for Prisons Officers.

As regards to the second priority of my Government for HIV and AIDS, it is improving the life of people living with the virus and the challenge being to detect a maximum number of cases by scaling up the HIV Testing Services as well as providing quality treatment and follow up to people living with the virus.

Mr Speaker, Sir, in the light of increasing demand for antiretrovirals, I personally negotiated with the Clinton Foundation and signed a Memorandum of Understanding with them to obtain high quality drugs at a preferential rate. I can tell the House that we have actually saved Rs500,000 so far and we are getting drugs which are going through the quality control that we don't have the ability to do ourselves.

JG/D24/P08/2 (PQ No. B/847 contd.)

And thanks to our negotiations, Mauritius, in spite of being an upper middle income country, has been declared eligible to apply for funds in Round 8 of the Global Fund to fight against AIDS, Tuberculosis and Malaria. A proposal has been submitted to the Global Fund for Euro 12,248,728. These measures – we don't know how much we will get out of these – but we hope that with the commitment of the Government it is clear that we are focusing our attention on the priority areas.

Dr. Mungur: Mr Speaker, Sir, as regards to conditionalities, may I ask the hon. Prime Minister, when the donor agencies are giving us money, are they very project specific in their approach or is there some sort of general approach with programmatic and financial flexibility on our part?

The Prime Minister: They are project-oriented, Mr Speaker, Sir, and they also want to ensure that we monitor properly all the services that we provide.

Mr Bérenger: I think I heard the hon. Prime Minister say that 22% of the present population is HIV positive. This is a huge figure. Can I know from the hon. Prime Minister what has been the trend, whether it has been deteriorating? I think the hon. Prime Minister say that an additional committee has been set up to target that problem of HIV/AIDS in prisons. Am I right and do we agree that this is a priority?

The Prime Minister: Mr Speaker, Sir, in response to the situation we have set up a Secretariat for the Prisons itself. This is the figure that I have been told.

Mr Lauthan: Mr Speaker, Sir, it is a practice with the donor agencies, international or local, that they would expect regular feedback, that evaluations are carried out. Can I ask the hon. Prime Minister if such evaluations are being undertaken regularly and submitted to the donor agencies, to encourage them to make further donations. If such evaluations have been made, can copies be laid in the Library?

The Prime Minister: This is why we have set up the Secretariat, because one of the recommendations was that there is not enough follow-up. In fact, we have also asked for help of experts, because we need more experts in Mauritius. It is not just our views, it is also the views of the NGOs, that we need experts to do the follow-up and they have said that they would do so.

Dr. Mungur: Mr Speaker, Sir, the Clinton Global Initiative is one of the US based foundation helping us, but there are others like the Bill & Melinda Gates Foundation, the Rockefeller Foundation, the Elizabeth Glaser Paediatric AIDS Foundation, Chrysler Foundation and Ford Foundation. May I ask the hon. Prime Minister whether these philanthropic foundations can be contacted so that we can get more future resources to mitigate the process, for the programme of HIV/AIDS?

The Prime Minister: I will certainly look into that, Mr Speaker, Sir. I know that we have tried to get in touch with the Bill & Melinda Gates Foundation, but we need to qualify for this. I have managed with the Clinton Global Initiative because of the personal contact that I had with him.

Mr Speaker: Time is over! Questions addressed to hon. Ministers! Parliamentary Questions Nos. B/860 and 872 have been withdrawn.

SUMMER TIME – INTRODUCTION

(No. B/851) Mr S. Naidu (Third Member for Beau Bassin and Petite Rivière) asked the Minister of Public Utilities whether, in regard to the introduction of summer time as from 01 November 2008, he will state if any –

- (a) study has been carried out to evaluate the benefits thereof, and
- (b) he has received representations from the business community in Mauritius against the implementation thereof.

Dr. Kasenally: Mr Speaker, Sir, I am informed by the CEB that from 01 November 2005 to end February 2006, they have carried out a simulation exercise based on the demand profiles of a group of individual customers. The results were then extrapolated for all residential customers. An in-depth analysis was also carried at three individual customers' houses where power analysers were installed to monitor separately the lighting, refrigerator, television and other equipment load.

The simulation exercise showed savings in electricity consumption. The increase in electricity use during morning hours was negligible.

As regards part (b) of the question, I must inform the House that no official representations have yet been received. However, at a meeting held at my Ministry on 08 July 2008, the representative of the Association of BPOs pointed out that certain difficulties could arise. The issues raised are being looked into. Nonetheless, there has been general consensus among all stakeholders on the implementation of the Summer Time on a pilot basis. It was also agreed that the pilot scheme be aligned with the same period in Europe and the U.S.A., that is, on 26 October 2008 to 29 March 2009 - that is, at 2 o'clock on a Saturday morning, you know that the clocks are moving. This measure is meant to abate the problems that may be faced by organisations operating in the global sector.

Mr Naidu: Can the hon. Minister say whether there is a committee set up at the level of the Ministry to look into the whole matter?

Dr. Kasenally: In fact, Mr Speaker, Sir, I set up a committee just after the Budget to ensure that there is widespread consultation and in-depth communication with all stakeholders so that everybody knows what exactly is involved.

Mr Naidu: Mr Speaker, Sir, we all know that one of the major issues is to try to save on our fossil fuel dependence. I would like to know from the hon. Minister whether other considerations such as medical side effects, education and schools, agriculture, have been taken on board, when daylight saving time has been discussed?

Dr. Kasenally: In fact, all the issues are being ventilated. But, the bottom line actually, Mr Speaker, Sir, is that we have to see how much energy we can save. Of course, the other issues have to be addressed, but there are also other positive effects of this daylight saving time in that the rate of accidents is diminished, there is less crime and there will be less opportunities for people to indulge in sexual harassment of our young ladies who are going around after work.

Mr Lesjongard: May I ask the hon. Minister whether he can give us an indication in terms of figures with regard to savings of maximum demand on a daily basis when we introduce that summer time?

Dr. Kasenally: There has been a projection and I understand from the technicians at the CEB that we may shave off that peak demand by about 15 megawatts.

Mr Lauthan: Mr Speaker, Sir, as the hon. Minister has talked about widespread consultation, can I ask him whether he is in presence of a verbal or written representation made by Mauritians of the Muslim community, because it might create an impediment for the midday prayer?

Dr. Kasenally: I have not had any representation, but I have myself looked into it. As far as the midday prayer is concerned, the most important one is the Friday one; people will be given time-off from 2.00 p.m. to 3.00 p.m. and I think nobody will be impeded in any way. But, I dare say that

only a couple of weeks ago, the Islamic Republic of Pakistan adopted the daylight saving by moving by one hour their time.

Mr Jhugroo: Can I ask the hon. Minister whether unofficial representations have been made by Directors of Call Centres with regard to this issue?

Dr. Kasenally: I have not got it officially, but just before I was coming, an e-mail dropped. I had no time to look at it - it may well be - as I was very busy with the PNQ to which I had to give a lot of attention.

Mr Dowarkasing: May I know from the hon. Minister whether the members of the committee which he has set up at the level of this Ministry have met with the representatives of the Joint Economic Council on this issue?

Dr. Kasenally: Of course, Mr Speaker, Sir. the representatives form part and parcel of the committee.

Mr Mohamed: Mr Speaker, Sir, with regard to the issue of the summer time and how it may affect members of the Muslim community, we have heard the hon. Minister state that, obviously, they would be attending their Friday prayers from 2 p.m to 3 p.m. Would the hon. Minister not agree and try to do something about it, as already there are problems concerning attendance to Friday prayers with para-statal bodies like SICOM, the Mauritius Revenue Authority? Would he try to develop a system by which every single body connected directly or indirectly to Government be made aware that this acquired right to go for Friday prayers should be maintained and, by extension, try to make it understood that the private sector should also contribute and be generous in allowing the Muslim community to attend Friday prayers?

Dr. Kasenally: Mr Speaker, Sir, I understand that, on the whole, people are very tolerant in this country, but there are pockets of resistance. I will appeal to all members of the Muslim community that they take time off just for their prayers and I have given instructions to all the para-statal bodies and they have cooperated. There must be a question of give and take and people should strictly take time allocated for their prayers.

Mr Lesjongard: Mr Speaker, Sir, the hon. Minister has stated that the saving with regard to maximum demand will be of the order of 15 megawatt. Can we then get an indication, if the saving is 15 megawatt, what will be the reserve available at the level of the CEB in terms of megawatt?

Dr. Kasenally: The reserve will just be increased by 15 megawatt. We are now going into semantics. I am a very simple-minded man and 15 megawatt off, shaving a peak, means 15 megawatt is saved.

Mr Naidu: Mr Speaker, Sir, we all know how difficult it is to evaluate the impact of summer time. All countries face this problem. Would it not be interesting to look for a similar country with a similar climate and based on their experience, we try to compare notes and see how they have progressed?

Dr. Kasenally: Mr Speaker, Sir, I would say that this is a pilot scheme. We will gather all the parameters, examine them, publish the results, evaluate them and let everybody has a free expression of his ideas.

Mr Lauthan: Sir, I know the importance of Friday prayers, but the hon. Minister, as a Muslim, should know that everyday the midday prayer is important and many Muslims do make arrangements with a permanent system without ever disrupting the service, even for a single minute; they would go and pray and be back in 10 to 15 minutes. Can I ask the hon. Minister to give attention to this issue as well during further consultation?

Dr. Kasenally: Even myself, I do it and take it off my lunch time.

At 1.00 p.m. the sitting was suspended.

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

COURT – WITNESSES – ABSENCE

(No. B/852)Mr S. Dayal (Second Member for Quartier Militaire and Moka) asked the Attorney-General, Minister of Justice & Human Rights whether, in regard to the absence of witnesses in Court in criminal cases, he will state if he will consider amending the Courts Act, with a view to introducing provisions similar to those obtained in section 118 of the Criminal Procedure Act of the United Kingdom, which caters for situations where it is impossible to secure the presence in Court of key witnesses or because they have passed away.

Mr Valayden: Mr Speaker, Sir, it is assumed that the hon. Member is, in fact, referring to section 116 of the UK Criminal Justice Act 2003 which itself replaces section 23 of the UK Criminal Justice Act 1988, which provides for “statements not made in oral evidence in proceedings” to be admissible as evidence of any matter stated if certain conditions are satisfied. The conditions are that the maker of the statement is dead, unfit to be a witness because of his bodily or mental condition, outside the UK, untraceable or does not wish to give oral evidence through fear. If those conditions are satisfied, a statement given by a witness in the course of a police enquiry will be admissible without its maker deponing in Court.

In Mauritius, similar provisions apply in the case of trials following the holding of preliminary enquiries only. Depositions taken in the course of the preliminary enquiry and signed by the witness and Magistrate are admissible at the subsequent trial if the witness is dead or so ill as not to be able to travel or has left Mauritius with no reasonable expectation of his speedy return. It should, however, be proved that such a deposition was taken at the preliminary enquiry in presence of the accused and that his legal adviser had the opportunity of cross-examining the witness.

We also have section 174 of the Courts Act which provides for “*De bene esse* proceedings”, that is, where any party who intends to call a witness who on the day of the trial will not be in Mauritius or may not be alive or fit to give evidence because of failing health, has the possibility of making an *ex parte* application of a “*De bene esse*” hearing of the witness before the Judge in Chambers. If granted such proceedings would form part of the record of the main case and be admitted in evidence.

Mr Speaker, Sir, I have had the opportunity to seek the views of the DPP on this issue. His office is of the view that any such amendments to the law would require an in-depth study. The more so, as it has been observed that the trend nowadays is to do away with an over-rigid observance of the hearsay rule in criminal cases and to allow the Court the discretion of admitting evidence “in the interests of justice”. It is ultimately for the Court to decide on the weight to be given to such evidence in order to avoid that any unfairness or prejudice be caused to the accused’s trial from admission of such evidence especially in view of the provisions of Article 6 (3) (d) of the European Convention on Human Rights which guarantee that the accused has the right to examine or have examined witnesses testifying against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him.

Mr Speaker, Sir, I thank the hon. Member for this question. I am therefore considering seeking the views of the Law Reform Commission on the issue before implementing the provisions similar to those prevailing under section 116 of the Criminal Justice Act 2003 of the UK into our law.

Mr Dayal: Mr Speaker, Sir, will the hon. Minister agree with me that there is urgency in the matter, as many criminal cases, especially where tourists are the complainants, are not proceeded with because these complainants have left the country, witnesses have passed away or their presence could not be secured in the Court?

Mr Valayden: Yes. One of the reasons why we will have to look into it is because of our legislation, because of the way we function, Mr Speaker, Sir. This is one reason why the Law Reform Commission has to look into all the aspects before we come before this august Assembly.

Mr Dayal: Mr Speaker, Sir, being given the decision of the DPP or the administrative decisions as decided by the Privy Council and also in the light of the public statement made by the Chief Justice to the effect that the DPP may be called to give reasons for his decision, may I quote the Chief Justice on this -

‘Le DPP peut expliquer sa décision s’il le veut.’

Therefore, in the interest of the public - because there has been a public outcry which may tantamount to the loss of confidence in our prosecution service – has the Minister inquired from the DPP the reasons of not proceeding further with the Vanessa Lagesse case, *inter alia*, especially that a Magistrate, after a lengthy inquiry of two years, had found that there was a *prima facie* case against the accused as there have been cases before?

Mr Valayden: Mr Speaker, Sir, it is very difficult for me to answer. If the hon. Member would come with a substantive question, I will reply. This question is linked with an Act of Great Britain concerning witnesses who are not present in Court.

Mr Dayal: Being given, that it is a settled principle, Mr Speaker, Sir, will the Attorney-General confer with the DPP to see to it that reasons for his decisions are given at least to the interested parties in order to save the pain and cost of applying for a judicial review before the Supreme Court?

Mr Valayden: I understand the hon. Member well. Maybe there is again the issue of considering the powers of the DPP within a larger framework, but to confer with the DPP, I believe, it would not be right for me to do so.

BEL AIR/ST FELIX – HOTEL AND INTEGRATED RESORT PROJECTS

(No. B/853) Mr E. Guimbeau (First Member for Curepipe and Midlands) asked the Minister of Housing and Lands whether, in regard the 104 *arpents* of *Pas Géométriques*, earmarked for the implementation of hotel and Integrated Resort projects at Bel Air St Félix, he will state if –

- (a) applications in relation thereto have been received and are being processed and, if not, the reasons therefor, and

- (b) he has received any request from other project promoters to use the same land, and if so, indicate
 - (i) the names thereof and
 - (ii) the actions taken in relation thereto.

Mr Dulull: Mr Speaker, Sir, with your permission, I shall reply to both Parliamentary Questions nos. B/853 and B/869 which relate to the same subject matter.

In 1999, Government resumed possession of 104 *arpents* of *Pas Géométriques* in Bel Air/St Félix region which comprise of 2 *Pas Géométriques* namely *Pas Géométriques Rivière des Anguilles* (69A95P) and *Pas Géométriques Bel Air* (34A50P) formerly leased for grazing purposes to the Bel Air Sugar Estate Co Ltd. The company was initially granted a 30-year lease in 1969 over these portions of land.

In April 2001, Bel Air Sugar Estate made an application to implement a hotel and an IRS project on the said *Pas Géométriques* and on its freehold land located at the rear of those *Pas Géométriques*.

In April 2001, the Bel Air Sugar Estate made an application to implement a hotel and an IRS project on the said PGs and on its freehold land located at the rear of those PGs. In June 2003, the Bel Air Sugar Estate expressed its intention to implement the same project. However, the application was not pursued further by the then Government. The request was made again in October 2005 and the request was examined in February 2006 by this Government. Owing to circumstances beyond control, the application could not be processed further until a second application was received in April 2008 for tourism-related development project over the same site from *Compagnie Mauricienne de Textile Ltée*.

After examination of both applications, the one from the *Compagnie Mauricienne de Textile Ltée* for the implementation of 2 hotel projects on PG *Rivière des Anguilles* and PG Bel Air has been retained. The *Compagnie Mauricienne de Textile* Group is expected to inject some Rs4.8 billion for the construction of two 5-star plus hotels with a total of 400 room capacity on the site.

In May 2008, Government approved, in principle, the reservation of the land at PG Bel Air in favour of the *Compagnie Mauricienne de Textile Ltée*.

Mr Guimbeau: Mr Speaker, Sir, can the hon. Minister give any reason as to why Bel Air St Félix was not granted permission to go ahead with the IRS and hotel projects?

Mr Dulull: Mr Speaker, Sir, as I mentioned, the project dated since 2001 and again, there was a request made in June 2003. When it was examined, it was decided that the application could not be entertained. When the request was made again, we looked into it and we had to compare the two projects. We had two applications. The level of investment of Bel Air Sugar Estate was Rs2.5 billion and that of *Compagnie Mauricienne du Textile Ltée* was Rs4.8 billion. On top of that, the CMT project was a stand-alone project on the PG whereas the *Société* Bel Air Sugar Estate wanted to marry the private land with the State land to have hotel and IRS projects. In line with our policy of democratisation of the economy, we have favoured the *Compagnie Mauricienne du Textile Ltée*. The private land is still available for projects to be carried out by *Société* Bel Air Sugar Estate.

Mr Guimbeau: Mr Speaker, Sir, is it proper practice that while an investigation is being carried out by the ICAC following allegation of corruption on land issue, at the same time a letter of reservation is sent to CMT?

Mr Dulull: As the hon. Member mentioned, it is a mere allegation and economic developments have to be carried out. The CMT has made an application, we have considered it and, based on its merits, we have agreed to allocate the land.

Mr Bérenger: Mr Speaker, Sir, can the hon. Minister inform the House whether the project by CMT involves only the *Pas Géométriques* that was targeted by Bel Air or whether CMT has private land or whether other State land, *Pas Géométriques* is being allotted to CMT?

Mr Dulull: As I mentioned, it is 104 *arpents* that has been allocated on the two PGs, Rivière des Anguilles and Bel Air.

Mr Lesjongard: Mr Speaker, Sir, can the hon. Minister confirm whether the two PGs he has mentioned have been proclaimed as public space or public beach by the former Labour Minister, Clarel Malherbe, and whether there is public access to both PGs?

Mr Dulull: It has not been proclaimed as public space. Actually, there has not been any public access to the site. We have initiated action to get public access on the site of both PGs, Bel Air and *Rivière des Anguilles*.

Mr Guimbeau: Mr Speaker, Sir, the hon. Minister said that there is *Pas Géométriques* on the 80 metres and behind there is private land. Can he tell the House how such a big project will fit in on this *Pas Géométriques*?

Mr Dulull: Mr Speaker, Sir, they are two big projects and also two big plots of land which total 104 *arpents*, which is quite immense, to have a mega project there.

Mr Jhugroo: Mr Speaker, Sir, can the hon. Minister confirm to the House whether it is this case that has been referred to ICAC, and, if so, where matters stand?

Mr Speaker: Which case is the hon. Minister referring to?

Mr Jhugroo: The St Félix project.

Mr Dulull: It is for the Parliamentary Committee to look into it.

LA FERME MARINE DE MAHEBOURG - LEASE

(No. B/854) **Mr E. Guimbeau (First Member for Curepipe and Midlands)** asked the Minister of Housing and Lands whether, in regard to La Ferme Marine de Mahebourg, he will state –

- (a) the extent of the lease, and
- (b) the annual rental payable

Mr Dulull: Mr Speaker, Sir, in regard to part (a) of the question, *Ferme Marine de Mahebourg Ltd* holds an industrial lease over a portion of State land of an extent of 5A72P with authorisation to carry out fish farming activities over an area of 15A99P in the Old Grand Port Lagoon, the area under culture for fish rearing being 1A89P.

In regard to part (b) of the question, the company is currently paying an annual rental of Rs54,000 for the occupation of the said site.

The company has requested an additional extent of 1A30 in the lagoon for culture of fish rearing. After examination of this case, my Ministry has agreed to lease an extent of 13,463m² instead of the 8000m² subject to an increase in the annual rental. Accordingly, action has been initiated to revise the annual rental.

Mr Bérenger: Mr Speaker, Sir, concerning the figure given for annual rental, is it for land only or does it include the area of the sea, and, if yes, how much comes from the sea?

Mr Dulull: The annual rental includes both the land and the sea.

Mr Guimbeau: Mr Speaker, Sir, can the hon. Minister inform the House about the type and purpose of lease of *La Ferme Marine de Mahebourg*?

Mr Dulull: The land is for industrial building to be used solely for marine and fish farming project which is an industrial site lease.

Mr Guimbeau: Mr Speaker, Sir, can I know from the hon. Minister under what specific legislation in force in Mauritius was the lease rented?

Mr Dulull: There is a legislation. We have residential lease, industrial site lease, *campement* site lease and many types of leases. It falls under one of the categories. It is industrial site lease.

Mr Guimbeau: Mr Speaker, Sir, we are talking about the lagoon and the sea.

Mr Speaker: But the hon. Minister has answered. It falls under the industrial lease.

MHC - PLAN EPARGNE LOGEMENT

(No. B/855) Mr G. Lesjongard (Second Member for Port Louis North and Montagne Longue) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the *Plan Epargne Logement* of the Mauritius Housing Company Ltd., he will, for the benefit of the House, obtain from the Company, information as to if the company has deducted money from the accounts of the holders thereof for the setting up of *syndics* and, if so –

- (a) since when;
- (b) the amount of money collected, and
- (c) the number of NHDC estates in which *syndics* have been set up.

The Minister of Labour, Industrial Relations & Employment (Dr. V. Bunwaree): Mr Speaker, Sir, with your permission, I will reply to this question.

The *Plan Epargne Logement*, commonly known as PEL, is a special savings scheme run by MHC to allow potential borrowers to save in order to reduce or supplement the amount they would borrow, to meet the cost of construction or purchase a housing unit

As regards the main question as to whether the MHC has deducted money from the accounts of PEL holders for the setting up of *syndics*, the answer is “no”. Therefore, the questions at (a) and (b) do not arise.

As regards part (c) of the question, I am informed by the NHDC that there are 44 *syndics* that have been set up in housing complexes constructed by the NHDC that are governed by a “*Règlement de Copropriété*.”

AIR MAURITIUS FLIGHT MK 846, DURBAN - MRS P. H. – MEDICALLY ASSISTED PASSENGER

(No. B/856) Mr G. Lesjongard (Second 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 flight MK 846, which left from Durban, South Africa, on 09 June 2008, he will, for the benefit of the House, obtain from Air Mauritius Ltd., information as to if one Mrs P. H. was not allowed to board same and, if so, the reasons therefor.

The Deputy Prime Minister, Minister of Tourism, Leisure and External Communications (Mr X. L. Duval): Mr Speaker, Sir, I am informed by Air Mauritius Ltd that, in line with international recommended practices and guidelines, the company has in place well-established procedures to deal with the travel arrangements of medically assisted passengers.

In accordance with this policy a medically assisted passenger is required to produce a prescribed certificate, duly filled in by the passenger's own doctor and approved in turn by the company's doctor in Mauritius before he can be allowed boarding.

In this particular case, the passenger who fell in the category of medically assisted passenger and who was accompanied by a nurse, arrived at the airport for the return trip less than one hour before close of check-in. Moreover, in spite of the fact that the passenger's relatives had before hand been informed of that specific requirement, the passenger called for check-in with the medically assisted passenger certificate having filled in only by her own doctor in Durban and without the relevant certificate bearing the approval of the company's doctor, that is, Air Mauritius doctor.

I am further informed that the ground personnel of Air Mauritius at Durban airport did try to obtain the approval of the company's doctor, but were unsuccessful due to the very short lead time for the closure of the flight.

Mr Speaker, Sir, I am further informed that the passenger and her escort were accepted on the flight to Mauritius on 11 June 2008, that is, two days later, without any incident and after completion of relevant formalities.

Mr Lesjongard: Mr Speaker, Sir, can I ask the Deputy Prime Minister and Minister of Tourism if the certificate he has mentioned has to be signed by a doctor of the company and how many hours in advance does the patient has to inform the doctor for getting that signature?

Mr Duval: This is a particular case. I am told that the relatives of the passenger called at the Air Mauritius Office a few days before and they were told that this was the requirement. Unfortunately, it was not done and within an hour of departure, they arrived at the airport. I do not know how many hours. But, obviously, there must be some time for the doctor physically who, I think, is at Clinic Darnay, to give his approval.

Mr Lesjongard: May I know if a passenger has to depart during the week-end from a country outside Mauritius, how will he get into contact with the doctor of the company?

Mr Duval: I do not know if there is a 24-hour and 7-day service. I presume, Sir, but I do not know.

Mr Bérenger: Mr Speaker, Sir, how will a passenger who has a certificate from his or her own doctor get in touch with the company's doctor? Is he informed who the company's doctor is? Is there a fax number or an e-mail? How is it done?

Mr Duval: Mr Speaker, Sir, I understand that, in this particular case, the relatives of the passenger were informed of the procedure a few days before and they did not follow it. This is what I know.

Mr Lesjongard: May I draw the attention of the hon. Deputy Prime Minister and Minister of Tourism that two weeks ago I talked to the Director-General of Air Mauritius. He promised that he would get back with the required answers. *Jusqu'à maintenant je n'ai pas eu de coups de telephone, M. le président et, dans ce cas précis, il faut le dire, ces gens ont dépensé presque 12,000 rands avec une personne souffrante qui a été priée de retourner à la clinique ce jour-là et il n'y avait pas d'arrangement.*

La personne n'a pas pu avoir une chambre au moment qu'elle est arrivée à la clinique ce jour-là. Ce n'est que dans l'après midi, c'est-à-dire, cinq heures après, qu'elle a été admise in that clinic because she has to vacate that clinic on that day to take the plane. That is the reason why I am putting this question. Does the hon. Minister think that this policy has to be changed so that patients may be well made aware of what they have to do when leaving Mauritius? My question is also related to whether when we ask for a counter signature of a Mauritian doctor; this is acceptable in a foreign country.

Mr Duval: Mr Speaker, Sir, firstly, I must say that I have checked the IATA regulations and they do require that the airline own doctor certifies the medical certificate for the person to travel. Secondly, this person was, in fact, under heavy sedation before traveling and she could not communicate with the staff at the airport in Durban. There are two versions. One version is that Air Mauritius did come into contact with the passenger's relatives a few days before and informed them clearly that this was required and this was not done.

(Interruptions)

There are two versions. I am not the one to say, Mr Speaker, Sir, whether it is not possible; I was not there neither was the hon. Member. This is the situation.

The third thing, of course, is that there was apparently no telephone number in Durban to be able to contact the passenger. Obviously, if the whole policy needs to be looked again, Air Mauritius being a business, I will ask them to it to look at it again. I cannot accept only one version of the case. This is not possible. I take the hon. Member's view and I'll raise it with Air Mauritius, but I cannot say which one is right or wrong.

(Interruptions)

Mr Bérenger: *Je suis un peu déçu par la performance de l'honorable ministre aujourd'hui qui est en contraste avec ce qui a eu lieu il y a quelque temps de cela.* Does not the hon. Minister think that once a passenger comes with her own certificate, the least that Air Mauritius can do is take over from their own, they get in touch with their company doctor, they do the required and not the poor family of the person? Air Mauritius should step in.

Mr Duval: Mr Speaker, Sir, as I mentioned, I do not have the details, I cannot say. What I understand is that she came in about an hour before the end of checking and they tried at that time to get in touch with their doctor here within that delay before the closure of checking. So, they had about 55 minutes to do the work and could not get it on.

Mr Jhugroo: M le président, le ministre vient de mentionner que le patient était '*under sedation*'. *Comment allait-il contacter le docteur de la compagnie ?*

Mr Duval : In fact, she was traveling with a nurse.

Mr Lesjongard: Can the Minister inform the House whether he will start an inquiry or whether an inquiry is being carried out in this case at the level of Air Mauritius?

Mr Duval: There is no problem to have a look again at the matter and at the procedures.

JUMBO ROAD, CHEMIN GRENIER – DRAINS

(No. B/857) Mr A. Ganoo (First Member for Savanne and Black River) asked the Minister of Environment and National Development Unit whether he is aware that the inhabitants of Jumbo Road, Chemin Grenier, have suffered prejudice, following the flooding of their houses after the recent heavy rainfalls and if so, will he state if drain works will be carried out thereat, indicating when.

Mr Bachoo: Mr Speaker, Sir, no official complaint has been made to National Development Unit of my Ministry from inhabitants of Jumbo Road, Chemin Grenier regarding the flooding of houses after recent heavy rainfalls. However, I took cognizance of the problem through a press article on L'Express of 10 July 2008.

I am advised by the Grand Port-Savanne District Council that the topography of Jumbo Road, Chemin Grenier is in a bad concave form and that rain water accumulates over a length of 30 metres near the residential buildings. In 2006, the Grand Port-Savanne District Council constructed an absorption drain near the residential buildings and according to the District Council the drain functions smoothly as it is regularly cleaned and maintained by the Council.

Since the absorption capacity of the drain is slow during continuous rainfall, the District Council is proposing to extend the existing drain by 15 mts long x 90 cm wide x 90 cm deep.

**NATIONAL DEVELOPMENT UNIT
– PROJECTS EARMARKED 2008-2009**

(No. B/858) Mr S. Soodhun (Fifth Member for La Caverne and Phoenix) asked the Minister of Environment and National Development Unit whether, in regard to the projects earmarked for implementation by his Ministry for the financial year 2008-2009, he will state the number thereof, constituency-wise, indicating the amount of money earmarked for each project.

Mr Bachoo: Mr Speaker, Sir, the list of projects so far identified is being compiled and will be placed in the Library of the National Assembly when it will be ready.

**CONVENTION ON THE PROTECTION OF CHILDREN AND
CO-OPERATION IN RESPECT OF INTER-COUNTRY ADOPTION
– PROVISIONS - IMPLEMENTATIONS**

(No. B/859) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Minister of Women's Rights, Child Development, Family Welfare & Consumer Protection whether, in regard to the Convention On the Protection of Children and Co-operation in Respect of Inter-country Adoption, she will state if Mauritius is a signatory thereto and, if so, indicate –

(a) since when, and

(b) if the provisions of the convention have been implemented.

Mrs Seebun: Mr Speaker, Sir, Mauritius signed the deed of accession to the Hague Convention On Protection of Children and Co-operation in respect of Inter-country Adoption on 15 September 1998.

With regard to part (b) of the question, I am informed that the National Adoption Council, which operates under the aegis of the Prime Minister's Office, has been designated as the central authority for Mauritius and as the focal point with regard to the implementation of the provisions of the Convention.

With a view to implementing the provisions of the Convention, a new legislation to provide a legal framework and to bring adoption procedures in conformity with the Convention, is being worked out by the PMO and the Attorney-General's Office.

My Ministry has submitted its views and as soon as the draft is ready, we will bring it to Cabinet to seek approval to circulate same for future consultations.

Mr Varma: Mr Speaker, Sir, is the hon. Minister aware that as per Article 13 of the Convention, the permanent bureau of the Hague Conference on Private International Law should be informed as to the central authority that is dealing with the adoption procedures? If she is aware of that Article, when was the permanent bureau of the Hague Conference informed of same?

Mrs Seebun: As far as I gather, it was in 2003.

PLAINE MAGNIEN - MUSLIM CEMETERY

(No. B/860) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Minister of Housing and Lands whether, in regard to the project for the compulsory acquisition of a plot of land for the extension of the Muslim cemetery in Plaine Magnien, he will state where matters stand.

(Withdrawn)

**MAHEBOURG AND PLAINE MAGNIEN
– SME PARTNERSHIP FUND LTD – BENEFICIARIES**

(No. B/861) Mr Y. Varma (First Member for Mahebourg and Plaine Magnien) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the Small and Medium Enterprises Partnership Fund Ltd., he will, for the benefit of the House, obtain from the Fund, information as to if the inhabitants of the Constituency No. 12, Mahebourg and Plaine Magnien, have benefited therefrom and, if so, indicate –

- (a) the number thereof, and
- (b) in which sectors.

The Minister of Labour, Industrial Relations and Employment (Dr. V. Bunwaree): Mr Speaker, Sir, with your permission, I shall reply to this question.

With regard to the Small and Medium Enterprises Partnership Fund Ltd. (SPF), I am informed that the Fund appraised projects in which it intervenes on the basis of well-defined criteria, which amongst others, essentially includes those relating to the financial and economic viability of the project and the promoter's stake in the company.

In fact, the promoters have to show their commitment in the venture by participating at least 49% in the company's equity.

The SPF has so far been investing a minimum of Rs300,000 and a maximum of Rs3 m. per project. This ceiling of Rs3 m. has, following the 2008-2009 Budget, been extended to Rs10 m.

I am also advised that project appraisal and selection is not based on a geographical criterion but, more importantly, as I mentioned earlier, on its economic and financial viability, including its high chances of success and growth prospects.

As part of its campaign to boost small and medium enterprises, the SPF continues to build awareness among the population regarding access to finance. Interested parties from any region of Mauritius can apply directly to the SPF for funding.

As to whether the inhabitants of Constituency No. 12 benefited therefrom, we have to compile it. It is very difficult, because many may be registered as shareholders in companies which have their main offices elsewhere. The compilation is being done. But, from the list that I have, there seems to be one company only from Mahebourg and the investors are not inhabitants of Mahebourg.

Mr Varma: Mr Speaker, Sir, can I request the hon. Minister to place the list as soon as it is ready in the Library of the National Assembly?

Dr. Bunwaree: Yes, Sir, this is what I meant.

WORLD BANK - GLOBAL FOOD CRISIS

– ‘RAPID NEEDS ASSESSMENT’

(No. B/862) Mr J. Cuttaree (Second Member for Stanley and Rose Hill) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the global food crisis, he will state if he has negotiated with the World Bank for Mauritius to be included in the list of countries for which it has or is in the process of doing a “rapid needs assessment”, with a view to better direct resources in response thereto.

The Minister of Labour, Industrial Relations and Employment (Dr. V. Bunwaree): Mr Speaker, Sir, with your permission, I shall reply to this question.

The World Bank has conducted “rapid needs assessments” for a number of Least Developed Countries like Burkina Faso, Burundi, Liberia, Mali, Sierra Leone and Togo. Assessments are on-going in Eritrea, Guinea, Guinea-Bissau, Kenya, Malawi, Mauritania and Niger. The need for such assessments has arisen most probably from emergency situations in those Least Developed Countries, and have been carried out at the joint initiative of the World Bank and each of the countries involved.

For Mauritius, the approach has been to develop a sustainable regional plan, taking into consideration the land constraint and the priority food commodities. Thus, the substantive Minister of Finance, in his April 2008 mission to the World Bank, made a forceful plea to the Bank to assist in the activation of the COMESA Fund/COMESA Infrastructure Facility, and provide budget support to the region to develop the much-needed physical infrastructure for regional food security. MIGA and IFC will also be parties in this endeavour.

My colleague, the substantive Minister, would furthermore in his mission scheduled for late July 2008 – a few days' time – take up the matter with the Bank, and especially those measures spelt out in the 2008-2009 Budget to promote medium to long-term food security. These measures include –

- (i) ways and means for launching offshore commercial farming in nearby Madagascar, Tanzania and Mozambique;
- (ii) ways and instruments where the Bank can help, and
- (iii) agree on a work programme.

Finally, discussions would be held on how Mauritius can access the Bank's emergency food security fund of US \$1.2 billion and mobilize fund from the IFC.

In addition, Mauritius has already approached the EU for support in respect of the food security strategy.

Last, but not least, during the WTO negotiations we would have to ensure that we have adequate policy space to implement our food security strategy.

Mr Cuttaree: Mr Speaker, Sir, I am not criticising the regional approach of the Government, but what I would like to stress upon is that the action of the Government of Mauritius all along has been that you cannot have a category of Least Developed Countries, at the same time, neglecting small vulnerable economies. This has been at the top of our negotiating agenda all along. Therefore, can I ask the hon. Minister whether Government should not have used this opportunity to push the case in the small vulnerable economies, in order for us to benefit in the same manner as the Least Developed Countries from the initiatives of the World Bank?

Dr. Bunwaree: I understand the point of the hon. Member. In fact, this is what we are doing and this will be taken care of when my colleague, the substantive Minister, will be meeting the World Bank in a few days' time.

CARGO HANDLING CORPORATION – DEBTS

(No. B/863) Mrs F. Labelle (Third Member for Vacoas and Floreal) asked the Deputy Prime Minister, Minister of Tourism, Leisure & External Communications whether he will, for the benefit of the House, obtain from the Cargo Handling Corporation Ltd., information as to if the France Maritime Agence Ltée is indebted to the Corporation and, if so, indicate –

- (a) the amount thereof, and
- (b) the measures taken to recover the debts.

The Deputy Prime Minister, Minister of Tourism, Leisure & External Communications (Mr X. L. Duval): Mr Speaker, Sir, the House will appreciate that it is the prerogative and responsibility of the management of Cargo Handling Corporation and of its Board to ascertain that outstanding debts from clients, if any, are recovered in time.

Furthermore, the nature of the information being sought relates to the day-to-day management and commercial operations of the Cargo Handling Corporation Ltd., which is a private company incorporated under the Companies Act. I do not, therefore, deem it appropriate to reply to such a question in the House, nor to any supplementary question on this issue.

**MR P. B. – FRENCH EXPATRIATE
– COMPLAINTS AGAINST**

(No. B/864) Mrs F. Labelle (Third Member for Vacoas and Floreal) asked the Minister of Labour, Industrial Relations and Employment whether he will state if his Ministry has recently received complaints against one Mr P. B., a French expatriate and, if so –

(a) the nature thereof, and

(b) if an inquiry has been carried out thereinto and the outcome thereof.

Dr. Bunwaree: Mr Speaker, Sir, I have received an anonymous letter dated 11 April 2008 purportedly emanating from a group of female employees of the organisation where one Mr P. B., a French expatriate is working.

In that letter representations have been made to the effect that Mr P. B. is sexually harassing some female staff of the organisation and has a discriminatory and bullying attitude vis-à-vis those female staff.

It is also alleged in the letter that Mr P. B. is working illegally without a work permit in Mauritius. An enquiry was carried on 25 April 2008 by officers of my Ministry at the undertaking where Mr P. B. is working.

During the enquiry, all the female employees of the undertaking, with the exception of one who was on maternity leave - they were interviewed individually - denied the allegations and stated that they had no complaints against Mr P. B. They, in fact, praised his good nature and attitude at work.

At the time of the enquiry, Mr P. B. was holder of a business visa expiring on 13 May 2008. I am informed by the Passport and Immigration Office that Mr P. B. has been issued an Occupation Permit to stay and work in Mauritius as a professional with the company until 06 May 2010.

Mrs Labelle: May I ask the hon. Minister when the Occupational Permit was issued to Mr P. B.?

Dr. Bunwaree: The information I have is that the business visa was expiring on 13 May 2008. It should be along this period. I can check and give the exact date to the hon. Member.

Mrs Labelle: Mr Speaker, Sir, from the information I have, Mr P. B. was in employment in December 2007 and there was no permit at that time. We have been given the date of expiry and I am a bit surprised that we don't have the date when it was issued.

Dr. Bunwaree: He was on a business visa. There is always some lapse of time between the expiry of the visa and when the permit is given. I'll have to check whether he had a work permit before. This is an occupational permit which he has.

(Interruptions)

Mr Cuttaree: Mr Speaker, Sir, unless I got the Minister wrong, he said that this gentleman was on a business visa and, at the same time, he has been working during that period. Surely, it is not possible to work in Mauritius under a business visa.

Dr. Bunwaree: I have to check what happened when the visa ended, but this is the information I have, Mr Speaker, Sir.

Mrs Martin: Mr Speaker, Sir, with regard to the interview carried out with the employees, may I ask the hon. Minister whether the inquiry was done when the employees were at their place of work and when the management was around?

Dr. Bunwaree: In this case, even the management went on the same side as the employees in the information they gave. But to answer to the hon. Member, the inquiry took place, of course, at the place of work. There were individual interviews and my officers have good experience in that and they know how to handle these cases.

Mrs Labelle: Mr Speaker, Sir, may I ask the hon. Minister whether he is aware that since December 2007, Mr P. B. has been making several trips either to Reunion and France just to have his visa entry here without the work permit? So, he has been able to stay all this time. Is the hon. Minister aware of the different trips that he has made?

Dr. Bunwaree: This is why I said I have to check. This is also why I said that he must have been leaving the country and coming back; this is why he had a business visa.

Mrs Labelle: Mr Speaker, Sir, may I ask the hon. Minister whether an inquiry has been initiated to see whether there is a link between the complaints made and the laying-off or threat of being laid-off of several members of this particular company?

Dr. Bunwaree: There are, in fact, some people who have been laid-off in that company. I don't think there is a direct link. Of course, I'll have to check and then come back to the House.

Mr Cuttaree: Can I ask the hon. Minister to check on the question which was asked by my colleague because the information we have is that those people who are actually making sure that the complaint was looked into properly, these are the same people who have been sacked?

Dr. Bunwaree: I did not get the last part of the question, Mr Speaker, Sir.

Mr Cuttaree: The people who have been sacked are those who are behind the complaint.

Dr. Bunwaree: I don't have this information. I'll check it as the hon. Member asked me to do. But the information I have is that the people who are working there have no complaints at all. To make it clear to the hon. Members on the other side of the House, in fact, they have made many other complaints against another expatriate. I don't know whether there is confusion in the point that has been raised by the Members of the Opposition.

Mr Cuttaree: Can I ask the hon. Minister when was that inquiry done?

Dr. Bunwaree: That inquiry was done immediately after the complaints were obtained. The anonymous letter dates 11 April 2008, so it must have been...

(Interruptions)

No, it has been done after 11 April. The inquiry was carried out on 25 April, that is, two weeks after.

Mr Bérenger: We have the dates on which the complaint was made, the dates on which the inquiry was made. We have, I am sure, a list of employees who were sent off. The allegation is that those who made the allegation were sacked. Surely, the Minister can look into the timetable of that affair.

Dr. Bunwaree: The information I have is that the employees have resigned. I don't know whether they have been made to go. Of course, it will have to be looked into.

Mr Speaker: I'll have to inform the House that hon. Bhagwan has asked my permission to be absent because he has to attend an emergency. So, his questions will be answered in writing.

COURT USHERS – POST

(No. B/866) Mrs F. Labelle (Third Member for Vacoas and Floreal) asked the Attorney-General, Minister of Justice & Human Rights whether he will state if Government is proposing to liberalise the posts of Court Ushers and, if so, where matters stand.

Mr Valayden: Mr Speaker, Sir, at present all Ushers are public officers appointed by the Public Service Commission. They must possess the following qualifications –

- (a) they must be Mauritian citizens;
- (b) they must hold such qualifications as may be specified in a scheme of service approved by the Public Service Commission;
- (c) they must have passed such examination prescribed by rules made by the Judges of the Supreme Court, and
- (d) they must produce such evidence of good conduct and capacity as appears to the Chief Justice sufficient.

Ushers have to attend Court sittings. An Usher assigned to a Court should be in attendance throughout the sitting for the purpose of maintaining order in Court, for calling of cases, the parties and witnesses, and for administering oath to those parties and witnesses. In serious criminal cases where the jury is ordered by the Court to be kept together, one or several ushers may be assigned the task of staying with them to avoid that they communicate with unauthorised persons.

Ushers are also responsible to serve or execute judicial and extra judicial processes. They are assigned to serve summonses on the accused in criminal cases, on the parties in a civil case and on witnesses in both criminal and civil cases. They serve several other documents like notice *mise-en-demeure*, injunctions issued by the Judge in Chambers or the Supreme Court, orders for immediate care and control of children, petitions for divorce and custody of children, plaint with summons, notice of motions to be made before the Supreme Court, notice of “*commandement*” prior to seizure of immoveable property. They also execute writs and warrants issued by Courts.

Other processes executed by ushers include seizures of moveable properties and seizure of immoveable properties. They also proceed to sale by auction of moveable properties seized at the instance of private parties in civil cases, or forfeited by the Courts in criminal cases.

The modern trend, Mr Speaker, Sir, is to move towards self-employed ushers, or bailiffs, as they are sometimes called.

Government is fully aware of the need to reform the institution and to provide for the possibility of private practice by persons holding suitable qualifications. In line with recommendations contained in the Mackay Report, we also need to consider the continuation of the present arrangements whereby the service of process, execution of judgment and some other duties be performed by public officers.

The Government will, Mr Speaker, Sir, in the near future, be coming with a Bill to give effect to its policy decision and in the wake of the reforms we have envisaged, so as to have a fair, efficient and cost-effective justice.

CANDY SWEETS – HEALTH HAZARDS

(No. B/867) Mrs M. Martin (Second Member for Curepipe and Midlands) asked the Minister of Women’s Rights, Child Development, Family Welfare & Consumer Protection whether in regard to the sweets, in which strange objects have been found and after the consumption of which children have developed allergies, she will state the actions that have been taken by her Ministry.

Mrs Seebun: Mr Speaker, Sir, with your permission, I shall reply to PQs B/867 and B/882 together as they both relate to sweets representing health hazards.

I have taken stock of the three cases of candy sweets representing health hazards namely ‘Ever Successful’ brand (Guava flavour) from China, ‘Gula Gula Funny Tongue Monsters’ and ‘Love Ring’ brands from Malaysia.

I am informed further that a charge of adulteration of foodstuffs for the case of ‘Ever Successful’ brand (Guava flavour) has been retained under the Food Act, 1998, and the case has been submitted to the Attorney General’s Office for the determination of the offender, as the incriminated foodstuff has been manufactured outside Mauritius.

As regards ‘Gula Gula’, results from the Government Analyst Division of the Ministry of Health & Quality of Life indicate that the candy is highly acidic. I am informed that ‘Love Ring’ contravenes the Food Regulations as it is in direct contact with a ring-shaped plastic material.

Mr Speaker, Sir, as an immediate measure, officers of the Consumer Protection Unit of my Ministry and those of the Ministry of Health reacted promptly in all the three cases to have all the incriminated sweets removed from the market and inspections were carried out in all retail outlets and school premises. Further, as precautionary measure the Consumer Protection Unit of my Ministry sought the collaboration of media to sensitise the public of the risks associated with the consumption of these sweets.

Furthermore, I have set up an *ad hoc* Committee comprising representatives from the Ministry of Health, Mauritius Revenue Authority (Customs Department), Ministry of Industry, Small and Medium Enterprises, Commerce and Cooperatives (Commerce Division), and officers of my Ministry to address this matter.

The Committee has recommended the following –

- (a) The incriminated brands of sweet be banned from import.
- (b) All import of sweets only be authorised, subject to clearance from the Ministry of Health. Samples will be analysed by the Government Analyst Division of the Ministry of Health and only on satisfying the Food Regulations, a pre-market approval permit will be issued from the customs clearance department for consignments.

Mr Speaker, Sir, section 23 and the third schedule of the Food (Amendment) Act 2004 already stipulates that for the importation of confectionery, a pre-market approval permit from the Ministry of Health is required. I will liaise with my colleague, the Minister of Health to ensure that this section of the Act be fully implemented.

In that breath, Mr Speaker, Sir, I firmly believe that these measures will minimise health hazards and risks associated with consumption of sweets in particular for the best interests of the child and the public at large.

Mrs Martin: Mr Speaker, Sir, may I ask the hon. Minister whether the committee that has been set up will look into the components of the products which are actually on the market, or is it on the products which will be imported in the future?

Mrs Seebun: Mr Speaker, Sir, it is already in operation. Right now, all samples are being sent to the Analyst Division. After positive results are obtained, they are released on the market.

Mrs Martin: Mr Speaker, Sir, can the hon. Minister eventually consider liaising with other Ministries in view of issuing guidelines, which would indicate to schools, especially school canteens, the type of goods that can be sold within the school canteens so that children are protected?

Mrs Seebun: Mr Speaker, Sir, the Ministry of Health, the Ministry of Education and my Ministry are working together, so as to give the best guidelines, especially to canteens and other shops around schools.

Mrs Navarre-Marie: Mr Speaker, Sir, did I hear the Minister say that all the school canteens and shops have been visited?

Mrs Seebun: Yes, Mr Speaker, Sir, inspections have started since a long time, and they are on. We have collected 68,285 love rings – that's the brand name - 1,830 'Gula Gula' and 3,600 'Ever Successful'. Inspections as well as the collection are on.

Mrs Labelle: Mr Speaker, Sir, I have heard the hon. Minister mentioning sensitisation, which I think is very important. May I ask the hon. Minister whether she is considering having sensitisation programmes on TV, to reach a maximum number of parents as well as kids?

Mrs Seebun: Mr Speaker, Sir, we did it during the weekend for a few minutes. We shall do it for a longer period. We have decided to have, at least, a half an hour programme based on foodstuffs to be consumed by children.

Mrs Navarre-Marie: Mr Speaker, Sir, in the same breath, would the hon. Minister see to it that the advertisements of such products be reviewed on MBC TV or whatever media?

Mrs Seebun: Mr Speaker, Sir, as I mentioned earlier, all samples of all incoming sweets will be analysed. It is understood that brands which are not recommended will not be advertised on TV or any other media.

Mr Bérenger: Mr Speaker, Sir, I think I heard the hon. Minister say that these sweets were imported in contravention of existing legislation, which says that prior approval from the Ministry of Health must be obtained before they are imported. Then, I will put a double-barrelled question. Have those importers that have contravened the law been taken to task, and second, have the Minister and her colleague, the Minister of Health, looked at it? How is it that, apparently, sweets were imported in contravention of the law?

Mrs Seebun: Mr Speaker, Sir, we shall ensure that this piece of legislation is rigorously applied. As I said earlier, we have already sent the case to the Attorney-General's Office, for action to be taken against those importers of sweets which have proved to be a risk hazard to children.

BUS PASS – REPLACEMENT - COST

(No. B/868) **Mrs M. Martin (Second Member for Curepipe & Midlands)** asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping whether, in regard to the bus pass, he will, for the benefit of the House, obtain from the National Transport Authority, information as to the number of students who have requested for a replacement, following the loss thereof or a change of address, since January 2006 to date, indicating if any fee is charged therefor and, if so, the quantum thereof.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun): Mr Speaker, Sir, I am informed that, since 2006, the National Transport Authority has received 3,473 requests from students for replacement of their bus pass following loss thereof, and 2,024 requests for a new bus pass following change of address.

A fee of Rs300 is charged for the replacement of a bus pass to cover the administrative costs. I am reviewing the policy of fees for a change of address or school or amendments to the particulars on the bus pass.

Mrs Martin: Mr Speaker, Sir, may I know from the hon. Deputy Prime Minister the rationale behind the payment of such bus pass, especially when it concerns change of address?

Dr. Beebeejaun: Mr Speaker, Sir, as I said, there are administrative costs. But, I am reviewing for the change of address. I think Rs300 is unfair, and it will be less.

Mrs Martin: Mr Speaker, Sir, may I know from the hon. Deputy Prime Minister to which company the contract for the producing of these cards has been awarded?

Dr. Beebeejaun: Mr Speaker, Sir, I cannot say offhand. But, I will look into it. The fees claim is not just for the bus pass. It is for the administrative costs as well, which are quite heavy.

Mrs Martin: Mr Speaker, Sir, may I ask the hon. Deputy Prime Minister how long does a student who has submitted a request for replacement of card have to wait in order to obtain it?

Dr. Beebeejaun: Mr Speaker, Sir, usually it is within 15 days or less. But, it depends on the time of the year.

BEL AIR ST FELIX - TOURISM DEVELOPMENT

(No. B/869) Mrs M. Martin (Second Member for Curepipe & Midlands) asked the Deputy Prime Minister, Minister of Tourism, Leisure and External Communications whether, in regard to the tourism development project at Bel Air St. Félix, he will state where matters stand.

(Vide reply to PQ No. B/853)

FLY-POSTING - MEASURES

(No. B/870) Mrs M. Martin (Second Member for Curepipe & Midlands) asked the Deputy Prime Minister, Minister of Tourism, Leisure and External Communications whether he will state if his Ministry has been lately involved in the defacing of posters and, if so, the reasons therefor.

The Deputy Prime Minister, Minister of Tourism, Leisure and External Communications (Mr X. L. Duval): Mr Speaker, Sir, Members of the House would undoubtedly agree that the proliferation of fly-posting has over the years taken on alarming proportions. The situation does not only adversely affect the state of the environment and the quality of life of our citizens, but also negatively impacts on the image of Mauritius on the international scene as a clean, environment-friendly and an upmarket tourist destination. This matter is now taking an added importance in the context of the Maurice *Ile Durable* campaign.

It is, therefore, imperative that every effort is made to maintain our attractiveness, especially having regard to the fact that our visitors come from places where there is a high standard of cleanliness and are, as such, very environmental conscious.

It is in this spirit that an inter-ministerial committee has been set up, under my chairmanship, with the purpose of “Promoting Sustainable Touristic Development” and comprising my colleagues, the Minister of Environment and the Minister of Local Government. The committee has considered that the problem of uncontrolled affixing of posters needs to be addressed as one of its priorities.

The inter-ministerial committee has decided that the recommendations of the technical committee on fly-posting set up at the Ministry of Environment be implemented as a matter of urgency. These recommendations include –

- preparation of appropriate regulations under the Environment Protection Act to provide for effective control of fly-posting;
- installation of dedicated poster panels by local authorities at specified places.

The inter-ministerial committee has further decided that, in parallel, the following additional measures be implemented –

- carrying out of sensitisation campaigns against fly-posting, and
- setting up of a dedicated team at the Tourism Authority to remove posters affixed to public buildings and structures.

Furthermore, I wish to inform the House that this committee has met the Chief Executives of local authorities to enlist their full support in the campaign against fly-posting. As at to date, local authorities have erected 131 panels for the setting up of posters and a further 152 panels are in the process of being built.

Mr Speaker, Sir, you will appreciate that, nowadays, events organisers have a number of avenues for generating publicity, including public and private radios, television, newspapers, magazines, distribution of leaflets and a large number of billboards. Also cloth banners may be erected in approved locations.

I seize this opportunity, Mr Speaker, Sir, to make an appeal to the Members of this House for their full support and collaboration in this national endeavour to preserve the beauty of our country.

Mr Speaker, Sir, I also wish to inform the House that, in the same context, my Ministry is financing, through the Tourism Fund, several projects with a view to preventing the degradation of the tourism product. These include the following –

- control of stray dogs;
- sterilisation of dogs;
- eradication of ravens;
- upgrading of bus shelters, and
- cleaning of the destination and upgrading of tourist sites.

Mr Bérenger: Can I ask two questions to the hon. Minister? I tried to listen to him very carefully. Is it a fact that his Ministry, the MTPA or some institution falling under his control was behind this campaign? Is it confirmed?

Mr X. L. Duval: There are two types that we do. First, the actual one is to remove the posters from public structures and public buildings, but sometimes the owners of buildings themselves ask us to remove the posters. Obviously, pending the removal, if there is a big campaign - I have got the pictures and I would like to table these later on, especially, commercial ventures which placard thousands of posters and it is not possible to remove all of them today - what is done, therefore, they are defaced for removal after.

Mr Bérenger: I am sure the hon. Minister will agree with me, this is adding insult to injury. There are posters and then you put an awful big black cross on them which is even worse than the posters themselves. Can I ask the hon. Deputy Prime Minister whether he is aware that this was very ill-advised in painting - whoever was guilty of that - over posters for a big religious meeting as well? And this is developing to all sorts of rumours with communal undertones and so on and it could have caused trouble.

Mr X. L. Duval: There was no deliberate attempt to do that; it was just that it was posted in the middle of the cleaning campaign. Unfortunately, Mr Speaker, Sir, it is easy to stick up tens of thousands of these posters in Mauritius, but, it is very time-consuming to remove them. We can just think of the time that it takes for someone with a 'karcher' to remove all this and to clean the destination. Therefore, when it is not possible to remove all of them the same day, if they are stuck with this black ink and they are removed after, people must know, Mr Speaker, Sir, that the environment of the country is paramount. The country is not a dustbin...

(Interruptions)

Let me finish, please! The country is not a dustbin and it cannot be used as such. People must respect our country, whether it is a commercial venture or any venture.

We regret if there was any religious ceremony, it was not meant for it. But, on this particular point, I must say that we did speak to an American lady there, who asked us to refrain from doing so; because, in fact, someone has to remove the posters now, they did not stop. It was not done on purpose, but the country is not a dustbin and we will not allow it to become a dustbin.

Mr Bérenger: I have one last question. The hon. Deputy Prime Minister has appealed to us. This won't work. We need urgently legislation to stop this kind of behaviour, including during elections, but in general.

Mr X. L. Duval: I appreciate very much and thank sincerely the hon. Leader of the Opposition for his support, because this takes a lot of my time and it is an effort that we are doing, but the legislation is under preparation. In fact, the State Law Office is coming up, hopefully, next week with the legislation which will take care completely of these posters and, at the same time, we are speeding up the action of the Local Authorities to put up dedicated panel for use by people

Mr Mohamed: Mr Speaker, Sir, in line with what was just mentioned by the hon. Leader of the Opposition on the issue of legislation, would the hon. Deputy Prime Minister and Minister of Tourism consider having, what we call, in legal parlance, the issue of strict liability legislation, whereby if any political party or group or religious group or any person whatsoever are found to have their posters on a wall, it is a strict liability offence, whereby they are responsible for being prosecuted for same and also for the cost of clean up which the Government or any other institutions will have to incur?

Mr X. L. Duval: In fact, the new Environmental Protection Act does provide for the promulgation of regulations to control *per se*. In fact, I think the EPA will be promulgated this week or next week. The regulations will come just after and we are very lucky for that. The draft that I have seen, in fact, does take care of two things: one, it provides for any beneficiary of these posters to be fined firstly and, secondly, to bear the cost of removal of these posters.

Mr Dowarkasing: May I ask the hon. Deputy Prime Minister whether this committee that he is chairing will also act against all those graffiti on the different walls around the country?

Mr X. L. Duval: Mr Speaker, Sir, in fact, we are also looking at this. It is much more difficult, especially, when it is painted on stone and so on, but this week we are looking at it.

Mrs Martin: Mr Speaker, Sir, we all agree that posters, especially *campagne sauvage de publicité*, are polluting the environment. We might also consider that this gesture of the committee headed by the hon. Minister can bring conflictual situation. I want to ask the hon. Minister whether actually a public campaign was done beforehand in order to inform and sensitise the population about this action?

Mr X. L. Duval: In fact, it was mentioned several times in the press - it was not on the first page, I agree – that we are preparing, at the end of August, *deux journées anti-affiche*.

(Interruptions)

The slogan would be '*décoller pas coller*'. The result will come after and this is for the end of August.

Mr Bundhoo: Mr Speaker, Sir, the Deputy Prime Minister and Minister of Tourism mentioned earlier about a number of sites identified for the sticking of posters. May I know from the hon. Minister whether this is totally public venture or it will also include private enterprises who will be able to do the same activities? Secondly, concerning what has been done so far, may I know how it is distributed with regard to rural and urban areas?

Mr X. L. Duval: I have a list district-wise which I can circulate; there is no problem. So far, 131 panels have been put up by the local authorities. I have the list. I will let the hon. Member have the information.

Mr Jhugroo: Merci, Monsieur le ministre, de dire que l'île Maurice n'est pas une poubelle. Bravo! Mais sur la route Sivananda qui va vers Vaocas des pavillons ont été mis sur les poteaux électriques il y a plus de deux mois et demi. N'est-ce pas une pollution? Le ministre de l'environnement ne voit-il pas cela? Quand est-ce qu'on va retirer tout cela?

Mr Speaker: Hon. Jhugroo, you are making a statement. What is your question?

Mr Jhugroo: When will they be removed? It is polluting the environment.

(Interruptions)

Mr Speaker: Order!

Mr X. L. Duval: Mr Speaker, Sir, to be successful, this campaign must be indiscriminate, it must treat everybody the same way and there must be no preference for this party or that party; everybody must be treated in the same way and that is what we have done so far. I will bring this to the attention of the local authorities.

Mrs Martin: Can I ask the hon. Minister, with regard to the committee, who actually carried out these defacing of posters? Secondly, with regard to the next campaign that is going to be organised by this committee, will the hon. Minister consider as well taking on board the public in order to participate in this campaign of removal of posters?

Mr X. L. Duval: The anti-poster campaign is being dealt with by the local authorities and the Tourism Authority. As far as the campaign is concerned, it is going to be a national campaign with schools, with local authorities, all the cleaning companies, hotels, everybody. We can all take part in it.

Mr Ganoo: May I draw the attention of the hon. Minister and request him to be kind enough to have the walls at the entrance of Port Louis be repainted because there is a lot of offensive graffiti with swear words?

Mr X. L. Duval: I have seen numerous graffiti myself. In fact, there are many ways which we are studying. As I said, one is to take out the graffiti, to paint over it with a similar paint as a structure. There are many ways, but it is much more difficult. Again, this is one of the worst things of the graffiti. But, we are dealing with all the graffiti irrespective of what they say.

CEB – THERMAL CAPACITY

(No. B/871) Mr R. Bhagwan (First Member for Beau Bassin and Petite Rivière) asked the Minister of Public Utilities whether, in regard to the thermal capacity of the Central Electricity Board, he will, for the benefit of the House, obtain from the Board, information as to if the Board is proposing to increase same and is in the process of purchasing an additional plant and, if so, indicate –

- (a) the procedures followed for the purchase;
- (b) the engine capacity;
- (c) the costs, and
- (d) the expected commissioning date.

(Vide reply to PNQ)

GROSS DOMESTIC PRODUCT – FORECAST 2008

(No. B/872) Dr. R. Mungur (Second Member for Flacq and Bon Accueil) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the forecast for the Gross Domestic Product for the year 2008, he will state –

- (a) if it has been revised downwards and, if so, the reasons therefor, and
- (b) the measures taken to maintain the original forecast.

(Withdrawn)

LA FERME - FISH FARMING ACTIVITIES

(No. B/873) Mrs D. Perrier (Fourth Member for Savanne and Black River) asked the Minister of Agro Industry and Fisheries whether, he will state if the area of La Ferme has been earmarked for the carrying out of fish farming activities and, if so, state the names of the beneficiaries of the fish farming licences thereat, indicating the procedures that have been followed for the issuing of the licences.

Dr. Boolell: Mr Speaker Sir, La Ferme fish farm has been earmarked for the carrying out of fish farming activities.

The name of the lessee of the fish farm is Le Val Farm Ltd.

The La Ferme Fish Farm Experimental Station was constructed in 1982. The main objective of the farm was to carry out experimental culture of freshwater fish and to provide technical assistance to potential fish farmers for the development of freshwater culture. The species experimented upon were the Indian and Chinese carps, *camaron*, *berri rouge* and crayfish. However, only the *camaron* and *berri rouge* developed on commercial lines, the other species not being readily accepted on the local market.

There are twenty-eight earthen ponds of size ranging from 500 m² to 4000 m² at La Ferme Fish Farm Experimental Station. As at end of 2005, most of the ponds were no longer in good condition for fish culture and needed significant repairs for operation which would incur considerable investment.

On the other hand, a decrease in the production of freshwater fish island-wide from 69 tonnes in 1996 to around 15 tonnes in 2005, was noted in view of the competition from imported fish and high costs of inputs for fish culture. Besides fish production in La Ferme Fish Farm was only 971 kg in 2005.

The monthly running cost of the La Ferme Fish Farm was about Rs3.3 m per year. The demand for fish fingerlings was low to justify the running of the fish farm by the Ministry.

It is in this context that it was decided in June 2006 to transfer the core activities of La Ferme Fish Farm Experimental Station relating to production of *berri rouge* fingerlings and camaron juveniles to the Albion Fisheries Research Centre and to close the farm.

The Ministry of Housing and Lands was thus accordingly informed on 19 June 2006 and of the closure of the fish farm on 24 July 2006.

On 12 July 2006, Val Farms Ltd, holding a Pioneer Status Certificate in the field of aquaculture applied for a lease of the La Ferme Fish Farm Experimental Station.

On 24 July 2006 the request from Val Farms Ltd was forwarded to the Ministry of Housing and Lands for consideration. On 31 October 2006, the Ministry of Housing and Lands informed the Ministry of Agro-Industry and Fisheries that the La Ferme Fish Farm Experimental Station of an extent of 14 A 80 p has been retrieved from the Ministry of Agro-Industry and Fisheries and approval for the lease of Fish Farm has been obtained from Cabinet.

On 31 October 2006 a new industrial site lease for fish farming was granted to Val Farms Ltd to expire on 30 June 2026 by the Ministry of Housing and Lands.

Val Farms Ltd has a very well qualified team to operate the farm including personnel holding degree in Applied Science (Aquaculture and Marine Biology).

Fish production in 2007 was 45 tonnes from the fish farm. The farm now projects a production of 200 tonnes of fish in 2008. Hence the area occupied by the farm is now increasing fish supply and creating employment and thus contributing positively to the socio-economic development of the country.

ALBION SHELTER – CHILDREN - FAMILY REINTEGRATION

(No. B/874) **Mrs D. Perrier (Fourth Member for Savanne & Black River)** asked the Minister of Women's Rights, Child Development, Family Welfare & Consumer Protection whether, in regard to the children who were living in the shelter at Albion, she will state the number thereof who have been reintegrated in their respective families, during the last three years.

Mrs Seebun: Mr Speaker, Sir, during the last three years, some 347 children have been removed from their current living environment to be subsequently placed at the shelter.

Out of these 347 children, some 171 have been returned to their families.

Mr Speaker, Sir, the removal of a child from home environment is done only as a measure of last resort. In fact, when the immediate environment of a child causes a risk of harm to that child, such as incest or danger of promiscuity or drug abuse, arrangements are made by my Ministry to relocate the child with a next of kin or close relative. In case such relocation is not possible, then my Ministry has no other alternative than to apply for an Emergency Protection Order so that the child can be removed and placed at the shelter on a temporary basis. Where a child cannot be returned to biological family or no alternative arrangement is found, he/she remains at the shelter until committed to a residential care institution or placed in foster families depending on availability of place or acceptance.

Mr Speaker, Sir. it is also to be noted that several children do reintegrate their families even after placement in an institution. This happens when my Ministry has assessed that the family's living conditions have improved and the parents/relatives are willing to take care of the child.

Mrs Perrier: Can the Minister inform the House whether a close monitoring is done by her Ministry after the child has reintegrated his biological family and, if so, how long?

Mrs Seebun: It depends on each individual case. The monitoring is done as long as the Ministry is reassured that the child is safe.

FISHERMEN – BAD WEATHER ALLOWANCE

(No. B/875) Mr J.C. Barbier (Third Member for GRNW & Port Louis West) asked the Minister of Agro Industry & Fisheries whether, in regard to the registered fishers, he will give a list thereof region-wise, indicating in each case –

- (a) their respective yearly catch, and
- (b) the amount paid to them as bad weather allowances, over the last two financial years.

Dr. Boolell: Mr Speaker, Sir, I am laying on the table a list of registered fishers region-wise and their catch based on catch estimates calculated from random sampling of catches of fishers at fish landing stations.

The total catch for the last two years 2006, 2007 were 950 tonnes and 640 tonnes respectively. Data on fish catch are collected in three regions, namely north, east and west.

An amount of Rs41,229,015 has been paid for financial year 2006-2007 and Rs43,017,072 paid from July 2007 to May 2008 to fishers in Mauritius as bad weather allowance. There has been an increase of payment of this allowance from Rs155 to Rs168 which is equivalent to 8.4% from the financial year 2006-2007 to that of 2007-2008 and this has been revised in the last budget from Rs168 to Rs200, representing an additional 20% increase which would be computed as from 01 July 2008.

The total catch for 2007 is lower than that for 2006 as there was a decrease in the total number of fishing days from 214,050 in 2006 to 144,883 in 2007. However, the catch rate has remained the same at 4.4 kg per fisherman per day. The main reason for the lower number of fishing days in 2007 is due to the fact that fishers do not go out fishing on bad weather days and if they do so, they are not paid bad weather allowance on such days.

The House may be apprised that newly registered fishers are not eligible for payment of bad weather allowance on attaining 60 years of age.

Mr Barbier: May I ask the Minister whether he has the number of fishers in Rodrigues compared to Mauritius and whether there has been an increase in the number of fishers during the past two years?

Dr. Boolell: Compared to Rodrigues, I don't have the information. As to the number of fishers in Rodrigues, the number is decreasing because of the policy to relocate them in other sectors.

Mr Bérenger: Mr Speaker, Sir, I want to ask whether the figures put forward by the hon. Minister include Rodrigues.

Dr. Boolell: No, Mr Speaker, Sir. It is only Mauritius because the question pertains to fishers in Mauritius.

Mr Ganoo: Can the Minister inform us about the age group of the fishers of Mauritius?

(Interruptions)

Dr. Boolell: The hon. Member should have been more specific, but it does not matter, I can circulate the reply. I have the list of registered fishermen. Unfortunately, the age is not included, but I would circulate the relevant information.

Mr Bérenger: I understand that the Minister will provide us with information regarding Rodrigues. The question was general. Can I ask him whether the same bad weather allowance applies in Mauritius as in Rodrigues and, if not, whether it has been checked with the State Law Office that the autonomy legislation allows the Rodrigues Regional Assembly to give a bad weather allowance different from Mauritius?

Dr. Boolell: Sir, that matter was raised and canvassed by our friends from Rodrigues, but when legal advice was sought, what is true for Mauritius should be equally true for Rodrigues.

Mr Ganoo: Will the hon. Minister give the number of registered fishers in Mauritius? Can he state whether this figure has decreased in the course of the past years?

Dr. Boolell: I do not have the exact number. I think it is 2,255.

Mr Speaker: Before I call the next question, I have to inform the House that PQ Nos. B/877 and B/878 have been withdrawn.

FSC – EMPLOYEES RESIGNATION

(No. B/876) Mr J. C. Barbier (Third Member for GRNW and Port Louis West) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the employees of the Financial Services Commission, he will, for the benefit of the House, obtain from the Commission, information as to the number thereof who have resigned, since July 2005 to date, indicating the reasons therefor.

The Minister of Labour, Industrial Relations & Employment (Dr. V. Bunwaree): Mr Speaker, Sir, with your permission, I shall reply to this question.

Mr Speaker, Sir, I wish to refer the hon. Member to the reply to P.Q. No. B/455 on 13 May 2008 on the same issue.

To date there are 25 employees on the permanent establishment of the FSC who have resigned since July 2005. However, I am informed that different employees resign for different reasons. In most cases, they do not give the reasons for doing so.

Mr Speaker, Sir, as pointed out in the reply to P.Q. No. B/455, the financial services sector is a buoyant one and in view of the significant growth momentum in this sector at the moment, staff turnover is high. Both regulators and the operators are all facing the same staff retention problem.

Mr Barbier: Is the hon. Minister aware that some of these employees have simply resigned because they were being harassed at the FSC?

Dr. Bunwaree: Mr Speaker, Sir, this is an allegation. I am not aware of this, but I'll take up the matter and we will see what can be done.

EMPLOYEES WELFARE FUND – ALLEGED FRAUD

(No. B/877) Mr G. Guinness (Third Member for Montagne Blanche and GRSE) asked the Deputy Prime Minister, Minister of Finance and Economic Development whether, in regard to the Employees Welfare Fund, he will, for the benefit of the House, obtain from the Fund, information as to if any fraud has been detected thereat and, if so –

- (a) the sum involved and
- (b) if an inquiry has been carried out thereinto and the outcome thereof.

(Withdrawn)

STC – FLOUR & BROAD BEANS - SALE

(No. B/878) Mr G. Guinness (Third Member for Montagne Blanche and GRSE) asked the Minister of Industry, Small & Medium Enterprises, Commerce and Co-operatives whether, in regard to flour and broad beans, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to if the Corporation has recently sold same to the Funny Flour and Rice Company Ltd and, if so, indicate in each case –

- (a) the quantity sold and
- (b) the selling price.

(Withdrawn)

PRE-PRIMARY SCHOOLS – ADMISSION

(No. B/879) **Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne and Phoenix)** asked the Minister of Education and Human Resources whether, in regard to the pre-primary schools, he will, for the benefit of the House, obtain from the Pre-School Trust Fund, information as to –

- (a) the present number of children who
 - (i) attended thereto in 2007
 - (ii) are attending in 2008 and
- (b) the expected number thereof for the January 2009 intake.

Mr Gokhool: Mr Speaker, Sir, I am informed that the number of children attending pre-primary schools in Mauritius for the year –

- (i) 2007 was 36,016 of which 29,788 attended private pre-primary schools and 6,138 attended PSTF-run pre-primary schools, and
- (ii) 2008 was 33,301 of which 31,406 attended private pre-primary schools and 6,225 attended PSTF-run pre-primary schools.

The expected number for January 2009 is 36,786.

Mrs Dookun-Luchoomun: May I ask from the hon. Minister where will the extra students be attending school?

Mr Gokhool: There is another question of the hon. Member on pre-primary schools. I will reply to it at the same time.

Mrs Dookun-Luchoomun: My question relates to the number that the hon. Minister has just mentioned, namely that for next year, he is expecting some 36,786 to be attending pre-primary institutions. Following the budgetary decision to provide assistance to people so that they may attend pre-primary schooling, may I ask from the hon. Minister where he expects to send these students?

Mr Gokhool: Mr Speaker, Sir, for the purpose of accommodating the additional 5,000 students, there are already 1,718 seats which are available in the 181 pre-primary units attached to the Early Childhood Care and Education Authority. As regards the provision for the remaining ones, around 3,500 seats have been identified in private pre-primary schools.

PRE-PRIMARY SCHOOLS – REGISTRATION & FEES

(No. B/880) **Mrs L. D. Dookun-Luchoomun (Third Member for La Caverne and Phoenix)** asked the Minister of Education and Human Resources whether, in regard to the pre-primary schools, he will, for the benefit of the House, obtain from the Pre-School Trust Fund, information as to –

- (a) the number thereof presently registered and
- (b) the minimum and maximum monthly fees payable in respect of each child.

Mr Gokhool: Mr Speaker, Sir, I am informed that as at July 2008, there are about -

- (i) 839 registered private pre-primary schools and 181 PSTF-run schools in the island of Mauritius;
- (ii) 29 registered private pre-primary schools and three (3) PSTF-run schools in Rodrigues; and
- (iii) two (2) PSTF-run schools in Agalega,

totaling 1,054 pre-primary schools in the Republic of Mauritius.

The monthly fees payable in respect of each child ranges from a minimum of Rs200 to a maximum of Rs5,400 as agreed between the parents and the respective managers of private pre-primary schools.

Mrs Dookun-Luchoomun: From the answer given by the hon. Minister, it would seem that negotiations have already been made by the Ministry of Education and private pre-primary schools for some 3,500 additional seats in January next year. May I ask from the hon. Minister which schools have been earmarked for such admissions?

Mr Gokhool: It is premature because the committee for the implementation of elimination of absolute poverty is looking into the modalities for the admission of these children.

Mrs Dookun-Luchoomun: May I ask from the hon. Minister then whether the schools which are operating this year are doing so under capacity?

Mr Gokhool: I have indicated that the seats are available which means that they are operating under capacity and they should be in a position.

Mrs Dookun-Luchoomun: May I ask from the hon. Minister whether there will be any criteria as to the fees payable to these institutions?

Mr Gokhool: As I said, the committee for the EAP scheme will have to work out the different modalities in terms of fees, transport and other services that have to be provided. They will have to agree with the private providers on the modalities.

Mrs Dookun-Luchoomun: May I ask from the hon. Minister the sum earmarked for this particular project as far as pre-primary schooling is concerned?

Mr Gokhool: I think the sum has been earmarked in the Budget from the EAP scheme, that 5,000 children will be looked into.

Mr Spéville: Can I ask the hon. Minister out of the registered schools in Rodrigues how many are State-owned and how many are private?

Mr Gokhool: I just gave the answer. There are 29 registered private pre-primary schools and three (3) PSTF-run schools in Rodrigues.

KOMITÉ VANS LÉKOL – CHAMP DE MARS - PROTEST

(No. B/881) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West) asked the Deputy Prime Minister, Minister of Public Infrastructure, Land Transport and Shipping whether he is aware that the *Komité Vans Lékol* staged a protest at the Champ de Mars, on Tuesday 08 July 2008 and, if so, the reasons therefor.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun): Mr Speaker, Sir, a group of school bus operators involved in the conveyance of school children staged a protest at Champ de Mars on 08 July 2008. I understand that their main contention concerns the enforcement of the Road Traffic Regulations of 2002 requiring the employment of a helper in contract vehicles licensed to carry school children.

In February 2008, following accidents which involved children travelling in school vans and representations from parents, owners of contract buses licensed to convey school children were informed by the National Transport Authority that the regulations would be enforced and that they should submit documents to register helpers by 30 of April 2008, subsequently extended to 30 June 2008.

The Association has equally made a number of other requests, which I am circulating (**Appendix I**). A meeting has been convened on Wednesday 16 July 2008 at the National Transport Authority to discuss these requests.

Mrs Navarre-Marie: Mr Speaker, Sir, as we all know the owners of these *vans lékol* are self-employed people. Actually they take their spouse or one adult child to assist and help them. Government is now saying that they must employ another person. We all know that they are facing many problems. The costs are rising, for example, fuel, NTA licence and so on. Will the hon. Deputy Prime Minister see to it that this decision be reviewed by Government because they are already being assisted by their spouse or an adult child?

Dr. Beebeejaun: There is no problem if they already have an assistant; they have to register him. We are not asking for two assistants, but only one.

CANDY SWEETS – HEALTH HAZARDS - MEASURES

(No. B/882) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West) asked the Minister of Women's Rights, Child Development, Family Welfare & Consumer Protection whether, in regard to the sweets which have recently been found to represent health hazards to the children, she will state the measures she proposes to take to have same banned.

(Vide reply to P.Q. No. B/867)

RICHELIEU – JARDIN DES PORCS

(No. B/883) Mrs A. Navarre-Marie (First Member for GRNW and Port Louis West) asked the Minister of Agro Industry and Fisheries whether, in regard to the project for the construction of a *Jardin des porcs*, in Richelieu, he will state if he has held prior consultations with the inhabitants of the region.

Dr. Boolell: Mr Speaker, Sir, I have to inform the House that I chaired a meeting with the *Forces Vives de Richelieu*, arranged by my colleague, hon. Dr. James Burty David.

Discussions and negotiations are still ongoing between a subsidiary of Gamma Civic and my Ministry on the modalities for the relocation of the breeders. I also had thorough discussions with hon. Dr. David on this very issue. As to date, we have not finalised or signed any agreement.

Mr Speaker, Sir, the House may rest assured that, once the negotiations are finalised, all the stakeholders, including our friends from Richelieu, will be formally consulted and their apprehensions taken into consideration and addressed in a forceful manner. I have to point out that the chairperson of the Pig Sector Restructuring Committee also had a meeting with the president of the *Forces Vives* of Richelieu on Thursday the 10 July 2008.

Mr Speaker, Sir, I will update the MPs of the Constituency as well as the House, as and when events pertaining to this project unfold.

Mrs Navarre-Marie: Mr Speaker, Sir, can the hon. Minister circulate the list of all those who were present at the meeting?

Dr. Boolell: I will certainly do that. There were four of them present as representatives of the *Force Vives*.

**MR R. M. A. B. – CHEMIN GRENIER POST OFFICE -
APPOINTMENT**

(No. B/884) Mr P. Jhugroo (Third Member for Port Louis North and Montagne Longue) asked the Minister of Information Technology and Telecommunications whether he will, for the benefit of the House, obtain from the Mauritius Post, information as to if, one Mr R. M. A. B., has recently been appointed as postman at the Chemin Grenier Post Office.

Mr Sinatambou: Mr Speaker, Sir, from information obtained from the Mauritius Post Ltd, the answer to the question is in the negative. I am, however, informed by the Mauritius Post Ltd that one Mr R. M. A. B has been appointed as Temporary Assistant Postman with effect from 18 February 2008 and is posted at the Chemin Grenier Post Office.

Mr Jhugroo: Mr Speaker, Sir, is the hon. Minister aware that Mr R. M. A. B does not have a clean police record and that, on several occasions, he has been fined for, first, wounds and blows; second, throwing stones against public buildings, and third, damaging enclosure?

Mr Sinatambou: I am informed, Mr Speaker, Sir, from an application made to the DPP in April 2008 that the person was fined Rs350 on 18 May 1999 for throwing stones against a building; on 25 May 2004, he was fined Rs600 for an assault and, on 25 May 2004, he was fined Rs500 for damaging enclosure. And it does appear that if he has been fined, he has already paid the price for whatever he has done wrong.

Mr Bérenger: It is not serious. We are all for somebody going to jail or being fined and having a chance *de vivre sa vie*. But in that case, postmen go to families, houses and we have somebody who has been fined three times, who is going to work as a postman, called on families and get into houses, even. This is not serious.

Mr Sinatambou: The policy, I understand, is that if someone commits an offence which actually consists of dishonesty or which is of such a nature as to affect what he does in his work, he would, indeed, be dismissed. But the policy is that, for people who have been convicted since more than three years and, in this case, his latest conviction goes back to 2004, this is a matter which is within the discretion of the Board of Directors of the company.

Mr Jhugroo: Mr Speaker, Sir, can the hon. Minister confirm whether, despite his unclean Police record, Mr R. M. A. B has been appointed member of the Social Welfare Centre of Chemin Grenier, and, if so, when and why?

Mr Speaker: The question is about the Post Office. If the question relates to Social Welfare Centre, it could be addressed to the hon. Minister. Next question, hon. Spéville!

MRS M. A AND MRS V. – MARIE REINE DE LA PAIX, PORT LOUIS – SOCIAL AID

(No. B/885) Mr J. R. Spéville (Second Member for Rodrigues) asked the Minister of Social Security, National Solidarity and Senior Citizens Welfare & Reform Institutions whether she has been made aware of the conditions of living of one Mrs V. and one Mrs M. A. in the region of Marie Reine de la Paix, Port Louis are since Saturday last and, if so, if her Ministry proposes to extend any assistance to them.

Mrs Bappoo: Mr Speaker, Sir, yes, my Ministry has been made aware of the conditions of living of Mrs V and Mrs M. A. in the region of Marie Reine de la Paix, Port Louis. However, my Ministry can only provide assistance under the Social Aid Act and Regulations made thereof.

Mr Speaker, Sir, in the case of Mrs V., my Ministry has been providing regular social aid to her for the last 2 years, that is, since June 2006. Mrs V. applied for social aid at Cassis Social Security Office on 14 June 2006 on grounds of abandonment. She has one child born on 28 March 2006 and she was free sheltered by one Mr J. M. G at Grand River North West. She was last paid social aid for the month of June 2008.

But during a routine visit carried out by officers of my Ministry on 11 July 2008, they were informed that Mrs V. has vacated the premises at Grand River North West some time ago without informing my Ministry of her new address.

You may wish to note, Mr Speaker, Sir, that my officers also enquired of her whereabouts at Marie Reine de la Paix, but in vain. However, it was only yesterday that Mrs V. turned up at the Social Security Office and gave her new address. And I am informed that she will continue to be paid the usual social aid for the month of July 2008 as scheduled for 16 July 2008.

But with regard to the other lady, Mrs M. A. aged 31, she has applied for social aid and gave her address only on 09 July 2008 at the Cassis Social Security Office on grounds of abandonment. She has three dependent children aged 3 ½ years, 2 years and 6 months old.

Enquiry was carried out immediately after at the given address, that is, in Cité St. Louis, Pailles; unfortunately, she could not be contacted. My officers have been continuously enquiring again for her whereabouts, but in vain. And, as for her also, it was only yesterday, 14 July 2008, that she turned up at Cassis Social Security Office to inform of her new address. Her application for Social Aid is being processed and I have been informed today that payment of her social aid will be effected tomorrow, that is, for her and her three children.

Mr Spéville: Mr Speaker, Sir, I am a bit surprised that the hon. Minister of Social Security is answering the question because the officers of the Ministry of Women's Rights, Child Development & Family Welfare have been working on this case for the two past weeks and I am sure the hon. Minister, Mrs Seebun, knows what we are talking about. My question is that this case relates to extreme poverty and not really to social security. These two families are living in extreme poverty, requiring houses, shelters, food and assistance. Can I ask the hon. Minister what is being envisaged with regard to a decent house for these two families?

Mrs Bappoo: Mr Speaker, Sir, as far as housing is concerned, the person has to make a request to the appropriate Ministry.

Mr Speaker: Yes, to the appropriate Ministry!

Mrs Bappoo: I was also informed, Mr Speaker, Sir, that my colleague, the hon. Minister for Women's Rights, tried to accommodate the two mothers and children in a shelter which is meant for women in difficult circumstances, but they refused and they fled away from the shelter.

Mr Speaker: Hon. Mrs Daureeawoo, PQ No. B/850! The PQ was addressed to the hon. Prime Minister and I stated in the beginning that the Deputy Prime Minister will answer.

ROAD ACCIDENTS – MEASURES

(No. B/850) Mrs F. Jeewa-Daureeawoo (Third Member for Stanley and Rose Hill) 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 road accidents resulting in loss of life, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, since 2006 to date, indicating the additional preventive measures that will be taken to reduce road accidents.

The Deputy Prime Minister, Minister of Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun): Mr Speaker, Sir, with your permission, I will reply to this question.

Mr Speaker, Sir, over the past five years, the average number of persons killed in road accidents is 140 per year. The number of victims was 131 in 2003, 144 in 2004, 136 in 2005, 134 in 2006, 140 in 2007 and 76 till 9 July 2008.

Mr Speaker, Sir, I take, once again, this opportunity to stress that the number of road accidents cannot be reduced without the support of the community, the media, NGO's, district councils and schools. There is a strong need to change attitudes and behaviours and for road users in general to respect of road safety regulations.

With your permission, Mr Speaker, Sir, I am circulating the preventive measures in place and the additional measures to be taken to reduce the number of road accidents. **(Appendix I1)**

MOTION
SUSPENSION OF S.O. 10(2)

The Prime Minister: 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 Public Infrastructure, Land Transport & Shipping (Dr. R. Beebeejaun) rose and seconded.

Question put and agreed to.