



FOURTH NATIONAL ASSEMBLY

PARLIAMENTARY

DEBATES

(HANSARD)

FIRST SESSION

TUESDAY 30 MARCH 2010

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(Formed by Dr. the Hon. Navinchandra Ramgoolam)

Dr. the Hon. Navinchandra Ramgoolam, GCSK, FRCP	<i>Prime Minister, Minister of Defence and Home Affairs</i>
Dr. the Hon. Ahmed Rashid Beebeejaun, GCSK,FRCP	<i>Deputy Prime Minister, Minister of Renewable Energy and Public Utilities</i>
Hon. Charles Gaëtan Xavier Luc Duval, GCSK	<i>vice-Prime Minister, Minister of Tourism, Leisure and External Communications</i>
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Dr. the Hon. Abu Twalib Kasenally	<i>Minister of Housing and Lands</i>
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Hon. Mrs Indranee Seebun, GOSK	<i>Minister of Women's Rights, Child Development & Family Welfare</i>
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Hon. Mohammed Asraf Ally Dulull	<i>Minister of Information and Communication Technology</i>
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Hon. Jean François Chaumière	<i>Minister of Labour, Industrial Relations and Employment</i>
Hon. Lormus Bundhoo	<i>Minister of Environment and National Development Unit</i>
Dr. the Hon. Balkissoon Hookoom	<i>Minister of Civil Service and Administrative Reforms</i>
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Hon. Louis Hervé Aimée	<i>Minister of Local Government, Rodrigues and Outer Islands</i>

Members

Members

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MAURITIUS

Fourth National Assembly

FIRST SESSION

Debate No. 03 of 2010

Sitting of Tuesday 30 March 2010

The Assembly met in the Assembly House, Port Louis,

at 11.30 a.m

The National Anthem was played

(The Deputy Speaker in the Chair)

PAPERS LAID

The Prime Minister: Sir, the Papers have been laid on the Table –

A. Ministry of Finance and Economic Empowerment –

- (i) The Annual Report 2008 – 2009 of the National Economic and Social Council.
- (ii) The Investment Promotion (Amendment of Schedule) Regulations 2010 (Government Notice No. 72 of 2010).

B. Ministry of Civil Service and Administrative Reforms –

The Civil Establishment (Amendment) Order 2010 and Civil Establishment (Rodrigues Regional Assembly) (Amendment) Order 2010.

ORAL ANSWERS TO QUESTIONS

LAW & ORDER

The Leader of the Opposition (Mr P. Bérenger) (*By Private Notice*) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to law and order and the recent cases of criminal acts involving violence and of sexual aggression, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) where matters stand in regard to the -
 - (i) riots at Ste Croix on Saturday 13 March and Triolet on Sunday 14 March 2010;
 - (ii) clashes between groups of bouncers in possession of illegal weapons;
 - (iii) aggressions against Police and Prison Officers;
 - (iv) Denis Fine case, and
 - (v) sexual assault on a 8-year-old child at Rose Hill on 15 March 2010.
- (b) measures that are being taken for a better protection of the population.

The Prime Minister: Mr Deputy Speaker, Sir, with your permission I shall reply to this question as well as to Parliamentary Questions B/75, B/76, B/78 and B/84 as they relate to the same subject.

Mr Deputy Speaker, Sir, let me start by saying that one of the priorities of my Government is our nation's security. We want a safe and secure society, where people can walk the streets without fear of being mugged, or stabbed, where people can leave their homes at night without fear that it will be ransacked and they will be robbed of all their valuables, where people know that their children will not cross the path of drug pedlars round the corner street, where people know that those who engage in heinous crimes will be apprehended, brought to justice and punished.

That is why we are committed to investing in the Police so that they have the means and the powers to perform and make our country a safer place.

Mr Deputy Speaker, Sir, the Police reforms undertaken by my Government are yielding positive results. Lately, we have witnessed a new efficiency in the way the Police has resolved serious crimes.

For the year 2009, it is noted for the first time that the crime statistics have gone down from 49,111 in 2008 to 44,919, representing a decrease of 8.5 percent. We have noted that the overall crime rate has declined from 5.4 percent in 2007 to 4.9 percent this year.

Although these figures are encouraging we must not be complacent. I always say that one crime is one crime too many. We must ensure that this downward trend continues.

In regard to part (a) (i) of the question, I am informed by the Commissioner of Police that in the early hours of 14 March 2010, the Police Information and Operations Room received a telephone call from an unknown caller requesting Police assistance as some persons were making noise at a bus stop along Nicolay Road near Abercrombie Police Quarters.

A team of 10 Police officers proceeded to the spot and a group of about 20 persons was found to be playing musical instruments loudly and apparently under the influence of alcohol. They were requested to stop playing music and to disperse, but, instead, they became hostile, and assaulted the Police officers and damaged one Police vehicle. Four Police officers were injured and were conveyed to Dr. Jeetoo hospital for treatment.

The other Police officers returned to Abercrombie Police station and sought reinforcement. In the meantime, the crowd increased in number and it obstructed Nicolay Road by placing metal barriers kept at Abercrombie market fair.

The Divisional Commander of the Metropolitan (North) together with Police Officers and SSU staff again proceeded to the spot. Warning was again given on two occasions to the crowd to disperse. Since they failed to do so, SSU personnel were ordered to fire tear gas in their direction, following which the crowd dispersed.

The Police initiated an enquiry into the incident. In the course of the enquiry, seven persons were arrested and one reported to the Abercrombie Police station accompanied by her counsel. Six were charged with a provisional charge of "*assaulting Police causing effusion of blood and remaining in an unlawful assembly*". One was provisionally charged for "*remaining in an unlawful assembly*". Another person was provisionally charged for "*remaining in an unlawful assembly with an offensive weapon*". They all appeared in court and they were granted bail, but one of them was remanded to jail as he was unable to furnish the required surety.

Police enquiry is still under way. On completion of the enquiry, the case file will be forwarded to the office of the Director of Public Prosecutions for advice.

As for the incident at Triolet, I am informed by the Commissioner of Police that authorisation was given to Light Ministries International for the holding of the National Gospel Festival 2010 from 12 to 14 March 2010 at Triolet. On the first two days, the ceremony was held from 16 00 hours to 19 00 hours and ended without any incident.

However, on the last day at about 17 45 hours, whilst the function was in progress, a group of persons who were inside the tent created disturbances. Following intervention by the Police, they left the tent and the Police cordoned off the tent. Afterwards they started throwing stones at the tent from an adjacent sugarcane field.

Police carried out an enquiry into the incident and on 15 March four persons were arrested. A provisional charge of "Disturbing Religious Ceremony" was lodged against them before Pamplemousses Court on 17 March, 2010.

They were released on the same day after furnishing a surety of Rs 3,000 and with condition to report at the nearest Police station of their residence on the last Saturday of each month. Enquiry into this incident is still under way and, upon completion, will be submitted to the Director of Public Prosecutions for advice.

Regarding part (a) (ii) of the question, I take it that, by bouncers, the hon. Leader of the Opposition is referring to security guards as defined under the Private Security Service Act, as well as persons employed by the owners of night clubs, discotheques, gaming houses, etc, to maintain security on the premises.

I am informed by the Commissioner of Police that Police enquiry has been initiated in several cases where security guards have been found to be in possession of illegal weapons and the law has been stiffened for possession of illegal firearms, as I may remind the House, since May 2006.

As regards part (a) (iii) of the question, I am informed by the Commissioner of Police that 158 cases of assault on Police officers have been reported from December 2008 to 30 March 2010, including 19 cases involving offensive weapons.

Mr Deputy Speaker, Sir, during the past weeks, a number of assaults has been perpetrated on Police officers during the performance of their duties and this demonstrates a complete lack of respect for lawful authorities. Such behaviour, as I said to the House, is totally unacceptable and will not be tolerated.

Regarding Prison officers, I am informed by the Commissioner of Police that from January 2009 to date, a total of eight cases of assaults on Prison officers have been reported to the Police, of whom seven were assaulted while on duty and one while off duty.

Out of the eight cases, two have been completed and one pending trial. Police enquiries are ongoing in the six other cases and as soon as they are completed, they will be referred to the Director of Public Prosecutions for advice.

I have already mentioned before in this august Assembly that those who commit such offences will have to bear the full consequences of their acts. In this regard, my Government has sent a strong signal by introducing last week, for First Reading, the Criminal Code (Amendment) Bill which provides for tougher penalties in cases of assault against an agent of the civil or military authorities or any person entrusted with a public duty.

In regard to part (a) (iv) of the question, I am informed by the Commissioner of Police that 15 persons have been arrested in connection with the murder of Denis Fine. Police enquiry is in progress and the advice of the DPP will be sought as soon as the enquiry is completed.

As regards part (a) (v) of the question, I am informed by the Commissioner of Police that on 16 March 2010 at 13 45 hours, one Mrs M. S. H., aged 45, of no calling, residing at Flat

Universal, reported that on the previous day, that is, 15 March, around 06 30 hours, she sent her 8 year old son, A. D. H., to buy bread. As the boy was late, at around 08 15 hours, she went to look for him and found him near Rose Hill Market. He did not relate anything to her immediately. However, around 14 00 hours on the same day, as A. D. H. was feeling unwell, she brought him to Victoria Hospital, where he then related to her that on his way to the shop, an unknown man brought him in a bush along Ollivier Avenue and sodomised him.

On 16 March 2010 at 16 00 hours, the victim was examined by a Police Medical Officer and he was admitted to Victoria Hospital.

On 17 March 2010 at 14 30 hours, the Police arrested the accused, one J. M. aged 65, no calling, habitual criminal of no fixed place of abode. He has confessed his guilt. He is detained in Police cell and will appear before Rose Hill Court on 01 April 2010.

Mr Deputy Speaker, Sir, in regard to part (b) of the question, I should like to remind the House that a series of measures were initiated during my first mandate and have been consolidated during my present mandate, culminating with the introduction and implementation of a National Policing Strategic Framework which I launched last February.

Let me now enumerate some of the measures we have implemented recently to combat criminality in general. These include -

- installation of the first CCTV Street Surveillance System in Flic-en-Flac in April last year. This is being extended to Grand'Baie and Port Louis by May of this year. Another CCTV Street Surveillance System has been installed in Quatre Bornes, covering the region between St Jean and Candos. It is interesting to note, Mr Deputy Speaker, Sir, that the crime rate at Flic-en-Flac went down by more than 80%. We have also managed to solve 2 criminal cases where there were no direct witnesses to the crime through reviewing the films from the CCTV cameras;
- commissioning of the twin-engine Advanced Light Helicopter "DHRUV" which has enhanced Search and Rescue capability and has an increased surveillance radius including at sea;

- use of modern techniques by the Police, computer-assisted identification of suspects, “photo-robots” which have been provided by France, video recording of interrogations, new fingerprint and body-fluids search tools;
- the implementation of the Crime Occurrence Tracking System (COTS) is well under way. The project consists of the automation of all processes and the computerisation of the functionalities of the Mauritius Police Force. It will connect all the Police stations of the island. The system will be an effective tool in Police investigation as it will provide a working interface between the Police Force and other public sector institutions, namely the Judiciary and the Prisons Services;
- the commissioning of a new Digital Radio Communication System with more than 3,000 terminals to replace the old Analogue System which is now 25 years old;
- acquisition of a coastal Surveillance Radar System which will provide round the island surveillance cover on a 24-hour basis off mainland Mauritius, Rodrigues, Agaléga and St Brandon against any illegal activities in our waters;
- the acquisition of the sophisticated Offshore Patrol Vessel will also complement this action;
- the training of Police officers has been stepped up. Since 2005, over 700 Police officers have followed specialised training courses abroad in a wide range of fields; namely investigative methods, combating drug trafficking, terrorism, and money laundering, ballistics, graphology and cybercrime, and
- an Anti-Terrorist Cell has been set-up in my office which is exchanging information with other anti-terrorist organisations.

Mr Deputy Speaker, Sir, despite the fact that crime statistics indicate clearly that there is a downward trend in criminality, there is a perception that the law and order situation is deteriorating in the country. This could well be due to the fact that some crimes have been perpetuated in a most horrible manner and therefore given a lot of publicity. However, these

perceptions are often based on incomplete and incorrect information. I also feel that there could be attempts to undermine the Police Force. I would like, in unequivocal terms, reiterate my trust in the Commissioner of Police and my confidence in the Police Force. Those destabilising elements will, under no circumstances, be allowed to succeed in their nefarious intentions as they are playing with the security of our country.

I would like to seize this opportunity to enlighten our citizens both on the true law and order situation, and on blatant attempts persistently made over the past years to sap the morale of the Police, create disaffection within its ranks, and to erode public confidence in the Police.

We all know, Mr Deputy Speaker Sir, that the political hobby-horse of demagogues is to artificially create a semblance of an alarmingly chaotic law and order situation ...

(Interruptions)

The Deputy Speaker: Order, please!

The Prime Minister: ...with the sole aim of creating a psychosis in the population and subsequently leveraging on it for political mileage.

Mr Deputy Speaker, Sir, may I re-emphasise that in all genuinely democratic countries adherence to and reinforcement of law and order also require the collaboration of society at large! Mauritius is not an exception to that rule. Thus, while the Police has redoubled its vigilance in the fight against crime, and modernised its handling of the law and order situation, the active collaboration of all members of society has made it expedient for crime to be detected promptly after they have been committed. And the rapidity in crime detection in the majority of cases has been coupled with effective police intelligence which has allowed crime prevention in many of the areas.

In addition, the legislative framework is also continuously being reviewed to combat criminality in general. In this regard, new legislations have been enacted. These, as I said before, include the Firearms Act in 2006, the Dangerous Drugs (Amendment) Act in 2008, the Judicial Provisions Act in 2008, the Prevention of Terrorism (International Obligations) Act in 2008, the

DNA Identification Act in 2009, the Child Protection Act, the Criminal Code (Amendment) Act 2006, the Civil Aviation (Hijacking and Other Offences) (Amendment) Act 2007, the Protection from Domestic Violence (Amendment) Act 2007, the Private Security Service (Amendment) Act 2008.

Mr Bérenger: Mr Deputy Speaker, Sir, I take it that you will grant Members additional time as required, being given that the hon. Prime Minister has answered to the PNQ and half a dozen different PQs. Can I start by a general remark? The hon. Prime Minister has quoted figures that intend to be reassuring but, at the same time, he has pointed out that the population at large does not feel reassured at all, on the contrary, and that the nature of certain new types of crimes is causing a lot of worry across the country. Will the Prime Minister agree with me that a new situation requires new measures to better protect the population?

The Prime Minister: In all countries, Mr Deputy Speaker, Sir, criminals are people who want to offend against the law. They try to devise new ways of creating disorder and going on with the business. I was giving an example the other day in the House itself. For example, in the U.K., crimes with the knives have increased alarmingly. A crime with a knife is being committed every 12 seconds in the UK today, Mr Deputy Speaker, Sir. Naturally, we have to respond - and I agree with the hon. Leader of the Opposition - with new measures, some of which I have enumerated, others will come up with new legislation, I hope shortly.

Mr Bérenger: I can begin with the riots at Ste Croix on Saturday 13 March. Is the hon. Prime Minister aware that there has been a series of such riots, that in every case the instigated has been a lady political agent who keeps on saying that *gouvernement dans nou la main* and who is protected indeed and who has indeed political protection.

(Interruptions)

The Deputy Speaker: Order please!

(Interruptions)

Mr Bérenger: Everybody knows it! Is the hon. Prime Minister aware that the lady is married to a Police officer...

(Interruptions)

Mr Bérenger: ...who is under interdiction for rogue and vagabond and which case is before the court and who is still staying in the Police quarters, *narguant tout le monde* and that the same lady who has political protection also got a piece of land from Government?

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: First of all, Mr Deputy Speaker, Sir, I would have thought that the facts speak for themselves. If that lady feels that she is a protected agent, then why has she been arrested and why has she been provided with charge? Not only her, but also provisional charges have been led against members of her family!

Now, as for the Police officer, I must say that he was living in the quarters, he has been sued for the reasons that the hon. Leader of the Opposition has said. The case went to court. We cannot take them out until he is proved guilty. He has won the case in court, but the DPP has appealed against the case. Another proof that there is no protection here! The DPP has - we agree ...

(Interruptions)

The Deputy Speaker: Order!

The Prime Minister: Exactly! But the way the Leader of the Opposition is implying that she is protected and all this, here is the case where the institutions are working. First of all she has been charged. Secondly, not only her, but also her children, I believe, have been charged. Thirdly, although the case was dismissed in court, the DPP has appealed against that. The other things that I must say to the House - perhaps the hon. Leader of the Opposition does not know - is that he was occupying the Police quarters, they are married couples, and when they were given the Police quarters, there were not cases against him or whatever.

Since there have been cases against her, they have been asked to vacate the Police quarters. There is a procedure for vacation of Police quarters, they are married couples. It is not just she only; there are plenty of Police officers who are not vacating quarters when they have been asked to vacate. When they do not vacate, they are given another letter or instructions that they have to vacate. If they continue not to vacate the quarters, then the Commissioner of Police goes to the State Law Office and an eviction order is sent to the person. This is precisely what has happened in this case.

Mr Bérenger: Can I know from the hon. Prime Minister if he has inquired as to how many times that political agent has been involved in such riots and other criminal cases?

The Prime Minister: Well, all I can say, Mr Deputy Speaker, Sir, is that if every time, whoever it is thinks that they can break the law because they are political agent or whatever, they are sued and brought to justice. I believe that she also had an altercation at least – I am speaking from memory - where again she has been charged and sent to court.

Mr Bérenger: Let us move to the Triolet incidence. Can I know from the hon. Prime Minister whether he finds it acceptable that there was a number of Police officers on the spot, some 15 people came in and started misbehaving, violence and so on? No one was arrested on the spot. People were arrested after the event. How come the people who were there were not protected and there was no arrest on the spot?

The Prime Minister: The facts that I have don't quite corroborate with this. The Police told me that there were so many people and if they started arresting people there and then they would have created a riot. What they did was to note who they were, but they did protect the people. They cordoned off the area and, as I said, these people went out and then they started throwing stones on the Police outside from a sugarcane field. But, the next day, the Police went on to arrest those whom they suspected of having created the trouble.

Mr Bérenger: Let us move on to some of the bouncers. The hon. Prime Minister is aware that on 01 January, somebody was killed by bouncers amongst others in front of Ti-Vegas. Now, you had fire shots and so on in front of Ex-Savoy and other gaming houses and casinos. Will he agree that all these incidents are taking place in front or inside or around such casinos and gaming houses, and that, therefore, the Police control must be strengthened around those areas?

The Prime Minister: Yes ...

(Interruptions)

The Deputy Speaker: Order! This is uncalled-for!

The Prime Minister: Yes, Mr Deputy Speaker, Sir, in fact, we have noted that these are areas where people hang around, drink etc and they are involved also in drug taking and all that. Police are stepping up in those areas and also there is a committee that has been set up to look into all these questions of casinos and private clubs as well because some private clubs also are finding a way of avoiding the definition that we have for private clubs.

Mr Bérenger: On the same subject, Mr Deputy Speaker, Sir, the amount of illegal weapons, firearms and so on that are used in such incidents, I am sure the Prime Minister will agree with me, is a clear indication that there is a lot of illegal firearms and other illegal weapons across the country. Can the hon. Prime Minister tell us in the presence of all these incidents, whether a new drive will be carried out by the Police under his instructions to bring in all these illegal firearms and weapons that are clearly all over the place?

The Prime Minister: Mr Deputy Speaker, Sir, this is precisely why we amended the Firearms Act in 2006. It was later proclaimed; it is precisely to stiffen the law. Then I asked - I thought it was a good policy - that the Commissioner of Police should advertised it, that people should be told that these are the new penalties for possession of illegal arms. If they are caught with illegal arms, the penalties are much stiffer than they were. On discussion with him, they were also given a period of time for people to return the illegal arms if they wanted to.

The law is there, the penalties are stiffer, the Police are doing all that they can. Everybody who is actually found with an illegal weapon - sometimes they are just found just on a road block with illegal weapons - the case is being pursued in court and they are going to face the stiffer penalties that are there in the law.

Mr Bérenger: We can move on to the aggressions against Police officers and Prison officers. The information that the hon. Prime Minister has given us is very disturbing. There are numerous instances of aggression against Police officers and Prison officers. Can the hon. Prime Minister tell us whether the situation is not terrible inside the prisons themselves? Portable phones, drugs and weapons have been found inside the prison. It is alleged that drug trafficking is organised from inside the prison.

(Interruptions)

Alleged and it is before the courts, in fact, Mr Speaker, Sir! It is alleged that the aggression against the prison officers has been organised by drug barons from inside the prison. Has all this been investigated into and what tougher measures are going to be taken to rectify things?

The Prime Minister: All this have been investigated into. We have problems in the prisons, we must agree. We have a very good, efficient person in charge of the prisons.

(Interruptions)

The Deputy Speaker: Order! The Prime Minister is replying.

The Prime Minister: We have a very efficient person in charge of the prisons. I must say to the House that I had talked to him; he says that sometimes there is no cooperation with the people working under him and it is difficult. That is why we have reinforced Police presence in the prisons and that is why also we are bringing tougher penalties. We have already brought the first reading of the law concerning assault against Police officers or Prison officers. There have been some comments on this law, that is why I did not bring it for second reading yet, because there have been some comments. Some people are saying that we are taking the discretion from the courts, but we need also, because very often - I must say this to the House also - that these people are not being punished severely enough. We must decide which way we want to go.

Mr Bérenger: We can move on to the Denis Fine assassination - Denis Fine affairs. I am sure the Prime Minister is aware of a statement made by the Chief of the MCIT, Superintendent of Police, before a court on 23 March when he said that the Police know who killed Mr Denis Fine, he is a Mauritian, but that he is at large. Can I ask the hon. Prime Minister whether he does not find that shocking? What it means is that a murderer is at large; he can commit any other crime. What special measures have been taken after that statement to know where that person is? Road blocks, special Police operations, intelligence information! It can't be business as usual when the Chief of the MCIT says: "we know who killed, he is a Mauritian and he is at large". Can I know from the hon. Prime Minister whether he was not shocked by that statement and what has happened since?

The Prime Minister: I believe he said that he thinks he knows who is it, that is what I have been told but, in any case, the Police think that they have actually caught the person among the persons that they have caught, but they are still using road blocks, they are still looking for others who might be connected with that murder.

Mr Bérenger: We can move on to the case of the sexual assault on an eight-year old child at Rose-Hill. The hon. Prime Minister has not entered into detail, but I am sure he must be aware that that person has been sentenced by courts on 34 occasions. He has raped and murdered his young niece, he has raped a handicapped and I could go on and on. There have been repeated cases of sexual violence against youth and others, even a handicapped. Can I ask the hon. Prime Minister whether in such cases, consideration has been given to introducing legislation to provide for – don't panic - chemical castration, that is, the administration of medication designed

to reduce libido and sexual activity in the hope of preventing rapists, child molesters and other sex offenders from repeating their crime.

(Interruptions)

The Deputy Speaker: Order!

Mr Bérenger: There are numerous countries, the U.K., France, the U.S, throughout the world, where cases have been repeated – this is the most serious subject, but you have honourable fools like that.

(Interruptions)

The Deputy Speaker: Hon. Leader of Opposition, please put your question.

Mr Bérenger: Can I ask the hon. Prime Minister, therefore, being given that this is quite spread throughout the world, well legalised, provided for in legislation and well put into practice, whether consideration has been or will be given to introducing such legislation in the case of serial sexual abuses of children and others?

The Prime Minister: We have looked at that, Mr Deputy Speaker, Sir. The hon. Leader of the Opposition said himself that this person has not done it once, but many times. He has even murdered. We have recently had a case where a person, habitual criminal again, has been convicted in court many times, then committed a murder, because they always get out, they always manage to pay a fine; so many years they are supposed to be in jail and you find that for good behaviour they come out earlier. He has come out following charges of larceny with violence, murdered somebody, sent back to jail, has come out again and murdered again. That is why I know what position I took. That is why I definitely think that the death penalty is due in this country.

(Interruptions)

Many people think that way. My position was different before and I am honestly saying that I have changed my views on this because this kind of things would not have happened had we had the death penalty and we must also think of the victims.

The Deputy Speaker: Order, please!

Mr Bérenger: We should not enter into a debate on the death penalty on this occasion. As we know, throughout the world, reports have come out on whether the death penalty has an impact on crime or not, that's another debate. Can I ask the hon. Prime Minister whether, in fact, what is required for the Police is to have the financial and material means to carry out its

mission? I see from figures that as a percentage of total Government Expenditure from 2006/2007 to 2007/2008, expenditure on Police has gone down. Can I know from the hon. Prime Minister how things have evolved since, as a percentage of Government Expenditure, and whether the time has not come to put money where crime is and to give the Police all they need to combat the law and order problems that this country knows these days?

The Prime Minister: Mr Deputy Speaker, Sir, I saw this also in 'L'Express' this morning. This is not actually quite correct. I give you the figures, Mr Deputy Speaker, Sir. The total spent on the Police department in 2000/2001 was Rs1.841 billion. That sum has increased materially every year since then, except for 2006/2007 approximately it was the same. But compared to Rs1.841 billion in 2000/2001 it is now Rs5. 203 billion, but if you look at the percentage of the total expenditure - I will give these figures as well - in 2000/2001 it was 6% and today it is 6.5%.

Mr Ganoo: Can I ask the hon. Prime Minister whether he is aware of the fact that one of the fundamental problems of law and order here is that there is a shortage of Police Officers in our Police stations of the CID department, and Police Officers tend to retire earlier today and the recruitment exercise has not been carried out as regularly as it should have been so that today the Police Force is suffering from a lack of personnel and human resources and this is one of the problems of law and order?

The Prime Minister: No, I do not tend to agree. What we are doing, Mr Deputy Speaker, Sir, is to make sure that the new recruits are properly, first of all, selected, then they get the proper training and it is not quite true to say that there has been no recruitment. There has been a recruitment of, I think, 700 Police officers recently. They are being trained now. There is a new recruitment which is being done now, I think, of about 550 Police Officers. So, recruitment is going on. It is also true to say that some Police Officers retire earlier. That has always been the case and they are being replaced.

The Deputy Speaker: I will allow one question each from the three hon. Members whose parliamentary questions have been answered - hon. Guinness, hon. Lesjongard and hon. Guimbeau and that will be the end of it because of time constraints.

Mr Guinness: Can I ask the hon. Prime Minister whether he has received complaints from people of Bassin Road concerning a pool house where people play *billard* and on Fridays and Saturdays it is converted into a nightclub and very often there are troubles? Is the hon.

Prime Minister aware of it? Has he received complaints and will he check whether this gentleman has a proper permit to run that nightclub?

The Prime Minister: In fact, we are aware of it and this is being looked into. It is a question of days. There is some confusion on what kind of permit they need but, obviously, some of the permits, from what information I have, have not been properly adhered to and they are being removed.

The Deputy Speaker: Hon. Lesjongard!

Mr Lesjongard: Thank you, Mr Deputy Speaker, Sir. Over the past four years, all the riots at Ste Croix seem to originate from the staff quarters which are found within the Police station and people in the vicinity believe that the problem originates from there. Does not the hon. Prime Minister feel that it is high time that we request that family at the origin of the problems to vacate the quarters at Ste Croix?

The Prime Minister: That is what I said. I do not know whether the hon. Member is referring to the same case for vacation, but we need also the Police quarters. How far we can move it from the Police station is another matter? It is a question of acquiring land and all this. But I can assure the hon. Member that the Commissioner of Police is looking into all aspects of this.

The Deputy Speaker: Last question, hon. Guimbeau!

Mr Guimbeau: Mr Deputy Speaker, Sir, I have a supplementary question concerning the riots at Triolet. Mr Deputy Speaker, Sir, vehicles were criminally damaged, criminal fire was put in the sugar cane fields, members of the assembly were threatened, the holy Bible was torn and thrown down, Mr Deputy Speaker, Sir, and *piétiné*.

(Interruptions)

Mr Guimbeau: This is the truth!

The Deputy Speaker: Order, please!

Mr Guimbeau: I have got the video and the video is with the Police. Now, Mr Deputy Speaker, Sir, all this was done in the presence of the Police. Will the hon. Prime Minister inquire with the Commissioner of Police, Mr Deputy Speaker, Sir, if provisional charges of damaging properties by hand and arson have been laid and, if not, why not? Secondly, will the hon. Prime Minister ensure the House, Mr Deputy Speaker, Sir, that there will be no cover-up on the Triolet riots?

The Prime Minister: The hon. Leader of the Opposition did ask the question. I have already mentioned that people have been charged. The hon. Member asked why not? People have been charged and the case is now going to court. We must also see to it, Mr Deputy Speaker, Sir, that the Police cannot be held responsible for the behaviour of citizens. If people go and tear Bibles there, as the hon. Member is saying, that is not the problem of the Police. The Police are acting.

Mr Guimbeau: What about the charges?

The Prime Minister: The charges have been laid, I said that. I just mentioned it. Does the hon. Member want me to re-read the charges? Does he want to know exactly the charges? I have mentioned many of the charges that have been laid, many people have been arrested.

(Interruptions)

Mr Bérenger: The law and order situation is already very bad. Now we are entering a very...

(Interruptions)

The Deputy Speaker: Oder!

Mr Bérenger: We are entering a very delicate period of time *pré-électorale*, then elections and then post elections. Will the hon. Prime Minister, being given the already bad law and order situation, give the guarantee to the country that there will be no politicising of the Police, of any policeman or policewoman during that delicate period, that the Police will keep a close watch on the bouncers that have been involved in violent behaviour - not all - and that the Commissioner of Police, as per the Constitution, will be given full freedom to apply the law without political bias over that delicate period of time?

The Prime Minister: Mr Deputy Speaker, Sir, as I said, I think the facts that I have mentioned in this House today speak for themselves. There has been no tolerance of anyone and I must categorically state the unflinching principle and practice of zero tolerance for any intervention from any quarters, be it partial or not. The Police inquiry is going on into every case that has happened and action is being taken. I have mentioned that so many charges have been laid. I can quite understand the hon. Leader of the Opposition, the temptation of forces of some of the Opposition to make use of such themes as law and order in their campaign as the electoral campaign is coming because they have no other valid arguments against the numerous achievements of this Government.

(Interruptions)

The Deputy Speaker: Order! I cannot hear.

The Prime Minister: Mr Deputy Speaker, Sir, in no country in the world - although in an ideal world we would have wished to have zero crime rate – this happens. But, I can assure the House that the Commissioner of Police has full independence, that is, the proof of the pudding is there and also he is acting where he should be. That is why I say I have full confidence in him and the Police Force and I think they are doing a tremendous job.

The Deputy Speaker: Time is over! Questions addressed to the hon. Prime Minister. The Table has been advised that Parliamentary Question No. B/74 addressed to Dr. the hon. Prime Minister will now be replied by the hon. vice-Prime Minister, Minister of Tourism, Leisure and External Communications.

CRIMINAL CASES - INVESTIGATION

(No. B/68) Mr P. Jhugroo (Third Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to criminal cases committed since 2008 to date and being investigated into by the Major Crime Investigation Team, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof which have not yet been elucidated.

The Prime Minister: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that 62 criminal cases in 2008, 47 criminal cases in 2009 and 10 cases up to 25 March 2010 have been referred to the Major Crime Investigation Team for investigation. Out of these cases, 117 have been elucidated, and 2 cases are still being investigated.

Mr Jhugroo: Can I know from the hon. Prime Minister whether the DNA testing equipment is fully utilised?

The Prime Minister: I must say to the hon. Member in all fairness that I am not totally happy with the way the Forensic Lab is working. We are not getting enough evidence and we are looking at ways of improving this, Mr Deputy Speaker, Sir.

DISCOTHEQUES & GAMING HOUSES - ASSAULTS

(No. B/69) Mr P. Jhugroo (Third Member for Port Louis North & Montagne Longue) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to

alleged cases of assault, disturbance, murder and larceny committed in the vicinity of discotheques and/or gaming/betting houses, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, district-wise, since 2008 to date.

The Prime Minister: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that the number of cases of assaults, disturbances, murders and larceny committed district-wise since 2008 to 25 March 2010 in the vicinity of nightclubs and gaming/betting houses are as follows -

	DISTRICT	ASS AULTS	DISTUR BANCES	MU RDERS	LA RCENY
.	PORT LOUIS	9	-	-	5
.	PAMPLEMOUSSES	6	-	-	10
.	RIVIÈRE DU REMPART	34	2	-	8
.	FLACQ	5	1	-	3
.	MOKA	-	-	-	1
.	PLAINES WILHEMS	19	2	2	11
.	BLACK RIVER	11	7	-	5
.	GRAND PORT	4	1	-	-

	SAVANNE	-	1	-	-
	TOTAL	88	14	2	43

Mr Jhugroo: May I ask the hon. Prime Minister whether he considers reviewing the security norms within the premises of *discothèques* and gaming houses?

The Prime Minister: Yes, in fact, we are doing this. I did mention to the House that at Cabinet level we have taken a decision to put a committee. There is a high level committee which has been working on this. They have made some suggestions that we can consider and take some measures. These are being looked at because they might involve some legal problems; that is why the State Law Office is looking at that but, in the meantime, no applications are being entertained in residential areas.

LARCENY CASES – JANUARY 2009-MARCH 2010

(No. B/70) **Mr P. Jhugroo (Third Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to cases of larceny with violence in public, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the –

- (a) number thereof reported, since January 2009 to date, indicating the number thereof in which there have been arrests, if any, and
- (b) the measures taken to avert the commission thereof.

The Prime Minister: Mr Deputy Speaker, Sir, in regard to part (a) of the question, I am informed by the Commissioner of Police that, during the period January 2009 to 26 March 2010, 590 cases of larceny with violence were committed in public and were reported to the police. 181 persons have so far been arrested in these cases. Out of the 590 cases, 327 cases are still

under enquiry, 122 have been classified, 40 cases have been disposed of by the Court and 101 are pending before Court.

Mr Deputy Speaker, Sir, we are sparing no efforts to continuously implement measures to modernise the Police Force, reinforce its institutional and operational effectiveness to combat criminality in general. Recently, we have taken a series of additional measures to deal with the problem of crime, and again I should say these include -

- The restructuring of the Central CID and its mode of operation to ensure effective crime investigation and detection.
- The decentralisation of the activities of the Scene of Crime Office, to ensure a better response to scenes of crime, because once a crime happens, you have a limited time to get the evidence from the scene of crime. That is why we have decentralised the activities of the Scene of Crime Office.
- The use of modern techniques by the police. We are grateful to the French Government. I was surprised that we didn't have a "photo-robots" computer-assisted identification kit. This has been provided by France, and this has helped already to arrest certain persons. We also have video recording of interrogations, new fingerprint and body-fluids search tools.
- I have also mentioned, I think, the implementation of the Crime Occurrence Tracking System project, which consists of the automation of all processes, and the computerisation of the functionalities of the Mauritius Police Force. I should have mentioned it earlier; when we passed the new Firearms legislation in 2006, we also had the central firearm index database which was provided for. This is now operational and we hope it will improve control of firearms.
- I should again mention the installation of the first CCTV cameras. As we have heard, in Flic en Flac the crime rate has been reduced by 80% of cases. We are doing similar systems already in Quatre Bornes, in the region of St Jean and Candos. We are now going to implement the same system in the region of Caudan, Port Louis and also Grand' Baie.

- There is a new Digital Radio Communication System. The analogue system, which was 25 years old, is being replaced with a new system. This again will improve communication.

In order to tackle the problem of larceny with violence in public, the Commissioner of Police has taken the following specific measures -

- He has put up a joint mobile patrol scheme, which involves the Special Mobile Force, the Special Support Units, elements of the regular police and members of the CID.
- There are also daily special motorcycles patrols involving again Divisional Support Units, CID, ERS and Field Intelligence Officers.
- Road Blocks, as I have mentioned, and Stop and Search Operations with special vigilance are carried out in certain areas. There is no knowledge that there will be a road block. Snap road blocks are being done.
- Special policing are deployed in certain areas, for example, near filling stations, financial institutions, commercial institutions, especially during closing time and at the end of the month. This is where there is an increase.
- Special deployment is undertaken if there are major events, such as race meetings.
- ERS, Divisional Support Unit and the CID personnel also, as I said, carry out mobile patrols.
- Covert surveillance and intelligence gathering; this is very important, Mr Deputy Speaker, Sir. This, especially on habitual offenders, is being undertaken with the support of Field Intelligence Officers and CID personnel.
- There is also an awareness and sensitisation activities on crime prevention and 'Victim Support'. This is being carried out by the Crime Prevention Unit. Since January 2009, the Crime Prevention Unit has carried out 1,641 campaigns, targeting 153,877 participants, and has distributed 91,500 crime prevention publications, consisting of leaflets and booklets. This is to educate and make people aware of the campaign.
- At Station level, daily mobile and foot patrols are carried out on a 24-hour basis to cover station area by again Station personnel, and community policing is being

promoted as well, to identify local problems and encourage sharing of information between the community and the police. That is also very important, as I said, Mr Deputy Speaker, Sir,

Finally, Mr Deputy Speaker, Sir, the National Policing Strategic Framework, which was launched last month, will reinforce policing measures by creating a new mindset, culture and policing strategies to fight criminal offences, especially those involving violence.

I have always stated, Mr Deputy Speaker, Sir, that matters relating to law and order is a national issue, requiring at all times society's vigilance and support. It should be addressed by the society in general as well.

Mr Jhugroo: Can I ask the hon. Prime Minister whether he will consider installing a CCTV Surveillance System within the vicinity of Abercrombie Police Station and Ste Croix?

The Prime Minister: The only thing is that they cost money. For example, we have an agreement with the Chinese Government. It has taken so long, because they have also the administrative procedures, and it is only now that we are able to install these cameras in the Caudan area. But wherever we feel there should be, we will do it.

POLICE FORCE – PROMOTION

(No. B/71) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the examinations for promotion in the Police Force from the grade of Constable to Sergeant, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to when the results thereof will be proclaimed.

The Prime Minister: Mr Deputy Speaker, Sir, I wish to refer the hon. Member to my reply to Parliamentary Question B/944 on 20 October 2009, wherein I spelt out the procedures regarding the promotion of police officers in the grade of Sergeants to that of Inspectors. I mentioned, *inter alia*, that the promotion exercise would be finalised upon completion of a screening, aiming at verifying whether any police officer who has passed the examination is not under suspension, has not committed any serious offence or has not – this is also now added - shown gross negligence in the exercise of his or her duty.

I wish to point out that the same procedures apply for the promotion from the grade of Constable to Sergeant.

The House will appreciate, Mr Deputy Speaker, Sir, that such screening exercise is absolutely essential and needs to be carried out with due care and caution, to ensure that apart from merely passing the promotion examination, the Constables are morally and physically fit to shoulder higher responsibilities.

Having said that, it is my understanding that this exercise is practically completed, and the results will be proclaimed shortly.

Mr Bhagwan: Although we agree on the procedures which are being adopted, has the attention of the Prime Minister been drawn to the fact that there is a lot of frustration among the Constables with regard to the duration of this exercise? Can the Prime Minister at least give an indication, through the Commissioner of Police, that not much time will be taken for the exercise to be completed?

The Prime Minister: The Commissioner of Police is well aware of this, but he wants to do it properly. As I said, I believe this exercise is practically over and is being done.

GAMING HOUSES & DISCOTHEQUES – HIGH LEVEL COMMITTEE

(No. B/72) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the High Powered Committee set up to review matters concerning gaming houses, he will state if –

- (a) the Committee has already completed its work and, if so, when, and
- (b) Government has approved new guidelines and, if so, when same will be implemented.

The Prime Minister: Mr Deputy Speaker, Sir, as the House is aware, in July last, the Government set up a High Level Committee - as I just mentioned - under my chairmanship to examine the proliferation of gaming houses and discotheques in the country. Government has also set up a Technical Committee to advise the High Level Committee on the matter.

The Technical Committee has recently submitted its report, in which it has made numerous recommendations to mitigate the unintended consequences of gambling activities in the country.

Consultations are now being held with the State Law Office for the implementation of these measures.

In the meantime, I should say again, no new licences for gaming houses and discotheques are being issued.

In my address to the nation on the occasion of the National Day Celebrations, I stated that Government is actively looking into the possibility of relocating and circumscribing gaming houses in specifically designated areas, that is, away from residential and commercial areas.

Furthermore, the licence of existing gaming houses, which constitute a threat to public order, would not be renewed.

Mr Bhagwan: Can I know from the Prime Minister whether any screening is effected by the police concerning the security officers, the bouncers who work in these gaming houses? Recently, we had a case at Ti-Vegas in Quatre Bornes, where one of the bouncers was a habitual criminal with lots of previous records.

The Prime Minister: The law will be applied in all its rigour. I can tell the hon. Member that this is being done, and this is why we need to consult the State Law Office. They will run the risk of having their license removed.

Mr Bhagwan: Mr Deputy Speaker, Sir, one of the main problems is that there are too many authorities who are responsible for giving these permits which result ultimately in a lot of mess and *cafouillages*. In the process of reviewing the guidelines, can the Prime Minister give the assurance to the House that there will be much control concerning these licence permits?

The Prime Minister: I must say I tend to agree with the hon. Member. The problem is that there are too many. You get land permission from there and then there are other authorities which get involved. We will be trying to streamline this but, in the meantime, no licences are being given.

Mr Bhagwan: Mr Deputy Speaker, Sir, last time the Prime Minister stated unequivocally that he will not tolerate any intervention from any Government Member. Can the Prime Minister

give the assurance to the House that no Members of Government will be interfering with local authorities or parastatal bodies as far as the permits and other conditions of these gaming houses are concerned?

The Prime Minister: Mr Speaker, Sir, I may say that in the past - not just this Government, I am not pointing the figure at anybody - Members of Parliament themselves tended to say: "you know, I know Mr X or Mr Y." This is a fact in Mauritius. But I can give a guarantee to the hon. Member that no interference is being done on the part of Members of the Government concerning these permits. I can give a guarantee. In fact, I keep telling, not just to the Commissioner of Police but, the Senior Police Officers who come with him, that no such intolerance would be tolerated.

ELECTORAL BOUNDARIES COMMISSION - REPORT

(No. B/73) **Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the Report of the Electoral Boundaries Commission on a Review of the Boundaries of the Constituencies 2009, he will now state when a motion in regard thereto will be introduced in the House

The Prime Minister: Mr Speaker, Sir, in my reply to a PNQ on this matter in November last, I emphasised the fact that the recommendations contained in the Report of the Electoral Boundaries Commission have raised complex legal and administrative issues and that we would have to tread carefully on this sensitive matter. We must, above all, ensure that no electors are disenfranchised in the process.

Discussions are still ongoing between the Electoral Commissioner and the State Law Office on the issues which have proved to be more complex than initially thought. I also mentioned that the suggestion that we might have to have constitutional amendments, is more complicated than it looks. We are looking for constitutional expert advice on the matter.

PQ No. B/74 – See "Written Answers to Questions"

ABERCROMBIE POLICE STATION - INCIDENTS

(No. B/75) **Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the incidents which occurred at the Abercrombie Police Station at Ste Croix on 13 March 2010

whereby Police Officers were injured, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been carried out thereinto, indicating the outcome thereof.

(Vide Reply to PNQ)

SHAKERS CLUB HOUSE, VACOAS - INCIDENT

(No. B/76) Mr G. Gunness (Third Member for Montagne Blanche & GRSE) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the incident which took place at the Shakers Club House in Vacoas, during the night of Saturday 20 to Sunday 21 March 2010, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if an inquiry has been carried out thereinto, indicating the outcome thereof.

(Vide Reply to PNQ)

MBC – MR D. R. - OVERTIME ALLOWANCE

(No. B/77) Mr G. Gunness (Third Member for Montagne Blanche & GRSE) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to Mr D. R., an employee of the Mauritius Broadcasting Corporation, he will, for the benefit of the House, obtain from the Corporation, information as to the amount of monthly overtime allowance paid to him since the appointment of the new Director General, indicating if he is entitled to a company car.

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

But I must tell the hon. Member that I am also informed by the MBC that Mr D.R. is not entitled to a company car.

Mr Gunness: The Prime Minister says that he is not entitled to a company car. Can the Prime Minister check whether this gentleman takes the car of the MBC every weekend, goes to his residence and then returns it on Monday? Can the Prime Minister check this information?

The Prime Minister: I can simply check the information, Mr Deputy Speaker, and I am also aware that he has been assigned additional duties. As to whether he sometimes takes the car to go back to the MBC, I can't say, but I'll check the information.

Mr Gunness: I know that the information is being compiled, but can I know from the Prime Minister whether at any point in time his monthly overtime allowance exceeds Rs25,000 - more than his salary?

The Prime Minister: I know that the figure is being compiled, but I would not be surprised because I am told that he has been assigned additional duties. So, it could well be.

Mr Gunness: Mr Deputy Speaker, I do not think it is because of the additional duties. I would ask the Prime Minister to check again during week-ends. According to my information, the gentleman comes to clock in at seven, then disappears from the site of the MBC, comes back at five supposedly to work up to 9 p.m. and to check what work has to be done the next day. That is how the overtime bill is becoming so high. Can the Prime Minister check this information?

The Prime Minister: If this is true, it is something that we have to check, Mr Deputy Speaker, Sir.

Mr Bhagwan: Mr Deputy Speaker, Sir, the Prime Minister will surely remember that last year several issues were raised concerning the MBC/TV and it ended up with the Pepsi Hungama Saga.

The Deputy Speaker: Hon. Bhagwan, please!

Mr Bhagwan: I am coming with my question.

The Deputy Speaker: I want it to be specific to Mr D. R. Thank you.

Mr Bhagwan: I would like to draw the attention of the Prime Minister that, as Members of Parliament, we raised issues that there was going to be an audit or MAB report and we found that what was said was true. Can the Prime Minister give assurance to the House that with the new management of the MBC he won't tolerate any *politique de deux poids deux mesures* as far as the schedule of duties and overtime are concerned?

The Prime Minister: The new Director General of the MBC assured me that this is being done. It is very difficult for me to go and check each one, but this is accordingly being done.

TRIOLET – 3-DAYS GOSPEL FESTIVAL - INCIDENT

(No. B/78) Mr E. Guimbeau (First Member for Curepipe & Midlands) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the incident which occurred at the 3-days Gospel Festival of the Light Ministries International in Triolet on the occasion of the 42nd Independence Anniversary, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to if a Police inquiry has been carried out thereinto and, if so, will he state if any suspect has been arrested, indicating –

- (a) their names, and
- (b) the charges lodged against them, if any.

(Vide Reply to PNQ)

RIVIERE DES ANGUILLES POLICE STATION – DETAINEE J.P.C. - DEATH

(No. B/79) Mr A. Ganoo (First Member for Savanne & Black River) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to detainee J.P.C who died in Police cell in November 2009 at the Rivière des Anguilles Police Station, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to –

- (a) the date of his arrest and length of detention;
- (b) if at the time of death his body bore marks or injuries, and
- (c) if any inquiry is being carried out to determine the cause of death.

The Prime Minister: Mr Deputy Speaker, Sir, in regard to part (a) of the Question, I am informed by the Commissioner of Police that Mr. J.P.C, an inhabitant of Baie Du Cap, was arrested on 01 November 2009 in the yard of a private residence. He was detained at the Rivière des Anguilles Police Station for questioning in connection with several other cases of larceny. As per Standing Order 120 of the Mauritius Police Force which relates to the safe custody of

detainees, the latter was searched and was found to bear a dressing at his right tibia and a scratch mark on his left hand.

On 03 November 2009, a provisional plaint of 'Larceny' was lodged against him and he appeared before the District Magistrate of Savanne Court. He was remanded to Police cell. The same day, at 18 00 hours, during a sentry check, two Police Officers found that he had hanged himself in his cell.

Concerning part (b) of the question, according to the report of the autopsy performed by Dr. Gungadin, Principal Police Medical Officer in the presence of Dr. Gujjalu, private practitioner, whose services were retained by the relatives of the deceased, the body of Mr. J.P.C. bore several injuries.

Mr Deputy Speaker, Sir, as regards part (c) of the question, I am informed that Police enquiry has been completed and the case has been sent on 15 March 2010 to the Director of Public Prosecutions for advice.

In addition, in line with established procedure in cases of death in Police custody, the National Human Rights Commission was informed of the above case. It has initiated an enquiry on its own and carried out a site visit on 06 November 2009. Its investigation into the matter is still under way.

Mr Ganoo: Mr Deputy Speaker, Sir, this is not the first case where a prisoner is found hanged in his Police cell. The National Human Rights Commission in its last report has made several pertinent recommendations about the responsibility of the Police when a suspect is detained in Police cell. Can the hon. Prime Minister look into the matter and give the necessary instructions to the Commissioner of Police so that in future detainees do not suffer? How is it possible that somebody in a Police cell, near Police officers, gets hanged? And Police officers are supposed to keep watch over the cells regularly.

The Prime Minister: This is something that happens not just in Mauritius as the hon. Member is well aware. There was a recent case in the UK again and I heard of another case recently abroad. These are cases that happened unfortunately, Mr Deputy Speaker, Sir, but the Police do try their best. They can't keep a patrol on a 24-hour basis, but they do routine patrol. The case is going to court.

Mr Bérenger: There is suspicion that there has been a case of Police brutality in that case. The Prime Minister told us that the doctors who performed the autopsy found that there were marks, wounds and so on and earlier on he had told us that the Police took note of the scene. Is there a record where the Police note that down as he comes to the Police station or has this been done up later on?

The Prime Minister: There is a record of the Police and that is how they found the bandage around the tibia and the scratch marks before. I am even told that some of the marks were six to seven days prior to the death of the person.

Mr Ganoo: How long was he detained in Police cell before he was discovered hanged?

The Prime Minister: I stated that he appeared before the District Magistrate of Savanne on 03 November and remanded to police cell. On the same day at 18 00 hrs, he was found to have hanged himself in his cell.

Mr Ganoo: On what day was he arrested?

The Prime Minister: I think that I mentioned it, Mr Deputy Speaker, Sir. He was arrested two days previously, that is, on 01 November 2009.

JAN PALACH BUS STATION – INCIDENTS

(No. B/80) **Mrs M. Martin (Second Member for Curepipe & Midlands)** asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to cases of incidents reported to have occurred at Jan Palach Bus Station, Curepipe, since January 2009 to date, he will, for the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof, indicating the –

- (a) nature of offences committed thereat, and
- (b) number of cases in which young people under the age of 18 were involved.

The Prime Minister: Mr Deputy Speaker, Sir, I am informed by the Commissioner of Police that, from January 2009 to 26 March 2010, 11 incidents which occurred at Jan Palach bus station have been reported to Curepipe Police Station. In regard to part (a) of the question, these incidents comprise seven cases of larceny, three cases of assault, and one case of bearing offensive weapon.

In regard to part (b) of the question, no accused in these cases was under the age of 18. However, one of the victims of larceny was a 15- year old male.

Mrs Martin: Mr Deputy Speaker, Sir, does the hon. Prime Minister have any information concerning the frequency of police patrols which are effected at Jan Palach bus station?

The Prime Minister: Mr Deputy Speaker, Sir, my understanding is that they have increased the frequency of patrols in this area.

Mrs Martin: The hon. Prime Minister is no doubt aware that Jan Palach bus station is divided into two parts, namely the northern part and the southern part. May I ask him whether the police patrols extend equally to both parts of the station?

The Prime Minister: In fact, Mr Deputy Speaker, Sir, I can give the details. The Police deploy two police officers from 06 15 to 14 30 hrs to the north area of Jan Palach, and two Police Officers to the south area of Jan Palach. Then, from 13 00 hrs to 21 00 hrs, again two Police Officers are sent to both north and south areas.

Mrs Martin: Can I ask the hon. Prime Minister whether he is aware that, especially at rush hours, when the students come from school, there is very often a tension? Children push each other in order to enter the buses and, sometimes, that results in brawls as well between rival groups of students. Cases have often been reported to the Police, but nothing has been done with regard to that. Can the hon. Prime Minister say whether there is any dissuasive measure that can be taken in order to make the situation less difficult for the students as well as for the general public?

The Prime Minister: Mr Deputy Speaker, Sir, this is also a question of education. The parents as well as the teachers should have a responsibility. I must say that this kind of incident is not new. I can give the numbers from 2000 to date. For example, in 2003, it went up to 13 such cases, in which four juveniles were involved. So, what I can ask is for the Police Officers to go to the schools and give lectures to the students.

ROAD BLOCK OPERATIONS – ARRESTS

(No. B/81) Mr N. Bodha (First Member for Vacoas & Floreal) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to road blocks, he will, for

the benefit of the House, obtain from the Commissioner of Police, information as to the number thereof which have been set up month-wise for the past twelve months, indicating the number of arrests of suspects involved in criminal offences as a result thereof.

The Prime Minister: Mr Deputy Speaker, Sir, road block operations form part of the Police strategy for the prevention and detection of criminal offences. Such operations are carried randomly at strategic points island-wide in the seven Police Divisions by the members of the Special Mobile Force and the Special Supporting Unit, with the support very often of the personnel of Police Stations and other specialised units.

I am informed, Mr Deputy Speaker, Sir, by the Commissioner of Police that, from March 2009 to February 2010, a total of 2,369 road blocks has been carried out, whereby 43,659 vehicles were stopped and checked.

During these operations, eight persons were arrested for possession of dangerous drug, one for possession of offensive weapon, and one for possession of a syringe.

Police have also established 1,212 contraventions in relation to offences under the Road Traffic Act.

Mr Deputy Speaker, Sir, I am tabling the breakdown of the road blocks carried out on a monthly basis.

Mr Bodha: I thank the hon. Prime Minister for the answer. May I ask him whether this process is going to be intensified in areas like Grand' Baie, Flic en Flac and some strategic areas?

The Prime Minister: Mr Deputy Speaker, Sir, this is part of the Police operating procedures. They are doing what they think they should do. I can pass on the message to the Commissioner of Police.

The Deputy Speaker: Time is over! The Table has been advised that Parliamentary Questions No. B/91, B/97, B/119 and B/125 have been withdrawn.

BLUE BAY MARINE PARK – ILLEGAL & SPEAR FISHING

(No. B/85) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Agro Industry, Food Production and Security whether he is aware of illegal

fishing and spear fishing activities in Blue Bay Marine Park and, if so, will he state the action taken so far.

Mr Faugoo: Mr Deputy Speaker, Sir, the Blue Bay Marine Park, proclaimed in 1997, covers a sea area of 353 hectares. Fishing is permitted within a specific zone in the Park to holders of a permit subject to a number of conditions, particularly with regard to fishing techniques. In fact, fishing is allowed with pole and line and basket trap in the Multiple Use Zone, and with pole and line along the shore within the permissible strip of the Conservation Zone and Strict Conservation Zone B. I am tabling a copy of the map of the Blue Bay Marine Park, showing the different zones of the park.

I am informed that illegal fishing in the Blue Bay Marine Park has been a recurrent feature over the years despite the control exercised by the Fisheries Protection Service of my Ministry. The number of illegal cases reported from 2003 to date is as follows -

2003	11
2004	17
2005	29
2006	26
2007	23
2008	19
2009	16
2010	3

Out of the 19 cases reported from 2009 to date, four relate to carrying out underwater fishing and possession of fish caught by spear fishing; one relates to fishing with net, and the remaining 14 relate to picked up cases comprising three basket traps, one spear gun and other underwater fishing equipment such as masks, fins, tuba, elastic bands and spears.

Except for the picked up cases, nine contraventions were established comprising four cases of underwater fishing, four cases of possession of fish caught by spear fishing, and one case of fishing with net.

Out of the nine contraventions, one person was found guilty after prosecution in 2009, and paid a fine of Rs2,000 plus cost. The other contraveners are being prosecuted.

Mr Deputy Speaker, Sir, as the park covers an area of 353 hectares, the following measures are being taken to ensure a better control -

- (i) the officers of the Fisheries Protection Service are carrying out regular coast, foot and afloat patrols. Besides, the Fisheries Protection Officers carry out afloat patrols jointly with the Flying Squad covering the area;
- (ii) the assistance of the National Coast Guard (NCG) and the Police Officers of Blue Bay is also sought to deter potential contraveners;
- (iii) regular coast, foot and afloat patrols are also carried out by the National Coast Guard to, amongst others, enforce the marine park regulations. The National Coast Guard has thus established three contraventions for illegal fishing in the park in 2009, and reported two picked up cases of illegal nets;
- (iv) action has been taken for the filling of vacancies in the Fisheries Protection Service;
- (v) a 24-hour control has been put in place, and the number of officers increased from four to 10.

These measures will be further consolidated by the construction of a Marine Park Centre, which will start this year, for a better management of the Park. Funds have been provided for this project in the Budget. The Centre will cater for the following -

- (i) facilities, such as a jetty and a slip way for more rapid intervention against contraveners;
- (ii) a look-out post, which will give a better overview of the whole park, and
- (iii) facilities to accommodate a larger number of officers.

In addition, one speed boat would be purchased to cater for rapid patrol and intervention in the Park.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, I thank the hon. Minister for his reply. But, can I know whether there has been any mechanism set up between his Ministry, the Ministry of Environment and the NCG, to see to it that illegal fishing and spear fishing is not carried out? Has there been any meeting between these three parties? Because I have been given to understand that the NCG office which was there has been moved, and that the office which was for the Ministry of Environment is no longer there.

Mr Faugoo: Mr Deputy Speaker, Sir, there is a Committee which has been set up to control illegal fishing. I know that it comprises of the NCG, the Police Force and my Ministry, but I don't know if the Ministry of Environment forms part of the team. In reply to the question of transferred officers, there is a problem with the building which accommodates the officers in Blue Bay. They have been temporarily shifted to Mahebourg and we are actually looking for premises to be rented for the time being.

Mr Dowarkasing: Mr Deputy Speaker, Sir, this site has been listed as a Ramsar site. Since this site has been listed, can we know whether the new regulations and the new rules to be abided by the Ramsar guidelines have been adhered to and, if so, can the hon. Minister give us some of the measures that have been undertaken?

Mr Faugoo: It was declared a Ramsar site since 2008, Mr Deputy Speaker, Sir, and we are observing all the regulations pertaining to this.

CLINICS (PRIVATE) - BLOOD – SALE

(No. B/86) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Health and Quality of Life whether he will state if a special fund has been set up to cater for money received from the sale of blood to private clinics and, if so, indicate how the money collected will be used.

Dr. Jeetah: Mr Deputy Speaker, Sir, there is no question of sale of blood to private clinics. Therefore the setting up of a special fund or account for that purpose does not arise. I wish to refer the Hon. Member to the statement I made on Tuesday last during the Second Reading of the Mauritius Blood Service Bill when I clearly stressed on the fact that the fee

presently charged for processing of blood, in respect of patients attending private health institutions, is to recover the cost of processing, for example collecting, testing and fractionating blood. This will enable the upgrading of the blood service in terms of modern equipment, consumables and new technologies. I wish to emphasise on the fact that all patients attending public health institutions are being provided blood and blood products free of user cost and they will continue to enjoy this privilege.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, I appreciate that there are costs involved in the transportation of blood from the hospitals to the private clinics. But I believe that the hon. Minister must have worked out as well the cost per patient per day in a hospital. When you weigh the cost of a patient per day in a hospital, that is, a patient who has to undergo a blood transfusion, and you weigh the cost of transportation on the other side, I am sure that the cost of transportation is much less. Can we know from the hon. Minister whether when blood donors give their blood, they do give it free of charge? Where is the leverage?

Dr. Jeetah: First of all, Mr Deputy Speaker, Sir, we don't charge patients in public hospitals.

(Interruptions)

We don't charge patients for blood in public hospitals. So, I don't see the issue.

The Deputy Speaker: I think the hon. lady should put her question again.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, I think the hon. Minister misunderstood what I said. The hon. Minister said that there is a cost of transportation when patients in private clinics need blood. There is a cost involved, whereas patients in hospitals they do get this blood free of charge. But the hon. Minister must have worked out what is the cost of accommodating a patient in a hospital per day. What is the cost compared to the cost of that transportation of blood to the private clinics?

(Interruptions)

The Deputy Speaker: Order!

Dr. Jeetah: Mr Deputy Speaker, Sir, if the hon. Member would come with a substantive question, I can give her all details including the cost of transportation. The list includes incentives, pamphlets, refreshments, staff costs, consumables, wages, depreciating charge,

equipment, servicing of equipment, transportation including fuel, contingences, computerisation, etc. If the hon. Member requires further information regarding the cost, I can circulate it to the House.

The Deputy Speaker: I think I can see where the hon. lady is coming at. I suggest that she raises the matter with the hon. Minister privately and I think this could help to clear up matters.

Mr Jhugroo: Since October 2009, I think the hospitals are charging Rs1,500 per pint of blood to private clinics which then charge patients Rs1,700. Can the hon. Minister let us have a breakdown as to how the Ministry has come up to Rs1,500 per pint of blood ? If the hon. Minister does not have the information at hand, he can table it later on. Mr Deputy Speaker, Sir, according to my information, this amount seems very high.

Dr. Jeetah: I don't have any problem in tabling the information, Mr Deputy Speaker, Sir.

Mrs Martin: The cost of transport is charged to clinics, but the donation of blood is normally free. May we know from the hon. Minister why the clinic charges the patient over and above the transport cost for the use of that free blood?

Dr. Jeetah: There are two aspects of the question, Mr Deputy Speaker, Sir. It is not only transportation costs, I gave a list of items. Secondly, Government does not control prices of private clinics. If the hon. Member has any substantive question with regard to private clinics, please do so and I'll look into the matter.

Mrs Labelle: Mr Deputy Speaker, Sir, according to my information, most of the clinics charge the price of Rs1,500, because it is the price that is being paid to the laboratory. It is for the processing and treatment of blood; the transportation is another fee. But, this sum of Rs1,500 is being paid to the Ministry. May I ask the hon. Minister whether he will review this amount? Many persons who go to private institutions for a surgical intervention, very often, are not rich. It is a question of urgency and so on and they have to make the sacrifice needed to go and have the intervention done at a private clinic. Knowing that one patient will need, maybe, up to five pints of blood, will the hon. Minister reconsider the cost of processing and treatment of blood which presently is Rs1,500?

Dr. Jeetah: I can answer to part of the question. The hon. Member needs to understand that it is a question of choice. This matter was debated in this House. Mr Deputy Speaker, Sir, a policy decision is being finalised to grant exemption to the following categories of patients who are in need of processed blood –

1. Patients requiring regular blood transfusion support for their survival throughout their lives. For example, thalassemia and other hereditary anaemias will not be charged.
2. Patients requiring massive transfusions as a result of medical complication will be charged for a certain number of blood units.
3. Regular blood donors and their immediate relatives will be exempted for a certain number of blood units.

Mrs Hanoomanjee: I have one more supplementary question. As a point of clarification, Mr Deputy Speaker, Sir, I raised that question because we do not want a sort of commercialisation of blood. I am asking the hon. Minister whether he would just look at the mechanism to try to see whether the private clinics are charging much more to the patients than the Ministry is charging to the private clinics and also to set up a sort of mechanism whereby there is control on the sale of blood and that there is no commercialisation of this issue.

Dr. Jeetah: Mr Deputy Speaker, Sir, I need to make this clear. Blood is not for sale, it is not being sold. But I will definitely look into the matter. If the hon. Member has any information, she should please let us know. I think the clinics know that we are charging for the items that I have mentioned.

Mr Jugnauth: May I know from the hon. Minister whether there is any objection for private clinics to collect blood just in the same way as the hospitals do?

Dr. Jeetah: Mr Deputy Speaker, we passed on a Bill some time back whereby blood services would be State controlled to prevent what the hon. lady has been mentioning.

The Deputy Speaker: I'll suspend the sitting for one and a half hours for lunch.

At 1.00 p.m. the sitting was suspended.

On resuming at 2.35 p.m. with the Deputy Speaker in the Chair.

The Deputy Speaker: The Table has been advised that Parliamentary Question B/116 has been withdrawn.

CHARGE NURSE – PROMOTION

(No. B/87) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Health and Quality of Life whether in regard to actingship and promotion to the post of Charge Nurse, he will state if there are different requirements for male and female nurses.

Dr. Jeetah: Mr Deputy Speaker Sir, our health institutions are serviced by male and female nurses. On their enlistment as Student Nurse, candidates, both male and female, need to have the same entry requirements and they undergo the same training programme. On successful completion of their training course, they are eligible for appointment as Nursing Officers.

However, female Nursing Officers are required to obtain a Certificate of Competency in Midwifery during their service. On obtention of this certificate, female Nursing Officers are granted one additional increment. The reason for this requirement is to ensure that proper midwifery and obstetric care are made available to female patients at any given time in our health institutions.

Moreover, our health system is such that a maternity block comprising prenatal, labour, delivery and post natal wards should be headed by female Charge Nurses and female Ward Managers supported by Midwives and Senior Midwives.

Accordingly, female Nursing Officers possessing a Certificate in Midwifery, in addition to the required number of years of service, become eligible for acting appointment or promotion to the post of Charge Nurse.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, can I ask the hon. Minister whether he doesn't think that there is a discrimination in the manner promotions are being done for male officers and female officers since female officers have to get that Certificate in Midwifery before they are promoted, whereas male officers are just promoted without any examination?

Dr. Jeetah: Mr Deputy Speaker, Sir, I did mention that there is an extra increment that is offered to midwives. The nature of the job is such that we need ladies to take care of ladies. This is the culture here in this country. I suppose with time things would change, but this is the

current situation in Mauritius and that is the state of affairs which, I understand, has been so since 1958 when the nursing school was opened.

Mrs Hanoomanjee: I don't think that female Nursing Officers should be penalised because it is said that female nurses should take care of female patients. As we all know, now the modern trend in Mauritius is that all ladies go to gynaecologists for treatment and gynaecologists are male and female. So, I think that the trend has to be changed.

Dr. Jeetah: Mr Deputy Speaker, Sir, I have had a meeting with the Nursing Association and I have requested my Ministry to set up a technical committee chaired by the Director, Health Services (Curative) to look into the matter. I can only go by recommendations and current practice in this field.

Mrs Hanoomanjee: Can the hon. Minister say whether these courses in Midwifery are held regularly or is it because there are not enough midwife educators that the courses are being delayed and the promotion of these female nurses are also being delayed?

Dr. Jeetah: I do not have this information, Mr Deputy Speaker, Sir, but I can certainly look into it.

Mrs Labelle: If you would allow me, Mr Deputy Speaker, Sir, a similar question was put to the then Minister of Health in 2006 who replied that he guessed the criteria must be the same. I have the reply of that Parliamentary Question. I am glad that today the hon. Minister has given additional information on this issue. However, in view of the Equal Opportunities Bill that this very House has voted, does not the hon. Minister think that we have to review this situation, the more so that a female nurse can be a Charge Nurse in other departments? Could we create a particular type of Charge Nurse for a particular department, then, we can ask for a particular qualification?

Dr. Jeetah: I take the point, Mr Deputy Speaker, Sir. That is a valid point. But we have to be careful, we have to make sure that we have a sufficient number of midwives. As I said, there is a technical committee that is going to be chaired by the Director, Health Services (Curative). I will have to let the technicians sit and discuss and try to find the best way forward, but I'll have to make sure that the service is provided.

Mrs Hanoomanjee: One last question, Mr Deputy Speaker, Sir. Can the Minister confirm that there will be no discrimination whatsoever between male Charge Nurses and female Charge Nurses? The hon. Minister just said that they get one additional increment whereas on promotion the male nurses get three increments.

Dr. Jeetah: Mr Deputy Speaker, we should not view an extra training as discrimination. In fact, these ladies are being offered one extra year of training as opposed to only three years for male nurses, but I will have to check the point raised by the hon. lady.

GLOBAL SCHOOL-BASED STUDENT HEALTH SURVEY - RECOMMENDATIONS

(No. B/88) Mrs S. Hanoomanjee (Second Member for Savanne & Black River) asked the Minister of Health and Quality of Life whether, in regard to the Global School-Based Student Health Survey, he will state the –

- (a) outcome thereof, and
- (b) recommendations, indicating the measures taken for their implementation.

Dr. Jeetah: Mr Deputy Speaker, Sir, with your permission, I wish to inform the House that the Global School-based Student Health Survey (GSHS) was initiated in 2001 by the World Health Organisation in collaboration with UNAIDS, UNESCO and UNICEF and with technical assistance from the US Centre for Disease Control. The survey was meant to generate data on important health risk behaviours and protective factors amongst students.

I wish to highlight, Mr Deputy Speaker, Sir, that some countries had already started the Survey as from 2003. In Mauritius, this Survey was conducted by my Ministry for the first time in 2007 among students aged 13 to 15 years. The final report was available in 2009. The survey has provided us with data and other important information on critical health behaviours and protective factors established during adolescence and which are related to significant causes of morbidity and mortality during youth and adulthood.

The detailed findings of the survey are available on the web site of the World Health Organisation since January 2009 and are now also available on the website of my Ministry.

The data generated will now serve as a baseline to evaluate interventions and health promotion activities focused on changing behaviours for reducing the burden of non communicable diseases in Mauritius.

Mr Deputy Speaker, Sir, as regards part (b) of the question, the main recommendations of this survey and the measures being taken are as follows –

- (a) it is recommended that intersectoral collaboration between the Ministry of Education, Culture and Human Resources and my Ministry be established so as to develop a comprehensive and integrated approach to health promotion in schools. In this respect, Education and Health Councils, comprising representatives of both Ministries and other stakeholders have already been set up and are operational;
- (b) the survey recommends the preparation of an Action Plan against violence and injuries in children and adolescents. A workshop with all stakeholders concerned was held on 25 March 2010 to prepare good practice guidelines against violence and injuries in children and adolescents;
- (c) the survey proposes an increase in the number of physical education classes in all schools. I am informed that this has already been initiated by the Ministry of Education, Culture and Human Resources. In addition, my Ministry is currently finalising a National Action Plan on physical activity and one of its components will address physical activity in adolescents, and
- (d) the other recommendations concern actions to reduce the use of tobacco, alcohol and drugs in schools. In fact, the Public Health (Restrictions on Tobacco Products) and Public Health (Prohibition on Advertisement, Sponsorship and Restriction on Sale and Consumption in Public Places of Alcoholic Drinks) Regulations 2008 have been promulgated and are being enforced as from last year with a view to addressing problems of tobacco and alcohol use on school premises amongst other things. I have to inform the House that following the enforcement of these Regulations, the consumption of –

- (i) spirits (i.e. whisky, rum and compounded spirits) have decreased from 17.758,092 litres, that is, 17.7 million litres in 2008 to 13.4 million litres in 2009;
- (ii) fruit wine has decreased from 6.083 million litres in 2008 to 5.28 million litres in 2009, and
- (iii) beer has decreased from 36.1 million litres in 2008 to 36.09 million litres in 2009, that is, it has stabilised; at least, it has not increased.

Furthermore, the import of cigarettes for the months of January and February 2010 has decreased to 166 million sticks as compared to 290 million sticks for January and February, that is, from a high of 290 million sticks, it has come down to 166 million sticks over the period January to February 2010.

Mrs Hanoomanjee: Mr Deputy Speaker, Sir, let me say that the carrying out of this survey itself is a very laudable initiative. Can the hon. Minister say whether mobile clinics still go to primary and secondary schools to detect cases of alcoholism in secondary schools and cases of serious handicaps for children in primary schools and at what frequency do they do so?

Dr. Jeetah: I am afraid not, Mr Deputy Speaker, Sir. Mobile clinics are here for *dépistage*, for early detection of NCDs as well as breast and cervical cancer in women. We are also enforcing good eating practices and we are encouraging people to have a healthy lifestyle. We have also initiated another dental mobile clinic where we carry out dental check up. But I take the point - once again it is a very valid point - and we will try to see in what way we can collaborate with the Ministry of Education to try to enforce this further.

Mrs Labelle: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether there was a particular reason why the core questionnaire which contains nine questions relating to the sexual behaviours that contribute to HIV infection, other STIs, and unintended pregnancy module have been reduced to only two? There was nothing regarding questions which could have helped us to collect the database regarding the sexual activity of our adolescents.

Dr. Jeetah: I do not have an answer to that question, Mr Deputy Speaker, Sir, but I think the good thing is that, at least, now we have a basis for policy making. I am sure with the next survey we can consider all these issues.

Mrs Labelle: Mr Deputy Speaker, Sir, I am sure the hon. Minister is aware of the problem of teenage pregnancy in our country which is on the increasing trend. We have missed an opportunity to collect data regarding this issue. Is he prepared to look into that? Is there something else that is going to be done so that we can have such data so that we can implement measures to help decreasing this problem that we are facing?

Dr. Jeetah: There are two points, Mr Deputy Speaker, Sir. This survey was initiated in 2001. It is my predecessor who initiated this study in 2007. I think we have to congratulate my predecessor who has started the work. I am informed now that hon. Mrs Seebun who is in charge of the Ministry of Women's Rights, Child Development, Family Welfare & Consumer Protection is looking into the subject.

Mr Jhugroo: Can I ask the hon. Minister whether he will consider undertaking a systematic screening exercise in view of detecting any medical abnormalities at the level of primary and secondary students?

Dr. Jeetah: I think that my colleague is going to answer that question. My colleague, the Minister in charge of Education, Culture and Human Resources, being a medical practitioner himself, has some ideas to tackle this issue. But, once again, these are very valid suggestions that we are working on.

SECONDARY SCHOOL HEALTH PROGRAMME – STUDENTS - SCREENING

(No. B/89) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Education, Culture and Human Resources whether, in regard to the Secondary School Health Programme, he will state the number of students who have been screened –

- (a) in 2008, and
- (b) since January 2009 to date, indicating the number of tests effected.

Dr. Bunwaree: Mr Deputy Speaker, Sir, the Secondary School Health Programme is being implemented jointly by the Ministry of Health and Quality of Life and my Ministry since February 2007. The objective of the Programme is for the early detection of Non-

Communicable Diseases and their risk factors amongst students and to create awareness and sensitise students on good nutrition and healthy lifestyle.

The numbers of students who have been screened as well as the number of tests carried out are as follows –

Year	Number of students screened	Number of tests carried out
2008	24,012	4,593
2009	23,552	5,531
2010 (to date)	2,771	Figures are being compiled

Tests carried out were especially in respect of -

- (1) Blood Pressure Measurement
- (2) Vision Testing
- (3) Fasting Blood Glucose

In addition, Medical Officers carry out clinical examination with special attention to -

- heart/lungs/abdomen
- skin for any dermatological problem
- deformities/congenital abnormalities
- any other abnormalities

Counselling and health education are also provided. Relevant advice is also given regarding health and dietary related issues.

Mrs Labelle: Mr Deputy Speaker, Sir, can the hon. Minister give us the names of the secondary schools where the screening has been effected and during which period?

Dr. Bunwaree: Mr Deputy Speaker, Sir, I can circulate the list.

Mrs Martin: Mr Deputy Speaker, Sir, since the hon. Minister has mentioned the figures of the different years and the number of students who have been screened, may we know what percentage this represents with regard to the total population of students during those years?

Dr. Bunwaree: It is difficult for me to say the percentage right now, but if a proper question is put, I can reply. I can say that I am not very satisfied with the way it is being carried out, but we are presently continuing along the same trend. We started two years ago and the idea is that every schoolchild must have a screening at least once every two years. This is the direction in which we want to go.

Mrs Martin: Mr Deputy Speaker, Sir, on the same issue, can the hon. Minister say whether there is a follow-up programme which will, in fact, make it compulsory or at least ask the students in order to be able to be equipped with information so that they could inform other students and make it as a rippling effect?

Dr. Bunwaree: There is a follow-up programme for the screened cases. Of course, once the cases are discovered, they are channelled to the relevant medical units. Then, as I said, if we go in line with what I have mentioned, that is, every child is screened once every two years, the follow-up will be automatic.

LA CHAPELLE ROAD, QUARTIER MILITAIRE – DRAINS

(No. B/90) Mr S. Dayal (Second Member for Quartier Militaire & Moka) asked the Minister of Environment and National Development Unit whether he is aware that the drain works at La Chapelle, l'Espérance, Quartier Militaire from the poultry farm to the residence of one Mr D., which dates back to 2002 overflows during rainfall and, if so, will he state the remedial measures that will be taken.

Mr Bundhoo: Mr Deputy Speaker, Sir, as I informed the House some time last year with regard to PQ No. B/289 of hon. Dayal, the construction of a drain along La Chapelle Road, l'Espérance, Quartier Militaire was delayed due to way leave issues.

I am pleased to inform the House that after our consultant's visit and subsequent recommendations, it is proposed that the drain be extended by some 250 metres which entails crossing the road and canalising the water into River Française.

I would like to inform the House that NDU has invited bids for appointment of zonal contracts for drain works. Once the contractor of drain works is appointed, which is quite soon, the project will be executed on a priority basis.

NATIONAL WOMEN'S COUNCIL – WOMEN - EMPLOYMENT

(No. B/91) Mr S. Dayal (Second Member for Quartier Militaire & Moka) asked the Minister of Women's Rights, Child Development and Family Welfare whether, in regard to the women employed on a sessional basis at the National Women's Council, since 1998 to dispense courses on -

- (a) Basic Home Economics
- (b) Floral Arrangement
- (c) Weight Management
- (d) Healthy Eating
- (e) Motherhood and Child Care, and
- (f) Agricultural Courses amongst others, she will state if it is proposed to employ them on a full-time basis and, if so, when.

(Withdrawn)

SCHOOLS – KREOL MORISIEN – INTRODUCTION

(No. B/92) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Education, Culture and Human Resources whether, in regard to *Kreol Morisien* in schools, he will state the actions that have been initiated or are being contemplated by Government for the introduction thereof as an optional subject and medium of instruction, indicating the time frame for its implementation.

Dr. Bunwaree: Mr Deputy Speaker, Sir, in my reply to PQ No. B/823 on 14 July 2009, I pointed out that the use of *Kreol Morisien* can be resorted to by teachers as an aid to help overcome serious learning difficulties in the classroom as well as to facilitate better understanding and communication.

I wish to remind the House that, in January this year, I made a policy statement whereby *Kreol Morisien* can be used as a support language to facilitate teaching and learning at all levels, whether at primary or secondary school. The House will realise that this a very significant step forward that has been taken to effectively recognise the value and place of *Kreol Morisien* in school set up as a tool to facilitate assimilation of concepts.

Mr Deputy Speaker, Sir, the use of any language as a medium of instruction carries a number of implications which include national acceptance and international recognition, parental consent, training of teachers as well as a review of the school curriculum. These implications are being carefully examined and studied, however, keeping in mind that, being insular, our outlook has to be exogenous and outward looking.

Mr Deputy Speaker, Sir, our multicultural and multilingual entity makes it important to give due respect and recognition to languages brought by our ancestors. This explains why Asian languages and Arabic have found their rightful place in the school curricula.

One would wish to have a similar recognition of and value added to *Kreol Morisien* with its introduction as an optional subject. This has already been announced publicly by the hon. Prime Minister and we are going in this direction. But this, in itself, has implications regarding the production of curriculum materials, recruitment and training of teachers and especially nationally accepted and standardised written form of the language. The whole exercise is part and parcel of an ongoing and evolving process.

In this context, my Ministry is embarking on a national consultation process, involving all stakeholders, whether these are members of the academia, researchers, pedagogues, linguists as well as those who, in one way or another, can contribute to the debate. The overall aim is to build up a national consensus on the issue. As an initial step towards the enterprise, we are going to invite all parties wishing to bring their contribution to make submissions very soon. These inputs will be central to the discussions and deliberation of a national forum to be organised soon.

Mrs Labelle: Mr Deputy Speaker, Sir, I heard the hon. Minister saying that in the reply to PQ No. B/823, he mentioned that the Creole language can be used as a support language and this is a very important step that we have made. I feel very sad because the hon. Minister is aware that this is the case since 1957. So, there is no big progress. According to section 43 of

the Education Regulation of 1957, it is the case. To say that we have just made a huge step, I don't think it is a correct statement.

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

Mrs Labelle: Mr Deputy Speaker, Sir, may we know what other steps have been initiated after the statement of the hon. Prime Minister on 01 February 2010?

Dr. Bunwaree: Mr Deputy Speaker, Sir, I will answer the first part of the question. In fact, I informed the House at that time, but the hon. Member is still coming with the same argumentation. In fact, what she says is true, but for Standards I, II and III only; the Education Act mentions only for the primary schools. But Creole language, as a support language, is not allowed in any other class legally. We have said, and I mentioned it in my reply, that it has been allowed now as a policy measure for all classes in all pre-primary, primary and secondary schools whenever it is needed. I hope this is once and for all very clear in the minds of all the hon. Members.

The second question is: *qu'est-ce qu'on a fait depuis? On a fait beaucoup de choses. On va organiser un forum dans deux à trois semaines où tout le monde sera ensemble, comme je l'ai dit dans la réponse, parce qu'on a décidé de faire le créole une langue optionnelle. Quand on dit une langue optionnelle, cela va être dans les écoles, bien entendu, mais il y a des petites choses à régler. Comme cela arrive souvent, plus j'entre dans les détails, plus on voit des problèmes. Il y a le problème de la grammaire, de l'orthographe et de la graphie harmonie qui est une graphie. Mais, de là, à faire le vocabulaire et l'entraînement des professeurs, tout cela prend du temps. J'ai décidé de mettre tout le monde ensemble - je pense avant la fin d'avril on va réaliser ce forum - et on va décider ensemble what is the best way forward to make Creole an optional language in our school system.*

Mrs Labelle: Mr Deputy Speaker, Sir, the hon. Minister has mentioned about a technical committee that has been set up, if I got him right. May I know when the committee met and when the next meeting is being scheduled?

Dr. Bunwaree: The committee is meeting very often, once every week, I must say, and sometimes I, myself, chair the committee. But what I have said is important. We have to get

this forum where all the stakeholders will be brought together because together we have to define the way forward.

Mr Lesjongard: Mr Deputy Speaker, Sir, since the hon. Minister has also mentioned the various implications for the introduction of *Kreol Morisien* as an optional subject, can he inform the House whether he has a specific time frame for completing that job and whether it is in the coming weeks or months?

Dr. Bunwaree: J'ai répondu indirectement à cette question pour dire que si ce n'était que moi, j'irais très vite et j'aurais proposé janvier de l'année prochaine. Mais plus j'entre dans les détails plus je vois qu'il y a des choses à faire. On me dit que la grammaire risque de prendre beaucoup plus de temps. Je vais voir tout cela dans le forum et on va décider *what is the best way forward*.

The Deputy Speaker: Last question, hon. Mrs Labelle!

Mrs Labelle: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether he will let the House know who are the members of the technical committee that he has just set up?

Dr. Bunwaree: This technical committee is at the level of the Ministry. Of course, I have no objection to let the House know, but this committee is preparing the forum which is the most important thing.

MANGALKHAN, FLORÉAL - STATE LAND - BENEFICIARIES

(No. B/93) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Housing and Lands whether, in regard to the lease of State land, he will –

- (a) state the number of persons who, since January 2006 to December 2009, have been granted a plot of land in the region of Mangalkhan, Floréal, and
- (b) table a list of the beneficiaries thereof.

Dr. Kasenally: Mr Deputy Speaker, Sir, in regard to part (a) of the question, I am informed that two persons have been granted a plot of land in the region of Mangalkhan, Floréal. I am tabling the names of the two beneficiaries.

Mrs Labelle: Mr Deputy Speaker, Sir, there are more than two persons who are building small houses now. May I ask the hon. Minister whether he will try to find out whether the lease has already been granted or whether these persons are squatting and building there?

Dr. Kasenally: As far as records are concerned, there are only two. Maybe the others are squatting if they are building. I will certainly send my surveyors to check and see what the situation is.

WOMEN & CHILDREN IN DISTRESS - SPECIAL COLLABORATIVE PROGRAMME

(No. B/94) Mrs F. Labelle (Third Member for Vacoas & Floreal) asked the Minister of Women's Rights, Child Development and Family Welfare whether, in regard to projects approved and financed under the Special Collaborative Programme for women and children in distress, she will table a list thereof, indicating if an evaluation and monitoring mechanism has been set up to assess the impact thereof on the direct beneficiaries and, if so, give details of such mechanism.

Mrs Seebun: Mr Deputy Speaker, Sir, following a first call of project proposals launched in August 2009, 17 projects to the tune of Rs20 m. have been approved by the Steering Committee and financed under the Special Collaborative Programme. I am tabling the list.

Mr Deputy Speaker, Sir, for the purpose of close monitoring and evaluation of projects, a Programme Coordinator is recruited and the services of five Programme Facilitators have been made available to my Ministry. I am tabling a pro-forma of the Monitoring Report which is being used for that purpose.

Mr Deputy Speaker, Sir, I also wish to inform the House that the duration of each project falls within a span of 6-24 months. A project cycle comprises different phases requiring different levels of monitoring whilst an impact assessment on the final outcome thereof on the direct beneficiaries is conducted at the completion of the programme. I am also tabling the pro-forma.

Mrs Labelle: Mr Deputy Speaker, Sir, I think I heard the hon. Minister mentioning that a Programme Coordinator is recruited. Must I take it that it is in the process of being recruited or has it already been done?

Mrs Seebun: It is almost done because we have already received three bids which we are analysing currently.

Mrs Labelle: Moreover, Mr Deputy Speaker, Sir, the hon. Minister mentioned that the duration of the projects is from 6 to 24 months. Must I take it that there are some projects which have already been completed and, if so, whether there has been an evaluation of those projects and if she could inform the House of the findings?

Mrs Seebun: I wish to inform the hon. Member that funds have been disbursed for 16 projects in December and for one project on 08 March this year. The monitoring will begin now as the funds have recently been disbursed.

The Deputy Speaker: So, it's too early for evaluation.

Mrs Labelle: May I ask the hon. Minister whether she intends to make a regular monitoring and evaluation or will she wait for the mid or end of the projects? What is the time scheduled for evaluation?

Mrs Seebun: The monitoring will be done on a monthly basis for some and for others on a 3-month basis, but the impact assessment will be done at the completion of the projects.

SALE BY LEVY - VICTIMS – AMOUNT DISBURSED

(No. B/95) Mr S. Dayal (Second Member for Quartier Militaire & Moka) asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether, in regard to the Rs100 m. earmarked for the victims of Sale By Levy, he will state the amount thereof that has been disbursed as at to date.

The Minister of Education, Culture and Human Resources (Dr. V. Bunwaree): Mr Deputy Speaker, Sir, with your permission, I shall reply to this question. As the House is aware, following announcement made in the Budget Speech of 2007/2008 to set up a Sale by Levy Solidarity Fund, an amount of Rs100 m. was earmarked to financially assist deserving families, who have lost their only residence through sale by levy, to acquire a house.

Furthermore, in reply to a number of questions on this issue, my colleague, the substantive Minister of Finance had earlier informed the House of the eligibility criteria that such families should meet to benefit from assistance from the Sale by Levy Solidarity Fund.

Indication was also given as to the process that had to be followed in order to identify the potential beneficiaries.

In this respect, I am informed that following an initial exercise that was carried out from September 2007 to January 2009, and a second one from May 2009 to November 2009, 481 applications were received, but only 49 were found eligible.

To date, disbursement to the tune of Rs12.4 m. has been effected in respect of 36 out of the 49 eligible families identified and an amount of Rs6.5 m. has been earmarked for the remaining 13 beneficiaries. For these beneficiaries disbursement will be made once the negotiations for the acquisition of their respective houses would have been completed and deeds of sale finalised by the notary.

Mr Deputy Speaker, Sir, the House may wish to note the assistance from Sale by Levy Solidarity Fund was extended in year 2009 to also cover cases of families with a household income of less than Rs7,500 per month and who were facing difficulties in servicing their loans either following the death or serious incapacity of the income earner.

In this regard, the National Solidarity Fund did launch a call for applications in May 2009, following which 47 applications were received. 35 applications failed the eligibility criteria, and as at date, disbursements amounting to Rs467,000 have been made in respect of 2 beneficiaries. The remaining 10 applications are currently being examined by the National Solidarity Fund Board.

NTC – BUSES – PURCHASE

(No. B/97) Mr P. Jhugroo (Third Member for Port Louis North & Montagne Longue) asked the Minister of Public Infrastructure, Land Transport and Shipping whether, in regard to buses purchased by the National Transport Corporation, for the last five years, he will, for the benefit of the House, obtain from the Corporation, information as to the number thereof, indicating in each case, the costs thereof in terms of –

- (a) repairs, and
- (b) spare parts.

(Withdrawn)

SEA LEVEL RISE – MONITORING

(No. B/98) **Mr M. Dowarkasing (Third Member for Curepipe & Midlands)** asked the Minister of Environment and National Development Unit whether, in regard to the rise in sea level due to climate change, he will state the measures that have been taken or mechanism put in place by Government for the monitoring thereof.

Mr Bundhoo: Mr Deputy Speaker, Sir, I am informed that the Meteorological Services have four gauge stations for sea level rise monitoring. Two tide gauge stations are in operation in Mauritius namely at Trou Fanfaron and Blue Bay. The two other tide gauge stations are located in Rodrigues and Agalega respectively.

There is modern equipment with extra sensors comprising various weather elements including sea water temperature. Data are transmitted by these stations every 15 minutes through satellite links to the World Data Centre and the Mauritius Meteorological Services.

Monitoring result obtained so far have revealed that the sea level has been rising at 3 mm per year which is comparable with the international findings of the Intergovernmental Panel on Climate Change.

Mr Dowarkasing: Mr Deputy Speaker, Sir, can we know since when these two apparatus are in operation?

Mr Bundhoo: The one in Port Louis is since 1986; for Rodrigues, it is since November 1986; for Blue Bay it is November 2008, and Agalega since November 2008.

Mr Dowarkasing: Will it, therefore, be possible for the hon. Minister to table the gradual report on a yearly basis of the progression of the increase in the rise in sea level?

Mr Bundhoo: I have already stated in my reply, Mr Deputy Speaker, Sir, that monitoring result obtained so far has revealed that the sea level has been rising at 3mm per year which is comparable with the international findings. Therefore, it is already there.

The Deputy Speaker: Next question, please!

BASIC INVALIDITY PENSION - DISABLED PERSONS

(No. B/99) **Mr M. Dowarkasing (Third Member for Curepipe & Midlands)** asked the Minister of Social Security, National Solidarity and Senior Citizens Welfare & Reform

Institutions whether, in regard to the Basic Invalidity Pension to disabled persons having reached the age of 60, she will state the rationale behind the abolition thereof.

Mrs Bappoo: Mr Deputy Speaker, Sir, the Basic Invalidity Pension, that is the BIP, is meant to provide an income to persons aged between 15 and 59 years who suffer from a disability of at least 60 % and are thus unlikely to earn their living through employment. The BIP is, therefore, meant to partly replace the income they could have earned through employment.

Upon reaching the age of 60, such persons with a BIP start to draw the Basic Retirement Pension, that is the BRP. It is to be noted that the rate for the BRP is currently Rs3,048 a month and is higher than that of the BIP which is Rs2,745 a month.

Mr Deputy Speaker, Sir, both the BIP and the BRP are for the same purpose and are non-contributory pensions. In accordance with section 6 (1) of the National Pensions Regulations 1977, a person cannot draw more than one non-contributory pension.

However, if that person is so disabled to an extent of not less than 60% and requires constant care and attention, he/she is granted a carer's allowance to the tune of Rs1,921 per month in addition to his/her pension.

Mr Dowarkasing: Mr Deputy Speaker, Sir, I thank the hon. Minister for the reply. I think there is some logic behind it. I would request the hon. Minister if she could look into the possibilities of amending those regulations because everybody at the age of 60, disabled or not, are privileged to that Basic Retirement Pension. For those who are permanently disabled I would ask the hon. Minister to consider them as a separate case and look into the possibility of amending the regulations so that they could benefit both the BIP and the Basic Retirement Pension.

Mrs Bappoo: I do not think that it would be a wise decision for a person to benefit two non contributory pensions. If the person has a permanent disability and he earns a BRP, he applies for a carer's allowance and he is being given the carer's allowance on top of the BIP; it is like that. The hon. Member may wish to know that from 2005 up to date there has been an increase of about 35% to 38%, increase on their pension. From 2005 to 2010, there has been an average of 35% to 36% increase and on top of that, there is the carer's allowance.

These are of three categories. First, it is a person receiving a BIP, but without any carer's allowance. Second, it is a person in receipt of a BIP with a temporary carer's allowance. After the one year expiration of the allowance, if the medical doctor sees that he is qualified again for a carer's allowance, he will have it. The third category is those with a disability on permanent basis and the carer's allowance goes on permanently.

Mr Dowarkasing: I have one more suggestion. Can I impress upon the hon. Minister if she could see the possibilities of improving the carer's allowance for cases of permanent disability? They are earning roughly Rs1,500 as carer's allowance. But the hon. Minister would concur with me that the sum is not enough for those with a permanent disability. They need a car to vehicle them, they can't use the facilities of free bus transport like others, as an example. May I ask if the hon. Minister could review the carer's allowance for those with permanent disabilities?

Mrs Bappoo: Mr Deputy Speaker, Sir, I do not have at hand the list of budgetary measures that have been taken these three last years. There are additional budgetary measures to care for persons with severe disability in spite of free transport for those who can travel. But there have been various budgetary measures all along during the three last Budgets to cater for more funds to persons with severe disability. It goes on increasing because the three Budgets has been a disabled-friendly Budget.

Mrs Labelle: Mr Deputy Speaker, Sir, actually those who received the carer's allowance - I am talking about old age pensioners - are also entitled to receive medical visit at home. But, very often, old persons do not have that percentage of disability and they don't receive the carer's allowance. They are not asking for it, they ask for a medical visit. Sometimes they just can't go to hospitals. Is there something that can be done, even though they do not receive the carer's allowance? Can they be favoured with visits of doctors at their place?

Mrs Bappoo: Mr Deputy Speaker, Sir, the regulations make provision for anyone as from 90 years old to benefit a medical visit at home, what we call, a DV, *visite à domicile*. This is compulsory to anyone as from 90, being ill or not. Then, as from 75 years, if in case that person is disabled, he is bedridden, he also benefits from *une visite à domicile*. Below 75 years, if there is any case to case that needs to be given attention, the Director of the Medical Unit does take care.

Mrs Perrier: Mr Deputy Speaker, Sir, some time ago in this House the hon. Minister mentioned that the Government is agreeable to review the 60% disability. May I know where matters stand?

Mrs Bappoo: I think the hon. Member is confused on that. I never said, Mr Deputy Speaker, Sir, that Government is ready to review the 60% disability. I did mention that there are other countries who are giving BIP to people with a disability of more than 60%. We cannot go beyond that but, at this very time, there is the social protection review, which is being discussed at the level of the Ministry of Finance and all these issues are being taken in the whole package of reviewing social protection for the most vulnerable people.

The Deputy Speaker: The next and last supplementary question.

Mrs Labelle: Mr Deputy Speaker, Sir, as far as the medical visits and the carer's allowance for those aged less than 75 is concerned, if the person is suffering from, let's say, 55% incapacity, he or she is not entitled, according to our regulation, to the carer's allowance. I am not arguing about that. But, at the same time, this person has got difficulties to go to hospitals or to the health centres. Can these cases be considered only for the medical visit, not for carer's allowance? This was my question.

Mrs Bappoo: I have just said, Mr Deputy Speaker, Sir, that the Director of the Medical Unit does consider special cases where the person really is in a bad state and cannot attend for the medical assessment at the level of the local office and this is being taken care by the doctor.

The Deputy Speaker: There can be case to case applications.

Mrs Bappoo: If the hon. Member has any case, she can submit it to my office.

The Deputy Speaker: Thank you, next question!

SUGAR CANE PLANTERS TRUST - DISSOLUTION

(No. B/100) Mr M. Dowarkasing (Third Member for Curepipe & Midland) asked the Minister of Agro Industry, Food Production and Security whether, in regard to the Sugar Cane Planters Trust, he will state if it has been dissolved and, if so -

- (a) state the reasons therefor, indicating if that decision was taken through a general assembly, and

(b) table copy of the audited accounts of the Trust as at to date.

Mr Faugoo: Mr Deputy Speaker, Sir, section 14 of the Sugar Cane Planters Trust Act provides that the Trust may, with the approval of the Minister, be dissolved by unanimous decision of the Board.

The Board of the Trust had unanimously decided on 26 April 2007 to dissolve the Trust. That decision was approved by the then Minister on 25 July 2007. All procedures for the dissolution of the Trust have been followed as per advice tendered by the State Law Office.

I am advised that the decision to dissolve the Trust was motivated by the following factors -

- (i) decline in the production of sugar cane from 5,478 tonnes on a harvested area of 77 hectares in 2000, to a mere 443 tonnes on a harvested area of 31 hectares in 2006, i.e, from 71 tonnes per hectare to a mere 14 tonnes per hectare;
- (ii) a Technical Committee, comprising the Mauritius Sugar Industry & Research Institute and Farmers Service Corporation set up to evaluate the proposal for cane replantation after the sixth year of ratoon in 2006, had recommended that net returns were too low to allow sustainable sugar cane production, and
- (iii) a survey subsequently carried out among the beneficiaries to seek their views on the future of the Trust revealed that 70% of them had signified their intention not to continue with the project.

According to the Act, there was no necessity for the decision for dissolution to be taken by the general assembly.

Regarding part (b) of the question, I am tabling the audited accounts of the Trust for the year ended 30 June 2007. Mr Deputy Speaker, Sir, a Bill for the repeal of the Sugar Cane Planters Trust Act is on the agenda of this Assembly today, and it will be debated later on.

Mr Dowarkasing: Can the hon. Minister confirm to this House whether the audited accounts or the financial reports for the years 2001-2002, 2002-2003 and 2003-2004 have been tabled?

Mr Faugoo: I am not aware. If this needs to be done, I have no problem.

HIGHWAYS - LANDSCAPING - CONTRACTS

(No. B/101) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the vice-Prime Minister, Minister of Tourism, Leisure and External Communications whether he will, for the benefit of the House, obtain from the Tourism Authority, information as to if for the period 2008-2009, it has awarded contracts for landscaping of the highways and, if so, indicate in each case the -

- (a) names of the companies to which the contracts have been awarded;
- (b) contract value thereof, and
- (c) past experience of the companies in the field of landscaping.

Mr X. L. Duval: Mr Deputy Speaker, Sir, I am informed that, for the period 2008-2009, the Tourism Authority has, following formal tender procedures, awarded contracts for landscaping of the highways to two companies, namely –

- (i) Gros Cailloux Ltd (a member of United Basalt Products Ltd) for a total contract value of Rs994,217, out of which the supply, planting and maintenance of plants for an amount of Rs195,434, exclusive of VAT in connection with embellishment works on the highway at Roche Bois, and
- (ii) My Landscapes Ltd, for a total contract value of Rs387,208, exclusive of VAT, for the supply, planting, maintenance and irrigation for a period of three months in connection also with embellishment works along the central motorway at Roche Bois.

Both companies have considerable experience in landscaping work.

Mr Lesjongard: Mr Deputy Speaker, Sir, may I ask the vice-Prime Minister whether there has been a change in policy with regard to responsibility of highways, especially with regard to upgrading or embellishment of highways? Does it fall under his Ministry or under the Road Development Authority?

Mr X. L. Duval: What falls under my Ministry, Mr Deputy Speaker, Sir, is the responsibility to make of Mauritius a most beautiful place so that tourists can come, and this has been shown in the surveys that we do and the awards that we win. We work in collaboration with

many other authorities, including the RDA, and this particular assignment is done with the collaboration of the RDA, which is Road Development Authority.

Mr Lesjongard: There was a question with regard to past experience of contractors who have been selected. Can we know the past experience of Gros Cailloux Limited and My Landscapes Ltd in the field of landscaping?

Mr X. L. Duval: With pleasure, Mr Deputy Speaker, Sir. Gros Cailloux has got a lot of experience: landscaping works at Villa Tamarina, Centre Culturel Français at Ébène, RES projects, a number of hotels, Riverside project at Rivière du Rempart. My Landscapes also, Mr Deputy Speaker, Sir, has a lot of experience: working for Medine Sugar Estate, Tamarina Golf Club, Villa Tamarina, Watertech Limited, and a lot of work for General Construction and such other private companies. They are both experienced companies, Mr Deputy Speaker, Sir.

Mr Lesjongard: May I ask the vice-Prime Minister whether the experience acquired by My Landscapes was before the award of the contract or after the award of the contract?

Mr X. L. Duval: It was before, Mr Deputy Speaker, Sir.

RESTAURANT ‘LE GOUT DU LARGE’ – LAND LEASE

(No. B/102) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Minister of Housing and Lands whether he will state if Restaurant Le Goût Du Large holds a lease on the *Pas Géométriques* at Grand’Baie and, if not, indicate -

- (a) the name of the lessee of the land on which the restaurant stands;
- (b) the type of lease, and
- (c) if a request was made for a change of purpose of the lease and, if so, by whom.

Dr. Kasenally: Mr Deputy Speaker, Sir, the Restaurant *Le Goût du Large* does not hold a lease on *Pas Géométriques* at Grand’Baie, but the land of an extent of 1,772.76 m² or 42p, on which stands the restaurant, was originally leased to one Mr Joseph Jean Planteau de Maroussem for a period of 60 years, as from 23 December 2008 to expire on 22 December 2068, for use as campement/s for residential purposes.

As per the provision of Article 5 of the lease agreement, the lessee has transferred the leasehold rights on the same terms and conditions as from 30 July 2009 to Société GaMa, represented by Dr. Mohammad Gaffoor Bholah, by virtue of a notarial deed.

The lease agreement in the name of the new lessee, Société GaMa, has not been signed.

Regarding part (c), no request has been made at my Ministry for the change in purpose.

Mr Lesjongard: Mr Deputy Speaker, Sir, may I ask the hon. Minister if there has been no request for a lease or any lease granted to the person mentioned? Can he explain how come a restaurant is operating on that plot of land?

Dr. Kasenally: The reason is simple. It is illegal and my Ministry is initiating steps to take appropriate corrective measures.

Mr Lesjongard: May I then ask the Minister whether a permit was allocated to those operating the restaurant at Grand' Baie?

Dr. Kasenally: My Ministry does not issue any permit for anybody to operate a restaurant. This is the business of the local authorities.

The Deputy Speaker: Maybe the hon. Member can come with a substantive question.

STUDENTS (NEEDY) - SCHOOL MATERIALS –DISTRIBUTION

(No. B/103) Mr G. Lesjongard (Second Member for Port Louis North & Montagne Longue) asked the Minister of Education, Culture and Human Resources whether he will state if the distribution of school materials to children of eligible families in Constituency No. 4, Port Louis North and Montagne Longue, has been completed and, if not, why not.

Dr. Bunwaree: Mr Deputy Speaker, Sir, with your permission, I am replying to this question. I am answering this question addressed to me as Minister of Education, Culture and Human Resources and as Ag. Minister of Finance and Economic Empowerment.

As the House is aware, the main objective of the Trust Fund for the Social Integration of Vulnerable Groups is to alleviate poverty through the funding of projects/schemes, and ensure their smooth integration in mainstream society. This is also done with the active participation of NGOs, as they have closer outreach and can facilitate quicker assistance to those needy and vulnerable families. In this respect, the Trust Fund finances projects from NGOs that assist

needy schoolchildren through the provision of the school materials, namely uniforms, school bags, shoes, copybooks and other related stationary.

It is to be noted that NGOs in general do not submit projects to the Trust Fund on a constituency-wise basis, but according to localities in which they provide coverage. The Trust Fund also receives requests for basic school materials from PTAs, community leaders, vulnerable families themselves, as well as from its field staff.

All requests are processed at the level of the Trust Fund, and it is the direct responsibility of the social facilitator of the Trust Fund to ensure that the needy children meet the established criteria which are namely that -

- (i) the monthly household income of the family does not exceed Rs5,000, and
- (ii) the child is attending school: pre-primary, primary, secondary, pre-vocational or vocational.

Insofar as the regions encompassing Port Louis North and Montagne Longue are concerned, I am informed that requests for a total of 2,225 children for school materials were received for this year. These requests have been processed at the level of the Trust Fund, subsequent to which, the families concerned were visited by the field workers of the Trust Fund to ascertain whether the applicants do meet the established criteria that I have mentioned earlier. After the completion of this screening exercise, meetings were held by the Social Facilitator concerned with the NGOs submitting the project proposals to validate the assessment and finally to ensure that the projects would be monitored and implemented in accordance with the parameters established by the Trust Fund. Obviously, the scrutinising of requests, ensuring compliance, having meetings with NGOs, and validating the assessment till finally the distribution of the school materials is a time-consuming exercise.

Out of the 2,225 requests, 1, 607 children were found to be eligible for such assistance. As to date, 1,484 children have already received their school materials for a total amount of Rs2.4 m. and a batch of 123 children will be receiving school materials by the end of this week. The distribution of school materials are being made in a phased manner as from December 2009 to ensure proper monitoring.

I am also informed, Mr Deputy Speaker, Sir, that requests for a total of 518 children were received from community leaders, NGOs, individuals and heads of schools in the region of Montagne Longue and Crève Coeur during the months of December 2009 and January 2010. Visits effected by field workers revealed that a significant number of families were drawing more than Rs5,000 monthly and they were not eligible for assistance. The screening process is expected to be finalised this week and those who are eligible will receive school materials by mid-April 2010.

Furthermore, additional requests for school materials have been received on 25 March 2010 from Ramnarain Government School for needy pupils in the region of Terre Rouge and Cité Briquetterie. Screening will be carried out as from this week to determine their eligibility.

Mr Bhagwan: The fact that we are talking about the distribution of school materials, can I ask the hon. Minister whether there is any criteria for allowing hon. Members of Parliament to get into contact with schools for the distribution of '*biscuits sorbet*', pencils or pens? Because these are school materials: in the past, we have seen their '*cinéma*'...

The Deputy Speaker: We have heard your question!

Mr Bhagwan: This is very serious. I would like to know whether there is any criteria that has to be followed.

The Deputy Speaker: I have heard the hon. Member's question. Thank you, hon. Bhagwan! Yes, hon. Minister.

Dr. Bunwaree: The best thing for the hon. Member of Parliament is to join the NGO.

Mr Bhagwan: Going through the NGO or going through the Ministry?

Dr. Bunwaree: They can always inform the Zone Director that there is that problem and then the Zone Director can transmit it to the Trust Fund.

Mr Guimbeau: Just recently, we saw hon. Ms Deerpalsing giving...

The Deputy Speaker: No! Please sit down when I am on my feet! We are having questions on Constituency No. 4 and school materials, not about hon. Ms Deerpalsing. I will not allow any reference to hon. Ms Deerpalsing. The hon. Member may come with a substantive question if he wants to.

Mr Guimbeau: Mr Deputy Speaker, Sir, concerning the distribution of school materials, is it proper for a Member of Parliament to distribute in schools...

The Deputy Speaker: Hon. Guimbeau, I will not allow that question! You should come with a substantive question.

CAMP FOUQUERAUX/ALMA - WATER PIPES - COST

(No. B/104) **Mr S. Dayal (Second Member for Quartier Militaire & Moka)** asked the Deputy Prime Minister, Minister of Renewable Energy and Public Utilities whether, in regard to the replacement of water pipe from Camp Fouqueraux to Alma, he will state where matters stand, indicating the cost thereof.

The Deputy Prime Minister, Minister of Renewable Energy and Public Utilities (Dr. R. Beebeejaun): Mr Deputy Speaker, Sir, I am informed by the Central Water Authority that on 17 March 2010, tenders were launched for the replacement of 13.6 km of old pipelines from Camp Fouqueraux to Alma Reservoir. The closing date for the submission of bids at the Central Procurement Board is 29 April 2010.

It is expected that the contract will be awarded by August 2010 and the works completed by early 2012.

The cost of the project is estimated at around Rs250 m.

ASSEMBLEE DE DIEU DE MAURICE – INCORPORATION - LEGISLATION

(No. B/105) **Mr E. Guimbeau (First Member for Curepipe & Midlands)** asked the Attorney General whether, in regard to the legislation for the incorporation of the *Assemblée de Dieu de Maurice*, he will state where matters stand.

Mr Valayden: Mr Deputy Speaker, Sir, the draft Bill will be ready in about 10 days and then will be circulated.

Mr Guimbeau: Mr Deputy Speaker, Sir, I would like to know whether the hon. Attorney General met Pastor Blackburn recently?

Mr Valayden: As I said about a fortnight ago, after robust consultation, I did meet Pastor Blackburn and two others from the *Salut et Guérison*.

Mr Guimbeau: Can we have an idea when the Bill is going to be passed?

Mr Valayden: I just stated to the House, Mr Deputy Speaker, Sir, that in about 10 to 15 days, the draft Bill will be ready and then it will be circulated. It will go the Cabinet and then it will come to the House.

Mr Guimbeau: I just wish this is going to come true because it has been five years now. I would like also to table the Act of Parliament concerning a religious group. What I am asking the hon. Attorney General is to not discriminate against *l'Assemblée de Dieu*.

Mr Valayden: Mr Deputy Speaker, Sir, this is an insinuation because the hon. Member is saying that I will discriminate. I do not know any form of discrimination; I am not a Member to discriminate. I am an honourable Member and, especially on the case of discrimination, I have never discriminated.

The Deputy Speaker: Thank you.

Mr Ganoo: Will the hon. Attorney General agree...

(Interruptions)

The Deputy Speaker: Order! Order!

Mr Ganoo: Will the hon. Attorney General agree that this Bill has taken a long time before it is coming in front of this Assembly?

Mr Valayden: First of all, let us say that for the first time I have before me a draft Bill. In the Bill that was supposed to be circulated by an hon. Member, there is a lot of inconsistency. For example, there is not even the definition of Superintendent and the Superintendent is supposed to manage. I do not think it will be proper for me to continue to comment on the Bill.

The Deputy Speaker: Thank you.

Mr Ganoo: Is the hon. Attorney General aware also that the Bill has to be gazetted before it comes before the Assembly?

Mr Valayden: This is, of course, basic.

Mr Guimbeau: Mr Deputy Speaker, Sir, after what happened in Triolet all the Pencotists have formed a Council. We would like to know if the hon. Attorney General is going to give the same treatment to the Pencotists Council?

Mr Valayden: I am not a person who discriminates.

The Deputy Speaker: We know that. We can proceed with the next question, please.

SPORTS COMPETITION - FITNESS TEST

(No. B/106) Mrs S. Grenade (Second Member for GRNW & Port Louis West) asked the Minister of Youth and Sports whether, in regard to sports competition, he will state if his Ministry ensures that prior to participating therein, participants are made to undergo a fitness test.

Mr Ritoo: Mr Deputy Speaker Sir, it has always been the policy of my Ministry to ensure a close medical follow-up of our athletes.

In fact, all athletes, licensed by the National Sports Federations that are recognised under the Sports Act are required to undergo a Medical Fitness Test at the Ministry's Sports Medical Centre, situated at Vacoas, before participating in any international sports event.

Moreover, at the request of the sports federations, the Medical Centre also carries out fitness tests on all athletes participating in national sports events.

Mr Bhagwan: May we know if all high level athletes participating in international games are covered with an insurance policy whenever they travel abroad and whether there has been any request from any international athlete who has suffered health problems, asking for refund of his or her medical expenses which the Ministry has not catered for?

Mr Ritoo: All athletes participating in high level games are covered by an insurance policy and this has been the policy all the time.

Mr Gunness: Can I know from the hon. Minister whether he has advised his colleague, the hon. Minister of Education, for example, in schools - because we know of the sad event which occurred in a secondary school in the East - to ensure that, before children do participate in any sport activity, they undergo a fitness test?

Mr Ritoo: Yes, in fact, with regard to sports competition organised by colleges and schools, following the death of a student participating in a cross-country, I think the Ministry of Education has stated that it will ensure that students undergo cardiac medical check up before any game takes place. It will be practically impossible for my Ministry - I mean our Sports

Medical Unit with one Medical officer and three Para-medical officers - to cater for 20,000 to 30,000 students participating in sports days and inter-college games, but we will ensure that the Ministry of Education now requests for a medical check-up.

Mrs Martin: Mr Deputy Speaker, Sir, before going for sports competition, has the hon. Minister liaised with his colleague, the Minister of Education, Culture and Human Resources, to see whether the screening of students who participate in normal sports activities - because this is done on a regular basis in schools as well - can be done at this level so as to detect it before they go into sports competitions?

Mr Ritoo: Mr Deputy Speaker, Sir, I think that is what I just answered. The hon. Minister of Education, Culture and Human Resources is now making a request to the Medical Unit of my Ministry to have the medical check-up of students who are going to participate in the inter college sports days and games.

HOSPITALS & DISPENSARIES - CHINESE TRADITIONAL MEDICINE

(No. B/107) Dr A. Husnoo (Second Member for Port Louis Maritime & Port Louis East) asked the Minister of Health and Quality of Life whether, in regard to the Chinese traditional medicine, he will state if same is practised in Government hospitals and, if not, if Government will consider its introduction thereat and in the dispensaries.

Dr. Jeetah: Mr Deputy Speaker, Sir, the provision of traditional medicine in Mauritius is regulated by the Ayurvedic and Other Traditional Medicines Act of 1989. This legislation also makes provision for the delivery of Chinese traditional medicine. To date Ayurvedic medicine is available both in public and private sectors. With the interest shown by the public in general in traditional medicine, my Ministry is in the process of expanding the traditional medicine sector through the introduction of the Chinese traditional medicine in our hospitals.

In this respect, in December 2009, I met a delegation from Guangdong, headed by the Deputy Director General, Health Department of Guangdong Province with a view to enlisting its collaboration for the introduction of Chinese Traditional Medicine within our health services and discussions are still ongoing.

Additionally, I met Dr. Lindsay Cabon, a Specialist in Acupuncture and Homeopathy, Sports Medicine and Aerospace Medicine. Dr. Cabon is a Mauritian doctor settled in France.

Dr. Cabon has agreed to train our doctors in Acupuncture and has confirmed his forthcoming visit to Mauritius around mid April 2010 to organise a training programme in collaboration with my Ministry.

Mrs Martin: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether he is aware that there is an association of acupuncture practitioners here in Mauritius and whether his Ministry has been in contact with them in order to see in what way they can be included in the process as well?

Dr. Jeetah: I am aware, Mr Deputy Speaker, Sir, that there is at least one private clinic that offers the service and there are other private practitioners, but we have not had discussion, I must admit, since we have not had any interest from any party. But my Ministry is open to any suggestion or any collaboration in this field.

The Deputy Speaker: Maybe they could write to the hon. Minister. Thank you, next question, please!

IAN PALACH BUS STATION - CONSTRUCTION

(No. B/108) Mrs M. Martin (Second Member for Curepipe & Midlands) asked the Minister of Local Government, Rodrigues and Outer Islands whether, in regard to the proposed demolition of the Ian Palach Bus Station in Curepipe, he will, for the benefit of the House, obtain from the Municipal Council of Curepipe, information as to where matters stand.

Mr Aimée: Mr Deputy Speaker, Sir, I am informed by the Council of Curepipe that it had on 03 February 2010 received an unsolicited expression of interest from a private company for a project "Curepipe Bus Station and Market Redevelopment".

I am further informed that the Council, after taking cognizance of the proposal, decided that it would be best to proceed with an open advertised exercise to enlist maximum proposals. In the event, there should be a decision of the Council to redevelop the Ian Palach Traffic Centre. I further informed that the Ian Palach Traffic Centre consists of two parts namely, Ian Palach North and Ian Palach South. The Ian Palach South is already vested in the Council in virtue of the land exchange concluded with the Government. As for the Ian Palach North which is not vested in the Council, the latter has made a request to the Ministry of Housing and Lands for the vesting of the State land in question.

Mrs Martin: May I ask the hon. Minister whether he has liaised with his colleague from the Ministry of Housing and Lands to see whether the negotiations have started in view of vesting the land to the Municipality?

Mr Aimée: The Municipal Council has made an application to the Ministry of Housing and Lands for the vesting of the State land on 08 March 2010.

Mrs Martin: Can I ask the hon. Minister whether he has any information as to whether the demolition and proposed new bus station will be at the same place or delocalised?

Mr Aimée: In fact, we are waiting for the Ministry of Housing and Lands to vest the land in the Council, then a decision will be taken.

NATIONAL LOTTERY, IT UNIT - *BRIGADE DES JEUX* - ACCESS

(No. B/109) Mr N. Bodha (First Member for Vacoas & Floreal) asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether he is aware that the *Brigade des Jeux* was not given access to the Information Technology Unit of the National Lottery for the last draws and, if so, will he, for the benefit of the House, obtain from the Gambling Regulatory Authority, information as to the reasons thereof, indicating the remedial measures that are being envisaged to address the issue.

The Minister of Education, Culture and Human Resources (Dr V. Bunwaree): Mr Deputy Speaker, Sir, I am informed that the representative of the Mauritius National Lottery had, at a hearing before the Board of the Gambling Regulatory Authority on 25 March 2010, indicated that the *Loterie Nationale* had no intention whatsoever to deny access to officers of the *Police des Jeux* during the draw of 20 March 2010. However, it had to comply with the approved Control Procedure as provided for in section (80) of the Gambling Regulatory Authority Act regarding authorised persons who can have access to the IT Room.

In this respect, failure to comply with the Control Procedure approved by the Gambling Regulatory Authority by allowing access to the officers of the *Police des Jeux*, would have resulted in a breach of the Gambling Regulatory Act and would have been liable to pay a fine not exceeding Rs1m.

I have also been informed by the GRA that the combined effect of sections (111) and (113) of the GRA Act, does, in fact, allow a representative of the *Police des Jeux* to have access,

at all reasonable times, to any part of the premises of a licensee, including the *Loterie Nationale*, for the purpose of ensuring that the GRA Act is being complied with. Therefore, there has been some confusion.

In order to avoid any confusion in the future, the Gambling Regulatory Board has decided to amend the Control Procedures of the *Loterie Nationale* so as to allow officers of the *Police des Jeux* to have access to the premises of the *Loterie Nationale*, including its IT Room.

Mr Bodha: Mr Deputy Speaker, Sir, may I ask the hon. Minister whether on that particular Saturday, an offence has been committed?

Dr. Bunwaree: I cannot reply offhand, but I will transmit the question to my colleague, the substantive Minister, who will look into it and inform the House.

Mr Bodha: May I ask the hon. Minister whether he considers that an inquiry should be carried out and remedial measures taken in view of the fact that each draw involves at least Rs10 m.?

Dr. Bunwaree: Yes, of course, I'll see that there will be no problem in the future, but for this particular case inquiry is on.

Mr Bodha: Can I ask the hon. Minister whether it is being intended to amend the legislation if there is some sort of confusion as regard to the interpretation of the existing law?

Dr. Bunwaree: This is already taken care of. I am informed that the procedures are already done and the publishing of the information will be taken care of.

Mr Bodha: May I ask the hon. Minister whether it will not be advisable to see how this is done abroad? In most countries now there is a National Lottery and it will be very interesting to see what are the measures being taken for transparency in view of the fact that the amount of money which is involved, as I said, is a minimum of Rs10 m. every week.

Dr. Bunwaree: Mr Deputy Speaker, Sir, as I said, if we look into the Act there is no problem, because the *Police des Jeux* can go at any time to any part of the compound of the *Loterie Nationale*. The problem is that the control procedures approved did not mention that and the company was going strictly according to these rules.

HENRIETTA, CITE LOYSEAU & CITE MANGALKHAN –

FOOTBALL GROUND

(No. B/110) Mr N. Bodha (First Member for Vacoas & Floreal) asked the Minister of Environment and National Development Unit whether, in regard to construction of a football ground at Henrietta and lighting facilities at the football grounds at Cité Loyseau and Cité Mangalkhan, he will state where matters stand.

Mr Bundhoo: Mr Deputy Speaker, Sir, I am informed that the Municipal Council of Vacoas Phoenix is constructing a football ground and a leisure park at Henrietta on a plot of land of an extent of 14,666.72 m² vested with the Council under the Land Conversion Scheme.

Works started on 18 November 2009 and are expected to be completed hopefully by the end of April this year.

As far as lighting facilities of the football grounds at Cité Loyseau and Cité Mangalkhan are concerned, my Ministry has already initiated action and invited bids and it is expected that the contract will be awarded soon.

Mr Bodha: May I ask the hon. Minister, on your behalf as well, how soon is soon?

The Deputy Speaker: Not on my behalf! I am aware how soon is soon.

Mr Bundhoo: I must say, Mr Deputy Speaker, Sir, that hon. Mrs Bappoo, hon. Chaumière and yourself have all shown interest to light and football ground in Cité Loyseau and Cité Mangalkhan. May we be blessed by the light as soon as possible!

SUBRAMANIA BHARATI EYE HOSPITAL – EYE OPERATIONS – WAITING LIST

(No. B/111) Mrs M. Martin (Second Member for Curepipe and Midlands) asked Minister of Health and Quality of Life whether, in regard to eye diseases necessitating surgical interventions and operable in Mauritius, he will state the –

- (a) number of patients operated since January 2009 to date, and
- (b) average waiting period for a patient necessitating surgery, indicating the number of patients awaiting to undergo operation.

Dr. Jeetah: Mr Deputy Speaker, Sir, with your permission, I shall reply to Parliamentary Questions B/111 and B/112 together as both of them relate to the same subject matter.

I wish to state that the Subramania Bharati Eye Hospital is the only public specialised eye hospital in Mauritius which provides quality ophthalmic care and services to the population. A wide range of eye treatment, including surgeries is performed at the centre.

From January 2009 to 25 March 2010, 8,216 patients were operated upon. This figure includes 4,881 patients above the age of 50 who have undergone cataract operations.

As regards part (b) of question B/111, 2,257 patients are waiting for eye operations and the average waiting time is 12 weeks. My Ministry has taken the following measures to reduce the waiting time.

With regard to short term measures -

- The service of two Optometrists has been enlisted on a sessional basis.
- The Public Service Commission is presently conducting a selection exercise for the filling of four existing vacancies. Furthermore, the vacancies have been advertised in India and 58 applications have been received. This exercise will be finalised after the one being carried out by the PSC.
- As announced by the vice-Prime Minister and Minister of Finance in the last Budget Speech, funds have been provided to the tune of Rs200 m. to allow my Ministry to implement, *inter alia*, a scheme to reduce the waiting list for ophthalmological non-emergency surgeries at the Moka Eye Hospital.
- Extra sessions for eye surgeries are carried out after normal working hours during weekdays and Saturdays. From July 2008 to December 2009, 500 extra sessions were carried out and 2,516 eye surgeries performed.
- Special allowances are paid to the eye specialists and the Nursing Officers and a sum of Rs3.6 m. has been spent for extra sessions for eye surgeries from July 2008 to December 2009.

- For the last two years i.e from January 2008 to December 2009, 10 foreign teams from Geneva, Pakistan and France have operated upon 343 complex vitreo retinal cases, thus allowing my Ministry to save some Rs70 m.

With regard medium to long term measures, Mr Deputy Speaker, Sir -

- Six Government Medical Officers are following specialised training in Ophthalmology organised in collaboration with the “Université Victor Segalen Bordeaux II”, under a Scholarship Scheme and these doctors are expected to complete their training by the year 2014.
- A new “State-of-the-Art” Operating Theatre will be set up shortly in collaboration with Lions Club International.
- A project for the extension of Subramania Bharati Eye Hospital at the cost of Rs156 m. including construction of a new OPD, two wards and additional units and parking facilities will be implemented soon.
- In line with Government Policy to make of Mauritius a Medical Hub -
 - (i) investors are encouraged to set up medical institutions comprising specialised services in Ophthalmology, for example the setting up of the Dr. Agarwal Eye Hospital at Baie du Tombeau, and
 - (ii) we are also actively converting our hospitals into teaching hospitals and we already have D. Y. Patil which has taken over Nehru to be an institution to have postgraduate studies in the medical field.

Mrs Martin: I thank the hon. Minister for his answer. I have no doubt that with the developments that are announced, things are going to go better and better. Initially, my question was one question and it is good that the Minister answered it altogether. But he said that there is a waiting time of 12 weeks for people who need to be operated from cataract, but people who are 50 years old, and most of them are still working, are in a precarious position, because they are suffering from this eye problem. Can I ask the hon. Minister whether the waiting period could be revised, because it causes them quite a lot of problems? Either they are not working and they are on their own and it is quite inconvenient for them or they are working, but then they are in a precarious condition, because if they stop working for quite a while, they will lose their jobs and

it is difficult for them to find another job because of their age group. Is it possible for the Minister to at least see and revise the waiting period so that these persons are not penalised?

Dr. Jeetah: Mr Deputy Speaker, Sir, I did provide information with regard to short term measures as well as medium to long term. I cannot, as a politician, go and interfere with the medical practitioners to dictate which patients should be seen first or as a matter of priority. But I can assure the hon. Member that I am in the presence of information whereby the medical practitioners are working very hard to reduce the waiting list and they have been able to bring it down to 12 weeks, putting every effort possible. If there are certain genuine cases that might have probably been ignored, I will ask them to have a look into it.

Mrs Martin: Then, if the hon. Minister says that he cannot control the medical practitioners as to which is the priority cases, can he say, therefore, what is the procedure for them to choose who is going to be operated first? Is it on a first come first served basis?

The Deputy Speaker: I will not allow this question. The hon. Member can come with a substantive question.

Mrs Jeewa-Daureeawoo: For those who are waiting surgical operations, does Government envisage to start night session operations? Maybe this will be one of the measures where we can diminish those waiting to be operated.

Dr. Jeetah: I have already replied, Mr Deputy Speaker, Sir. I did mention that there has been a number of extra sessions. I did mention that there have been 500 extra sessions where we have treated 2,516 patients and these extra sessions are outside normal working hours.

Mr Jhugroo: Can I ask the hon. Minister whether there is any shortage of *ophthalmologists* at Bharati Eye Hospital in Moka?

The Deputy Speaker: The hon. Minister has answered this question already.

Dr. Jeetah: Sorry! Can I answer, Mr Deputy Speaker, Sir?

The Deputy Speaker: If the hon. Minister wants to answer again.

Dr. Jeetah: I will have to take it from the beginning. In this country, 50% of the population suffer from diabetes or are likely to become diabetics because of the wrong way that we eat and the lack of physical exercise and this is the basic problem. We recently had a survey

on NCDs and now we see that more than half of the population is either obese or overweight. So, we would put in a lot of efforts on preventive measures with our mobile clinics, talking to people, legislating and see what people drink and eat and so on. I think everybody should be concerned. Whatever resources we put into the health system is never enough. Mr Deputy Speaker, Sir, my budget has increased from Rs3.7 billion in 2004/2005 to Rs7.5 billion, just for Recurrent. I have been given an extra Rs800 m. for infrastructure. Now, the question is how much more I can ask the hon. Minister of Finance. I think Government is doing whatever it can with the limited resources that we have, but it is part of the people's responsibilities as well to look into the amount of sugar, oil and salt that we consume, given that we have this predisposition to get diabetes. We all know that diabetes is directly linked to our eyes. This is a sorry state of affairs. I did give some figures. In this country, Mr Deputy Speaker, Sir, we consume more than a billion cigarettes a year. In 2008, the Mauritian population consumed Rs13 billion of alcohol and cigarettes. I think everybody needs to take his or her destiny in hand. I think that if we all put our heads together, we would be in a situation where we can reverse this trend but, at the moment, we have got a major challenge.

The Deputy Speaker: I think the hon. Minister has made the point very well. Last question!

Mr Jhugroo: Mr Deputy Speaker, Sir, before 2005, there was a project of making Bharati Eye Hospital become ISO certified. Can I know where matters stand regarding this project?

Dr. Jeetah: I think it is a question of weeks to have this good news. Probably, it would be one of the first departments in my Ministry to obtain this ISO certificate, amongst others, I must say. We have got a plan to ensure that all the units in the public health sector get ISO certified.

SUBRAMANIA BHARATI EYE HOSPITAL – EYE OPERATIONS

(No. B/112) Mrs M. Martin (Second Member for Curepipe & Midlands) asked the Minister of Health and Quality of Life whether, in regard to patients suffering from cataract, he will state the number thereof above the age of 50 who have undergone operations at the Bharati Eye Hospital, Moka, since January 2009 to date.

(Vide reply to PQ No. B/111)

MAURITIUS/INDIA – DOUBLE TAXATION TREATY

(No. B/113) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether, in regard to the Double Taxation Treaty signed between Mauritius and India, he will state if there has been a request for a review thereof by the Indian side and, if so, indicate where matters stand.

The Minister of Education, Culture and Human Resources (Dr. V. Bunwaree): Mr Deputy Speaker, Sir, over the last ten years or so, issues relating to the Indo Mauritian DTA have been raised on a number of occasions, and Mauritian authorities have taken a number of measures to address various concerns raised by India.

The Financial Services Commission and the Securities and Exchange Board of India signed a MoU on exchange of information. This provides an additional channel for exchange of information between the two countries to the one existing under the DTA between the Mauritius Revenue Authority and the Indian Revenue.

The law has been amended to allow Indian auditors to practise in Mauritius. Mauritian Global Business companies may appoint Indian auditors to have their accounts audited for Mauritian regulatory purposes.

The Financial Services Commission has introduced licensing conditions to ensure that Indian sourced funds are not re-invested in India through Mauritian entities.

Mauritian authorities have repeatedly assured Indian authorities that the FSC will investigate any breach of the above licensing conditions, should the Indian authorities report any case of round-tripping. However, no such report has been received.

The House may wish to note that, in 2000, following challenges from revenue officials, the Indian Central Board of Direct Taxes issued Circular 789, which reaffirmed the conclusiveness of Tax Residency Certificates issued by Mauritius, thus supporting the provisions of the Treaty. Following the quashing of this Circular in a public interest litigation before the Delhi High Court, the Government of India appealed to the Supreme Court of India to support the stance of the Central Board of Direct Taxes. The Indian Supreme Court, in a landmark decision given in 2003, decided in favour of the Government of India and held that, as claimed

by the Government of India, the Tax Residency Certificate issued by Mauritius is sufficient to qualify for benefits under the India-Mauritius Treaty.

I am advised that, in a ruling given last week, the Advance Ruling Authority of India has once again stated that the provisions of the Treaty apply to entities to whom a Tax Residency Certificate has been issued by Mauritius.

Furthermore, in August 2006, a Joint Working Group, comprising senior officials from both India and Mauritius, was set up to work on two important issues, namely -

- (i) putting in place adequate safeguards to prevent misuse of the India Mauritius DTA without prejudice to the economic interests of either country;
- (ii) strengthening the mechanism for the “Exchange of Information” under the India Mauritius DTA.

The Joint Working Group has met on six occasions.

In view of the excellent friendly relationships between India and Mauritius, we will pursue the dialogue with India on matters relating to investment flows between our two countries.

Mr Jugnauth: The hon. Minister has mentioned about the recent ruling of the Advance Ruling Authority, where they have upheld the exemption for capital gains. But the Authority has also stated that they have very strong reservations as for the pursuance of this Treaty for the future. In the light of what has been announced by the hon. Minister of Finance of India, Mr Pranab Kumar Mukherjee, of the coming into force of the direct tax code in 2011, I think it is clear that the advantages of this capital exemption under the Double Taxation Avoidance Treaty is coming to an end. So, may I know what actions have been initiated by the Government with regard to the coming into force of that direct tax code?

Dr. Bunwaree: The matter is being considered very seriously at the level of the Ministry. In fact, my colleague, the hon. Minister of Foreign Affairs, Regional Integration and International Trade, is also taking the matter very seriously. We are aware of this, and we are taking all precautions. We will take all necessary steps that should be taken, to see to it that the advantages of Mauritius are maintained, and see to it also that we don't have any problems in the future.

Mr Jugnauth: I'll just insist, Mr Deputy Speaker, Sir, because I think it is now very clear that, with the application of this direct tax code, the companies will no more be in a position to benefit from that advantage, and it is clear that Mauritius tends to lose a lot in terms of money that was coming into the country. I know that Government is looking into that with great concern. But, may I know if, for example, the hon. Minister of Finance – I know he has been in India recently – has had high level talks with his counterpart or other people in India?

Dr. Bunwaree: Mr Deputy Speaker, Sir, the point that has been raised is, in fact, being taken on board very seriously. As I said, my colleague went to India and has taken up the matter. He is also discussing through the Foreign Affairs Ministries of the two countries. Of course, it is a very serious issue. My colleague has been Minister of Finance, and he knows how it goes. Items are raised from time to time, but here it is becoming more serious than we ever thought before. We have to take all this into consideration.

Mr Bodha: Mr Deputy Speaker, Sir, at one point in time, there was a decision by the Indian Government to send a high official here to supervise offshore transactions. Has this measure been implemented?

Dr. Bunwaree: I have to look into this. I am not aware, because I am replacing my colleague. But if that decision had been taken, I believe that the officer must have been here.

FINANCIAL INSTITUTIONS – INTEREST RATES

(No. B/114) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether, in regard to the gap that exists between the interest rates paid on savings and deposits and those charged on loans by financial institutions, he will state the actions, if any, being taken to correct same.

The Minister of Education, Culture and Human Resources (Dr. V. Bunwaree): Mr Deputy Speaker, Sir, as the House is aware, the interest rates paid by financial institutions and the rates charged by them for the lending operations are fully liberalised and, consequently, are determined by the financial institutions themselves. The Bank of Mauritius does not set interest rates nor regulates them. However, the banks and financial institutions generally adjust their deposit and lending rates to changes in the Key Repo Rate determined by the Bank of Mauritius and the bank's Monetary Policy Committee.

Within this non-intrusive framework, the bank has taken the following actions to ensure that deposit and lending rates are competitive -

- (1) a joint technical committee, consisting of representatives of the bank and the MBA, periodically monitors the spread, and shares information;
- (2) in the absence of a prescriptive regime, price determination is left to the market forces. However, imperfection in information dissemination can undermine market's ability to determine the right price. With a view to enabling banks' customers to take informed decisions and make the right choice, the Bank, in October 2008, instructed banks to provide information about their interest rate and fees structure on a standard template devised by the Bank of Mauritius. This information is available on each bank's website and can be accessed through a link provided on the Bank's website.
- (3) The banks' management were requested to moderate their lending rates/fees and charges, particularly at the height of the global economic crisis in forums like the quarterly Banking Committee meeting, chaired by the Governor and attended by Chief Executives of all banks, and also in public speeches of the Senior Management of the Bank.

Mr Jugnauth: I asked this question, since recently the substantive Minister had publicly stated that he is very concerned, because the gap between the interest on savings and the charge for loans is really wide. I know that the substantive Minister is not present, but may I know if any action has been initiated in order to try to see to it that this gap is not as wide as has been the practice - not now - throughout so many years?

Dr. Bunwaree: The statement of my hon. colleague, the substantive Minister, has been taken on board, and the Bank of Mauritius and the other stakeholders have to look into that.

GOVERNMENT OF MAURITIUS – FOREIGN BORROWING

(No. B/115) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the vice-Prime Minister, Minister of Finance and Economic Empowerment whether, in regard to foreign borrowings by Government, he will state the amount thereof, since January 2009 to date, indicating in each case, the -

- (a) names of the institutions involved;
- (b) conditions attached thereto, and
- (c) projects being funded therefrom.

The Minister of Education, Culture and Human Resources (Dr. V. Bunwaree): Mr Deputy Speaker, Sir, as the House is aware, Central Government debt had been on a steadily rising trend for many years due primarily to the large budget deficits prior to 2005. Over the period June 2000 to June 2005, the Central Government debt increased from 49.1% of GDP to 57.1% of GDP. Since July 2005, Government has embarked on a policy of reducing overall debt as a percentage of GDP.

As a result of our policy reforms, the Central Government debt to GDP, which was 57% in the year 2005, fell to 51% as at the end of fiscal year 2009, representing a decrease of 6 percentage points compared to the year 2005. Similarly, the public sector debt to GDP, which was 69.6% in 2005, was brought down to 60% as at end of fiscal year 2009, that is, a fall of nearly 10 percentage points.

In the international front, the economic crisis is leaving deep scars in fiscal balances, particularly in the advanced economies. This year, the average debt-to-GDP ratio in the wealthiest countries is projected to reach levels that prevailed in 1950 in the aftermath of World War II. In the wake of the financial crisis, Mr Deputy Speaker, Sir, the IMF has been urging countries to tighten their fiscal needs across the world. Developed countries with big budget deficits have been requested to further belt-tightening.

Even if we assume that fiscal stimulus programmes are to be withdrawn in the next few years across the world, the average debt-to-GDP ratio is projected to rise to 110% by the end of 2014, from 75% at the end of 2007. The ratio is expected to be closer to or exceed 100% for five members of the G7 countries, namely Britain, France, Italy, Japan and the US by 2014.

Insofar as Mauritius is concerned, Mr Deputy Speaker, Sir, in line with the international best practice, our policy is to lengthen the maturity structure of our debt, so that we gradually increase the share of foreign borrowing in the overall debt profile. By improving the mix of debt, local and foreign, and lengthening debt maturity structure, we should effect savings in our interest bill that would confer immediate benefits in terms of more fiscal space for social

programmes, poverty reduction strategies, building public infrastructure and investing in human capital.

Mr Deputy Speaker, Sir, since January 2009, Government has signed 12 loan agreements for an aggregate amount of USD 1,303 million with international financing agencies and foreign governments. The loans are long term, with maturities of 15 to 20 years with grace periods of 5 years, and the terms and conditions are very attractive.

The loans that have been raised are from the International Bank for Reconstruction and Development, the African Development Bank, the *Agence Française de Développement*, International Fund for Agricultural Development and OPEC Fund for International Development. At bilateral levels, loans were from the People's Republic of China.

Insofar as parts (b) and (c) of the question are concerned, details in respect of each of the 12 loans are being tabled. The House may, however, also wish to note that copies of all loan agreements are regularly tabled in the National Assembly as and when these are signed, as required under the Public Debt Management Act.

Mr Deputy Speaker, Sir, these loans have been raised to finance capital development projects in the aggregate amount of USD 65.57 million, and for General Budget Support amounting to USD 1,037.5 million. The disbursement for these loans is as per requirements of the budget, and the drawdown is spread over three financial years.

It is also to be noted, when the loans were being negotiated, there were uncertainties with respect to the likely improvement in the world financial environment which could impact adversely our economy, which had so far been resilient. Availability of budget support in terms of availability of foreign exchange had to be assured in case accelerated drawdown would have been warranted.

However, to date, an amount of USD 81.5 million has been drawdown. The proceeds of the loans drawn have mainly been used for financing capital development projects under the General Budget Support financing. A list of the projects that have been financed is also being tabled.

Mr Jugnauth: Can I have confirmation from the hon. Minister whether, out of the figure of USD 1.03 billion which he has mentioned, it also includes the computation of the ADB loan of USD 700 million?

Dr. Bunwaree: I need notice of this question, Mr Deputy Speaker, Sir.

STC – PETROLEUM PRODUCTS – HEDGING LOSSES

(No. B/116) Mr P. Jugnauth (First Member for Quartier Militaire & Moka) asked the Minister of Business, Enterprise and Cooperatives whether, in regard to the hedging losses encountered on petroleum products, he will, for the benefit of the House, obtain from the State Trading Corporation, information as to if the Corporation is still charging consumers therefor, through the Automatic Pricing Mechanism, and if so, indicate the –

- (a) amount being charged, and
- (b) total amount cashed as at to date.

(Withdrawn)

CAMP CAROL - STATE LAND LEASE

(No. B/117) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien) asked the Minister of Housing and Lands whether, in regard to the occupiers of State land at Kenya, Camp Carol, in Constituency No. 12, he is aware of the difficulties they are encountering to obtain their title deeds in respect thereof and, if so, will he state if his Ministry has undertaken steps to enable them to take possession of their title deeds and, if so, where matters stand.

Dr. Kasenally: Mr Deputy Speaker, Sir, I refer to the reply made to PQ No. B/338 on 29 April 2008 on the same subject. According to records, there were some 129 lots of State land in the region of Camp Carol, out of which one had been allocated for the Village Council, 50 occupiers held lease agreements and 25 held letters of intent since 1985, but had not signed their lease agreements, and the remaining lots were being occupied without authorisation.

Before the leases could be renewed, it was found that there had been new squatters coming in the area. The disorderly occupation of the sites by squatters have resulted in encroachment upon their neighbour sites, access roads, and even an illegal wall had also been

constructed on a major access road, thus necessitating the review of the layout plan on several occasions for the whole area of Camp Carol.

In April 2008, an inter-ministerial committee, comprising of the then Minister of Labour, Industrial Relations and Employment, the Attorney General and my predecessor, was set up to look into the case of the occupiers of State land at Camp Carol. It was decided to conduct a survey of the whole area anew in view of the disorderly development.

Officers of my Ministry found that there was complete chaos prevailing in Camp Carol, resulting in illegal encroachment and some of them had even constructed on major proposed access roads and on their neighbours' land, with boundary stones found in the middle of a sitting room in one case. Thereafter, a major survey of all the plots had been undertaken, involving meticulous examination and evaluation of each and every portion of land squatted upon, and redefining the various plots which would be allocated.

The problem was compounded by new squatters who encroached over freshly demarcated State lands and sometimes extending on private property, which is not under the control of my Ministry.

The painstakingly, long and arduous surveys resulted in redefining 130 plots. 86 of which have so far been fully surveyed.

Out of these 86, only 20 have submitted appropriate documents, and their lease agreements will be finalised shortly. My Ministry is still awaiting documents from the remaining families.

Despite repeated reminders, they have not been forthcoming. Further, officers of the Survey Division of my Ministry had been at the doorstep of these occupiers and pressing upon them to submit the relevant documents, but to no avail.

The surveys of the remaining 44 lots are well underway and will be submitted for preparation of the new layout for allocation of land. In parallel, my Ministry had identified the present occupiers, and they are being asked to prepare the appropriate documents, so that once technical issues have been cleared, their lease agreement could be promptly finalised.

I have impressed upon my staff to make due diligence to expedite matters. I also call upon the hon. Members of Parliament of Constituency No. 12 to do the same with their constituents.

The Deputy Speaker: Time is up!

MOTION

SUSPENSION OF S.O. 10(2)

The Deputy Prime Minister: Mr Deputy Speaker, 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.

Mr X. L. Duval rose and seconded.

Question put and agreed to.

At 4.22 p.m. the sitting was suspended.

On resuming at 5.04 p.m. with the Deputy Speaker in the Chair

PUBLIC BILLS

Second Reading

THE TRADE (ANTI-DUMPING AND COUNTERVAILING MEASURES) BILL

(No. XVIII of 2009)

Order for Second reading read.

The Minister of Foreign Affairs, Regional Integration and International Trade (Dr. A. Boolell): Mr Deputy Speaker, Sir, I move that the Trade (Anti-Dumping and Countervailing Measures) Bill (No. XVIII of 2009) be read a second time. This Bill aims at protecting the domestic industry against the negative effects of dumped and subsidised imports by providing the required legal framework for the imposition of anti-dumping and countervailing duties.

Mr Deputy Speaker, Sir, the founding fathers of the GATT and the WTO have considered it vital to adopt instruments such as anti-dumping, countervailing or safeguard, to ensure that Governments can take measures to protect the local industry in the event of unfair competition from foreign suppliers. 75 World Trade Organisation members have already adopted anti-

dumping and countervailing laws, including countries in a similar situation like Mauritius such as Trinidad and Tobago and Jamaica, as well as our partners in Africa, namely South Africa and Egypt. It is to be noted that there has been a significant increase in anti-dumping investigations in 2008 compared to 2007, from 163 to 208.

The countries having initiated the highest number of anti-dumping investigations are India, China, Brazil, Turkey and Argentina, followed by the EU. It is clear, therefore, that developing countries make use of anti-dumping measures more often than developed countries, with the objective of creating a level playing field for the local industry, especially the SMEs.

Mr Deputy Speaker, Sir, trade liberalisation is a vital step towards achieving global competitiveness. However, it may have some adverse implications for the local industry if foreign suppliers choose to sell their products at extremely low prices, hence the need, Mr Deputy Speaker, Sir, to adopt the necessary legal instrument that will allow Government to take measures against unfair practices.

Government has embarked on a bold reform programme aimed at restructuring and modernising our economy. In our endeavour to make the economy globally competitive, we are further opening up our market.

Mauritius has over the years been engaged in a process of trade liberalisation at the bilateral, regional and multilateral levels. We are currently negotiating a Free Trade Agreement with Turkey. We are also engaged in negotiations for the conclusion of a full Eastern and Southern Africa-European Community Economic Partnership Agreement, which would require Mauritius to reduce its tariffs on imports from the European Community. At the regional level, we have joined the COMESA and SADC Free Trade Agreements. Moreover, negotiations are currently being held at the WTO, as a result of which Mauritius would be expected to engage in further trade liberalisation at the multilateral level.

While trade liberalisation contributes to bringing more competition, it can also result in unfair trade practices, such as dumping and subsidised imports that can cause injury to the domestic industry. Imported goods can be sold at such a low price that our local industry may have a lot of difficulty to compete with them. If it is established that these imports are actually dumped imports, then they may, under the Anti-dumping and Countervailing Measures Bill, be subject to an investigation. Similarly, imports coming into Mauritius that are highly subsidised

in the exporting country may also cause injury to the local industry producing similar goods, given that the price of such imports will be very low. If it established that the injury caused to the domestic industry is the result of dumping or subsidisation, then anti-dumping or countervailing measures in the form of increased duty may be imposed to counter the effect of the dumping or subsidisation.

More importantly, Mr Deputy Speaker, Sir, the adoption of the Bill will have a preventive effect. Knowing that we have the legal framework to investigate dumped or subsidised imports, exporters will be less inclined to have recourse to unfair trade practices and, thus, our operators will feel safer in conducting their activities.

The local industry, Mr Deputy Speaker, Sir, plays a significant role in the Mauritian economy, especially in terms of job creation. Their contribution to the GDP is well over 10% and they are set to play an even greater role in future, taking into account the measures adopted by Government to promote small and medium enterprises. We need to create the right environment and a level playing field for them to develop. The Bill we are introducing today will help achieve this objective.

Although dumping and subsidisation are different concepts and are dealt with by two different WTO Agreements, they have been covered in one piece of legislation, as the same procedures have to be followed for making a determination as regards dumping and subsidisation.

The Anti-dumping and Countervailing Measures Bill, Mr Deputy Speaker, Sir, has been in preparation for more than ten years. A first model draft was submitted by the WTO in 1998, which was further refined by the Trade Facilitation Office of Canada under a Commonwealth technical assistance programme in March 1999. Three National Seminars have been held by the WTO and TRALAC in November 2004, February 2005 and November 2008, where the main thrust of the Bill was discussed. Moreover, a committee, comprising representatives of the State Law Office, Ministry of Finance and Economic Empowerment, Ministry of Industry, Science and Research and the private sector, has met regularly to examine the Bill. In fact, the committee met on 12 occasions to discuss the Bill in detail. My Ministry also held several meetings with the State Law Office in the process of finalisation of the Bill.

Allow me, Mr Deputy Speaker, Sir, to now highlight the salient features of the Bill.

Anti-dumping measures can be imposed on products imported into Mauritius if three conditions are met, as spelt out in clause 5 of the Bill. First, the imported products must be dumped. Second, there must be injury to the domestic industry. “Injury” is defined in clause 2 of the Bill as not only material injury to the Mauritian industry, but also threat of material injury to a Mauritian industry or material retardation of the establishment of a Mauritian industry. Thirdly, a causal link should exist between the dumped imports and the injury to the domestic industry.

Dumping is defined in clause 4 of the Bill. A product shall be deemed to be dumped, where it is imported into Mauritius at a price which is less than the normal value.

The rules for determining the normal value of a product are set out in clauses 6 to 10 of the Bill. The normal value of the investigated product shall be determined on the basis of the price paid for the like product in the domestic market of the country of export or origin. In the event there are no sales of the like product in the domestic market of the exporting country or such sales do not allow a proper comparison due to a particular market situation or the low volume of sales in the domestic market of the exporting country, the normal value shall be determined on the basis of the export price to a third country or a constructed value. The constructed value will be arrived at by taking the cost of producing the product in the country of origin and adding thereto a reasonable amount for administrative, selling and general costs, and for profits. Where the exporter of an investigated product is from a non-market economy country, a different methodology may be used for determining the normal value. The normal value can, for instance, be determined on the basis of the price paid or payable when the product is exported to a market economy country.

The methodology to be used for the calculation of dumping margins, which will serve as a basis for determining the amount of anti-dumping duty to be imposed, is outlined in clauses 11 to 15. Dumping margins can be calculated on the basis of a comparison of a weighted average normal value with a weighted average of prices of all comparable export transactions or by a comparison of normal value and export prices on a transaction-to-transaction basis.

The circumstances in which countervailing measures may be imposed on products imported into Mauritius are defined in clause 16. First, the investigated product must be

subsidised. Secondly, there should be injury to the domestic industry. Thirdly, there should be a causal link between the subsidised imported product and injury to the domestic industry.

Clauses 17 to 23 of the Bill establish the procedures to be followed and the factors to be taken into account by the Investigating Authority in making a determination of material injury or threat of material injury to the domestic industry, and the causal link between the dumped or subsidised imports and the material injury or threat of material injury to the domestic industry. A determination of injury shall be based on positive evidence, and involve an objective examination of the volume of dumped or subsidised imports, the effects of such imports on prices in the domestic market for like products, and their consequent impact on domestic producers of such products.

The main issues to be considered by the Investigating Authority in determining the existence of a threat of material injury in respect of dumped imports and subsidised imports are listed in clauses 21 and 22 of the Bill respectively. These issues are –

- (a) the significant rate of increase of the dumped or subsidised imports in the domestic market;
- (b) the capacity of the exporter to increase dumped or subsidised exports;
- (c) whether the prices of imports have a significant depressing or suppressing effect on domestic prices and are likely to increase demand for further imports, and
- (d) inventories of the investigated products.

The causal link between the dumped or subsidised imports and the injury to the domestic industry shall be based on an examination of all relevant evidence before the Investigating Authority.

The procedures for the initiation of investigations by the Investigating Authority are laid down in clauses 24 to 33. An investigation may be initiated by the Investigating Authority upon receipt of a written application by or on behalf of a domestic industry. Such an application has to include evidence of dumping or subsidy, injury to the domestic industry, and a causal link between the dumping or subsidy and the injury to the domestic industry. The Investigating Authority shall, within 60 days of the date of receipt of a written application, decide whether or

not to initiate an investigation. It has to give public notice of its decision to initiate an investigation.

Clause 30 provides that the Investigating Authority may, on its own initiative, initiate an investigation where there is sufficient evidence of dumping or subsidy, injury to the domestic industry, and a causal link between the dumping or subsidy and injury to the domestic industry. Clause 31 lists the circumstances in which the Investigating Authority shall not initiate an investigation. These are as follows -

- (a) there is insufficient evidence of dumping or subsidisation, injury or causal link;
- (b) the volume of imports of the alleged dumped product or the actual or potential volume of subsidised product from a country into Mauritius is negligible, or
- (c) the dumping margin or the rate of subsidisation is *de minimis*.

Clauses 34 to 38 relate to the conduct of investigations. An anti-dumping investigation or subsidy investigation should be concluded by the Investigating Authority within a year and in no case later than 18 months after the date of the initiation of the investigation. Clause 36 provides rules for the treatment of confidential information by the Investigating Authority.

Clauses 39 to 56 deal with the investigation procedures. The Investigating Authority will gather information on the basis of a questionnaire sent to any person whom it believes may have information relating to the investigation, including the importer or the exporter.

The Investigating Authority will have to make a preliminary determination of dumping or subsidy, injury and causal link at least 60 days, but not later than 250 days after the initiation of the investigation, and give public notice of the preliminary determination.

The Investigating Authority may suspend the investigation if the exporter undertakes to revise the price or cease exports of dumped or subsidised products, or take other measures concerning the injurious effects of the dumping or subsidisation.

The Investigating Authority will have to fix a hearing if it receives a request to that effect from an interested party no later than 30 days after the publication of the preliminary determination.

The Investigating Authority must make a final determination of dumping or subsidy, injury and causal link within 180 days of the preliminary determination. Public notice of the final determination should be given by the Investigating Authority.

Clause 58 provides for the termination of an investigation where the dumping margin or the amount of the subsidy is *de minimis*, or the volume of the dumped or subsidised imports or the injury is negligible.

Clauses 60 to 62 deal with provisional measures that can be imposed by the Investigating Authority in case of a preliminary determination of dumping or subsidy, injury and causal link, where these are considered necessary to prevent injury being caused during the investigation. The provisional measures will apply for a period of not more than six months and may, upon request by exporters representing a significant percentage of the trade involved, be extended for a further period not exceeding nine months.

Clauses 63 to 69 contain provisions for the imposition and collection of anti-dumping and countervailing duties. The Investigating Authority has to examine whether the imposition of anti-dumping duty or countervailing duty is in the interest of Mauritius, with due regard to the interest of the domestic industry, the situation of domestic competition for the product under investigation, the needs of industrial users and the interest of consumers.

In case a duty less than the full dumping margin or rate of subsidisation would be adequate to remove the injury, a lesser duty can be applied.

The Investigating Authority may suspend the application of an anti-dumping duty or countervailing duty where there is a temporary change in market conditions, and it determines that the application of such duty would not be in the public interest.

Clause 70 of the Bill provides that any definitive anti-dumping duty or countervailing duty shall remain in force so long as and to the extent necessary to counteract dumping or subsidisation which is causing injury to the domestic industry. However, any definitive anti-dumping or countervailing duty shall be terminated not later than five years from the date of imposition of the duty or the most recent review.

As stipulated in clause 72, the Investigating Authority will be the Director Trade Policy, at the International Trade Division of my Ministry. The Director will be assisted by public

officers drawn from different Ministries on a temporary basis, as and when required. A capacity-building programme will be mounted to provide the required training to the officers in view of the highly technical nature of the investigations to be carried out. This flexible arrangement is intended to minimise the cost of operation of the Investigating Authority, given that it is not likely that many applications for investigations will be received.

Clause 74 provides that an aggrieved party may appeal to the Supreme Court against a final decision of the Investigating Authority by way of judicial review.

As there are a few corrections to be made to the Bill, I will propose some amendments thereto at committee stage.

Mr Deputy Speaker, Sir, the adoption of this Bill will support our ambitious reform programme by providing for the possibility of taking remedial measures in case the domestic industry is affected by unfair trade practices in the course of the trade liberalisation process.

I now commend the Bill to the House, Mr Deputy Speaker, Sir.

Mr Gokhool rose and seconded.

(5.24 p.m.)

Mr M. Dulloo (First Member for Grand' Baie & Poudre d'Or): Mr Deputy Speaker, Sir, I should say right from the outset that we, on this side of the House, certainly subscribe to this Anti-Dumping and Countervailing Measures Bill and to the object as contained in the Explanatory Memorandum.

Mr Deputy Speaker, Sir, we also agree that legal provisions for anti-dumping and countervailing measures be incorporated in the same Bill, as referred to just now by the hon. Minister. True it is, it has taken quite some time to bring this Bill to the House but, at long last, we are there. In fact, as we have just heard, this Bill has been under preparation by previous Governments and it has been continued under the present one, to be presented now, in the dying days of this Government.

We quite understand it is a very complex and highly technical bit of legislation and also very sensitive, especially vis-à-vis our trading partners and also within the context of the ongoing negotiations for the Doha Development Round. We know that still this is a stumbling block in

the negotiations, dragging on, and we have learnt also that the next round of negotiations at ministerial level will be held next year, in 2011.

Mr Deputy Speaker, Sir, the presentation of this Bill arises out of two exigencies. Firstly, at national level, to protect our local or domestic industries and market; secondly, at international level, to fulfil our obligations and undertaking as a member of the World Trade Organisation.

First, let us come to our international obligations. As a party, Mr Deputy Speaker, Sir, to the WTO Anti-Dumping Agreement, that is, Article VI of GATT 1994, we have the obligation to give several types of notification to the Committee on Anti-Dumping Practices. For example, we have to notify our domestic laws and regulations relating to anti-dumping – I understand that this is being done. And, of course, now, in the light of this legislation, we have to submit a report of all anti-dumping measures that we have put in place, a report of all anti-dumping actions, if ever those actions would be taken, whether preliminary or final, as defined in the Bill and as explained just now by the hon. Minister. Most importantly, we have to notify which of our authorities are competent to initiate and conduct anti-dumping investigations, and to take appropriate measures and actions. Perhaps it is on this aspect, that is, the Investigating Authority as provided in the Bill, that we would have some difficulties. Otherwise, we don't have any quarrel with the other provisions of the Bill. It is based or inspired by the stereotype or standard legislation as advised or suggested by the WTO, and we have seen various Governments work on this Bill. We have benefited from a lot of expertise from overseas and WTO, and we know that similar provisions exist in countries with like jurisdiction as Mauritius. There are certain weaknesses here and there, but let us give this legislation a try, let it be put into place before we can see how best to improve it.

Mr Deputy Speaker, Sir, I also agree that, being given the size of our market, what we represent in the whole international trade conglomeration, this legislation would come more as a deterrent and, at the same time, for compliance sake with WTO provisions. We don't think that we will need to have recourse to this legislation vis-à-vis our major partners, with some of whom we already have bilateral agreements. Mr Deputy Speaker, Sir, perhaps where things may crop up, where we may need to have recourse to this legislation is in the context of trade within the regional trade areas, within the regional trade organisations like COMESA or SADC. There are

some ongoing disputes right now over certain products, but there also, with some of those countries, we have bilateral agreements, Egypt being an example, or we have also the mechanism within the regional trade organisation to which we can refer in order to settle those minor disputes.

As I said, we have strong reservations on the question of the Investigating Authority. Under clause 72, we are providing that there will be one sole Authority, that is, the Director Trade Policy at the International Trade Division of the Ministry responsible for the subject of International Trade. He would have the power to receive complaints or petition of anti-dumping. The Investigating Authority can take action *proprio motu*, on its own. It has got the power - and the sole power - to carry out the investigation and inquiry, to take the necessary measures to prevent anti-dumping, subject, of course, to judicial review by the Supreme Court. But in the exercise of its powers - and this is what can create difficulty vis-à-vis our trading partners - the Investigating Authority, with the Director, as provided in this Bill, working within the Ministry of International Trade under the Minister, would have to comply with such directives as the Minister would give. So, this is, as I have said, where we have reservations.

In most countries, there are two distinct authorities. One to investigate, inquire, determine whether there are dumped products. And there, he has got to have all the intelligence necessary, bilateral, national discussions with other countries, to determine the local market, and also what obtains on the exporting countries' market and what measures are being used there by the Government. So, there is a lot of trade intelligence to be carried out. In most countries, as I have said, there are two distinct authorities: one to carry out the investigation, the inquiry, and another one, of course, to sit as a tribunal, to decide whether there has been an injury and to decide on the causal link of the injury and also the extent of the injury, in order to recommend remedial actions. So, as I have said, in most countries it is the Ministry of Trade or Commerce that would receive the complaints or initiate the action, and then would conduct the inquiry to determine whether there has been dumping or predatory pricing or selling less than fair value. In other words, whether the manufacturer of another country is exporting a product to the importing country at a price which is either below the price it charges in its home market or below its cost of production, or whether the unfair price being practised is as a result - that is, for countervailing measures - of subsidisation, domestic support, etc.

Then, after the investigation by the Investigating Authority, another independent institution comes into play to determine whether there has been injury and, if so, to what extent, to recommend the measures or remedial action, like imposition of duty, quota, compensation or whatever. Most countries for this exercise would have an international trade commission or tribunal. So, we should not forget. Why do I lay emphasis on this? Because we should not forget that the rules of the multilateral trading system require that anti-dumping investigations be conducted according to the sacrosanct principles of due process of law, that is, in a transparent, objective and equitable way with all interested parties, and whether nationals, foreign manufacturers or interested parties are given adequate opportunity to defend their interests before an impartial and independent body, which should also be perceived – this is very important – to be impartial and independent. But can we say that a public servant employed by the Ministry can be perceived to be impartial or independent in the eyes of foreigners? This is not, of course, Mr Deputy Speaker, Sir, a criticism on the incumbent, because I have worked with him as Minister - we have worked on this Bill together – and I know his capacity and integrity. He is well-conversant with all the technicalities and intricacies of international trade and he is, of course, a pride for our country when you see him at work in international fora. But the fact that the Investigating Authority can initiate action on its own, therefore, it can be judge and party at the same time. There is not only this perception that he is a civil servant, he has got directives from the Minister, but there is also the problem that he can take action *proprio motu*. Therefore, he can be a judge and party to decide whether there has been injury to the domestic industry or not. Of course, I have talked to the hon. Minister on this matter. I have discussed with him and the reaction - which I accept, of course - has been to put a sort of embryonic unit for the time being because we don't have a big complaint, a surge, and an invasion of our market right now. We hope, as I have said, that we would not need to have recourse to this legislation. Big countries like India have done it. Let us put a sort of embryonic unit and see how it works. If ever there would be major problems in the future, then, of course, we will have to decide about having a separate independent institution. So, I go by this explanation given to me outside this House by the Minister.

Of course, we would need to ensure that the Investigating Authority, the Director of the Trade Policy Unit of the Ministry be given all the necessary support. A lot of training has been given to our officers; we have very good and efficient officers, but, of course, capacity building

in this area is very important. Just now, when the hon. Minister was presenting the Bill, we have seen the first part. We were following in very well, but when he came to the last part with regard to the different provisions of the Bill, I don't know how many of us have been able to follow clearly all the intricacies of the working of this anti-dumping legislation.

The second aspect is the need to protect our national manufacturers or producers, and the domestic market. Mr Deputy Speaker, Sir, we are moving towards liberalisation; the negotiations with WTO have been stalled for the moment, but, of course, we have been defending our interests all along. The term 'anti-dumping' has got a negative connotation, but the advocates of free market - this is what we have been told all the time during the course of negotiation - see dumping as beneficial for consumers and believe that protectionism to prevent it would have negative consequences, whereas in a small, fragile, vulnerable economy of a small island State like Mauritius, we are advocating for workers and labourers. We believe that safeguarding businesses against predatory practices, such as dumping, help to alleviate some of the harsher consequences of free trade between economies at different stages of development. So, this is not protectionism and we refer to this whole concept.

There are three methods of protection actually. There are what we call the anti-dumping legislation and actions; there are the countervailing measures in this Bill, and then there is the safeguard mechanism.

These are the three tools for domestic protection against sudden influxes of imports in different ways. The anti-dumping action relates to specific partners who are found to be exporting goods at prices lower than those dominant on their domestic market. We have to prove anti-dumping by the methods that have just been described to us. There must be proof of dumped imports, material injury to a domestic industry and the causal link, etc. Once we have proved our case, then we can levy compensatory duties to bring the price of the imports up to the domestic level. Then, who would benefit from this? It is supposed to be the local producer that would benefit from this compensation.

The second shield to our domestic industry would be the countervailing measures, that is, Government would impose import tariffs to neutralise the effect of foreign subsidy programmes. This is the big problem now within the WTO negotiations. This is the *bras de fer* right now between the emerging economies and the developed economies. We have India, Brazil, South

Africa and others on the one hand and, of course, the United States, Europe and others on the other hand.

The safeguard mechanism also is very important. It is also the bone of contention within the WTO. It would allow nations to erect duties on certain goods when a deluge of imports threatens to damage domestic producers. To put safeguards in place, we must demonstrate that the market share of imports would rise substantially in the absence of some kind of domestic protection. Instead of targeting imports from specific trading partners, safeguards set a quantitative restriction on the allowable market share of the imports. This is the third protection that is not directly covered by this Bill, which is giving a lot of problems right now in the negotiations, and which has led to the failure of the recent ministerial discussions. The question of emergency safeguard measures is ongoing. Recently, in January, on the question of services, we know to what extent the debate was very acrimonious even on the definition of domestic industry. The question of services, that is, the use of emergency safeguard measures in order to protect our infant industry, is also very pertinent to Mauritius.

Linked to this, Mr Deputy Speaker, Sir, there is the question of competition. The balance should be struck. We have already adopted the Competition Bill in 2007. Right now, I see quite a few actions going on. We are putting in place the various institutions, where we have borrowed what is obtainable outside. We have set up the institutions, and we know that they are still going through their period of *rodage*. When the Bill was introduced, this is what the hon. Minister had to say in November 2007 –

“Competition law is concerned with safeguarding the process of rivalry between economic players in markets open to competition.”

These concepts of competition, protectionism, free market, anti-dumping and countervailing measures should be considered together, in order to decide what sort of trade we are going to have with others. We also have to bear in mind the position being taken by different partners. Even in the United States, for example, there is big controversy as to whether it is not an abuse of anti-dumping legislation with regard to the number of cases involving billions, if not trillions of dollars of compensation being paid, and whether this is not protectionism at its worst. Recently, during the world financial and economic crisis, we have seen that there has been not only a fear, but also an upsurge of dumping on some markets. Even developed markets like

Europe and the United States have had to take measures in order to contain the influx of cheap products on their market, threatening their own industry. We have had the recent statements of some of the major players in WTO, for example, India, which has come out forcefully saying that, while protectionist tendencies have surfaced during the crisis, they have not swamped the global trading system. They went further to say that, in their considered view, protectionism will be counterproductive and will prolong the recession and delay the recovery. This has been more or less echoed by Brazil and, at the same time, advocating for free market, the alternative will be more protectionism, - if we don't go for completion of the negotiation - a full liberalisation, more fragmentation of international trade, more inequality, more social and political instability. Who would be worse off if not small, fragile economies like Mauritius?

As I have said, Mr Deputy Speaker, Sir, we welcome this Bill. But, at the same time, we are suggesting, from this position to the next Government, to put into place all the necessary measures after the proclamation of this Bill. But I think even the next Government, which we would be very glad to serve, will make sure that all steps and actions be taken so that Mauritius should succeed.

Thank you.

(5.48 p.m.)

Mr S. Mohamed (Third Member for Rivière des Anguilles & Souillac): Mr Deputy Speaker, Sir, with regard to the last point raised by hon. Dulloo on his wish to suggest the next Government measures that have to be implemented and his wish to serve the next Government, I must say that, on this side of the House, we welcome his wish to serve this Government again next time.

We have heard the present hon. Minister of Foreign Affairs, Regional Integration and International Trade presenting the Bill, and we have heard - it is not very often that we, as backbenchers, have this opportunity - the ex-Minister of Foreign Affairs, International Trade and Cooperation also go into a lot of details pertaining to the technical aspects of this Bill, particularly measures concerning the WTO and the position of developing countries in the WTO talks. One should also reflect upon and think very deeply about what we have heard from those two hon. Members. We talked about the Doha Development round and the agenda at the WTO talks. A lot of issues and hopes were raised with regard to this Doha Development Round and

we, as Parliamentarians of the WTO member countries - I must say it here - honestly believe that this round has been nothing else but a failure with regard to all those ideals that we had expected from the Doha Development agenda.

Having said that, true it is that it was important for the Republic of Mauritius to come up with measures to comply with our international obligations. Being a member of the WTO and all this time not having any legislation to counteract dumping in our country, it was necessary to have this piece of legislation. But I would like to get to clause 72 of the Bill that hon. Dulloo referred to.

He expressed reservations with regard to clause 72 and, at one point of the debate, he did talk about the role of the hon. Minister - I believe it is mentioned at clause 72 of the Bill - whereby the Minister gives directions to the Director of the Investigation Authority and the Director is himself the Investigation Authority. But, then again, like many legislation that have come to be passed within this august Assembly, very often there is such a section in statute, whereby the Minister may, in relation to the exercise of the powers of the Authority - here, the Director of the Investigation Authority - give such general directions. Here, I think it is important to note that, once again, it is not that the hon. Minister can give directions or direct them into their decision making process or into the investigative process. Here, it is very straight forward. 'The hon. Minister may - if he so desires; not shall - give such general directions to the Authority not inconsistent with the Act, as he considers necessary in the public interest and the Investigating Authority shall comply with those directions'.

Those directions, as I said once again, have nothing to do with what the investigation consists of, how to investigate, what is the outcome of the investigation. Far from it! The general directions are as we have in many, many other laws, and this is basically what this legislation provides for.

I have had the pleasure of reading this Bill. I have gone through a task of comparing the provisions of the Bill with the Agreement which we are signatories to with regard to anti-dumping measures. It is with pleasure that I have gone through the task of honestly trying to find something there that does not comply with an international agreement that we are signatories to. I tried to find every clause that goes against the Anti-Dumping Agreement. It was with pleasure that I found that not only does every single clause comply with our international obligations but,

even with regard to the delay that an investigation must take when we talk about the duration of an investigation, the maximum being of 180 days, it complies specifically with the articles of the Anti-Dumping Agreement.

As hon. Dulloo has stated, true it is, when we talk about anti-dumping and all the other elements contained in this issue of anti-dumping, that it is very technical. But, then again, I would like to basically explain what exactly is dumping. It is very important to understand what is dumping, because true it is that when one compares the issue of dumping with the recent legislation that this Government has passed, namely the Competition Act which fights against monopolies and the effects of monopolies, to be more precise, once again it shows the seriousness of this Government; the Government of the hon. Prime Minister, Dr. Navin Ramgoolam, which took power in 2005. If my memory serves me correctly - and I am sure I am right on that - what is contained in the Presidential Address following the victory of 2005 is precisely the coming up with the law pertaining to a Competition Authority to be created. Then, there is specific mention also of anti-dumping legislation. So, this shows the seriousness with which this Government of the Social Alliance has come up and has kept its promise. It has not only brought legislation that it has not worked on, but it has come up with serious pieces of legislation, which shows that a lot of thought has gone into it.

To come back to the issue of what is dumping, I have gone through the Act, and it is very explicit I must admit. But dumping has many definitions. It is exporting a product at an unduly low price to drive out competition in the importing country. It also means social dumping; it is an issue which is very often talked about in a lot of books concerning the laws pertaining to the World Trade Organisation. Social dumping means exporting a product from a country where wages are extremely low and, therefore, the export prices are low, or where the level of working conditions is far below that of advanced countries. Whatever term dumping means, it has a connotation of unfairness. It has a negative connotation and predatory. However, there is a view that dumping, by some, is legitimate price competition. In my view, here it is important to see in the legislation that the definition is very explicit; hence, it is of interest to note that we will be in line with many other countries that have passed legislation for anti-dumping. However, some research has been carried out, and here I refer to studies by Prusa of 1999 and Messerlin of 1988, which basically state that the most negatively felt impact of anti-dumping and countervailing actions is their influence on exports.

Already the process of opening an investigation can have negative effects on trade flows, regardless of whether a duty will finally be imposed. The mere threat to open an investigation can induce a drop in exports. Obviously, here, true it is that we have not opened the floodgates and we do not have such an influx of such investigations or issues pertaining to Mauritius, but we have to be very, very careful when we are to open investigations. What happens is that a lot of large firms that have a manufacturing plant in Mauritius for whatever goods, very often make an abuse of the anti-dumping legislation, and carry out an investigation simply to have a control and *un monopole accentué* that they have on the market. That has happened in many other cases in the European community, and we have to be very careful that this is not used and abused by local companies, because at the other end of the spectrum, not only here we are talking about protecting the domestic industry, but we have consumers as well.

Another opinion that a lot of people share is that it is good that goods are dumped. Some people believe that it is great to have it dumped, because the consumer comes out as a victor at the end of the day, having goods that are cheap. True it is that, in the long term, the consumer will end up not being a consumer at all if the domestic industry dies.

Having said that, just as in the Competition Act, monopoly *per se* is not wrong; it is the effects of monopoly that are wrong. In this particular instance as well, dumping *per se* is not wrong; it is when it has a damaging effect upon the local industry that it becomes wrong. It is very, very, very difficult, therefore, Mr Deputy Speaker, Sir, to come and prove the evidence that is required and, obviously here, when one looks at the legislation like in all other statutes, the burden is upon the person who wants an enquiry and makes a complaint. He has to come and satisfy the Authority, and it is the burden of proving that there is this damage upon his suffering. He has to come and prove that, and it is extremely difficult to come and establish that. So, yes, it is great to have that piece of legislation *dans notre arsenal*. It is better to have a tool that one can use in the event that we may need it but, then again, it is very difficult to establish a case, and the Authority will need a lot of tools, help and support; there will need to be a lot of capacity building as such. We think about not only the issue nationally, because eventually whatever decision that may be taken by the Investigating Authority here, may end up in Geneva, the dispute settlement mechanism set up in Geneva, whereby another country is not at all happy with our decision here at the Investigating Authority level, the local level.

Here, once again, we need capacity building. When I had the opportunity of interacting with officers of the WTO, precisely the dispute settlement body, I have noted that, very often, at the dispute settlement body and at the appellate body, members from the WTO are on those bodies and are asked to form part of these adjudicating panels. It is very, very rare that you find the developing countries present on those adjudicating panels. Not only is it important, therefore, to have legislation that takes care of our local needs, domestic needs vis-à-vis the onslaught of international foreign companies, but we also have to complete the picture by talking about what is our capacity in Geneva. What is the treatment being afforded to us by those adjudicating bodies? Is Mauritius, Small Island States present on those adjudicating panels? Not as often as those members from the developed world. I asked why that is so. The answer I got there is that, because in our countries, be it in Small Island States, be it in African countries, there is not much capacity and ability to form part of those panels, which I find totally ludicrous. But, if that is the case, I would invite the hon. Minister who presented the Bill to, at least, try to remedy the situation, and try to have capacity building for the officers who are already very able in Geneva, in Brussels, and at his Ministry in Mauritius, and to organise such exercises even for members of the legal profession in Mauritius, which would allow them to, at least, understand and specialise in issues pertaining to trade law and, here, specifically, anti-dumping and countervailing measures.

Another suggestion that I would like to make following what I have said, is that it is very possible that large firms may use and abuse such law in order to impose their monopoly on the local market. In order to avoid that, we have now a Competition Authority. With the passing of this Bill, we would have an Investigating Authority pertaining to anti-dumping and countervailing measures. What I humbly suggest is that there should be some interaction on a regular level between the Competition Commission, the Authority that deals with competition and, obviously, the Investigating Authority. It is only when you have such interaction between those two authorities that you can avoid the possibility of an abuse made by large firms locally of the anti-dumping measures.

Those are only suggestions that I would humbly like to put forward. I have also come across those suggestions in various documents; as I have stated just now, documents by Prusa and Messerlin of 1988 and 1999. More so, following the experience in Europe, whereby you have an authority that investigates into anti-dumping, and then there is no interaction with the

Competition Commission, ending up with conflicting situations, whereby finally it is not only the local industry that suffers, but also the consumers that finally end up suffering.

We also have, therefore, Mr Deputy Speaker, Sir, to *puiser de l'expérience des Etats-Unis*. There, they call it the Anti-Trust legislation, where anti-dumping issues are dealt with. They have had their own local legislation before the passing of the anti-dumping measures in GATT. Therefore, they believe that their law has prevalence upon what they signed later on. So, it does lead to certain conflict. Having said that, it is important that we learn from their experience, and it is very important to have two different bodies that deal with two specific types of situations; a monopole as opposed to anti-dumping. But, there needs, as I have said, to be an interaction, a meeting. We start with this law now, which is excellent, and later on we could provide for an amendment in the law, whereby there is a common body, at least, an advisory body that will form part of the Competition Commission, and the Director of that particular department of the Ministry of External Trade.

Those are my observations, Mr Deputy Speaker, Sir. I would like to take this opportunity to congratulate the hon. Minister for having come up with this excellent piece of legislation. It was indeed a pleasure to read through it, and the more so when I realised the details provided for under this Bill, because it is a very technical piece of legislation. I would like to also congratulate the officers of his Ministry who have done an excellent job in the preparation of this Bill. Those are my remarks.

Thank you very much.

(6.06 p.m.)

Mrs S. Hanoomanjee (Second Member for Savanne & Black River): Mr Deputy Speaker, Sir, when I decided to intervene on this Bill, I said to myself that it is highly technical, very complex, and that I would not propose to discuss the technicity of the proposed legislation, but rather on the practical aspect. Having listened to two hon. Members, namely hon. Dulloo and hon. Mohamed, I feel as if we have sat together, discussed the Bill, and come with common points to raise on this Bill. It is good that there is consensus, at least, on this Bill. I would like to congratulate the hon. Minister of Foreign Affairs for bringing this Bill into the House. I don't think we had consensus on Bills that he brought on agriculture but, at least, on international

affairs, I think we can agree. At some point in time, with trade liberalisation, such legislation would have become imperative.

Mr Deputy Speaker, Sir, I will just try to reinforce and strengthen some issues which have already been mentioned by the previous speakers. To do so, let me try to put things in their right perspective, and go through certain definitions. I have gone through the definition of the Anti-Dumping Agreement of 1994, and it defines dumping, I quote -

“...as the introduction of a product into the commerce of another country at least than its normal value.”

The same Anti-Dumping Agreement maintains that –

“For anti-dumping measures to be imposed, the investigating authorities of the importing member must make a determination of injury”.

The term ‘injury’ in that same Agreement of 1994 has been defined as material injury to a domestic industry or material retardation of the establishment of a Mauritian industry. I should say that this has been clearly translated in the Bill which is being presented today.

I would wish to look at the implementation of this part of the legislation. Making a determination of injury means that the Government of the importing country has to prove that dumping is taking place.

The Government of the importing country has to calculate the extent of the dumping, that is, how much lower the export price is compared to the exporters for market price and, finally, show that the dumping is causing material injury.

Mr Deputy Speaker, Sir, my first observation is whether we have now the capacity for investigations. The Minister has mentioned, in his second reading speech, that there will be training for capacity building, and I note that at clause 72 of the Bill - this clause 72 has been mentioned by previous orators also - it is the Director of the International Trade Division of the Ministry of Foreign Affairs who will be the Investigating Authority. As I said, others have spoken on this issue. I will say that I have no doubt about the competence of the present incumbent, *et même les membres du personnel. Nous nous sommes côtoyés pendant des années et nous avons travaillé sur plusieurs dossiers à l'époque.* I can say that Mr Bhuglah, Mr Boodhoo and Mrs Canabady are the brightest brains in the Civil Service; they know the EPA,

they know WTO on the tip of their fingers, but I also know the amount of other responsibilities that they have. Investigation at this level, as has just been pointed out by hon. Mohamed, is a very time-consuming exercise. Do we have the capacity to carry out investigations? Would not this be an additional burden on these officers? Because, Mr Deputy Speaker, Sir, to prove that there is effective dumping, we should be able to source information from the country concerned on so many aspects, including cost of production, market price. For one product, there may be more than one country involved. Would the Director be able to have additional burden on his shoulders with the amount of work that he has? Isn't capacity building important? The Minister has mentioned that there will be, but I believe that capacity building, training is a *sine qua non* condition for the Bill to be implemented well.

Mr Deputy Speaker, Sir, provision has also been made for an expert to do the job, should we need the services of an expert. *Le ministre a été prévoyant*, and at clause 72(2)(b) it is stipulated: '(...)where he considers it expedient to do so, retain the services of an independent professional or specialised agency from Mauritius or overseas (...)'. Well, so far so good! But, I have tried to gage some information on the cost of an expert in this matter, because we would have to rely on his competence. I would say that I have been told that it is a rare bird. It is difficult to find people with that sort of expertise, and that the costs are really prohibitive.

Mr Deputy Speaker, Sir, I wish to highlight, maybe, two major weaknesses which we have in our administration. Up to now, whatever Government that has been in power has not deemed it fit to appoint highly qualified and experienced commercial attachés in our main High Commissions abroad. Let's not talk of political appointments; let's put that aside, because those people do not have the expertise, the required qualifications, the required experience. I think it is high time now to have highly qualified and experienced commercial attachés in our Embassies. We have our diplomatic missions, they are well qualified in diplomacy matters, but I think that they should not act as commercial officers who are required to source information and exercise regular surveillance, because with this Act we would have imperatively to exercise regular surveillance on trends in imports and prices. As such, up to now – I may be wrong – I don't think there is any network existing in capitals like London, Paris, Canberra, to mention but a few, where, at least, basic information may be readily available, should we start an investigation. So, there is need right now, before the proclamation of this law, to set up database, collect basic

information, so that should we ever have a case, we would, at least, have those data to support our case.

Mr Deputy Speaker, Sir, even for countervailing measures, I have been given to understand that Customs' personnel have not been trained yet. I don't know whether training will be provided for them also, but I believe that for countervailing measures also the training of Customs' personnel is needed.

What is true for Government institutions is equally true for a domestic industry, which feels that increased imports are causing injury. At clause 24 of the Bill, I note that a series of documents have to be prepared and submitted when an application for investigation is made by a domestic industry. But, Mr Deputy Speaker, Sir, are our domestic industries sufficiently trained? Are they sufficiently prepared to provide all the information required, should a case arise? I have strong doubts on this, Mr Deputy Speaker, Sir, especially as many of our industries are small and medium enterprises, sometimes they are family-based industries, and they don't have the competence required. I have read a report on the experience of the application of the rules of the Anti-Dumping Agreement during the past decades which says, and I quote –

“Experience has shown that industries, which are affected by dumped imports, often find it difficult to collect all the information that has to be provided in the application for initiating an investigation. It is particularly difficult for them to provide information on such elements as volume of imports from countries from which dumped imports originate, prices at which importers are selling the products on the domestic market and the price at which the like product is being sold in the home market of the exporting country in order to establish that the goods are being dumped”.

Mr Deputy Speaker, Sir, this is why I feel that this Bill should have included another structure, which may provide some sort of assistance to these domestic industries in collecting the required data to make their case. We should be prepared for that, because if we are passing the legislation, we will proclaim it. The Act will act as a deterrent, but I think that it is extremely important to consider the case of the domestic industries as well and to get them sufficiently prepared for the process.

So, as I said, sensitisation and training are equally important. Capacity building maybe should have taken place before the Bill comes to this House, but the hon. Minister has given us

the guarantee that this is being done, and the proclamation date will be some time later. But let us hope that it will not take a very long time to proclaim this Bill. I know all the structures will have to be put in place, the capacity building, the training, everything will have to be done and, once the groundwork has been done, the Bill may be proclaimed.

Another point which I wish to mention, Mr Deputy Speaker, Sir, is the time to conduct an investigation, which is usually inordinately long. It may take - I think I have seen it somewhere in the Bill - about 430 days or something like that, but I would wish to get some clarification from the hon. Minister. Can we know what happens when the investigation is on? Can we know, by the time the investigation is over, whether the domestic industry is already dead, it has had to close its doors, people have lost their jobs? What happened in between? Has the investigation started? What happened to the domestic industry? I am sure the hon. Minister will say that there is a section for provisional measures, but I have gone through clause 60, which talks of provisional measures, and I find it very scanty. Because it stipulates that –

“The Investigating Authority may impose provisional measures where it makes preliminary determination of dumping or subsidy, injury and causal link, and considers that provisional measures are necessary to prevent injury being caused during the investigation.”

I would have wished the hon. Minister, in his summing up, to provide more details to the House on these provisional measures and how he proposes to protect the domestic industry during the period that an investigation is on.

Mr Deputy Speaker, Sir, this also reminds me of discussions that we used to have at the level of the WTO. I have myself participated in several WTO meetings where we were struggling to get certain items on the list of sensitive products so as to protect our industries. I am just mentioning tea and poultry, but some time earlier, when the Budget Speech was being debated, I found to my surprise that the hon. Minister of Finance had lowered or removed customs duty on items like poultry or even eggs. Well, should we understand, therefore, that it may happen that, at some point in time, people in the local domestic poultry industry may have to file an application for investigation?

Mr Deputy Speaker, Sir, I have made some humble suggestions. I have talked about training of the personnel, capacity building, both at Government and domestic industry levels.

Hon. Mohamed mentioned that, and I had that in mind. I think that, concurrently, there should be training of other people outside the Government structure. I am thinking of training of lawyers and accountants for the application of such measures. I have also talked about the posting of qualified commercial attachés in our Embassies, and the posting of, at least, one expert in trade rules or a person having a legal background. Hon. Mohamed, again, talked about competition policy. So, it would be good if we could have a person having a legal background in competition policy in our High Commission in Geneva. And that would help if ever we have any case, so that we have the expertise required in these Embassies.

I do not know whether the hon. Minister will be receptive to these suggestions or not. Usually, it depends on his mood; sometimes yes, sometimes no.

(Interruptions)

But I wish, even if both orators - hon. Dulloo and hon. Mohamed - had mentioned these points, to emphasise once again on the importance of these issues, and I just hope that they will be taken on board. For sure, this Bill will act as a preventive measure. It will be a deterrent, and let us see that the implementation also goes in line with a spirit of consensus; that the implementation can take place; that we have all the background information, the compilation of data, so that we can face any situation which may arise after the proclamation of this Act.

So, once again, allow me, Mr Deputy Speaker, Sir, to congratulate the hon. Minister for bringing this Bill to the House, and I wish him luck in the implementation of this Bill.

Thank you.

(6.27 p.m.)

The Minister of Industry, Science and Research (Mr D. Gokhool): Mr Deputy Speaker, Sir, the Bill which is before the House concerns an issue of national importance. It is about a trade issue, more specifically about dumping and its adverse and pernicious effects on the local economy, and also on the economic operators.

I have listened with a lot of attention to my colleague, hon. Minister Boolell, who presented this Bill, and I would like to congratulate him for bringing this Bill to the House. I have also listened with a lot of attention to the other orators who have spoken on this Bill and, no doubt, it looks as if there is a lot of consensus. I was just wondering whether it is due to the fact

that we are talking about an issue of national importance, where we should all put our minds together, or whether underpinning this debate there is also the reality of local politics.

Mr Deputy Speaker, Sir, be that as it may, I believe that the backdrop to this Bill is the new international economic and business environment of trade liberalisation and the efforts of Mauritius to integrate this new reality. I think my good friend, hon. Shakeel Mohamed, was right to impress that this Bill must be seen as part of the overall strategy of Government. It is not a Bill that should be looked at in isolation. It has to be looked at as part of Government's overall strategy to navigate in this new economic environment, although we have to admit that the Bill has got very specific objectives. For example, one of the aims of the Bill is to create a level playing field for the conduct of business and economic activities and, at the same time, it also aims - by introducing this legislation - to consolidate the reputation of Mauritius as a country that adheres to best international practices.

Mr Deputy Speaker, Sir, the anti-dumping legislation is an instrument for ensuring fair trade and competition, and also to ensure a measure of protection for the domestic industry. Let's be clear that the Bill is not being brought to this House to provide *per se* protection to our local industry, but it is a Bill that is being brought to ensure that unfair practices do not adversely affect our local industry. Mr Deputy Speaker, Sir, it aims to provide some degree of relief to the domestic industry against injury that may be called material injury, which may be caused by dumping and, as has been explained, we have to establish very clearly, unequivocally, that there are dumped products, there is a case of material injury, and there is a causal link between the dumped products and the material injury that exists.

Mr Deputy Speaker, Sir, therefore, the present Bill has been carefully prepared. Hon. Madun Dooloo was referring to the time factor, but he also admitted that this is a Bill which is very complex and technical and needs a lot of consultations. But one fact that has to be underlined is that this Government has always delivered on its promises. Mr Deputy Speaker, Sir, we should not forget that in the 2008/2009 Budget, Government pledged to introduce an anti-dumping legislation with a view to creating a level playing field for business activities. In fact, every time I speak in this House, I refer to - the Bible in a way - the Government Programme of the Social Alliance. It is a well-prepared Bill, and that is why we have a lot of consensus in the House. The idea was to create a level playing field for business activities and to

address the issue. Government set up a committee, which was co-chaired by my colleague, hon. Boolell, and me, to look into the issue and make recommendations. The Bill is, therefore, based on the recommendations. Of course, there were a lot of consultations with all stakeholders from the private sector, people from different Ministries; I remember the Ministry of Finance and Economic Empowerment, the Ministry of Business, Enterprise and Cooperatives, and there was a number of Ministries which was involved, as well as the Joint Economic Council, the Mauritius Chamber of Commerce and Industry, the Association of Mauritian Manufacturers. There were a lot of very in-depth consultations and, prior to this, there was also a survey that was conducted to look at other issues that were annexed to this. It is a Bill that has been prepared with a lot of care and attention.

Mr Deputy Speaker, Sir, the Bill, as was mentioned by one previous orator is, therefore, yet another step towards the modernisation of our economy. We are becoming a global player. We want to have international benchmarks, and the world is becoming a global world. We have to move in that direction and today's Bill, as was pointed out by my colleague, hon. Boolell, is very much in line with what is prevailing in many countries, whether they are developed or developing. In fact, in their wisdom, the policy makers of the World Trade Organisation do recognise that with trade liberalisation and free trade, there will be a number of unfair practices and these have to be addressed. So, even the World Trade Organisation admits that this is going to happen; there will be unfair trade practices, and there should be ways and means to deal with this situation of unfair trade practices. The World Trade Organisation condemns unfair trade practices, but it is not prohibited under the International Trade Agreements if it causes or threatens to cause material injury to a domestic industry in the importing country. But remedial actions may be taken where dumping causes material injury to the local industry. We have to put in place the appropriate legislation, and one of the measures is the imposition of a dumping duty. The duty imposed on import of goods to offset the effects of dumping is called a dumping duty. Dumping duty is usually imposed for a five-year period. Mr Deputy Speaker, Sir, why all this? It is because dumping can have far reaching and detrimental effects on the domestic industry by reducing its sales volume and market shares as well as its sale prices and, of course, this in turn can result in the decline of profitability, job losses and, in the worst case, in domestic industry going out of business. The World Trade Organisation, therefore, acknowledges that Government, in pursuing trade liberalisation trade policy such as lowering tariffs and non-tariff

barriers, may still find it necessary to provide protections to industries from incidence of unfair trade practices. Dumping is, therefore, regulated by the World Trade Organisation, and countries cannot introduce products into a foreign country to cause material injury to an established industry or slow the establishment of a domestic industry.

Mr Deputy Speaker, Sir, at the domestic level, we have been analysing the impact of this globalisation, trade liberalisation on our local economy and what kind of market distortions this can create. That's why, way back in 2006, Government has put in place the Business Facilitation Act, has introduced an investor-friendly investment regime, set up the Competition Commission, and recently the SMEDA. All these pieces of legislation help towards fair business practices and competition. The need for an appropriate legislative framework to protect the domestic industry against the negative effects of dumped and subsidised products has been felt since long. In fact, there have been domestic operators who have made representations from time to time about the need to bring legislation in this line.

In formulating this Bill, we have taken into account the situation of the local economy, the domestic economic operators. But, at the same time, I must state the point that was canvassed by the stakeholders, for example, the Mauritius Chamber of Commerce and Industry which represents importers as well as local manufacturers, namely that there has to be some kind of balance. We have taken into account the interest of the importers as well as consumers, because they also have a right to freedom of choice. Mr Deputy Speaker, Sir, the Bill, therefore, is a Bill that helps our economy towards modernisation, and it is very much in line with the guidelines which the World Trade Organisation requires countries to incorporate in their legislative framework.

Mr Deputy Speaker, Sir, the provisions of the Bill mainly relate to –

- (i) conduct anti-dumping investigations;
- (ii) investigate into subsidisation of products, and also
- (iii) impose anti-dumping countervailing measures.

Of course, the Authority has been set up to address all these issues, and hon. Madun Dulloo was asking why the Investigation Authority has been the sole structure and not having an enquiring investigation, and then another body to ensure that remedial actions are taken. But I think he also admitted that this is the initial phase. We will learn out of the reality that we will

face and then, of course, there is capacity building, there is need for improvements. Improvements will be brought.

Mr Deputy Speaker, Sir, as I said, the Bill is very relevant, as our domestic enterprises need some support. We have to put in perspective the contribution of our local industries, which constitute a pillar of our economy, accounting for 12% of the GDP and around 10% of the total labour force of the country. They account for a gross output of some Rs74 billion with a value added of Rs30 billion. So, the development and growth of the sector are extremely important, and this Bill will provide confidence and support to this very important sector of our economy.

With this legislation on anti-dumping and countervailing measures, there will be greater predictability for the businesses, knowing that they can be protected against dumping and subsidised products. They will evolve with greater confidence, protected by a new law and supported by an Investigating Authority when the need arises.

Mr Deputy Speaker, Sir, capacity building has been one issue which has been canvassed, but I think there is also another issue which my Ministry addresses together with the Ministry of Business and Enterprise. It is supply side capabilities, that is, our enterprises must be strengthened so that they can come up with products of high quality, which are competitive and comparable to products that we import. We should not be shy about this, because Mauritius has, in a number of areas, achieved a lot of success in having quality products which can be benchmarked with international products and which can go for international competition. This is where institutions like the Mauritius Standard Bureau, which falls under my Ministry, the National Productivity and Competitiveness Council and Enterprise Mauritius have key roles to play in building supply side capabilities. As you know, very often, we provide the direction, but institutional failure results and leads to weak business services. Government must continue to be guided by the state of affairs of the global economy and align its policies accordingly.

Mr Deputy Speaker, Sir, I think we will have to agree; there is a new Bill, it will be proclaimed, and the implementation will start. We have to recognise that the issue of anti-dumping is a very complex and technical one, and constitutes a very arduous and time-consuming task, requiring considerable expertise on the part of investigators. In case of alleged dumping, investigations will need to establish the normal value of the investigated products, which can be tedious and very time-consuming. There will be need also to determine injury to

the domestic industry, and a causal link between the dumped product and injury to the local industry amongst others.

Mr Deputy Speaker, Sir, despite its complexity, I think this Bill is very relevant and provides the warranted safeguard against unfair trading practices. As I said earlier, it is in line with international trends and practices, and it demonstrates Government's commitment to strengthen our trade legislation as we look forward to long term sustainability of our industries. The consolidation of trading legislative framework will enable us to brace up for the future and avoid unnecessary trade distortions.

I think I will go along with the suggestion that was made. Very often, we can have a legislation, but all the intricacies should trickle down to people who are directly concerned with the issue. This is where there's the proposal that there should be a very aggressive awareness campaign - I am sure this is on the agenda of my colleague Minister - to appraise all stakeholders about the Bill, the implications of the Bill, how it is going to be in their interest, and how they can make good use of the provisions of the Bill.

Mr Deputy Speaker, Sir, I am confident that business operators will take the opportunity of this legislation whenever appropriate and necessary. With these words, let me once again, congratulate my colleague and wish the Bill well.

Thank you very much.

(6.46 p.m.)

Dr. Boolell: Mr Deputy Speaker, Sir, let me, first of all, thank all our friends, colleagues who have taken part in the debate.

It stands to reason that this is a very complex piece of legislation; otherwise, we would not have taken the time it needed to introduce this Bill. This is a Bill that one does not rush through. We need to take all the time, which we have done. We have consulted all the relevant resource persons, and there have been seminars. The information has been properly disseminated, and a committee met regularly.

Having said so, Mr Deputy Speaker, Sir, the main object of this Bill is deterrence. Of course, we need to introduce the legislation to enable us to impose anti-dumping and countervailing duties. But procedures have to be followed, and to initiate an investigation it

takes time. It has to be carefully thought of and no decision is taken lightly, although there are provisions in the Bill as to measures that need to be triggered to initiate their application. It is good to remind ourselves that, to initiate the investigation upon receipt of a written application, the domestic producers have to express support, and when it comes to support in the application, it must account for more than 50% of the total production of the like article by those expressly supporting and those probably who can oppose the application. So, there are strict criteria and, as I said, it is not a decision that is taken lightly. I do grant you that the Investigating Authority needs to have the appropriate human resources, but, at the same time, we do not want to create an Authority which will not deliver. We are starting slowly, but surely. I can refer to decisions taken to set up tribunals. Let me take the case of the ICT Tribunal or the EIA Tribunal. You can count on the fingers the number of cases which have been referred. We want to minimise costs of operation. There is provision in the legislation, as has been rightly pointed out by hon. Mrs Hanoomanjee, if I refer to clause 72(2)(b), that we may 'retain the services of an independent professional or specialised agency from Mauritius or overseas for such specific purpose as he may require'. I grant you, Mr Deputy Speaker, Sir, that we need to look at capacity building. It is good to point out that training started last year; we enlisted the services of an Indian expert who dispensed training to our officers, and there will be further training this year with the support of the World Trade Organisation.

On this specific issue of the functions of the Investigation Authority and the point raised by hon. Dulloo, former Minister of Foreign Affairs, it is good to refer to certain clauses of the legislation, that is, clauses 28, 32, 43 and 55 in respect of transparency measures through publication. In respect of directives that the Minister can give, of course, it has to be in the public interest, and it has to be of a general nature. The point was made very clearly by hon. Mohamed, and hon. Dulloo can rest assured that it's directives of a general nature and in the interest of the public. There is also provision that if any party feels aggrieved, the latter can seek redress at the Supreme Court.

On the issue of safeguard, it is true that we have made provisions for countervailing and anti-dumping, but it stands to reason that we'll have no choice, at a later stage, but to introduce a specific legislation on safeguard to complete the necessary safety that needs to be dispensed to our importers for that matter. Our concern is the upsurge in imports, and there are provisions to introduce tariffs to protect our domestic industry. Hon. Mohamed did canvass an issue, which is

quite relevant. He made the point that there should be proper interaction between the Competition Commission and the Investigating Authority. We have taken the point and, as things evolve, we will make sure that there is proper interaction between the two institutions.

Capacity building, of course, has been raised and canvassed fully by all our friends, especially by hon. Gokhool. This is on board, and if the need is felt to dispense training to all parties concerned, we will do so. The point made by hon. Mrs Hanoomanjee to set up a database will be taken on board and, of course, we need to have all the relevant information to enable the Investigating Authority to do its job properly. Mrs Hanoomanjee did raise a concern, which is a legitimate one, in respect of provisional measures which exist in specific clauses, namely clauses 60-62. If the need arises, it will be in the form of increased tariff to protect the domestic industry.

Having addressed some of the points raised by our colleagues, let me also make it quite clear that, on the regional front, Mr Deputy Speaker, Sir, we refer to the provisions which exist both in the COMESA Treaty and the SADC Trade Protocol. This enables Mauritius to refer cases of dumping or subsidisation, and for the remedies to be taken to redress the situation. What is true for COMESA is equally true for SADC, and there is also provision on the bilateral safeguards specific to the interim EPA which we entered with EU as a member of the COMESA, and there is also an obligation on all members of the World Trade Organisation to comply fully and to dispense the relevant information.

Besides, Mr Deputy Speaker, Sir, countries with which we can redress conflicts in respect of cases relating to dumping or countervailing, we discussed with them bilaterally. Let me refer to Egypt to demonstrate specific cases. There are safeguard measures that have been taken on four products, namely paint, varnish, soap, detergent and baby diapers, simply because we have to put our best endeavour to protect our domestic industry. These safeguard measures have been discussed on a bilateral basis. Now that we have a legal framework in respect of countervailing and anti-dumping, as I have stated, the main thrust of the Bill is deterrence. We have a long way to go. It is true that the Authority has yet to prove itself, but we are going to dispense all the support needed to the Authority. We trust the acumen of our excellent officers and, since there are provisions for us to have recourse to experts as and when required, the needful will be done. But, the House can rest assured that it is the policy of this Government to give all support to the

small and medium enterprises because they, first and foremost, need to have the safety required to operate in a conducive environment.

Mr Deputy Speaker, Sir, this is a very complex Bill; it will take us a long way as a committed member to the World Trade Organisation, although we all pray for the conclusion of the Round, which appears to be elusive. But we cannot remain complacent, and we have to carry on with our commitment to give full support to our domestic industry. With these words, I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

THE TRADE (ANTI-DUMPING AND COUNTERVAILING MEASURES) BILL

(No. XVIII of 2009)

Clause 1 ordered to stand part of the Bill

Clause 2 (Interpretation)

Motion made and question proposed: "that the clause stand part of the Bill."

Dr. Boolell: Mr Chairperson, I move that clause 2 be amended as follows -

- “(a) In clause 2, in the definition of –
 - (i) “*de minimis*”, in paragraph (a), by deleting the words -
 - (A) “less than 2 per cent” and replacing them by the words “less than 2 per cent”; and
 - (B) “less than 3 per cent” and replacing them by the words “less than 3 per cent”;
 - (ii) “injury”, by deleting the words “material retardation to the establishment” and replacing them by the words “material retardation of the establishment”;

Amendment agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clauses 3 and 4 ordered to stand part of the Bill.

Clause 5 (Imposition of anti-dumping measures)

Motion made and question proposed: “that the clause stand part of the Bill.”

Dr. Boolell: Mr Chairperson, I move that clause 5(c) be amended by deleting the words “casual link” and replacing them by the words “causal link”;

Amendment agreed to.

Clause 5, as amended, ordered to stand part of the Bill.

Clauses 6 to 41 ordered to stand part of the Bill.

Clause 42 (Preliminary determination)

Motion made and question proposed: “that the clause stand part of the Bill.”

Dr. Boolell: I move that clause 42 be amended as follows -

‘In clause 42(1), by deleting the words “an investigation of”’

Amendment agreed to.

Clause 42, as amended, ordered to stand part of the Bill.

Clauses 43 to 54 ordered to stand part of the Bill.

Clause 55 (Final determination)

Motion made and question proposed: “that the clause stand part of the Bill.”

Dr. Boolell: I move that clause 55 be amended as follows -

‘In clause 55(1), by deleting the words “an investigation of”’

Amendment agreed to.

Clause 55, as amended, ordered to stand part of the Bill.

Clauses 56 to 69 ordered to stand part of the Bill.

Clause 70 (Sunset review)

Motion made and question proposed: “that the clause stand part of the Bill.”

Dr. Boolell: I move that clause 70 be amended as follows -

‘in clause 70(2) (a), by deleting the words “duty of the most recent review under section” and replacing them by the words “duty or the most recent review under this section or section 71”’

Amendment agreed to.

Clause 70, as amended, ordered to stand part of the Bill.

Clauses 71 to 78 ordered to stand part of the Bill.

The title and enacting clause were agreed to.

The Bill, as amended, was agreed to.

On the Assembly resuming with the Deputy Speaker in the Chair, the Deputy Speaker reported accordingly.

Third Reading

On motion made and seconded, The Trade (Anti-Dumping and Countervailing Measures) Bill (No. XVIII of 2009) was read the third time and passed.

Second Reading

**THE FOOD AND AGRICULTURAL RESEARCH COUNCIL (AMENDMENT) BILL
(NO. XX OF 2009)**

Order for Second reading read.

The Minister of Agro Industry, Food Production and Security (Mr S. Faugoo): Mr Deputy Speaker, Sir, I move that the Food and Agricultural Research Council (Amendment) Bill (No. XX of 2009) be read a second time.

Mr Deputy Speaker, Sir, the objective of this Bill is to promote the setting up of agricultural youth clubs and agricultural entrepreneur clubs in order to encourage the young people to engage in agricultural production and in agribusinesses. The Bill also provides for the repeal of the National Federation of Young Farmers’ Clubs Act.

Mr Deputy Speaker, Sir, it is the vision of this Government to modernise the agricultural sector and to promote the development of agribusiness in Mauritius to offer better quality and safer products to consumers and, at the same time, reduce dependency on imports. Our young people have an important contribution to make towards achieving this goal. More so, as most of our farmers are pulling out of this activity mainly due to old age, we need to attract and mobilise the new generation in this sector along the whole agribusiness chain. There is an urgent need to revive the interest of our young people in agriculture to sustain the viability of the sector and ensure the production of food for the population.

Mr Deputy Speaker, Sir, in the context of the Food Security Programme, a large number of young persons has expressed interest in agriculture. They have submitted well formulated and innovative projects to my Ministry for the production of food crops and livestock development, as well as for the promotion of fisheries and seafood activities.

Mr Deputy Speaker, Sir, the Agricultural Research and Extension Unit, which was created under the Food and Agricultural Research Council Act, has been providing extension services to planters and breeders to help them to increase production through the use of appropriate technologies and adoption of good agricultural practices. AREU also assists promoters in the agricultural sector in project write-ups and in counselling regarding the different types of activities that they wish to undertake. A special section of the extension service department is devoted to the youth and women interested in agriculture.

Mr Deputy Speaker, Sir, a Farmers' Training School has been set up at Wootton last year to dispense training to farmers, breeders and agro processors on good agricultural and breeding practices and agro processing.

Lately, AREU has intensified its campaign to encourage more youth to join the agricultural sector. To that effect, the young aged between 12 and 18 years have been encouraged to join the agricultural youth clubs or to create new ones. Moreover, agro-entrepreneur clubs for those aged 18 and above are being set up. Some of these clubs are already operational since 2007. These clubs, as the names suggest, will focus on activities that will promote agribusiness, entrepreneurship and provision of services related to agro-industry. This section encompasses a wide range of activities with enterprises having different levels of organisation, ranging from relatively large ones to small cottage and backyard farming.

Mr Deputy Speaker, Sir, AREU will undertake to set up these clubs all over the island. These clubs will be grouped regionally into federations, and a national council will be constituted and will be duly registered with the Registrar of Association. By amending the FARC Act, a legal framework will be created in order to allow the clubs to have a legal recognition. This recognition is important, as it will facilitate the clubs to start their activity and benefit from schemes and financial assistance.

Mr Deputy Speaker, Sir, with the advent of AREU and its recent initiative to step up the formation of agricultural youth clubs and to set up agro entrepreneur clubs, it has been observed that the activities of the National Federation of Young Farmers' Clubs have further decreased considerably, and diminishing interest has been shown by its members. In fact, during the past years, the National Federation of Young Farmers' Clubs has not been active and has not generated any revenue from its core activities. The only income it has been deriving was from the rental of its building at Belle Mare for the holding of conferences, seminars and workshops. The amount received annually was around Rs500,000 only. On the other hand, Government has been providing an annual grant of Rs3.5 m. to the Federation to enable it to meet its expenses related principally to staff salaries.

Mr Deputy Speaker, Sir, in view of these developments and following consultations with members of the Federation and AREU, Government decided, in August 2008, to dissolve the National Federation of Young Farmers' Clubs and to transfer the staff to AREU. The Federation was employing 18 persons, and an agreement was signed between my Ministry, AREU and the staff union representing these employees for the latter's transfer to AREU. The transfer was effected in October 2009 on terms and conditions which are no less favourable than those of their previous employment. As the transfer process has now been completed, the Act establishing the National Federation of Young Farmers' Clubs has no longer any *raison d'être* and, therefore, has to be repealed.

Mr Deputy Speaker, Sir, the National Federation of Young Farmers' Clubs was founded by Dr. Clovis Vellin in 1962, at a time when unemployment was high and Mauritius was totally dependent on imports for all food commodities. It became a body corporate governed by the National Federation of Young Farmers' Clubs Act in 1966. In the post independence years, the Federation has been instrumental in promoting agricultural diversification in Mauritius. In fact,

by dispensing training and advice to farmers on good agricultural practices and helping them to lease land from sugar estates, the Federation had played an important role in the development of the agricultural sector. It is unfortunate that the momentum of the earlier years has slowed down almost to a stop, and we have reached a situation where the dissolution of the Federation had become inevitable.

Mr Deputy Speaker, Sir, I would like to take the opportunity today to pay tribute to the pioneers and members of the Federation for their dedication and contribution to agricultural diversification in Mauritius. There is no doubt that, at that time, the Federation had, to a certain extent, helped the country to attain an appreciable level of self-sufficiency in poultry, potato and vegetable production.

With these words, Mr Deputy Speaker, Sir, I commend the Bill to the House.

Dr. Boolell rose and seconded.

(7.15 p.m.)

Mr G. Gunness (Third Member for Montagne Blanche & GRSE): Mr Deputy Speaker, Sir, today we are debating the Food and Agricultural Research Council (Amendment) Bill. The hon. Minister, in fact, is coming to repeal principally the National Federation of Young Farmers' Clubs Act, which was the main body governing the Young Farmers' Clubs. We are told that now, this responsibility of setting up of agricultural youth clubs and agricultural entrepreneur clubs will be the responsibility of the Food and Agricultural Research Council, mainly AREU which is an arm of the Food and Agricultural Research Council.

I listened to the hon. Minister carefully. I was expecting him to give figures, statistics and the number of clubs. He only said that clubs have been set up since 2007 by AREU, but he did not mention any figures about the number of clubs. Personally, I feel that this is not the role of AREU. The setting-up of agricultural clubs is not the role of a research council as per the law. The Food and Agricultural Research Council is a body responsible principally to carry out research, to promote activities, and I feel that the youth in the clubs take assistance of the FARC when they are doing farming activities of the club.

What has happened, obviously, is a slow death of the National Federation of Young Farmers. It was as if a planned death, because when you put the FARC to set up clubs, obviously the National Federation of Young Farmers stopped all its activities. As FARC is setting up agricultural clubs, the National Federation of Young Farmers is not motivated to do what it was doing in the recent past.

We must say, Mr Deputy Speaker, Sir, that this National Federation of Young Farmers had done a marvellous job. It was set up in 1963, but it did a good job over a good number of years, mainly in rural areas where the youth was inculcated farming. They were devoted in land preparation, in vegetable growing, in livestock, in breeding; they were doing a job, and there was - up to now - a sort of social belonging to that club in villages. In almost every village, you had a Young Farmers Club where there was a leadership and a sort of belonging to that club. This has disappeared since years because, in my opinion, there was no motivation; there was no sensitisation campaign. It is true that the youth of today have *d'autres soucis* as we say. It is true; we cannot deny that the youth of today are not living in the same era as in 1963, 1970 and 1975. That's true! Granted! But I think that if we did not demotivate the Federation of Young Farmers, if they were given the means to carry out their promotion campaign in the setting-up of agricultural youth clubs throughout the country, they would still have done that job of motivating the youth, make them have a social belonging to that club, and create activities in the villages.

I still remember, Mr Deputy Speaker, Sir, when we were organising activities at local level in villages principally, these federations were coming with demonstration of how - now we are talking of environment, and it is still valid - to do *compostage*, how you take the rubbish from the kitchen and prepare *compostage*, how to use it in vegetable growing, in flower growing. These federations were doing it, and people were trying to get it.

Mr Deputy Speaker, Sir, at Belle Mare, I still remember that the Federation of Young Farmers - I am sure there are still some left - was doing poultry farming. There were very big poultry farms there. They had activities, encouraged people to set up kitchen garden if they had a small plot of land, and organised competitions in villages. The Young Farmers' Club was taking the lead role in organising competition such as 'Best Kitchen Garden', 'Best Flower Garden', in order to encourage the youth in that direction. All this has disappeared, but I do not think that, even though we are in an era of information technology, we cannot motivate these youths to

come back to agriculture. I think we still can do it, and the Ministry of Education has got a role in that also.

I think it is only in one college today, namely La Confiance College, where you see they have that culture. Let us say that, out of hundred colleges, five colleges are doing agriculture and, for practical, they have a big garden where they bring the children. Let them get the feeling of the soil with their hands. If we insisted that all schools include agricultural science as a subject to inculcate the youth as from school, I am sure the National Federation of Young Farmers would have got many members in villages, and this would have created a sense of belonging. Today, what is happening? The youth are becoming individualistic; they see only for themselves. We see it everywhere; they are not forming part of a team; that team spirit has disappeared, because we don't see it. And it is very dangerous when team spirit disappears; when you no longer see the youth cooperating among them, it becomes very dangerous.

Mr Deputy Speaker, Sir, when I was going through the speech, I read that when the National Federation of Young Farmers was set up, 400 acres of land were given to the Federation by the sugar estates for growing vegetables. You can set up as many clubs as possible, but you need land, you need the means. I see that, at that point in time, even on fertilisers, subsidy was being given to the young farmers who were between 18 and 30. Concerning the question of incentives, the question of land, it is now under FARC. I still believe that it is not the role of FARC; I still believe that the National Federation of Young Farmers is the best organisation to do that job, to motivate the youth. It is the work of a federation but, anyway, the Government has decided now that AREU will do that job. But we see that, with regard to the agricultural diversification programme itself, they have failed up to now.

Now they are giving them the responsibility to motivate the youth clubs, and I listened to the Minister who said that they are going to set up the clubs throughout the island. With the skeleton staff that they have, how are they going to sensitise, campaign, go in all villages to set up the clubs? Today, all the inputs are very expensive, and if you want to encourage the youth to go in farming business, you must give subsidies to these youth clubs.

Mr Deputy Speaker, Sir, concerning Belle Mare, the Minister was telling that they get only Rs500,000 per annum for seminars, conferences etc. In the past, it was generating revenue; in fact, they were not meant to generate revenue on a profit basis. It is not supposed to be a profit

making business but, anyway, they must at least break-even. But I think that the building in Belle Mare must be preserved, and it needs to be maintained. I think it needs a good renovation. The building has big potential now that you have many activities in the eastern region; this building cannot be left as it is nowadays. When you go there, it is a pity. Now that AREU has taken over, I think that the building has to be renovated completely, and it has a big potential for the organisation of seminars, conferences and residential purposes as it was meant for at that time. The building was meant for residential seminars for the youth, for those who formed part in agricultural clubs. The Minister is talking about a training school. That is good, but we can make optimum use of that building in Belle Mare because it is of great value to the young farmers. It is the Federation of Young Farmers which set up that building, and now it has been transferred to AREU.

Therefore, Mr Deputy Speaker, Sir, I am going to conclude by saying that the Government has decided to do away with the Federation of Young Farmers, and it will be now under the responsibility of AREU. We have seen that AREU has a lot of work in the field of agriculture, FARC has a lot of work in the field of research, and I can only wish them good luck. I don't know how they are going to do it, but they should try to sensitise, to go on radio and television, to send people on the field to motivate the youth to join the Young Farmers' Clubs as in the past, and get back to the land, to our mother land.

Thank you.

At 7.30 p.m. the sitting was suspended.

On resuming at 7.42 p.m. with the Deputy Speaker in the Chair.

Mrs S. Hanoomanjee (Second Member for Savanne & Black River): Mr Deputy Speaker, Sir, we have in front of us, today, a Bill where we are being asked to approve the repeal of the National Federation of Young Farmers' Clubs Act and provide for the setting up of agricultural youth clubs and agricultural entrepreneur clubs under AREU.

Let me say that I am sad to see the repeal of the National Federation of Young Farmers' Clubs Act. This Act was passed for the first time in this august Assembly in 1966, when Sir Satcam Boolell was the then Minister of Agriculture. At that time, when he presented the Bill he said -

“The objects of the Federation shall be the promotion of farming in the island of Mauritius with the view to helping the country both socially and economically.”

Although the law was passed in 1966, the Federation existed well before, since 1962. One hon. Member pointed out that it was set up by Dr. Vellin at a time when, on one side, Mauritius was heavily dependent on imports of agricultural foodstuffs and, on the other side, unemployment of youngsters was on the increase. The Federation leased land from the sugar estates in the early 80s. They were then leasing around 500 *arpents* of land, and they became the third largest producer of potatoes and green vegetables in the island. But, as time went by, the sugar estates were reluctant to lease land to them in spite of the fact that, as in 2007, there were still around 50 boys' clubs and 67 girls' clubs. The sugar estates gave them only about 30 *arpents* of land for cultivation.

The Federation, Mr Deputy Speaker, Sir, has done a very good job over the years. It has initiated youngsters to develop the taste for agriculture. It has undergone training for them in community work and community service. It is also worth mentioning that some ex-Members of this august Assembly did their first step in community work through this Federation. I am talking here of ex-Members like Mr Armoogum Parsuraman, Radha Gungoosing, of Soorooj Fooker who was the Chairman when the premises for the residential complex were inaugurated.

But, today, we are repealing this Act. Let's see what has happened, what has brought this; several things, Mr Deputy Speaker, Sir. First, there has been a disinterest amongst youngsters for traditional agriculture. The Federation has not been able to rise up to the challenge and follow modern trends in agriculture, using new technologies. Second, the sugar estates could not understand the philosophy behind the existence of such clubs around the island, and they have started depriving the Federation of such land - from 500 *arpents* in 1980 to 30 *arpents* in 2004. Third, because it had started facing financial constraints, it has started renting out its residential complex to societies and organisations, whilst these facilities should have been used for training of members, for seminars and things like that. Fourth, it had started launching new projects without proper planning, with the consequence that it has accumulated bad debts and, at the same time, we see that AREU had started creating clubs for young. So, although the Federation had received funding from renowned organisations like Oxfam, Frederick Edinburgh

Foundation, the European Economic Commission, it has not been able to sustain its activities. But, Mr Deputy Speaker, Sir all these problems can be addressed.

When in 1966, Sir Satcam Boolell presented this Bill to the Assembly, I am sure - and I have no doubt on this - he wanted to send a strong signal. It was not just because he wanted to give the Federation a legal status. He wanted to induce youngsters in agriculture. He wanted to give an encouragement to all these clubs, so that they can contribute to the economy of the country. I believe, Mr Deputy Speaker, Sir, that when we are repealing this Act, we are sending a very bad signal. What we are saying, in fact, is that there is no need for these clubs to exist. There is no need for the Federation to exist. In fact, there is a dismantlement of the Federation. No doubt, for I heard the hon. Minister of Agro Industry say that these same functions will be taken over by the Food and Agricultural Research Council, the FARC. But this Council, as the name itself denotes, is there for research. FARC is there for coordination of research and not for the monitoring or the setting up of agricultural youth clubs. It means that we are diluting the functions and the objects of FARC, which is to coordinate research. We know we have got several institutions doing research in Mauritius. We have got the MSIRI, AREU; we have got other institutions doing research work. But who is coordinating these activities, so as to determine the priorities in the agricultural sector?

This is the object of FARC, but I know the hon. Minister will tell me: "There is another arm of FARC that will do this, which is AREU". I think I am well placed to say that AREU is already saddled with loads of work. AREU is doing research work. It has research work to carry out; it has extension activities to perform. As such, I believe that if we are now giving AREU the responsibility to take over the activities of the Federation, it will be once again diluting and diverting from its main objects. What I feel is that setting up agricultural clubs would be then the least of its worries. What will be done? AREU will concentrate on its main activities, and then the setting-up of these clubs will become the least of its worries, especially when we think that AREU has so much to do with the existing resources at its disposal. The hon. Minister should tell us how many research works are ongoing, which priority fields have been determined, which research work has been completed during these past five years. We know research takes time. How many researches have been completed and how many have been publicised during the past five years? Those are the things on which AREU should lay emphasis, Mr Deputy Speaker, Sir.

M. le président, je ne suis pas en train de faire le procès de l'AREU. Far from it! I know this organisation, and I know that within this organisation there are people of goodwill, people who are willing to work. But what I am saying is that, instead of repealing the National Federation of Young Farmers' Clubs Act, the Ministry could have found other ways and means. Why am I saying this? It is because now the Ministry has got money. It has got funds under the Food Security Programme. Those funds could have been diverted to give the Federation another life.

Mr Deputy Speaker, Sir, I just heard hon. Gunness talking about composting. I went through some of the papers about composting, and I found one interesting speech which was made by the then hon. Minister of Agriculture, hon. Pravind Jugnauth, in 2003, when he was launching composting activities for the young farmers clubs together with the University of Mauritius, which means that they had taken initiatives, they could do things. The then Minister of Agriculture in 2003 mentioned in his speech that the Ministry had prepared a strategic plan for the Non-Sugar Agricultural Sector, wherein it had offered new opportunities to the agricultural community in Mauritius. He said, and I quote -

“Besides proposing measures to modernise the sector in an organised framework, the plan aims at empowering the agricultural community, especially the younger skilled generation, to enable them to emerge as agricultural entrepreneurs on a broader-based agro-industrial venture, which will make Mauritius an agro-processing hub”.

He also mentioned that the plan makes provision for the setting-up of Young Agricultural Entrepreneur Schemes, to assist young farmers in getting the necessary training to efficiently conduct modern agriculture, and emerge as professionals and agricultural entrepreneurs.

Mr Deputy Speaker, Sir, with additional funds being put at the disposal of the Ministry of Agro Industry, Food Production and Security, I am sure he could have given a new life to the Federation. I wish, Mr Deputy Speaker, Sir, to mention something else. In fact, land had been allotted to the Young Farmers Federation by Government at the time, for the construction of a residential complex and other agricultural activities. That was in the early 1980s. They were given 30 *arpents* of land but, in 1998, 10 *arpents* of land were transferred to the SIT, and later on another 10 *arpents* were retrieved in favour of the Ministry of Social Security and other organisations. This is very interesting, because I know when we say that agricultural land is

available somewhere near the coastline, everybody is interested to know what will happen to that land. Right now, 10 *arpents* of land are available. Let me put it that way. I don't know whether this has been transferred from the Federation to the Ministry. But, I would suggest that this land be kept for agricultural purposes, especially if the hon. Minister is saying that AREU is taking it. Why don't we keep that land for agricultural purposes? Because we know there are many onion planters, people who would be interested to take parcels of land for plantation purposes. Let that land be for the small farmers.

I would end here, Mr Deputy Speaker, Sir, but before I resume my seat, allow me - because I know the hon. Minister will go ahead with this Bill, and the National Federation of Young Farmers' Clubs Act will be repealed - to pay tribute to all those who have served this Federation, and also to tell all those young farmers grouped in clubs all over the island that I would have wished to thank them for their selfless dedication to the cause of agriculture.

Thank you, Mr Deputy Speaker, Sir.

(7.58 p.m)

The Minister of Foreign Affairs, Regional Integration and International Trade (Dr. A. Boolell): Mr Deputy Speaker, Sir, we should not allow emotions to run pitch high, and I think we have no choice but to face the facts. And the facts are as follows: we cannot simply just walk down memory lane. I have listened to hon. Mrs Hanoomanjee, and she has highlighted the reason which has brought the demise of the National Federation of Young Farmers' Clubs, and to a large extent she is right. If we have to walk down memory lane before I come to the very essence of the Bill, let me also pay tribute to Dr. Clovis Vellin, who was a teacher of the Royal College of Port Louis. As the hon. Minister of Education is saying, Mr Vellin used to teach geography. He was very dedicated, and he made it a point to encourage young people to show keen interest in the agricultural sector, to regroup them, and asked them to join Young Farmers' Clubs. I recall in Port Louis, Mr Deputy Speaker, Sir, when I was a very young kid, I used to keep company with my elder cousins who were then students of the Royal College of Port Louis, and there was land belonging to the Dassyne family which was fallow. That land was leased to the Young Farmers' Clubs, and it's amazing the interest shown by young people to plough, cultivate and grow the land. At the time, climate change was not a problem, the land was fertile and the crop was a bumper one. Mr Deputy Speaker, Sir, you could see the joy on the faces of

those young people, but times change. Mr Vellin then went to Cornell University to study agricultural economics and when he came back, he was much sought after for his expertise and dedication. He became the Director – if I am not mistaken – of the DWC. Unfortunately, he left and then went to settle in Australia.

But those were the days where the sugar estates were willing to lease land and property development, Mr Deputy Speaker, Sir. It was not a sector that was burgeoning. Today, things are different. If there is a sector which is attracting a lot of direct investment, it is precisely property development and land which, over the years, has become a scarce commodity, as has been rightly stated by hon. Mrs Hanoomanjee. When there is a boom in property development, land becomes a commodity which is much sought after and we know what the consequences are, because private companies do not run charitable institutions. They are there for the profits and they have to honour their commitment vis-à-vis their shareholders. Slowly but surely, the Federation of Young Farmers' Clubs started to become an activity on the wane, so as not to say redundant. Then, when Dr. Vellin left, others joined the Young Farmers' Clubs and were Directors of the Federation. I recall the name of Mr Awotar who was one of the Directors. Hon. Mrs Hanoomanjee was right to point out that there were people like Fokeer and others. I used to meet them regularly because they came to my place very often. They were the young leaders of the day, always in the vanguard to convey the signals that political changes had to be brought, Mr Deputy Speaker, Sir. But the fact remains, the Federation of Young Farmers' Clubs became a burgeoning federation, because of scholarships also being awarded by countries like Israel. If I am not mistaken, Egypt also did grant scholarships. At that time, there were experts from Israel who used to travel to Mauritius to dispense training to young farmers. As I said, Mr Deputy Speaker, Sir, if there is one thing that remains constant, it is *status quo*, and we have to reengineer.

Having said so, the Agricultural Extension Services made provisions for the setting up of Young Farmers' Clubs, except that there was no provision in the legislation. When the Extension Services were converted into Agricultural Research Extension Unit, the activities were incorporated and the agricultural youth club operated under the aegis of the Agricultural Research Extension Unit. I am sure hon. Mrs Hanoomanjee would recall the number of events which we attended and the support being dispensed to the agricultural youth club by the Agricultural Research Extension Unit, following which a decision was taken to set up a school

for farmers. In fact, today, we are more focused and geared to respond to the needs of those who are willing to show interest in the agricultural sector, the relevance of having a Young Farmers' School at Wooton; the courses are modulated and prepared jointly by the Minister of Agro Industry, Food Production and Security, and now MITD, simply because we want to create an enabling environment for people who are keen to show interest in the agricultural sector, be it farming, animal husbandry, and to instil semi-professional values; and this is the relevance of moving the process. We cannot simply just walk down memory lane and recall the good old times. Time changes and we have to act more professionally.

Mr Deputy Speaker, Sir, today, people are able to process their agricultural produce. I know of a lady who used to be a member of a Young Farmers' Club, Mrs Laurent, who processed agricultural produce; she has captured a niche market and is exporting her produce. In fact, we have to create opportunities and allow our young people to grasp those opportunities. Opportunities are knocking. My friend, hon. Minister Aimée, dropped the name of Mr Sarjua. Today, Mr Sarjua has become a household name. His products are exported to France, and these are products that are much sought after. You go to any agricultural fair, and his products are sold at a very remunerative price. So, my appeal to our friends on the other side, is that true it is that we have to walk down memory lane, but, on the other hand, we have to be positive and be more proactive.

Let me now highlight some of the activities relating to AREU. I am talking of activities pertaining to their outreach, and they are reaching out to young people. They have set up a Moselle farm in Cascavelle with the help of young entrepreneurs. Today, you can process Moselle, and it has become an attractive feature for tourists. They are setting up food villages in different parts of the country. But, the fact remains that those who are showing interest have at heart not only the agricultural sector, but are keen to give it a commercial dimension also. This is a good thing. I have to highlight the number of young people who have moved into hydroponics. You just have to visit some of the hydroponic farms which have been set up in Clunny and run by young graduates from the University of Mauritius, professionals who are selling their produce to the supermarkets. Hence, the relevance of good agricultural practices, and these practices have been established by people who have travelled from the EU to ensure that norms, standards in response to phytosanitary standards are adhered to. This is a good thing. So, when we talk of Young Farmers' Clubs, let me refresh the memory of hon. Mrs

Hanoomanjee. We were at the Ministry of Agro Industry when our friends from the Young Farmers' Federation came to see us. They wanted by all means and at all costs to be redeployed, and they wanted to have security of employment.

As a Government, we had to tell them to either to raise funds through agricultural activities - and one of those activities, unfortunately, was not agricultural activities; they started renting the club in Palmar - or to see to it that they obtain more land from the Sugar Producers' Association, which was becoming indeed a daunting task for reasons which I have spelt out. Unfortunately, some of the lands which were allocated to them and which were to be leased to cooperative societies became an activity which, to a large extent, was not legal, and there were fraudulent practices which were ongoing; the reason as to why we called a gentleman, Mr Sookram. He was the person designated by the Ministry to work at the National Federation of Young Farmers' Clubs. They were fed up; their activities were scaling down; they had no source of revenue except through the grant being allocated to them by Government, and we constantly had to make a plea to the then Minister of Finance to release funds to enable them to remain in employment.

I am glad today that the Minister has taken the right decision. Those people are being redeployed. They have now security of employment, and there was no compulsion on Government to redeploy those people because they were getting grant money. So, Government has acted in a very compassionate and humane manner; it has redeployed the staff of the National Federation of Young Farmers' Clubs and, of course, the building has become vacant; it is empty. It is up to Government to decide.

Under the present circumstances, AREU will take over. But one should not forget, Mr Deputy Speaker, Sir, that we are talking of land which is located on a prime site. Today, if there is a sector which is booming, it is the tourism sector. Land has become a scarce commodity. But, Government, in its wisdom, will have to take a decision. Under the present circumstances, it is a property which will now be under the aegis of AREU. The building can be used for training of young farmers. But, as has been stated, we need to canvass and sensitise young people who will become farmers, not because they love the activity but because they want to see to it that it is an activity that can churn out profits.

(Interruptions)

It is a fact, but we need to look at the level of preparedness. We need to make sure that they take the rung of the social and economic ladder, hence the relevance of the Farmers' Training School at Wooton and, hence, the importance of young people attending the Faculty of Agriculture at the University of Mauritius. When they graduate, we have to create and widen the circle of opportunities for them. This is where the Food Security Fund becomes relevant, because we are going to dispense support to them.

Let me just highlight a few cases! A group of young people in Rose Belle has now moved to cattle rearing and milk production.

(Interruptions)

Land is being released by the Ministry of Agro Industry, Food Production and Security, through land obtained from the deal concluded between the MSPA and Government, and now their activities are becoming profitable. These people are selling the milk to the locals, and hotels are very willing to buy the milk. They had been allocated Rs1 m. to set up a Pasteurisation Unit. They are not the only one. I think there are four groups of young farmers in the East to whom money has been allocated to invest in milk production. Of course, today, if we are able to revamp that sector - milk production has become a reality - it is precisely because of the policy of Government and the report which we submitted to kick-start the non-agricultural sector. The results today are visible and tangible. We did not only prepare a report which was widely circulated. When my colleague became Minister of Agro Industry, Food Production and Security, a workshop was held at Domaine les Pailles, where all the stakeholders were present, and the Minister spelt out the measures needed to spearhead and enhance the agricultural sector. Today, financial resources are being disbursed provided projects are feasible. So, we have travelled a long way.

Of course, I am not going to talk of rice cultivation. The harvest will take place soon and the seeds can be used for production of rice in the region. I think we have travelled a long way; there is no need to be emotional.

As I said, the National Federation of Young Farmers' Clubs has now outlived its purpose, and the number of agricultural youth clubs is constantly on the increase. There are possibilities to encourage young people to regroup with the incentives which are being granted to youth clubs and the support services that are being dispensed to them. So, the support is there, the political

will is there, and the Minister is right to bring an amendment to the Food and Agricultural Research Council Act. Besides, hon. Mrs Hanoomanjee should know that our scientists do submit papers at the agricultural meeting of scientific officers. They constantly do so. We know that they are practical, and there is no point in investing money in projects where the return would be negligible. As we say, if you have idea, you churn it, you need to give it a commercial dimension, and we have to make sure that at the end of the day there is a return. This is why we say that AREU is involved in applied research, Mr Deputy Speaker, Sir. They are doing a good job. The amendment is timely, and we have to make sure that we use land judiciously. Since the interests of the employees of the National Federation of Young Farmers have been taken care of, there is no need to be emotional; we have to be rational in our approach.

Thank you very much.

(8.19 p.m.)

Mr Faugoo: Mr Deputy Speaker, Sir, I would like, at the very outset, to thank all the Members who have participated in the debate on this Bill.

The main object of this Bill, Mr Deputy Speaker, Sir, is twofold. Firstly, we are making provision for the setting-up of agricultural youth clubs and also agricultural entrepreneur clubs, so as to promote and encourage agricultural and agribusiness development. As I said in my main speech, in fact, it is AREU which is looking at this aspect of the sector, if I may put it this way.

The second object of this Bill is to repeal the National Federation of Young Farmers' Clubs, which is practically not operational and has been dormant for quite some time now.

We have to make a distinction between the dissolution of the Federation and the ceasing of its activities. I am not saying that we are ceasing the activities of the Federation. Today, we are only dissolving the institution which was dormant, not functional, and which has proved its *raison d'être* in time. What we are doing today is to do away with the Federation, but we are not at all doing away with the activities of the Federation. This is very important. We have to make a distinction there, Mr Deputy Speaker, Sir. This is why we said that the activities of the Federation are being taken over by AREU.

The National Federation of Young Farmers' Clubs was created in 1962, as was rightly pointed out before me, in a totally different context, when emphasis was laid more on production

of primary products, with staff and facilities provided only for this purpose and nothing more. No one today is denying the important role that the National Federation of Young Farmers' Clubs played at that juncture, when it was most required, and its contribution in the agricultural sector, Mr Deputy Speaker, Sir. But, today, as was rightly pointed out by my colleague, hon. Dr. Boolell, we are living in a totally different situation where the agricultural sector is going through a modernisation process, which necessitates new entrepreneurs with new mindset and new culture to operate along the whole chain of agro industry from seed production, cultivation, post-harvesting, processing and marketing. This was the very essence when we have set up and changed the appellation of the Ministry. It used to be the Ministry of Agriculture and Natural Resources, then it became the Ministry of Agriculture and Fisheries, but, today, it is the Ministry of Agro Industry. We are talking no more of agriculture; we are talking of agribusiness, Mr Deputy Speaker, Sir.

The promotion of agribusiness and agro-entrepreneurship figures high is on the agenda of this Government. Accordingly, facilities have been provided by my Ministry, AREU and the Small Planters' Welfare Fund to encourage a larger number of young people to join the agricultural sector. Since the creation of AREU in 1997, a special section is dedicated to the grouping of young people aged between 12 and 18 into agricultural youth clubs. To answer hon. Guinness, at present there are 20 such clubs that are functioning, and their members have been receiving regular training in several fields including good agricultural practices. However, these youngsters could not further progress because their clubs had no legal status.

This is what exactly we are doing today. As I said, one of the reasons we are bringing this Bill today is to give these clubs, which already exist, a legal status to allow them to become fully operational, Mr Deputy Speaker, Sir. In the context of modernisation of the agricultural sector and the promotion of entrepreneurship, AREU had since 2007 taken the initiative for the setting up of agro-entrepreneur clubs for the youth aged 18 and above. There are actually six such clubs which are operating. As I said, Mr Deputy Speaker, Sir, the activities of the National Federation of Young Farmers have not disappeared, but the Federation has become dormant and this is for quite some time. It has not been able to even constitute the national committee which runs the Federation. They tried so many times, but there was no quorum and they could not bring all those stakeholders together to have a proper meeting and to give the Federation a new dimension and direction, Mr Deputy Speaker, Sir. This is the reason we are coming with it.

Mr Deputy Speaker, Sir, I must also say that, in the same spirit, a Farmers' Training School, which is MQA approved, has been set up since last year to provide more professional and formal training courses in different fields of agriculture, in close collaboration with the Mauritius Institute of Training and Development and the University of Mauritius. Today, around 1,000 young persons have successfully completed these courses in just about a year. In the wake of this modernisation process, my Ministry has come up with a number of schemes and projects to provide incentives and facilities under the Food Security Programme to existing and potential entrepreneurs. These include -

- (i) the introduction of improved genetic breed of animals;
- (ii) fodder development;
- (iii) milk pasteurisation;
- (iv) facilities to improve infrastructure;
- (v) setting up of curing units to extend the shelf life of commodities;
- (vi) setting up of measures to produce high quality planting materials;
- (vii) seed purchase scheme for potato and onion;
- (viii) food crop insurance scheme;
- (ix) post-harvest facilities, and
- (x) land preparation, including irrigation facilities.

My Ministry will ensure that all these schemes are open and accessible to all members of agricultural youth clubs and agricultural entrepreneur clubs. Mr Deputy Speaker, Sir, the National Federation of Young Farmers' Clubs did not have the required trained personnel nor the appropriate facilities necessary to support modernisation and entrepreneurship development along the whole chain in the agricultural sector. In fact, the National Youth Federation has been operating with only 18 staff, of which only five were field workers. Moreover, the Federation has not been able to reconstitute its national committee, as most of the area committees were not in a position to elect one member to sit thereon because of lack of quorum. This clearly shows how disinterested the members had become with the functioning of the Federation. In fact, the membership of the Federation has dropped from 15,000 members in the 1980s to around less than 2,000 in 2005. It is a drastic fall in the membership, Mr Deputy Speaker, Sir.

Coming to the points which were raised by hon. Gunness, I recall there were one or two, and it is good if I can explain. He said that it is not the role of FARC to set up agricultural youth clubs. I must say, Mr Deputy Speaker, Sir, that it is not FARC which is setting up these clubs, but AREU. FARC is a distinct institution from AREU. AREU is a unit which is established under the FARC Act, and the function of AREU is to undertake research and provide extension services, whereas FARC is engaged in coordinating research in agriculture and promoting collaboration between all agricultural institutions, be it the University of Mauritius, the MSIRI or the Agricultural Services under my Ministry. If we look at most of the countries, Mr Deputy Speaker, Sir, the responsibility to motivate young people in agriculture rests with the Agricultural Extension Services, and we are moving in the right direction; this is exactly what we are doing. In fact, it is not new. Since the early 70s, the Extension Services of the Agricultural Services has been grouping young people into agricultural clubs. This function has been taken over by AREU upon its creation. Mr Deputy Speaker, Sir, being promotional activities in a most structured and professional manner, the activities which have been taken over from the Agricultural Services - in fact, they have a youth and women section at AREU which is looking after this activity...

The Deputy Speaker: That's a lengthy summing up, hon. Minister.

Mr Faugoo: Mr Deputy Speaker, Sir, on the question of land which is being made available, previously the young farmers were taking land from the estates, but today, with all that is happening in the sector, we are giving the young entrepreneurs and the young farmers land from SIT - which was not the case before. We are giving land which we are receiving from MSPA. Besides the State lands, Mr Deputy Speaker, Sir, we are taking land from Rose Belle and putting them at the disposal of these clubs. In fact, we have land which is available and which can be put at the disposal of these clubs. As I said, we have to make a distinction between the dissolution of the Federation and ceasing of the activities. By bringing these laws, we are not at all ceasing the activities. On the contrary, we are reinforcing the activities. As I said, we are moving from agriculture to agro-business, and so there is more scope, more space for these clubs to operate. Under the Food Security Programme, the Ministry is here to give much more than what was given to the Federation before, Mr Deputy Speaker, Sir. It is very important to get this right, because the activities are not only been being taken over, but for quite some time they were already being carried out by AREU and also the Extension Services.

Mr Deputy Speaker, Sir, one point was raised by hon. Gunness, namely that AREU is just there to do research. But they are there also for extension services, which means that whatever research they do and whatever findings they get, they have to impart them to people who are in the business, and this is exactly what they are doing. After carrying out research, they have to extend the research results. This is why we are giving it a new dimension, a new definition, and all the conditions are there. I have no reason to doubt that this is not going to work out.

With these words, I commend the Bill to the House.

Question put and agreed to.

Bill read a second time and committed.

COMMITTEE STAGE

(The Deputy Speaker in the Chair)

The Food and Agricultural Research Council (Amendment) Bill (No. XX of 2009) was considered and agreed to.

On the Assembly resuming with the Deputy Speaker in the Chair, the Deputy Speaker reported accordingly.

Third Reading

On motion made and seconded, the Food and Agricultural Research Council (Amendment) Bill (No. XX of 2009) was read the third time and passed.

(8.33 p.m.)

The Minister of Education, Culture and Human Resources (Dr. V. Bunwaree): Mr Deputy Speaker, Sir, I do not propose to move for the Second reading of the following Bills today -

- (i) The Arabic-Speaking Union Bill (No. II of 2010);
- (ii) The Bhojpuri-Speaking Union Bill (No. III of 2010);
- (iii) The Creole-Speaking Union Bill (No. IV of 2010), and
- (iv) The Mandarin-Speaking Union Bill (No. V of 2010).

(8.34 p.m.)

The Minister of Agro Industry, Food Production and Security (Mr S. Faugoo): Mr Deputy Speaker, Sir, I do not propose to move today for the Second reading of the Sugar Cane Planters Trust (Repeal) Bill (No. VI of 2010).

ADJOURNMENT

The Deputy Prime Minister: Mr Deputy Speaker, Sir, I beg to move that this Assembly do now adjourn to Tuesday 06 April 2010 at 11.30 a.m.

Dr. Jeetah rose and seconded.

Question put and agreed to.

The Deputy Speaker: The House stands adjourned.

At 8.30 p.m. the Assembly was, on its rising, adjourned to Tuesday 06 April 2010 at 11.30 a.m.

WRITTEN ANSWERS TO QUESTIONS

TOURISM AUTHORITY - ACTIVITIES

(No. B/74) Mr R. Bhagwan (First Member for Beau Bassin & Petite Rivière) asked the Prime Minister, Minister of Defence and Home Affairs whether, in regard to the Tourism Authority, he will state if he has received representations concerning -

- (a) recruitment thereat;
- (b) its activities;
- (c) expenditure, and
- (d) allocation of contracts and, if so, if he has taken up the matter with the Minister, indicating the outcome thereof.

Reply: The Government has received no representation whatsoever concerning the matter.

The question, therefore, does not arise.

DR. HASSEN SAKIR STREET – HUMPS

(No. B/96) Mr S. Lauthan (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Infrastructure, Land Transport and Shipping whether, in regard to the Dr. Hassen Sakir Street between its junction with the Diégo Garcia and the Paul et

Virginie Streets, he will state if humps have been placed thereat and, if so, when and, if not, why not.

Reply: Two normal mode rails and one pedestrian mode rail have already been placed as scheduled along Dr. Hassen Sakir Street, between its junction with Diego Garcia and Paul et Virginie Streets.

The normal mode rail is made up of three thermoplastic yellow strips of 200mm large and 20mm thick, fitted at 1.5m interval with double-sided reflectorised studs. The pedestrian mode rail is made up of two similar strips on each side of a pedestrian crossing.

For the information of the House, the traditional round top and flat top humps have been replaced since last year by “Normal Mode” and “Pedestrian Mode” rails respectively. The new rails are easier to maintain, easily and rapidly provided and removed, more effective and reliable, and visible to road users at all times and under any climatic conditions.

DES PLACES & CARREAU ESNOUF – UNTARRED ROAD

(No. B/118) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien) asked the Minister of Housing and Lands whether, in regard to the strip of land, currently used as an untarred road, linking the villages of Des Places and Carreau Esnouf, he will state if his Ministry has now received a request for the compulsory acquisition thereof and, if so, where matters stand.

Reply: The hon. Member would recall that in my reply to PQ/B/1056 for the sitting of 27 October 2009, I stated that once I receive a formal request for acquisition of the strip of land, currently use as an untarred road, linking the villages of Des Places and Carreau Esnouf, I will initiate action for acquisition procedures on a fast track basis.

It is only a few days back, that is, on 19 March 2010, that my Ministry has received a request from the Ministry of Local Government, Rodrigues and Outer Islands for acquisition of the above-mentioned plot of land.

The strip of land belongs to Omnicane (formerly Mon Trésor Mon Desert Sugar Estate Ltd). Action is being initiated at the level of my Ministry to acquire that plot of land on a fast track basis.

MAHEBOURG VILLAGE HALL – EMBELLISHMENT WORKS

(No. B/119) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien) asked the vice-Prime Minister, Minister of Tourism, Leisure and External Communications whether he is aware that the embellishment works started by the Tourism Authority around the Mahebourg Village Hall have been stopped and, if so, will he, for the benefit of the House, obtain from the Authority, information as to the reasons therefor.

(Withdrawn)

PLAINE MAGNIEN, MAHEBOURG & GRAND BEL AIR - WATER SUPPLY

(No. B/120) Mr Y. Varma (First Member for Mahebourg & Plaine Magnien) asked the Deputy Prime Minister, Minister of Renewable Energy and Public Utilities whether, in regard to complaints received from the inhabitants of Plaine Magnien, Mahebourg and Grand Bel Air, in relation to problems faced due to frequent water supply cuts, he will, for the benefit of the House, obtain from the Central Water Authority, information as to the remedial measures that will be taken.

Reply: I am informed by the Central Water Authority that -

- (i) the region of Plaine Magnien is supplied on a 24-hour basis from Cluny and the newly commissioned Mare d'Albert boreholes. However, some elevated areas, namely Cité Balance, *Morcellement* Ithier, Chemin Gilbert, Mamou Road suffer from low pressure during peak hours;
- (ii) Mahebourg is supplied from Trois Boutiques and Café Boreholes, with aggregate yield of around 8,000 m³ daily, insufficient to satisfy demand on a 24-hour basis.

In order to improve water supply in Mahebourg, the Water Resources Unit is exploring additional ground water. Meanwhile, the CWA is negotiating with Omnicane to obtain about 2,000 m³ daily from their borehole to inject in the Mon Desert Service Reservoir to address the water situation.

- (iii) At Grand Bel Air, since December 2009, the supply is on a 24-hour basis but has been disrupted recently due to the works for drilling of a duplicate borehole at Cluny Pumping Station. The works will be completed by next

week and normal water supply restored by 01 April 2010. Water tankers have been mobilised.

KHADAFI SQUARE, PLAINE VERTE - PARKING FACILITIES

(No. B/121) Mr S. Lauthan (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Public Infrastructure, Land Transport & Shipping whether, in regard to the Khadafi Square at Plaine Verte, he will state if he is aware of the manner in which vehicles are parked thereat, thereby causing traffic congestion and, if so, indicate if consideration will be given for the provision of additional parking facilities.

Reply: Khadafi Square is at the intersection of four major streets and carries a high volume of traffic. Moreover, there is a major bus stop along Sir Abdool Razack Mohamed Street serving buses coming from the North and urban service buses. The area is densely built up, generating a significant amount of commercial activities. There is practically no off-street space available for the creation of parking spaces.

It has been observed that, with time, the single and double yellow lines on the roads in this area have faded. This has encouraged the parking of vehicles in a haphazard manner, which is contributing to the traffic congestion. The Traffic Management and Road Safety Unit is doing needful for the repainting of the faded yellow road markings.

In addition, provision will be made for a parking area in the new Jinnah Market Project.

PLAINE VERTE GARDEN – FENCING, LIGHTING POINTS & BENCHES

(No. B/122) Mr S. Lauthan (Third Member for Port Louis Maritime & Port Louis East) asked the Minister of Local Government, Rodrigues & Outer Islands whether, in regard to the Plaine Verte Garden, from the swimming pool to the Paul & Virginie Street, he will state if he is aware of the presence of vehicles therein and, if so, will he, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if consideration will be given for the -

- (a) fencing thereof, and
- (b) installation of -
 - (i) lighting points, and

(ii) benches thereat.

Reply: I am informed by the Municipal Council of Port Louis that it is aware of the presence of vehicles in the Plaine Verte garden from the swimming pool to the Paul & Virginie Street.

With regard to part (a) of the question, I am informed by the Council that fencing works thereat have been completed.

With regard to part (b) (i), I am informed that the procurement exercise for the purchase of electric poles has been initiated.

With regard to part (ii), I am informed that benches have already been installed.

PLAINE VERTE GARDEN – BOLLARDS & FOUNTAIN

(No. B/123) Mr S. Lauthan (Third Member for Port Louis Maritime and Port Louis East) asked the Minister of Local Government, Rodrigues & Outer Islands whether, in regard to the Plaine Verte Garden, from the Paul & Virginie Street to the Diego Garcia Street, he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as where matters stand in relation to the -

- (a) installation of 40 additional bollards, and
- (b) upgrading of the pond.

Reply: With regard to part (a) of the question, I am informed by the Municipal Council of Port Louis that procurement procedures are being launched for the purchase of the bollards to be installed at the Plaine Verte Garden.

With regard to part (b) of the question, I am informed that upgrading works around the already installed fountain are in progress.

CITÉ BARKLY – MARKET FAIR - CONTRACT

(No. B/124) Mr M. Allet (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Local Government, Rodrigues and Outer Islands whether, in regard to the construction of the market fair at Cité Barkly, he will obtain from the Municipal Council of Beau Bassin/Rose Hill information as to if the contract has been awarded and, if so, to whom.

Reply: I am informed by the Municipal Council of Beau Bassin/Rose Hill that the contract for the construction of a market fair at Cité Barkly has been awarded to Procivil Works Co. Ltd of 13, Prince of Wales Street, Rose Hill, on 18 August 2008.

I am further informed that variations to the scope of works were brought to the project in September 2009, where the Works Committee decided to convert four spaces from offices into stalls to sell fish, poultry, beef and pork. Around 85% of the project is completed. The outstanding works involve -

- (i) plumbing and finishing works;
- (ii) laying of stainless steel sheet on working tablets, and
- (iii) construction of soakaways.

The Council has informed me that the contractor will complete the contractual works within a period of six weeks.

MUNICIPAL COUNCIL OF PORT LOUIS – *COLLIER MAIRAL*

(No. B/125) Mr M. Allet (Second Member for Beau Bassin & Petite Rivière) asked the Minister of Local Government, Rodrigues and Outer Islands whether he will, for the benefit of the House, obtain from the Municipal Council of Port Louis, information as to if the *collier mairal* which had disappeared from the office of the Lord Mayor has been found and, if not, will he state if the Council has set up a committee to inquire thereinto, indicating the outcome thereof.

(Withdrawn)